

# AGENDA

## *REGULAR MEETING OF COUNCIL*

**Monday, November 1, 2021**

**7:00 p.m.**

**Council Chamber, Municipal Hall**

**355 West Queens Road**

**North Vancouver, BC**

**Watch at <https://dnvorg.zoom.us/j/65345321120>**

**Council Members:**

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



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## REGULAR MEETING OF COUNCIL

7:00 p.m.  
Monday, November 1, 2021  
Council Chamber, Municipal Hall,  
355 West Queens Road, North Vancouver  
Watch at <https://dnvorg.zoom.us/j/65345321120>

### AGENDA

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

- Bylaw 8455 – OCP Amendment 220 Mountain Hwy & 1515-1555 Oxford Street
- Bylaw 8456 – Rezoning 220 Mountain Hwy & 1515-1555 Oxford Street
- Bylaw 8295 – OCP Amendment 1920 Glenaire Drive
- Bylaw 8296 – Rezoning 1920 Glenaire Drive
- Bylaw 8492 – OCP Amendment 3155-75 Canfield Crescent
- Bylaw 8493 – Rezoning 3155-74 Canfield Crescent
- Bylaw 8516 – Fireworks Regulation Bylaw

#### 1. ADOPTION OF THE AGENDA

##### 1.1. November 1, 2021 Regular Meeting Agenda

*Recommendation:*

THAT the agenda for the November 1, 2021 Regular Meeting of Council for the District of North Vancouver is 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. RECOGNITIONS

#### 4. DELEGATIONS

#### 5. ADOPTION OF MINUTES

##### 5.1. October 4, 2021 Regular Meeting of Council

p. 9-16

*Recommendation:*

THAT the minutes of the October 4, 2021 Regular Meeting of Council are adopted.

**5.2. October 12, 2021 Public Meeting** **p. 17-23**

*Recommendation:*

THAT the minutes of the October 12, 2021 Public Meeting are received.

**5.3. October 18, 2021 Regular Meeting of Council** **p. 25-32**

*Recommendation:*

THAT the minutes of the October 18, 2021 Regular Meeting of Council are adopted.

**6. RELEASE OF CLOSED MEETING DECISIONS**

**7. COUNCIL WORKSHOP REPORT**

**8. 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.

*Recommendation:*

THAT items \_\_\_\_\_ are included in the Consent Agenda and are approved without debate.

**8.1. Bylaw 8533: Mount Seymour Lions Housing Society** **p. 35-61**  
**Bowron Court and Apex Avenue Housing Agreement**  
File No. 09.3900.20/000.000

Report: Deputy Municipal Clerk, October 19, 2021

Attachment 1: Bylaw 8533

Attachment 2: Staff Report dated September 28, 2021

*Recommendation:*

THAT "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Ave)" is ADOPTED.

**8.2. Bylaws 8538 and 8539: Rezoning and Development Cost Charge** **p. 63-100**  
**(DCC) Waiver Bylaws for a Social Housing Development at the**  
**"Riverside Site"**  
File No. 08.3060.20/055.21

Report: Development Planner, October 13, 2021

Attachment 1: Bylaw 8538

Attachment 2: Bylaw 8539

Attachment 3: Staff Report dated September 14, 2021



*Recommendation:*

THAT “District of North Vancouver Rezoning Bylaw 1414 (Bylaw 8538)” is given FIRST Reading;

AND THAT “Riverside Drive Development Cost Charges Waiver Bylaw 8539, 2021” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1414 (Bylaw 8538)” is referred to a Public Hearing;

AND THAT staff are directed to waive any additional District of North Vancouver fees, including Development Permit and Building Permit fees, and such fees may be in excess of the \$30,000 maximum specified in the Council Policy entitled Eligibility Criteria for Waiving Municipal Permit Application Fees” subject to securing social housing units in a lease agreement.

**8.3. Child Care BC New Spaces Fund Grant Application** **p. 101-110**  
File No. 10.4750.00/000.000

Report: Community Planner, October 14, 2021

*Recommendation:*

THAT staff are directed to submit a grant application to support the creation of new child care spaces as described in the October 14, 2021 report of the Community Planner entitled Child Care BC New Spaces Fund Grant Application;

AND THAT the District of North Vancouver commit to its share (\$2,020,000) of the total projected cost of \$3,5000,000 for a shared-use field house and child care facility.

**8.4. Amendments to Sign Regulations** **p. 111-228**  
File No.

Report: Councillor Jordan Back, August 18, 2021

Attachment 1: November 25, 2020 Councillor Report

Attachment 2: May 1, 2018 City of North Vancouver report entitled New Election Sign Bylaw

*Recommendation:*

THAT staff are directed to report back with recommended amendments to the Street and Traffic Bylaw 7125, 2004 to align the District of North Vancouver’s election sign regulations with the City of North Vancouver.

**8.5. Draft Metro 2050: Proposed Comments on the Updated Regional Growth Strategy** **p. 229-242**  
File No. 13.6440.10/001.000

Report: Community Planner, October 13, 2021

Attachment 1: Proposed District of North Vancouver Comments on Metro 2050

Attachment 2: Draft Metro 2050 - Executive Summary

*Recommendation:*

THAT Council endorse the comments on the draft Metro 2050 Regional Growth Strategy as detailed in the October 13, 2021 report of the Community Planner entitled Draft Metro 2050: Proposed Comments on the Updated Regional Growth Strategy;

AND THAT the report and comments are forwarded to the Metro Vancouver Board of Directors for consideration.

**9. REPORTS**

**9.1. Mayor**

**9.2. Chief Administrative Officer**

**9.3. Councillors**

**9.4. Metro Vancouver Committee Appointees**

**9.4.1. Housing Committee – Councillor Bond**

**9.4.2. Indigenous Relations Committee – Councillor Hanson**

**9.4.3. Board – Councillor Muri**

**9.4.4. Regional Culture Committee – Councillor Muri**

**9.4.5. Regional Parks Committee – Councillor Muri**

**9.4.6. Regional Planning Committee – Councillor Muri**

**9.4.7. Liquid Waste Committee – Mayor Little**

**9.4.8. COVID-19 Response & Recovery Task Force – Mayor Little**

**9.4.9. Mayors Committee – Mayor Little**

**9.4.10. Mayors Council – Translink – Mayor Little**

**9.4.11. Zero Waste Committee – Mayor Little**

**10. ADJOURNMENT**

*Recommendation:*

THAT the November 1, 2021 Regular Meeting of Council for the District of North Vancouver is adjourned.

## MINUTES

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

Minutes of the Regular Meeting of Council for the District of North Vancouver held at 7:01 p.m. on Monday, October 4, 2021 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor M. Little  
Councillor J. Back  
Councillor M. Bond (7:05 p.m.)  
Councillor M. Curren  
Councillor B. Forbes (via Zoom)  
Councillor J. Hanson

**Absent:** Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. D. Milburn, General Manager – Planning, Properties & Permits  
Ms. S. Walker, General Manager – Corporate Services  
Mr. A. Wardell, General Manager – Finance and Chief Financial Officer  
Ms. J. Paton, Assistant General Manager – Planning  
Ms. T. Atva, Manager – Community Planning  
Mr. J. Gordon, Manager – Administrative Services  
Mr. M. Hartford, Manager – Development Planning  
Mr. E. Iorio, Manager – Financial Services  
Ms. C. Jackson, Manager – Climate Action, Natural Systems & Biodiversity  
Ms. G. Lanz, Deputy Municipal Clerk  
Ms. C. Archer, Confidential Council Clerk  
Ms. K. Hebron, Committee Clerk  
Mr. S. Neumann, User Support Specialist  
Ms. A. Reiher, Council Liaison / Support Officer  
Mr. D. Veres, Development Planner

**1. ADOPTION OF THE AGENDA**

**1.1. October 4, 2021 Regular Meeting Agenda**

**MOVED by Councillor FORBES**

**SECONDED by Councillor CURREN**

THAT the agenda for the October 4, 2021 Regular Meeting of Council for the District of North Vancouver is adopted as circulated, including the addition of any items listed in the agenda addendum.

**CARRIED**

Absent for Vote: Councillor BOND

**2. PUBLIC INPUT**

**2.1. Mr. Paul Dean:**

- Spoke in support of item 8.8 on behalf of CEFA Early Learning; and,
- Commented on the child care and learning space in the proposed development.

Councillor BOND arrived at this point in the proceedings.

**2.2. Ms. Joy Hayden:**

- Spoke in support of item 8.8 on behalf of Hollyburn Family Services Society;
- Commented on the shortage of affordable rental housing in the region;
- Commented on the housing types in the proposed development; and,
- Noted the local amenities in the neighbourhood.

**2.3. Mr. Peter Teevan:**

- Recommended limiting the number of new items on Council agendas;
- Commented on item 8.8;
- Queried if the subject site had been evaluated for its suitability for housing based on air quality;
- Commented on the District's progress to date building units to meet the housing goals in the Official Community Plan; and,
- Commented on the District's Residential Tenant Relocation Assistance Policy.

**2.4. Mr. Juan Palacio:**

- Spoke regarding improving civic engagement with youth and younger adults;
- Recommended a wider age range be included in the proposed advisory committee;
- Opined that younger people may not be interested in serving on the committee or have time to participate; and,
- Commented on the appeal of local government.

**2.5. Ms. Estha Parg Murenbeeld:**

- Thanked Council and staff for the new pickleball courts planned for Little Cates Park; and,
- Commented on the mental and physical health benefits of the sport.

**2.6. Mr. Rene Gourley:**

- Spoke on behalf of the Delbrook Community Association regarding vehicle speeds on Delbrook Avenue;
- Thanked staff for installing flashing lights on Delbrook Avenue at crosswalks; and,
- Requested bumpouts at Evergreen Place.

**2.7. Ms. Shirley Friessen:**

- Spoke regarding a dog attack in August 2021;
- Commented on bylaw enforcement regarding dangerous dogs; and,
- Commented on activities on a property in Edgemont Village.

**3. RECOGNITIONS**

**3.1. Centennial Bursary Awards**

- Brianna Bisailon
- Jack Burnett
- Kobe Conrad
- Max Cunningham

- Nathan Dailly
- Lauren Fishman
- Sarah Galvin
- Samantha Johnson
- Kamyryn McCallum
- Anita Moazzafi
- Lucas O'Brien
- Yvonne Orr
- Claus Severin
- Megan Thitchener

Councillor FORBES left the meeting at 7:13 p.m. and returned at 7:15 p.m.

**4. DELEGATIONS**

Nil

**5. ADOPTION OF MINUTES**

Nil

**6. RELEASE OF CLOSED MEETING DECISIONS**

Nil

**7. COUNCIL WORKSHOP REPORT**

Nil

**8. REPORTS FROM COUNCIL OR STAFF**

**8.1. 2021 Community Heritage Advisory Committee Update**

File No. 01.0360.02/001.000

Ms. Jennifer Clay, Community Heritage Advisory Committee, provided an update on the committee's activities, highlighting steps in the implementation of the Heritage Strategic Plan as well as the outcomes of various heritage properties in the District. Ms. Clay provided the committee's feedback on the Heritage Revitalization Agreement process and the ongoing issue of "demolition by neglect" as well as recommendations to address these issues.

**MOVED by Mayor LITTLE**

**SECONDED by Councillor BACK**

THAT the report of the Community Heritage Advisory Committee is received for information.

**CARRIED**

**MOVED by Councillor BOND**  
**SECONDED by Mayor LITTLE**

That staff report back to Council on the recommendations in the 2021 Community Heritage Advisory Committee Update.

**CARRIED**

- 8.2. Development Permit 21.20 with Variances - 1755 Lions Gate Lane, 2020-2042 Curling Road, and 1865-1883 Fullerton Avenue**  
File No. 08.3060.20/021.20

**MOVED by Mayor LITTLE**  
**SECONDED by Councillor BACK**

THAT Development Permit 21.20 with variances, to allow for site signage at 1755 Lions Gate Lane, 2020 - 2042 Curling Road, and 1865 - 1883 Fullerton Avenue, is ISSUED.

**CARRIED**

- 8.3. Bylaw 8510: Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw**  
File No. 09.3900.20/000.000

**MOVED by Mayor LITTLE**  
**SECONDED by Councillor BOND**

THAT "Multi-Family Rental Housing Demolition Notice Bylaw 7406, 2003 Repeal Bylaw 8510, 2021" is ADOPTED.

**CARRIED**

- 8.4. Bylaw 8522 – 2020-2023 Taxation Exemptions by Council Bylaw 8379, 2019 Amendment Bylaw 8522, 2021 (Amendment 2)**  
File No. 05.1940

**MOVED by Councillor FORBES**  
**SECONDED by Councillor HANSON**

THAT "2020-2023 Taxation Exemptions by Council Bylaw 8379, 2019 Amendment Bylaw 8522, 2021 (Amendment 2)" is given FIRST, SECOND and THIRD Readings;

AND THAT prior to considering adoption of the Bylaw, public notice is given in accordance with Section 227 of the *Community Charter*.

**CARRIED**

- 8.5. Extension of Temporary Outdoor Business Areas to October 2022 – Covid 19 Recovery**  
File No. 08.3170.20/513.000



**MOVED by Mayor LITTLE**  
**SECONDED by Councillor BACK**

THAT “Fees and Charges Bylaw 6481, 1992 Amendment Bylaw 8532, 2021 (Amendment 76)” is given FIRST, SECOND and THIRD Readings.

**CARRIED**

**8.6. Amendments to the Council Procedure Bylaw**  
File No. 01.0115.30/002.000

**MOVED by Mayor LITTLE**  
**SECONDED by Councillor HANSON**

THAT “Council Procedure Bylaw 7414, 2004, Amendment Bylaw 8519, 2021 (Amendment 7)” is given FIRST, SECOND and THIRD Readings.

**CARRIED**

Opposed: Councillor FORBES

**8.7. Rezoning Bylaw 1411 (Bylaw 8524) – Rezoning for Two Lot Subdivision at 4320 Prospect Road**  
File No. 08.3060.20/007.19

Public Input:

Mr. James Stobie, Synthesis Design:

- Advised that he is the applicant for the project;
- Noted that the proposed two-lot subdivision would be consistent with the size of other properties in the neighbourhood; and,
- Provided information on the design of the proposed new homes, tree removal and replacement, and stormwater management.

**MOVED by Councillor BOND**  
**SECONDED by Councillor CURREN**

THAT “District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1411 (Bylaw 8524)” is referred to a Public Hearing.

**CARRIED**

**8.8. Bylaws 8505, 8506, 8507, 8508 - Rezoning, Housing Agreement and Development Cost Charge Waiver Bylaws for a Mixed-use Development at 1510 – 1530 Crown Street and 420 - 460 Mountain Highway**  
File No. 08.3060.20/040.18

Ms. Vicki Chou, Fairborne Homes:

- Provided an overview of the proposal;
- Noted the proposal includes a Locals First policy, various Community Amenity Contributions and space for a childcare facility; and,
- Advised she is available to answer questions.

Mayor LITTLE left the meeting at 9:05 p.m.

Councillor BOND assumed the chair.

Mayor LITTLE returned to the meeting at 9:07 p.m.

**MOVED by Councillor BACK**

**SECONDED by Councillor BOND**

THAT "District of North Vancouver Rezoning Bylaw 1409 (Bylaw 8505)" is given FIRST Reading;

AND THAT "Housing Agreement Bylaw 8506, 2021 (1510 Crown Street - No Rental Restrictions Except Short-Term Rental)" is given FIRST Reading;

AND THAT "Housing Agreement Bylaw 8506, 2021 (1510 Crown Street - Market and Affordable Rental Housing)" is given FIRST Reading;

AND THAT "Crown Street Development Cost Charges Waiver Bylaw 8508, 2021" is given FIRST, SECOND and THIRD Reading;

AND THAT "District of North Vancouver Rezoning Bylaw 1409 (Bylaw 8505)" is referred to a Public Hearing.

**CARRIED**

Opposed: Councillor HANSON

**8.9. Bylaw 8509, 2021 District of North Vancouver Lands Dedication Bylaw 1107 Amendment**

File No. 02.0930.20/509.000

**MOVED by Councillor BOND**

**SECONDED by Councillor BACK**

THAT "District of North Vancouver Lands Dedication Bylaw 1107 Amendment Bylaw (Bylaw 8509), 2021" is given FIRST Reading;

AND THAT staff is authorized to publish notification for two consecutive weeks as per the provisions in the *Community Charter*.

**CARRIED**

**9. REPORTS**

**9.1. Mayor**

Mayor Little reported on his attendance at the following:

- 50<sup>th</sup> anniversary of the Ecology Centre on October 2, 2021;
- 50<sup>th</sup> anniversary of the Baden Powell Trail on October 2, 2021; and,
- Observance of the National Day for Truth and Reconciliation on September 30, 2021. This included participating in the pilgrimage walk from the Tsleil-Waututh Nation Administration Building to the site of the former St. Paul's Residential School, and attending ceremonies at the RCMP detachment in the City of North

Vancouver that included stories and music performed by members of the Squamish Nation.

## **9.2. Chief Administrative Officer**

Mr. David Stuart provided an update on the following:

- The work stoppage at the North Shore Waste Water Treatment Plant; and,
- A ribbon-cutting ceremony to be held October 5, 2021 at the site of the future Maplewood Fire Services Centre.

## **9.3. Councillors**

**9.3.1.** Councillor Curren reported on the following:

- October 4, 2021 is the Day of Action on Missing and Murdered Indigenous Women and Girls;
- Her attendance at a disability justice workshop on October 3, 2021; and,
- Her participation in the pilgrimage walk from the Tsleil-Waututh Nation Administration Building to the site of the former St. Paul's Residential School to observe the National Day for Truth and Reconciliation.

## **9.4. Metro Vancouver Committee Appointees**

### **9.4.1. Housing Committee – Councillor Bond**

Nil

### **9.4.2. Indigenous Relations Committee – Councillor Hanson**

Nil

### **9.4.3. Board – Councillor Muri**

Nil

### **9.4.4. Regional Culture Committee – Councillor Muri**

Nil

### **9.4.5. Regional Parks Committee – Councillor Muri**

Nil

### **9.4.6. Regional Planning Committee – Councillor Muri**

Nil

### **9.4.7. Liquid Waste Committee – Mayor Little**

Nil

**9.4.8. COVID-19 Response & Recovery Task Force – Mayor Little**

Nil

**9.4.9. Mayors Committee – Mayor Little**

Nil

**9.4.10. Mayors Council – Translink – Mayor Little**

Nil

**9.4.11. Zero Waste Committee – Mayor Little**

Nil

**10. ADJOURNMENT**

**MOVED by Councillor BOND**

**SECONDED by Mayor LITTLE**

THAT the October 4, 2021 Regular Meeting of Council for the District of North Vancouver is adjourned.

**CARRIED**  
(9:46 p.m.)

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Mayor

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Municipal Clerk

**DISTRICT OF NORTH VANCOUVER  
PUBLIC MEETING**

**Proposed Amendments to the Fireworks Regulation Bylaw**

REPORT of the Public Meeting held at 7:09 p.m. on Tuesday, October 12, 2021 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor M. Little  
Councillor J. Back (via Zoom)  
Councillor M. Bond  
Councillor M. Curren  
Councillor B. Forbes (via Zoom)  
Councillor J. Hanson  
Councillor L. Muri (via Zoom)

**Staff:** Mr. B. Hutchinson, Fire Chief  
Mr. W. Kennedy, Deputy Fire Chief  
Mr. J. Gordon, Manager – Administrative Services  
Mr. M. Armstrong, Assistant Chief – Public Safety  
Ms. G. Lanz, Deputy Municipal Clerk  
Ms. C. Walker, Chief Bylaw Officer  
Ms. S. Dale, Confidential Council Clerk  
Ms. K. Hebron, Committee Clerk  
Ms. A. Reiher, Council Liaison/Support Officer

## **1. OPENING BY THE MAYOR**

Mayor Little welcomed everyone and advised that the purpose of the Public Meeting was to give Council the opportunity to hear the community's views on the Fireworks Regulation Bylaw.

He noted that this meeting will be held in a hybrid format with a combination of in-person and electronic participation by some members of council, staff and the public.

Public participation in this meeting is being accommodated by speakers having signed up in advance, as stated in the Notice of Meeting, as well as observers being provided the Zoom meeting information on the DNV website and in the Notice of Meeting. Those observing the meeting via Zoom who did not sign up in advance to speak but decide to do so once the meeting is underway, may either use the Raise Hand function if participating using a computer or press \*9 on your telephone keypad if participating by phone.

The electronic means being employed for this meeting allow for effective two-way audio and/or video communications via the Zoom software.

As always, written submissions will be received by the Municipal Clerk, on behalf of, and shared with, Council, at any time. These may be submitted to [input@dnv.org](mailto:input@dnv.org)

Therefore, in this manner, all persons will be afforded a reasonable opportunity to be heard and to present written submissions.

Mayor Little stated that:

- We will first go through the established speakers list. At the end of the speakers list, the Chair may call for any other speakers not on the speakers list – speakers in the Council Chamber will raise hand, those participating through Zoom will use the Raise Hand function, or if participating by telephone, by pressing \*9 to raise hand;
- You will have 5 minutes to address Council for a first time. Begin your remarks to Council by stating your name and approximate street address;
- After everyone who wishes to speak has spoken once, speakers will then be allowed one additional five minute opportunity;
- Any additional presentations will only be allowed at the discretion of the Chair;
- Please do not repeat information from your previous presentations and ensure your comments remain focussed on the bylaw under consideration this evening;
- If you have provided a written submission there is no need to read it as it will have already been seen by Council. You may summarize or briefly reiterate the highlights of your submission but ensure your comments pertain to the bylaw under consideration at this Meeting;
- Council is here to listen to the public, not to debate the merits of the bylaw. Council may ask clarifying questions;
- The Clerk has a binder containing documents and submissions related to the bylaw which Council has received and which you are welcome to review. This is available online at [DNV.org/agenda](https://dnv.org/agenda);
- Everyone at the meeting will be provided an opportunity to speak; and,
- This meeting 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**

### **Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4)**

Ms. Genevieve Lanz, Deputy Municipal Clerk, introduced the proposed bylaw, stating that Bylaw 8516 proposes to amend Fireworks Regulation Bylaw 7456, 2004 to:

- Prohibit the sale, possession and use of consumer fireworks in the District of North Vancouver;
- Regulate the sale of fireworks for public display, requiring a valid District of North Vancouver business licence and specifying conditions for sale; and,
- Regulate the discharge of fireworks for public display, requiring a valid Display Event Permit issued by the Fire Chief, and professional certification.

## **3. PRESENTATION BY STAFF**

Mr. Brian Hutchinson, Fire Chief, provided an overview of Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4), elaborating on the introduction by the Deputy Municipal Clerk. Chief Hutchinson advised that:

- The Fireworks Regulation Bylaw 7456, adopted in 2004, requires a permit to purchase, possess or discharge consumer fireworks. Fireworks may only be discharged on private property, and only on Halloween night 6 p.m.-10 p.m., by permit;

- In response to complaints and safety concerns, in 2005, regulations regarding noisemakers were added;
- A business licence and permit is required to sell fireworks, and in 2010, the vendor deposit was increased to \$1500 due to ongoing contraventions, and vendors were further limited to stop sales on Halloween at 9 p.m., to curb late night purchases and discharge;
- In regards to sales of consumer fireworks, vendors are required to:
  - Obtain a short term business licence for each location;
  - Obtain a Permit to Sell Fireworks issued by the District Fire Chief;
  - Provide a refundable bond of \$1500, copy of insurance, and copy of inventory;
  - Pass a fire safety inspection and review of inventory;
  - Restrict sales or display except from October 25 to 9 p.m. on October 31;
  - Only sell to customers with a District fireworks permit to purchase/discharge;
  - Keep accurate records, reconciliation of inventory and permit fees; and,
  - Obtain a Highway Use Permit for any sign installation on District property;
- To discharge fireworks in the District, persons must:
  - Obtain a District permit for a nominal fee to purchase or discharge;
  - Be at least 19 years old;
  - Discharge only on private property, with that owner's permission; and,
  - discharge on October 31, between 6 p.m.-10 p.m., as required on permit;
- During the weeks leading up to and after Halloween 2020, Council heard from residents who expressed concerns regarding safety, noise disturbances, impact on pets, and environmental impacts;
- Council also heard from residents who enjoy personal use and the desire for it to continue; and,
- If Council resolves to consider the recommendation to ban consumer fireworks sales and use, staff will prepare a robust communication strategy to educate the public across all platforms and will continue to work collaboratively with neighbouring municipalities.

#### **4. REPRESENTATIONS FROM THE PUBLIC**

##### **4.1. Mr. Dan Curry:**

- Spoke in support of the use of fireworks on October 31 between 6 p.m.-10 p.m.;
- Commented that the demand for fireworks has increased and will continue to do so as the population increases;
- Commented that residents will still be able to purchase fireworks online or from the Squamish Nation; and,
- Opined that until a federal ban is enacted a municipal ban will be ineffective.

##### **4.2. Mr. Perry Logan:**

- Spoke on behalf of the Canadian National Fireworks Association (CNFA);
- Expressed concerns with safety issues;
- Commented that education is important to raise awareness on the negative impact fireworks have on the environment;
- Suggested that most people are not aware of the District's Fireworks Regulation Bylaw;
- Noted that residents would still be able to purchase fireworks online;

- Spoke to the Good Neighbourhood Program which encourages residents to be safe, celebrate, and clean-up;
- Noted that the use of fireworks has increased during the COVID-19 pandemic; and,
- Urged staff to work closely with the CNFA before reporting back to Council.

**4.3. Ms. Cyndi Gerlach:**

- Commented that Halloween is a difficult time for her family as they cannot participate in other festivities;
- Noted that her family looks forward to firework celebrations; and
- Urged Council to consider the impact on families that enjoy fireworks.

**4.4. Ms. Emily Pickett:**

- Spoke on behalf of the Vancouver Humane Society;
- Expressed concerns on the impact fireworks has on pets and the environment;
- Noted that fireworks are associated with causing fear and anxiety for household pets;
- Commented that garbage from fireworks left on the streets is a threat to the environment; and,
- Mentioned that the City of North Vancouver and the City of Vancouver have banned the use and sale of fireworks.

**4.5. Ms. Yingyan Zhu:**

- Spoke in support of banning fireworks;
- Commented on the negative impact on pets and wildlife;
- Opined that fireworks are an outdated way to celebrate; and,
- Noted that fireworks are banned in many cities.

**4.6. Mr. Peter Teevan:**

- Acknowledged that fireworks can be traumatizing for pets;
- Commented that fireworks bring neighbourhoods together;
- Noted that in the last seven years, only twenty-five complaints were received in the District;
- Opined that residents that enjoy fireworks are being punished;
- Commented that many District bylaws are not enforced;
- Commented that people will still be able to purchase fireworks online and from the Squamish Nation; and,
- Suggested that residents can prepare for the use of fireworks between 6 p.m.-10 p.m.

**4.7. Ms. Alison Wood:**

- Spoke in support of banning commercial fireworks;
- Commented on the effects to the environment with regards to pollution;
- Expressed concerns with the excessive noise to wildlife; and,
- Opined that there are other positive ways to bring communities together on Halloween.



**4.8. Mr. Juan Palacio:**

- Expressed concerns regarding property damage;
- Opined that fireworks are not dangerous if used properly;
- Commented that the possession and discharge of illegal fireworks will continue to happen; and,
- Spoke to the importance of educating and communicating with residents.

**4.9. Ms. Karry Eilers:**

- Spoke in support of banning fireworks;
- Commented that fireworks are discharged outside of the permissible hours;
- Expressed concerns with the impact on the environment and wildlife;
- Commented on the negative impact with those suffering from mental health issues; and,
- Opined that there are other ways to celebrate these occasions without damaging the earth.

**4.10. Mr. Hazen Colbert:**

- Commented that many people enjoy fireworks on special occasions;
- Acknowledged that there are serious concerns from residents who are negatively impacted by fireworks; and,
- Suggested deferring this item to the Fire Chief as it is his area of expertise.

**4.11. Nadine:**

- Commented on her fond memories of enjoying fireworks;
- Spoke to the negative impacts of fireworks;
- Suggested following in the footsteps of other municipalities who have banned the sale and use of fireworks; and,
- Opined that there are other ways to come together as a community to celebrate.

In response to a question from Council, staff advised that the terms of the Display Event Permit includes but is not limited to, conditions regarding the location and method of safe storage of fireworks; the time, location and manner of discharge of fireworks; and, fire safety precautions.

In response to a question from Council, staff advised that firefighters could light consumer grade fire works and anything larger would require certification from the National Resources of Canada.

In response to a question from Council, staff advised that many of the animal, noise and environmental complaints do not specify the time of day or date of the offense. Many complaints are not directed at the illegal use; however, firework use outside the authorized dates and times does come into play at times.

In response to a question from Council, staff advised that the Squamish Nation and the Tsleil-Waututh Nation are aware of the proposed changes to the District's Fireworks Regulation Bylaw but are still planning to operate.

In response to a question from Council, staff spoke to the glitches in the City of North Vancouver's system and noted that the RCMP have a hard time differentiating between the

District of North Vancouver and the City of North Vancouver as it relates to responding to resident complaints.

In response to a question from Council, staff advised that if the sales and use of consumer fireworks are banned, staff will prepare a robust communication strategy to educate the public across all platforms.

In response to a question from Council, staff advised that the RCMP would have the authority to issue tickets; however, the District would focus on educating residents.

In response to a question from Council, staff advised that RCMP and Park Ranger staffing levels are increased on Halloween evening.

In response to a question from Council, staff advised that the District of West Vancouver currently allows the sale and discharge of consumer fireworks, but advises that their Council will be considering a bylaw similar to the City of North Vancouver in the near future.

In response to a question from Council, staff advised that a certificate of insurance would be required evidencing that the applicant has comprehensive general liability insurance with a coverage limit of not less than \$5 million per occurrence, names the District as an additional named insured, contains a waiver of subrogation, and has a deductible of not more than \$5,000 unless the District consents in writing to a higher deductible.

In response to a question from Council, staff advised that neighbourhood firework displays are often occurring on private property.

In response to a question from Council, staff advised that municipalities that have banned fireworks have seen a significant decrease in use; however, individuals are still able to purchase fireworks online and from the Squamish Nation and the Tsleil-Waututh Nation.

**4.12. Mr. Peter Teevan, SPEAKING A SECOND TIME:**

- Questioned why the District would permit fireworks if they are bad for the environment and traumatizing to wildlife;
- Noted that the staff report does not discuss education;
- Opined that a fine of up to \$50,000 is steep;
- Suggested that residents can prepare for the use of fireworks between 6 p.m.-10 p.m.; and,
- Suggested that staff focus on enforcing the current Fireworks Regulation Bylaw.

**4.13. Ms. Emily Pickett, SPEAKING A SECOND TIME:**

- Commented that wildlife does not have the luxury of preparing for the use of fireworks between the hours of 6 p.m.-10 p.m.; and,
- Urged Council to take leadership on the climate emergency noting that fireworks do not align with this initiative.

**4.14. Mr. Corrie Kost:**

- Questioned if the proposed bylaw would be enforced on Halloween 2021;
- Expressed concerns with the possession and discharge of illegal fireworks;

- Commented that the sale of alcohol in the District of North Vancouver is not restricted to District residents; and,
- Expressed concerns with regards to the negative impact fireworks has on the environment.

Staff advised that the proposed bylaw would come back for Council's consideration this Fall and if adopted would not be enforced until Halloween 2022.

**4.15. Ms. Jinyan Yu, SPEAKING A SECOND TIME:**

- Commented that wildlife does not have the luxury of preparing for the use of fireworks between the hours of 6 p.m.-10 p.m.; and,
- Commented that fireworks may trigger mental health issues.

**4.16. Mr. Dan Curry, SPEAKING A SECOND TIME:**

- Urged Council to take a common-sense fact-based approach;
- Opined that people will continue to use fireworks illegally even if they are banned; and,
- Mentioned that guide dogs are trained specifically to not respond to firework noise.

**4.17. Ms. Karry Eilers, SPEAKING A SECOND TIME:**

- Commented that not all guide dogs are trained to not respond to firework noise;
- Spoke to the climate crisis; and,
- Opined that just because something has been done a certain way does not mean it has to be done the same way going forward.

**6. COUNCIL RESOLUTION**

**MOVED by Councillor HANSON**

**SECONDED by Councillor CURREN**

THAT the October 12, 2021 Public Meeting is closed;

AND THAT "Fireworks Regulation Bylaw 7456, 2004, Amendment Bylaw 8516, 2021 (Amendment 4)" is returned to Council for further consideration.

**CARRIED**  
(8:39 p.m.)

**CERTIFIED CORRECT:**

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

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

Minutes of the Regular Meeting of Council for the District of North Vancouver held at 7:01 p.m. on Monday, October 18, 2021 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor M. Little  
Councillor J. Back  
Councillor M. Bond  
Councillor M. Curren (via Zoom)  
Councillor J. Hanson  
Councillor L. Muri (via Zoom)

**Absent:** Councillor B. Forbes

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. D. Milburn, General Manager – Planning, Properties & Permits  
Ms. S. Walker, General Manager – Corporate Services  
Mr. A. Wardell, General Manager – Finance and Chief Financial Officer  
Mr. R. Danyluk, Deputy General Manager, Finance & Deputy CFO  
Ms. J. Paton, Assistant General Manager – Planning  
Ms. C. Grafton, Manager – Strategic Communications and Community Relations  
Mr. M. Hartford, Manager – Development Planning  
Mr. E. Iorio, Manager – Financial Services  
Ms. C. Jackson, Manager – Climate Action, Natural Systems & Biodiversity  
Ms. J. Ryder, Manager – Real Estate & Properties  
Ms. G. Lanz, Deputy Municipal Clerk  
Ms. C. Archer, Confidential Council Clerk  
Ms. K. Hebron, Committee Clerk  
Mr. S. Neumann, User Support Specialist  
Ms. A. Reiher, Council Liaison / Support Officer  
Mr. D. Veres, Senior Development Planner

**1. ADOPTION OF THE AGENDA**

**1.1. October 18, 2021 Regular Meeting Agenda**

**MOVED by Councillor BOND**

**SECONDED by Councillor HANSON**

THAT the agenda for the October 18, 2021 Regular Meeting of Council for the District of North Vancouver is amended to vary the order of the agenda to consider Items 4.1 and 3.1 before Item 2;

AND THAT the agenda is adopted as amended, including the addition of any items listed in the agenda addendum.

**CARRIED**

#### **4. DELEGATIONS**

##### **4.1. Royal Canadian Legion Branch 114 Lynn Valley**

Re: Presentation of the First Poppy

Ms. Diana Saboe, President, Royal Canadian Legion Branch 114 Lynn Valley, provided an overview the history of the poppy, noting that 2021 is the 100<sup>th</sup> anniversary of the use of the poppy in connection with Remembrance Day. Ms. Saboe announced that, due to the continuing COVID-19 pandemic, a small Remembrance Day ceremony will be held at the Branch headquarters on Thursday, November 11, 2021. The Story and 100<sup>th</sup> Anniversary of the Poppy of Remembrance video was played. Ms. Saboe then presented Mayor Mike Little with the first poppy, noting that Council members have also been provided with poppies. On behalf of Council, Mayor Little thanked the Legion members for their support of veterans and their valuable work in the community.

**MOVED by Mayor LITTLE**

**SECONDED by Councillor BACK**

THAT the delegation from Royal Canadian Legion Branch 114 Lynn Valley is received.

**CARRIED**

#### **3. RECOGNITIONS**

##### **3.1 2021 Climate and Energy Action Award – Climate Adaptation**

Patricia Bell, Director of Capacity Development, Community Energy Association presented the District with the 2021 Climate and Energy Action Award, Climate Adaptation category for leadership in the North Shore Sea Level Rise Risk Assessment and Adaptive Management Strategy, which was developed by the District of North Vancouver, the City of North Vancouver, the District of West Vancouver, North Shore Emergency Management, Port of Vancouver, and Squamish Nation.

With the consent of Council, Mayor Little varied the agenda as follows:

#### **5. ADOPTION OF MINUTES**

##### **5.1. July 26, 2021 Special Meeting of Council**

**MOVED by Councillor BACK**

**SECONDED by Councillor HANSON**

THAT the minutes of the July 26, 2021 Special Meeting of Council are adopted.

**CARRIED**

##### **5.2. September 21, 2021 Public Meeting**

**MOVED by Councillor BACK**

**SECONDED by Councillor HANSON**

THAT the minutes of the September 21, 2021 Public Meeting are adopted.

**CARRIED**

**5.3. September 27, 2021 Special Meeting of Council**

**MOVED by Councillor BACK**

**SECONDED by Councillor HANSON**

THAT the minutes of the September 27, 2021 Special Meeting of Council are adopted.

**CARRIED**

**2. PUBLIC INPUT**

**2.1. Mr. Peter Teevan:**

- Spoke regarding item 8.3;
- Opined that First, Second and Third Readings of bylaws should not take place at the same meeting;
- Commented on the proposed changes to the Council Procedure Bylaw;
- Commented on changes to Council meetings under Ministerial Order M192; and,
- Encouraged Council to rescind Third Reading of the Council Procedure Bylaw amendment and debate changes to the bylaw.

**2.2. Mr. Bev Parslow:**

- Spoke regarding the cost of speed bumps; and,
- Commented on traffic calming measures in the Delbrook neighbourhood.

**2.3. Mr. Juan Palacio:**

- Spoke regarding notices for public meetings of Council; and,
- Encouraged staff improve the visual impact of meeting notices and other advertising to increase attendance and interest.

**6. RELEASE OF CLOSED MEETING DECISIONS**

**6.1. September 21, 2021 Closed Special Meeting of Council**

**6.1.1. Maplewood Fire & Rescue Centre Tender Update**

File No. 02.0720.Firehall #2/File

THAT the construction contract for the Maplewood Fire and Rescue Centre is awarded to Chandos Construction based on the results of the tender (ITT 038.21);

AND THAT the 2021-2025 Financial Plan be amended before the end of the year for changes outlined in the September 8, 2021 joint report of the General Manager – Engineering, Parks & Facilities and Fire Chief entitled Maplewood Fire & Rescue Centre Tender Update;

AND THAT this decision is released to the public.

**7. COUNCIL WORKSHOP REPORT**

Nil

**8. REPORTS FROM COUNCIL OR STAFF**

**MOVED by Councillor MURI**

**SECONDED by Mayor LITTLE**

THAT items 8.2, 8.3 and 8.4 are included in the Consent Agenda and are approved without debate.

**CARRIED**

**8.1. Development Variance Permit 40.20 (Coach House) – 1061 Handsworth Road**

File No. 08.3060.20/040.20

Public Input:

Mr. Dominic Sy:

- Advised that he is the architect for the project; and,
- Noted that the design addresses issues raised by neighbours and the District arborist regarding privacy and tree protection.

**MOVED by Councillor HANSON**

**SECONDED by Councillor MURI**

THAT Development Variance Permit 40.20, to allow for a coach house at 1061 Handsworth Road, is ISSUED.

**CARRIED**

**8.2. Bylaw 8522: Taxation Exemptions by Council Bylaw**

File No. 09.3900.20/000.000

**MOVED by Councillor MURI**

**SECONDED by Mayor LITTLE**

THAT “2020-2023 Taxation Exemptions by Council Bylaw 8379, 2019 Amendment Bylaw 8522, 2021 (Amendment 2)” is ADOPTED.

**CARRIED**

**8.3. Bylaw 8519: Council Procedure Bylaw**

File No. 09.3900.20/000.000

**MOVED by Councillor MURI**

**SECONDED by Mayor LITTLE**

THAT “Council Procedure Bylaw 7414, 2004, Amendment Bylaw 8519, 2021 (Amendment 7)” is ADOPTED.

**CARRIED**



**8.4. Bylaw 8532: Fees and Charges (Temporary Outdoor Business Areas)**  
File No. 09.3900.20/000.000

**MOVED by Councillor MURI**  
**SECONDED by Mayor LITTLE**

THAT “Fees and Charges Bylaw 6481, 1992 Amendment Bylaw 8532, 2021 (Amendment 76)” is ADOPTED.

**CARRIED**

**8.5. Development Permit 25.17 – Phase One: 904 – 944 Lytton Street (Seymour Estates)**  
File No. 08.3060.20/025.17

Public Input:

Mr. Brent Carlson:

- Advised that he represents the developer, Anthem Properties, and is available to answer questions about the project.

**MOVED by Mayor LITTLE**  
**SECONDED by Councillor CURREN**

THAT Development Permit 25.17, for a development which includes a mix of apartments, townhouses and commercial space at 904 – 944 Lytton Street is ISSUED.

**CARRIED**

**8.6. Bylaw 8533: Mount Seymour Lions Housing Society Bowron Court and Apex Avenue Housing Agreement**  
File No. 06.2360.40/009.000

**MOVED by Mayor LITTLE**  
**SECONDED by Councillor BACK**

THAT “Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Avenue)” is given FIRST, SECOND and THIRD Readings.

**CARRIED**

**8.7. Bylaw 8523: Text Amendment to Add “Cannabis Retail Store” at 1461 Marine Drive**  
File No. 08.3060.20/006.21

**MOVED by Councillor HANSON**  
**SECONDED by Councillor BACK**

THAT “District of North Vancouver Rezoning Bylaw 1410 (Bylaw 8523)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1410 (Bylaw 8523)” is referred to a Public Hearing.

**CARRIED**

**8.8. Bylaws 8459, 8460 and 8461: Rezoning and Housing Agreements for a 62-unit Residential Strata and Rental Development at 1210-1260 West 16<sup>th</sup> Street**  
File No. 08.3060.20/044.17

Public Input:

Mr. Simon Richards:

- Noted that the project is consistent with the District's Official Community Plan and policies; and,
- Commented on the land use and form of the proposal.

**MOVED by Mayor LITTLE**

**SECONDED by Councillor BOND**

THAT "District of North Vancouver Rezoning Bylaw 1403 (Bylaw 8459)" is given FIRST Reading;

AND THAT "Housing Agreement Bylaw 8460, 2020 (West 16th Street – Market Housing)", is given FIRST Reading;

AND THAT "Housing Agreement Bylaw 8461, 2020 (West 16th Street – No Rental Limit (except short term rentals))", is given FIRST Reading;

AND THAT Bylaw 8459 is referred to a Public Hearing.

**CARRIED**

**9. REPORTS**

**9.1. Mayor**

Mayor Little reported on the following:

- His attendance at the Metro Vancouver Zero Waste Committee meeting, noting that new, modern waste transfer facilities are coming online in the near future in Surrey and Coquitlam;
- The upcoming branding launch on October 19, 2021 of the new transportation planning group comprised of the two First Nations and three municipal governments on the North Shore to address local transportation issues; and,
- Thanked the community for their patience and kindness during traffic disruptions in Deep Cove while District of North Vancouver Fire and Rescue Services attended a structure fire on the weekend.

**9.2. Chief Administrative Officer**

Nil

**9.3. Councillors**

**9.3.1. Councillor Hanson reported on his attendance at the following:**

- The Metro Vancouver Indigenous Relations Committee, noting a significant budget increase is proposed for the committee to pursue reconciliation;

- The North Shore Standing Committee on Substance Use meeting, noting a motion was passed to send a letter to the Minister of Justice calling for the full legalization and regulation of illicit substances to reduce deaths and that the committee discussed the intersection of homelessness, mental illness and substance abuse.

**9.3.2.** Councillor Curren reported on the following:

- Her challenge to the Windsor Secondary School Green Team to create reusable cutlery packages to eliminate waste;
- Her participation in the Zero Waste Takeout Launch Party for the Ocean Ambassadors Canada reusable takeout container program for businesses in the East of Seymour community; and,
- Her attendance at North Shore Homelessness's North Shore Connect Day.

**9.3.3.** Councillor Bond reported on his attendance at the Metro Vancouver Housing Committee, noting that the committee reviewed the Five-Year Financial Plan and that Metro Vancouver intends to construct 740 homes across the region over that period and that the committee discussed the different definitions of affordability.

#### **9.4. Metro Vancouver Committee Appointees**

##### **9.4.1. Housing Committee – Councillor Bond**

Nil

##### **9.4.2. Indigenous Relations Committee – Councillor Hanson**

Nil

##### **9.4.3. Board – Councillor Muri**

Nil

##### **9.4.4. Regional Culture Committee – Councillor Muri**

Nil

##### **9.4.5. Regional Parks Committee – Councillor Muri**

Nil

##### **9.4.6. Regional Planning Committee – Councillor Muri**

Nil

##### **9.4.7. Liquid Waste Committee – Mayor Little**

Nil

**9.4.8. COVID-19 Response & Recovery Task Force – Mayor Little**

Nil

**9.4.9. Mayors Committee – Mayor Little**

Nil

**9.4.10. Mayors Council – Translink – Mayor Little**

Nil

**9.4.11. Zero Waste Committee – Mayor Little**

Nil

**10. ADJOURNMENT**

**MOVED by Councillor BOND**

**SECONDED by Mayor LITTLE**

THAT the October 18, 2021 Regular Meeting of Council for the District of North Vancouver is adjourned.

**CARRIED**  
(9:09 p.m.)

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Mayor

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Municipal Clerk

## REPORTS

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>November 1, 2021</u>
<input type="checkbox"/> Other:	Date: _____

		8.1
Dept. Manager	GM/ Director	CAO

## The District of North Vancouver REPORT TO COUNCIL

October 19<sup>th</sup>, 2021  
File: 09.3900.20/000.000

**AUTHOR:** Genevieve Lanz, Deputy Municipal Clerk

**SUBJECT:** Bylaw 8533: Mount Seymour Lions Housing Society  
Bowron Court and Apex Avenue Housing Agreement

---

**RECOMMENDATION:**

THAT "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Ave)" is ADOPTED.

**BACKGROUND:**

Bylaw 8533 received First, Second and Third Readings on October 18<sup>th</sup>, 2021.

The bylaw is now ready to be considered for Adoption by Council.

**OPTIONS:**

1. Adopt the bylaw;
2. Give no further Readings to the bylaw and abandon the bylaw at Third Reading; or,
3. Rescind Third Reading and debate possible amendments to the bylaw.

Respectfully submitted,



Genevieve Lanz  
Deputy Municipal Clerk

Attachments:

1. Bylaw 8533

**SUBJECT: Bylaw 8533: Mount Seymour Lions Housing Society  
Bowron Court and Apex Avenue Housing Agreement**

October 19<sup>th</sup>, 2021

Page 2

2. Staff Report dated September 28<sup>th</sup>, 2021

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



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

**Bylaw 8533**

**A bylaw to enter into a Housing Agreement**

---

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

**Citation**

1. This bylaw may be cited as "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Ave)".

**Authorization to Enter into Agreement**

2. The Council hereby authorizes a housing agreement between The Corporation of the District of North Vancouver and Mount Seymour Lions Housing Society substantially in the form attached to this Bylaw as Schedule "A" with respect to the following lands:
  - a) PID: 004-934-652, LOT 16 DISTRICT LOT 622 PLAN 20208
  - b) PID: 004-935-535, LOT 20 DISTRICT LOT 622 PLAN 20208
  - c) PID: 003-065-570, LOT A DISTRICT LOTS 621 AND 622 PLAN 20692

**Execution of Documents**

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

**READ** a first time October 18<sup>th</sup>, 2021

**READ** a second time October 18<sup>th</sup>, 2021

**READ** a third time October 18<sup>th</sup>, 2021

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy



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Municipal Clerk

## Schedule A to Bylaw 8533

### SECTION 219 HOUSING AGREEMENT COVENANT

THIS AGREEMENT dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2021

BETWEEN:

**MOUNT SEYMOUR LIONS HOUSING SOCIETY,**  
147 - 1300 Parkgate Avenue, North Vancouver, BC V7H 2Y2

(the “**Owner**”)

AND:

**THE CORPORATION OF THE DISTRICT OF NORTH  
VANCOUVER,** 355 West Queens Road, North Vancouver, BC  
V7N 4N5

(the “**District**”)

WHEREAS:

1. The Owner is the registered owner in fee simple of lands in the District of North Vancouver, British Columbia legally described in Item 2 of the Form C General Instrument Part 1 to which this Agreement is attached and which forms part of this Agreement (the “**Land**”);
2. The Owner owns and operates 94 residential rental dwelling units (the “**Rental Apartment Units**”) on the Land in various buildings;
3. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the District in respect of the use of land, construction on land or the subdivision of land;
4. Section 483 of the *Local Government Act* permits the District to enter into a housing agreement with an owner of land, which agreement may include terms and conditions regarding the occupancy, tenure and availability of dwelling units located on the Land; and
5. The Owner and the District wish to enter into this Agreement to restrict the use of the Land on the terms and conditions of this agreement, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*.

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the District to the Owner and other good and valuable consideration, the receipt and sufficiency of which the

Owner hereby acknowledges, the parties covenant and agree pursuant to Section 219 of the *Land Title Act* (British Columbia) as follows:

1. **Affordable Rental Housing** – The Land may not be used for any purpose whatsoever save and except for the purposes of low income rental housing in accordance with this Agreement.
2. **Use of Rental Apartment Units** - No Rental Apartment Unit will be used for any purposes whatsoever save and except for the purpose of providing rental accommodation to tenants pursuant to month to month residential tenancy agreements or residential tenancy agreements with terms not exceeding three years in duration (including all periods in respect of which any rights or renewal or extension, contingent or otherwise, have been granted), where said tenancy agreements comply with all of the requirements of Section 3.
3. **Tenancy Agreements for Rental Apartment Units** - The Owner shall not suffer, cause or permit occupancy of any Rental Apartment Unit except pursuant to a residential tenancy agreement that:
  - (a) does not require payment of rent or any other consideration directly or indirectly that exceeds 80% of Market Rent;
  - (b) does not require the rent to be prepaid at an interval greater than monthly; and
  - (c) prohibits the tenant from subletting the unit, assigning the tenancy agreement, or operating the unit on a short term rental basis (less than one month), except to the extent that the *Residential Tenancy Act* restricts or prohibits such prohibitions.

For the purpose of section 3(a), “Market Rent” means the monthly market rental amount that would be paid for similar premises in a similar location in North Vancouver as between persons dealing in good faith and at arm's length. Rent as aforesaid does NOT include electricity, natural gas, cablevision, furniture, internet or other facilities or services.

If the District is not satisfied with the Owner's determination of Market Rent for one or more of the Rental Apartment Units, then the determination of Market Rent shall be referred to a single real estate appraiser with AACI accreditation, which said appraiser must be mutually acceptable to both the District and the Owner. The determination made by the appraiser shall be final and binding. The appraisal costs shall be equally shared between the District and the Owner.

4. **Reporting** - Not later than 90 days after the Owner's fiscal year end the Owner will submit to the District annually:
  - (a) its audited financial statements; and
  - (b) a schedule of rents charged for each Rental Unit during the previous fiscal year.

5. **Specific Performance** – The Owner agrees that, without affecting any other rights or remedies the District may have in respect of any breach of this Agreement, the District is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement. The Owner agrees that this is reasonable given the public interest in restricting occupancy of the Land in accordance with this Agreement.
6. **Notice of Housing Agreement** – For clarity, the Owner acknowledges and agrees that:
  - (a) this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a housing agreement entered into under section 483 of the *Local Government Act*;
  - (b) the District is required to file a notice of housing agreement in the Land Title Office against title to the Land; and
  - (c) once such a notice is filed, this Agreement, as a housing agreement under section 483 of the *Local Government Act*, binds all persons who acquire an interest in the Land in perpetuity.
7. **Compliance with Laws** – The Owner will at times ensure that the Land is used and occupied in compliance with all statutes, laws, regulations, bylaws, and orders of the District and other authorities having jurisdiction, including all rules, regulations, policies, guidelines and the like under or pursuant to them.
8. **Cost** – The Owner shall comply with all requirements of this Agreement at its own cost and expense.
9. **Interpretation** – In this Agreement:
  - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
  - (d) reference to the “Land” or to any other parcel of land is a reference also to any parcel into which it is subdivided or consolidated by any means (including the removal of interior parcel boundaries) and to each parcel created by any such subdivision or consolidations;
  - (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;

- (f) reference to any enactment includes any regulations, orders, permits or directives made or issued under the authority of that enactment;
  - (g) unless otherwise expressly provided, referenced to any enactment is a reference to that enactment as consolidated, revised, amended, re enacted or replaced;
  - (h) time is of the essence;
  - (i) all provisions are to be interpreted as always speaking;
  - (j) reference to a “party” is a reference to a party to this Agreement and the their respective heirs, executors, successors (including successors in title), trustees, administrators and receivers;
  - (k) reference to the District is a reference also to is elected and appointed official, officer, employees and agents;
  - (l) reference to a “day”, “month”, “quarter”, or “year” is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
  - (m) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”; and
  - (n) any act, decision, determination, consideration, opinion, consent or exercise of discretion by a party or person as provided in this Agreement must be preformed, made, formed or exercised acting reasonably, except that any act, decision, determination, consideration, consent, opinion or exercise of discretion that is said to be within the “sole discretion” of a party or person may be preformed, made, formed or exercised by that party or person in the sole, unfettered and absolute discretion of that party or person.
10. **Notice** – All notices and other communications required or permitted to be given under this Agreement must be in writing and must be sent by registered mail or delivered as follows:
- (a) if to the Owner, as follows:  
  
 Mount Seymour Lions Housing Society  
 147 - 1300 Parkgate Avenue  
 North Vancouver, BC V7H 2Y2  
  
 Attention: Administrator  
 Fax: 604 929-9404

- (b) if to the District, as follows:

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

Attention: General Manager, Planning, Properties and Permits  
Facsimile: (604) 990-2423

Any notice or other communication that is delivered is considered to have been given on the next business day after it is dispatched for delivery. Any notice or other communication that is sent by registered mail is considered to have been given five days after the day on which it is mailed at a Canada Post office. If there is an existing or threatened strike or labour disruption that has caused, or may cause, an interruption in the mail, any notice or other communication must be delivered until ordinary mail services is restored or assured. If a party changes its address it must immediately give notice of its new address to the other party as provided in this Section.

11. **No Waiver** – No provision or breach of this Agreement, or any default, is to be considered to have been waived or acquiesced in by a party unless the waiver is express and is in writing by the party. The waiver by a party of any breach by the other party of any provision, or default, is not to be construed as or constituted a waiver of any further or other breach or the same or any other provision or default.
12. **Third Party Beneficiaries** – Except as may be expressly provided in this Agreement, this Agreement is not to be interpreted to create rights in, or to grant remedies to, any third party as a beneficiary of this Agreement or of any duty or obligation created by this Agreement.
13. **No Effect on Laws or Powers** – This Agreement and the Owner's contributions, obligations and agreements set out in this Agreement do not:
  - (a) affect or limit the discretion, rights or powers of the District or the approving officer under any enactment or at common law, including in relation to the use, development, servicing or subdivision of the Land;
  - (b) impose on the District or the approving officer any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
  - (c) affect or limit any enactment relating to the use, development or subdivision of the Land; or
  - (d) relieve the Owner from complying with any enactment, including in relation to the use, development, servicing or subdivision of the Land.



14. **Binding Effect** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, trustees, receivers and successors (including successors in title).
15. **Covenant Runs With the Land** - Every provision of this Agreement and every obligation and covenant of the Owner in this Agreement, constitutes a deed and a contractual obligation, and also a covenant granted by the Owner to the District in accordance with Section 219 of the *Land Title Act*, and this Agreement burdens the Land to the extent provided in this Agreement, and runs with it and binds the Owner's successors in title. This Agreement also burdens and runs with every parcel into which the Land is or they are consolidated (including by the removal of interior parcel boundaries) by any means.
16. **Voluntary Agreement** - The Owner acknowledges that the Owner has entered into this Agreement voluntarily and has taken legal advice with regard to the entry of this Agreement and the development of the Land.
17. **Agreement for Benefit of District Only** – The Owner and the District agree that:
  - (a) this Agreement is entered into only for the benefit of the District;
  - (b) this Agreement is not intended to protect the interests of the Owner, any tenant, or any future owner, lessee, occupier or user of the property, the Land or the buildings or any portion thereof; and
  - (c) the District may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.
18. **Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
19. **Further Acts** - The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
20. **Joint Obligations of Owner** - If two or more persons execute this Agreement as Owner, the liability of each such person to observe and perform all of the Owner's obligations pursuant to this Agreement will be deemed to be joint and several.
21. **Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force and unaffected by that holding or by the severance of that part.
22. **Amendment** - This Agreement may be amended from time to time by agreement between the Owner and the District. Except as otherwise expressly provided in this Agreement, the amendment agreement must be by an instrument in writing duly executed by the Owner and the District.



23. **Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a new contract and a deed of covenant executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: October 18, 2021
<input type="checkbox"/> Other:	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

September 28, 2021  
File: 06.2360.40/009.000

**AUTHOR:** Jimmy Yip - Properties Services Agent

**SUBJECT:** **Mount Seymour Lions Housing Society  
Bowron Court and Apex Avenue Housing Agreement**

---

**RECOMMENDATION:**

THAT "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Avenue)" is given **FIRST, SECOND and THIRD READING.**

**REASON FOR REPORT:**

To obtain First, Second and Third Reading of "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Avenue)" (**Attachment 1**) to authorize the execution of a Housing Agreement over two affordable rental developments owned by Mount Seymour Lions Housing Society ("MSLHS") to restrict the use of the lands for affordable rental housing.

**SUMMARY:**

MSLHS has approached the District to enter into a housing agreement to restrict use of the lands located at 900 - 978 Bowron Court ("Lions Court") and 800 - 832 Apex Avenue ("Lions Plaza") to affordable rental housing (**Attachment 2**). MSLHS has made this request in order to avoid higher property taxes on these properties, as if these developments have unrestricted use they will be assessed as market rental properties.

**Background**

MSLHS has been serving the greater North Shore since 1986. MSLHS provides 199 affordable rental units over 4 developments including Lions Court and Lions Plaza. All units within the developments provide subsidized housing for families, persons with disabilities and seniors. Lions Court and Lions Plaza provide a total of 94 affordable rental units.

Lions Court opened in 1986 and is made up of 12 buildings containing 67 two and three bedroom townhouse units. Lions Court is one development located on two separate parcels that are divided by Bowron Court.

**SUBJECT: Mount Seymour Lions Housing Society  
Bowron Court & Apex Ave**

September 28, 2021

Page 2

Lions Plaza was also opened in 1986 and is made up of 7 buildings containing 27 one to four bedroom townhouse units. Lions Plaza is located on one legal parcel divided by Apex Avenue.

Thirty five years after their initial development, Lions Court and Lions Plaza are no longer supported by CMHC and BC Housing as their operating agreements to preserve affordable rental housing units expired in mid-2021.

**ANALYSIS:**

With the removal of the CMHC and BC Housing operating agreements restricting the use of the units, BC Assessment will capture this change and assess both properties as if the units were rented at market rents. This would significantly increase the market value of the development, and therefore the annual property tax assessment. This will ultimately increase the operating cost of Lions Court and Lions Plaza. Any increase in property taxes will be passed on to the tenants and the current rental rates will no longer be sustainable. The signing of a housing agreement with the District will continue to restrict the use of the land for affordable rental housing, and will not trigger a reassessment of the market value of the properties by BC Assessment, which would impact the amount of annual property taxes.

The rents for Lions Court and Lions Plaza are currently identified on the MSLHS website as:

# of Bedrooms	Lions Court	Lions Plaza
	900 & 901 Bowron Crt	800 Apex Ave
1 BR	-	\$1,250.00
2 BR	\$1,575.00	\$1,575.00
3 BR	\$1,850.00	\$1,850.00
4 BR	-	\$2,125.00

The median rents in 2020 CHMC rental data for Metro Vancouver and the District of North Vancouver are identified as:

# of Bedrooms	Metro Van median rent (2020)	DNV median rent (2020)
1 BR	\$1,390.00	\$1,600.00
2 BR	\$1,650.00	\$2,080.00
3+ BR	\$1,850.00	\$2,475.00

When comparing both sets of data, MSLHS rental rates are 5% - 15% lower than the Metro Van median rent and 22% - 25% lower than the District's median rent according to CMHC rental data in 2020.

In 1985, the District registered a restrictive covenant over Lions Plaza which stated that the land must be used as a low-income rental housing project. This restrictive covenant

**SUBJECT: Mount Seymour Lions Housing Society  
Bowron Court & Apex Ave**

September 28, 2021

Page 3

may not be enforceable as it does not provide a definition for low income, therefore staff are proposing that this restrictive covenant to be discharged and replaced with the new housing agreement.

**Financial Impacts:**

There is no legal obligation or liability to the District in approving this housing agreement. MSLHS is not requesting an exemption from property taxes on these developments. Rather, they are requesting property taxes to be based on the current use as affordable rental housing.

If the housing agreement is not registered on title to the properties the District would generate additional property tax revenue from these sites, as the sites would be assessed based on the market value of the property as unrestricted. The District is foregoing the additional property taxes to help ensure these properties remaining affordable into the future.

**Legal:**

It is recommended that the housing agreement be registered on the title of each of these properties. If all or any of the properties were sold to a third party, the housing agreement will remain in effect for any new owners.

The housing agreement ensures all units are to be used for affordable rental housing, and prohibits subletting, the assignment of the tenancy agreements or the use of any units for short term rentals. Rental rates cannot exceed 80% of market rent of comparable units in North Vancouver. MSLHS would submit annual audited financial statements and rental rate schedules to the District.

**Conclusion:**

Lions Court and Lions Plaza are important affordable rental developments in our community and by registering a covenant securing a housing agreement on the title of these properties, they will continue to house low to moderate income seniors, persons with disabilities and families.

**Options:**

1. THAT "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Avenue)" is given FIRST, SECOND and THIRD READING. (Staff Recommendation)
2. That no further action is taken.

Respectfully submitted,

Jimmy Yip  
Property Services Agent



**SUBJECT: Mount Seymour Lions Housing Society  
Bowron Court & Apex Ave**

September 28, 2021

Page 4

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

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

**Bylaw 8533**

**A bylaw to enter into a Housing Agreement**

---

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

**Citation**

1. This bylaw may be cited as "Housing Agreement Bylaw 8533, 2021 (900 and 901 Bowron Court and 800 Apex Ave)".

**Authorization to Enter into Agreement**

2. The Council hereby authorizes a housing agreement between The Corporation of the District of North Vancouver and Mount Seymour Lions Housing Society substantially in the form attached to this Bylaw as Schedule "A" with respect to the following lands:
  - a) PID: 004-934-652, LOT 16 DISTRICT LOT 622 PLAN 20208
  - b) PID: 004-935-535, LOT 20 DISTRICT LOT 622 PLAN 20208
  - c) PID: 003-065-570, LOT A DISTRICT LOTS 621 AND 622 PLAN 20692

**Execution of Documents**

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

**READ** a first time

**READ** a second time

**READ** a third time

**ADOPTED**

---

Mayor

---

Municipal Clerk

Certified a true copy

---

Municipal Clerk



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**Schedule A to Bylaw 8533**

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*LAND TITLE ACT*

**TERMS OF INSTRUMENT – PART 2**

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**SECTION 219 HOUSING AGREEMENT COVENANT**

THIS AGREEMENT dated for reference the \_\_\_\_ day of \_\_\_\_\_, 2021

BETWEEN:

**MOUNT SEYMOUR LIONS HOUSING SOCIETY,**  
147 - 1300 Parkgate Avenue, North Vancouver, BC V7H 2Y2

(the “**Owner**”)

AND:

**THE CORPORATION OF THE DISTRICT OF NORTH  
VANCOUVER,** 355 West Queens Road, North Vancouver, BC  
V7N 4N5

(the “**District**”)

WHEREAS:

1. The Owner is the registered owner in fee simple of lands in the District of North Vancouver, British Columbia legally described in Item 2 of the Form C General Instrument Part 1 to which this Agreement is attached and which forms part of this Agreement (the “**Land**”);
2. The Owner owns and operates 94 residential rental dwelling units (the “**Rental Apartment Units**”) on the Land in various buildings;
3. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the District in respect of the use of land, construction on land or the subdivision of land;
4. Section 483 of the *Local Government Act* permits the District to enter into a housing agreement with an owner of land, which agreement may include terms and conditions regarding the occupancy, tenure and availability of dwelling units located on the Land; and
5. The Owner and the District wish to enter into this Agreement to restrict the use of the Land on the terms and conditions of this agreement, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*.

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the District to the Owner and other good and valuable consideration, the receipt and sufficiency of which the Owner hereby acknowledges, the parties covenant and agree pursuant to Section 219 of the *Land Title Act* (British Columbia) as follows:

1. **Affordable Rental Housing** – The Land may not be used for any purpose whatsoever save and except for the purposes of low income rental housing in accordance with this Agreement.
2. **Use of Rental Apartment Units** - No Rental Apartment Unit will be used for any purposes whatsoever save and except for the purpose of providing rental accommodation to tenants pursuant to month to month residential tenancy agreements or residential tenancy agreements with terms not exceeding three years in duration (including all periods in respect of which any rights or renewal or extension, contingent or otherwise, have been granted), where said tenancy agreements comply with all of the requirements of Section 3.
3. **Tenancy Agreements for Rental Apartment Units** - The Owner shall not suffer, cause or permit occupancy of any Rental Apartment Unit except pursuant to a residential tenancy agreement that:
  - (a) does not require payment of rent or any other consideration directly or indirectly that exceeds 80% of Market Rent;
  - (b) does not require the rent to be prepaid at an interval greater than monthly; and
  - (c) prohibits the tenant from subletting the unit, assigning the tenancy agreement, or operating the unit on a short term rental basis (less than one month), except to the extent that the *Residential Tenancy Act* restricts or prohibits such prohibitions.

For the purpose of section 3(a), “Market Rent” means the monthly market rental amount that would be paid for similar premises in a similar location in District of North Vancouver as between persons dealing in good faith and at arm's length. Rent as aforesaid does NOT include electricity, natural gas, cablevision, furniture, internet or other facilities or services.

If the District is not satisfied with the Owner's determination of Market Rent for one or more of the Rental Apartment Units, then the determination of Market Rent shall be referred to a single real estate appraiser with AACI accreditation, which said appraiser must be mutually acceptable to both the District and the Owner. The determination made by the appraiser shall be final and binding. The appraisal costs shall be equally shared between the District and the Owner.

4. **Reporting** - Not later than 90 days after the Owner's fiscal year end the Owner will submit to the District annually:
  - (a) its audited financial statements; and

- (b) a schedule of rents charged for each Rental Unit during the previous fiscal year.
- 5. **Specific Performance** – The Owner agrees that, without affecting any other rights or remedies the District may have in respect of any breach of this Agreement, the District is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement. The Owner agrees that this is reasonable given the public interest in restricting occupancy of the Land in accordance with this Agreement.
- 6. **Notice of Housing Agreement** – For clarity, the Owner acknowledges and agrees that:
  - (a) this Agreement constitutes both a covenant under section 219 of the *Land Title Act* and a housing agreement entered into under section 483 of the *Local Government Act*;
  - (b) the District is required to file a notice of housing agreement in the Land Title Office against title to the Land; and
  - (c) once such a notice is filed, this Agreement, as a housing agreement under section 483 of the *Local Government Act*, binds all persons who acquire an interest in the Land in perpetuity.
- 7. **Compliance with Laws** – The Owner will at times ensure that the Land is used and occupied in compliance with all statutes, laws, regulations, bylaws, and orders of the District and other authorities having jurisdiction, including all rules, regulations, policies, guidelines and the like under or pursuant to them.
- 8. **Cost** – The Owner shall comply with all requirements of this Agreement at its own cost and expense.
- 9. **Interpretation** – In this Agreement:
  - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
  - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
  - (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
  - (d) reference to the “Land” or to any other parcel of land is a reference also to any parcel into which it is subdivided or consolidated by any means (including the removal of interior parcel boundaries) and to each parcel created by any such subdivision or consolidations;

- (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (f) reference to any enactment includes any regulations, orders, permits or directives made or issued under the authority of that enactment;
- (g) unless otherwise expressly provided, referenced to any enactment is a reference to that enactment as consolidated, revised, amended, re enacted or replaced;
- (h) time is of the essence;
- (i) all provisions are to be interpreted as always speaking;
- (j) reference to a “party” is a reference to a party to this Agreement and the their respective heirs, executors, successors (including successors in title), trustees, administrators and receivers;
- (k) reference to the District is a reference also to is elected and appointed official, officer, employees and agents;
- (l) reference to a “day”, “month”, “quarter”, or “year” is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”; and
- (n) any act, decision, determination, consideration, opinion, consent or exercise of discretion by a party or person as provided in this Agreement must be preformed, made, formed or exercised acting reasonably, except that any act, decision, determination, consideration, consent, opinion or exercise of discretion that is said to be within the “sole discretion” of a party or person may be preformed, made, formed or exercised by that party or person in the sole, unfettered and absolute discretion of that party or person.

10. **Notice** – All notices and other communications required or permitted to be given under this Agreement must be in writing and must be sent by registered mail or delivered as follows:

- (a) if to the Owner, as follows:

Mount Seymour Lions Housing Society  
 147 - 1300 Parkgate Avenue  
 North Vancouver, BC V7H 2Y2

Attention: Administrator  
 Fax: 604 929-9404

- (b) if to the District, as follows:

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

Attention: General Manager, Planning, Properties and Permits  
Facsimile: 604 990-2423

Any notice or other communication that is delivered is considered to have been given on the next business day after it is dispatched for delivery. Any notice or other communication that is sent by registered mail is considered to have been given five days after the day on which it is mailed at a Canada Post office. If there is an existing or threatened strike or labour disruption that has caused, or may cause, an interruption in the mail, any notice or other communication must be delivered until ordinary mail services is restored or assured. If a party changes its address it must immediately give notice of its new address to the other party as provided in this Section.

11. **No Waiver** – No provision or breach of this Agreement, or any default, is to be considered to have been waived or acquiesced in by a party unless the waiver is express and is in writing by the party. The waiver by a party of any breach by the other party of any provision, or default, is not to be construed as or constituted a waiver of any further or other breach or the same or any other provision or default.
12. **Third Party Beneficiaries** – Except as may be expressly provided in this Agreement, this Agreement is not be interpreted to create rights in, or to grant remedies to, any third party as a beneficiary of this Agreement or of any duty or obligation created by this Agreement.
13. **No Effect on Laws or Powers** – This Agreement and the Owner's contributions, obligations and agreements set out in this Agreement do not:
  - (a) affect or limit the discretion, rights or powers of the District or the approving officer under any enactment or at common law, including in relation to the use, development, servicing or subdivision of the Land;
  - (b) impose on the District or the approving officer any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
  - (c) affect or limit any enactment relating to the use, development or subdivision of the Land; or
  - (d) relieve the Owner from complying with any enactment, including in relation to the use, development, servicing or subdivision of the Land.

14. **Binding Effect** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, trustees, receivers and successors (including successors in title).
15. **Covenant Runs With the Land** - Every provision of this Agreement and every obligation and covenant of the Owner in this Agreement, constitutes a deed and a contractual obligation, and also a covenant granted by the Owner to the District in accordance with Section 219 of the *Land Title Act*, and this Agreement burdens the Land to the extent provided in this Agreement, and runs with it and binds the Owner's successors in title. This Agreement also burdens and runs with every parcel into which the Land is or they are consolidated (including by the removal of interior parcel boundaries) by any means.
16. **Voluntary Agreement** - The Owner acknowledges that the Owner has entered into this Agreement voluntarily and has taken legal advice with regard to the entry of this Agreement and the development of the Land.
17. **Agreement for Benefit of District Only** – The Owner and the District agree that:
  - (a) this Agreement is entered into only for the benefit of the District;
  - (b) this Agreement is not intended to protect the interests of the Owner, any tenant, or any future owner, lessee, occupier or user of the property, the Land or the buildings or any portion thereof; and
  - (c) the District may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.
18. **Limitation on Owner's Obligations** - The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
19. **Further Acts** - The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
20. **Joint Obligations of Owner** - If two or more persons execute this Agreement as Owner, the liability of each such person to observe and perform all of the Owner's obligations pursuant to this Agreement will be deemed to be joint and several.
21. **Severance** - If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force and unaffected by that holding or by the severance of that part.
22. **Amendment** - This Agreement may be amended from time to time by agreement between the Owner and the District. Except as otherwise expressly provided in this Agreement, the amendment agreement must be by an instrument in writing duly executed by the Owner and the District.

23. **Deed and Contract** - By executing and delivering this Agreement each of the parties intends to create both a new contract and a deed of covenant executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

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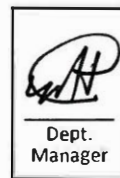
ATTACHMENT. 2

Location of the developments



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AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Nov. 1, 2021</u>
<input type="checkbox"/> Other:	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

October 13, 2021

Case: PLN2021-00055

File: 08.3060.20/055.21

**AUTHOR:** Robyn Hay, Development Planner

**SUBJECT:** Bylaws 8538 and 8539: Rezoning and Development Cost Charge (DCC) Waiver Bylaws for a Social Housing Development at the "Riverside Site"

### RECOMMENDATION

THAT "District of North Vancouver Rezoning Bylaw 1414 (Bylaw 8538)" to rezone the subject site from Park, Recreation and Open Space to Comprehensive Zone 139 (CD139) be given FIRST reading;

AND THAT "Riverside Drive Development Cost Charges Waiver Bylaw 8539, 2021" be given FIRST reading;

AND THAT Bylaw 8538 be referred to a Public Hearing;

AND THAT Staff be directed to proceed with waiving any additional District of North Vancouver fees including development permit and building permit fees and such fees can be in excess of the \$30,000 maximum specified in the Council Policy entitled "Eligibility Criteria for Waiving Municipal Permit Application Fees" subject to securing the social housing units in a lease agreement.

### REASON FOR REPORT

On September 27, 2021 Council directed staff to initiate a District-led rezoning process for the four District-owned lots located to the northeast of Riverside Drive and Old Dollarton Road ("Riverside Site" – see site outlined on Page 3 of this report) to allow a social housing development up to six-storeys in height.



The following bylaws are required for this purpose:

- Bylaw 8538 to rezone the subject properties (**Attachment 1**); and
- Bylaw 8539 to waive Development Cost Charges (**Attachment 2**).

The Rezoning Bylaw and DCC Waiver Bylaw are recommended for introduction and the Rezoning Bylaw is recommended for referral to a Public Hearing. A Development Permit would be forwarded to Council for consideration if the rezoning proceeds.

## **BACKGROUND**

Metro Vancouver Housing (MVH) is seeking to build affordable rental housing on municipally-owned lands through partnerships with member jurisdictions. An Expression of Interest (EOI) to identify land for affordable rental housing development was issued on September 20, 2021, with submissions due by December 31, 2021.

On July 26, 2021, Council gave direction to staff to provide information regarding several District-owned properties that could be submitted to MVH for consideration in the development of affordable rental housing.

In response to Council direction from July 26, 2021, staff reviewed and assessed ten District-owned sites. On September 27, 2021 District Council directed staff to proceed with a District-led rezoning process on the Riverside Site. More specifically, Council passed the following motion:

*THAT staff are directed to initiate a District-led rezoning process for a District-owned site that would allow up to a six-storey affordable housing development and to seek public input;*

*AND THAT staff are directed to explore a partnership opportunity with Metro Vancouver Housing for affordable rental housing on the selected Maplewood – Riverside site;*

*AND THAT actions are undertaken to support project viability, including waiving typical permit fees and applicable Development Cost Charges, contributions to some related off-site costs, supporting a review of possible property tax exemption, expediting development approvals, reviewing parking requirements, and leasing the land at a nominal fee.*

Municipally-owned sites with appropriate zoning in place are viewed more favourably by MVH as these sites can benefit from reduced timelines and cost uncertainty, access to funding partners such as CMHC, and greater likelihood of support from senior levels of government.

An application to MVH would be non-binding but would indicate the District's strong desire to explore partnerships on District-owned land as part of addressing the current

housing affordability crisis. Regardless of the outcome of the EOI, the proposed rezoning would support the use of this site for social housing in the future.

The Staff Report titled *Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites for Consideration* and dated September 14, 2021 is included as Attachment 3 for reference.

### Site and Surrounding Area

The Riverside Site is located northeast of the intersection of Riverside Drive and Old Dollarton Road in Maplewood Village Centre. It consists of four lots and is approximately 2,492 m<sup>2</sup> (26,824 sq. ft.) in size. The site is currently undeveloped and consists primarily of second growth forest. Surrounding properties include single-family homes to the south, an undeveloped District road allowance to the north beyond which is Maplewood Park, undeveloped District lands to the east, and low-rise apartments across Riverside Drive to the west.

The site is located next to the undeveloped Maplewood Park. The park currently contains a network of trails and informal paths for recreational use. New active and passive park space and trail connections are envisioned for Maplewood Park in the future, including a potential new Spirit Trail connection adjacent to the site. The Riverside Site is not part of the park.

Transit service is currently provided along Riverside Drive, Old Dollarton Road, and Mount Seymour Parkway, all within a five-minute walk of the site. RapidBus service (15-minute or better service) is anticipated in the future along Dollarton Highway.



## **EXISTING POLICY**

### Official Community Plan

The Official Community Plan (OCP) designates the site as “Residential Level 6” (RES6) which envisions medium-rise apartments at a density of up to approximately 2.5 FSR. Some commercial use may also be permitted in this designation. The proposed CD139 zone permits 2.5 FSR in keeping with the OCP designation.



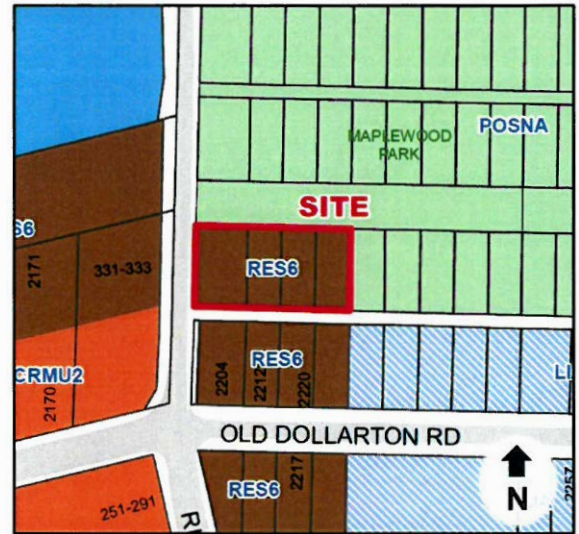
**SUBJECT: Bylaws 8538 and 8539: Rezoning and Development Cost Charge (DCC) Waiver  
Bylaws for a Social Housing Development at the “Riverside Site”**

October 13, 2021

Page 4

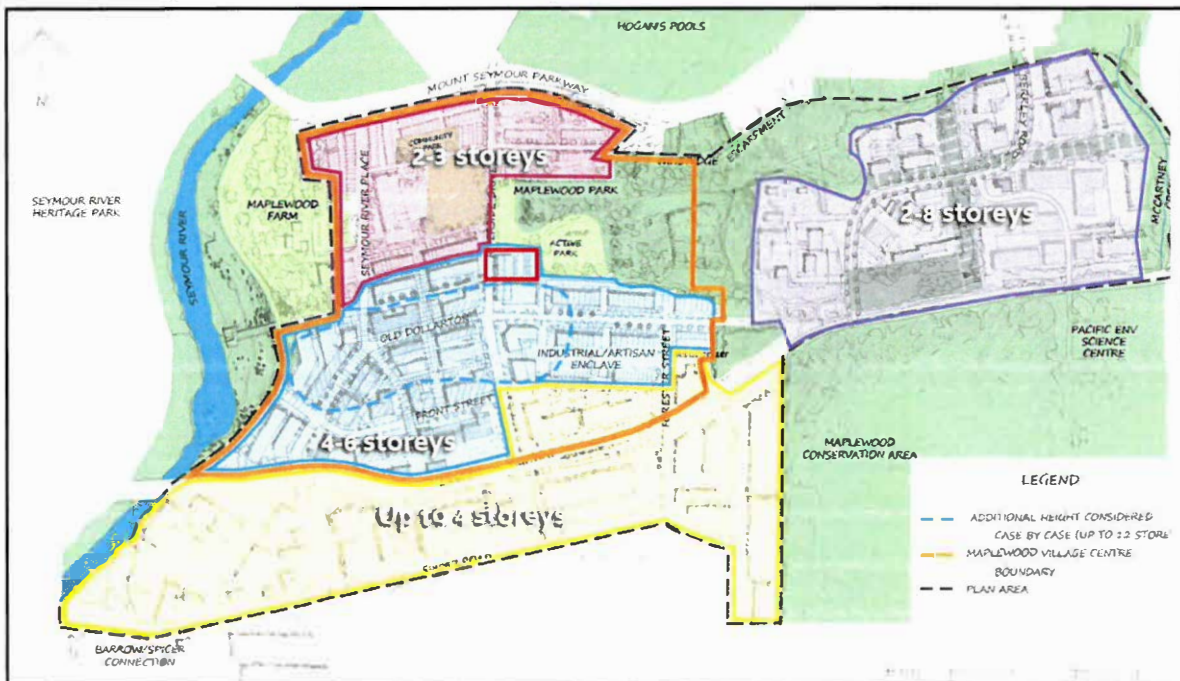
The proposed bylaws addresses a number of OCP goals and policies including:

- 7.1.1 Encourage and facilitate a broad range of housing, including non-market and supportive housing;
- 7.3.7 Consider incentives such as reduced Development Cost Charges to facilitate affordable rental housing; and
- 7.4.4 Consider the use of District land, where appropriate, to contribute towards and leverage other funding for the development of social and affordable housing.



**Maplewood Village Centre and Innovation District Implementation Plan & Design Guidelines (“Maplewood Plan”)**

The site is located within the Maplewood Village centre which is envisioned as a central commercial hub with a diversity of housing, institutional, and mixed-uses. The Maplewood Plan specifies a maximum building height of six-storeys as shown in the Maplewood Plan building height map below (site outlined in red). The scale and density in the proposed CD139 zone is in keeping with the Maplewood Plan.



Provision of social housing in the anticipated form of development on this site would align with the policies and social housing targets (e.g., 300 net new social units) outlined

in the Maplewood Plan. The Maplewood Plan specifically encourages the use of District-owned lands to generate innovative, non-market housing opportunities, where appropriate.

The proposed rezoning has the potential to address a number of other Maplewood Plan policies including to:

- Secure sufficient space to re-locate the I Hope Centre or other community service providers into space with flexible community facilities (e.g. meeting rooms) in Maplewood Village Centre;
- Support the potential provision of a continuum of childcare services in Maplewood Village Centre and Maplewood North Innovation District to include infant/toddlers, age 3-5 and before and after school care; and
- Community amenity spaces should be flexible and should promote physical and social inclusivity, and meet the needs of a variety of user groups (e.g. seniors, youth, families, and the general community).

The site is located outside the Risk Contours established in the Maplewood Plan, which seek to ensure that sensitive land uses are located at a safe distance from heavy industrial activities. There are no restrictions on the type of uses permitted on this site from a chemical risk perspective.

The proposal is consistent with the Official Community Plan (OCP) and the Maplewood Plan. The use of the land for social housing will require rezoning to a new Comprehensive Development (CD) zone and a development permit would be forwarded to Council for consideration, if the rezoning is approved.

#### Targeted Official Community Plan Review Action Plan

The project has been reviewed against the Targeted Official Community Plan Review Action Plan (Action Plan) and addresses the following “Priority Actions”:

*Priority Action 1: Achieve Town and Village Centres that deliver low-carbon, compact, and diverse housing, transportation choices, and supportive public amenities and employment space.*

- The proposed bylaw and resulting development contribute to this action by providing a range of housing options within the Maplewood Village Centre that are well-served by public transit. The proposed bylaw has flexibility to allow for key public amenities such as a childcare facility and social gathering places which all generate opportunities for new employment.

*Priority Action 3: Prioritize rental, social, and supportive housing projects to increase the range of housing options*

- Any resulting development would provide 100% of units as rental, targeting low to moderate income households. The level of affordability would be dependent on funding partners and contributions.

Priority Action 5: *Increase housing diversity to support a range of incomes, household types, and accessibility needs within and close to Town and Village Centres.*

- The site is located in Maplewood Village Centre and the proposed bylaws and resulting development would provide social housing units all of which would meet either “Basic” or “Enhanced” levels of accessibility.

Priority Action #6: *Create a continuous and connected network of walking and cycling routes to encourage more people of all ages and abilities to walk and cycle.*

- A new bicycle lane and improved sidewalks with street tree plantings and streetlight upgrades would be provided along Riverside Drive. New trail connections in Maplewood Park would also be provided.

### Rental and Affordable Housing Strategy

The proposed bylaws, if adopted, will permit development of the site for a six-storey building with non-market rental housing. This responds to the following goals of the District's Rental and Affordable Housing Strategy (RAHS):

- Goal 1: Expand the supply and diversity of housing;
- Goal 2: Expand the supply of new rental and affordable housing; and
- Goal 6: Partner with other agencies to help deliver affordable housing.

The RAHS indicates that the 10 year (2016-2026) estimated demand for affordable rental units in the District is 600 to 1,000 units.

### Council Directions, 2019-2022

The proposed bylaws respond to the following Council Priority Directions to 2022:

- Key Issue 2: Increasing Housing Diversity and Addressing Affordability

A range of actions to support this priority include:

- Increasing the number of social and affordable housing units to fill gaps in the low to moderate income end of the housing continuum;
- Increasing housing diversity; and
- Assessing available District land and its suitability for various housing forms.

### Zoning

The subject properties are currently zoned “Parks, Recreation, and Open Space” (PRO) and would require rezoning to a comprehensive development (CD) zone in order to accommodate the proposed use and density set out in the OCP.

Bylaw 8538 proposes to create a new “Comprehensive Development Zone 139” (CD139) tailored specifically to this project. The proposed CD139 zone prescribes permitted uses and zoning provisions such as a maximum density of 2.5, height, setbacks, and parking requirements.



## **ANALYSIS:**

### Project Description

As directed by Council, staff have drafted Comprehensive Development Zone 139 (CD139) to permit a six-storey social housing building. Should Council adopt the bylaws, the District will explore a partnership opportunity with Metro Vancouver Housing for the development of a social housing project. If that is unsuccessful the District will explore a partnership opportunity for this site with other non-profit housing providers.

In either case, the District will enter into negotiations with a future non-profit housing provider for a long-term ground lease at a nominal rate. Under this arrangement, the District will retain ownership of the land and the social housing will be operated by the non-profit housing provider pursuant to the long-term ground lease.

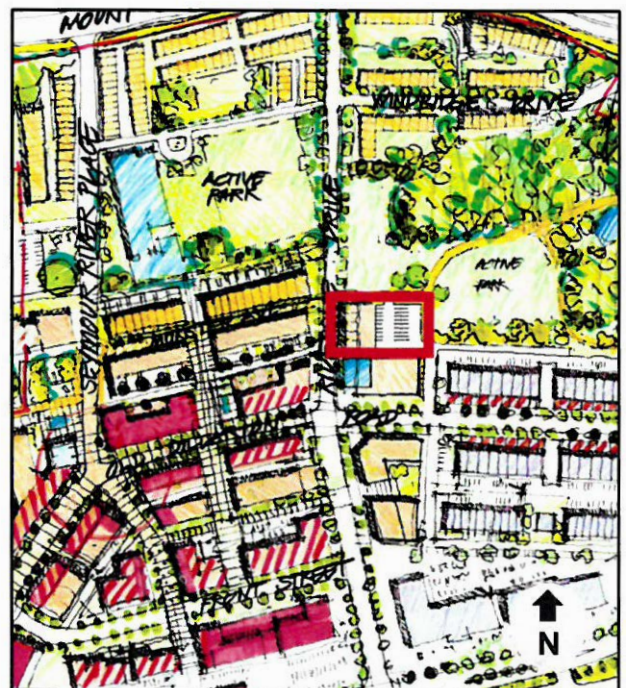
The proposed CD139 zone also permits “social-gathering use” which would allow socializing and gathering on a not-for-profit basis, and may include but is not limited to the following uses: non-profit clubs, reading rooms, and meeting spaces. This would allow the possibility for organizations such as Thrive Family Centre (formally known as I Hope Centre), North Shore Disability Resource Centre Association and the North Shore Arts Council to occupy some of the space.

The Maplewood Plan and the Child Care Action Plan both identify the need for range of child care services in the Village Centre, and target the approximate area of the Riverside Site as a preferred location given its distance beyond the Risk Contours established in the Maplewood Plan. Childcare is a permitted use in all zones as per the General Regulations section of the Zoning Bylaw and could be incorporated into any future building on this site.

### Built Form

It is anticipated that redevelopment would entail a six-storey apartment building with one level of underground parking and a density up to 2.5 FSR, consistent with the OCP and the Maplewood Plan. The adjacent image shows the anticipated building concept in the Village Centre as per the Maplewood Plan, with this site outlined in red.

This form of development could accommodate approximately 60-90 rental units however, the final number would be determined through the land lease and Development Permit process, and will be influenced by factors such as



potential community uses, unit size, layouts, and developable area after accounting for any road dedications, right-of-ways, and setbacks.

#### Housing Affordability

Rents would be established through the lease agreement with a future non-profit housing provider at levels that are appropriate for low to moderate income households with before-tax incomes ranging from \$30,001 to \$85,170. The unit count and unit mix would also be confirmed through the lease agreement.

Subject to the MVH grant application being successful, it is anticipated that MVH will seek external funding through Provincial and Federal programs and other sources to support project costs. One funding source which has been successful in the District is the Building BC: Community Housing Fund, which requires the following mix of rents and incomes within a single building:

- 30% Affordable housing (moderate income);
- 50% Rent geared to income (Housing Income Limit); and
- 20% Deep subsidy.

#### Development Permits

The subject site is located within the following Development Permit Areas (DPAs):

- Form and Character of Multi-family Development;
- Energy and Water Conservation and Greenhouse Gas Emission Reduction;
- Protection from Creek Hazard;
- Protection of the Natural Environment; and
- Streamside Protection.

A detailed review of development permit issues, outlining the project's compliance with the applicable development permit guidelines will be required at the development permit stage.

#### Advisory Design Panel

The application will be reviewed by the Advisory Design Panel (ADP) at the Development Permit stage. A detailed review of development permit issues, outlining the project's compliance with the applicable development permit guidelines will be provided for Council's consideration should the application proceed through the rezoning process.

### Accessibility

The project will be required to fulfil the requirements of the Accessible Design Policy for Multifamily Housing. More specifically, all of the apartment units must meet the 'Basic Accessible Design' criteria and at least 5% of the apartment units must meet the 'Enhanced Accessible Design' criteria.

### Biodiversity and Ecology

The subject site is located in a previously disturbed area and is comprised primarily of mature black cottonwoods and big leaf maples with some western red cedars and western hemlocks. Any development of the site would require tree removal. Tree replacement would be required as part of the site redevelopment.

The site is located outside the environmentally sensitive area identified in the Maplewood Lands Environmental and Hydrogeological Assessment Report.

### Green Building Measures

In accordance with the District's Construction Bylaw, the project will be required to meet either Step Code 4 or Step Code 3 with a Low Carbon Emission System (LCES). Requirements for energy step code would be controlled through the lease agreement.

Additional green building components would be addressed through the Energy and Water Conservation and Greenhouse Gas Emission Reduction Development Permit.

### Vehicle Parking

Parking will be provided in a one-level underground garage. Access to the underground garage is proposed via a new north-south lane from Old Dollarton Road, located near the east side of the property, all as envisioned in the Maplewood Plan.

Parking design would be subject to the flood protection and resilience provisions in the Maplewood Implementation Plan.

In accordance with the District's Alternative Vehicle Parking Rates Policy, the proposed CD139 zone requires a minimum of:

- 0.50 residential spaces per studio or one-bedroom unit;
- 0.65 residential spaces per two-bedroom unit;
- 1.10 residential spaces per three or more bedroom unit;
- 0.10 visitor spaces per unit; and
- 1 space per 40 m<sup>2</sup> of gross floor area for social gathering use.

The District OCP includes statements related to reducing parking requirements including:

- Section 5.1 (8): Consider, where appropriate, reducing vehicle parking requirements for new developments in centres and corridors well served by transit to encourage alternate modes of transportation and increase housing affordability;
- Section 7.2 (8): Support, where appropriate, parking reductions for purpose built market and affordable rental units; and
- Section 7.3 (3): Apply incentives (including, but not limited to density bonusing, pre-zoning and reduced parking requirements) as appropriate, to encourage the development of affordable housing.

All applicable District parking policies and guidelines will be applied to future development on the property.

#### Bicycle Parking and Storage

The proposed CD139 zone requires secured bike storage at rates of one space per studio and one-bedroom units and two spaces per two-bedroom and three-bedroom units.

#### Off-site Improvements

Off-site improvements will be reviewed in detail at the Development Permit stage. It is anticipated that off-site works associated with the construction of the project will include road improvements and utility upgrades.

A 6 m wide dedication along the Riverside Drive frontage of the site would be required for road widening, bike lane, sidewalk, and boulevard improvements. Widening and upgrading the Riverside Drive road frontage could be completed as a separate District capital project. Such frontage improvements would typically be completed at the developer's cost for market housing. In this social housing case, the cost of improvements would be considered in the context of the annual District capital planning process and any applicable grants.

A new north-south lane to the east of the subject property with access via Old Dollarton Road will be required to provide vehicle access to the site. The lane would also be designed to accommodate fire access, garbage removal, and turnaround. New trail connections, undergrounding or relocation of hydro poles, and new streetlights would also be required. Off-site improvements will also include sanitary, water, drainage, and fire protection (new fire hydrant).

The estimated total value of off-site works (engineering and landscaping) is unknown and the full scope and value of required off-site construction will be determined through the detailed design work at the Development Permit and Building Permit stages.

### Development Cost Charges

Applicable Development Cost Charges (DCCs) are estimated to be approximately \$748,306 (2021 rates). Bylaw 8539 (Attachment 2) establishes the DCC at \$0 for the development of not-for-profit rental housing on the property. Finance department staff are preparing a strategy to account for this waiver in order to keep the DCC funds whole.

### Community Amenity Contribution

The District's Community Amenity Contribution (CAC) Policy outlines expectations for projects and includes a list of potential in-kind contributions that can be considered in lieu of a cash CAC including “land for, or provision of, affordable, rental or special needs housing.” As the social housing units represent the in-kind amenity for this project and the rental units will be secured in any future lease agreement, no cash CAC would be anticipated.

### Financial Impacts

The District of North Vancouver anticipates supporting this project in the following ways:

- District-led rezoning of land;
- providing 0.23 hectares (0.57 acres) of land at a nominal fee of \$10/year (excluding the anticipated road dedication area);
- waiving the typical application fees for the Rezoning and Development Permit (approximately \$19,000);
- waiving the Building Permit fees should the rezoning be supported by District Council (approximately \$239,000);
- waiving the applicable District Development Cost Charges (estimated to be \$748,306);
- consider a property tax exemption (PTE) for the non-profit society operating the units should the housing be considered taxable by BC Assessment; and
- contributing to some off-site road improvements and utility upgrade costs as per Council's September 27, 2021 motion (details to be confirmed at the detailed design stage).

The District's Housing Reserve Fund will support the waived fees and charges and one-time costs associated with the project. Staff are reviewing the District's property tax strategy and will report back on the need for PTE funding. Staff will apply for grant funding to BC Housing to cover capital and operating costs.

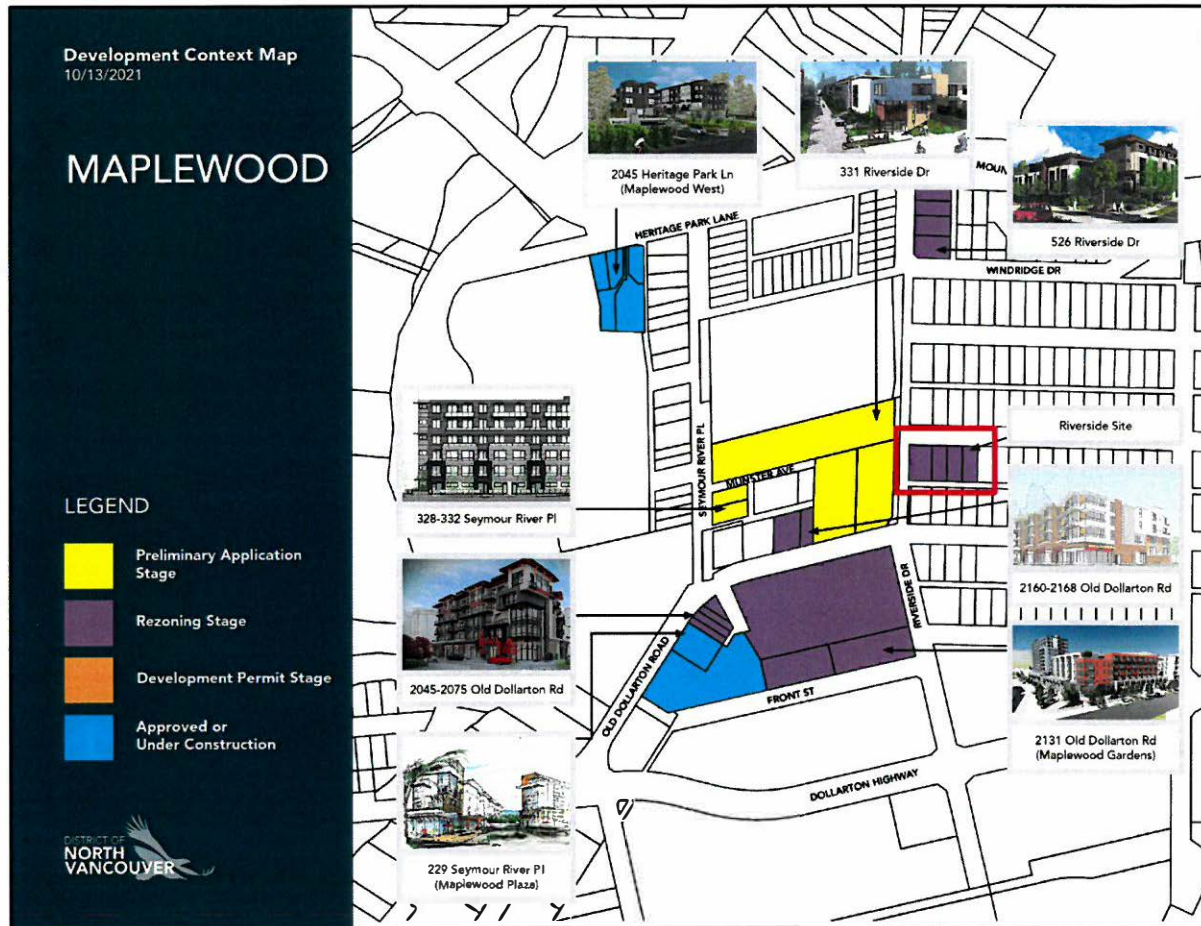
### Concurrence

The project has been reviewed by staff from the Real Estate and Properties, Environment, Finance, Building and Permits, Legal, Parks, Engineering, Community Planning, Urban Design, Transportation, and Fire departments.



### Construction Traffic Management Plan

The site is shown in relation to other residential construction projects and potential development projects in the image on the following page:



Construction traffic management will be key for the development of the site to minimize impacts on the surrounding streets and neighbourhood. A Construction Traffic Management Plan (CTMP) will be required as a condition of a Development Permit.

In particular, the Construction Traffic Management Plan must:

1. Provide safe passage for pedestrians, cyclists, and vehicle traffic;
2. Outline roadway efficiencies (i.e. location of traffic management signs and flaggers);
3. Make provisions for trade vehicle parking which is acceptable to the District and minimizes impacts to neighbourhoods;
4. Provide a point of contact for all calls and concerns;
5. Provide a sequence and schedule of construction activities;
6. Identify methods of sharing construction schedule with other developments in the area;

7. Ascertain a location for truck marshalling;
8. Address silt/dust control and cleaning up from adjacent streets;
9. Provide a plan for litter clean-up and street sweeping adjacent to site; and,
10. Include a communication plan to notify surrounding businesses and residents.

### Public Input

In order to meet the MVH Expression of Interest deadline of December 31, 2021, and given that there is no developer applicant for this rezoning proposal, a customized public input process has been established for this project.

Should Council vote in favour of introducing the bylaws, it is proposed to have a virtual PIM immediately following bylaw introduction. Neighbour notification letters will be prepared and mailed to home owners and occupants in an area exceeding a 100 m (328 ft.) radius of the site. Concurrently a virtual PIM webpage will go “live” in order for the public to ask questions and provide their input on the proposal. The virtual PIM will be active for approximately 10 days and will conclude approximately 10 days before the anticipated Public Hearing and staff will be available during this period to respond to questions on the proposal from members of the public. Newspaper advertisements, site signs, and mailed letters to surrounding neighbours are some of the tools that would be used to notify the community and ensure broad awareness of the proposal and information on how to participate.

All typical and statutory timeframes associated with the Public Hearing would apply. Any subsequent lease of District-owned land would involve additional public notification as outlined in the Community Charter.

### Implementation

Implementation of this project will require a rezoning bylaw and a bylaw to waive DDC's, as well as issuance of a Development Permit, registration of legal agreements, and execution of a lease agreement.

Bylaw 8538 (Attachment 1) rezones the subject site from “Parks, Recreation, and Open Space” (PRO) to a new “Comprehensive Development Zone 139” (CD139) which:

- establishes the permitted residential and social-gathering uses;
- establishes the maximum permitted floor area on the site;
- establishes setback and building height regulations; and,
- establishes parking regulations specific to this project.

Bylaw 8539 (Attachment 2) authorizes the District to reduce the DCCs to ‘zero’.

A legal framework will be required to support the project and it is anticipated that the lease agreement will be used to secure items such as the details of off-site servicing,

rent levels, and unit mix. Additional legal documents required for the project will include a subdivision plan to consolidate the site and provide road dedications.

**CONCLUSION:**

This project assists in implementation of the District's Official Community Plan objectives and the Maplewood Plan and helps to fulfill District housing objectives. The bylaws are now ready for Council's consideration.

**Options:**

The following options are available for Council's consideration:

1. Introduce Bylaws 8538 and 8539 and refer Bylaw 8538 to a Public Hearing, and authorize staff to waive any additional District fees (staff recommendation); or,
2. Defeat the bylaws at First Reading.

Respectfully submitted,



Robyn Hay  
Development Planner

**Attachments:**

1. Bylaw 8538 - Rezoning
2. Bylaw 8539 - DCC Waiver Bylaw
3. Staff Report - *Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites* for Consideration dated September 14, 2021



**SUBJECT: Bylaws 8538 and 8539: Rezoning and Development Cost Charge (DCC) Waiver  
Bylaws for a Social Housing Development at the "Riverside Site"**

October 13, 2021

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REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input checked="" type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input checked="" type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		
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## The Corporation of the District of North Vancouver

## Bylaw 8538

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

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

## Citation

1. This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1414 (Bylaw 8538)”.

## Amendments

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

- (a) Part 2A, Definitions is amended by adding CD139 to the list of zones that Part 2A applies to.

- (b) Section 301 (2) by inserting the following zoning designation:

“Comprehensive Development Zone 139” CD139”

- (c) Part 4B Comprehensive Development Zone Regulations by inserting the following, inclusive of Schedule B:

**“4B 139 Comprehensive Development Zone 139                      CD139**

**The CD139 zone is applied to:**

- i) Lot 31 Block 40 District Lot 611 Plan 2353 (PID: 013-881-906).
- ii) Lot 32 Block 40 District Lot 611 Plan 2353 (PID: 013-881-914);
- iii) Lot 33 Block 40 District Lot 611 Plan 2353 (PID: 013-881-922); and,
- iv) Lot 34 Block 40 District Lot 611 Plan 2353 (PID: 013-881-931).

**4B 139 – 1 Intent**

The purpose of the CD139 Zone is to permit a medium-density residential rental development which may include social gathering uses.

#### **4B 139 – 2 Permitted Uses**

The following *principal* uses shall be permitted in the CD 139 Zone:

a) Uses Permitted Without Conditions:

Not applicable

b) Conditional Uses:

The following *principal* uses are permitted when the conditions outlined in Section 4B 139-3 Conditions of Use, are met:

- i. *residential use; and*
- ii. *social gathering use*

**4B 139 – 3 Conditions of Use**

a) ***Residential:*** *residential uses* are only permitted when the following condition is met:

- i. balcony enclosures are not permitted

b) ***Social gathering use:*** *social gathering uses* are only permitted when the following condition is met:

- i. must be provided in conjunction with a *Residential Use*

**4B 139 – 4 Accessory Use**

- a) *Accessory uses* customarily ancillary to the principal use are permitted;
- b) *Office purposes* related to the operation and use of the building are permitted; and
- c) Support services and common area facilities related to the operation of the building are permitted.

**4B 139 – 5 Density**

- a) The maximum permitted density is 2.5 FSR.
- b) For the purpose of calculating *gross floor area* the following is exempted:
  - i. Any floor areas below finished grade;
  - ii. Above ground residential amenity area up to 3% of the total gross residential floor area or 200 m<sup>2</sup> (2,153 sq. ft.), whichever is lesser;

- iii. Above ground cycling storage and facilities up to a maximum of 90 m<sup>2</sup> (969 sq.ft.); and
  - iv. Mechanical rooms located above the flood construction level.
- c) For the purposes of calculating FSR the lot area is deemed to be 2,492 m<sup>2</sup> (26,824 sq. ft.) being the site size at the time of rezoning.

#### **4B 139 – 6 Setbacks**

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

<b>Setback Location</b>	<b>Buildings (Minimum Setback)</b>
North	3 m (9.8 ft.)
East	3 m (9.8 ft.)
South	3 m (9.8 ft.)
West (Riverside Dr.)	3 m (9.8 ft.)

#### **4B 139 – 7 Height**

- a) The maximum number of storeys permitted is 6, excluding the parking level; and
- b) The maximum permitted height is 21.4 m (70.2 ft.).

#### **4B 139 – 8 Coverage**

- a) Building Coverage: The maximum building coverage is 80%.
- b) Site Coverage: The maximum site coverage is 90%.

#### **4B 139 – 9 Parking and Bicycle Regulations**

- a) Parking is required as follows:

<b>Use</b>	<b>Minimum Parking Spaces Required</b>
Studio or one-bedroom dwelling unit	0.50
Two-bedroom dwelling unit	0.65
Three or more bedroom dwelling unit	1.10
Visitor spaces per dwelling unit	0.10
Social gathering use	1 space per 40 m <sup>2</sup> of gross floor area

- b) One bicycle storage space per studio and one-bedroom unit and two spaces per two-bedroom and three-bedroom unit; and,
- c) Except as specifically provided in 4B139 – 9 (a) and (b), parking shall be provided in accordance with Part 10 of this Bylaw.”
- (d) The Zoning Map is amended in the case of the lands illustrated on the attached map (Schedule A) by rezoning the land from Park, Recreation and Open Space (PRO) to Comprehensive Development Zone 139 (CD139).

**READ** a first time

**PUBLIC HEARING** held

**READ** a second time

**READ** a third time

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy

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Municipal Clerk

Schedule A to Bylaw 8538, 2021

**BYLAW 8538**

District of North Vancouver Rezoning Bylaw 1414 (Bylaw 8538)



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

**Bylaw 8539**

**A bylaw to waive Development Cost Charges**

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

**Citation**

1. This bylaw may be cited as "Riverside Drive Development Cost Charges Waiver Bylaw 8539, 2021".

**Waiver**

2. Development Cost Charges are hereby waived in relation to the Eligible Development proposed to be constructed on the site as shown outlined in red on the attached map (Schedule A), and the development cost charge rates for the Eligible Development are hereby set at zero.
3. For the purpose of this Bylaw "Eligible Development" means social housing units where the rental rate structure is secured by way of a lease agreement, affordable housing agreement bylaw, restrictive land use covenant or other measure acceptable to the Municipal Solicitor.

**READ** a first time

**READ** a second time

**READ** a third time

**ADOPTED**

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Mayor

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Municipal Clerk

Certified a true copy



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Municipal Clerk

Schedule A to Bylaw 8539



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: September 27, 2021
<input type="checkbox"/> Other:	Date: _____

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

September 14, 2021  
File: 13.6530.20/013.000

**AUTHOR:** Joshua Cairns, Community Planner

**SUBJECT:** Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites for Consideration

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### RECOMMENDATION:

THAT staff are directed to initiate a District-led rezoning process for a District-owned site that would allow up to a six-storey affordable housing development and to seek public input;

AND THAT staff are directed to explore a partnership opportunity with Metro Vancouver Housing for affordable rental housing on the selected site;

AND THAT actions are undertaken to support project viability, including waiving typical permit fees and applicable Development Cost Charges, contributions to some related off-site costs, supporting a review of possible property tax exemption, expediting development approvals, reviewing parking requirements, and leasing the land at a nominal fee.

### REASON FOR REPORT:

On July 26, 2021, Council gave direction to staff to provide information regarding several District-owned properties, including recommending a site that may be submitted to Metro Vancouver Housing (MVH) for consideration in the development of affordable rental housing.

### SUMMARY:

Metro Vancouver Housing (MVH) is seeking to build more affordable rental housing on municipally-owned lands through partnerships with member jurisdictions. An Expression of Interest (EOI) to identify land for affordable rental housing development will be issued in early fall 2021, with submissions due by December 31, 2021. In response to Council direction on July 26, 2021, staff reviewed and assessed ten District-owned sites as described in this report. Staff's assessment determined that the four District-owned lots on Riverside Drive appear to be the most suitable for partnership with MVH.

### BACKGROUND:

In 2020, Metro Vancouver implemented a new \$4 million annual tax requisition to support the development of new affordable rental housing. To facilitate the use of these funds, Metro Vancouver developed an Expression of Interest (EOI) to identify potential properties that

could be leased or sold to Metro Vancouver Housing (MVH) at a nominal cost. Any resulting development would provide 100% of units as non-market, targeting low- and moderate-income households. The level of affordability would be dependent on funding partners and contributions from senior levels of government.

The first EOI was issued in February 2020, to which the District submitted a site for consideration. The District's submission was unsuccessful, as two sites in the cities of Pitt Meadows and Burnaby were selected for partnership.

Metro Vancouver is now preparing a second round of the EOI for member jurisdictions to submit opportunities, and to continue to improve the amount and equitable distribution of housing services across the region. In response, Council directed staff at the Regular Meeting of Council on July 26, 2021 to explore a partnership opportunity with MVH including any commitments, such as pre-zoning or fee reductions, and to report back.

Staff subsequently met with Metro Vancouver to discuss the District's previous submission and to learn more about the evaluation criteria to inform a potential upcoming submission. Feedback received suggest that the previous submission was viewed favourably and scored highly in most categories; however, the lack of pre-zoning was deemed a significant impediment. Evaluation criteria for the upcoming EOI have been revised to further emphasize the value of pre-zoning. Sites that are pre-zoned can benefit from reduced timelines and cost uncertainty, access to funding partners such as CMHC, and greater likelihood of support from senior levels of government. In addition, staff learned that a desirable site should be generally capable of providing 60 to 120 units in a 4- or 6-storey wood-frame apartment building form.

Using this information, staff reviewed ten District-owned sites that are concurrently undergoing assessment for future potential affordable housing in response to Council direction at the November 2, 2020 Regular Meeting of Council. **Attachment 1** shows the location of the sites considered for a Metro Vancouver affordable housing development. These sites were assessed against Metro Vancouver's evaluation criteria to determine a recommended site for submission. The analysis is presented in this report.

#### **EXISTING POLICY:**

##### Official Community Plan (2011)

The Official Community Plan (OCP) includes the following goals and policies related to housing:

- Goal 2:** Encourage and enable a diverse mix of housing types and tenure and affordability to accommodate the lifestyles and needs of people at all stages of life;
- Goal 3:** Foster a safe, social inclusive and supportive community that enhances the health and well-being of all residents; and
- Policy 7.4.4:** Consider the use of District land, where appropriate, to contribute towards and leverage other funding for the development of social and affordable housing

OCP Action Plan (2021)

The OCP Action Plan, approved by Council on July 26, 2021 and the result of the Targeted OCP Review, includes the following housing-related priority actions:

- Priority Action 1:** Achieve Town and Village Centres that deliver low-carbon, compact, and diverse housing, transportation choices, and supportive public amenities and employment space
- Priority Action 3:** Prioritize rental, social, and supportive housing projects to increase the range of housing options
- Priority Action 5:** Increase housing diversity to support a range of incomes, household types, and accessibility needs within and close to Town and Village Centres

Rental and Affordable Housing Strategy (2016)

The Rental and Affordable Housing Strategy (RAHS) has a focus on low and moderate-income households and contains the following goals.

- Housing Goal 1:** Expand the supply and diversity of housing in key growth centres
- Housing Goal 2:** Expand the supply of new rental and affordable housing
- Housing Goal 6:** Partner with other agencies to help deliver affordable housing through strategic use of District-owned lands, which may involve a long term lease to leverage senior government funding

Council Directions (2019-2022)

Council Directions for 2019 to 2022 include four priority directions, one of them being to set direction on priority projects for rental housing and social housing, and identify District lands available for housing.

Interim Report of the Rental, Social and Affordable Housing Task Force (2020)

The interim report prepared by the Rental, Social and Affordable Housing Task Force and expected final report include several housing-related recommendations to Council, including:

- Continue to increase diverse housing opportunities in town and village centres in accordance with OCP and centre implementation plan policies
- Expand the supply of rental and affordable housing in a manner that is consistent with the OCP
- Explore opportunities to use District-owned land to build affordable housing

**ANALYSIS:**

Metro Vancouver Evaluation Criteria

Metro Vancouver will use five broad categories of criteria to evaluate submissions from member jurisdictions. These criteria are described in Table 1 on the following page.



**SUBJECT: Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites for Consideration**

September 14, 2021

Page 4

Table 1: Metro Vancouver evaluation criteria

Criteria	Scoring
<b>Development Readiness</b>	
Pre-zoned site (or demonstrating progress towards municipal-led rezoning)	20
Development efficiency (e.g., expedited DP and or BP approval process, parking relaxations, no need for subdivision or variance, etc.)	10
Site readiness (e.g., bare land, no site hazards or known site constraints that could impact construction time/cost such as high water table, sensitive areas, soil conditions, slope, challenging site access, etc.)	10
<b>Development Potential</b>	
Anticipated number of units	10
<b>Tenant Livability</b>	
Walking distance to amenities (e.g., parks, schools, groceries, medical centres, community centres, libraries, etc.)	10
Access to transit (e.g., walking distance to Frequent Transit Network with bus service at least every 15 min)	10
Opportunities to support tenant relocation from other developments to reduce impacts to tenants (i.e., stay within same neighbourhood)	5
<b>Local Government Actions to Contribute to Financial Viability</b>	
Fee reductions and financial contributions, (e.g., waiving or reducing municipal DCCs, CACs, and permit application fees, reducing or eliminating off-site servicing requirements or fees, and/or financial grants)	10
<b>Regional Equity</b>	
Presence of existing MVH housing in community (e.g., higher score for communities with little or no existing housing)	15
<b>Maximum Score</b>	<b>100</b>

In addition to the above evaluation criteria, a pre-screening criterion requires member jurisdictions to include with their submission a Council resolution clearly stating support to explore a partnership opportunity with MVH, and the local government's intention to move forward should the site be selected. The resolution should outline any commitments being provided, such as pre-zoning, fee reductions, and lease or fee simple transfer to MVH at nominal cost. The recommendations in this report have been worded to include these intentions.

### Review of Sites

Ten District-owned sites were reviewed. Information was gathered on each of the sites, including site characteristics, policy and regulatory considerations, servicing, access, mobility, and proximity to services and amenities. Staff used this background information to inform a subsequent scoring of each of the sites based on the criteria that will be used by Metro Vancouver to assess submissions. A summary of the review for each of the ten sites is provided below; the boundaries shown are for exploratory purposes only and would be refined following additional analysis. A more detailed overview of the results of the review are provided in **Attachment 2**.

**Site 1: Maplewood – Riverside site**



**Opportunities:**

- Aligns with current OCP designation (Residential Level 6)
- Located in Town or Village Centre
- Excellent access to amenities and transit
- Generally flat site
- Desired size for scale of project
- Does not require review by Ministry of Transportation & Infrastructure

**Considerations:**

- Treed site (previously disturbed area; primarily cottonwoods and maples)

**Site 2: Maplewood – Old Dollarton (N)**



**Opportunities:**

- Located in Town or Village Centre
- Good-to-excellent access to amenities and transit
- Generally flat site
- Desired size for scale of project (four lots within the area would be identified to provide optimal size)
- Does not require review by Ministry of Transportation & Infrastructure

**Considerations:**

- Does not align with OCP designation (Light Industrial Artisan)
- Treed site (previously disturbed area)



**Site 3: Maplewood – Old Dollarton (W)**



**Opportunities:**

- Located in Town or Village Centre
- Good-to-excellent access to amenities and transit
- Generally flat site
- Desired size for scale of project
- Does not require review by Ministry of Transportation & Infrastructure

**Considerations:**

- Does not align with OCP designation (Light Industrial Artisan)
- Treed site (previously disturbed area)

**Site 4: Maplewood – Old Dollarton (E)**



**Opportunities:**

- Located in Town or Village Centre
- Good-to-excellent access to amenities and transit
- Generally flat site
- Does not require review by Ministry of Transportation & Infrastructure

**Considerations:**

- Does not align with OCP designation (Light Industrial Artisan)
- Too small for anticipated scale of project
- Treed site (previously disturbed area)



**Site 5: Maplewood – Old Dollarton (S)**



**Opportunities:**

- Located in Town or Village Centre
- Good-to-excellent access to amenities and transit
- Generally flat site
- Desired size for scale of project (four lots within the identified area would be submitted)
- Does not require review by Ministry of Transportation & Infrastructure

**Considerations:**

- Does not align with OCP designation (Light Industrial Artisan)
- Treed site (previously disturbed area)

**Site 6: 900 St Denis Ave**



**Opportunities:**

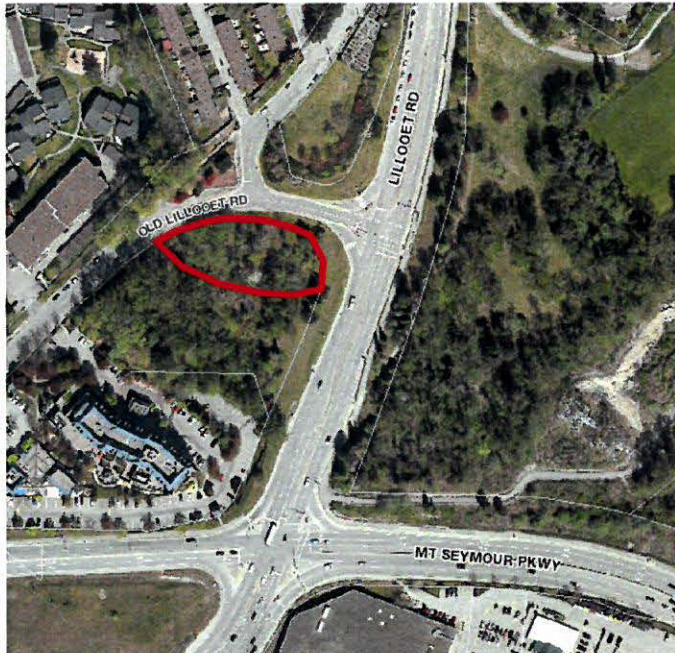
- Moderate-to-good access to amenities and transit
- Generally flat site

**Considerations:**

- Does not align with OCP designation (Institutional)
- Not located in Town or Village Centre
- Large site that may require subdivision and further study, including local area traffic studies
- May require relocation and demolition of buildings
- Requires review and approval by Ministry of Transportation and Infrastructure



**Site 7: Lillooet Road (W)**



**Opportunities:**

- Moderate access to amenities and transit

**Considerations:**

- Does not align with OCP designation (Commercial Residential Mixed Use Level 1)
- Not located in Town or Village Centre
- Sloped site
- Large site that may require subdivision and further study, including local area traffic studies
- Treed site
- Requires review and approval by Ministry of Transportation and Infrastructure

**Site 8: Lillooet Road (E)**



**Opportunities:**

- Moderate access to amenities and transit

**Considerations:**

- Does not align with OCP designation (Commercial Residential Mixed Use Level 1)
- Not located in Town or Village Centre
- Sloped site
- Large site that may require subdivision and further study, including local area traffic studies
- Treed site
- Requires review and approval by Ministry of Transportation and Infrastructure



**Site 9: Burr Place (S)**



**Opportunities:**

- May align with current OCP designation depending on density (Residential Level 5)
- Does not require review by Ministry of Transportation and Infrastructure

**Considerations:**

- Not located in Town or Village Centre
- Low access to amenities and moderate access to transit
- Sloped site with escarpment
- Large site that may require subdivision and further study
- Treed site

**Site 10: Mountain Hwy & Hunter St**



**Opportunities:**

- Located in Town or Village Centre
- Excellent access to amenities and transit
- Generally flat site

**Considerations:**

- Does not align with OCP designation (Commercial Residential Mixed Use Level 3)
- Large and prominent site in Lower Lynn Town Centre "Heart" that may support higher density and mixed-uses—requires further study
- May require relocation and demolition of buildings
- Requires review and approval by Ministry of Transportation and Infrastructure



Riverside Site

Based on the site review summarized above and with consideration for Metro Vancouver's evaluation criteria and feedback, the four lots on Riverside Drive ("Riverside site") in the Maplewood Village Centre are potentially the most appropriate for submission. The following information for the Riverside site is presented according to the five categories of the Metro Vancouver evaluation criteria.

*Figure 1: Street-level image of Riverside site*



- **Development readiness:** The site is relatively well-suited for a Metro Vancouver Housing (MVH) development; it is relatively flat with no known contamination issues, and its conventional size and shape would facilitate the construction of a MVH mid-rise building at the desired density and unit count without the need for subdivision.
- **Development potential:** It is anticipated that redevelopment would entail a single 4- to 6-storey mid-rise apartment building with a density up to 2.5 FSR, consistent with the OCP and Maplewood Village Centre and Innovation District Implementation Plan and Guidelines ("Maplewood Plan"). This form of development could provide approximately 80-90 units on this site, aligning with expectations from Metro Vancouver as well as policies and non-market housing targets (e.g., 300 net new non-market units) outlined in the Maplewood Plan.
- **Tenant livability:** The site is in a highly livable and walkable location, with abundant amenities, services, and employment within short walking distance (e.g., Northwoods Village, Ron Andrew's Community Recreation Centre, and Maplewood Farm). An

inventory of child care spaces from the Child Care Action Plan identifies the Maplewood area as well-equipped, and the site offers a potential expansion opportunity.

Transit service is provided along Riverside Drive, Old Dollarton Road, and Mount Seymour Parkway, all within a five-minute walk of the site. Phibbs Exchange and the R2 Marine RapidBus can be accessed by a 15-minute walk.

- **Local government actions to contribute to financial viability:** Metro Vancouver's fourth evaluation criteria category considers how the member jurisdiction may further support the financial viability of the project through fee reductions and financial contributions.

To support the strength of the submission, the District may consider the following actions:

- lease the land at a nominal fee;
- waive the typical permit fees;
- waive the applicable Development Cost Charges;
- contribute to some related off-site costs for any atypical servicing;
- support a review of possible property tax exemption;
- expedite development approvals; and,
- review parking requirements.

These potential actions are reflected in the report's recommendations and could be considered for any District-owned site submitted in response to the EOI. These actions, which are regularly considered to support affordable housing in the District, would be subject to Council approval.

- **Regional equity:** The final evaluation criteria is consideration of existing distribution of MVH developments throughout the region. It is generally expected that any of the ten sites would score highly in this criteria as the District does not have any existing MVH housing. However, as the closest MVH development is located approximately 4.3 km away in Lower Lonsdale in the City of North Vancouver, sites in the Maplewood Village Centre are likely to score higher in this criteria than those located further west.

#### Other Considerations

Metro Vancouver's upcoming EOI call is a competitive process; as such, there is no guarantee a submission will be successful or will receive access to funding from senior levels of government. However, regardless of the outcome of the EOI, pre-zoning would support the candidacy of the site for affordable housing in the future.

It is expected that development of a District-owned site will require road improvements and utility upgrades. In the case of the Riverside site, if selected, land dedications will be required along Riverside Drive to accommodate planned road improvements including sidewalks and bike facilities. Engineering staff installed delineators along the shoulder to create a safe space of refuge for people walking, rolling, and cycling in the interim. The Riverside Drive frontage also includes BC hydroelectric lines connected to the street light poles as shown in the above image. High voltage transmission lines do not run along the frontage of the site but



are instead located a half block away on Old Dollarton Road. Access to the site is anticipated to be provided from Old Dollarton Road via a new lane designed to accommodate fire access, garbage removal, and turnaround.

It should be noted that due to the nature and timing of this analysis, some development considerations remain unknown. Examples include geotechnical analysis, environmental assessments, contamination report, transportation studies, off-site service upgrades, and estimated costs associated with vehicle and pedestrian infrastructure. If a District site is selected by Metro Vancouver, staff will work to ensure that all required information is obtained.

**Timing/Approval Process:**

The MVH EOI closes on December 31, 2021 and requires interested member jurisdictions to identify a site(s) and provide basic information on the site(s). Subject to Council direction, staff propose initiating a rezoning of a District-owned site with public input and subsequently submitting an application to MVH for consideration. An application would be non-binding but would indicate the District's strong desire to explore partnerships on District-owned land and help address the current housing affordability crisis. MVH intends to evaluate EOI submissions in early 2022, and complete further due diligence and technical studies upon selection of potential priority sites to confirm feasibility. Following confirmation of feasibility, MVH will proceed with concept planning to align with future funding calls.

**Financial Impacts:**

The District may consider supporting the financial viability of the project in several ways. The District's Housing Reserve Fund could be used to offset the cost of waiving fees and charges and other one-time costs associated with the project. Further information on cost estimates will be provided at a later date if a site is selected by Metro Vancouver and once specific project details become known.

**Social Policy Implications:**

Rental, social and affordable housing is an essential part of a complete community. It supports the needs of a diverse socio-economic population and helps to ensure the well-being of many District residents.

**Environmental Impact:**

Any potential environmental impact will be assessed once a site is selected for submission to Metro Vancouver. Any subsequent redevelopment would be reviewed against and expected to adhere to applicable District bylaws, policies, and guidelines that relate to the environment.

**Public Input:**

An affordable housing development on any of the sites described in this report would require rezoning. As part of the rezoning process, a Public Hearing would be held and allow opportunities for the community to provide input. Newspaper advertisements, site signs, and mailed letters to surrounding neighbours are some of the tools that would be used to notify the community and ensure broad awareness of the proposal and information on how to

participate. Further, any subsequent lease of District-owned land would involve a public notification process as outlined in the Community Charter.

**Conclusion:**

The District has an opportunity to facilitate the development of affordable, non-market housing through a potential partnership with Metro Vancouver Housing. Following Council direction in July 2021, staff reviewed ten District-owned sites for consideration. The review identified the four lots located on Riverside Drive in the Maplewood Village Centre as potentially the most suitable site for submission to Metro Vancouver, as the site closely aligns with the criteria outlined in the call for Expressions of Interest, and redevelopment of the site would be generally consistent with existing District plans, policies, strategies, bylaws, and past public input

**Options:**

1. THAT staff are directed to initiate a District-led rezoning process for a District-owned site that would allow up to a six-storey affordable housing development and to seek public input;

AND THAT staff are directed to explore a partnership opportunity with Metro Vancouver Housing for affordable rental housing on the selected site;

AND THAT actions are undertaken to support project viability, including waiving typical permit fees and applicable Development Cost Charges, contributions to some related off-site costs, supporting a review of possible property tax exemption, expediting development approvals, reviewing parking requirements, and leasing the land at a nominal fee.

OR

2. THAT Council provide staff with alternative direction.

Respectfully submitted,



Joshua Cairns  
Community Planner

**Attachment 1:** District-owned lands considered in assessment

**Attachment 2:** Evaluation of District-owned sites

**Attachment 3:** Staff presentation, "Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites for Consideration"

**SUBJECT: Metro Vancouver Expression of Interest for Affordable Housing: District-owned Sites for Consideration**

September 14, 2021

Page 14

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input checked="" type="checkbox"/> Finance	<u>SS</u>	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
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<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		
<input type="checkbox"/> Review and Compliance	_____	<input type="checkbox"/> Planning	_____		



AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>NOV 1, 2021</u>
<input type="checkbox"/> Other:	Date: _____



## The District of North Vancouver REPORT TO COUNCIL

October 14, 2021  
File: 10.4750.00/000.000

**AUTHOR:** Ryan Gilmore, Community Planner

**SUBJECT:** Child Care BC New Spaces Fund Grant Application

### RECOMMENDATION:

THAT staff are directed to submit a grant application to support the creation of new child care spaces as described in the report dated October 14, 2021 titled Child Care BC New Spaces Fund Grant Application;

AND THAT the District of North Vancouver commit to its share (\$2,020,000) of the total projected cost of \$3,500,000 for a shared-use field house and child care facility.

### REASON FOR REPORT:

This report provides information on the Child Care BC New Spaces Fund grant program for the purpose of obtaining Council approval to submit a grant application due November 16, 2021. The grant would support the construction of a new shared-use field house and child care facility at Eldon Park (Figure 1).

### SUMMARY:

There is an opportunity under the Child Care BC New Spaces Fund to secure a grant to support the construction of a new 37 space child care facility and replacement field house in a shared-use building at Eldon Park.

The estimated cost of the new shared-use facility is \$3,500,000, with a maximum grant contribution of \$1,480,000. This project aligns with numerous District priorities and policies, including the Official Community Plan (OCP), Child Care Policy, Child Care Action Plan, and the Strategic Facilities Planning Framework.



Figure 1: Eldon Park

**BACKGROUND:**Eldon Park Field House

Eldon Park, located north of Edgemont Village on Ruby Avenue, includes sports fields, walking trails, tennis courts, a spray park, and playground. The field house at Eldon Park was built in 1966 and is nearing the end of its functional life (Figure 2). Parks and Facilities have identified the potential opportunity to replace this end-of-life building with a shared multi-use facility that can address park user needs while also providing space for much needed child care in the Upper Capilano area.



*Figure 2: Eldon Park Field House is nearing the end of its functional life and provides an ideal site for a shared-use field house and child care facility.*

Provincial Grant Opportunity

In 2018, the Provincial government committed to creating over 22,000 new child care spaces over three years through a \$221 million investment in the Child Care BC New Spaces Fund. The fund provides grants, for eligible capital costs, of up to \$40,000 per new child care space created. The Ministry may consider a higher per child care space grant amount if a strong rationale is provided and clear connection made to program priority areas. The 2021-2022 grant intake focuses on expanding quality, inclusive, community-based child care in areas with the greatest need and prioritizes projects that deliver on key priority areas, including:

- Creation of infant-toddler spaces;
- Creation of spaces serving priority populations;
- Creation of spaces co-located with other community or family services; and
- Creation of fully inclusive and accessible child care spaces.

**EXISTING POLICY**

There is considerable Council direction and supporting policy for the creation of new child care spaces using District lands and facilities, including:

Child Care Policy (2008)

The District's Child Care Policy supports the use of District land and facilities for child care development and provides direction on the treatment of non-profit child care as a community service.

Official Community Plan (2011)

The District's Official Community Plan (OCP) includes the following policies which are applicable to the creation of child care spaces:

**Policy 4.2.4:** Update and adapt local park facilities to suit current needs and changing demographics.

**Policy 6.3.1:** Facilitate the delivery of accessible community services and social programs to meet the current and future needs of all District residents.

**Policy 6.3.4:** Promote the establishment and maintenance of affordable quality child care services.

OCP Action Plan (2021)

The OCP Action Plan includes a commitment to foster a safe, socially inclusive and supportive community that enhances the health and well-being of all residents.

This project aligns with numerous implementation actions and social equity considerations in the Action Plan, including:

**Priority Action 1:** *Equity Consideration* – Integrate facilities providing public services such as libraries, parks, affordable child care, and grocery stores throughout neighbourhoods within the District.

**Priority Action 8:** *Implementation Action C* – Refurbish, renew, and replace existing District buildings in ways that reduce energy and emissions, while also improving comfort and reduce total costs of building ownership.

Child Care Action Plan (2020)

The Child Care Action Plan approved by Council in December 2020 identifies four goals and twenty-nine supporting actions to enhance child care services and meet child care space needs. The plan includes the following supporting actions related to the use of District land and facilities for child care development:

**Goal 1, Action 4:** Continue to leverage District assets by including child care in new or expanded civic facilities or parks, as possible and with appropriate conditions

**Goal 1, Action 8:** Develop building models and high level cost estimates to facilitate new child care on District sites and in response to grant opportunities

**Goal 1, Action 15:** Look for opportunities to access Provincial Capital funding to build child care spaces.

**Goal 3, Action 2:** Apply the following guidelines when creating new child care facilities on District-owned land:

- Operation by a non-profit child care provider;
- Location, space and design expectations which meet or exceed minimum Provincial standards for indoor and outdoor space;
- Consider shared facilities where there may be synergies between other services and infrastructure.

The Child Care Action Plan also highlights that the District needs more than 2,000 new child care spaces to meet projected demand by 2030. To begin meeting this need, the plan sets a short-term target of 509 new spaces District-wide by 2022. Eldon Park is located in the Upper Capilano area, which is one of the neighbourhoods with the greatest need for new child care spaces, with 500+ additional spaces needed over the next 10 years (69 infant toddler (ages 0-2), 123 pre-school (ages 3-5), and 353 school-age (ages 6-12).

#### Parks and Open Spaces Strategic Plan (2012)

The Parks and Open Spaces Strategic Plan discusses several key parks and open space trends related to the long-term management of park assets, including:

- Shifting from stand alone to multi-use facilities and implementing partnerships to influence life cycle management plans.
- Expanded facility roles with more partnering in facilities between parks, recreation and community services.

The plan also discusses financial strategies to support the implementation of the recommendations of the plan, including:

- Combine synergistic projects between Parks and Engineering and other departments where savings may be achieved through economies of scale and shared costs.
- Apply for relevant grant programs from federal, provincial, and regional levels of government to support the cost of park and recreation infrastructure.

#### Strategic Facilities Planning Framework (2021)

The Strategic Facilities Planning Framework endorsed by Council in June 2021 includes seven principles to guide the replacement of District facilities.

**Principle #3:** Consolidate uses, when appropriate, into shared buildings or sites.

#### Coalition of Inclusive Communities

In November of 2020 the District joined the Coalition of Inclusive Communities, which includes a commitment to removing barriers to accessing services for various groups and communities. The current Eldon Park field house is not designed as an inclusive and accessible facility and retrofit is not feasible due to its age and layout and therefore does not meet the goals of this policy. A new field house would be designed to modern standards and would accommodate all users regardless of age, gender, or ability.

#### **ANALYSIS:**

In August 2021, the District engaged Carscadden Stokes McDonald Architects Inc. to develop a conceptual design and a cost estimate for the shared-use field house and child care building, which are required for the grant application.

The new shared-use facility is proposed to be located on the footprint of the existing field house to help reduce any disturbance to the existing park and natural environment. The building would be sited such that it would not impact the existing playground, spray park, and sports fields (Figure 3). The building would be designed to a high energy efficiency standard,



consistent with critical actions outlined in the Community Energy and Efficiency Plan (CEEP). The portions of the building that serve the park would be oriented towards the playground and sports fields. The entrance of the child care facility would face onto the existing parking area.



Figure 3: Eldon Park Field House and Child Care Facility – Conceptual Site Plan

The field house portion of the new facility would be designed to provide safe, inclusive and accessible universal washrooms offering better access to all park users; a team room/multi-purpose room for sports teams and a programmable space; storage areas for local community sports teams and park maintenance; and a concession that will be available for sports user groups to fundraise by selling snacks during sports games and special events. The construction of the new building will require relocation of a number of public art pieces to other locations within Eldon Park.

The proposed child care facility would accommodate up to 37 child care spaces, including a 12-space infant-toddler program (ages 0-2) and a 25-space pre-school age program (ages 3-5). The proposed indoor space (349 m<sup>2</sup>) and outdoor space (260 m<sup>2</sup>) would meet or exceed the minimum requirements of the Provincial Child Care Licencing Regulations and the Vancouver Coastal Health design guidelines (Figure 4).

The designated outdoor play area would be located adjacent to the existing fieldhouse in the non-programmed park space. To meet Vancouver Coastal Health requirements the play area would be designated for the child care during hours of operation.

The concept site plan and floor plan are subject to change based on future stakeholder engagement at the detailed design stage should the grant application be successful.

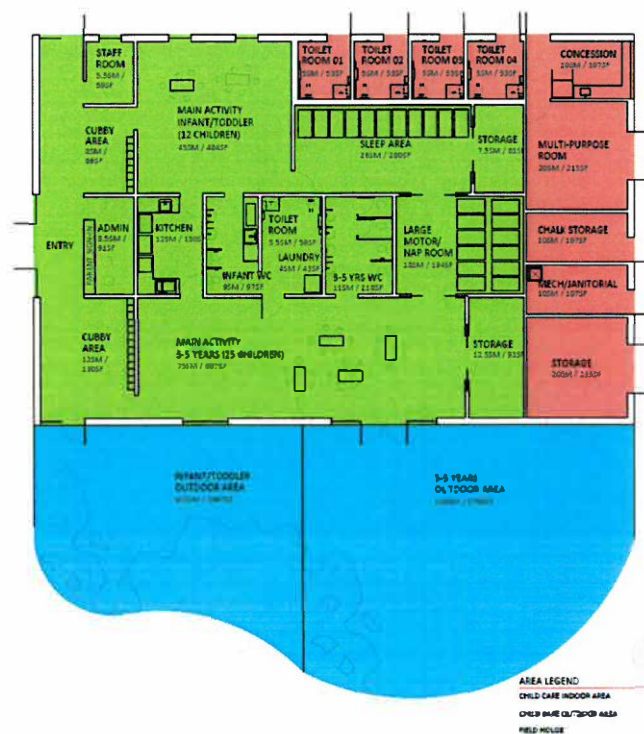


Figure 4: Eldon Park Field House and Child Care Facility Conceptual Floor Plan

### Alignment with Funding Program Criteria

The proposed Eldon Park child care facility aligns with the grant program's key priority areas in the following ways:

- Includes 12 infant-toddler child care spaces;
- Co-locates child care with other community services;
- Proposes to retain a non-profit child care operator; and
- Proposes to create fully inclusive and accessible child care spaces through accessible physical design and program inclusion policy.

When selecting the non-profit child care operating partner, preference will be given to operators that best respond with programming that serves priority communities, including low-income families, children with support needs, indigenous children and families, families new to Canada, young parents (25 years and under), black and other children and families of colour, and francophone children. Should Council support this initiative and the District be successful in its grant application, staff will initiate a formal RFP process in 2022 for the selection of the non-profit operating partner.

### **Timing/Approval Process:**

The deadline for the grant submission is November 16, 2021. A motion of approval from Council supporting the application is required to be included in the submission. A final decision on the application is anticipated by March 2022. Should the application be successful, the detailed design process would be initiated in spring 2022, with construction of the new facility starting as early as spring 2023.

**Concurrence:**

The draft conceptual plan and report have been reviewed by Parks, Facilities, and Finance Departments.

District staff are scheduled to present the project to the Parks and Natural Environment Committee (PNEAC) on October 27, 2021.

**Financial Impacts:**

Replacement of the field house is identified in the District's 10 year Capital Plan. The full cost of the field house replacement and remaining cost of the child care portion of the project are proposed to be included in the 2022-2026 Financial Plan.

One-time capital costs for the project are estimated at \$3,500,000, with approximately \$2,500,000 of the costs associated with the child care portion of the building. The maximum grant contribution under the Child Care BC New Spaces Fund would be \$1,480,000. A summary of the anticipated funding sources is outlined in Table 1 below.

Staff are continuing to review different models to fund the ongoing operating and maintenance costs of the facility.

**Table 1: Eldon Park Field House and Child Care Financial Summary**

<b>Anticipated Funding Source</b>	<b>Child Care Component</b>	<b>Field House Component</b>	<b>Total per Funding Source</b>
Community Amenity Contributions	\$510,000	-	\$510,000
Mix of Lease Payments & Other District Reserves	\$510,000	-	\$510,000
Infrastructure Reserve	-	\$1,000,000	\$1,000,000
Grant contribution (max.)	\$1,480,000	-	\$1,480,000
<b>Total Estimate*</b>	<b>\$2,500,000</b>	<b>\$1,000,000</b>	<b>\$3,500,000</b>

\*Note: cost estimate based on class D estimate +/- 25%.

**Social Policy Implications:**

The Child Care Action Plan identifies the need for more child care spaces in the District. Projects like the one proposed in this report will help address that need and demonstrate the District's continued support for young families.

The District of North Vancouver's support for child care programs furthers the aims of social sustainability by facilitating provision of quality care for young children in our community. Research has shown that investment in quality early childhood education provides long term economic and social benefits.

The replacement of end-of-life park field houses with new buildings built to current standards allows the District to incrementally improve inclusive access for all park users.

**Environmental Impact:**

The new shared use field house and child care facility will be designed to a high energy efficiency standard. The new facility is proposed to be constructed on the existing footprint and the adjacent asphalt area. The proposed dedicated child care playground can be accommodated on the land immediately adjacent to the building.

**Public Input:**

In preparation for the grant submission, District staff have engaged with several external stakeholders including School District #44, Cleveland Elementary Kids Club, Elementary PAC, and North Shore Neighbourhood House.

The conceptual architectural plan and report are scheduled to be reviewed by the Parks and Natural Environment Advisory Committee (PNEAC) on October 27, 2021.

A broader public process will be developed in 2022 should the District be a successful recipient of the grant. Key stakeholders to be engaged regarding design of the new field house component would include the North Shore Advisory Committee on Disability Issues (NS ACDI) and the North Vancouver Sports Advisory Council (NVSAC).

**Conclusion:**

The Eldon Park Field House and Child Care Facility project provides a unique opportunity to replace an aging building and add a much needed community use to a neighbourhood park and is a strong candidate to receive funding under the Child Care BC New Space Fund program.



**Options:**

1. THAT staff are directed to submit a grant application to support the creation of new child care spaces as described in the report dated October 13, 2021 titled Child Care BC New Spaces Fund Grant Application;

AND THAT the District of North Vancouver commit to its share (\$2,020,000) of the total projected cost of \$3,500,000 **(Recommended)**

OR

2. THAT Council provides staff with alternative direction and report back to Council prior to a future grant application intake in 2022.

Respectfully submitted,



Ryan Gilmore  
Community Planner

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	<b>External Agencies:</b>	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
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<input type="checkbox"/> Review and Compliance	_____	<input checked="" type="checkbox"/> Planning	_____		
<input type="checkbox"/> Climate and Biodiversity	_____		_____		

AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input checked="" type="checkbox"/> Other:	Date: _____

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

August 18, 2021

File:

**AUTHOR:** Councillor Jordan Back

**SUBJECT:** Amendments to Election Sign Regulations

### RECOMMENDATION:

THAT staff are directed to report back with recommended amendments to the Street and Traffic Bylaw 7125, 2004 to align the District of North Vancouver's election sign regulations with the City of North Vancouver.

### REASON FOR REPORT:

The Council report entitled 'Election Sign Limitation' was considered at the January 11, 2021 Regular Meeting of Council where Council passed a motion directing staff to report back on options limiting the size and height of elections signs in the District of North Vancouver (the "District") (Attachment 1).

The intent of this report was to look at how the District can bring about restrictions that would cut down on the currently unrestricted size of election signs during every municipal election in the District by aligning our sign regulations with the City of North Vancouver (CNV) and District of West Vancouver (DWV) to create more consistency across the North Shore.

The reasons, as noted in the report, include the environmental and visual impact of unrestricted signs, as well as creating a more level playing field for all candidates running in the elections.

### SUMMARY:

The District can better manage election signage by revising the election sign requirements in the Street and Traffic Bylaw and aligning its election sign regulations with the other North Shore municipalities. The contents of this report have been reviewed with Legal, Bylaws and Transportation staff.

### BACKGROUND:

At the January 11, 2021 Regular Meeting, Council passed the following motion:

THAT staff are directed to report back to Council on options for limiting the size and height of election signs in the District of North Vancouver.

**EXISTING POLICY:**

As noted in the November 25, 2020 'Election Sign Limitation' report by Councillor Jordan Back, election campaign signs are regulated by the District's Street and Traffic Bylaw 7125, 2004 (Note: the Sign Bylaw 7532, 2005 does not apply to election campaign signs). "Election campaign signs" are defined as "a temporary sign promoting a candidate or political party for election to public office". Sign permits are not required for election campaign signs and there are no size or height limitations. Election signs must be removed within 8 days after the election.

The District does regulate the location and placement of election signs. Section 742 of the Street and Traffic Bylaw 7125, 2004 prohibits the placement of elections signs on:

- Highway medians;
- On or in front of District flower or shrub beds; and
- On a Highway within 100 metres of the District Municipal Hall.

Election signs for Local Government and School District Elections must not be posted more than 21 days prior to voting day and must be removed within 8 days.

The Bylaw Notice Enforcement Bylaw 7458, 2004 does not currently contain violations of the election campaign sign provisions in s. 742 of the Street and Traffic Bylaw 7125, 2004. Adding violations of s. 742 would give bylaw enforcement staff the ability to issue tickets for violations of the election sign rules. Typical violations are of signs placed too close to a street corner which could obstruct visibility or are placed in front of or in District gardens that could harm roots or underground watering lines. Compliance has been met by asking the candidates to relocate their signs. Any sign that is placed in a prohibited area may be removed by an Enforcement Officer. The election sign regulations are included in the package of election materials provided to municipal candidates.

**Legal:**

Election campaign signs are regulated provincially by the *BC Elections Act*, RSBC 1996, c. 106. Campaign signs are prohibited within 100m of any voting place in s. 234. There is also regulation at the federal level by the *Canada Elections Act*, SC 2000, c. 9 in Part 16 – Communications. The BC Ministry of Transportation also has an Election Signs and Posters Policy with requirements for posting signs on provincial highways.

**Election Sign Regulations in other North Shore Municipalities:****1. City of North Vancouver:**

The CNV has a stand-alone Election Sign Bylaw, 2018, No. 8643 which expressly applies to federal, provincial, local or administrative elections and by-elections.

Section 4.1 of CNV's bylaw contains the following restrictions related to the size, type and placement of election signs:

- (a) area not to exceed 0.4 square metres;
- (b) height not to exceed 1.8 metres;
- (c) no electric signs;
- (d) no banners;
- (e) no illuminated, electrified, animated, moving or flashing signs;

- (f) not obscure line of vision for vehicle or pedestrian traffic;
- (g) not hinder safe movement of vehicle or pedestrian traffic on a Highway;
- (h) no signs on tree, utility pole or flagpole; and
- (i) no signs on chattel or a mobility device, parked or stationed for the principal purpose of supporting the election sign.

Election signs are permitted on private property. For posting on CNV property, the adjacent private property must have a fence or hedge at least 1.2m in height and the sign must be located within 0.6m of the private property line.

The CNV's bylaw has close to the same timing restrictions as the District's current election sign regulations: no election signs are to be posted until the day the writ for the election is issued and are to be removed within 7 days of the date of the election (District within 8 days).

Restrictions similar to those listed above, including size and height limits, could be added to section 742 of the District's Street and Traffic Bylaw. Also, the definition of "election campaign sign" could be revised to confirm that the election sign rules apply not only to municipal elections, but also provincial and federal elections.

## **2. District of West Vancouver**

In April of this year, the DWV adopted a stand-alone Election Sign Bylaw No. 5114, 2021. It contains similar provisions to those in the CNV and the District re. no election signs permitted on a highway, election signs on boulevards to not damage or destroy plantings and provisions re. traffic safety. As in the existing District bylaw, DWV prohibits election signage within 100m of the Municipal Hall, but also prohibits election signs within 100m of any voting place. DWV also requires that any person posting an election sign on their boulevard must give at least 48 hours' notice to the municipality. This seems to be unnecessary administrative burden on the municipality and is not supported by staff.

In terms of timing, DWV prohibits election signs for municipal and school elections to be posted no more than 36 days before the voting day. Candidates in a federal or provincial election can post signs starting on the day the election is announced. And DWV gives less time for removal of signs – 4 days instead of the 7 given by the CNV and DNV.

DWV allows much larger signs than the CNV. In the CNV, election signs must not exceed 0.4m in area, but in DWV they can be 3m<sup>2</sup> in area. The height limit in DWV is 2.5m vs. 1.8m in the CNV. Staff submit that the smaller sizes in the CNV's bylaw are more in keeping with the scale of the development in the District and would be a better overall fit in the community.

The bylaws of both the CNV and DWC contain impoundment provisions for signs placed contrary to the bylaw as does the Districts.

## **Conclusion:**

Creating clear rules and restrictions on election campaign signage will help create a level playing field for candidates for public office. Clear rules also facilitate effective enforcement by bylaw staff. Adopting the proposed amendments to the Street and Traffic Bylaw 7125, 2004

will help create consistency in the election campaign sign requirements across the three North Shore municipalities and will help reduce confusion among candidates and the public.

**Options:**

1. That the motion, as presented, be supported.
2. That the motion, as presented, not be supported.

Respectfully submitted,



Jordan Back  
Councillor

**Attachments:**

Attachment 1: November 25, 2020 report by Councillor Back entitled 'Election Sign Limitation'

Attachment 2: May 1, 2018 City of North Vancouver report entitled 'New Election Sign Bylaw'

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
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<input type="checkbox"/> Climate and Biodiversity	_____				

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: January 11, 2021
<input type="checkbox"/> Other:	Date: _____

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

November 25, 2020

File:

**AUTHOR:** Councillor Jordan Back

**SUBJECT:** Election Sign Limitation

### RECOMMENDATION:

THAT staff are directed to report back to Council on options for limiting the size and height of election signs in the District of North Vancouver.

### REASON FOR REPORT:

The purpose of this report is to propose that Council consider an amendment to "Sign Bylaw 7532, 2005" to limit the size and height of election signs.

### BACKGROUND:

Currently, there are no limitations on the size or height of elections signs. There are also no restrictions on where elections signs may be posted, except as provided in the "Street and Traffic Bylaw 7125, 2004" and Provincial restrictions in regard to Highway right-of-way.

### EXISTING POLICY:

"Sign Bylaw 7532, 2005" defines an election campaign sign as a temporary sign promoting a candidate or political party for election to public office.

Sign permits are not required for election campaign signs, and there are no size or height limitations. The only requirement is that election signs must be removed within seven (7) days of the election.

The District's "Street and Traffic Bylaw 7125, 2004" contains provisions prohibiting the placement of elections signs on:

- Highway medians;
- On or in front of District flower or shrub beds; and,
- On a Highway within 100 metres of the District Municipal Hall.

The "Street and Traffic Bylaw 7125, 2004" also provides that for Local Government and School District Elections, election signs must not be posted more than 21 days prior to Voting Day.

**ANALYSIS:**

During the last general local election there was a proliferation of election signs across the District. These included candidate signs for the election of mayor, councillors, as well as school trustees.

Given the lack of restrictions for election signs, the size and height of election signs varied widely. As there is no permit required for election signs, there is no accurate count on the number of signs that are put up. In the District of West Vancouver, permits are required, and there were permits issued for a total of 2,575 signs in 2018. So, it would be a reasonable assumption that the number of elections signs in the District during the last election would have been in the order of 3,000 signs or more.

From a visual perspective, this number of signs, of varying size and height, represent a significant impact on the streetscape and our neighbourhoods. In addition, from an environmental perspective, these signs also constitute a huge volume of construction materials.

The introduction of election sign regulations would create a fair and level playing field for all candidates, save time and money, and show environmental leadership.

In the City of North Vancouver, elections signs are limited to 0.4<sup>m2</sup> in area (4<sup>SF</sup>) and 1.8 m in height (6 ft.). The District of West Vancouver have more liberal restrictions being 3<sup>M2</sup> in area (32<sup>SF</sup>) and 2.5 m in height (8 ft).

While consistency across the North Shore would be ideal, it would be a positive move to establish consistency with the City of North Vancouver, our immediate neighbouring municipality.

**Timing/Approval Process:**

If Council supports the introduction of a change to the "Sign Bylaw 7532, 2005" as proposed in this report, it would be prudent to adopt the changes at an early date to give all interested parties ample notice of the new restrictions.

**Financial Impacts:**

The proposed change would result in savings to candidates standing for election, and reduce their need for campaign fund raising.

**Environmental Impact:**

Restricting the size and height of election signs is a positive move environmentally in terms of reducing the volume of construction materials, and also reducing the visual impact of the large election signs around the community. The large wooden signs are also more prone to vandalism, as evidenced during the last local election.



**Options:**

1. That staff are directed to report back to Council on options for limiting the size and height of election signs in the District of North Vancouver.
2. That no further action be taken.

Respectfully submitted,



Jordan Back  
Councillor

**Attachments:**

Attachment 1: Sign Bylaw 7532, 2005

Attachment 2: Street and Traffic Bylaw 7125, 2004

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
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# THE DISTRICT OF NORTH VANCOUVER

## SIGN BYLAW

### BYLAW 7532

Effective Date – September 26, 2005

#### CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Original Bylaw	Date of Adoption
Bylaw 7532	September 26, 2005
Amending Bylaw	Date of Adoption
Bylaw 7554	November 28, 2005
Bylaw 7644	February 19, 2007
Bylaw 7774	April 14, 2009
Bylaw 7857	October 4, 2010
Bylaw 8128	October 5, 2015

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Sign Bylaw – Bylaw 7532). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

# **THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER**

## **BYLAW 7532**

### **SIGN BYLAW, 2005**

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**CONSOLIDATION OF BYLAW 7532 AS OF OCTOBER 4, 2010  
UP TO AND INCLUDING BYLAW 7774  
THE DISTRICT OF NORTH VANCOUVER**

**BYLAW 7532**

A bylaw to regulate signs within the municipal boundaries of the District of North Vancouver

---

The Council for the Corporation of the District of North Vancouver enacts the following:

**PART 1 - TITLE**

This Bylaw may be cited as the “**SIGN BYLAW, 2005**”.

**PART 2 - INTENT**

The Intent of the Bylaw is to:

- (a) encourage the effective and equitable use of signs as a means of identifying businesses and services;
- (b) encourage the effective use of signs as a means of communication;
- (c) enhance the appearance of the District by regulating the size, height, design and location of permitted signs;
- (d) apply the sign regulations in a fair and consistent manner;
- (e) protect the public from the dangers of inferior sign construction and from nuisances or hazards arising from improperly maintained, repaired or sited signs;
- (f) regulate the construction, maintenance, repair, replacement and removal of signs; and
- (g) regulate the issuance of sign permits.

**PART 3 - INTERPRETATION**

**Units**

- 3.1 Metric units are used for all measurements in this Bylaw.
- 3.2 The photographs in this Bylaw are for illustration only and they shall in no way be held or deemed to define, limit, modify, amplify or add to the interpretation, construction or meaning of any section in this Bylaw or the scope or intent of this Bylaw.

### 3.3 In this Bylaw:

**“Accreditation sign”** means a sign signifying that a business operating on the land is accredited or certified to provide a service such as ‘Air Care’, ‘Car Care’ ‘BCAA Approved Auto Repair Services’, or similar, or is a member of a business organization such as ‘Better Business Bureau’ or a ‘Chamber of Commerce’;

Accreditation sign



**“Alarm company sign”** means a sign identifying the name of an alarm company and indicating the existence of some form of security alarm protection on the building or lot on which it is located;

**“Awning”** means a detachable system of fabric or other material which is supported entirely from the exterior wall of a building by a fixed or retractable frame;

**“Awning sign”** means a sign on an awning which shall only be painted on, affixed to by means of a decal, or form part of the fabric of an awning;

Awning Sign



**“Balcony sign”** means a sign supported on, against or suspended from a balcony;



**“Banner”** means a piece of flexible fabric or material that may or may not be enclosed in a rigid frame, affixed to a pole, structure or building to which a graphic composition, other than sign copy, may be applied, but excludes a flag;

Banner



**“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; (8128)

Banner Sign



**“Bed and breakfast sign”** means a sign identifying the name and address of a licensed bed and breakfast business and may include a Tourism B.C. sign which identifies the business as ‘Approved Accommodation’;

**“Business premise”** means that part of a building or structure owned, leased or rented by a person or persons to conduct a business, or the operation of a non-profit organization;

**“Bylaw Enforcement Officer”** means a person appointed by Council to that position, and includes all persons authorized by Council to enforce this bylaw, including a property use/business licence inspector or planning assistant;

**“Canopy”** means any permanent structure, supported solely from a building which projects from the facade of the building and excludes a gasoline bar or gasoline service station pump island canopy;

**“Canopy sign”** means a sign painted on, affixed to, or constructed as part of, the exterior surface or fascia of a canopy;

Canopy Sign



**“Changeable copy”** means copy on a sign which can be changed automatically by the electronic switching of lamps, illuminated tubes or other means, or, manually using detachable letters, characters, numbers, pictorial panels or graphics;

Changeable Copy



**“Chief Building Official”** means the person appointed by Council to that position and includes all persons authorized by Council to act in the place of the Chief Building Official, including a building inspector or electrical inspector;

**“Clearance”** means the vertical distance measured from grade to the underside of a sign or its supporting structure whichever is less or the bottom of an awning valance;

**“Construction”** means construction, installation, erection, attachment, placement, display, alteration, maintenance, demolition or removal;

**“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; **(8128)**

**“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; **(8128)**

**“Corner lot”** means a lot at the intersection or junction of two or more highways;

**“Council”** means the Council of the Corporation of the District of North Vancouver;

**“Directional sign”** means a sign which only communicates information regarding pedestrian or vehicular movement on the lot on which the sign is located;

Directional Sign



**“Directory sign”** means a sign that identifies the occupants of a building containing more than one occupant;

**“District”** means the Corporation of the District of North Vancouver;

**“Election campaign sign”** means a temporary sign promoting a candidate or political party for election to public office;

**“Façade”** means the exterior face of a building upon which a sign is to be placed;

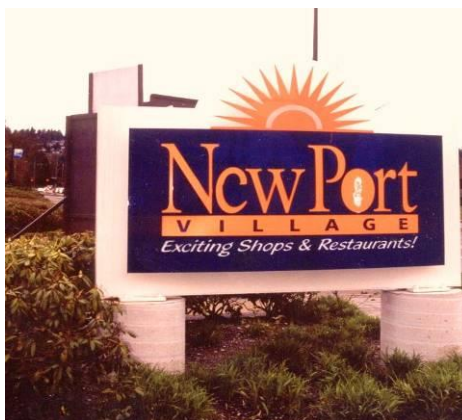
**“Fascia”** means the flat edge of a building eave overhang or the front or side edges of a canopy;

**“Fireworks Sign”** means a temporary sign advertising the sale of fireworks; **(7857)**

**“Flag sign”** means a flag represents an organization that is used as a sign but does not include a flag representing a country of the world or any province, Canadian territory or municipal corporation;

**“Free-standing sign”** means a permanent sign, including a sign structure, attached to the ground, independent of any building or structure, identifying a person, product or thing located on the same lot;

Free-standing sign



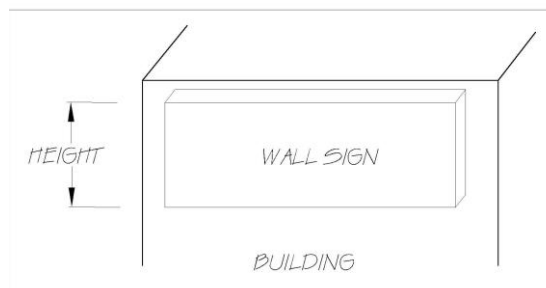
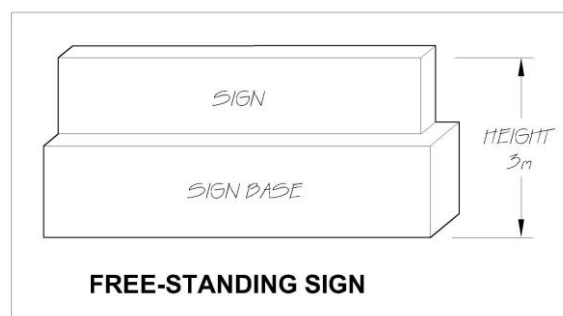
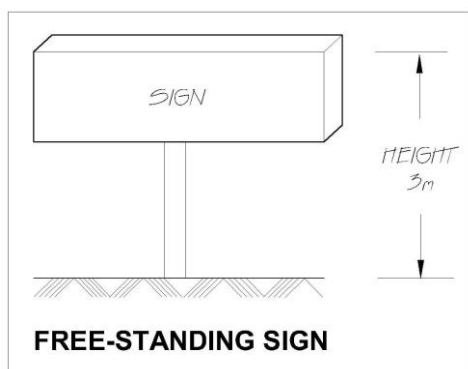
**“Frontage”** means the perimeter length of any lot that abuts or faces a highway, excluding a lane;

**“Garage sale sign”** means a temporary sign used by the occupier of a residential property to display a message indicating the sale of the occupier’s personal belongings from the residential property on a date set out on the sign;

**“Government sign”** means a sign authorized to be erected or placed within a highway or on a lot, under the provisions of any statute, Order-in-Council, bylaw, resolution of Council or by order of the Municipal Engineer, and includes, but is not limited to: traffic signs, signals and pavement markings; street name signs; neighborhood identification signs; park identification signs and public notice board signs;

**“Grade”** means the elevation of the sidewalk, pavement or ground directly beneath a sign structure, excluding landscape berms and planter boxes;

**“Height”** means the vertical distance from grade to the top of the sign or sign structure, whichever is greater, or in the case of a sign attached to a building, awning or canopy, the vertical distance from the bottom to the top of the sign or sign structure whichever is greater;



**“Highway”** means the area of every public right of way lying between two property lines title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles or persons and means the area of every public right of way lying within any District Park title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles;

**“Highway encroachment agreement”** means an agreement entered into between an individual or company and the District to allow signs on a highway;

**“Home occupation sign”** means a sign indicating the name and address of a home occupation;

**“Inflatable sign”** means an inflated three-dimensional device anchored or affixed to, or suspended from, a building or a lot;

**“Logo”** means a symbolic representation, not including any words, names or numbers unless part of a registered trademark, which is used exclusively to simplify advertising of a product, business, service or activity and which contains no additional identification, information or message;

**“Lot”** means ‘parcel’ as defined under the Land Title Act, including a bare land strata lot, but excluding a lot created under the Condominium Act;

**“Municipal Engineer”** means the person appointed by Council to that position and includes his or her delegate;

**“Mural”** means a pictorial representation, other than a logo or graffiti, painted on a building or structure, which is entirely decorative and does not identify or depict a land use, a business, the name of a person or place, or the sale of a product or service;

**“Open house sign”** means a temporary sign, which advertises the location of property for sale at which an open house is to be held;

**“Parcel”** means a lot, block, or other area in which land is held or into which land is subdivided, including a strata lot and a lot created under the Condominium Act;

**“Permanent sign”** means a sign which is affixed to or constructed as part of, a building structure or in the case of a free-standing sign, mounted on a permanent base, column or pole that is attached to the ground;

**“Portable sign”** means a temporary sign used to promote an idea or the sale of a product or service found on the lot on which the sign is located and which may be self-supporting, is easily moved and not permanently attached to the ground and includes a sandwich board sign;

Portable Sign



**“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; **(8128)**

**“Prohibitive sign”** means a sign that provides a warning, prohibition or penalty respecting the site or premises on which it is located, such as ‘No Entry’, ‘Danger’, ‘Keep Out’ or similar signs;

**“Projecting sign”** means a sign or sign structure where the outside edge projects by more than 0.3m (1ft.) from the wall of a building;

Projecting Sign



**“Pump island canopy”** means a canopy built to shelter fuel pumps at a gasoline bar or gasoline service station, and a pump island canopy that is L-shaped or angularly-connected shall be considered to be one pump island canopy”;

**“Pump island canopy sign”** means a sign attached to or constructed as part of a gasoline bar or gasoline service station pump island canopy;

Pump Island Canopy Sign



**“Real estate sign”** means a temporary sign indicating that a parcel of real estate is available for rent, lease or sale;

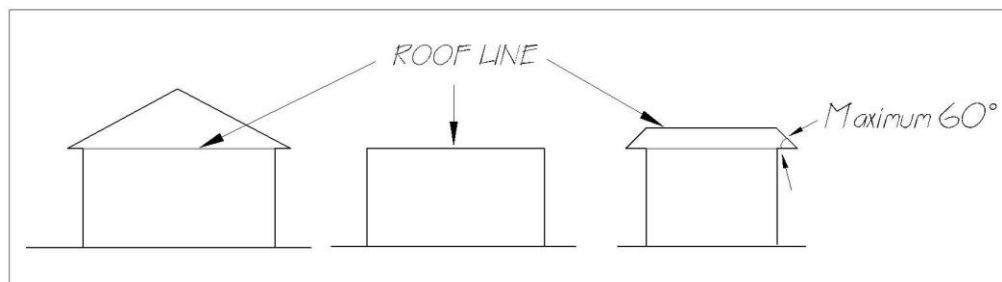
Real Estate Sign





**“Roof”** means the top enclosure of a building and does not include a roof that is sloped more than  $60^{\circ}$  from the horizontal;

**“Roof line”** means either the horizontal line made by the intersection of an exterior wall of the building with the roof covering or the top of a parapet wall, whichever is higher;



**“Roof sign”** means a sign which is situated on or attached to, the roof of a building and extends above the roof line and includes the display of merchandise but excludes inflatable signs;



Roof Sign

**“Sign”** means a device, notice or visual communication medium which attracts the attention of, or conveys a message to, any person by means of letters, numbers, figures or other symbols, devices or representations, and includes the supporting structure, but excludes government flags, murals, the display of merchandise, vending machines and fixed mechanical equipment;

**“Sign area”** means the total area of all sides of a sign:

- (i) which is within the outer edge of the frame or border of a sign; and



- (ii) in the case of a sign without a frame or border, the total area within the shortest straight line circumscribing the letters, numbers, figures, or other symbols, devices or representations comprising the message of the sign;

**SIGN AREA**

**“Sign copy”** means letters, characters, numbers or graphics making up the message on a sign;

**“Sign permit”** means a sign permit issued pursuant to this Bylaw;

**“Special event sign”** means a temporary sign indicating that a community event or activity is to be, or is being, carried on and excludes third party advertising;

Special Event Sign



**“Temporary sign”** means a sign which may be moved or removed and is in place for a limited period of time;

Temporary Sign



**“Third party advertising ”** means a message advertising a business, merchandise, service or activity which is not sold, produced, manufactured, furnished or performed on the parcel on which the sign is located;



**“Under awning sign”** means a sign suspended from, and entirely under, an awning;

**“Under canopy sign”** means a sign suspended from, and entirely under, a canopy;

Under Canopy Sign



**“Wall sign”** means a sign which is painted on or attached generally parallel to a building façade and includes permanent signs installed inside of a window which are intended to be viewed from the outside;



Wall Signs

**“Window sign”** means a temporary sign, picture, symbol or combination thereof, painted on, attached to or installed on, or otherwise placed on a window, intended for viewing from outside and includes posters, placards, decals or similar representations but excludes seasonal holiday lighting and decorations, hours of business, street addresses, telephone numbers, accreditation signs and credit card logos;

Window Signs



**“Zones”** means the zoning categories as designated in the District of North Vancouver Zoning Bylaw, 1965.

## PART 4 - GENERAL PROVISIONS

### Application

- 4.1 This Bylaw applies to the construction, placement, installation, display, alteration, relocation, maintenance or use of any sign located on a lot within the District, except signs exempted from the provisions of this Bylaw under Section 4.5.3. Signs located within a highway are regulated under the Street and Traffic Bylaw No. 7125, 2004, as may be amended. Signs attached to a building or structure which project over a highway are regulated under the Sign Bylaw, 2005 and require a highway encroachment agreement.
- 4.2 No person shall construct, place, install, alter or relocate a sign on a lot in contravention of this Bylaw or a development permit or a development variance permit issued by Council.
- 4.3 Any sign in existence on the day that this Bylaw comes into force and which was constructed, placed or installed in accordance with the bylaws of the District and other applicable laws in effect on the date of its construction, placement or installation but which by reason of its size, height, location, design or construction, is not in conformance with the requirements of this Bylaw, may remain in place and continue to be used and maintained for a period of 5 years from the date this bylaw comes into effect, provided that no action is taken or permitted to be taken which increases the degree or extent of the non-conformity or which alters the size, height, location, design or construction of the non-conforming sign except to the extent that the alteration or relocation brings the sign into conformity in all respects with the provisions of this Bylaw.
- 4.4 Except as set out in Section 4.3, no person shall use or maintain a sign or permit a sign to be used or maintained in contravention of this Bylaw.

### Permits, Exempted Signs and Prohibited Signs

- 4.5 Under this Bylaw:
  - 4.5.1 a sign permit is required for the signs listed in column one of Table 1 following;
  - 4.5.2 a sign permit is not required for the signs listed in column two of Table 1 following;
  - 4.5.3 the signs listed in column 3 of Table 1 following are exempted from this Bylaw; and
  - 4.5.4 the signs listed in column 4 of Table 1 following are prohibited in the District of North Vancouver.
  - 4.5.5 Election campaign signs are regulated in accordance with the provisions of the Street and Traffic Bylaw (Bylaw 7125).

**(7644)**

**Table 1 - Sign Permit Requirements, Bylaw Exemptions and Bylaw Prohibitions**

<b>Signs Requiring Permit</b>	<b>Signs Not Requiring Permit</b>	<b>Signs Exempted From Bylaw</b>	<b>Signs Prohibited Under Bylaw</b>
<ul style="list-style-type: none"> <li>• Awning sign</li> <li>• Banner sign</li> <li>• Bed and Breakfast sign</li> <li>• Canopy sign</li> <li>• Construction Hoarding Sign</li> <li>• Construction sign</li> <li>• Directory sign</li> <li>• Flag sign</li> <li>• Free-standing sign</li> <li>• Home occupation sign</li> <li>• Inflatable sign</li> <li>• Portable Real Estate Marketing Sign</li> <li>• Projecting sign</li> <li>• Pump island canopy sign</li> <li>• Real Estate Sign</li> <li>• Under awning sign</li> <li>• Under canopy sign</li> <li>• Wall sign, except wall signs in single-family residential zones other than bed &amp; breakfast and home occupation signs</li> </ul>	<ul style="list-style-type: none"> <li>• Directional sign</li> <li>• Portable sign</li> <li>• Real Estate Sign advertising an individual property within a single-family residential zone</li> <li>• Real Estate Sign advertising an individual unit within a multi-family zone</li> <li>• Special event sign</li> <li>• Wall signs in single family residential zones other than bed and breakfast and home occupation signs</li> <li>• Window sign</li> </ul>	<ul style="list-style-type: none"> <li>• Accreditation signs</li> <li>• Alarm company signs</li> <li>• Bus shelter signs authorized by the Municipal Engineer</li> <li>• Election campaign signs</li> <li>• Flags of Canada or other country or any Canadian Province, Territory or municipal corporation</li> <li>• Garage sale signs</li> <li>• Government signs</li> <li>• Murals</li> <li>• Open house signs</li> <li>• Plaques for heritage buildings designated by Council</li> <li>• Prohibitive signs</li> <li>• Seasonal holiday display lighting, or decorations</li> <li>• Signs inside a building or structure not intended to be viewed from outside</li> <li>• Signs required by law</li> <li>• Trademark and instructional signs forming part of appliances such as gas pumps, vending machines, telephones and other mechanical equipment</li> </ul>	<ul style="list-style-type: none"> <li>• Balcony signs</li> <li>• Roof signs</li> <li>• Signs which obstruct any part of a doorway, passageway, fire escape, balcony or window, with the exception of window signs where allowed</li> <li>• Any sign or sign structure which contains flashing, rotating, oscillating or running lighting, balloons, or any moving parts or emits audible sounds; pennants; streamers; spinners; fluttering devices; bunting or light strings, attached to a building, light, pole, tree or another sign</li> <li>• Signs containing third party advertising except: construction signs; election campaign signs; fireworks signs; garage sale signs; open house signs; Portable Real Estate Marketing Signs; real estate signs; and special event signs</li> <li>• Sign structures mounted on a vehicle except an open house sign</li> </ul>

**(7857, 8128)**

- 4.6 Signs not requiring a sign permit are subject to compliance with the regulations in PART 7 and PART 8 of this Bylaw.

### **Authority**

- 4.7 The Chief Building Official is authorized to enforce this Bylaw, receive applications for sign permits, issue sign permits with or without conditions or reject such applications and to collect fees in accordance with the provisions of this Bylaw, except that the Municipal Engineer is authorized to enforce this Bylaw for signs in a Highway.
- 4.8 The Chief Building Official or Bylaw Enforcement Officer may enter any property at all reasonable times to inspect the installation of any sign or sign structure thereon to ascertain whether the provisions of this Bylaw are being observed.
- 4.9 No person shall interfere with or obstruct any authorized person seeking entry into or onto any property for the purposes described in Section 4.8.
- 4.10 The District, by its employees or agents, may remove, impound or detain any sign that is unlawfully occupying a portion of a highway or public place.
- 4.11 Any sign removed, impounded or detained under Section 4.10 will be held until payment of the applicable fee is made. Signs held for more than 30 days will be destroyed or sold at a public auction.

### **Order To Comply**

- 4.12 The Chief Building Official may order any person:
  - 4.12.1 to discontinue or refrain from proceeding with any work that is in contravention of this Bylaw;
  - 4.12.2 to carry out any work or do anything to bring a sign or sign structure into conformity with this Bylaw; or
  - 4.12.3 to repair, alter or remove any sign or sign structure that is in contravention of this Bylaw;
  - 4.12.4 and it is an offence for any person not to comply with an order given under this Section.
- 4.13 The Chief Building Official may prescribe a time limit within which any order given under Section 4.12 is to be complied with.
- 4.14 Where an order has been issued under Section 4.12, the person to whom the sign permit has been issued shall advise the Chief Building Official when corrections have been made and shall request a re-inspection.

## **PART 5 - ADMINISTRATIVE PROVISIONS**

### **Sign Permit Application Requirements**

- 5.1 Applications for a sign permit shall be made by the registered owner of the property on which the sign is to be installed or the authorized agent of the registered owner, in the form as established by the Chief Building Official, with the required fee.

5.2 A sign permit application for:

- awning sign;
- canopy sign;
- flag sign;
- free-standing sign;
- projecting sign;
- pump island canopy sign; and
- wall sign,

shall include:

- 5.2.1 the civic address of the building, structure or lot on which the sign is to be constructed or, in the case of a sign in, on, or above a highway, the location of the sign;
- 5.2.2 the required application fee;
- 5.2.3 the names and addresses of the applicant, the proposed sign owner, the manufacturer of the sign and the contractor for the installation of the sign;
- 5.2.4 two sets of plans to scale including:
  - 5.2.4.1 a site plan illustrating the location of all buildings and structures on a lot, existing landscaped areas and the location and dimensions of any existing free-standing signs;
  - 5.2.4.2 the location and dimensions of all other existing signs on the buildings or structures on which the sign is proposed to be located;
  - 5.2.4.3 the location and dimensions of all proposed signs;
  - 5.2.4.4 the materials, method of assembly of all signs and the method of attachment to a building or structure;
  - 5.2.4.5 plans signed and sealed by a registered professional engineer; except where the Chief Building Official determines that, due to the small size or light weight of the sign, such certification is not required;
  - 5.2.4.6 further information that the Chief Building Official may request in writing from an applicant to assist in the consideration of the application;
  - 5.2.4.7 proof of insurance in accordance with Section 5.13, where applicable; and
  - 5.2.4.8 in the case of an internally illuminated sign, the intensity of illumination measured against the standard established in Section 7.10.1, and
- 5.2.5 colour photographs of the site and buildings on which the proposed sign or signs are to be located illustrating existing signs and the location the proposed sign or signs;

5.3 A sign permit application for:

- banner sign;
- bed and breakfast sign;
- construction sign;
- directory sign;
- home occupation sign;
- inflatable sign;
- under-awning sign; and
- under-canopy sign,

shall include:

- 5.3.1 the civic address of the building, structure or lot on which the sign is to be placed, installed, displayed, altered or relocated;
- 5.3.2 the required application fee;
- 5.3.3 the names and addresses of the applicant, the proposed sign owner, the manufacturer of the sign and the contractor for the installation of the sign;
- 5.3.4 two sets of plans illustrating the dimensions, shape, materials and proposed location of the sign;
- 5.3.5 proof of insurance in accordance with Section 5.13;
- 5.3.6 colour photographs of the site and building on which the proposed sign or signs are to be located illustrating existing signs and the location the proposed sign or signs; and
- 5.3.7 further information that the Chief Building Official may request in writing from an applicant to assist in the consideration of the application

**Fees, Costs and Expenses**

- 5.4 An applicant for a sign permit shall pay the applicable fee for each sign as identified in the District of North Vancouver 1992 Fees and Charges Bylaw, as may be amended.
- 5.5 Where a sign requiring a permit under this Bylaw is installed without a valid sign permit, the application fee is doubled.
- 5.6 In addition to any penalties imposed by this Bylaw, the owner of any sign removed under the provisions of Sections 4.11 and 4.12 shall pay a fee, as identified in the District of North Vancouver 1992 Fees and Charges Bylaw, as may be amended, to cover the cost of removal and detention of the sign and must be paid before such sign is returned to the owner. Unpaid fees may be collected by action in a court of competent jurisdiction.

**Permit Issuance**

- 5.7 The Chief Building Official shall issue a sign permit if the application complies with all provisions of this Bylaw and all other applicable laws. The Chief Building Official shall return to the applicant one plan or set of plans stamped approved for construction.
- 5.8 A sign permit is valid:
  - 5.8.1 for 6 months from the date of issue of the sign permit during which time, the signs authorized by the permit must be constructed or the permit shall lapse; and

5.8.2 for only the signs described in the permit.

### **Refusal of a Sign Permit**

- 5.9 The Chief Building Official may refuse to issue a sign permit for any sign if:
- 5.9.1 the proposed sign does not comply with the provisions of this Bylaw or any other applicable law, enactment, or approved development permit or development variance permit; or
  - 5.9.2 the building on which the sign is to be located or attached is determined to be incapable of supporting the sign, or if the information submitted regarding the construction of the building is not sufficient to enable the Chief Building Official, to adequately determine the capability of the building to give the necessary support; or
  - 5.9.3 the proposed sign would, in the opinion of the Chief Building Official who may seek the advice of the Municipal Engineer, obstruct or otherwise interfere with any traffic control devices, the safe driving visibility of motorists or pedestrian safety; or
  - 5.9.4 the sign, in combination with any other existing sign would be non-complying or would make any existing sign non-complying; or
  - 5.9.5 an applicant has failed to provide adequate information to satisfy the request for further information made by the Chief Building Official; or
  - 5.9.6 the sign installation contractor is not licensed in the District of North Vancouver to carry on the business of installing signs as required by the Business Licence Bylaw.
- 5.10 One plan or set of plans shall be marked "Not Approved" and returned to the applicant for the sign permit with written reasons for not granting approval.

### **Revocation**

- 5.11 The Chief Building Official may revoke a sign permit:
- 5.11.1 where there is a violation of any condition under which the sign permit was issued; or
  - 5.11.2 where there is a violation of any provision of this Bylaw or any other applicable law or enactment, development permit or development variance permit; or
  - 5.11.3 if it is determined that the sign permit was issued by reason of incorrect, false, or misleading information furnished by the applicant, sign manufacturer or sign installation contractor; or
  - 5.11.4 if, in the case of a sign over any highway or public property where the sign interferes with or may interfere with:
    - 5.11.4.1 the placement or use of equipment installed by the District or a utility company; or
    - 5.11.4.2 the use of the highway by vehicles or pedestrians or public property; or
    - 5.11.4.3 the visibility of any existing or planned traffic devices.
- 5.12 An applicant for a sign permit or the holder of a sign permit may appeal the decision of the Chief Building Official to refuse to issue or to revoke a sign permit, to Council.



### **Insurance**

- 5.13 Any person who installs, owns, maintains or who continues the use of any sign which projects wholly or partly on or over a highway, except banner signs, real estate signs and special event signs, shall obtain and maintain in full force and effect until the destruction or removal of such sign, public liability and property damage insurance in an amount not less than \$2,000,000 and indemnifying and holding harmless the District against all claims and demands, actions, suits, or other proceedings and against all loss and costs, which may be caused by or arise out of, or in any way be attributable or incidental to the installation, construction, maintenance or use of such sign, or appurtenance thereto, or in connection with the maintenance of any such sign.

### **Inspection**

- 5.14 Where a sign permit application includes plans that are signed and sealed by a registered professional engineer, the sign owner shall have the construction and installation of the sign inspected by a registered professional engineer and within 7 days of installation, shall submit to the Chief Building Official, a certificate from that engineer confirming the structural integrity and installation of the sign in a form satisfactory to the Chief Building Official.
- 5.15 In the case of a free-standing sign, the person constructing the footings for such sign shall notify the Chief Building Official and request an inspection after the forms for footings and foundations are complete, but prior to placing of any concrete therein.

### **Maintenance**

- 5.16 All signs together with their supporting structures and any electrical equipment, shall be maintained in a safe, clean condition and in good order until removed or demolished.

### **Unsafe Signs**

- 5.17 Any sign that may be in danger of falling or is an immediate menace to public safety shall be removed by the owner of the sign within 24 hours of being notified to do so by the Chief Building Official or a Bylaw Enforcement Officer.

### **Variances**

- 5.18 Variances to the provisions of this Bylaw may be granted by Council under a development permit or a development variance permit.

## **PART 6 - CONSTRUCTION STANDARDS**

### **Design**

- 6.1 The design of a sign, except those signs exempted from the provisions of this Bylaw listed in Section 4.5 and PART 8 of this Bylaw, shall conform to Part 4 of the British Columbia Building Code.

### **Materials and Methods of Construction of Signs and Sign Structures**

- 6.2 A sign supplied with electrical energy shall not be constructed of combustible materials unless that material has been C.S.A. approved.
- 6.3 Except for electric lamps and tubing, glass used in a sign must be safety glass.

- 6.4 The sign shall be weatherproof and all steel supporting members shall be galvanized or otherwise protected from rusting.

## PART 7 - PERMANENT SIGN REGULATIONS

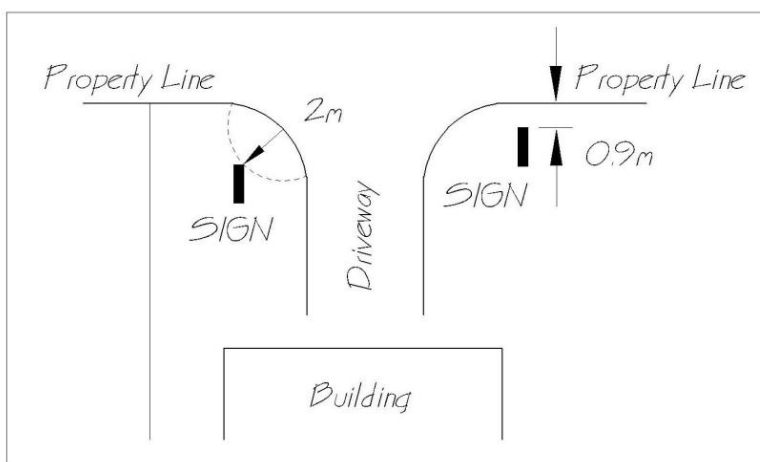
### Application

- 7.1 The following regulations apply to permanent signs.

### Sign Siting Regulations

- 7.2 A sign:

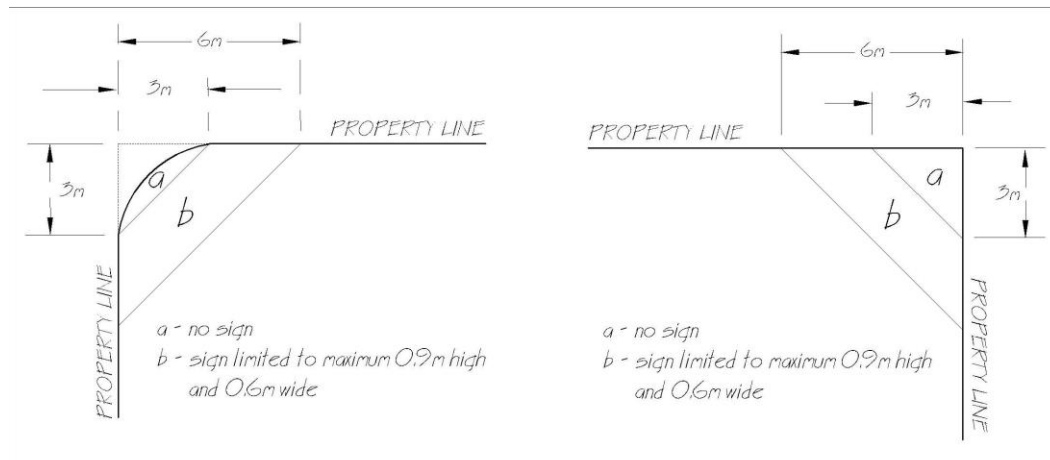
- 7.2.1 shall not obstruct the view of, or interfere with, the use of any traffic control device;
- 7.2.2 shall not be approved or if installed, shall be removed or relocated when the Municipal Engineer deems the use of a highway to be adversely affected by the siting, size or illumination of a sign;
- 7.2.3 shall not be attached to or obstruct or interfere with the use of any fire escape or any exit or any means of egress from a building or structure;
- 7.2.4 shall not, in the case of a permanent sign mounted on the ground, be closer than 0.9m to any property line and 2m to any driveway as illustrated by the following sketch;



- 7.3 A permanent sign mounted on the ground on a corner lot:

- 7.3.1 shall not be placed within the area formed by the intersection of two highway boundaries and two points on those boundaries 3m from the point of intersection; and

- 7.3.2 shall not exceed 0.9m in height and 0.6m in width within the area between 3m and 6m, as illustrated in the following sketch:



### Clearance Regulations

- 7.4 A sign:
- 7.4.1 shall maintain a clearance of at least 61cm between the outer edge of any sign and any electric light, power, telephone or utility pole, or their supports;
  - 7.4.2 projecting more than 0.1m over a pedestrian area shall have a minimum clearance of 2.44m; and
  - 7.4.3 projecting over a vehicular traffic area shall have a minimum clearance of 4.57m.

### Design Regulations

- 7.5 Signs shall comply with the following regulations:
- 7.5.1 the design of signs, including any supporting base, shall be coordinated with the design of buildings on the same lot, enhancing architectural features with careful attention to detail, materials, size and location;
  - 7.5.2 repetitive sign copy on one building façade, awning or canopy is not allowed;
  - 7.5.3 in the case of a multi-tenant building, new or altered signs shall be consistent with the design of existing signs provided that such signage complies with the regulations contained in this Bylaw.

### Number of Sign Types

- 7.6 Excluding directional signs, directory signs and signs listed in PART 8 , not more than 2 sign types are allowed per business premise and, in the case of a multi-tenant building, not more than 2 sign types are allowed per building façade.

### Maximum Combined Sign Area

- 7.7 The maximum combined sign area for an awning sign, canopy sign, projecting sign and wall sign is calculated using the following formula:

$$Am^2 = 0.45 \times L$$

where:

- A = the maximum combined sign area, expressed in square meters ( $m^2$ ) which in no case shall exceed  $14m^2$ ;
- L = the length of a building facade on which the sign is to be placed, expressed in meters (m);

- 7.8 Where more than 50% of the combined sign area of a business premise, excluding free-standing signs, changeable copy signs, directory signs and signs listed in PART 8, consists of individual channel or similar letters, the maximum sign area may be increased by 10% provided all new signage consists of individual channel or similar letters and the signage complies with Section 7.6.
- 7.9 In the case of a double-sided sign, the allowable sign area of that sign is doubled.

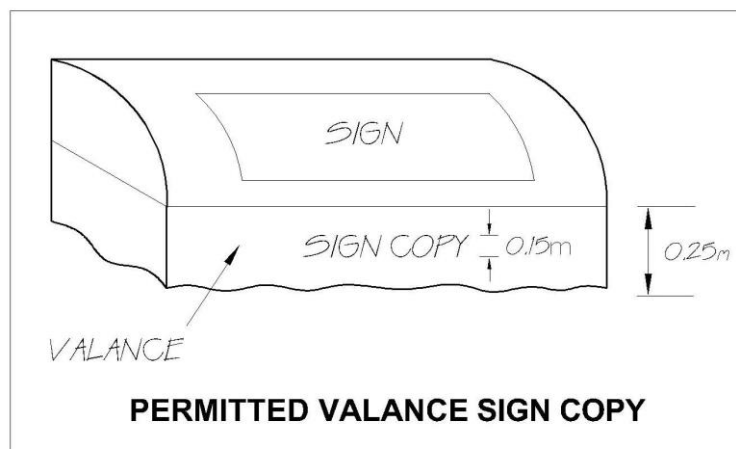
### Illumination

- 7.10 Signs may be illuminated, except where otherwise regulated, provided that:
- 7.10.1 in the case of an internally illuminated sign, the level of illumination may not exceed that produced by a 0.25m spacing of high output 800milliampere fluorescent lamps with an output equivalent to 28 watts per metre of lamp length;
- 7.10.2 no illumination shall pass through the fascia of a pump island canopy;
- 7.10.3 in the case of a sign illuminated externally, the light shall be directed towards the sign and shall be shielded so as to not cause direct glare on surrounding lots, streets or premises;
- 7.10.4 no illuminated sign nor any illuminated element of any sign may turn on or off, or change its brightness if the change of illumination produces an apparent motion of the visual image, including, but not limited to the illusion of moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation or any similar effect of animation;
- 7.10.5 sources of light and power shall be weatherproofed and approved for outdoor use and shall not present heat or electrical hazards under all weather conditions; and
- 7.10.6 these regulations shall not apply to traffic signals, or other signs within a highway approved by the Municipal Engineer or seasonal holiday display lighting.

### Sign Regulations

- 7.11 The following signs are allowed subject to the regulations contained in this Part:
- 7.11.1 Awning sign
- 7.11.1.1 a sign permit is required;
- 7.11.1.2 a sign is allowed in all zones except single-family residential zones;

- 7.11.1.3 in a multi-family residential zone or for residential uses in a commercial or comprehensive development zone, not more than 1 sign is permitted and the sign shall not exceed an area of  $1.48\text{m}^2$  ;
- 7.11.1.4 an awning containing a sign may not project above a roof line;
- 7.11.1.5 the sign copy on a flexible fabric awning valance is excluded from the maximum allowable sign area provided that the sign copy does not exceed 0.15m in height as illustrated in the following sketch;



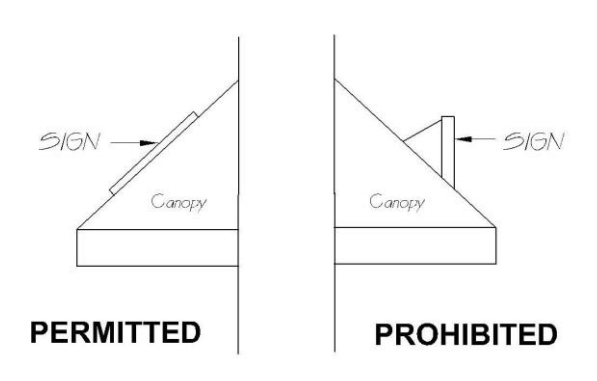
#### 7.11.2 Bed and Breakfast sign

- 7.11.2.1 a sign permit is required;
- 7.11.2.2 not more than 1 sign is allowed for a bed and breakfast business;
- 7.11.2.3 a sign may be either free-standing or affixed to the building containing the bed and breakfast business;
- 7.11.2.4 a sign shall not exceed a sign area of  $0.25\text{m}^2$  on each side of the sign;
- 7.11.2.5 a sign that is free-standing shall not exceed a height of 1m; and
- 7.11.2.6 a sign shall identify only the name of the bed and breakfast business and the address, except that the sign may indicate that the business is 'Approved Accommodation' in accordance with the requirements of Tourism BC or its successor.

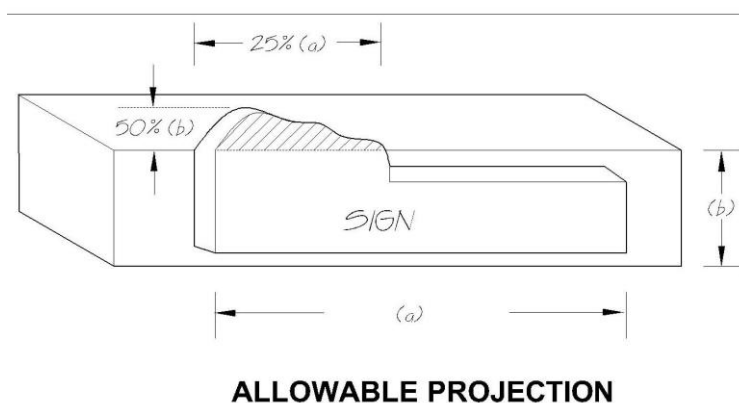
#### 7.11.3 Canopy sign

- 7.11.3.1 a sign permit is required;
- 7.11.3.2 a sign is allowed in all zones except single-family residential zones;
- 7.11.3.3 in a multi-family residential zone or for residential uses in a commercial or comprehensive development zone, not more than 1 sign is permitted and the sign shall not exceed an area of  $1.48\text{m}^2$ ;

- 7.11.3.4 a sign shall be affixed flat to the exterior surface or fascia of a canopy as illustrated in the following sketch;



- 7.11.3.5 a sign shall not extend beyond or above the exterior surface or fascia of a canopy to which it is attached, except in the case of a logo or cut-out style sign, when not more than 25% of the length of the logo or sign may extend above the canopy fascia by not more than 50% of the height of the fascia as illustrated in the following sketch;



- 7.11.3.6 a sign shall not extend below the fascia of a canopy;

#### 7.11.4 Directional sign

- 7.11.4.1 a sign permit is not required;
- 7.11.4.2 a sign is allowed in all zones except single-family residential zones;
- 7.11.4.3 a sign shall not include advertising sign copy;
- 7.11.4.4 a sign shall not exceed a sign area of  $0.3\text{m}^2$ ;
- 7.11.4.5 a sign may be free-standing or affixed to a building or structure;
- 7.11.4.6 a sign that is free-standing shall not exceed a height of 1.22m;
- 7.11.4.7 in multi-family residential zones, not more than 2 signs are allowed on a lot;  
and

- 7.11.4.8 in all other zones, not more than 3 signs are allowed on a lot and not more than 2 additional signs signifying vehicle entry and exits are allowed at each driveway;

#### 7.11.5 Directory sign

- 7.11.5.1 a sign permit is required;
- 7.11.5.2 a sign is allowed in all zones except single-family residential zones;
- 7.11.5.3 a sign may not include advertising sign copy;
- 7.11.5.4 a maximum of 2 signs are allowed on a lot;
- 7.11.5.5 a sign shall not exceed a sign area of  $1.5\text{m}^2$ ;
- 7.11.5.6 a sign shall not exceed a height of 1.22m; and
- 7.11.5.7 a sign may be free-standing or affixed to a building or structure;

#### 7.11.6 Flag sign

- 7.11.6.1 a sign permit is required;
- 7.11.6.2 a sign is allowed only in commercial or industrial zones and for commercial or industrial uses in a comprehensive development zone;
- 7.11.6.3 not more than one sign is allowed for each business premise;
- 7.11.6.4 in the case of a sign mounted on the ground:
  - 7.11.6.4.1 the sign, including it's supporting structure, shall not exceed 10m in height;
  - 7.11.6.4.2 the sign shall maintain a minimum clearance of 2.44m; and
  - 7.11.6.4.3 the sign shall not exceed a sign area of  $2.8\text{m}^2$ ;
- 7.11.6.5 when mounted on the roof of a building or attached to a building façade, a sign, including it's supporting structure, shall not exceed a height of 3m; and
- 7.11.6.6 a sign may not be illuminated;

#### 7.11.7 Free-standing sign

- 7.11.7.1 a sign permit is required;
- 7.11.7.2 a sign is not allowed in residential zones, except for a bed and breakfast sign, or for residential uses in a commercial or comprehensive development zone;
- 7.11.7.3 a sign shall not be sited closer than 3m from another free-standing sign;
- 7.11.7.4 a sign shall be located in a landscaped area having a minimum area at least equal to the sign area;
- 7.11.7.5 a sign shall not project over an area used for pedestrian or vehicle traffic including a sidewalk or parking space;



- 7.11.7.6 except for free-standing signs at a gasoline bar or gasoline service station:
- 7.11.7.6.1 a sign is allowed provided that the minimum frontage of the lot on which the sign is to be placed is not less than 20m;
- 7.11.7.6.2 on a lot, other than a corner lot, with a frontage of 20m or greater, but less than 100m:
- 7.11.7.6.2.1 not more than 1 sign is allowed;
- 7.11.7.6.2.2 a sign shall not exceed a sign area of  $4.65\text{m}^2$ ; and
- 7.11.7.6.2.3 a sign shall not exceed a height of 3m and a width of 3m;
- 7.11.7.6.3 on a corner lot with a frontage that is less than 100m:
- 7.11.7.6.3.1 sign is allowed which shall not exceed a sign area of  $4.65\text{m}^2$ , a height of 3m and a width of 3m; and
- 7.11.7.6.3.2 1 additional sign is allowed provided that:
- the sign shall not exceed a sign area of  $2.8\text{m}^2$ , a height of 1.83m and a width of 1.83m; and
  - the signs are separated by a distance of 25m as measured in a straight line between the closest points of the signs;
- 7.11.7.6.4 on a lot with a frontage of 100m or greater:
- 7.11.7.6.4.1 1 sign is allowed which shall not exceed a sign area of  $4.65\text{m}^2$ , a height of 3m and a width of 3m;
- 7.11.7.6.4.2 1 additional sign is allowed for each 100m in excess of 100m up to a maximum of 3 signs on a lot provided that:
- a sign shall not exceed a sign area of  $4.65\text{m}^2$ , a height of 3m and a width of 3m;
  - signs shall be separated by a minimum distance of 50m as measured in a straight line between the closest points of the signs; and
  - where additional signs do not exceed a sign area of  $2.8\text{m}^2$ , a height of 1.83m and a width of 1.83m, the sign separation distance may be reduced to a minimum of 25m as measured in a straight line between the closest points of the signs;
- 7.11.7.7 at a gasoline bar or gasoline service station:

- 7.11.7.7.1 1 free-standing sign is allowed for each frontage up to a maximum of 2 signs;
- 7.11.7.7.2 1 sign shall not exceed a sign area of  $4.65\text{m}^2$ , a height of 3m and a width of 3m;
- 7.11.7.7.3 1 additional free-standing sign shall not exceed a sign area of  $2.8\text{m}^2$ , a height of 1.83m and a width of 1.83m; and
- 7.11.7.7.4 the signs shall be separated by a minimum distance of 25m as measured in a straight line between the closest points of the signs;
- 7.11.7.8 in the case of a sign with changeable copy:
  - 7.11.7.8.1 the changeable copy is allowed only as a component of a free-standing sign at a gasoline bar, gasoline service station, shopping centre, or on a lot in a Public Assembly zone;
  - 7.11.7.8.2 a maximum of two signs with changeable copy are allowed on a lot; and
  - 7.11.7.8.3 changeable copy on a free-standing sign shall not exceed 50% of the sign area;

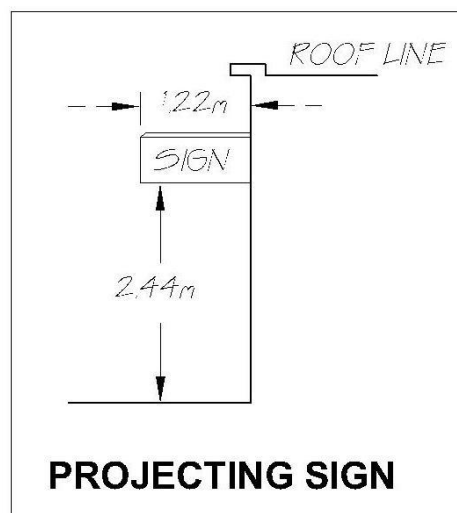
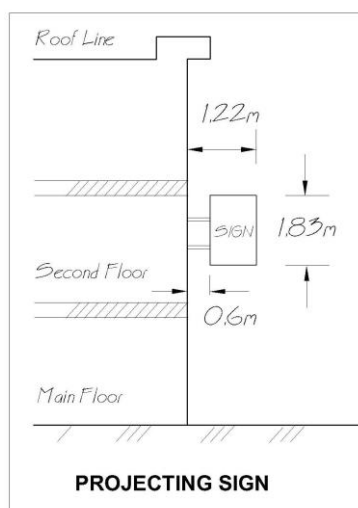
#### 7.11.8 Home occupation sign

- 7.11.8.1 a sign permit is required;
- 7.11.8.2 not more than 1 sign is allowed;
- 7.11.8.3 a sign shall not exceed a sign area of  $0.2\text{m}^2$ ;
- 7.11.8.4 a sign shall be affixed to the building in which the home occupation is situated; and
- 7.11.8.5 a sign shall not be internally illuminated;

#### 7.11.9 Projecting sign

- 7.11.9.1 a sign permit is required;
- 7.11.9.2 a sign is allowed in all zones except for single-family and multi-family residential zones and for residential uses in a commercial or comprehensive development zone;
- 7.11.9.3 a sign is not allowed on a pump island canopy;
- 7.11.9.4 a maximum of 1 sign is allowed for each business premise;
- 7.11.9.5 the sign shall be attached to the business premise to which it pertains; and
- 7.11.9.6 as illustrated in the following sketches, a sign:
  - 7.11.9.6.1 shall not exceed a sign area of  $1.11\text{m}^2$ ;
  - 7.11.9.6.2 shall not exceed a height of 1.83m;

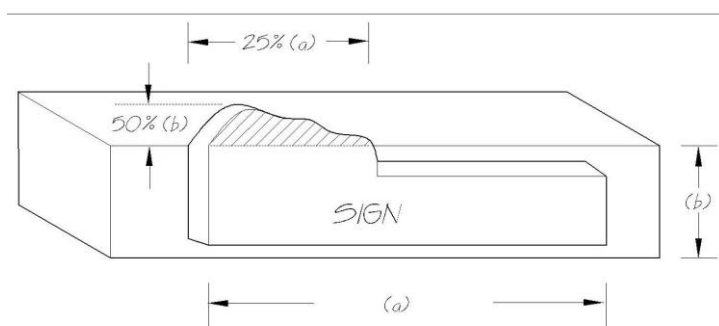
- 7.11.9.6.3 shall have a clearance of 2.44m except when located over a driveway, maneuvering aisle or parking area in which case a sign shall have a clearance of 4.57m;
- 7.11.9.6.4 a sign shall not project more than 0.6m from a building when sited within 1.83m of another business premise;
- 7.11.9.6.5 the outer edge of a sign shall not project more than 1.22m from a building;
- 7.11.9.6.6 the distance between the sign and the building to which it is attached shall not exceed 0.6m; and



- 7.11.9.6.7 no part of a sign shall project above the roof line of a single storey building, or, in the case of a multi-storey building, above the business premise to which it pertains;

#### 7.11.10 Pump island canopy sign

- 7.11.10.1 a sign permit is required;
- 7.11.10.2 a maximum of 1 sign is allowed on one fascia of a pump island canopy up to a maximum of 3 signs on a pump island canopy;
- 7.11.10.3 a sign shall not exceed 0.6m in height and not more than 25% of the length of the pump island canopy fascia on which it is located;
- 7.11.10.4 a sign shall not extend beyond or above the exterior surface or fascia of a canopy to which it is attached, except in the case of a logo or cut-out style sign, when not more than 25% of the length of the logo or sign may extend above the canopy fascia by not more than 50% of the height of the fascia as illustrated in the following sketch;



**ALLOWABLE PROJECTION**

7.11.10.5 a sign shall not project more than 0.3m from the face of a canopy; and

7.11.10.6 only the sign copy may be illuminated;

**7.11.11 Under Awning sign or Under Canopy sign**

7.11.11.1 a sign permit is required;

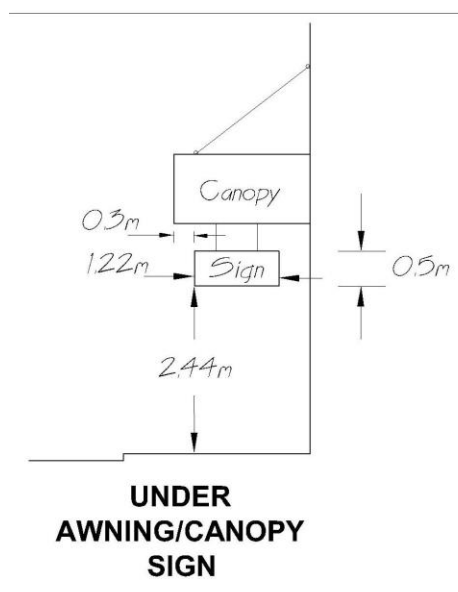
7.11.11.2 a sign is allowed in all zones except single-family residential and multi-family residential zones and for residential uses in commercial and comprehensive development zones;

7.11.11.3 a maximum of 1 sign is allowed for each business premise frontage; and

7.11.11.4 as illustrated in the following sketch:

7.11.11.4.1 a sign shall not exceed a height of 0.5m and a width of 1.22m;

7.11.11.4.2 a sign, including any exterior illumination, shall have a clearance of 2.44m; and



**UNDER  
AWNING/CANOPY  
SIGN**

7.11.11.4.3 a sign shall be located perpendicular to the wall from which the awning or canopy projects;

7.11.11.5 a sign may not be internally illuminated;

#### 7.11.12 Wall sign

7.11.12.1 a sign permit is required;

7.11.12.2 a sign is allowed in all zones except that, in a single-family residential zone only signs for a bed and breakfast business or a home occupation are allowed;

7.11.12.3 a sign may not project above a roof line or, in the case of a multi-storey building, above storey on which the business premise is located, and no sign may project beyond the end of the façade on which it is attached;

7.11.12.4 in the case of a business premise with no exterior façade, no wall sign is permitted;

7.11.12.5 signs shall comply with the maximum sign area regulations contained in Sections 7.7 and 7.8;

7.11.12.6 signs shall comply with the regulations governing the maximum number of sign types contained in Section 7.6, except that only 1 sign, excluding accreditation signs, window signs and signs listed under Part 10, is allowed on each side of the building; and

7.11.12.7 a sign may not project more than 0.3m from the façade on which it is mounted.

## PART 8 - TEMPORARY SIGN REGULATIONS

### Application

8.1 The following regulations apply to temporary signs.

### Sign Siting Regulations

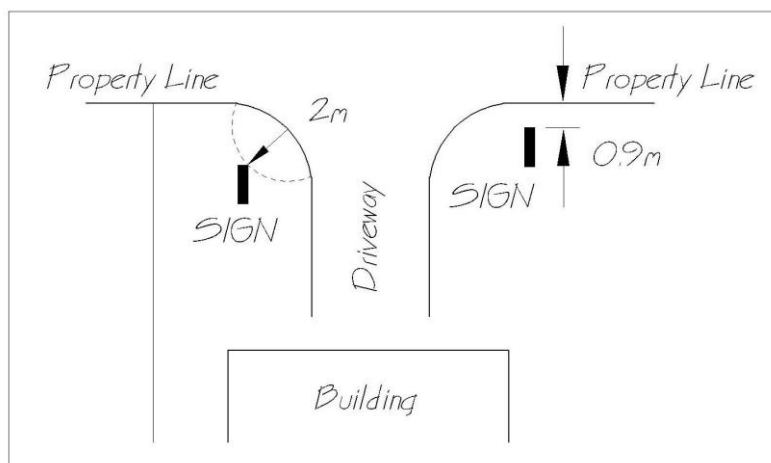
8.2 A sign:

8.2.1 shall not obstruct the view of, or interfere with, the use of any traffic control device;

8.2.2 shall not be approved or if installed, shall be removed or relocated when the Municipal Engineer deems the use of a highway to be adversely affected by the siting, size or illumination of a sign;

8.2.3 shall not be attached to or obstruct or interfere with the use of any fire escape or any exit or any means of egress from a building or structure;

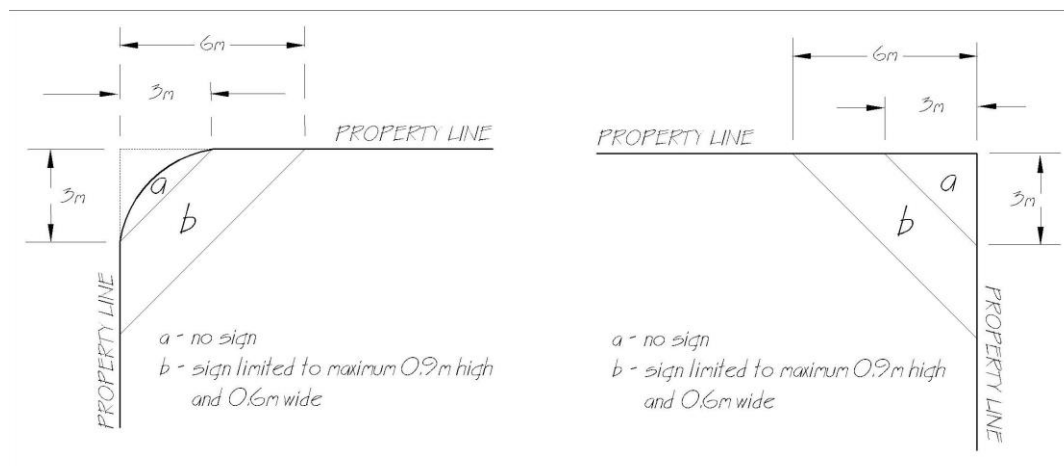
8.2.4 shall not, in the case of a temporary sign mounted on the ground, be closer than 0.9m to any property line and 2m to any driveway as illustrated by the following sketch;



8.3 A temporary sign mounted on the ground on a corner lot:

8.3.1 shall not be placed within the area formed by the intersection of two highway boundaries and two points on those boundaries 3m from the point of intersection; and

8.3.2 shall not exceed 0.9m in height and 0.6m in width within the area between 3m and 6m, as illustrated in the following sketches:



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. **(8128)**

### Illumination

8.4 A temporary sign shall not be illuminated.

## Sign Regulations

- 8.5 The following temporary signs are allowed, subject to conformance with the regulations contained in this part:

### 8.5.1 Banner Sign

- 8.5.1.1 a sign permit is required;
- 8.5.1.2 a sign is allowed only in commercial or industrial zones and for commercial or industrial uses in comprehensive development zones;
- 8.5.1.3 not more than 1 sign is allowed for each business premise;
- 8.5.1.4 a sign shall be attached to a building;
- 8.5.1.5 a sign shall not project above the roof line;
- 8.5.1.6 a sign shall not exceed a height of 0.6m;
- 8.5.1.7 a sign shall not exceed a sign area of 3.7m<sup>2</sup>;
- 8.5.1.8 a sign shall be displayed for no more than 21 consecutive days from the date the permit is issued and not more than 63 days in a calendar year and on not more than 3 separate occasions, and a new sign permit is required for each occasion;
- 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; **(8128)**

### 8.5.2 Construction Sign

- 8.5.2.1 a sign permit is required;
- 8.5.2.2 a sign may be either free-standing or affixed to a building and when affixed to a building may not extend above the first storey of the building;
- 8.5.2.3 in a single-family residential zone,
  - 8.5.2.3.1 not more than one sign is allowed on a lot;
  - 8.5.2.3.2 a sign shall not exceed a sign area of 0.56m<sup>2</sup>; and
  - 8.5.2.3.3 a sign shall not exceed a height of 1.5m;
- 8.5.2.4 for a property less than 2000m<sup>2</sup> in any other zone,
  - 8.5.2.4.1 not more than 1 sign is allowed on a lot;
  - 8.5.2.4.2 a sign shall not exceed a sign area of 7.43m<sup>2</sup>; and
  - 8.5.2.4.3 a sign shall not exceed a height of 3.05m above grade;
- 8.5.2.5 for a property greater than 2000m<sup>2</sup> in any other zone,
  - 8.5.2.5.1 not more than 1 sign per street frontage is permitted;



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

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

8.5.2.6 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;

**(8128)**

### 8.5.3 Fireworks Signs

8.5.3.1 a sign permit is not required;

8.5.3.2 signs are permitted only during the period between October 25 and November 1;

8.5.3.3 a sign may be located on the property where the sale is occurring, on District Boulevard, if a Highway Use Permit is approved or on any other property with the written permission of the land owner;

8.5.3.4 not more than 10 fireworks signs are allowed per business;

8.5.3.5 a map must be submitted showing the location of each sign; and

8.5.3.6 a sign shall not exceed a sign area of 1.49m<sup>2</sup>;

### 8.5.4 Inflatable Sign

8.5.4.1 a sign permit is required;

8.5.4.2 a sign is allowed on a building or lot but only in commercial or industrial zones and for commercial or industrial uses in comprehensive development zones;

8.5.4.3 not more than 1 sign is allowed on a building or lot;

8.5.4.4 a sign shall not be displayed for more than 3 consecutive days and on not more than 3 separate occasions in a calendar year, and a separate permit is required for each occasion;

8.5.4.5 a sign on a building or lot, shall be setback from any property line a minimum distance equal to the height of the inflatable sign; and

8.5.4.6 a sign shall not exceed a height of 6m;

### 8.5.5 Portable sign

8.5.5.1 a sign permit is not required;

8.5.5.2 a sign is not allowed in a residential zone or for a residential use in any other zone;

8.5.5.3 not more than 1 sign is allowed for a business premise;

8.5.5.4 a sign shall not exceed a sign area of 0.56m<sup>2</sup> on each side of the sign up to a maximum sign area of 1.12m<sup>2</sup>;

- 8.5.5.5 a sign shall not exceed a height of 0.9m;
- 8.5.5.6 a sign shall not obstruct the means of access and egress to a building used by pedestrians; and
- 8.5.5.7 a sign shall not be placed within a landscaped area, required off-street parking or loading space, driveway, traffic island or parking lot maneuvering aisle;

#### 8.5.6 Real Estate Sign

- 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  $0.56\text{m}^2$ ;
  - 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  $2000\text{m}^2$  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  $3\text{m}^2$ ;
  - 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  $2000\text{m}^2$  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  $7.43\text{m}^2$ ;
  - 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;
  - 8.5.6.3.6 when attached to a building, a sign shall not extend above the roofline or beyond the end of a façade on which it is located;

- 8.5.6.4 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;

**(8128)**

8.5.7 Special Event Sign

- 8.5.7.1 a sign permit is not required;
- 8.5.7.2 not more than 1 sign is allowed on a lot;
- 8.5.7.3 a sign shall not exceed a sign area of 3m<sup>2</sup>;
- 8.5.7.4 a sign shall not exceed a height of 3m; and
- 8.5.7.5 a sign shall not be placed more than 14 days before the date of the event and must be removed within 2 days after the date of the event;

8.5.8 Window sign

- 8.5.8.1 a sign permit is not required;
- 8.5.8.2 a sign is allowed in all zones except residential zones and residential uses in commercial and comprehensive development zones;
- 8.5.8.3 signs shall not cover more than 25% of the area of the window in which they are placed;

**(7857)**

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 Signs(s);

#### 8.5.10 Portable Real Estate Marketing Sign

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

(8128)

### PART 9 - SIGN CHARACTER AREAS

#### Application

- 9.1 The Marine Drive, Lynn Valley, Deep Cove, Edgemont Village and Queensdale areas delineated in Schedules A.1 – A.5 are incorporated into and form part of this Bylaw and are hereby established as sign character areas.
- 9.2 The regulations in PART 4 to PART 8 and Schedule A of this Bylaw shall apply in sign character areas. In the event of an inconsistency or conflict between the provisions in Schedules A and A.1 – A.5 and the provisions in PART 4 to PART 8 of this Bylaw, the provisions of Schedule A shall govern.

### PART 10 - ENFORCEMENT

#### Application

- 10.1 A person who:
  - 10.1.1 contravenes any of the provisions of this Bylaw; or
  - 10.1.2 causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw; or
  - 10.1.3 neglects or refrains from doing anything required to be done by any of the provisions of this Bylaw,

is guilty of an offence and upon conviction shall be liable to a fine and penalty of not more than \$10,000 and to the cost of prosecution. Each day such offence continues shall be deemed to constitute a separate offence.

**Designation**

- 10.2 This bylaw may be enforced by means of a ticket in the form prescribed for the purpose of Section 264 of the Community Charter.
- 10.3 Bylaw Enforcement Officers and members of the Royal Canadian Mounted Police are designated to enforce this bylaw by means of a ticket pursuant to Section 264(1)(b) of the Community Charter.
- 10.4 Pursuant to Section 264(1)(c) of the Community Charter, the words or expressions set forth below in Column 1 of this Bylaw designate the offence committed under the Bylaw section numbers appearing in Column 2 opposite the respective words or expressions.
- 10.5 Pursuant to Section 265(1)(a) of the Community Charter, the fine amount set forth in Column 3 of the Bylaw is the fine amount that corresponds to the section number and words or expressions set out in Column 1 and 2 opposite the fine amount:

<u>Designated Expression</u>	<u>Section</u>	<u>Fine</u>
Install in Contravention	4.2	\$100
Unlawfully Use Sign	4.4	\$100
Install Without Permit	4.5	\$100
Obstruct Entry	4.9	\$100
Disobey Order	4.12	\$200
Fail to Remove	4.12.3	\$200
No Insurance	5.13	\$100
Fail to Provide Certificate	5.14	\$50
No Inspection	5.15	\$50
Fail to Maintain or Repair	5.16	\$100
Unsafe Sign	5.17	\$200

**(7554)****Severability**

- 10.6 If any provision of this Bylaw or amendments hereto should be found or determined to be invalid, illegal or unenforceable, it will be severable from the remainder of this Bylaw and the remainder of this Bylaw shall be construed as if such invalid, illegal or unenforceable provision had been deleted therefrom.

**PART 11 - REPEAL**

The District of North Vancouver Sign Bylaw, 1957, being Bylaw 2168, and all amending Bylaws thereto, are hereby repealed.

**SCHEDULE A****SIGN CHARACTER AREAS – GENERAL GUIDELINES****1. Applicability**

- 1.1 These guidelines apply to all new or altered signs within the Marine Drive, Lynn Valley, Deep Cove, Edgemont Village and Queensdale Sign Character Areas.
- 1.2 These guidelines do not apply to signs painted on windows, internally mounted to hang in windows, signs not visible from any road or lane, realty signs identifying land or buildings for sale, lease or rent or temporary signs.

**2. Minor Development Permits Not Required**

In accordance with the District Official Community Plan, Schedule B, Guideline 4.2.19, minor development permits for signage are not required when in the case of a new sign or the alteration of the structure of an existing sign, the proposed sign complies with the general and area specific design guidelines contained within this Policy.

**3. Conflict**

Where a free-standing (except within the Marine Drive Sign Character Area), fascia, awning or canopy sign does not comply with the applicable sign design guidelines and the applicant is not willing or unable to alter the design to comply with the design guidelines, the applicant may submit an application for a minor development permit for signage to the Planning Department which will be analyzed and forwarded to Council for consideration prior to issuance of a Sign Permit.

**(7774)****4. Sign Design Guidelines**

Area specific design guidelines shall supersede any general guidelines.

**5. General Guidelines**

- 5.1 The following general design guidelines shall apply to all signs within Sign Character Areas:
  - 5.1.1 Sign copy shall be limited to the business name except where secondary copy is necessary to identify the business or is otherwise permitted under area specific guidelines.
  - 5.1.2 Signage shall not involve flashing, rotating, oscillating or running lighting or any moving parts or emit audible sounds. Readograph or similar signs and changeable copy signs, except where permitted as permanent signs, are not allowed.
  - 5.1.3 In the case of a multi-tenant building, new or altered signage shall be consistent with the shape and style of existing signage.
  - 5.1.4 Where there is an existing sign band, new or altered signage shall be limited to that sign band.
  - 5.1.5 Projecting signs suspended from or anchored to the wall of a building are not acceptable. This guideline does not apply to signs suspended beneath a canopy or awning as permitted under area specific guidelines.

- 5.1.6 No signage of any type including the display of products is permitted on the roof of a building or structure.

## 5.2 Free-standing Signage:

- 5.2.1 Free-standing sign structures shall be limited to a maximum height of 3m above grade including the height of any berming or planter boxes, a width of 2.44m and a total sign face area of 4.65m<sup>2</sup>, except where area specific guidelines establish a smaller size.
- 5.2.2 Not more than one free-standing business or tenant identification sign is permitted except where a development abuts two streets in which case, a second, smaller sign not exceeding 1.83m in height and 1.83m in width may be permitted adjacent to the flanking street. Such signs may not exceed a total sign face area of 2.78m<sup>2</sup> on each side of the sign.

## 5.3 Wall Signs

- 5.3.1 Wall signs shall be located on the building facade or other element of the building specifically designed for signage purposes.
- 5.3.2 Businesses fronting on two streets may not have more than one principal wall sign which is restricted to the principal facade of the building as defined by the main entrance to the business. Signage may be permitted on secondary flanking street facades as established under area specific guidelines.
- 5.3.3 Sign canisters, integrated sign bands or surface-mounted letters may not exceed a height of 0.6m or occupy more than 6m or 75% of the length of the business frontage whichever is the lesser.
- 5.3.4 On internally illuminated signs, only the copy may be illuminated.

## 5.4 Awning Signs

- 5.4.1 Sign copy is permitted on the principal surface of an awning or an awning valance but in any event, shall be contained within a rectangle not exceeding 1.22m in height and 6m or 75% of the width of the premises for which it is required whichever is the lesser.
- 5.4.2 Awning signs may not be illuminated except where permitted in area specific guidelines.
- 5.4.3 Awning signage is not permitted in combination with wall signage.

## 5.5 Canopy Signs

- 5.5.1 Where signage is installed on the front fascia of the canopy, it may not project above or below the fascia, shall not exceed a height of 0.6m and extend more than 75% of the length of the business frontage for which it is required.
- 5.5.2 On illuminated signs, only the sign copy may be illuminated.

## 5.6 Projecting Signage

Projecting signs suspended from or anchored to the wall of a building or hanging from beneath an awning or canopy are not permitted except in accordance with area specific guidelines.

**SCHEDULE A.1****MARINE DRIVE SIGN DESIGN GUIDELINES**

The following sign design guidelines apply to all properties within the limits of the Marine Drive Corridor as defined on Map 1 following and shall be read in conjunction with the general design guidelines contained in Schedule B and the Sign Bylaw.

1. Free-standing Signage:

- 1.1 Free-standing signs are not allowed.

**(7774)**

2. Wall Signage

- 2.1 Wall signs shall be routed, carved or sculptured from or painted on metal, enamel, acrylic or non-translucent material or consist of individual surface-mounted letters or exposed neon tubing.
- 2.2 Secondary signage on a flanking street may not exceed a height of 0.6m (2 ft) or a length of 3m. In the case of a corporate logo or symbol, such sign shall not exceed a total sign face area of 0.74m<sup>2</sup>.

3. Awning Signage:

- 3.1 Awnings may be illuminated provided that such illumination is internal and designed to avoid glare or interference with traffic signals or movements.
- 3.2 Sign copy on awning valances may not exceed 0.25m (10 inches) in height and may not extend more than 50% of the length of the awning.

4. Canopy Signage:

- 4.1 Canopy signage shall be limited to the front or end fascias.
- 4.2 Canopy signage may not be used in conjunction with wall signage.
- 4.3 Canopy signage may not extend above or below the canopy fascia with the exception of a logo or symbol which may project to a maximum of 0.3m above the canopy fascia.





# Marine Drive Sign Character Area

## Map 1

**SCHEDULE A.2****LYNN VALLEY SIGN DESIGN GUIDELINES**

The following sign design guidelines apply to all properties within the limits of the Lynn Valley Area as defined on Map 2 following and shall be read in conjunction with the general design guidelines contained in Schedule B and the Sign Bylaw.

**1. Free-standing Signage:**

- 1.1 Free-standing signs may be routed, carved or sculptured from or painted on metal, enamel, acrylic or non-translucent material, or consist of exposed neon tubing or individual surface-mounted letters. Free-standing signs may not be painted on a wood surface.
- 1.2 Free-standing signs may be lit internally or frontally from above or below the sign structure provided that such illumination does not cause glare or interfere with traffic signals or movements.

**2. Wall Signage**

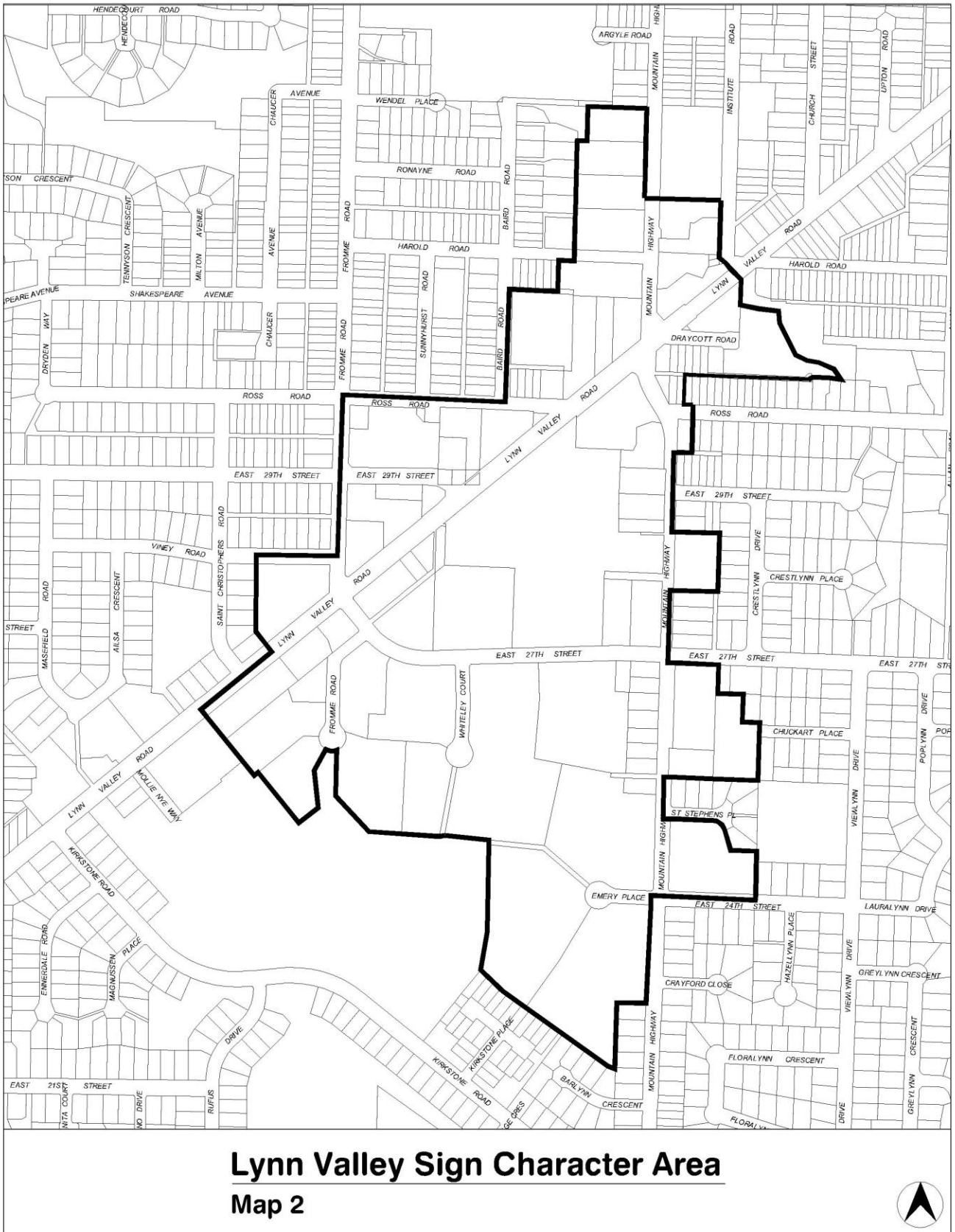
- 2.1 Wall signs shall be routed, carved or sculptured from or painted on metal, enamel, acrylic or non-translucent material or consist of individual surface-mounted letters or exposed neon tubing.
- 2.2 Secondary signage on a flanking street may not exceed a height of 0.6m (2 ft) or a length of 3m. In the case of a corporate logo or symbol, such sign shall not exceed a total sign face area of 0.74m<sup>2</sup>.

**3. Awning Signage:**

- 3.1 Awnings may be illuminated provided that such illumination is internal and designed to avoid glare or interference with traffic signals or movements.
- 3.2 Sign copy on awning valances may not exceed 0.25m (10 inches) in height and may not extend more than 50% of the length of the awning.

**4. Canopy Signage:**

- 4.1 Canopy signage shall be limited to the front or end fascias.
- 4.2 Canopy signage may not be used in conjunction with wall signage.
- 4.3 Canopy signage may not extend above or below the canopy fascia with the exception of a logo or symbol, which may project to a maximum of 0.3m above the canopy fascia.



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Published : Jul 13, 2005

**SCHEDULE A.3****DEEP COVE SIGN DESIGN GUIDELINES**

The following design guidelines shall apply to the properties within the Deep Cove Area as defined on Map 3 following and shall be read in conjunction with the general sign design guidelines in Schedule B and the Sign Bylaw.

**1. Free-Standing Signage**

- 1.1 Free-standing signs are permitted only in the case of multi-tenant buildings on lots not less than 15m in width and not more than one free-standing sign is permitted. Free-standing signs identifying parking entrances are excluded from this guideline.
- 1.2 The free standing sign structure is limited to 1.5m in height as measured from grade and 1.5m in width with a sign face of not more than 1.86m<sup>2</sup> on each side of the sign.
- 1.3 Free-standing sign structures identifying parking entrances shall not exceed a height of 1.0m and a width of 1.0m with a total sign face area not exceeding 0.2m<sup>2</sup> on each sign face.
- 1.4 Free-standing signs, including parking entry signs, shall be routed, carved or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Signage consisting of exposed neon tubing or illuminated, open-faced channel letters is not allowed.

**2. Wall Signage**

- 2.1 Businesses fronting on two streets may not have more than one wall sign which is restricted to the principal facade of the building as defined by the main entrance to the business except that a corporate logo or symbol not exceeding 0.37m<sup>2</sup> in area is permitted on a secondary flanking street facade.
- 2.2 Sign canisters, integrated sign bands or surface-mounted lettering may not exceed a height of 0.6m and a length of 6m or 75% of the width of the individual business for which it is required, whichever is the lesser.
- 2.3 On illuminated signs, only the sign copy may be illuminated.

**3. Awning Signage**

- 3.1 Awnings may not be illuminated unless any existing awnings on the building are illuminated. Illumination, where permitted, shall be internal and designed to illuminate only the sign copy and avoid glare when viewed from the street and adjacent properties.
- 3.2 Sign copy on the principal surface of an awning shall not exceed a height of 1m and extend more than 3m or 75% of the length of the awning on which it is located whichever is the lesser.
- 3.4 Sign copy on a valance shall not exceed 0.2m in height or a total area of 50% of the area of the valance.

#### **4. Canopy Signage**

- 4.1 Canopy signage is limited to the front fascia of the canopy and may not extend above the height of the canopy fascia.
- 4.2 Canopy fascia signage is limited to 0.46m in height and 6m in length or 75% of the width of the canopy whichever is the lesser.
- 4.3 On multi-tenant buildings where there is an existing canopy with no signage on the fascia, new signage will be restricted to the building facade.
- 4.4 On illuminated signs, only the sign copy may be illuminated.
- 4.5 Canopy signage must be carved, routed or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Exposed neon tubing or illuminated, open-faced channel letters are not allowed.

#### **5. Under-Awning or Under-Canopy Signage**

- 5.1 Projecting or hanging signs are permitted beneath awnings or canopies only.
- 5.2 Where permitted, projecting or hanging signs may not exceed a height of 0.46m and a width of 0.6m.
- 5.3 Projecting or hanging signs must be routed, carved or sculptured from wood or metal or painted on a wood, metal or enamel surface.
- 5.4 Only one projecting or hanging sign is permitted on one street frontage for each business and on such signs, copy shall be limited to the name of the business.



## Deep Cove Sign Character Area

### Map 3



**SCHEDULE A.4****EDGEMONT VILLAGE SIGN DESIGN GUIDELINES**

The following design guidelines shall apply to the properties within the Edgemont Village Area as defined on Map 4 following and shall be read in conjunction with the general sign design guidelines in Schedule B and the Sign Bylaw.

**1. Free-Standing Signage**

- 1.1 Free-standing signs are permitted only in the case of multi-tenant buildings on lots not less than 15m in width and not more than one free-standing sign is permitted. Free-standing signs identifying parking entrances are excluded from this guideline.
- 1.2 The free standing sign structure is limited to 1.5m in height as measured from grade and 1.5m in width with a sign face of not more than 1.86m<sup>2</sup> on each side of the sign.
- 1.3 Free-standing sign structures identifying parking entrances shall not exceed a height of 1.0m and a width of 1.0m with a total sign face area not exceeding 0.2m<sup>2</sup> on each sign face.
- 1.4 Free-standing signs, including parking entry signs, shall be routed, carved or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Signage consisting of exposed neon tubing or illuminated, open-faced channel letters is not allowed.

**2. Wall Signage**

- 2.1 Businesses fronting on two streets may not have more than one wall sign which is restricted to the principal facade of the building as defined by the main entrance to the business except that a corporate logo or symbol not exceeding 0.37m<sup>2</sup> in area is permitted on a secondary flanking street facade.
- 2.2 Sign canisters, integrated sign bands or surface-mounted lettering may not exceed a height of 0.6m and a length of 6m or 75% of the width of the individual business for which it is required, whichever is the lesser.
- 2.3 On illuminated signs, only the sign copy may be illuminated.

**3. Awning Signage**

- 3.1 Awnings may not be illuminated unless any existing awnings on the building are illuminated. Illumination, where permitted, shall be internal and designed to illuminate only the sign copy and avoid glare when viewed from the street and adjacent properties.
- 3.2 Sign copy on the principal surface of an awning shall not exceed a height of 1m and extend more than 3m or 75% of the length of the awning on which it is located whichever is the lesser.
- 3.4 Sign copy on a valance shall not exceed 0.2m in height or a total area of 50% of the area of the valance.

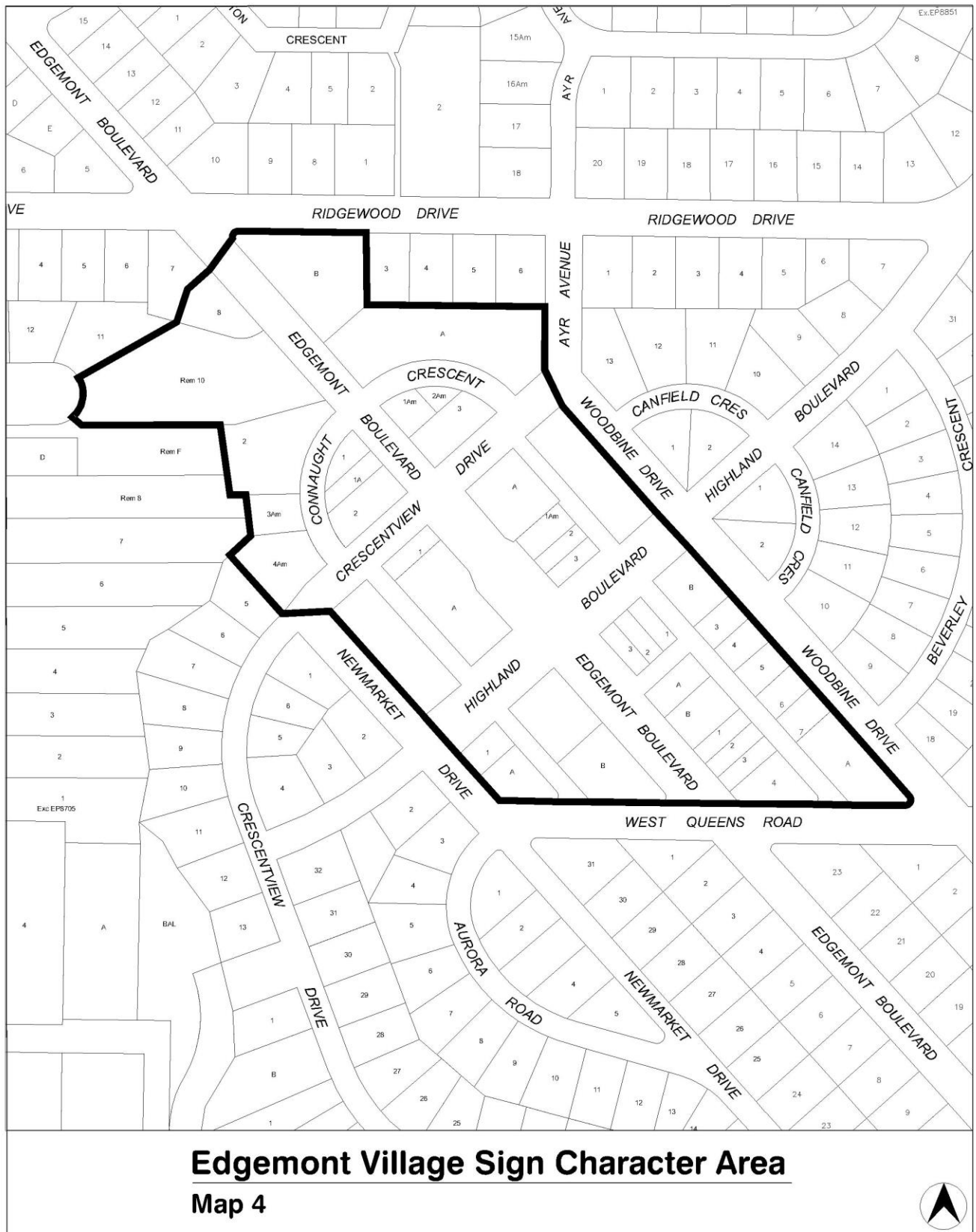
#### **4. Canopy Signage**

- 4.1 Canopy signage is limited to the front fascia of the canopy and may not extend above the height of the canopy fascia.
- 4.2 Canopy fascia signage is limited to 0.46m in height and 6m in length or 75% of the width of the canopy whichever is the lesser.
- 4.3 On multi-tenant buildings where there is an existing canopy with no signage on the fascia, new signage will be restricted to the building facade.
- 4.4 On illuminated signs, only the sign copy may be illuminated.
- 4.5 Canopy signage must be carved, routed or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Exposed neon tubing or illuminated, open-faced channel letters are not allowed.

#### **5. Under-Awning or Under-Canopy Signage**

- 5.1 Projecting or hanging signs are permitted beneath awnings or canopies only.
- 5.2 Where permitted, projecting or hanging signs may not exceed a height of 0.46m and a width of 0.6m.
- 5.3 Projecting or hanging signs must be routed, carved or sculptured from wood or metal or painted on a wood, metal or enamel surface.
- 5.4 Only one projecting or hanging sign is permitted on one street frontage for each business and on such signs, copy shall be limited to the name of the business.





**SCHEDULE A.5****QUEENSDALE SIGN DESIGN GUIDELINES**

The following design guidelines shall apply to the properties within the Queensdale Area as defined on Map 5 following and shall be read in conjunction with the general sign design guidelines in Schedule B and the Sign Bylaw.

**1. Free-Standing Signage**

- 1.1 Free-standing signs are permitted only in the case of multi-tenant buildings on lots not less than 15m in width and not more than one free-standing sign is permitted. Free-standing signs identifying parking entrances are excluded from this guideline.
- 1.2 The free standing sign structure is limited to 1.5m in height as measured from grade and 1.5m in width with a sign face of not more than 1.86m<sup>2</sup> on each side of the sign.
- 1.3 Free-standing sign structures identifying parking entrances shall not exceed a height of 1.0m and a width of 1.0m with a total sign face area not exceeding 0.2m<sup>2</sup> on each sign face.
- 1.4 Free-standing signs, including parking entry signs, shall be routed, carved or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Signage consisting of exposed neon tubing or illuminated, open-faced channel letters is not allowed.

**2. Wall Signage**

- 2.1 Businesses fronting on two streets may not have more than one wall sign which is restricted to the principal facade of the building as defined by the main entrance to the business except that a corporate logo or symbol not exceeding 0.37m<sup>2</sup> in area is permitted on a secondary flanking street facade.
- 2.2 Sign canisters, integrated sign bands or surface-mounted lettering may not exceed a height of 0.6m and a length of 6m or 75% of the width of the individual business for which it is required, whichever is the lesser.
- 2.3 On illuminated signs, only the sign copy may be illuminated.

**3. Awning Signage**

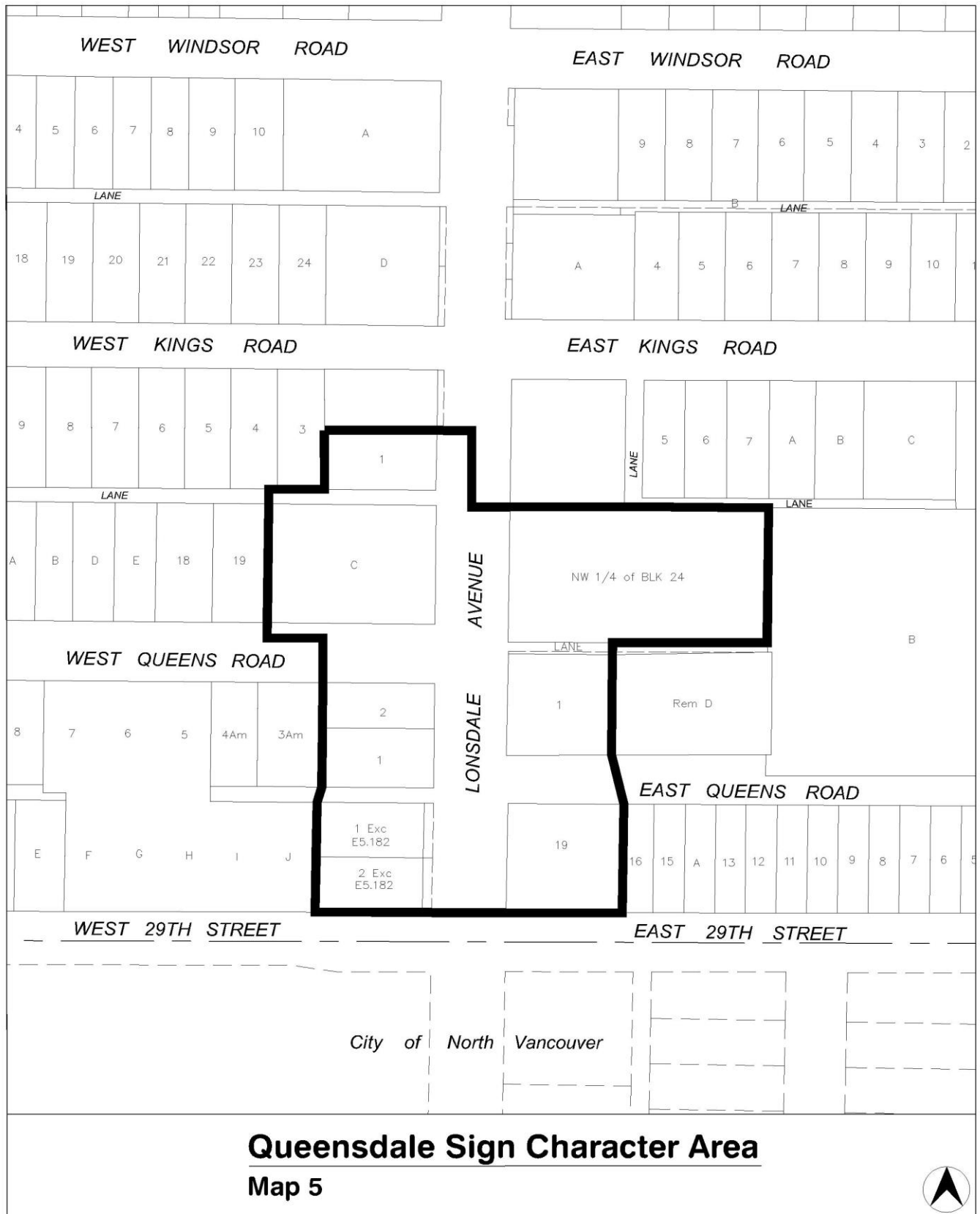
- 3.1 Awnings may not be illuminated unless any existing awnings on the building are illuminated. Illumination, where permitted, shall be internal and designed to illuminate only the sign copy and avoid glare when viewed from the street and adjacent properties.
- 3.2 Sign copy on the principal surface of an awning shall not exceed a height of 1m and extend more than 3m or 75% of the length of the awning on which it is located whichever is the lesser.
- 3.4 Sign copy on a valance shall not exceed 0.2m in height or a total area of 50% of the area of the valance.

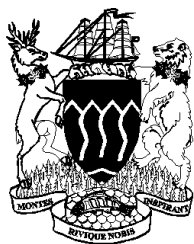
#### **4. Canopy Signage**

- 4.1 Canopy signage is limited to the front fascia of the canopy and may not extend above the height of the canopy fascia.
- 4.2 Canopy fascia signage is limited to 0.46m in height and 6m in length or 75% of the width of the canopy whichever is the lesser.
- 4.3 On multi-tenant buildings where there is an existing canopy with no signage on the fascia, new signage will be restricted to the building facade.
- 4.4 On illuminated signs, only the sign copy may be illuminated.
- 4.5 Canopy signage must be carved, routed or sculptured from wood or metal, routed from a non-translucent material, painted on a wood, metal or enamel surface or, consist of individual lettering mounted on a wood, metal or enamel surface. Exposed neon tubing or illuminated, open-faced channel letters are not allowed.

#### **5. Under-Awning or Under-Canopy Signage**

- 5.1 Projecting or hanging signs are permitted beneath awnings or canopies only.
- 5.2 Where permitted, projecting or hanging signs may not exceed a height of 0.46m and a width of 0.6m.
- 5.3 Projecting or hanging signs must be routed, carved or sculptured from wood or metal or painted on a wood, metal or enamel surface.
- 5.4 Only one projecting or hanging sign is permitted on one street frontage for each business and on such signs, copy shall be limited to the name of the business.





**THE DISTRICT OF NORTH VANCOUVER**  
 355 West Queens Road, North Vancouver, BC V7N 4N5  
 Telephone: 604-990-2387 / Fax: 604-984-9683  
 Web Address: [www.dnv.org](http://www.dnv.org)

## SIGN PERMIT APPLICATION

Date:		Application No.:	
Address of Sign:			
Applicant (Sign Owner/Authorized Agent):		Address:	
City:	Postal Code:	Phone:	Fax:
Sign Owner (if other than above):		Address:	
City:	Postal Code:	Phone:	Fax:
Sign Company:		Address:	
City:	Postal Code:	Phone:	Fax:
Type of Work: <input type="checkbox"/> New <input type="checkbox"/> Alteration		Illuminated Sign: <input type="checkbox"/> No <input type="checkbox"/> Yes (Electrical Permit Required)	
Type of Sign: <input type="checkbox"/> Awning <input type="checkbox"/> Canopy <input type="checkbox"/> Fascia <input type="checkbox"/> Free Standing <input type="checkbox"/> Other (specify):			
Exact Wording and Overall Dimensions Of Sign:			
Comments:			

### THE FOLLOWING MUST ACCOMPANY THIS APPLICATION FORM:

- Two sets of drawings (sealed by a Registered Prof. Engineer, for free standing or mechanically fastened signs, and accompanied by sealed B1/B2 Letters of Assurance);
- Two copies of site plan showing distance to sign from property lines;
- Sign Design Guideline Review Fee (\$75 per review); **plus**
- Fee for New Sign Permit (\$73.75 per sign) **or**; fee for Alteration to Sign Permit (\$37.25 per sign).
- Please note that one application form must be completed for each individual sign.

SIGNATURE OF SIGN OWNER/AUTHORIZED AGENT

APPLICATION ACCEPTED BY

The information on this form is collected under the authority of the current Sign Bylaw and will be used only for the purpose of issuance of a Sign Permit under this bylaw.



# THE DISTRICT OF NORTH VANCOUVER

## STREET AND TRAFFIC BYLAW

### BYLAW 7125

Effective Date – January 1, 2005

#### CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

<b>Original Bylaw</b>	<b>Date of Adoption</b>
Bylaw 7125	November 15, 2004
<b>Amending Bylaw</b>	<b>Date of Adoption</b>
Bylaw 7643	February 19, 2007
Bylaw 7591	June 11, 2007
Bylaw 7687	November 5, 2007
Bylaw 7701	December 17, 2007
Bylaw 7756	December 15, 2008
Bylaw 7798	September 28, 2009
Bylaw 7915	March 26, 2012
Bylaw 7960	December 12, 2012
Bylaw 8060	June 9, 2014
Bylaw 8100	April 27, 2015
Bylaw 8133	July 6, 2015
Bylaw 8322	April 30, 2018
Bylaw 8382	May 13, 2019
Bylaw 8431	April 20, 2020

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Street and Traffic Bylaw – Bylaw 7125). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

# **THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER**

## **BYLAW 7125**

A bylaw to regulate traffic and boulevards within the municipal boundaries of the District of North Vancouver

---

The Council of The Corporation of the District of North Vancouver enacts the following:

### **PART 1 – TABLE OF CONTENTS**

101. This bylaw is divided into the following divisions:

<u>Part</u>	<u>Title</u>	<u>Sections</u>
1	Table of Contents	101
2	Title	201
3	Interpretation	301 – 304
4	Traffic Control	401 – 412
5	Standing, Stopping and Parking Vehicles	501 – 537
6	General Regulations	601 – 631
7	Highway Use Regulations	701 – 742
8	Vehicle Weight, Loads, Dimensions	801 – 830
9	Transportation of Dangerous Goods	901 – 904
10	Pedestrian Regulations	1001 – 1007
11	Cycle Traffic	1101 – 1102
12	Impoundment	1201 – 1211
13	Stop Work Order	1301 – 1304
14	Offences, Penalties and Enforcement	1401 – 1404
15	General	1501 – 1503

Schedules:

A – Boulevard Parking Permits

B – Map of Dangerous Goods Routes

**(7798, 7915)**

## Part 2 – Title

201. This bylaw may be cited as the "**STREET AND TRAFFIC BYLAW No. 7125, 2004**".

## Part 3 – Interpretation

301. Words or phrases defined in the Motor Vehicle Act, R.S.B.C. 1996, c. 318, Transport of Dangerous Goods Act, R.S.B.C. 1996, c. 458 and the Commercial Transport Act, R.S.B.C. 1996, c. 58 and the regulations thereto have the same meaning in this bylaw, unless otherwise defined in this bylaw or in the Local Government Act, R.S.B.C. 1996, c. 323.

302. In this bylaw:

**Access Improvement** means a Driveway, walkway, steps and other improvements necessary to give access to real property adjacent to a Highway, but not including carports or buildings;

**Accessible Passenger Directed Vehicle** has the meaning set out in the *Passenger Transportation Act*.

8431

**Axle** means a structure that is wholly in the same or approximately the same transverse plane and that is supported by wheels on which or with which it revolves, and any two axles of a vehicle, the centres of which are less than 110 centimetres apart, shall be considered to be one axle;

**Block Face** means a length of Roadway frontage delimited by intersecting streets;

7591

**Boulevard Crossing** means that portion of a Boulevard which is permanently improved or designed for the passage of vehicular traffic;

7591

**Building Permit** has the meaning prescribed in the *Building Regulation Bylaw, 2003 No. 7353*, as amended or replaced;

8100

**Bus Stop** or **Bus Zone** means a portion of a Roadway adjacent to the curb reserved for loading and unloading buses;

7591

**Boulevard** means that portion of the Highway between the curb lines, the lateral lines or the shoulder of a Roadway and the adjacent property line;

**Caliper** means the diameter of a tree measured 15 centimetres above ground level;

**Commercial Loading Zone** means an area or space on a Highway to be used exclusively by Commercial Vehicles.

8431

**Commercial Vehicle** means a vehicle defined as such in, and licensed under, the *Commercial Transport Act* (British Columbia), as amended from time to time, or a vehicle not so licensed but being used in the ordinary course of a business for the regular collection or delivery of materials or goods.

8431

**Congestion and Curbside Management Permit** means a permit issued by the Municipal Engineer under section 541 of this Bylaw.

8431



**Corporate Officer** means the person appointed to that position and includes his or her delegate;

**Council** means the municipal council of the District;

**Cycle Path** means a path or way designated by the Municipal Engineer for use by cycles, other than a path or way on a Highway or located on private property;

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

**Disability Parking Permit** means a parking permit issued to a Person with a Disability pursuant to the Regulations;

**Disabled Parking Zone** means a part of a Highway or public place identified by a disabled parking sign as specified in the Regulations;

**Driveway** means every driveway not owned or possessed by the Crown or the District;

**Election campaign sign** means a temporary sign promoting a candidate or political party for election to public office;

**7643**

**Enforcement Officer** means an official or employee of the District whose designated duties include the control of traffic or parking within the District, and includes Royal Canadian Mounted Police officers and bylaw enforcement officers, and every officer and member of the Fire Department of the District while attending upon any fire or emergency in the course of their duty;

**Geo-fence** means a virtual boundary between two geographic areas or a virtual perimeter around a geographic area, the location and delineation of which shall be determined by the Municipal Engineer.

**8431**

**Geo-fenced Area** means the area within a Geo-fence, or on one side of a Geo-fence, as determined by the Municipal Engineer.

**8431**

**Helmet** means a protective device intended to be worn on the head that must:

- have a smooth, rigid and durable outer surface,
- be constructed so that the helmet is capable of absorbing energy on impact,
- be strongly attached to a strap designed to be fastened under the chin of the person wearing it, and
- be undamaged from use or misuse.

**Highway** means the area of every public right of way lying between two property lines title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles or persons and means the area of every public right of way lying within any District Park title to which area is vested in the District and which is designated or intended for or used by the general public for the passage of vehicles;

**Highway Construction and Planting Permit** means a permit issued under Part 7 to allow for construction and planting in, on or under a Highway;

**Highway Encroachment Agreement** means an agreement entered into under Part 7 to allow certain Structures on a Highway;

**Highway Use Permit** means a permit issued under Part 7 to allow for the temporary use of the Highway;

**Lane** means a Highway not more than 7 metres wide, which provides a secondary means of vehicle access to one or more parcels of land;

8431

**Loading Zone** means the area or space on a Highway established for the exclusive use of vehicles during the loading or unloading of goods, materials or passengers.

**Manager of Purchasing** means the person appointed to that position and includes his or her delegate;

**Median** means an area that is painted, curbed or raised and is located between traffic lanes to separate vehicles travelling in opposite directions;

7643, 7591

**Municipal Engineer** means the person appointed to that position and includes his or her delegate;

**Newspaper Box** means any box displaying, distributing or selling newspapers, newsletters, commercial or non-commercial publications, or any other reading material;

7591

**Noxious Weed** means any weed designated by a provincial legislation to be a noxious weed, and includes seeds of a noxious weed;

8100

**Outdoor Customer Service Area** means an area located on the Boulevard adjacent to a restaurant or retail food service premises or liquor license establishment for the placing of tables and chairs for use by customers of that business;

**Outdoor Customer Service Area Permit** means a permit issued under Part 7 to allow an Outdoor Customer Service Area;

**Oversize/Overweight Permit** means a permit under Part 8 of this bylaw;

**Owner**, with respect to a vehicle, has the meaning given to it in the Motor Vehicle Act and with respect to real property, has the meaning given to it in the Local Government Act;

**Park**, means public parks, playgrounds, beaches, swimming pools, and other public recreational areas under the care, custody and jurisdiction of the District;

7591

**Parking**, when prohibited, means the standing of a vehicle, whether occupied or not, other than up to 5 minutes while actively and visibly engaged in loading or unloading of property, merchandise, goods or the discharging or taking on of passengers;

**Passenger Directed Vehicle** has the meaning set out in the *Passenger Transportation Act*.

8431

**Passenger Transportation Act** means the *Passenger Transportation Act*, SBC 2004, c.39, as the same may be amended from time to time.

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**Passenger Zone** means the area or space on a Highway established for the exclusive use of vehicles during the loading or unloading of passengers.

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**Person with a Disability** means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult to walk, or a person who is blind or has a visual impairment, or a person with hearing loss or impairment or a person with a cognitive or other impairment that could affect their ability to understand traffic control devices and signage;

**Procession** means any procession or group exceeding or expected to exceed 30 or more persons or 10 or more vehicles standing or moving together on any Highway, including special events such as parades, street festivals and movie filming, but excludes a funeral procession and a Canadian Armed Forces Parade;

**Recreation Vehicle** means a motor vehicle or a vehicle towed by a motor vehicle, that provides living accommodation, and includes a travel trailer, tent trailer, camper, camperized van, and motor home;

**Regulations** means the regulations to the Motor Vehicle Act;

**Resident Guest Pass** means a parking permit issued in conjunction with a Resident Parking Permit that allows a guest to park in a Resident Parking Zone;

**Resident Parking Permit** means a parking permit issued in accordance with this bylaw which authorizes parking in a Resident Parking Zone;

**Resident Parking Zone** means a part of a Highway set apart for the standing, stopping and parking of vehicles that display a Resident Parking Permit;

**Roller Skates** means any footwear or device which may be attached to the foot or footwear, to which wheels are attached and such wheels may be used by the wearer for moving or propulsion, including but not limited to in-line skates.

**7591**

**Roadway** means that portion of a Highway that is improved for passage of vehicular traffic;

**Rubbish** means accumulations of soil, leaves, grass clippings, branches, twigs and other vegetation or landscape materials; litter of any kind or discarded materials; liquid or solid waste or garbage, other than that which is properly placed on the sidewalk or Highway pursuant to the garbage collection requirements of the District; compost materials; and any other objects that would reasonably pose a hazard;

**Sidewalk** means that portion of the street other than a Roadway that is improved for the use of pedestrians;

**7591**

**Skateboard** means all wheeled objects, coasters, toys, conveyances, or similar devices used for transportation or sport which are propelled by human power, including longboards, but not including bicycles or roller skates;

**7915**

**Special Highway Use Permit Fee** is the fee payable pursuant to section 706A of this bylaw;

**8100**

**Stacked Rock Wall** means any wall consisting of rock or boulder units greater than 250mm in the least dimension or .027 m<sup>3</sup> in volume where each rock or boulder unit is not:

- a) buried in native, solid bearing ground to a depth not less than one third its diameter and volume; or
- b) located on land generally sloping less than 4 horizontal to 1 vertical;

**Stop Work Order** means a stop work order issued pursuant to section 1301 of this bylaw;

**7591**

**Stopping**, when prohibited, means the coming to rest or the state of being at rest of a vehicle;

**Structure** means buildings, decks, garages, carports, swimming pools and any other improvement affixed on or under a Highway, but does not include Driveways, steps, walks and other improvements that give access to real property adjacent to a Highway or to retaining walls having a height of less than 1.22 metres;

**Traffic Control Device** means a sign, signal, line, metre, marking, space, barrier or device, consistent with the Motor Vehicle Act, placed or erected by authority of the Minister of Transportation or the District or a person authorized by either of them to exercise that authority;

7591

**Traffic Management Plan** means a detailed plan acceptable to the Municipal Engineer addressing all activities, needs and impacts associated with work contemplated in a Highway Use Permit, including, but not limited to, scheduling, timing of truck traffic, fencing, barricading, signage and other devices, traffic control, loading, parking, material delivery and storage, dust and sediment control, and any other conditions and restrictions required by the Municipal Engineer;

8100

**Trailer** means a vehicle without motive power designed for carrying persons or property and for being drawn on a Highway by a motor vehicle, and includes a semi-trailer as defined in the Commercial Transport Act;

**Transportation Network Services** has the meaning set out in the *Passenger Transportation Act*.

8431

**Unopened Road Allowance** means any dedicated Highway that has not been opened and improved by the District or that has been closed by the District; and

**Waste Disposal Bin** means a large rectangular metal container, open at the top or with a lid, used for the temporary storage of Rubbish.

**Weekdays** means Monday through Friday.

8431

**Zero-emission Vehicle** means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source, or a motor vehicle that has been approved by the Municipal Engineer as a Zero-emission Vehicle.

#### **Application**

303. This bylaw does not apply to the regulation, control or prohibition of traffic on a Provincially-designated arterial Highway, as defined in the Highway Act.
304. This bylaw does not apply to members of the Royal Canadian Mounted Police or emergency services personnel or vehicles when performing official duties or acting in the interest of public safety.

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### **Part 4 – Traffic Control**

#### **Existing Traffic Control Devices**

401. All Traffic Control Devices placed by the District prior to adoption of this bylaw are deemed to be authorized and placed in accordance with this bylaw.

#### **Compliance With Traffic Control Devices**

402. Every person shall comply with the directions of every Traffic Control Device, except as otherwise directed by an Enforcement Officer or as authorized or required pursuant to this bylaw.

#### **Delegation to Municipal Engineer**

403. The Municipal Engineer is authorized to order the placing of Traffic Control Devices as he or she deems appropriate for the regulation of the following traffic matters and by those orders to give effect to the provisions of this bylaw or the Motor Vehicle Act, or to exercise the following powers of the District under this bylaw, subject to the terms and conditions prescribed in this bylaw:

- 403.1 regulation, control or prohibition of pedestrian traffic, vehicle traffic and traffic by other conveyances on a Highway;
- 403.2 regulation, control or prohibition of the stopping, standing or parking of vehicles;
- 403.3 regulation or prohibition of pedestrian traffic on Highways other than at crosswalks;
- 403.4 removal, detention or impounding of vehicles unlawfully occupying a Highway or a public place and a scale of fees, costs and expenses for that purpose, and the recovery of such fees, costs and expenses from the Owner or by sale of the vehicle at public auction or by court action;
- 403.5 regulation, control or prohibition of persons using cycles, Roller Skates, sleighs, in-line skates, Skateboards, skis, scooters or other similar means of conveyance on a Highway;
- 403.6 establishment, designation and use of Loading Zones, Commercial Loading Zones, and Passenger Zones in the District;

**8431**

- 403.7 regulation of the width, length and height of vehicles and the width, length, height, fastenings and distribution of loads on vehicles driven or operated on a Highway;
- 403.8 on Highways where construction, reconstruction, widening, repair, marking or other work is being carried out, the erection or placement of Traffic Control Devices indicating that persons or equipment are working on the Highway;
- 403.9 establishment of school crossings in the District and the regulation and control of pedestrian and vehicular traffic with respect to them;
- 403.10 regulation of traffic passing by or in the vicinity of schools through the use of traffic patrols, and for that purpose vesting in school children or other persons employed in traffic patrol the power to require vehicles to stop at school crossings or other designated places on a Highway;
- 403.11 regulation and control of Processions on a Highway;
- 403.12 the places, conditions and circumstances for the use of sidewalks and crosswalks by persons riding cycles; and
- 403.13 designation of Cycle Paths; and

**8431**

- 403.14 establishment, designation and delineation of Geo-fenced Areas and the regulation, prohibition or control of traffic within such Geo-fenced Areas in accordance with sections 403.1 through 403.13.

**8431**

#### **Variation of Orders**

- 404. The Municipal Engineer may rescind, revoke, amend or vary an order made by the Municipal Engineer under this Part.
- 405. Orders made by the Municipal Engineer under this Part shall be in writing and a copy of each order shall be filed with the Municipal Clerk.

#### **Temporary Traffic Control Devices**

- 406. Temporary Traffic Control Devices may from time to time be placed, and traffic may be diverted or restricted, by an Enforcement Officer, or by another person under the authority of the Municipal Engineer:

- 406.1 in the interest of public safety;
- 406.2 to permit proper action in an emergency; or
- 406.3 to enable work to be done on a Highway,

but no temporary Traffic Control Devices shall be placed, nor any traffic diverted or restricted, for any period longer than reasonably necessary.

#### **Permits**

- 407. In all cases in this bylaw where the Municipal Engineer is given the power to make orders for the application for and issuance of permits, the Municipal Engineer may make orders respecting the circumstances under which permits will be issued, the form of application, the fees payable unless otherwise prescribed by Council, the form of permits, and the terms and conditions of permits. The Municipal Engineer may issue permits in accordance with this bylaw and may at any time revoke or amend a permit where considered necessary or desirable by the Municipal Engineer.
- 408. Persons who have been issued permits under this bylaw shall at all times comply with this bylaw, as well as all terms and conditions of the permit.
- 409. No person shall undertake any work or activity that requires a permit under this bylaw without first having obtained a valid and subsisting permit of the kind required by this bylaw.

#### **Interference With Traffic**

- 410. No person shall establish, place, maintain, or display upon or in view of any Highway, any Traffic Control Device or other device which purports to be or resembles any Traffic Control Device, or which attempts to direct the movement of traffic or the parking of vehicles, or which obstructs, hides from view, or interferes with the effectiveness of any Traffic Control Device or which interferes with traffic safety.
- 411. No person shall obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any Traffic Control Device placed or maintained within the District pursuant to this bylaw, nor interfere with any newly painted line on any Highway.
- 412. The Owner or occupier of real property adjacent to a Highway must not allow any tree, shrub or other planting on the real property to grow over or under the Highway so as to obstruct, interfere with or hide from view any Traffic Control Device or interfere with traffic safety.

**7591**

### **Part 5 – Standing, Stopping and Parking Vehicles**

#### **Standing, Stopping and Parking Prohibitions**

- 501. Except when necessary to comply with the law or the directions of an Enforcement Officer, or where permitted by this bylaw or a Traffic Control Device, no person shall stop, stand or park a vehicle or Trailer on a Highway:
  - 501.1 so as to contravene the Motor Vehicle Act, a Traffic Control Device or this bylaw;
  - 501.2 so as to obstruct or interfere with the free passage of traffic;
  - 501.3 on a Sidewalk or Boulevard Crossing;
  - 501.4 on a Boulevard, except on those portions of those Highways set out in Schedule “A”;
  - 501.5 on any Unopened Road Allowance;

**7591**

- 501.6 in an intersection;
  - 501.7 within 11 metres of the prolongation of the curb lines at an intersection or, if none, within 11 metres of the prolongation of the edges of pavement of the two Highways which join one another;
  - 501.8 within 6 metres of a flashing beacon, stop sign, yield sign or traffic control signal;
  - 501.9 on a Lane within 3 metres of any Roadway intersection;
  - 501.10 on a Roadway within 3 metres of a Lane;
  - 501.11 in a position that leaves less than 3.5 metres of the Roadway available for the flow of traffic;
  - 501.12 in a position that causes it to interfere with fire fighting;
  - 501.13 on a marked crosswalk;
  - 501.14 within 6 metres of a marked crosswalk;
  - 501.15 within 6 metres of an entrance to or exit from any school property on any day when school is in session;
  - 501.16 within 6 metres of any entrance to or exit from any playground or Park;
  - 501.17 within 6 metres of either side of the Highway from or on either side of the entrance to or exit from a fire hall;
  - 501.18 in a position that impedes or restricts the passage of vehicles beyond a road end or through any gate or barrier erected at a road end or other location;
  - 501.19 in a position that causes it to interfere with the construction, improvement, maintenance, snow removal, alteration, extension, widening, marking or repair of a Highway;
  - 501.20 on a Cycle Path, or on a cycle lane on a Highway;
  - 501.21 within 5 metres of any fire hydrant, measured from a point on the curb which is closest to the fire hydrant, and where there is no curb, measured from the edge of Roadway;
  - 501.22 on or over any fire hose, traffic counting hose or other fire or public works equipment;
  - 501.23 in front of or within 2 metres of a private road, driveway, sidewalk crossing or boulevard crossing;
- 7591**
- 501.24 on a roadway except with the wheels parallel to the side of the Roadway and not further than 30 centimetres from the curb, if any, unless the Highway is designated for angle parking or the vehicle is less than 2.5 metres in length;
- 7591**
- 501.25 alongside or opposite any Highway excavation or obstruction when stopping, standing or parking in that location obstructs traffic;
  - 501.26 on the Roadway side of any vehicle stopped or parked at the curb;
  - 501.27 for a period exceeding 72 hours;

- 501.28 on any bridge or other elevated Structure on a Highway;
  - 501.29 on any portion of a Highway indicated by Traffic Control Device as reserved for any class of vehicle, other than a vehicle coming within such class;
  - 501.30 within 15 metres of the nearest rail of a railroad crossing;
  - 501.31 on any Highway for the purpose of storing, advertising, washing, maintaining, repairing or wrecking any vehicle, unless repairs are necessitated by an emergency;
  - 501.32 for the principal purpose of displaying a vehicle or Trailer for sale;
  - 501.33 for the purpose of selling any commodities or articles, except as authorized by permit under this bylaw;
  - 501.34 on the paved portion of any Highway where the pavement is 6 metres or less in width;
  - 501.35 on the side of a Roadway which abuts a Median;
- 7591**
- 501.36 on any portion of a Highway for a longer period of time than that indicated on any Traffic Control Device applicable to that portion of the Highway where such vehicle is stopped or parked;
  - 501.37 on any portion of a Highway at which there is an automatic or other mechanical meter for the purpose of allotting and controlling parking spaces for vehicles, except if that person has deposited in the appropriate meter the fee for parking in the manner and at the rate prescribed by that meter;
  - 501.38 on any portion of a Highway where the curb or edge of the Roadway is painted yellow;
- 8431**
- 501.39 that is unlicensed or uninsured or that does not display a valid license plate or valid license decal in the manner required by the Motor Vehicle Act;
  - 501.40 where parking spaces for vehicles are designated by lines on a Highway, except wholly within the lines designating the parking space;
  - 501.41 except as otherwise required by a Traffic Control Device, within 20 metres on the approach to and 7.5 metres beyond any bus stop sign pole, except when actively and visibly engaged in loading or unloading passengers, where such stopping does not interfere with any bus in, or about to enter, such bus stop;
- 7591**
- 501.42 in a cul-de-sac other than parallel with the outside curb of the cul-de-sac;
  - 501.43 at any place within a two-way Roadway other than directly adjacent to the right edge of the Roadway;
  - 501.44 at any place within a one-way Roadway other than directly adjacent to either edge of the Roadway;
- 7591**
- 501.45 to discharge or pick up passengers at any place within a two-way Roadway except where such vehicle is stopped directly adjacent to the right edge of the Roadway; or
  - 501.46 to discharge or pick up passengers at any place within a one-way Roadway except



where such vehicle is stopped directly adjacent to either edge of the Roadway.

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**Parking Large Vehicles and Recreation Vehicles**

502. Except as provided for in section 503, no person shall park any vehicle having a gross vehicle weight of 4,500 kilograms or more, or a vehicle having an overall length including any attached Trailer exceeding 6.4 metres, between 6:00 p.m. of any day and 6:00 a.m. of the next day on any Highway, except when actively and visibly engaged in loading or unloading the vehicle or Trailer.

503. A Recreation Vehicle may be parked on any Highway for a period not to exceed 24 hours.

504. No person shall use a vehicle for living accommodation while parked on a Highway.

**7591**

505. No person shall park a Trailer on a Highway without it being attached to a motor vehicle.

**Commercial Vehicle License**

506. No person shall operate a commercial vehicle in the District unless that vehicle is licensed under the District Commercial Vehicle Licensing Bylaw and a valid and subsisting license plate affixed with a decal is displayed on that vehicle in the manner required.

**Idling Engines**

507. No person shall permit a motor vehicle engine, other than the engine of an emergency vehicle, to be left in operation more than 3 minutes in a 60-minute period while the vehicle is stationary, except where the motor vehicle is in traffic, undergoing repairs at a motor vehicle service garage, undergoing emergency repairs along a roadside, is an armoured vehicle, is participating in a parade authorized by the District, or used to power equipment ancillary to the motor vehicle.

**Time Limitations**

508. When a Traffic Control Device is displayed on any Highway or District parking lot indicating that the length of time permitted for parking a vehicle thereon is limited, no person who has parked a vehicle on such Highway or lot shall again park a vehicle on such Highway (unless there is a road intersection between the two parking spaces) or lot during the next 60 minutes following the expiry of such limited time.

**Exemption to Persons with a Disability**

509. The provisions of this bylaw regulating time restricted parking do not apply to a Person with a Disability whose vehicle, other than a recreational vehicle, prominently displays in a window a valid permit issued to the Person with a Disability by the Social Planning and Research Council of British Columbia.

**7591**

**Angle Parking**

510. Upon a Highway which has been marked or signed for angle parking, the driver of a vehicle must park such vehicle at the angle to the curb indicated by such marks or signs and parallel to and between such marks, with the front wheels not less than 30 centimetres from the curb, or any part of the vehicle at a greater distance than 5 metres from the curb.

**7591**

511. No person shall park a vehicle in a parking space marked for angle parking where the length of such vehicle and any Trailer attached thereto exceeds 5 metres.

512. No person shall back a vehicle into a parking space marked for angle parking.

**Leaving Parked Vehicle**

513. Every vehicle shall be equipped with a lock or other device to prevent unauthorized use of the vehicle.

514. No person having control or charge of a vehicle shall permit it to stand unattended without:
- 514.1 stopping the engine and locking the vehicle in a secure manner to prevent its unauthorized use; and
- 514.2 when standing upon any perceptible grade, without turning the front wheels to the curb or side of the Roadway.

**Passenger Zones, Commercial Loading Zones and Loading Zones**

**8431**

515. Every Passenger Zone, Commercial Loading Zone and Loading Zone authorized by a bylaw or an order under a bylaw and established for the purpose of loading and unloading persons, materials or goods, and existing prior to adoption of this Bylaw, is authorized.
- 8431**
516. The Municipal Engineer may, by causing Traffic Control Devices to be placed or erected on any portion of a Highway, establish the designated portion of that Highway as a Loading Zone, Passenger Zone, or Commercial Loading Zone, and designate the area and define the rights, duties and obligations of traffic with respect to that Loading Zone, Passenger Zone, or Commercial Loading Zone.
- 8431**
517. No person may stop, stand or park a vehicle in a Passenger Zone, except for a passenger vehicle for a maximum of five minutes while loading or unloading persons.
- 8431**
518. No person shall stop, stand or park a vehicle in a Loading Zone except for the purpose of loading or unloading passengers, goods or materials, and no person shall stop, stand or park a vehicle in a Loading Zone for longer than the maximum period indicated on any Traffic Control Device, or in the absence of such posted time limit, for longer than five minutes for the loading or unloading of passengers or 30 minutes for the loading or unloading of goods or materials.
- 8431**
519. No person shall stop, stand or park a vehicle other than a Commercial Vehicle in a Commercial Loading Zone.
- 8431**
520. No person shall stop, stand or park a vehicle in a Commercial Loading Zone except for the purpose of loading or unloading goods or materials, and no person shall stop, stand or park a vehicle in a Loading Zone for longer than the maximum period indicated on any Traffic Control Device, or in the absence of such posted time limit, for longer than 30 minutes.
- 8431**

**Person with a Disability Parking**

521. The Municipal Engineer may make orders for the designation of Disabled Zones and may rescind, revoke, amend and vary such orders.
522. Council designates the Social Planning and Research Council of British Columbia as the organization responsible for issuing and cancelling Disability Parking Permits pursuant to the Regulations.
523. An application for a Disability Parking Permit may be made by or on behalf of a Person with a Disability to the Social Planning and Research Council of British Columbia.
- 7591**
524. All Disabled Parking Zones existing on the date of adoption of this bylaw are deemed to be authorized Disabled Zones established under this bylaw.

525. No person shall stop, stand or park a vehicle in a Disabled Parking Zone that does not display a valid Disability Parking Permit or a permit of a similar nature issued by another jurisdiction.
526. No person shall stop, stand or park a vehicle in a Disabled Zone that displays a valid Disability Parking Permit unless the vehicle is stopped, left standing or parked for the purpose of transporting a Person with a Disability.

#### **Resident Parking Permits**

527. All Resident Parking Zones existing on the date of adoption of this bylaw are deemed to be authorized Resident Parking Zones established under this bylaw.
528. The Municipal Engineer may: a) subject to Council approval, make orders for the designation of Resident Parking Zones; b) make orders for the form of application for Resident Parking Permits, fees payable for Resident Parking Permits and Resident Guest Passes, the form of Resident Parking Permits and Resident Guest Passes and the terms and conditions of Resident Parking Permits and Resident Guest Passes, and may rescind, revoke, amend and vary such orders.
529. Applications for Resident Parking Permits may be made only by individuals who permanently reside in the dwelling units immediately adjacent to a Resident Parking Zone.
530. Upon receipt of a completed application form and payment of the applicable fees, the Municipal Engineer may issue to the applicant a Resident Parking Permit, provided the applicant meets all of the requirements for a Resident Parking Permit.
531. A person holding a Resident Parking Permit shall affix the Resident Parking Permit to the lower front driver's side windshield of that person's vehicle.
532. No person, being the holder of a Resident Parking Permit, shall transfer or allow the use of the Resident Parking Permit by any other person.
533. Where a Resident Parking Zone allows for the issuance of a Resident Guest Pass, an applicant for a Resident Parking Permit may apply for a Resident Guest Pass for use by that person's guests.
534. A person using a Resident Guest Pass shall place the Resident Guest Pass on the driver's side of the front dashboard of that person's vehicle at all times while parked in a Resident Parking Zone.
535. No person shall park in a Resident Parking Zone:

**7591**

- 535.1 a vehicle that does not display in the manner required a valid Resident Parking Permit or Resident Guest Pass for that Resident Parking Zone; or
- 535.2 a vehicle displaying a valid Resident Parking Permit which is not a vehicle owned or possessed by the applicant for that Resident Parking Permit.

#### **Exemptions**

536. This Part shall not apply to any emergency vehicle while attending at an emergency call, but this exemption shall not excuse the driver of any such vehicle from exercising due and proper care for the safety of other traffic.
537. This Part shall not apply to:
- 537.1 vehicles of the Province or the District or their contractors;
- 537.2 vehicles of public transit supervisors, a public utility corporation or their contractors; and
- 537.3 tow trucks,

while the operators of such vehicles are actively and visibly engaged in work requiring the vehicles to be stopped or parked in contravention of any of such provisions, or are parked on a stand-by basis for the purpose of being available for emergency use; and

537.4 residential moving trucks or delivery vehicles actively and visibly engaged in loading or unloading.

#### **Transportation Network Services**

538. The Municipal Engineer may establish and designate Geo-fenced Areas and regulate and control the operation of Transportation Network Services within any Geo-fenced Area, including the regulation or prohibition of stopping and loading by any Transportation Network Services provider within a Geo-fenced Area.

**8431**

539. Except for Accessible Passenger Directed Vehicles, a Transportation Network Services provider must not cause, allow, or permit any Passenger Directed Vehicles being operated under the licence issued to them under the *Passenger Transportation Act* to stop to pick up or drop off any passengers on any Highway within the District of North Vancouver on Weekdays between the hours of 7:00 a.m. and 9:00 a.m. or the hours of 2:00 p.m. and 6:00 p.m. unless they hold a valid Congestion and Curbside Management Permit, in which case the Passenger Directed Vehicles may stop at any place where stopping is permitted at such times for the purposes of picking up or dropping off passengers.

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540. The Municipal Engineer may issue a Congestion and Curbside Management Permit to a Transportation Network Services provider for the fee set out in the Fees and Charges Bylaw 6481, 1992, as amended from time to time, which fee may vary among vehicle types, and which fee shall be payable monthly at the end of each month in a manner satisfactory to the Municipal Engineer. No permit shall be required for Accessible Passenger Directed Vehicles used by a Transportation Network Services provider.

**8431**

### **Part 6 – General Regulations**

#### **Enforcement Officers**

601. All Enforcement Officers are authorized to do all things necessary to control traffic in pursuance of this bylaw at all times and to ensure that the requirements of this bylaw are being carried out.

602. All Enforcement Officers are authorized to direct traffic as the Enforcement Officer reasonably considers necessary:

602.1 to ensure the orderly movement of traffic;

602.2 prevent injury or damage to persons or property; and

602.3 permit proper action in any emergency.

603. No person shall refuse to comply with any lawful direction of any Enforcement Officer.

604. No person shall hinder, delay or obstruct in any manner, directly or indirectly, an Enforcement Officer carrying out duties in accordance with this bylaw.

#### **Emergency Vehicles and Fire Hoses**

605. A driver, other than that of an emergency vehicle, must not follow fire apparatus closer than 150 metres or drive or park within 150 metres of the place on the same Highway on which fire apparatus has stopped in answer to a fire alarm, and, unless he or she has received consent of the fire department official in command or an Enforcement Officer, a person must not drive a vehicle over an unprotected

hose of a fire department when laid down on a Highway Boulevard Crossing or Driveway at a fire or an alarm of fire.

**7591**

**Speed Limits**

606. No person shall operate a vehicle upon a Lane within the District at a greater rate of speed than 20 kilometres per hour.
607. No person shall operate a vehicle upon a Highway within the District at a greater rate of speed than 50 kilometres per hour, except where otherwise indicated by a Traffic Control Device.
608. The Municipal Engineer may by order establish school, playground and Park zones and order the placing of Traffic Control Devices to indicate such zones, and:
- 608.1 Every person driving between the hours of 8.00 a.m. and 5.00 p.m. on a day school is regularly held, a vehicle on a Highway where signs are displayed stating a speed limit of 30 kilometres per hour or on which the numerals "30" are prominently shown, must drive at a rate of speed not exceeding 30 kilometres per hour while approaching, passing or in the vicinity, as indicated by the signs, of the school to which the signs relate.
- 608.2 Every person driving a vehicle on a Highway must drive the vehicle at a rate of speed not exceeding 30 kilometres per hour when approaching or passing, between dawn and dusk, a public playground for children or a public Park where signs are displayed stating a speed limit of 30 kilometres per hour, or on which the numerals "30" are prominently shown.
609. Where a sign has been erected or placed on a Highway limiting the rate of speed of vehicles driven or operated on that Highway or portion of Highway, a person shall not drive or operate a vehicle on that portion of the Highway at a greater rate of speed than that indicated on the sign.

**Animals**

610. No person shall drive or herd any animal on any Highway in the District, unless such animal is at all times under the control of that person and does not interfere with vehicular traffic, except an Enforcement Officer in the discharge of their duty.
611. All persons with an animal in their care, custody or control on a Highway shall immediately pick-up and remove from the Highway all faeces of such animal deposited on a Highway.
612. No person shall ride, drive or lead a horse on any Highway between dusk and dawn.

**Driving on Sidewalk**

613. The driver of any vehicle shall not drive such vehicle upon any sidewalk or boulevard except on a boulevard crossing provided for such purposes.

**7591**

**Stop When Traffic Obstructed**

614. No driver of a vehicle shall enter an intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

**Clinging to Moving Vehicle**

615. No person riding any cycle, coaster, skis, roller skates, roller blades, in-line skates, skateboard, scooters, toy motor vehicle or sleigh, shall cling to any vehicle in motion.

**Horn for Warning Only**

616. No person shall sound the horn of a vehicle except when necessary to warn a person or animal of danger.

### **Roller Skating and Skateboarding**

617. No person shall propel, coast, ride or in any other way use Roller Skates or a Skateboard:
- 617.1 on a sidewalk;
  - 617.2 on any Roadway or Lane unless that person is properly wearing a helmet on his or her head, except if that person is a person for whom the wearing of a helmet would interfere with an essential religious practice;
  - 617.3 on any Roadway or Lane except as near to the right side of the Roadway or Lane as is practicable;
  - 617.4 on any Roadway or Lane that is posted with a speed limit exceeding 50 kilometres per hour;
  - 617.5 on a Roadway or Lane between sunset and sunrise;
  - 617.6 on any Roadway or Lane while being towed by a vehicle, bicycle or animal;
  - 617.7 on any Roadway or Lane in such a manner as to pose a hazard to traffic; **7915**
  - 617.8 on any Roadway or Lane in any position other than standing or **7915**
  - 617.9 on any Roadway or Lane:
    - a) without due care and attention; or
    - b) without reasonable consideration for other persons or vehicles using the Roadway or Lane. **7915**

### **Refuse on Highways**

618. No person shall throw, drop, deposit, leave, or allow to fall from or out of any vehicle or conveyance, any bottle, glass, crockery, nails, wood, sawdust, cigarettes, or refuse, or any other object or material, on or upon any Highway, and any person who has thrown, dropped, deposited or left any such object or material shall forthwith remove the same from such Highway.

### **Chattels on Highway**

619. No person shall place or store any material, object, container or Structure on any Highway, except as permitted by bylaw of the District.

### **Shopping Cart on Highway**

620. No person shall allow a shopping cart owned by that person or provided for use by that person in the operation of a retail business to be or remain on a Highway or in a public place, other than within a parking lot used or designated for use by the retail business to which that shopping cart relates.

### **Accumulations on Highway**

621. No person shall allow any earth, rock, stones, trees, logs, stumps or other substances or materials to cave, fall, crumble, slide, accumulate or to be otherwise deposited on any Highway, except as permitted by bylaw of the District.

### **Defacing Highway**

622. No person shall mark, imprint or otherwise deface any Highway.

**Selling on a Highway**

623. No person shall use or occupy any Highway for the purpose of selling or displaying any goods or wares, including without limitation any flowers, fruit, vegetables, seafood, commodity, article or other thing.

**Funeral or Authorized Procession**

624. No driver of a vehicle shall drive between the vehicles comprising a funeral or authorized Procession while it is in motion, except at intersections where traffic is being controlled by an Enforcement Officer.
625. Funeral processions shall be identified as such by each vehicle therein having its headlights and rear lights illuminated or by the display of a pennant or other identifying insignia.

**Action at Scene of Accident**

626. Any person in charge of a vehicle involved in an accident on any Highway shall take immediate and reasonable precautions to safeguard traffic, which precautions shall include the removal of any damaged vehicles from the line of traffic.

**Processions**

627. No person shall take part in any Procession unless a Highway Use Permit for that Procession has been issued by the Municipal Engineer.
628. No pedestrians or driver of a vehicle shall interfere with a Procession lawfully in progress, except to comply with a Traffic Control Device or the directions of an Enforcement Officer.

**Removal of Snow and Ice From Sidewalk**

629. The Owner or occupier of an industrial, commercial or multifamily property shall remove any accumulation of snow or ice from the sidewalks and footpaths bordering the real property within 24 hours after the cessation of any snowfall that caused any accumulation of snow or ice on any sidewalk, or prior to the depth of snow accumulation exceeding 10 centimetres.

**Boulevard Maintenance**

630. Every owner of property must keep the Boulevard adjacent to such property, including any Sidewalk, in a tidy condition, including by removing Rubbish, debris, materials, or Noxious Weeds, keeping grass or weeds on the Boulevard trimmed to a height of not more than 30cm, and keeping landscaping trimmed so that it does not interfere with pedestrian safety or District signage or encroach into or over Sidewalks, Cycle Paths, or Roadways;
- 630A. A property Owner must remove or mitigate any landscaping or conditions on the Boulevard adjacent to such person's property which, in the opinion of the Municipal Engineer, pose a hazard to public safety or obstruct or interfere with public use of the Boulevard or which are a violation of this or any other District bylaw.
- 630B. Whenever a person is in default of doing any matter or thing required to be done under this bylaw, the District, through its employees or agents, may do what is required to be done, at the expense of the person in default. The District may recover all costs of completing such work, with interest at the rate applicable thereto, in the same manner as it may recover municipal taxes.

**8100**

**8100**

**8100**

**Spills**

631. No person shall cause or permit any substance or material to blow, drop, spill, fall, flow or drift from adjacent land, or from a vehicle, onto any Highway. In the event any substance or material is deposited onto a Highway contrary to this section, the Owner or occupier of the adjacent land or the vehicle, as the case may be, shall take such immediate steps as may be necessary to remove the material from the Highway, and to clean the Highway and repair any damage caused to the Highway, at that person's sole cost and expense.

## **Part 7 – Highway Use Regulations**

701. Intentionally deleted. **8100**
702. No person shall:
- (a) undertake or permit to be undertaken any work in, on, over or under a Highway, or leave any obstruction or works in, on, over or under a Highway;
  - (b) use or permit to be used a Highway in a manner, or otherwise engage in any conduct which the Municipal Engineer in his or her discretion determines does or may impede or interfere with pedestrian, bicycle or vehicular traffic on a Highway or parking on Highway;
- without a valid and subsisting Highway Use Permit issued by the District pursuant to this Bylaw. **8100**
703. The holder of a Highway Use Permit must comply with each and every term and condition contained therein and with the terms, conditions and restrictions in any Traffic Management Plan(s) attached thereto or incorporated therein. **8060, 8100**
704. The Municipal Engineer is authorized to issue Highway Use Permits to permit temporary use and occupation of a Highway including: **8100**
- 704.1 the placement and maintenance of fixtures and chattels on the Highway required in conjunction with works taking place on the Boulevard or property adjacent to the Boulevard; **8100**
  - 704.2 the closure or obstruction of all or a portion of a Highway, including but not limited to occupation of a portion of a Highway by vehicles, equipment, or other items, including Waste Disposal Bins, to facilitate works on property adjacent to the Highway; **8100**
  - 704.3 construction of works relating to public or private utilities; and **8133**
  - 704.4 special events, including block parties, parades, Processions, movie filming and related signage.
- For greater certainty, this section 704 does not authorize the Municipal Engineer to issue a Highway Use Permit in relation to works described in section 725, unless the District has issued a Highway Encroachment Agreement for such works. **8100**
- Application for Highway Use Permit**
705. The Municipal Engineer may make orders respecting the application for and issuance of Highway Use Permits, including the circumstances under which such permits will be issued, the form of application, the form of permits and the terms and conditions of such permits, all in accordance with this bylaw. Without limitation, the Municipal Engineer may require, as part of any application for a Highway Use Permit:
- 705.1 provision of satisfactory plans and specifications of any work to be undertaken on, over or under a Highway;



- 705.2 provision of a Traffic Management Plan satisfactory to the Municipal Engineer, including position and type of Traffic Control Devices;  
**7591, 8100**
- 705.3 provision of a site safety plan satisfactory to the Municipal Engineer;  
**8100**
- 705.4 a deposit with the District of a sum of money as security in an amount and in a form determined by the Municipal Engineer:
- 705.4.1 to ensure that any obligations imposed by a Highway Use Permit are fulfilled and completed within the time specified in the Highway Use Permit;
- 705.4.2 to cover the cost of repairing any potential damage to the Highway, or any installations therein or thereon, by reason of the things to be done pursuant to the Highway Use Permit;
- 705.4.3 to pay any fees payable under sections 706A and 706B of this bylaw.  
**8100**
- 705.5 payment of an inspection fee, or the actual cost incurred by the District for administration and inspection in connection with the Highway Use Permit, whichever is greater.  
**8100**
706. The Municipal Engineer is authorized to revoke or amend a Highway Use Permit at any time where considered necessary or desirable by the Municipal Engineer.  
**7798, 7960, 8100**
- 706A. For use or occupation of a portion of a Highway which has been designated as a no stopping zone or which is, in the opinion of the Municipal Engineer, necessary for the movement of vehicle or pedestrian traffic, the applicant for a Highway Use Permit must pay the Special Highway Use Permit Fee for each 12 hours or part thereof of occupancy, except that where the Municipal Engineer is satisfied that a portion of such Highway has, for any 12-hour period, a sufficiently low volume of traffic to warrant relaxation of the stopping prohibition, the Municipal Engineer may permit temporary occupancy of a portion of such Highway during that 12-hour period and in accordance with the terms and conditions of a Highway Use Permit and the fee set out in this clause shall not apply.  
**8100**
- 706B. The Highway Use Permit fee and Special Highway Use Permit fee are prescribed in Schedule "F" of the Fees and Charges Bylaw 6481. The Special Highway Use Permit fees are in addition to any fees payable for a Highway Use Permit pursuant to any other section of this bylaw.  
**8100**
- 706C. Any fees payable in respect of a Highway Use Permit may be deducted from the security deposit collected pursuant to section 705.4 or from any other deposit that the holder of the Highway Use Permit may have provided to the District to secure payment of said fees.  
**8100**
- Mail and Newspaper Boxes**
707. The Municipal Engineer may authorize by permit the placement of mail boxes and newspaper boxes, which may only be placed on a Highway with the approval of the Municipal Engineer and only as follows:
- 707.1 no less than 9 metres from the lateral lines of an intersecting Roadway;
- 707.2 at the back edge of a sidewalk leaving at least 1.5 metres of sidewalk clearance, or, where no sidewalk, at the back edge of the Boulevard;

- 707.3 no less than 1 metre from wheelchair access pads and bus stop pad areas;
  - 707.4 not adjacent to Roadways designated as no stopping zones;
  - 707.5 the Municipal Engineer may at any time require the relocation of a box for safety or highway use reasons; and
  - 707.6 the Municipal Engineer may, after informing the owner, relocate a Newspaper Box to another location if the space is required for any other purpose.
- 7591**
708. The placement of Newspaper Boxes on a Highway in accordance with section 707 is limited as follows:
- 708.1 Newspaper Boxes must not exceed the following dimensions:
    - (a) width: 610 mm
    - (b) depth: 280 mm
    - (c) height: 1088 mm
  - 708.2 a maximum of two Newspaper Boxes per Block Face may be approved;
  - 708.3 Newspaper Boxes must only be used for distribution of a publication and past editions must be removed from the box upon the release of each new edition;
  - 708.4 a publication may not have more than one newspaper box per Block Face; and
  - 708.5 Newspaper Boxes must not bear any third party advertising, except with the written consent of the Municipal Engineer.
- 7591**
709. Where more than one applicant seeks approval to place a Newspaper Box at a particular location, preference will be given to the applicant that does not already have a box in that block and if none of the applicants has a box in that block, the matter will be determined by lottery.
- 7591**
710. A permit authorizing the placement of a Newspaper Box on a Highway is valid for one year and may be renewed on or before January 1 each year.
- 7591**
711. Upon applying for a Newspaper Box permit and or any renewal of such a permit, the owner must provide the District with an inventory of Newspaper Box locations and any boxes not reported on the inventory may be removed and a fine imposed in accordance with Part 12 of this bylaw and Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481.
- 7591, 7798, 7960**
712. Where a Newspaper Box has not had publications deposited or removed or is in a state of mechanical disrepair for more than 30 days, the District may revoke the permit and remove the box at the owner's expense in accordance with Part 12 of this bylaw and Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481.
- 7591, 7798, 7960**
713. If the holder of a permit is in breach of any provisions of sections 707 through 712 of this bylaw, the Municipal Engineer may suspend, revoke or refuse to renew the permit and remove the box

at the owner's expense in accordance with Part 12 of this bylaw and Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481.

**7591, 7798, 7960**

#### **Permitted Installations**

714. An Owner or occupier of real property may on the Boulevard immediately adjacent to that real property:

- 714.1.1 Repair and replace an existing Access Improvement, provided that:
- 714.1.2 the Access Improvement is the subject of a previous permit or other valid and subsisting approval issued by the District
- 714.1.3 the repair or replacement does not increase the width or height of the Access Improvement;
- 714.1.4 the proposed repair or replacement complies with all requirements for that Access Improvement set out in the Development Servicing Bylaw No. 7388; and

**7591**

- 714.1.5 the proposed repair or replacement meets all of the conditions in sections 718.1 and 718.4.
- 714.1.6 Repair and replace an existing retaining wall, provided that:
- 714.1.7 the retaining wall is the subject of a previous permit or other valid and subsisting approval issued by the District;
- 714.1.8 the proposed repair or replacement does not increase the width or height of the retaining wall;
- 714.1.9 the proposed repair or replacement is not constructed within 1.5 metres of an above ground or below ground utility or other Structure;
- 714.1.10 the proposed repair or replacement complies with all District requirements for that retaining wall as set out in the Development Servicing Bylaw No. 7388; and

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- 714.1.11 the proposed repair or replacement meets all of the conditions in sections 718.2 and 718.4.

714.2 Place bark mulch, gravel rock or similar natural and pervious material provided that the material is placed to a total thickness of no more than 10 centimetres, does not change the existing grade and the material must be placed in such a manner so as to prevent it from migrating to the Roadway.

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#### **Permitted Planting**

715. An Owner or occupier of real property may, on the Boulevard or on the Unopened Road Allowance immediately adjacent to that real property, plant a bush or shrub, ornamental planting or grass or groundcover or any combination thereof, that when fully grown in its natural state:

- 715.1 is not likely to have a height in excess of 0.9 metres;
- 715.2 will comply with all District bylaws;

- 715.3 except in the case of grass or groundcover, is located at least 1.5 metres from any edge of travel lane, curb face, or back of sidewalk; whichever is farthest away from the road travel lane edge;
- 715.4 is not likely to partially or wholly obstruct access to pedestrians;
- 715.5 will not prevent or inhibit the safe use of the Highway by vehicular or cycle traffic;
- 715.6 will not obstruct sightlines required for clear visibility of traffic approaching any intersection, Driveway or walkway, as determined by the Municipal Engineer, such that an eye 0.9 metres above the surface elevation of one Highway cannot see an object 0.9 metres above the surface elevation of the adjoining Highway;
- 715.7 will not bury, damage, obstruct access to, unduly expose, or interfere with any public utility or service in, on or over the Highway;
- 715.8 is a plant species indigenous to the BC Southern Coastal area where the proposed planting is on a slope greater than 3:1 or is within 30 metres of the high water mark of a creek or any other body of water; and

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- 715.9 will meet all of the conditions in sections 718.3 and 718.4.

#### **Prohibitions**

- 716. Except as set out in sections 406, 707-715, and 742 no person shall undertake any construction or planting on a Highway without a Highway Construction and Planting Permit or other District approval. Without limiting the generality of the foregoing, no person shall:

- 716.1 construct any Structure on a Highway, including without limitation, any fence, planter box or Stacked Rock Wall, or install any Highway furnishings including ornamental lighting and benches;
- 716.2 install any impervious hard surface on a Highway;
- 716.3 place a berm or fill on a Highway which alters natural grade;
- 716.4 erect any signage on a Highway;
- 716.5 plant a bush, shrub, ornamental planting or ground cover likely to have a height in excess of 0.9 metre in a Highway;
- 716.6 plant a tree or a hedge in a Highway; or
- 716.7 construct an Access Improvement on a Highway.

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#### **Application for Highway Construction and Planting Permit**

- 717. An Owner who wishes to obtain a Highway Construction and Planting Permit shall apply in writing to the Municipal Engineer. The application shall include:

- 717.1 a description of the nature, extent and purpose of the proposed construction or planting, as the case may be;
- 717.2 a plan satisfactory to the Municipal Engineer showing the details of the proposed construction or planting;

- 717.3 details respecting the manner in which the proposed construction or planting will be undertaken, including the details of construction and maintenance, as applicable, to ensure the preservation and continued safe use of the Highway for municipal purposes;
- 717.4 the application and applicable permit fee as prescribed in Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481.
- 7798, 7960**
- 717.5 such further information and material as may be required by the Municipal Engineer to ensure compliance with the terms and conditions of this bylaw.
718. The Municipal Engineer shall consider all applications for Highway Construction and Planting Permits and, subject to compliance with the terms and conditions of this Part, and subject to the conditions set out in this Section, may, in his or her discretion, issue a Highway Construction and Planting Permit, impose conditions and restrictions on the issuance of a Highway Construction and Planting Permit and make orders respecting the application for and issuance of Highway Construction and Planting Permits, including the circumstances under which such permits will be issued, the form of application, the form of permits and the terms and conditions of such permits, all in accordance with this bylaw. The issuance of a Highway Construction and Planting Permit, in addition to any terms and condition imposed by the Municipal Engineer, will be subject to the following:
- 718.1 in the case of proposed Access Improvements:
- 7591**
- 718.1.1 the proposed Boulevard Crossing is not constructed within 1.5 metres of an above ground utility or other Structure;
- 718.1.2 the placement of the proposed Boulevard Crossing will not obstruct clear visibility, as determined by the Municipal Engineer, such that an eye 0.9 metres above the surface elevation of the Driveway can see an object 0.9 metres above the surface elevation of the adjoining Highway; and
- 718.1.3 the proposed Access Improvement complies with all requirements for that Access Improvement set out in the Development Servicing Bylaw No. 7388.
- 718.2 in the case of a proposed retaining wall:
- 718.2.1 the retaining wall is necessary to provide stability to existing or altered slopes, to control potential erosion, to protect works or services, to provide access to works or services, to retain other land or Structures or to control surface drainage;
- 718.2.2 the retaining wall cannot be placed on the adjacent real property due to topographical constraints;
- 718.2.3 the retaining wall complies with all applicable requirements set out in the Development Servicing Bylaw No. 7388; and
- 718.2.4 where the retaining wall extends into private property, the retaining wall complies with all requirements set out in the Zoning Bylaw No. 3210.
- 718.3 in the case of a proposed tree or planting likely to exceed 0.9 metre in height:
- 718.3.1 any tree or planting is located at least 1.5 metres from any edge of travel lane, curb face, or back of sidewalk, whichever is farthest away from the road travel lane edge;

- 718.3.2 the tree or planting is located at least 0.75 metre from all underground utilities;
- 718.3.3 a deciduous tree has a minimum Calliper of 5 centimetres and a coniferous tree has a minimum height of 1 metre at the time of planting;
- 718.3.4 the tree is of a species appropriate for a Highway as determined by the District;
- 718.3.5 the tree is planted in accordance with British Columbia Society of Landscape Architects and British Columbia Landscape and Nursery Association Standards; and
- 718.3.6 the tree is planted in accordance with the Development Servicing Bylaw No. 7388.

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- 718.4 in all cases the proposed construction or planting:
  - 718.4.1 is not hazardous and does not impede pedestrian or vehicle traffic;
  - 718.4.2 does not obstruct sight lines necessary for traffic safety;
  - 718.4.3 does not bury, damage, obstruct access to or unduly expose any public utility or service in, over or under the Highway;
  - 718.4.4 does not impair or divert drainage patterns; and
  - 718.4.5 meets all other requirements as set out in this bylaw.
- 719. The Municipal Engineer may at any time revoke or amend a Highway Construction and Planting Permit where considered necessary or desirable by the Municipal Engineer.
- 720. A Highway Construction and Planting Permit will not be issued for any work that the Municipal Engineer considers would cause a nuisance on, obstruct, foul or damage any part of Highway.
- 721. A Highway Construction and Planting Permit will not be issued for any work resulting in or associated with a Structure on a Highway to which section 725 applies unless the applicant has a valid and subsisting Highway Encroachment Agreement for the Structure.
- 722. All Highway Construction and Planting Permits are subject to the conditions set out in this bylaw and all holders of Highway Construction and Planting Permits shall conform strictly to the conditions in this bylaw and to all conditions set out in the Highway Construction and Planting Permit. No Highway and Construction Planting Permit shall be issued to a person other than the registered Owner of the real property adjacent to the Highway or the Owner's authorized agent.
- 723. An Owner shall, before undertaking any work pursuant to a Highway Construction and Planting Permit, obtain all required permits and approvals under this and all other applicable bylaws of the District.
- 724. An Owner shall keep all works undertaken pursuant to a Highway Construction and Planting Permit in good and sufficient repair to the satisfaction of the District. In the event that an Owner fails or neglects to keep such works in good and sufficient repair, the District may make such repairs or effect a removal of the works and restoration of the Highway and the Owner shall pay all costs incurred by the District in undertaking such work.

### **Highway Encroachment Agreements**

725. A Highway Construction and Planting Permit shall not be issued for or in relation to a building, deck, garage, carport, swimming pool, awning, canopy or any other fixture on land unless the applicant has a valid Highway Encroachment Agreement issued by the District for it. Without limiting the generality of the foregoing, a Highway Encroachment Agreement is not required for a retaining wall that does not exceed 1.2 meters in height, an Access Improvement, a mail or newspaper box, a fence or a hedge provided that the fence or the hedge does not have the effect of substantially enclosing all or part of a Highway.

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726. The Municipal Engineer is authorized to make and execute Highway Encroachment Agreements on behalf of the District in the form approved by the Municipal Engineer.
727. Highway Encroachment Agreements will not be considered for any Structure that the Municipal Engineer considers would cause a nuisance on, obstruct, foul or damage any part of a Highway.

### **Injury to Boulevards and Unopened Road Allowances**

728. No person shall willfully damage, harm or cause injury to any tree, shrub, plant, bush, hedge, ornamental planting, fence or Highway lighting in a Boulevard or an Unopened Road Allowance.
729. No person shall cut down or prune any tree on any Boulevard or Unopened Road Allowance, except as authorized by the District Environmental Protection and Preservation Bylaw and the Corporate Policy for Tree Work in the District.
730. Intentionally deleted.

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### **Removal of Private Works on a Highway**

731. All plantings and improvements undertaken by a person in a Highway shall be undertaken at that person's sole risk and expense.
732. No person shall permit or undertake any planting or improvements in a Highway so as to interfere with any works of the District or third parties and all such works shall remain unaltered and accessible at all times.
733. A person undertaking plantings or improvements on a Highway is responsible for any damage done to municipal or other works on the Highway.

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734. Any planting or improvements made to a Highway by any person may be interfered with or removed by the District at any time, at the District's sole discretion, whether authorized by a Highway Construction and Planting Permit or otherwise.
735. The District is not liable to any person for any alteration, removal or restoration of the Highway to its condition prior to any interference or removal by the District.
736. The District may at any time:
- 736.1 require by notice in writing that the Owner of real property adjacent to a Highway remove all planting and improvements installed by that Owner within two weeks of such notice; and
  - 736.2 remove any planting and improvements to the Highway undertaken by an Owner and restore the Highway as the District determines appropriate in the circumstances.
737. Upon completion of any work by the District in a Highway, an Owner may replace any removed plant and landscaping material in compliance with this bylaw.

738. No person shall interfere with, or attempt to interfere with, any action taken by the District under this Part.

**Outdoor Customer Service Areas**

739. An Owner or occupier of a restaurant or retail food service premises or liquor licensed establishment may apply in writing to the Municipal Engineer for an Outdoor Customer Service Area Permit to allow the use of a portion of the Boulevard adjacent to that premises as an Outdoor Customer Service Area. The application shall include:

- 739.1 a description of the nature, extent and purpose of the proposed Outdoor Customer Service Area;
- 739.2 plans respecting the proposed use and placement of tables and chairs on the Boulevard;
- 739.3 the application and applicable permit fee as prescribed in Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481;

**7798, 7960**

- 739.4 proof satisfactory to the Municipal Engineer of insurance in respect of the Outdoor Customer Service Area on the following terms:
  - 739.4.1 an all-risk comprehensive general liability policy in an amount stipulated by the Municipal Engineer, and in no event less than \$2,000,000 per occurrence;
  - 739.4.2 the policy shall name the District as an additional named insured; and
  - 739.4.3 the policy shall provide for 30 days' notice to the District by the insurer in case of material change or termination; and
- 739.5 such further information and material as may be required by the Municipal Engineer to ensure compliance with the terms and conditions of this bylaw.

740. The Municipal Engineer shall consider all applications for Outdoor Customer Service Area Permits and, subject to compliance with the terms and conditions of this Part, may issue an Outdoor Customer Service Area Permit where:

- 740.1 the applicant meets all requirements for the Outdoor Customer Service Area as set out in the District Zoning Bylaw;
- 740.2 the proposed Outdoor Customer Service Area Permit does not interfere with vehicular traffic or access to and from any premises;
- 740.3 the proposed Outdoor Customer Service Area permits at least 2.0 metres of sidewalk for pedestrian traffic;
- 740.4 all furniture and other improvements used by the applicant in the Outdoor Customer Service Area is capable of being removed on 24 hours' notice; and
- 740.5 no improvements are being affixed to the Highway.

741. All Outdoor Customer Service Area Permits are subject to the conditions set out in this bylaw and all holders of an Outdoor Customer Service Area Permit shall conform strictly to the conditions in this bylaw and to all terms and conditions set out in the Outdoor Customer Service Area Permit.



### **Election campaign signs**

742. Any person may place an election campaign sign on a Highway for the purpose of promoting a candidate or political party for election to public office.

Election campaign signs:

- 742.1 are prohibited on Highway Medians;
- 742.2 are prohibited on or in front of District flower or shrub beds;
- 742.3 are prohibited on a Highway within 100 metres of the District Municipal Hall;
- 742.4 for Local Government and School District Elections must not be posted more than 21 days prior to Voting Day;
- 742.5 must be removed within 8 days following Voting Day; and
- 742.6 that are placed in a prohibited area may be removed by an Enforcement Officer.

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## **Part 8 – Vehicle Weight, Loads, Dimensions**

### **Tires and Types of Vehicles**

801. No person shall operate any vehicle on any Highway in the District having solid rubber tires with a tire thickness of less than 3 centimetres between the rim of the wheel and the outer surface of the tire.
802. Except for commercial vehicles engaged in the construction of a Highway construction project, no person shall operate any vehicle upon any Highway in the District having wheels, tires, or tracks constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread or traction surface of the wheel, tire or track, except:
- 802.1 tire chains of reasonable proportions, where required for safety from October 1 through April 30; or
  - 802.2 tire studs that do not protrude more than 3 mm from the tread or traction surface of a tire may be used between October 1 and April 30, provided:
    - 802.2.1 there are not more than a total of 130 studs where a vehicle has a gross weight of not more than 5 tonnes, or 175 studs where the vehicle has a gross weight of more than 5 tonnes; and
    - 802.2.2 no studs may be used on the front tires of a vehicle unless each rear wheel has at least one studded tire.

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803. No person shall, except as authorized by an Oversize/Overweight Permit issued in accordance with this Part, drive or operate on any Highway:
- 803.1 a combination of vehicles consisting of more than two vehicles;
  - 803.2 a vehicle or combination of vehicles loaded such that the load extends more than one metre beyond the front wheels of the vehicle, or, if equipped with a front bumper, more than one metre beyond the front bumper;
  - 803.3 a vehicle or combination of vehicles the load of which extends more than 2 metres beyond the back of the vehicle or combination of vehicles; or

- 803.4 a vehicle loaded such that any part of the load extends beyond the sides of the vehicle.
804. The gross weight of any tandem Axles and the gross weight of any group of Axles shall be the sum of the gross Axle weights of all the Axles comprising the tandem Axles or the group of Axles, as the case may be.
805. The gross weight of any vehicle or combination of vehicles shall be the sum of the individual gross Axle weights of all Axles of the vehicle or combination of vehicles.

#### **Weighing and Inspection of Vehicles**

806. Any person driving or operating a vehicle on any Highway, when so directed by an Enforcement Officer, shall:
- 806.1 stop the vehicle at the time and place specified by such Enforcement Officer for the purpose of weighing the whole or part thereof by means of stationary or portable scales, measuring the dimensions of the vehicle and load, measuring and inspecting the tires thereon, inspecting the load carried, or for any purpose under this bylaw, the Regulations, or the Commercial Transport Act;
- 806.2 drive the vehicle to the nearest public scales for the purpose of weighing such vehicle; and
- 806.3 rearrange the load upon the vehicle or remove the whole or any part of the load from the vehicle as may be necessary to comply with the provisions of this bylaw before continuing to drive or operate such vehicle.

#### **Securement of Vehicle Loads**

807. Sections 808 to 818 of this bylaw shall:
- 807.1 apply to all commercial vehicles except a commercial vehicle engaged in Highway construction, other than a paving project, and operating within the limits of a Highway construction project as established by the Municipal Engineer;
- 807.2 not apply to an implement of husbandry as defined in the Motor Vehicle Act; and
- 807.3 not prohibit dropping sand from a vehicle to secure traction, or water or another substance to maintain or clean a Roadway.

#### **Load Secured on Vehicles**

808. No person shall operate a vehicle on a Highway while the vehicle is carrying a load unless the vehicle is constructed and loaded in a way that ensures that none of its load will:
- 808.1 escape from the vehicle; or
- 808.2 affect the operation of the vehicle by shifting or swaying.

#### **Methods of Load Securement**

809. Subject to section 808, no person shall drive or operate a commercial vehicle on a Highway while the vehicle is carrying a load unless the load is secured:
- 809.1 by sides, sideboards or side stakes and a rear end gate, end board or end stakes that:
- 809.1.1 are securely attached to the vehicle;
- 809.1.2 are sufficiently strong and high to ensure that the load will not shift upon or fall from the vehicle; and
- 809.1.3 have no aperture large enough to permit any load to pass through; or

809.2 where the load length falls within a load length category set out in Column 1 of the table as set out below, by the number of tie downs set opposite the category in Column 2, and as many additional tie downs as are necessary to secure the load by:

809.2.1 direct contact; or

809.2.2 dunnage that is secured by the tie downs and is in contact with the exterior including topmost load, in a manner that safely holds interior pieces of the load without causing exterior pieces to crush or break up.

Column 1	Column 2
Length of load along longitudinal vehicle	Minimum number of tie downs required
Not over 2.5m	2
Over 2.5m but not over 7.5m	3
Over 7.5m but not over 10m	4
Over 10m but not over 12.5m	5
Over 12.5m but not over 15m	6

810. An article in a load that is less than 2.5 metres long and less than 1.5 metres high may be secured by one tie down if it is butted against a substantial article or a bulkhead, but if it is not so butted, it must be secured by 2 tie downs and the second one shall be conclusively deemed to be a necessary additional tie down under the requirements of section 809.

#### **Drums**

811. No person shall operate a commercial vehicle on a Highway while the vehicle is carrying drums or barrels on end, unless:

811.1 where metal drums or barrels are stacked on end and on other metal drums or barrels, the stacks are separated by dunnage; and

811.2 the vehicle has sides, sideboards, or side stakes, and the drums or barrels are blocked or tied down with hardware adequate to prevent the load from shifting on the vehicle.

#### **Coverage of All Types of Loads**

812. No person shall operate a commercial vehicle on a Highway while the vehicle is carrying any type of material if any of the load is likely, if not covered, to bounce, blow or drop from the vehicle in transit, unless:

812.1 the load is covered in a way that prevents any of it from blowing, bouncing or dropping from the vehicle; and

812.2 the cover is securely and tightly fastened so that it is not, and cannot become a hazard.

#### **Load Supported on Rollers**

813. No person shall operate a commercial vehicle on a Highway when the load of the vehicle is supported on rollers unless at least one roller is equipped with locks that are fastened in a manner that prevents the load from shifting in transit.

#### **Inter-modal Cargo Containers**

814. No person shall operate a commercial vehicle transporting inter-modal cargo containers on a Highway unless the container is secured between the container securement holes and the load-bearing vehicle structure with securement devices fastened tightly and locked so that the container is prevented from moving relative to the vehicle more than 25 mm under an acceleration relative to vehicle of:

- 814.1 16.5 metre per second per second downward;
- 814.2 4.9 metre per second per second upward;
- 814.3 2.9 metre per second per second laterally; and
- 814.4 17.6 metre per second per second longitudinally.

#### **Tie Downs**

815. Tie downs must:

- 815.1 in the aggregate, have a safe working load of more than the weight of the load secured by the tie down;
- 815.2 be marked directly, or on a tag permanently attached, with the safe working load as warranted by the manufacturer or by a registered professional engineer;
- 815.3 not be used if worn beyond a wear limitation specified by the manufacturer, or to the extent that they have become unsafe;
- 815.4 when in use be protected as necessary against abrasion;
- 815.5 when in use have any load binder handle that forms part of the tie down assembly locked in place and secured by rope, wire or chain; and
- 815.6 be designed, constructed and maintained so that the driver of a vehicle can tighten them.

816. Where a tie down is not identified in the manner set out section 815, it shall be deemed to be of the lowest grade or classification for its type and size.

817. Section 815.6 does not apply in the case of a tie down that consists of steel, fibre or synthetic strapping, if the strapping is taut when in use.

818. For the purpose of this section, the safe working load of a tie down means the maximum load, repeatedly applied, that the tie down is capable of withstanding with complete safety throughout its normal service life.

#### **Bulkheads and Cab Protectors**

819. No person shall operate a commercial vehicle on a Highway while the vehicle is carrying a load unless the vehicle is equipped with a bulkhead or cab protector that each meet the requirements of this section, or both in combination, of sufficient strength to prevent penetration or crushing of the driver's compartment in the event of the load shifting.

820. A bulkhead or cab protector shall extend:

- 820.1 to 120 centimetres above the floor of the cab of the vehicle; or
- 820.2 to the height at which the bulkhead or cab protector, or both in combination, blocks forward movement of any part of the load the vehicle is carrying;

and shall be the width of the vehicle or vehicle cab.

821. Sections 819 and 820 do not apply where a person operates a commercial vehicle that is:

- 821.1 carrying a load in a container where the container is so constructed that it meets the requirements of a bulkhead;

821.2 designed and used exclusively to transport other vehicles, if each vehicle it transports is secured by tie down assemblies as required by section 808 or fastened by a method permitted by section 809; and

821.3 licensed for a gross vehicle weight of 5,500 kilograms or less.

**Heavy Traffic**

822. No person shall operate or allow the presence of a vehicle having a gross vehicle weight of more than 5,000 kilograms on Garden Avenue, West Keith Road and West 17<sup>th</sup> Street.

823. No person shall operate or allow the presence of a vehicle having a gross vehicle weight of more than 30,000 kilograms on Capilano Road, or on that portion of Lillooet Road north of Mount Seymour Parkway.

824. No person shall operate or allow the presence of a vehicle having a gross vehicle weight of more than 10,000 kilograms southbound on that portion of Mountain Highway from Kirkstone Road to Keith Road and eastbound on Mount Seymour Parkway from Mount Seymour Road to Deep Cove Road.

**7591**

824A No person shall operate or allow the presence of a passenger vehicle having a gross vehicle weight of more than 8,850 kilograms.

824A.1 on that portion of Deep Cove Road located north of Mount Seymour Parkway; or

824A.2 within the area outlined and cross-hatched in red on the map attached to this bylaw as Schedule D,

except with a permit issued by the Municipal Engineer or a duly authorized designate.

**8322, 8382**

825. Notwithstanding sections 822, 823, 824 and 824A, a vehicle with a gross vehicle weight greater than the gross vehicle weights proscribed in those sections:

**8322**

825.1 that is a public transit vehicle, an emergency vehicle, or is operated by a municipal, regional, provincial or federal government agency may be used or be present on any Highway in the District; and

825.2 may be present on a Highway listed in section 822 where necessary to access a:

825.2.1 loading or unloading destination on a Highway in the District for the purpose of delivering materials to premises and collecting materials from premises;

825.2.2 lawful overnight or longer term parking or vehicle storage space in the District;

825.2.3 repair or maintenance garage in the District; or

825.2.4 Highway construction or maintenance site in the District where that vehicle is engaged.

**No Engine Brakes**

826. Except where a person is unable to safely slow down or stop by other means, no person shall cause any noise or sound by using engine brakes while operating a commercial vehicle on any Highway.

### **Oversize/Overweight Vehicle Permit**

827. The Municipal Engineer may make orders for the application for and issuance of Oversize/Overweight Permits, including the circumstances under which such permits will be issued, the form of application, the fees payable, the form of permit and the terms and conditions of the permits, to allow oversize vehicles or loads or overweight vehicles or loads otherwise prohibited by this Part.
828. Oversize/Overweight Permits shall be carried in the vehicle whenever it is being driven on a Highway and shall be produced to any Enforcement Officer for inspection upon request.
829. An Oversize/Overweight Permit may, in addition to any other limitations imposed by the Municipal Engineer as a condition of the Oversize/Overweight Permit:
- 829.1 prohibit the driving or operating of any commercial vehicle on any Highway during certain hours;
  - 829.2 specify the maximum rate of speed at which any commercial vehicle may travel;
  - 829.3 require that any commercial vehicle be preceded or followed, or both, by a pilot car in accordance with the regulations of the Commercial Transport Act; and
  - 829.4 require that the commercial vehicle be driven or operated only on specified Highways.
830. No person may, without an Oversize/Overweight Permit, drive or operate on a Highway a vehicle or combination of vehicles exceeding the limits of the dimensions, weights and loads, drive axles, horsepower, or other limits prescribed in the Commercial Transport Act, and any regulations pursuant to the Act.

### **Part 9 – Transportation of Dangerous Goods**

901. No dangerous goods shall be transported within the District except in accordance with this Part.
902. No carrier of dangerous goods shall enter, leave or travel within the District on any Highway within the District other than on those Highways designated as a dangerous goods route on the map attached to this bylaw as Schedule “B”, except that a carrier may for the purposes of obtaining dangerous goods from or delivering dangerous goods to a location off a dangerous goods route or going to or from a permitted vehicle storage location, drive a vehicle by the most direct route to or from the location.
903. No carrier of dangerous goods shall stop within the District except:
- 903.1 at a permitted vehicle storage location;
  - 903.2 to load or unload dangerous goods;
  - 903.3 in compliance with the directions of an Enforcement Officer;
  - 903.4 due to mechanical failure of the carrier or a vehicle accident involving the carrier; or
  - 903.5 to stop for meals or rest stops, of less than half an hour in duration.
904. This Part does not apply to the transportation of dangerous goods in individual containers of less than 250 kilograms or consumer packaged merchandise transported by a vehicle with a gross vehicle weight of up to 13,600 kilograms.

### **Part 10 – Pedestrian Regulations**

- 1001. At any intersection where crosswalks are marked, pedestrians shall use such crosswalks in crossing a Highway.
- 1002. No person shall be on a Highway to solicit a ride, employment, or business from an occupant of a vehicle.
- 1003. On the approach of an emergency vehicle when a pedestrian is on a Roadway, the pedestrian shall immediately proceed or return to the nearest sidewalk or Boulevard and remain there until that vehicle has passed or stopped.
- 1004. No person shall form a part of a group of persons congregated on a Highway in such manner as to obstruct the free passage of pedestrians or vehicles, except as authorized by a Highway Use Permit for Processions.
- 1005. No person shall do anything which causes persons to congregate in a group upon any Highway in such a manner as to unreasonably obstruct the free passage of pedestrians or vehicles, or in such a manner that the persons so congregated might be in danger of injury from traffic.
- 1006. No person shall engage in any sport, amusement, exercise or occupation on any Highway in a manner that is likely to interfere with or obstruct traffic.
- 1007. No person shall stand or loiter on any Highway in such a manner as to obstruct or impede or interfere with pedestrian or vehicle traffic.

### **Part 11 – Cycle Traffic**

#### **Duties of Operator of Cycle**

- 1101. A person operating a cycle:
  - 1101.1 shall not ride upon the sidewalk of any Highway or bridge or upon any pedestrian path in any public Park, unless otherwise directed by a Traffic Control Device;
  - 1101.2 shall not, for the purpose of crossing a Highway, ride on a marked crosswalk unless otherwise directed by a Traffic Control Device;
  - 1101.3 shall not leave a cycle on a sidewalk so as to interfere with or obstruct the flow of pedestrian traffic;
  - 1101.4 shall park such cycles on racks or stands placed on the Highway for that purpose, and shall not park a cycle other than on such rack or stand in areas where such rack or stand is located; and
  - 1101.5 shall not ride a cycle on a Highway where a Traffic Control Device prohibits such use.
- 1102. In addition to the duties imposed by this Part, a person operating a cycle on a Highway has the same rights and duties as the driver of a vehicle.

### **Part 12 – Impoundment**

#### **Impoundment of Vehicles or Chattels**

- 1201. Any chattel, obstruction or vehicle which is standing or parked contrary to any provision of this bylaw or which is otherwise unlawfully occupying a portion of a Highway or public place may be removed, detained and impounded by an Enforcement Officer or the Manager of Purchasing, or by a person acting in accordance with the directions of the District.

**7915**

1202. With the exception of skateboards which are specifically dealt with in section 1210, Any chattel, obstruction, or vehicle removed, detained or impounded under this bylaw may be recovered by the Owner between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, except holidays, by paying the fees, costs and expenses levied in accordance with this Part to the District's towing contractor or authorized agent at the time of impoundment at its place of business, or to the District, as the case may be.

**7915**

1203. If a motor vehicle is removed, detained or impounded and not claimed by its Owner within 48 hours, written notice shall be given by registered mail to the registered Owner at his or her address as shown on the records of the Registrar of Motor Vehicles, advising the Owner of the seizure and impoundment, the sum payable to release the motor vehicle and the date of advertising for sale by public auction if unclaimed.

1204. The Owner of a chattel or obstruction removed, detained or impounded pursuant to this Part shall pay those fees, costs and expenses set out in Schedule "F" of the District of North Vancouver Fees and Charges Bylaw 6481.

**7798, 7960**

1205. The Owner of a vehicle removed, detained or impounded pursuant to this Part shall pay those fees, costs and expenses set by the Municipal Engineer from time to time by order, pursuant to section 403.4.

1206. If a chattel, obstruction or vehicle is removed, detained or impounded, and not claimed by its Owner within 1 month from date of seizure, the chattel, obstruction or vehicle may be sold at public auction at the direction of the Manager of Purchasing.

1207. Notwithstanding any other provision of this bylaw, where in the opinion of the Manager of Purchasing a chattel, obstruction or vehicle removed, detained, or impounded is a perishable article, has an apparent market value of less than \$2,000.00 or if its custody involves unreasonable expense or inconvenience, the Manager of Purchasing may decide not to proceed to public auction, and may dispose of the chattel, obstruction or vehicle in any manner in which he or she deems expedient.

1208. Before selling a chattel, obstruction or vehicle at public auction under this Part, the District shall advertise the time and place of the proposed public auction in a newspaper circulating in the District, giving at least 7 days' notice of such proposed sale, and shall, in cases where a vehicle is intended to be sold and such vehicle is registered with the Registrar of Motor Vehicles, send written notice to the registered Owner of the vehicle at the address shown on the records of the Registrar of Motor Vehicles, advising of the seizure, the sum payable to release the vehicle, and the date of proposed sale by public auction, if unclaimed.

1209. The proceeds of sale by public auction shall be applied first to the cost of the sale, second to the fees, cost and expenses of the District or its towing contractor, and the balance shall be held for the Owner. If the balance remains unclaimed at the end of 1 year from the date of sale, such balance shall be paid into the general revenue of the District.

#### **Impoundment of Skateboards**

1210. In addition to any other penalty or method of enforcement prescribed by this bylaw, an Enforcement Officer may detain and impound any Skateboard being used by any person in contravention of this bylaw, for a period of 24 hours and such Skateboard may be recovered at the North Vancouver RCMP detachment office located at 147 East 14th Street, North Vancouver between the hours of 8:00 a.m. and 3:00 p.m. Where the owner of an impounded Skateboard is 16 years old or under, he or she must be accompanied by a parent or legal guardian at the time of collecting the Skateboard.

**7915**

1211. No person shall prevent or attempt to prevent or interfere with the removal, detaining or impounding of any chattel, obstruction or vehicle by the District under this Part.



## **Part 13 – Stop Work Order**

### **Stop Work Order**

1301. Where a person carries out work on or uses a Highway in a manner which fails to comply with the provisions of this bylaw or any permit issued pursuant to this bylaw, an Enforcement Officer may issue a Stop Work Order requiring the person cease the work or use and to remedy the violation within 7 days or such other time period the Enforcement Officer considers reasonable in the circumstances.
1302. Subject to section 1303, a person who has been issued a Stop Work Order pursuant to section 1301 must comply with all of the terms of such Order within the time period specified.

### **Appeal**

1303. A person to whom a Stop Work Order has been issued may, by giving notice in writing to the District Clerk at least 72 hours prior to the expiry of the time given in the Stop Work Order to remedy the violation, appeal to the District Council who will hear and determine the appeal by confirming, amending or rescinding the Stop Work Order.

### **Default**

1304. If the obligations stipulated in a Stop Work Order are not performed by the date specified therein, the District may remove the Structure or thing which is in violation of the Bylaw or perform remedial work as deemed necessary by the Municipal Engineer at the expense of the person defaulting and such costs will constitute a debt due and owing in accordance with section 17 of the *Community Charter*.

## **Part 14 – Offences, Penalties and Enforcement**

1401. Every person who violates a provision of this Bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw, is guilty of an offence and is liable to the penalties imposed under this Bylaw or any other applicable Bylaw of the District, and is guilty of a separate offence each day that a violation continues to exist.
1402. Any person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not less than \$20.00 and not more than \$10,000.00, or to imprisonment for not more than six months, or to both. Each day that an offence continues shall constitute a separate offence.
1403. Every person who drives or operates an overloaded vehicle in violation of section 830 is liable to a fine of not less than \$100.00 and, in addition, to a penalty of \$15.00 per 100kg. or part thereof, of overload.

### **Multiple Ticketing for Overtime Parking**

1404. Where a driver has parked a vehicle in a parking space in violation of the provisions of this bylaw, a separate offence shall be deemed to be committed upon the expiry of each period of time during which the vehicle could have been lawfully parked as indicated by a Traffic Control Device.

## **Part 15 – General**

### **Severability**

1501. If any section or portion of this bylaw is held to be invalid by a decision of a court of competent jurisdiction, such invalid section or provision shall be severed from the remainder of the bylaw and shall not affect the validity of the remaining portions of this bylaw.

### **Repeal**

1502. Street and Traffic Bylaw, No. 5707, and any amendments thereto, are hereby repealed.

**Comes into Force**

1503. This bylaw comes into force and effect on January 1, 2005 following adoption of this bylaw by the Council of the District.

**SCHEDULE "A"**

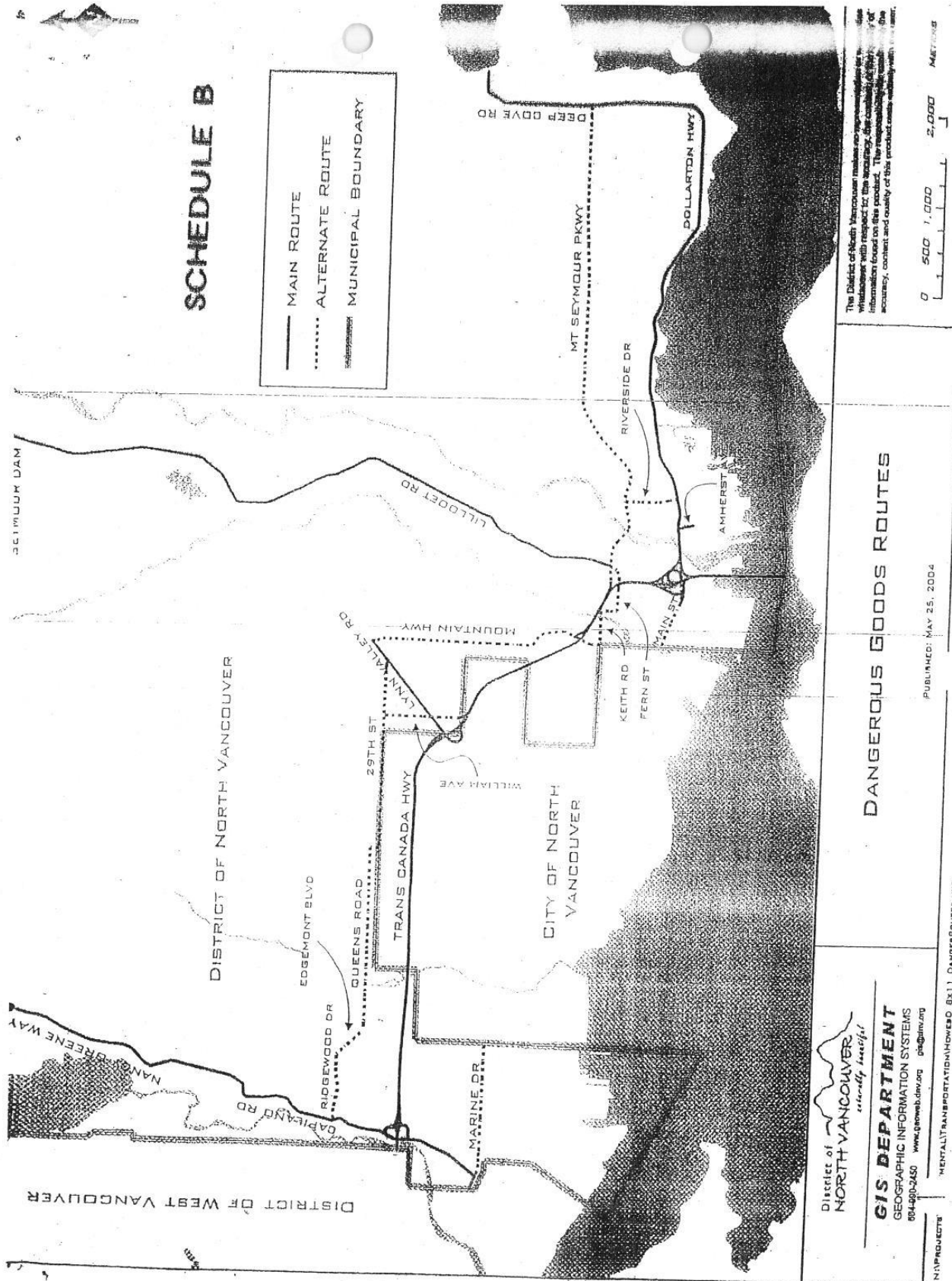
**BOULEVARD PARKING PERMITS**

<b>Address</b>	<b>Reason</b>
1226 Silverwood Crescent	DVP for parking approved by Council 2000 08 29

**SCHEDULE "B"**

**MAP OF DANGEROUS GOODS ROUTES**

*(See next page)*

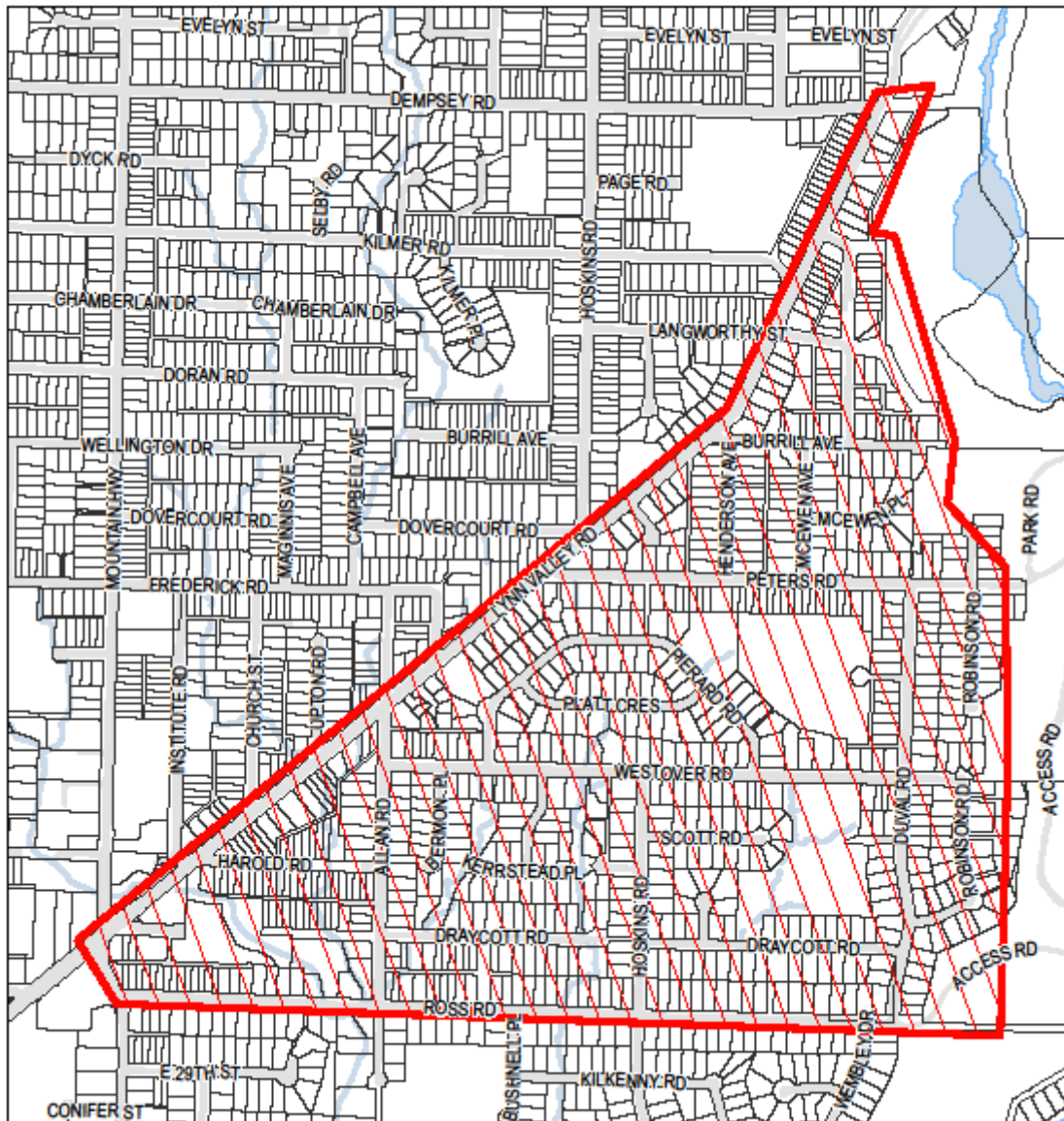


**SCHEDULE “C” to Bylaw 7125 (as enacted by Bylaw 7756)**

**Please see Schedule “F” of the District of North  
Vancouver Fees and Charges Bylaw 6481**

**7591, 7701, 7756, 7798, 7960**

**SCHEDULE D to DISTRICT OF NORTH VANCOUVER  
STREET AND TRAFFIC BYLAW 7125, 2004**



8382



Department Manager	Director	CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**  
**CITY CLERK'S DEPARTMENT**

**REPORT**

To: Mayor Darrell R. Mussatto and Members of Council

From: Karla Graham, City Clerk

SUBJECT: NEW ELECTION SIGN BYLAW

Date: May 1, 2018

File No: 09-4200-01-0001/2018

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

**RECOMMENDATION:**

**PURSUANT** to the report of the City Clerk, dated May 1, 2018, entitled "New Election Sign Bylaw":

**THAT** the following bylaws be considered:

- "Election Sign Bylaw, 2018, No. 8643"
- "Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2018, No. 8644" (Election Signs)
- "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2018, No. 8645" (Election Signs)
- "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8646" (Election Signs);

**AND THAT** the Election Sign Policy and any Addendums thereto, be repealed.

**ATTACHMENTS:**

1. "Election Sign Bylaw, 2018, No. 8643" (Document #1645995)
2. "Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2018, No. 8644" (Election Signs) (Document #1646005)
3. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2018, No. 8645" (Election Signs) (Document #1646027)
4. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8646" (Election Signs) (Document #1647914)



## DISCUSSION:

Currently, election signs in the City are subject to:

- “Sign Bylaw, 1992, No. 6363”, which applies to all signs on property other than street and public parks;
- “Street and Traffic Bylaw, 1991, No. 6234”, which applies to streets, roadways and boulevards;
- The City’s Election Sign Policy and Addendum, which applies to elections signs; and
- Provincial legislation, in particular the *Motor Vehicle Act*, which regulates signs on provincial highways.

The proposed Election Sign Bylaw incorporates the provisions of the Election Sign Policy, Addendums and existing City bylaws, so that all regulations regarding election signs can be found in one place, making it easier to reference for members of the public and staff.

The bylaw would apply to private property, City property, parks and highways, including lanes, boulevards, sidewalks, roadways and traffic control devices. The bylaw is also triggered by all types of elections (federal, provincial, municipal and administrative), as well as for an assent voting opportunity (formerly referred to as a referendum).

The bylaw is substantially consistent with the current Election Sign Policy and Addendums (i.e. size, height, not to hinder the safe movement of vehicular or pedestrian traffic, not to obscure the line of vision, designated distance from a curb, not attached to trees or flagpoles and is not a banner, neon or on mobile electronic back-lit trailers).

It also addresses the use on City property and highways of stationary mobility devices and other chattels for the principal purpose of advertising. This restriction is consistent with the Street and Traffic Bylaw (i.e. prohibiting the use of parked vehicles for the principal use of displaying signs). The restriction of the number of election signs at any one location has been deleted, as this is impracticable and difficult to regulate and enforce throughout the areas of the City because the signage numbers are constantly changing.

Consistent with the Election Sign Policy, people may start displaying election signs once the election writ is issued (federal and provincial) or after the closing of the nomination period (municipal and administrative). For assent voting, election signs can be put in place no earlier than 30 days before the voting opportunity. Election signs must be removed within 7 days of the last voting opportunity.

Except for the above specifications, there are no other restrictions to placing election signs on private property, which is consistent with the Election Sign Policy.

In respect to City property and highways, election signs are not permitted, except in limited circumstances, as follows:

- when there is a fence or hedge on or adjacent to private property that exceeds 1.2 metres in height, an election sign may be placed within 0.6 metres from the property line adjacent to the hedge; and
- on City boulevards (which are set out in a map attached to the bylaw), provided there is no private property abutting the portion of the boulevard of which the election sign is placed.

All election signs on City property must be located more than 1.5 metres from the curb, unless the election sign is fully contained within a structure that is approved by the City for containing signs.

The new bylaw is more precise than the Election Sign Policy. For example, instead of using a general phrase “signs would be invisible from the street”, it establishes 1.2 metres as the height of the hedge or a fence that would trigger this clause.

The bylaw also includes a map (attached as Schedule A), which sets out where election signs can be placed on City boulevards. Note that the bylaw retains the requirement that there should be no private property abutting the portion of the boulevard on which the election sign is placed.

The Sign Bylaw is amended to reflect that election signs permitted under the proposed Election Sign Bylaw do not require a permit under the Sign Bylaw. The Street and Traffic Bylaw is amended to reflect that election signs permitted under the new bylaw do not require an authorization under the Street and Traffic Bylaw.

#### **FINANCIAL IMPLICATIONS:**

No new financial implications are anticipated as a result of the proposed Election Sign Bylaw.

#### **INTER-DEPARTMENTAL IMPLICATIONS:**

The bylaw can be enforced by the Chief Election Officer (CEO) or a Bylaw Enforcement Officer (BEO) and they may enter private property and issue written or verbal orders.

The CEO/BEO may remove and impound signs, chattels and mobility devices (i.e. bicycles, scooters, vehicles, trailers or any other mobility device) or other devices placed or used in contravention of the bylaw or an order. Impounded election signs will be retained by the City for 7 days and then destroyed if not collected. Other structures will be impounded and dealt with under the Street and Traffic Bylaw, section 813, which permits the City to impound items that obstruct City streets.

The bylaw may be enforced pursuant to the Bylaw Notice Enforcement Bylaw and Ticket Information Utilization Bylaw if Council so chooses. Egregious offences may be prosecuted under the *Offence Act*.

**CORPORATE PLAN AND/OR POLICY IMPLICATIONS:**

The bylaw incorporates the regulations of the current Election Sign Policy and therefore the policy and any addendums thereto will be repealed.

RESPECTFULLY SUBMITTED:

  
\_\_\_\_\_  
Karla Graham  
City Clerk

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8643

### A bylaw to regulate and impose requirements in relation to election signs

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

#### SECTION 1 – CITATION

- 1.1 This Bylaw shall be known and cited for all purposes as “**Election Sign Bylaw, 2018, No. 8643**”.

#### SECTION 2 – INTERPRETATION

2.1 In this Bylaw:

- (a) words importing the singular number include the plural and vice versa and words importing the neuter gender include the masculine and the feminine genders;
- (b) headings given to sections are for convenience of reference only and do not form part of this Bylaw;
- (c) an expression “include” or “including” means including without limitation and refers to a non-exhaustive list;
- (d) unless expressly stated otherwise, a reference to a “section” is a reference to a section in this Bylaw; and
- (e) unless expressly stated otherwise, a reference to an enactment is a reference to an enactment of British Columbia and regulations promulgated thereto, as amended, revised, consolidated or replaced from time to time, and a reference to a bylaw is a reference to a City bylaw, as amended, revised, consolidated or replaced from time to time.

#### SECTION 3 – DEFINITIONS

3.1 In this Bylaw:

- (a) “**Assent Voting**” means any political process, other than an Election, placing a matter, policy or issue for polling or voting by the electorate;
- (b) “**Banner**” has the meaning ascribed to “Sign, Banner” under the Sign Bylaw;
- (c) “**Boulevard**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (d) “**Bylaw Enforcement Officer**” means an individual who has been designated as a bylaw enforcement officer pursuant to the Bylaw Notice Enforcement Bylaw;
- (e) “**Bylaw Notice Enforcement Bylaw**” means the City of North Vancouver “Bylaw Notice Enforcement Bylaw, 2005, No. 7675”;

- (f) “**Chattel**” means any item, thing or equipment that is not affixed to the land;
- (g) “**Chief Election Officer**” means a chief election officer appointed by the City;
- (h) “**City**” means the Corporation of the City of North Vancouver;
- (i) “**City Property**” means a parcel, lot, block, strata lot, public park or other area of land that is located in the City of North Vancouver and which is either owned or occupied by the City, or in which the City has vested interest pursuant to a statute, and includes a Highway;
- (j) “**Curb**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (k) “**Election**” means any federal, provincial, local or administrative election or by-election;
- (l) “**Election Sign**” means a Sign on any matter regarding an Election, an Assent Voting, a political figure, a political party, a candidate, a candidate representative, an elector organization, a government or political policy or issue;
- (m) “**Electric Sign**” has the meaning ascribed to “Sign, Electric” in the Sign Bylaw;
- (n) “**Highway**” has the meaning ascribed to it in the Street and Traffic Bylaw and, for greater certainty, includes Lanes, Boulevards, Sidewalks and Roadways;
- (o) “**Lane**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (p) “**Mobility Device**” means a bicycle, scooter, vehicle, trailer or any other mobility device;
- (q) “**Person**” includes an individual, a corporation, a partnership, a society, an association, an elector organization, an administrative entity, a governmental authority, a government, or any other legal person, but does not include the City;
- (r) “**Place**”, “**Placement**” or other iterations thereof, means place, insert, erect, affix or attach; or permit to be placed, inserted, erected, affixed or attached;
- (s) “**Private Property**” means a parcel, lot, block, strata lot or other area of land that is located in the City of North Vancouver and owned or occupied by a Person and includes areas subject to a public statutory right of way or a utility statutory right of way;
- (t) “**Roadway**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (u) “**Sidewalk**” has the meaning ascribed to it in the Street and Traffic Bylaw;
- (v) “**Sign**” has the meaning ascribed to it in the Sign Bylaw;
- (w) “**Sign Bylaw**” means the “Sign Bylaw, 1992, No. 6363”;
- (x) “**Street and Traffic Bylaw**” means the “Street and Traffic Bylaw, 1991, No. 6234”; and



- (y) **“Traffic Control Device”** has the meaning ascribed to it in the Street and Traffic Bylaw.

#### **SECTION 4 – ELECTION SIGN SPECIFICATIONS**

4.1 No Person shall Place an Election Sign in the City, unless the Election Sign:

- (a) is permitted under this Bylaw; and
- (b) complies with the following specifications:
  - (1) has an area not exceeding 0.4 square metres;
  - (2) has a height not exceeding 1.8 metres;
  - (3) is not an Electric Sign;
  - (4) is not a Banner;
  - (5) is not in any way illuminated, electrified, animated, moving or flashing;
  - (6) is Placed in a manner and in a location that does not obscure the line of vision from a Highway to vehicular or pedestrian traffic;
  - (7) is Placed in a manner and in a location that does not hinder the safe movement of vehicular or pedestrian traffic on a Highway;
  - (8) in respect to City Property, Highways and Traffic Control Devices: is not Placed on a tree, a utility pole or a flagpole; and
  - (9) in respect to City Property, Highways and Traffic Control Devices: is not Placed on a Chattel or a Mobility Device, parked or stationed for the principal purpose of supporting the Election Sign.

#### **SECTION 5 – TIME PERIOD FOR DISPLAY OF ELECTION SIGNS**

5.1 No Person shall Place an Election Sign earlier than:

- (a) in case of an Election for which a writ of election is issued – the date of the writ;
- (b) in case of an Election for which a writ of election is not issued – the date on which the nomination period is closed; and
- (c) in case of an Election to which neither 5.1(a) nor 5.1(b) applies, and in case of an Assent Voting – 30 days before the voting opportunity.

5.2 A Person that Placed an Election Sign shall remove the Election Sign within 7 days after the last voting opportunity for the Election or the Assent Voting.

#### **SECTION 6 – LOCATION OF ELECTION SIGNS**

6.1 A Person may Place an Election Sign on Private Property, subject only to section 4.1(b), section 5.1 and section 5.2.

- 6.2 No Person shall Place an Election Sign on City Property, on a Highway, or on a Traffic Control Device, unless the Election Sign is expressly permitted pursuant to section 6.3 or section 6.4, and complies with section 6.5.
- 6.3 A Person may Place an Election Sign on a Boulevard abutting the Private Property owned or occupied by the Person Placing the Election Sign, if:
- (a) the fence or hedge on or adjacent to the Private Property exceeds 1.2 metres in height; and
  - (b) the Election Sign is Placed within 0.6 metres of the property line adjacent to the fence or hedge.
- 6.4 A Person may Place an Election Sign on a Boulevard in areas of the City coloured in dark red on the map attached as Schedule A to this Bylaw, provided that there is no Private Property abutting the portion of the Boulevard on which the Election Sign is Placed.
- 6.5 Elections Signs Placed pursuant to section 6.3 and section 6.4 must be located more than 1.5 metres from the Curb, unless the Election Sign is fully contained within a structure that is approved by the City for containing Signs.

## **SECTION 7 – ENFORCEMENT**

- 7.1 The Chief Election Officer and the Bylaw Enforcement Officer may enter upon and inspect Private Property at all reasonable hours and with reasonable notice to the owner or occupier, as necessary to determine whether the provisions of this Bylaw are being complied with.
- 7.2 The Chief Election Officer and the Bylaw Enforcement Officer may:
- (a) verbally or in writing, order a Person who has contravened this Bylaw to correct their contravention within a specified time-period;
  - (b) with or without a prior order, remove and impound the following if Placed or used in contravention of this Bylaw:
    - (1) an Election Sign;
    - (2) a Chattel or a Mobility Device; and
    - (3) an Election Sign, together with a Chattel or a Mobility Device to which the Election Sign is attached, and cannot be removed without damaging the Chattel or the Mobility Device.
- 7.3 An Election Sign impounded pursuant to section 7.2 will be:
- (a) impounded by the City for 7 days; and
  - (b) if not claimed within those 7 days, destroyed.
- 7.4 A Chattel or a Mobility Device impounded pursuant to section 7.2 will be dealt with in accordance with section 813 of the Street and Traffic Bylaw.

- 7.5 Neither the City nor its employees will be liable for any damage, loss or expense of any nature or kind whatsoever arising out of or related to the exercise of its or their powers under section 7.

## **SECTION 8 – OFFENCES AND PENALTIES**

8.1 A Person who:

- (a) contravenes any provision of this Bylaw or does any act or thing which contravenes any provision of this Bylaw, or suffers or allows any other Person to do any act or thing which contravenes any provision of this Bylaw;
- (b) neglects to do or refrains from doing anything required to be done by any provision of this Bylaw; or
- (c) fails to comply with an order issued under this Bylaw, or suffers or allows any other Person to fail to comply with an order under this Bylaw,

is guilty of an offence against this Bylaw and liable to the penalties imposed under this Bylaw.

- 8.2 Every Person who commits an offence against this Bylaw is punishable on summary conviction by a fine of not less than \$5,000.00 and not more than \$10,000.00.

- 8.3 Where a contravention of this Bylaw is a continuing one, each day that the contravention occurs, or is allowed to continue, constitutes a separate offence subject to the penalties set out in section 8.2.

- 8.4 Designated contraventions of this Bylaw may be enforced pursuant to the Bylaw Notice Enforcement Bylaw.

## **SECTION 9 – SEVERABILITY**

- 9.1 If any part, section, subsection, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it will be severed and the validity of the remaining provisions of this Bylaw will not be affected.

READ a first time on the <> day of <>, 2018.

READ a second time on the <> day of <>, 2018.

READ a third time on the <> day of <>, 2018.

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

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MAYOR

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CITY CLERK





THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8644

A bylaw to amend “Sign Bylaw, 1992, No. 6363”

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

1. This Bylaw shall be known and cited for all purposes as “**Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2018, No. 8644**” (Election Signs).
2. This Bylaw amends the indicated provisions of the Sign Bylaw.
3. To Section 2, Council repeals the definition of “Sign, Election” and substitutes:

“Sign, Election” means an “Election Sign” as defined in “Election Sign Bylaw, 2018, No. 8643”;
4. To Section 3.2, Council adds subsection (r) as follows:

r) an Election Sign placed and removed in accordance with the “Election Sign Bylaw, 2018, No. 8643”.
5. If any part, section, sub-section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it shall be severed and the validity of the remaining provisions of this Bylaw shall not be affected.

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MAYOR

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CITY CLERK

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8645**

**A bylaw to amend “Street and Traffic Bylaw, 1991, No. 6234”**

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

1. This Bylaw shall be known and cited for all purposes as **“Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2018, No. 8645” (Election Signs)**.
2. This Bylaw amends the indicated provisions of the Street and Traffic Bylaw.
3. To Part 3, Council adds section 302.14.2 as follows:  
  
302.14.2 “Election Sign” has the meaning ascribed to it under the “Election Sign Bylaw, 2018, No. 8643”;
4. To section 801, Council adds sub-section .3 as follows:  
  
.3 Sections 801.1 and 801.2 do not apply to Election Signs placed and removed in accordance with the “Election Sign Bylaw, 2018, No. 8643”.
5. If any part, section, sub-section, clause or sub-clause of this Bylaw is, for any reason, held to be invalid by the decision of a court of competent jurisdiction, it shall be severed and the validity of the remaining provisions of this Bylaw shall not be affected.

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MAYOR

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CITY CLERK

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: November 1, 2021
<input type="checkbox"/> Other:	Date: _____

8.5			
	Dept. Manager	GM/ Director	CAO

## The District of North Vancouver REPORT TO COUNCIL

October 13, 2021  
File: 13.6440.10/001.000

**AUTHOR:** Joshua Cairns, Community Planner

**SUBJECT:** Draft Metro 2050: Proposed Comments on the Updated Regional Growth Strategy

### RECOMMENDATION

THAT Council endorse the comments on the draft regional growth strategy, *Metro 2050*, as summarized in this report and provided in Attachment 1, and that staff be directed to submit the comments to Metro Vancouver.

### REASON FOR REPORT:

To provide Council with information on the draft regional growth strategy, *Metro 2050*, and proposed comments for submission to Metro Vancouver during the current engagement period.

### SUMMARY:

A draft of the updated regional growth strategy, *Metro 2050*, was released in June 2021 and presented to Council and the community at a Public Meeting on September 21, 2021. The draft *Metro 2050* is open for comment until November 26, 2021 and can be accessed at [metrovanancouver.org/metro2050](https://metrovanancouver.org/metro2050). This report provides information on proposed policies in *Metro 2050* with potential implications for the District, as well as draft comments for Council's consideration that may be submitted to Metro Vancouver.

### BACKGROUND:

*Metro Vancouver 2040: Shaping our Future* ("Metro 2040") is the current regional growth strategy for the Metro Vancouver region. It provides a collective vision for how growth will be managed to support the creation of complete, connected, and resilient communities. *Metro 2040* was adopted in 2011 by 21 municipalities, TransLink, and adjacent regional districts.

In 2019, Metro Vancouver began updating *Metro 2040*. The purpose of the update is to extend the regional growth strategy to the year 2050, to consider drivers of change, to improve policies, and to integrate with TransLink's upcoming regional transportation strategy, *Transport 2050*.

Between April 2019 and June 2021, Metro Vancouver engaged with member jurisdictions, stakeholders, subject matter experts, and the general public. This process identified issues, gaps, and opportunities that informed proposed updates to the regional growth strategy. Proposed updates were subsequently reviewed by the Intergovernmental Advisory Committee (IAC), a committee established by Metro Vancouver in accordance with the *Local Government Act* and with District staff as members.

Between January and May 2021, members of the IAC reviewed draft policy changes proposed for *Metro 2050* and provided comments for consideration. District staff from various departments contributed to this process. Comments received through the IAC were considered in the development of the draft *Metro 2050*, and many of District staff's comments were generally addressed. The draft was released and referred by the Metro Vancouver Regional District Board of Directors to member jurisdictions in June 2021 and remains open for comment until November 26, 2021.

At a Public Meeting on September 21, 2021 Metro Vancouver presented the draft *Metro 2050* to Council and the community. Staff indicated they would outline potential implications of the proposed updates and prepare draft comments for Council's consideration this fall.

#### **ANALYSIS:**

The draft *Metro 2050* remains focused on five regional goals, supported by strategies and policy actions for Metro Vancouver, member jurisdictions, and TransLink to implement. The five goals are to:

- Create a compact urban area;
- Support a sustainable economy;
- Protect the environment and respond to climate change and natural hazards;
- Provide diverse and affordable housing choices; and,
- Support sustainable transportation choices.

Although much of the content from *Metro 2040* remains unchanged in *Metro 2050*, concerns regarding some proposed changes were raised through the IAC review process and remain unaddressed by Metro Vancouver. This section provides a brief overview of proposed changes that may affect the District, and includes a summary of staff's recommended comments for Council's consideration. The full comments are provided in Attachment 1.

The overarching themes of the recommended comments are to preserve local autonomy and decision-making on land use and other matters within municipal jurisdiction, and to ensure *Metro 2050* is focused on higher-level considerations that are appropriately addressed through a regional growth strategy.

#### **1. Scope of the Regional Growth Strategy**

The draft *Metro 2050* includes new policies and language that expand the scope of the regional growth strategy into areas of local government land use planning. For example, the draft *Metro 2050* includes:

- References to matters that are within local planning jurisdiction (e.g., parking, built form, public realm, and urban design) and expectations that Official Community

Plans, policies, or related bylaws will be amended to comply with the regional growth strategy (e.g., altering parking requirements in specific areas); and,

- Expanded responsibilities of Metro Vancouver including the development of a regional parking strategy.

In many of these examples, the District already has policy or approaches that meet or exceed the intentions of *Metro 2050*. These matters, however, are within the control and discretion of municipalities who are better able to adequately consider and respond to the local context. Accordingly, staff request that Metro Vancouver revise language throughout *Metro 2050* to reflect matters within municipal jurisdiction, including but not limited to parking requirements, urban design, and built form.

## 2. Regional Affordable Housing Target

The draft *Metro 2050* proposes a new regional target of 15% affordable rental housing (Action 4.2.3) in new and redeveloped housing development within Urban Centres and Frequent Transit Development Areas (FTDAs). Similarly, Action 4.2.7 asks that member jurisdictions adopt Regional Context Statements that indicate how they will work towards the target. Urban Centres are intended to be the region's focal points for concentrated growth and transit service, while FTDAs are additional priority locations to accommodate concentrated growth in higher density forms of development<sup>1</sup>.

Although the District is supportive of the provision of affordable housing in these areas, staff recognize that local priorities, community needs, land economics, and form of development considerations warrant a municipal-led approach to establishing affordable housing targets. The District has and continues to undertake considerable work in support of this, including the preparation of a Housing Needs Report, use of District-owned land for affordable housing, the Official Community Plan (OCP) Action Plan, and the Rental, Social and Affordable Housing Task Force's recommendations. It should also be noted that guiding legislation requires municipalities to address affordable, rental, and special needs housing in their OCP (Local Government Act, Part 14, Division 4) and a regional target is therefore unnecessary.

In consideration of the above, staff propose requesting that Metro Vancouver replace the 15% affordable rental housing target with policy that requests municipalities to consider their unique housing needs in Urban Centres and FTDAs, including the provision of affordable rental housing in these areas.

## 3. Major Transit Growth Corridors

*Metro 2050* includes a new Major Transit Growth Corridor map (Map 5). These corridors will replace the Frequent Transit Network as the organizing framework for transit-oriented growth in the region, working together with Urban Centres and TransLink's Major Transit Network. Going forward, the intent is that new FTDAs will be located within Major Transit Growth Corridors.

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<sup>1</sup> Lower Capilano Marine Village Centre and Lynn Creek Town Centre are currently designated as FTDAs; Lynn Valley Town Centre is designated as an Urban Centre.

As proposed, there are inconsistencies in how Major Transit Growth Corridors are defined and identified. This has resulted in the omission of Maplewood Village Centre despite its close proximity (i.e., within one kilometre) to Phibbs Exchange and the Major Transit Network. To ensure frequent transit service and coordinated growth in alignment with the OCP and Tsleil-Waututh Nation's application for an addition to reserve for the Statlëw District, staff believe it is essential that Metro Vancouver, in partnership TransLink, extend the Major Transit Network and Major Transit Growth Corridors east to include Maplewood Village Centre and the Statlëw District.

#### 4. Regional Ecosystem Inventory Mapping

The District seeks to proactively protect and enhance ecosystems through a variety of measures, including development permit requirements, tree protection and planting, stormwater management, and invasive plant management. These measures are informed by best practice, public input, Council priorities, research, and analysis. In 2019, Council declared a climate and ecological emergency and more recently directed staff to develop a Biodiversity Action Plan.

The draft *Metro 2050* introduces a regional map that seeks to identify sensitive and modified ecosystems (Map 11) and contains policy (Action 3.2.7) that requests member jurisdictions to adopt policy and use tools such as land acquisition, density bonusing, and tax exemptions to protect, enhance or restore areas identified in the regional map. Although the regional map provides a useful reference, it has not been locally vetted for accuracy nor has it been coordinated with local ecological assessments.

This is an area that staff believe benefits from local study to accurately identify and understand ecological assets, and determine what tools may be appropriate.

Staff therefore recommend language be added that communicates the regional map's limitations and that emphasis be placed on desired outcomes rather than specific implementation tools. These changes would reflect municipal jurisdiction and ensure municipalities are able to act as necessary to identify and protect ecological assets.

#### 5. Expansion of Commercial and Institutional Uses

Member jurisdictions are requested to adopt Regional Context Statements that include policies that discourage the development and expansion of major commercial and institutional land uses outside of Urban Centres and FTDA's (Action 2.1.10). Although this is generally in alignment with the District's OCP, nuance in a regional growth strategy is needed to accommodate unique local circumstances. For example, Capilano University's main campus is not located within an Urban Centre or FTDA, and is anticipated to require development and expansion in the future to accommodate the university's needs associated with regional population growth.

With consideration for the above, staff recommend Action 2.1.10 (c) be revised to reflect that in certain circumstances development or expansion of major commercial and institutional land uses outside of Urban Centres and FTDA's may be appropriate.



6. Financial Implications:

There is a need for improved alignment between Metro Vancouver's financial policies and bylaws and *Metro 2050*. Specifically, it is critical that Metro Vancouver's legislation consider growth impacts and are population based. This will ensure that revenues associated with growth pay for the impacts of growth and result in a more equitable regional distribution of costs. Staff therefore recommend that Metro Vancouver accelerate the alignment of their bylaws to be population based and guided by the principle that costs associated with growth are paid for by growth. It is further recommended that all future annual budgets prepared by Metro Vancouver clearly isolate and evidence this principle.

Next Steps

The formal acceptance and adoption period for *Metro 2050* is anticipated to begin in early 2022, with expected timelines and process as follows:

- **January 2022:** First and second reading of *Metro 2050* bylaw.
- **February 2022:** Regional public hearing and third reading.
- **March - May 2022:** Member jurisdiction Councils, and the Boards of the Fraser Valley and Squamish-Lillooet Regional Districts and TransLink, consider acceptance of *Metro 2050* by resolution.
- **June 2022:** *Metro 2050* bylaw presented to the MVRD Board for consideration.

The District's current Regional Context Statement (2014) will remain in effect following the adoption of *Metro 2050* until a new Regional Context Statement is submitted and accepted by the MVRD Board. Following the adoption of *Metro 2050*, the District will have two years to prepare and submit a new Regional Context Statement that demonstrates how the Official Community Plan is generally consistent, or will work towards consistency, with *Metro 2050*.

**Conclusion:**

Metro Vancouver's regional growth strategy is the collective vision for accommodating future growth in the region with considerations that include diverse and affordable housing, transit and mobility, resilient employment, protected ecological and agricultural lands, the impacts of a changing climate, and more. In 2019, Metro Vancouver began updating *Metro 2040*, the current regional growth strategy. A draft of the proposed new regional growth strategy, *Metro 2050*, was released in June 2021 and is open for comment until November 26, 2021. Staff believe the current draft of *Metro 2050* needs to be revised to address the issues summarized in this report, including unnecessary involvement in areas within municipal jurisdiction. Pending Council direction, staff are prepared to submit the comments outlined in this report to Metro Vancouver for consideration.

**Options:**

1. THAT Council endorse the comments on the draft regional growth strategy, *Metro 2050*, as summarized in this report and provided in Attachment 1, and that staff be directed to submit the comments to Metro Vancouver (**staff recommendation**).

OR

2. THAT Council provide staff with alternative direction.



**SUBJECT: Draft Metro 2050: Proposed Comments on the Updated Regional Growth Strategy**

October 13, 2021

Page 6

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JC' followed by a long horizontal stroke.

Joshua Cairns  
Community Planner

**Attachment 1:** Proposed District of North Vancouver Comments on Metro 2050

**Attachment 2:** Draft Metro 2050 – Executive Summary

**SUBJECT: Draft Metro 2050: Proposed Comments on the Updated Regional Growth Strategy**

October 13, 2021

Page 7

REVIEWED WITH:		
<input type="checkbox"/> Community Planning		<input type="checkbox"/> Clerk's Office
<input type="checkbox"/> Development Planning	<i>DM</i>	<input type="checkbox"/> Communications
<input type="checkbox"/> Development Engineering		<input checked="" type="checkbox"/> Finance
<input type="checkbox"/> Utilities		<input type="checkbox"/> Fire Services
<input type="checkbox"/> Engineering Operations		<input type="checkbox"/> ITS
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<input type="checkbox"/> Environment		<input type="checkbox"/> GIS
<input type="checkbox"/> Facilities		<input type="checkbox"/> Real Estate
<input type="checkbox"/> Human Resources		<input type="checkbox"/> Bylaw Services
<input type="checkbox"/> Review and Compliance		<input type="checkbox"/> Planning
External Agencies:		
		<input type="checkbox"/> Library Board
		<input type="checkbox"/> NS Health
		<input type="checkbox"/> RCMP
		<input type="checkbox"/> NVRC
		<input type="checkbox"/> Museum & Arch.
		<input type="checkbox"/> Other:

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Metro 2050 <sup>1</sup>		District of North Vancouver
Reference	Page #	Comments
<b>1. Scope of the Regional Growth Strategy</b>		
1.2.24 (b) iv	31	Revise language in <i>Metro 2050</i> in relevant listed sections and others as applicable, acknowledging municipal jurisdiction in items related but not limited to land use, built form, urban design, parking, and local transportation demand management.  For example, this may include rephrasing policy directions throughout <i>Metro 2050</i> for consistency by focusing on desired regional outcomes (e.g., increase supply of affordable housing, reduce congestion, improve goods movement, etc.) rather than local implementation strategies within municipal jurisdiction (e.g., requesting member jurisdictions to alter parking requirements in Urban Centres and FTDA's through their respective Regional Context Statement).
2.2.9 (c) iv, ix	46	
4.2.3	73	
4.2.7 (a)	74	
5.1.6 (a), (b), (c)	79	
5.1.14 (b)	80	
<b>2. Regional Affordable Housing Target</b>		
4.2.3	73	Revise action 4.2.3 to read as follows: "(Metro Vancouver will) encourage member jurisdictions to consider their housing needs in Urban Centres and Frequent Transit Development Areas and with particular consideration for affordable rental housing".  Revise action 4.2.7(a) such that the expectation for Regional Context Statements are consistent with the requested change to action 4.2.3.
4.2.7(a)	74	
<b>3. Major Transit Growth Corridors</b>		
Map 5	108	Address current methodological issues whereby Major Transit Growth Corridors were identified using only a bidirectional, rather than radial, measurement of one kilometre from street centreline.  Consistent with the above, extend the Major Transit Growth Corridors—as well as the Major Transit Network in partnership with TransLink—east of Phibbs Exchange to include Maplewood Village Centre and Statlaw District.
<b>4. Regional Ecosystem Inventory Mapping</b>		
1.4.3 (e)	38	To prevent misinterpretation and misuse, add commentary to Map 11 similar to what is currently provided for Map 10 in <i>Metro 2040</i> (i.e., noting the map is conceptual, has not been locally vetted for accuracy, and is not a regional land use designation).  Consistent with the above, revise action 3.2.7 (b) by removing reference to municipal tools (instead emphasizing regional goals or desired outcomes) and, when referencing Map 11, add "as conceptually shown" (consistent with previously approved <i>Metro 2040</i> language).
3.2.7 (b) i, ii, iv	59	
5.2.4 (e)	82	
Map 11	114	
<b>5. Expansion of Commercial and Institutional Uses</b>		
2.1.10 (c)	44	Revise action 2.1.10 (c) by replacing "discourage" with "generally limit" to acknowledge that, in certain circumstances, expansion in these areas may be necessary and/or desired.

<sup>1</sup> Metro Vancouver's draft Metro 2050 can be accessed at <http://www.metrovancouver.org/services/regional-planning/PlanningPublications/DraftMetro2050.pdf>

<b>6. Financial Implications</b>		
Preamble (Building a Resilient Region)	iv	<p>Metro Vancouver's Board Strategic Plan and Long-Term Financial Plan should align with the principle that revenues associated with growth pay for the impacts of growth. As all levels of government work together to achieve a more resilient region it's critical Metro's legislation is updated. Simply put, when growth impacts are passed on to existing ratepayers the region becomes less affordable. Metro Vancouver should accelerate the alignment of their bylaws and future financial plans (annual budgets) with this principle.</p> <p>Building a more resilient region requires an ongoing dialogue. Policy Paper #1 "Ensuring Local Government Financial Resiliency", introduced and supported at the 2021 UBCM Conference requires an action plan. Becoming more financially resilient requires us to review property assessment methodologies (fairness), ensure we have sustainable revenue sources and that we are addressing "downloading" by clarifying government roles and responsibilities (e.g., in housing, care, transportation, safety, climate change, etc.). These issues should be included in <i>Metro 2050</i> so they can be addressed and implementation plans can be accelerated.</p>
<b>Other Comments</b>		
<p>It is imperative that infrastructure planning and asset management (including water supply and transmission, sewage transmission and treatment, as well as solid waste transfer and disposal) are aligned and integrated with long-range strategic plans, including <i>Metro 2050</i>. This integration can help ensure the impacts of land use on water, sewage, and solid waste demand are effectively planned for at the regional level. Accordingly, additional content should be added to <i>Metro 2050</i> that further articulates Metro Vancouver's long-term approach to providing and maintaining critical infrastructure capable of supporting anticipated regional growth.</p>		





## EXECUTIVE SUMMARY

# DRAFT Metro 2050 The Regional Growth Strategy

### What is a Regional Growth Strategy?

A regional growth strategy is a long-range, strategic land use plan aimed at advancing the region's livability and sustainability by managing anticipated growth. Regional growth strategies align projected long-term growth with transportation and infrastructure planning while protecting agricultural, green spaces, and industrial lands. These strategies are authorized under the *BC Local Government Act*.

### About Metro Vancouver's Regional Growth Strategy

Metro Vancouver is updating *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy. The update is called *Metro 2050*. Since its adoption in 2011, *Metro 2040* has been a strong and effective tool representing the regional federation's collective vision for livability and managing growth anticipated to come to our region over the long term.

Metro Vancouver's regional growth strategy was co-created with member local governments and other regional agencies, and is periodically reviewed and updated. Many of the goals, actions, and tools that are working well in *Metro 2040* will remain unchanged in *Metro 2050*.

The current update extends the strategy to the year 2050, integrates with *Transport 2050*, the update to the regional transportation strategy, and responds to critical issues such as climate change, social equity, resilience, and housing affordability.

### How we got to the draft Metro 2050

Between April 2019 and June 2021, Metro Vancouver engaged closely with member jurisdictions, TransLink, the provincial ministries, First Nations, other regional organizations and agencies, adjacent regional districts, subject matter experts, and the general public. Collaboratively through this process, a number of emerging issues, gaps, and opportunities were identified, and the content of *Metro 2050* was drafted to reflect that engagement.

### Metro 2050 Vision

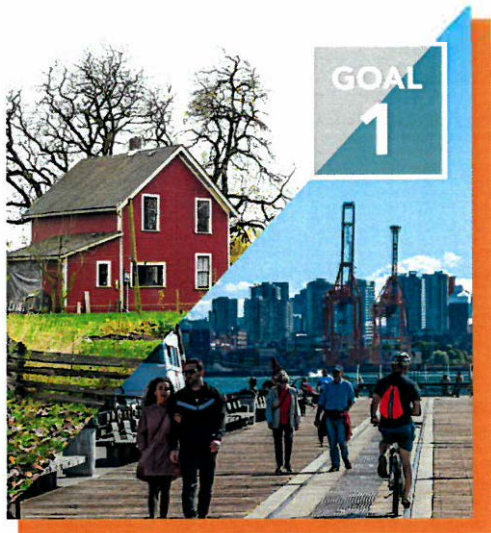
Metro Vancouver is a region of diverse and complete communities connected by sustainable transportation choices where residents take pride in vibrant neighbourhoods that offer a range of opportunities to live, work, play, and learn, and where natural, agricultural, and employment lands are protected and enhanced.

Shaping long-term growth and development in the region is essential to meeting this vision in a way that protects the natural environment, fosters community well-being, fuels economic prosperity, provides local food security, improves social equity, provides diverse and affordable housing choices, ensures the efficient provision of utilities and transit, reduces greenhouse gasses, and contributes to resiliency to climate change impacts and natural hazards.



# Metro 2050's Five Goals

Metro 2050 contains five regional goals which are supported by corresponding strategies and policy actions for Metro Vancouver, member jurisdictions, and TransLink to carry out.

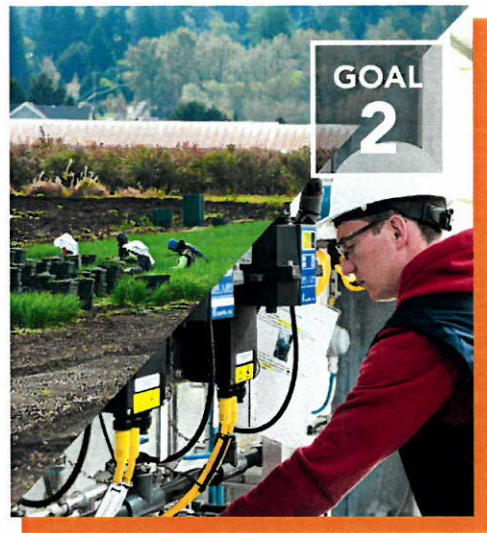


## Goal 1: Create a Compact Urban Area

Metro 2050 reinforces the established framework of concentrating growth into compact, walkable, complete communities, where development is transit-oriented, and people can access a range of housing choices that are close to jobs, amenities, and services.

### STRATEGIES

- Contain urban development within the Urban Containment Boundary
- Focus growth in Urban Centres and along Transit Corridors
- Develop resilient, healthy, connected and complete communities
- Protect Rural areas



## Goal 2: Support a Sustainable Economy

Metro 2050 protects important job lands and supports the land base, location choices, and transportation integration required to nurture a healthy business climate for both the traditional and emerging economies. Agricultural lands are protected to support local food security.

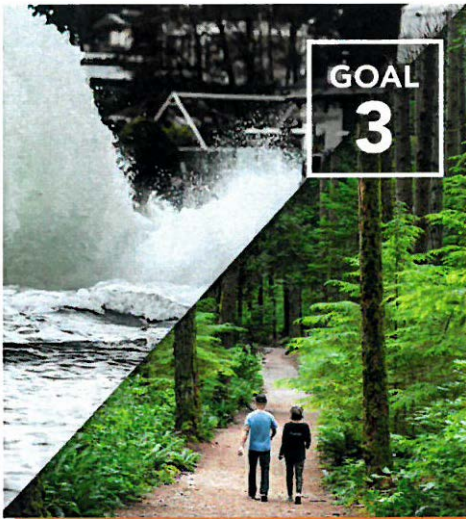
### STRATEGIES

- Promote land development patterns that support a diverse economy and employment opportunities close to where people live
- Protect the supply, and efficient use of, Industrial lands
- Protect the supply of agricultural lands and strengthen agricultural viability

## REGIONAL PLANNING GUIDING PRINCIPLES

Metro 2050 is guided by the following five well-established regional planning principles:

1. Put growth in the right places (urban centres and transit corridors)
2. Protect important lands (food, ecological and job lands)
3. Develop complete communities
4. Provide mobility, housing, and employment choices
5. Support the efficient provision of infrastructure (utilities and transit)



### Goal 3: Protect the Environment and Respond to Climate Change and Natural Hazards

*Metro 2050* protects the unique and vital natural environment, and takes action to respond to climate change by reducing greenhouse gas emissions and improving regional resilience to climate change and natural hazards.

#### STRATEGIES

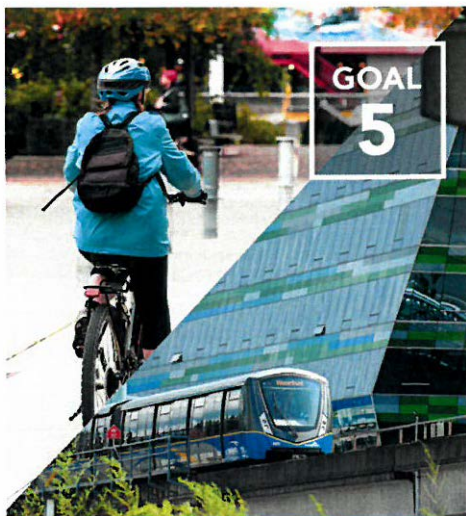
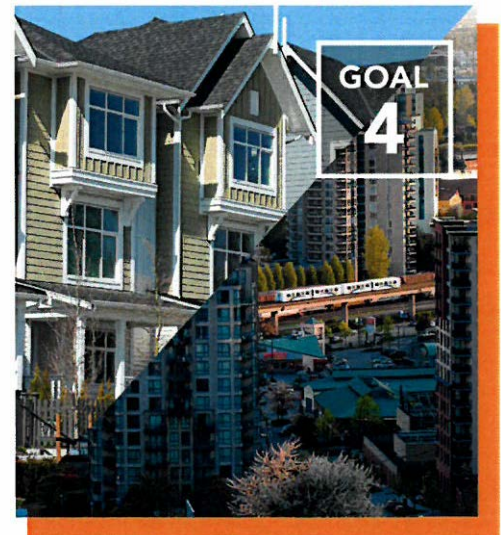
- Protect and enhance Conservation and Recreation lands
- Protect, enhance, restore and connect ecosystems
- Encourage land use, infrastructure and settlement patterns to reduce energy consumption and greenhouse gas emissions
- Encourage land use, infrastructure and settlement patterns that improve resilience to climate change impacts and natural hazards

### Goal 4: Provide Diverse and Affordable Housing Choices

*Metro 2050* draws greater attention to the importance of housing as a key component of growth management, and establishes region-wide objectives for increasing housing supply, diversity, and affordability, particularly in transit-oriented locations.

#### STRATEGIES

- Expand the supply and diversity of housing
- Expand, retain, and renew rental housing supply and protect tenants
- Meet the housing needs of lower income households and those experiencing or at risk of homelessness



### Goal 5: Support Sustainable Transportation Choices

*Metro 2050* supports transit-oriented urban forms with a range of sustainable transportation choices including expanding opportunities for transit, walking, and cycling. It supports efficient goods movement and job growth in the region's employment areas and urban centres, while reducing greenhouse gas emissions.

#### STRATEGIES

- Coordinate land use and transportation to encourage transit, multiple-occupancy vehicles, cycling and walking
- Coordinate land use and transportation to support the efficient movement of vehicles for passengers, goods and services



## Anticipated Growth

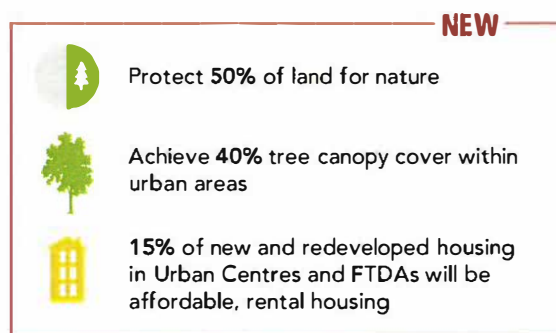
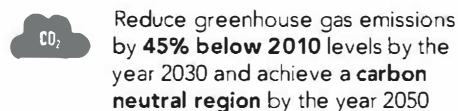
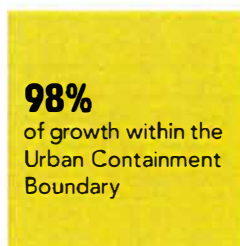
Metro 2050 forecasts indicate that over the next thirty years, Metro Vancouver will receive an additional one million residents for a total population of **3.8 million by the year 2050**. This also means 500,000 additional housing units will be needed and almost 500,000 jobs will be created during that time.

## What's New/Proposed?

Much of the content in *Metro 2050* will be the same as *Metro 2040*, and the 'big moves' reflect engagement and feedback from member jurisdictions, other regional agencies, the Province, First Nations, and the public. You will see:

- Stronger alignment of planned locations for growth with transit investment through a new tool called 'Major Transit Growth Corridors'
- Housing policies to encourage transit-oriented affordable housing, increase stock and protect existing non-market rental units
- Clearer and stronger definition for industrial lands, as well as flexibility for affordable rental residential on Employment lands near rapid transit stations
- Stronger climate action, including collective actions toward GHG emission reduction targets and preparing for climate change impacts
- Aspirational regional targets for the federation to collectively work toward for affordable rental housing near transit, protecting land for nature and increasing urban tree canopy cover
- Improved integration of social equity outcomes
- Greater emphasis on building relationships with First Nations, incorporating future development and planning needs

## Metro 2050 Regional Targets



## OPPORTUNITIES TO PROVIDE FEEDBACK

A draft version of *Metro 2050* was released for public comment in June 2021. Metro Vancouver welcomes comments from municipalities, organizations, First Nations, and members of the public by **November 26, 2021**.

Please send your comments to:

Online feedback form: [metrovancover.org/metro2050](https://metrovancover.org/metro2050)

Email: [regionalplanning@metrovancover.org](mailto:regionalplanning@metrovancover.org)

Mail: Metro Vancouver Regional Planning and Housing Services  
4730 Kingsway, Burnaby, B.C. V5H 0C6

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