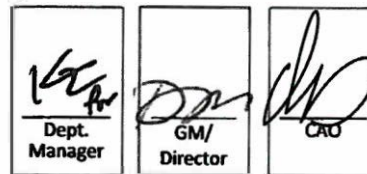


AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>Jan 8 / 2024</u>
<input type="checkbox"/> Other:	Date: _____



The District of North Vancouver REPORT TO COUNCIL

December 19, 2023
Case: PLN2021-00049
File: 08.3060.20/049.21

AUTHOR: Kevin Zhang, Senior Development Planner

SUBJECT: Bylaws 8660, 8661, and 8663: Rezoning, Housing Agreement, and Development Cost Charges (DCC) Waiver Bylaws for a Mixed-Use Development at 2045-2075 Old Dollarton Road

RECOMMENDATION

THAT the "District of North Vancouver Rezoning Bylaw 1433 (Bylaw 8660)" is given FIRST, SECOND, and THIRD Readings;

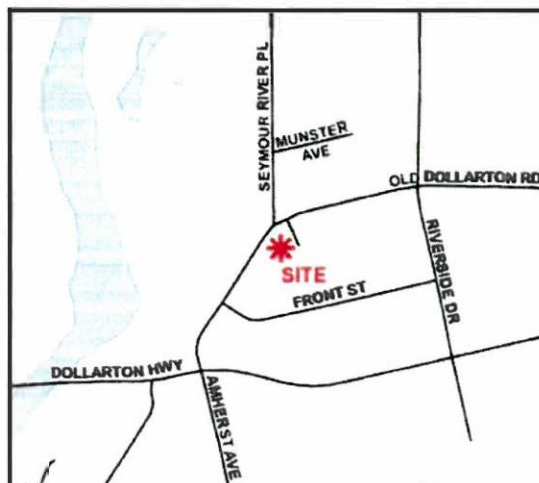
AND THAT "Housing Agreement Bylaw 8661, 2023 (2045 Old Dollarton Road)" is given FIRST, SECOND, and THIRD Readings;

AND THAT "2045 - 2075 Old Dollarton Road Development Cost Charges Waiver Bylaw 8663, 2023" is given FIRST, SECOND, and THIRD Readings.

REASON FOR REPORT

Implementation of the proposed project requires Council's consideration of:

- Bylaw 8660 to rezone the subject properties (**Attachment 2**);
- Bylaw 8661 to authorize a housing agreement to secure the market and non-market rental units (**Attachment 3**);
- Bylaw 8625 to waive Development Cost Charges for the affordable rental units (**Attachment 4**); and
- Issuance of development and building permits.



The Rezoning Bylaw, Housing Agreement Bylaw, and DCC Waiver Bylaw are recommended for First, Second, and Third Readings. A Development Permit would be forwarded to Council for consideration if the rezoning proceeds.

SUMMARY

In compliance with the Maplewood Plan, Giva Construction Inc. has applied to redevelop 2045-2075 Old Dollarton Road to allow for a five-storey, mixed-use, all-rental building with six commercial units at grade and 36 residential rental units above, seven of which are at below-market rents. See **Attachment 1** for the project drawing package.

Site and Surrounding Area

The development site is approximately 1,226 m² (13,197 ft²) in size and is comprised of four commercial properties and a portion of lane allowance, which is intended to be closed and sold to the developer. A Road Closure Bylaw (Bylaw 8662) to close this portion of lane within the development site will be considered by Council as a separate agenda item at the same meeting.

The site is located at the southwest corner of Old Dollarton Road and Seymour River Place. It is an older existing one-level commercial building with four commercial units. Surrounding properties include a 3-storey mixed-use building to the north of Old Dollarton Road, Maplewood Gardens to the east of Seymour River Place (an existing 58-unit rental apartment development proposed for a 567-unit 6-storey mixed-use development currently at rezoning stage), Maplewood Plaza to the south (a 193-unit 6-storey mixed-use development currently at building permit stage), and Riverside Mews (an existing 65-unit townhouse development) to the west of Old Dollarton Road.



POLICY ALIGNMENT

Official Community Plan

The Official Community Plan (OCP) designates the site as “Commercial Residential Mixed-Use Level 2” (CRMU 2) which envisions commercial residential mixed-use developments of up to approximately 2.5 floor space ratio (FSR). At 2.72 FSR, the proposal is generally in keeping with the OCP designation. Council may, in its discretion, consider Zoning Bylaw amendments to permit density over and above that indicated by the OCP designation on a case-by-case basis, where the proposed development is otherwise consistent with objectives and policies of the OCP.

The proposal is consistent with the following policies of the OCP:

- *Policy 7.3.1: “Reflect District housing priorities through an appropriate mix, type and size of affordable housing”; and*
- *Policy 7.3.3: “Apply incentives (including reduced parking requirements) as appropriate to encourage the development of affordable housing”.*

Targeted Official Community Plan Review Action Plan 2021-2030

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 project contributes to this action by providing a range of housing options within the heart of Maplewood Village Centre. It also delivers key public amenities such as a new separated bike lane, a new corner plaza, and new pedestrian infrastructure.

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

The project proposes that 100% (36 units) of the residential units are rental in tenure, of which seven are secured with below-market rents.

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 project is located in the Maplewood Village Centre and includes market and non-market rental apartments. All of these units meet either “Basic” or “Enhanced” levels of accessibility.

Maplewood Plan

The project has been reviewed against the Maplewood Village Centre and Innovation District Implement Plan & Design Guidelines (the “Maplewood Plan”). The proposal addresses the following Maplewood Plan policies:

- Land Use
 - The proposal is consistent with the Maplewood Plan, at densities that support local commercial and transit services.
- Building Heights
 - The proposal, at 5 storeys, is consistent with the Maplewood Plan, which envisions building heights of 4-6 storeys on the site.
- Housing Mix
 - The proposed development increases the diversity of housing types in the area by providing market and non-market rental residential units.

Housing Needs Report and Provincial Housing Targets

The District’s [Housing Needs Report](#) (HNR) (updated in July, 2023) identifies the need for various housing types in the district by tenure, unit size and affordability related to below market housing needs.

Specifically, the HNR identifies that between 2021 and 2031, 1,240 rental units are needed to accommodate the projected growth of the District. The provincial Housing Target Order for the District identifies 1,541 rental units (of which 657 should be below market) to be built between 2023 and 2028. This proposal, which comprises of 36 units of rental (7 at secured below market rates) contribute directly to both the HNR and the provincial Housing Targets.

Zoning

The subject properties are currently zoned General Commercial Zone 2 (C2) which accommodates a wide range of commercial uses. Rezoning Bylaw 8660 proposes to create a new Comprehensive Development Zone 148 (CD 148) tailored specifically to this project. The proposed CD 148 zone prescribes permitted uses and zoning provisions such as density, height, setbacks, and parking requirements.

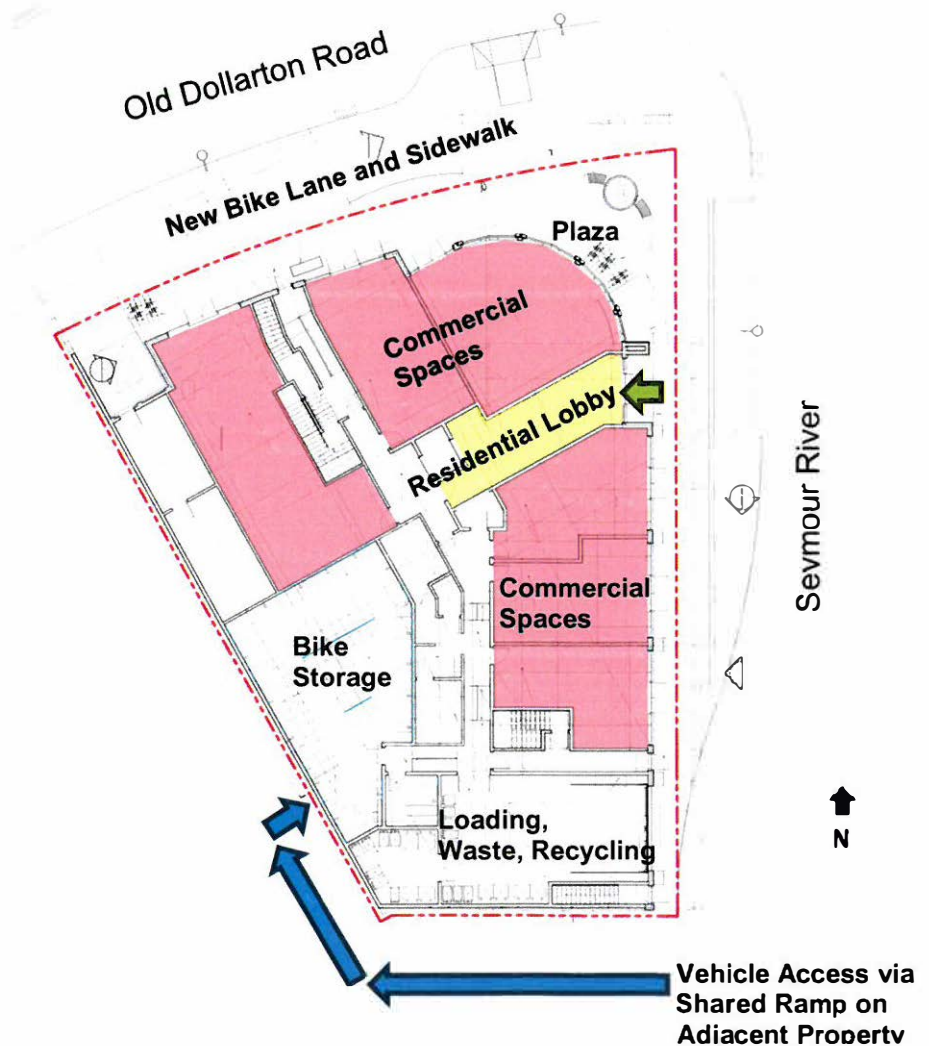
ANALYSIS

Site Plan and Project Description

The proposal is situated on a very constrained and irregularly shaped site in the heart of the Maplewood Village Centre. As a result, the proposal must construct an underground parkade that has reduced layout efficiency and shares an access ramp with its southerly neighbour, secured via an access easement at the time of rezoning of the southerly site.

The proposal is for a five-storey, mixed-use, all rental building with six commercial spaces and 36 residential rental units (seven of which are at below-market rents). The proposal includes 474 m² (5,102 ft²) of commercial space at grade to replace the existing commercial spaces. The commercial spaces have individual entrances on both Old Dollarton Road and Seymour River Place, while the residential entrance is on Seymour River Place. The residents have access to a private, common outdoor patio on the second floor.

Key offsite improvements include a small plaza with public art and a new separated bike path along the project's Old Dollarton Road frontage, a new fire hydrant on Seymour River Place, and general sidewalk improvements and new street lighting.



Ground Level Plan

Lane Purchase and Sale Agreement

In accordance with the Maplewood Plan, the triangular portion of District lane to the south of the subject properties lots (approximately 77.2 m² (831 ft²) in area) is proposed to be acquired by the developer from the District at market value, closed to vehicle traffic, and consolidated with the development site. With the redevelopment of the Maplewood Plaza site and the subject properties, this portion of lane will no longer serve any transportation purposes. The applicant has a purchase and sale agreement with the District for the lane, which is conditional to rezoning and road closure bylaw approval.



Aerial photo showing subject properties (red) and Lane to be closed (yellow)

A Staff report seeking Council consideration of the lane closure is also anticipated at the same time of the consideration of this report.

Rental Unit Mix

The rental units are a mix of one- to four-bedroom layouts, ranging in size from 38.78 m² (417.5 ft²) to 93.98 m² (1,011.6 ft²). A summary of the residential units by bedroom count is provided in the following table.

	1-bed	2-bed	3-bed	4-bed	Total
Market Rental	9	16	3	1	29
Non-market Rental	4	3	-	-	7
Total	13 (36%)	19 (53%)	3 (8%)	1 (3%)	36

Below-Market Rental Rates

The seven non-market rental units are comprised of four one-bedroom units and three two-bedroom units. The applicant is targeting rents for the non-market units which are affordable to residents with household incomes between \$58,000 and \$72,000, which is below BC Housing's definition of "Low-to-Moderate Income Households" (households with 2023 before-tax incomes below \$82,310).

The Metro Vancouver median rents (2022), District of North Vancouver median rents (2022), and proposed non-market unit rents are shown in the table below for reference.

Proposed Non-Market Rental Units	Number of Units	Non-Market Unit Initial Rents	Metro Vancouver median rents (2022) (Initial Rents % above or below)	DNV median rents (2022) (Initial Rents % above or below)
1 bedroom	4	\$1,450	\$1,500 (-3%)	\$1,803 (-20%)
2 bedroom	3	\$1,805	\$1,900 (-5%)	\$2,250 (-20%)

The rental tenure for all units, as well as the rents for the non-market units, will be secured through Housing Agreement Bylaw 8661 (Attachment 3) should the project advance.

Development Permits

The site is currently in the following Development Permit Areas(s):

- Form and Character of Commercial and Mixed-Use Buildings;
- Energy and Water Conservation and Green House Gas Emission Reduction; and
- Protection of Development from Hazardous Conditions - Creek Hazard.

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.

Form and Character of Mixed-Use Buildings

The proposal is in keeping with the OCP Design Guidelines for Mixed-Use Buildings as well as the Maplewood Plan design guidelines. The design strategy prioritizes the public realm on the prominent corner through the creation of a small plaza space and active street frontage along each façade. The building, which matches the context of new and existing developments in the area, contains minimal blank walls and provides weather protection for pedestrians.



Rendering of proposal from the corner of Old Dollarton Road and Seymoure River Place

Advisory Design Panel

The application was considered by the Advisory Design Panel (ADP) on March 11, 2022 and the Panel recommended approval of the project subject to resolution of the Panel comments. The applicant has addressed the Panel's comments by refining the façades along both street frontages, adding balconies and glazing, and aligning the buildings' horizontal elements with adjacent buildings to create a more cohesive street wall.

Energy and Water Conservation and Green House Gas Emission Reduction

The proposal as designed is consistent with the OCP Guidelines for Energy and Water Conservation and Greenhouse Gas Emission Reduction. In addition, the applicant has considered the District's Community Energy and Emissions Plan (CEEP) and Council's declaration of a Climate Emergency.

A Project Sustainability Brief by Electrical and Mechanical Engineering Consultants was submitted with the application. The project's energy strategy includes of the following components:

- The residential component of the building will be built to "Step 3" of the BC Energy Step Code and Emissions Level 3, and the commercial component will be built to "Step 2" and Emissions Level 3;

- Lighting systems will consist of efficient LED fixtures, and the building will commit to conducting whole building airtightness testing as required by the BC Energy Step Code;
- Automated control systems for temporary or permanent mechanical irrigation systems;
- Durable building materials will be used; and
- Building is designed to be solar ready.

Protection of Development from Hazardous Conditions - Creek Hazard

The proposed design reflects the OCP Guidelines for Protection of Development from Hazardous Conditions (Creek Hazard). A Flood Hazard Report by Horizon Engineering was submitted with the application. The proposal is designed to align with the recommendations of the consultant and the established flood construction level. Creek hazard protection requirements will be secured by covenant.

Landscaping

A conceptual landscape plan has been submitted with the rezoning application showing boulevard planting and concepts for the public realm areas, including those areas along adjacent streets. The landscaping is concentrated around the perimeter of the site and on the second floor outdoor amenity area.



Conceptual renderings of landscaping

Should the rezoning proposal proceed, a more detailed review of landscape issues will be included in the development permit report.

Tenant Relocation Assistance

The District's Residential Tenant Relocation Assistance Policy (RTRAP) only applies to residential tenancies and does not apply to commercial tenants. The applicant will be keeping the existing tenants informed on the redevelopment process. The four existing commercial tenants will have the opportunity to move into the newly developed CRUs.

Accessibility

The proposal fulfils the requirements of the Accessible Design Policy for Multifamily Housing as all 36 apartment units (100%) meet the 'Basic Accessible Design' criteria and two apartment units (5%) meet the 'Enhanced Accessible Design' criteria. Given the constrained nature of the site and high water table limiting the size of the underground parkade, the proposal was not able to meet the accessible parking requirement (four accessible spaces), but the proposal was able to provide one accessible space for each enhanced accessible unit (two total).

Parking and Transportation

Vehicle Parking

All parking is proposed in a one-level underground garage. Access to the underground garage is proposed off of Seymour River Place through a shared ramp on the southerly neighbouring property and shared through an easement.

This proposal has undertaken a parking needs assessment in conjunction with the District's "Alternative Vehicle Parking Rates Policy". The proposal complies with the new policy and results in a total of 29 parking spaces. The parking provision is broken down as follows:

Parking	Stalls per Residential Unit	Total Stalls
Residential	0.48	14
Non-Market Rental Units	0.43	3
Residential Visitor	0.06	2
Shared Residential Visitor and Commercial	0.28	10
Total		29

Section 5.1 (8) of the OCP states that reductions for parking requirements should be considered for new developments in centres well served by transit as ways to encourage alternate modes of transportation and to increase housing affordability.

The applicant has submitted a Transportation Impact Assessment Study prepared by Bunt and Associates that supports the proposed parking rate and notes that the traffic generated in this proposal has been accounted for in the District's Maplewood Village Functional Design Report (MVFDR), a transportation design document that anticipated build-out of the Maplewood Plan.

The applicant has proposed to provide energized outlets capable of supporting "Level 2" charging for all parking spaces, which exceeds the requirements of the District's Electric Vehicle Charging Infrastructure Policy.

Some of the proposed Transportation Demand Management (TDM) features include:

- a public bike share space at the corner of Old Dollarton Road and Seymour River Place;
- a bicycle storage room at ground level with more storage than required by District policy;
- bicycle maintenance facilities (work bench, repair tools, and tire pumps),
- real time transit information displays; and
- unbundled parking.

Staff are supportive of the proposed parking as the proposal is located in an area well served by transit and is consistent with the District's Alternative Vehicle Parking Rates Policy.

Bicycle Parking

The District's "Bicycle Parking and End-of-Trip Facilities Policy" prescribes Class 1 (long-term secure bicycle storage spaces) and Class 2 (short-term bicycle storage space) bicycle parking rates for residential and non-residential uses.

The applicant is proposing to exceed the policy by providing a total of 87 spaces as shown in the table below. Of note, the bike storage room is proposed to be at grade, providing greater convenience for cyclists.

	Class 1 (Long Term) – Secure Bicycle Storage	Class 2 (Short Term) – Bicycle Storage	Total
Residential	73	6	79
Commercial	4	4	8
Total	77	42	87

All secure residential bicycle storage will include access to Level 1 electric bicycle charging in accordance with the Bicycle Parking and End-of-Trip Facilities Policy.

The requirements for the bicycle spaces are secured in the proposed CD 148 zone. Overall, the bicycle parking proposed, along with the proximity to transit service, will help to support alternate transportation options for residents and visitors to the project.

On- and Off-site Improvements

The application includes improved street frontages with new street trees, streetlight upgrades, new curb and gutter, paving improvements, and road dedications along Old Dollarton Road for new pedestrian and cycling infrastructure.

The estimated total value of off-site works (engineering and landscaping) is \$580,000. This estimate has been provided by the applicant and the full scope (and value) of required off-site construction will be determined through the detailed design work at the Building Permit stage.

Chemical Hazard Risk Evaluation

In 2012, Doug McCutcheon and Associates completed a study on land use in Maplewood Village Centre with respect to the potential chemical hazard arising from existing industrial activities to the south. The study established risk contours for the Maplewood area which are outlined in the Maplewood Plan.

The proposed development site is north (outside) of the 1×10^{-6} risk contour line and as such there is no restriction on residential use and density on this site. The only restriction on land use in regards to the chemical hazard on this site is that no sensitive institutions, such as hospitals and aged care facilities, can be located on this site. There will be a covenant registered on title ensuring no sensitive institutions are permitted on site until a future time when sensitive uses are not limited due to a chemical hazard study.

Development Cost Charges

The project would pay District Development Cost Charges (DCC's) at the applicable rate at the time of Building Permit submission should the Rezoning and Development Permit be approved. Current District DCC's are estimated at approximately \$530,000 (2023 rates).

Staff have prepared a Development Cost Charges Waiver Bylaw (**Attachment 4**) to establish a DCC rate at \$0 for the seven non-market units, subject to securing these units in perpetuity in the housing agreement. Should the waiver be approved, the value of the waiver based on the 2023 District DCC rates would be approximately \$63,000 resulting in a net District DCC of approximately \$467,000.

Community Amenity Contribution

The District's Community Amenity Contribution (CAC) Policy outlines expectations for rezoning applications 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." The proposal includes 29 market rental units and seven non-market rental units that are secured in perpetuity and will represent the amenity for this project.

A third-party consultant has completed a CAC analysis for the project and has indicated no increase in land value can be expected with the proposed rezoning for the following reasons:

- Rental development supports much lower rezoned land value than strata apartment development because the value of a completed rental building (per square foot) is lower than the value of a strata building, but the costs to create a rental building are similar to the costs to create a strata building; and
- The project includes some unique costs such as the District lane acquisition.

As a result of the analysis, the CAC offered by the applicant is \$25,000 toward public art.

Financial Impacts

The proposal will contribute the following housing amenities, off-site works, land, and DCC's:

- 7 non-market rental units;
- 29 market rental units;
- Public Art to the value of \$25,000 or cash contribution to the public art fund;
- Off-site works currently estimated at approximately \$580,000;
- Purchase of lane from the District for \$395,000;
- Land dedications totalling approximately 76 m² (818 ft²); and
- Development Cost Charges of approximately \$467,000.

The District's Housing Reserve Fund will support the waived DCC's on the non-market residential rental units (estimated at \$63,000 based on 2023 DCC rates).

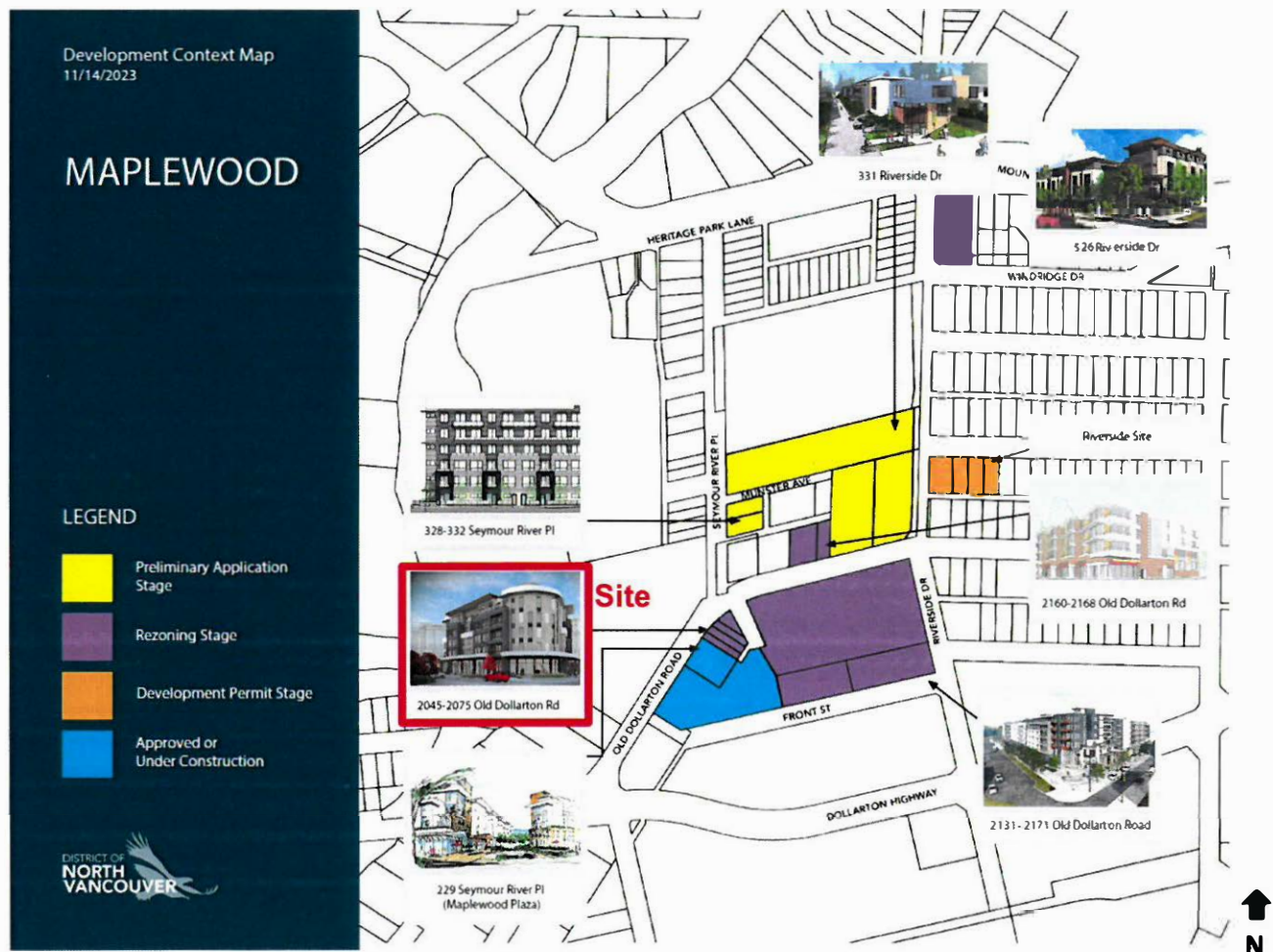
Concurrence

The project has been reviewed by staff from the Environment, Building, Legal, Engineering, Community Planning, Transportation, Fire Department, Arts Office, Finance and Properties departments.

The District of North Vancouver Rezoning Bylaw 8660 affects land lying within 800m of a controlled access intersection and therefore approval by the Provincial Ministry of Transportation and Infrastructure will be required after third reading of the bylaw and prior to bylaw adoption.

Construction Traffic Management Plan

The site is shown in relation to other residential construction projects and potential development projects in the image below.



In order to reduce development's impact on pedestrian and vehicular movements, the applicant is required to provide a Construction Traffic Management Plan (CTMP) as a condition of a Development Permit.

The Plan must outline how the applicant will coordinate with other projects in the area (e.g. Maplewood Plaza and Maplewood Gardens) to minimize construction impacts on pedestrian and vehicle movement along Old Dollarton Road and Seymour River Place. Road closures will only be approved for the roadworks and service main upgrades. The CTMP is required to be approved by the District prior to issuance of a building permit.

In particular, the Construction Traffic Management Plan must:

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

Public Input

The applicant held a virtual Public Information Meeting on April 4, 2022.

Notices were distributed to neighbours in accordance with the District's policy on Non-Statutory Public Consultation. Two signs were placed on the property to notify passersby of the meeting, and advertisements were placed in the North Shore News. A webpage was established for this project on the District's website.

The virtual meeting received approximately 100 unique visitors.

Two comments were received: one supports the project and enquires if more non-market rental units is possible, and another one cites general concerns with traffic and parking in the Maplewood area, unrelated to the subject application.

Response to Public Input

In response to feedback received from the public and staff, the applicant converted the entire proposal from strata to rental, and increased the number of non-market rental units from one to seven.

The virtual public information meeting summary report with redacted comments is attached as **Attachment 5**.

Implementation

Implementation of this project will require Rezoning, Housing Agreement, and DCC Waiver Bylaws, in addition to a development permit, and registration of legal agreements.

Bylaw 8660 (**Attachment 2**) rezones the subject site from C2 to a new Comprehensive Development Zone 148 (CD148) which:

- establishes the permitted residential and commercial uses;
- allows home occupations as an accessory use;
- establishes the maximum permitted floor area on the site;
- establishes setback and building height regulations; and
- establishes parking regulations specific to this project.

Bylaw 8661 (**Attachment 3**) authorizes the District to enter into a Housing Agreement to secure the rental apartments and non-market rents.

Bylaw 8663 (**Attachment 4**) authorizes the District to reduce the DCCs for the seven non-market rental units to 'zero'.

A legal framework will be required to support the project. Additional legal documents required for the project will include, but are not limited to, the following:

- subdivision plan showing site consolidation and road dedications;
- development covenant to reference the general form and layout of project, requirement for vehicular access from an easement on the southerly neighbouring property, as well as requirements for off-site servicing and on-site public features;
- creek hazard covenant; and
- stormwater management covenant.

CONCLUSION

This project assists in the implementation of the District's Official Community Plan and Maplewood Plan objectives by providing rental housing and commercial spaces in the Maplewood Village Centre. Combining a constrained and irregularly shaped property with the financial framework of a rental project necessitated a reduction in the number of underground parking spaces provided. The project provides new market and non-market rental housing contributing to the rental housing needs set out in the latest Housing Needs Report. The Rezoning proposal is now ready for Council's consideration.

OPTIONS

The following options are available for Council's consideration:

1. Give Bylaws 8660, 8661, 8663 First, Second, and Third Readings (staff recommendation);
2. Refer the project back to staff for further consideration; or
3. Defeat the bylaws at First Reading.

Respectfully submitted,



Kevin Zhang
Senior Development Planner

ATTACHMENTS

1. Architectural and Landscape Plans
2. Bylaw 8660 – Rezoning
3. Bylaw 8661 – Housing Agreement
4. Bylaw 8663 – DCC Waiver Bylaw
5. Virtual Public Information Meeting Summary Report

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>RD</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:	_____
<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 checked="" type="checkbox"/> Planning	<u>SP</u>		

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6 STOREYS MAPLE WOOD PLAZA BUILDING PERMIT APPLICATION



3 STREETScape VIEW-SEYMOUR RIVER PL
SCALE:

12 STOREYS DARWIN
DEVELOPMENT APPLICATION



1 STREETScape VIEW-OLD DOLLARTON ROAD
SCALE:

PROJECT
OLD DOLLARTON ROAD
2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
ROAD, NORTH VANCOUVER BC.

DRAWING TITLE
STREETSCAPE VIEWS

DRAWING ISSUE
**REISSUED FOR DETAILED
REZONING APPLICATION**

PROJECT NO.	PLOT DATE	ORIGIN	MT
18205	OCT. 04, 2023	REVIEWED	AF
DRAWING NO.	SCALE	1 : 250	REVISION
A0013			6



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[illegible]

PROJECT

OLD DOLLARTON ROAD

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
ROAD, NORTH VANCOUVER BC.

DRAWING TITLE

3D VIEW

DRAWING ISSUE

REISSUED FOR DETAILED
REZONING APPLICATION

PROJECT NO. 18205	PLOT DATE OCT. 04, 2023	DRAWN MT
	SCALE	REVIEWED AF
DRAWING NO. A0030		REVISION 7

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ADJUSTMENT



7	2023-03-01	REQUESTED FOR DETAILED REZONING APPLICATION			AP
8	2023-05-20	REQUESTED FOR DETAILED REZONING APPLICATION			AP
9	2023-07-02	REQUESTED FOR DETAILED REZONING APPLICATION			AP
6	2019-10-05	REQUESTED FOR ADP REVIEW			AP
5	2017-07-09	REQUESTED FOR DETAILED REZONING APPLICATION			AP
4	2020-05-18	ISSUED FOR ADP REVIEW			AP
3	2019-10-05	ISSUED FOR PUBLIC INFORMATION MEETING			AP
REV	VYTY-089-D0	REVISION - DRAWING ISSUE			REVIEW

CONSULTANT

PROJECT

OLD DOLLARTON ROAD

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
ROAD, NORTH VANCOUVER BC.

DRAWING TITLE

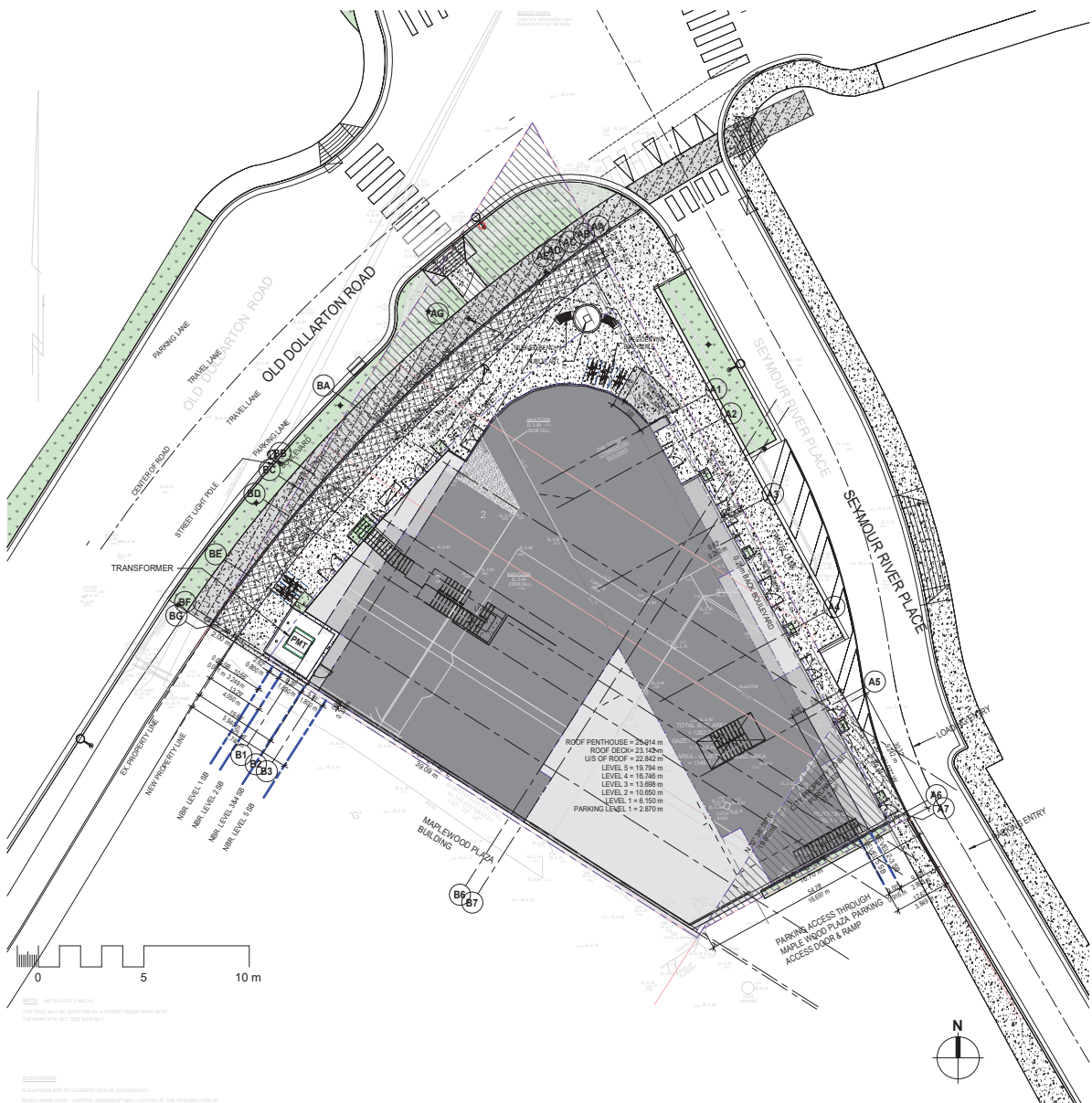
3D VIEW

DRAWING ISSUE

REISSUED FOR DETAILED
REZONING APPLICATION

PROJECT NO. 18205	PLOT DATE OCT. 04, 2023	DRAWN M
	SCALE	REVIEWED A
DRAWING NO. A0031		REVISION 7

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SITE LEGEND

- PROPERTY LINE
- SETBACK LINE
- PARKING LEVEL 1 OUTLINE
- BUILDING FOOTPRINT
- BLDG LEVEL 2 OUTLINE
- BLDG LEVEL 3 OUTLINE
- BLDG LEVEL 4 OUTLINE
- BLDG LEVEL 5 OUTLINE
- CONCRETE
- LANDSCAPE AREA
- BIKE PATH

Abbreviation LEGEND

- Bottom of Wall
- Building Width
- Building Depth
- Carbon Monoxide detector
- Driveway Segment
- Electrical Fireplace
- Exhaust Fan
- Existing
- Fire Pit
- Floor Drain
- Gas Fireplace
- High guard
- High Handrail
- Lot Width
- Lower Window Head
- Property Line
- Proposed
- Ramp Segment
- Road Drain
- Setback
- Setback line
- Slope down
- Slope Up
- Smoke Alarm
- To Cladding
- To Foundation
- To Nearest opening
- To Road Center line
- Top of
- Top of Slab
- Top of Wall
- Trench Drain
- Under Side of
- Upper Window Head

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NO.	DATE	REVISION	BY
10	2008-10-04	REISSUED FOR DETAILED REZONING APPLICATION	AF
9	2003-03-01	REISSUED FOR DETAILED REZONING APPLICATION	AF
8	2003-01-20	REISSUED FOR DETAILED REZONING APPLICATION	AF
7	2002-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF
6	2001-10-05	REISSUED FOR ADP REVIEW	AF
5	2001-07-09	REISSUED FOR DETAILED REZONING APPLICATION	AF
4	2000-06-20	REISSUED FOR ADP REVIEW	AF
3	2000-12-02	REISSUED FOR PUBLIC INFORMATION MEETING	AF
2	2000-08-07	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF
1	2000-03-17	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF
REV.	YYYY-MM-DD	REVISION / DRAWING ISSUE	REVIEW

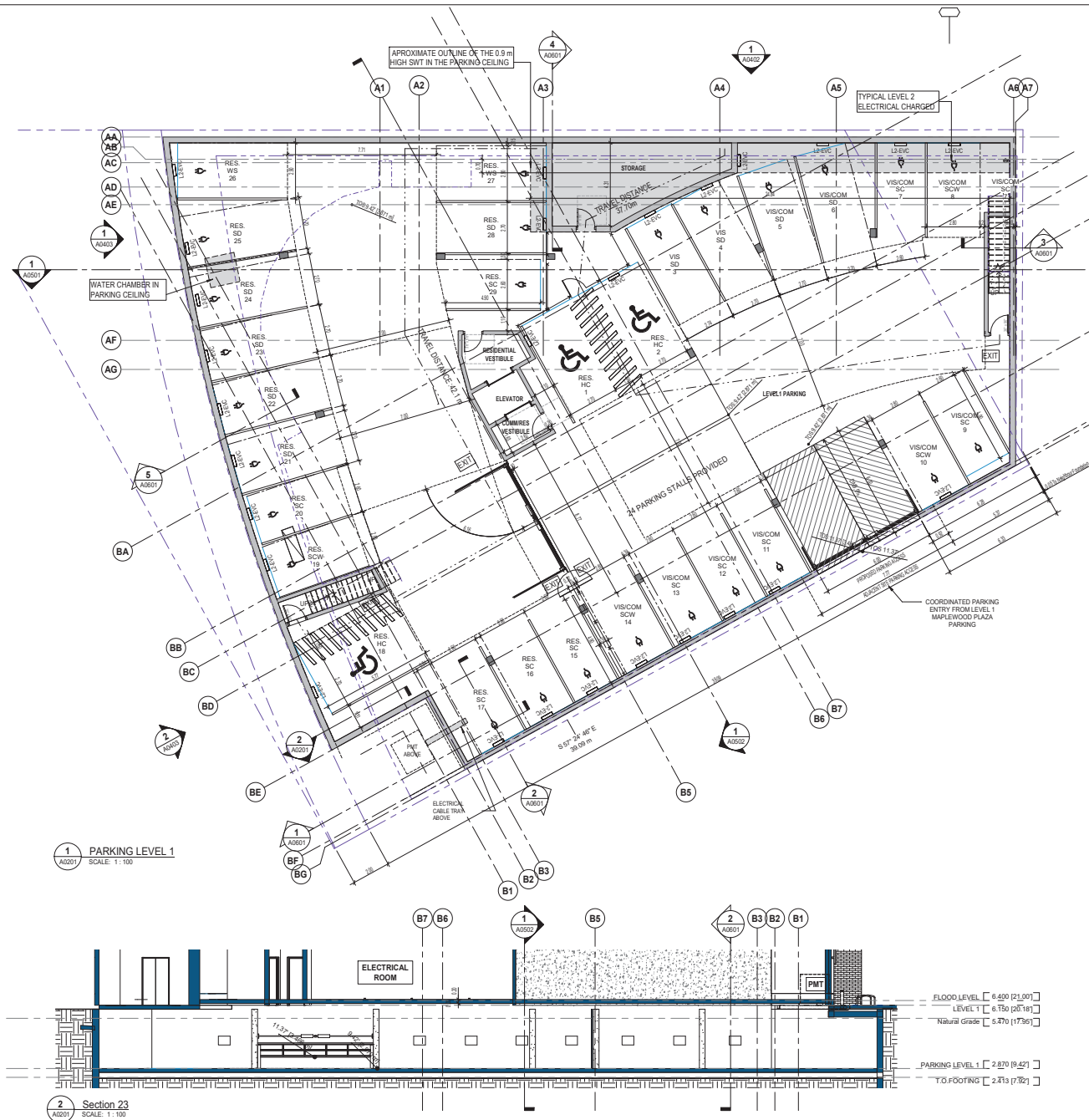
PROJECT
OLD DOLLARTON ROAD
2045, 2055, 2059, 2065, 2075 OLD DOLLARTON ROAD, NORTH VANCOUVER BC.

DRAWING TITLE
SITE PLAN

DRAWING ISSUE
REISSUED FOR DETAILED REZONING APPLICATION

PROJECT NO.	18205	DATE	OCT. 04, 2023	DRAWN	MT
SCALE	As indicated	REVIEWED		AF	
DRAWING NO.	A0101	REVISION			10

1 SITE PLAN
SCALE: 1:150



IA-Parking Schedule (Stall Use)			
Level	Type Mark	Count	Parking Use
PARKING LEVEL 1	HC	3	RES.
PARKING LEVEL 1	SC	5	RES.
PARKING LEVEL 1	SCW	1	RES.
PARKING LEVEL 1	SD	6	RES.
PARKING LEVEL 1	WS	2	RES.
RES. 17		17	
PARKING LEVEL 1	SD	2	VIS
PARKING LEVEL 1	SC	5	VIS/COM
PARKING LEVEL 1	SCW	3	VIS/COM
PARKING LEVEL 1	SD	2	VIS/COM
VIS/COM: 10		10	
Grand total		29	

IA-Parking Schedule (Stall Type)			
Level	Type Mark	Count	Parking Use
PARKING LEVEL 1	HC	3	RES.
HC: 3		3	
PARKING LEVEL 1	SC	5	RES.
PARKING LEVEL 1	SC	5	VIS/COM
SC: 10		10	
PARKING LEVEL 1	SCW	1	RES.
PARKING LEVEL 1	SCW	3	VIS/COM
SCW: 4		4	
PARKING LEVEL 1	SD	6	RES.
PARKING LEVEL 1	SD	2	VIS
PARKING LEVEL 1	SD	2	VIS/COM
SD: 10		10	
PARKING LEVEL 1	WS	2	RES.
WS: 2		2	
Grand total		29	

IA-Bike Schedule			
Level	Type Mark	Count	Parking Use
LEVEL 1	BC	6	
LEVEL 1B	BC-H	2	CLASS 1-LONG TERM
LEVEL 1B	BC-V	2	CLASS 1-LONG TERM
LEVEL 1B	BR-H	32	CLASS 1-LONG TERM
LEVEL 1B	BR-V	41	CLASS 1-LONG TERM
CLASS 1-LONG TERM: 77		77	
LEVEL 1	BC	4	CLASS 2-SHORT TERM
CLASS 2-SHORT TERM: 4		4	
Grand total: 87		87	

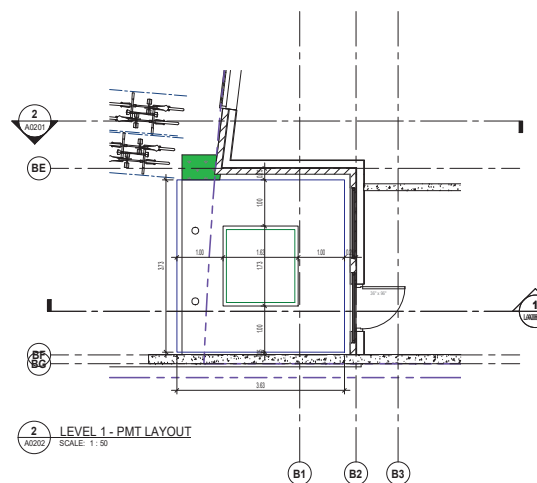
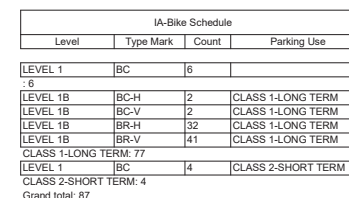
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8	2020-01-28	REISSUED FOR DETAILED REZONING APPLICATION	AF	
7	2020-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF	
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5	2021-01-09	REISSUED FOR DETAILED REZONING APPLICATION	AF	
4	2020-05-20	REISSUED FOR ADP REVIEW	AF	
3	2019-12-02	REISSUED FOR PUBLIC INFORMATION MEETING	AF	
2	2019-08-07	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF	
1	2018-03-17	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF	
REV	YYYY-MM-DD	REVISION / DRAWING ISSUE		
CONSULTANT				

PROJECT
OLD DOLLARTON ROAD
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DRAWING TITLE
PARKING LEVEL 1

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PROJECT NO.	PLOT DATE	SCALE	DRAWN	REVIEWED	MT
18205	OCT. 04, 2023	1 : 100			AF
DRAWING NO.	A0201				
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PROJECT

OLD DOLLARTON ROAD

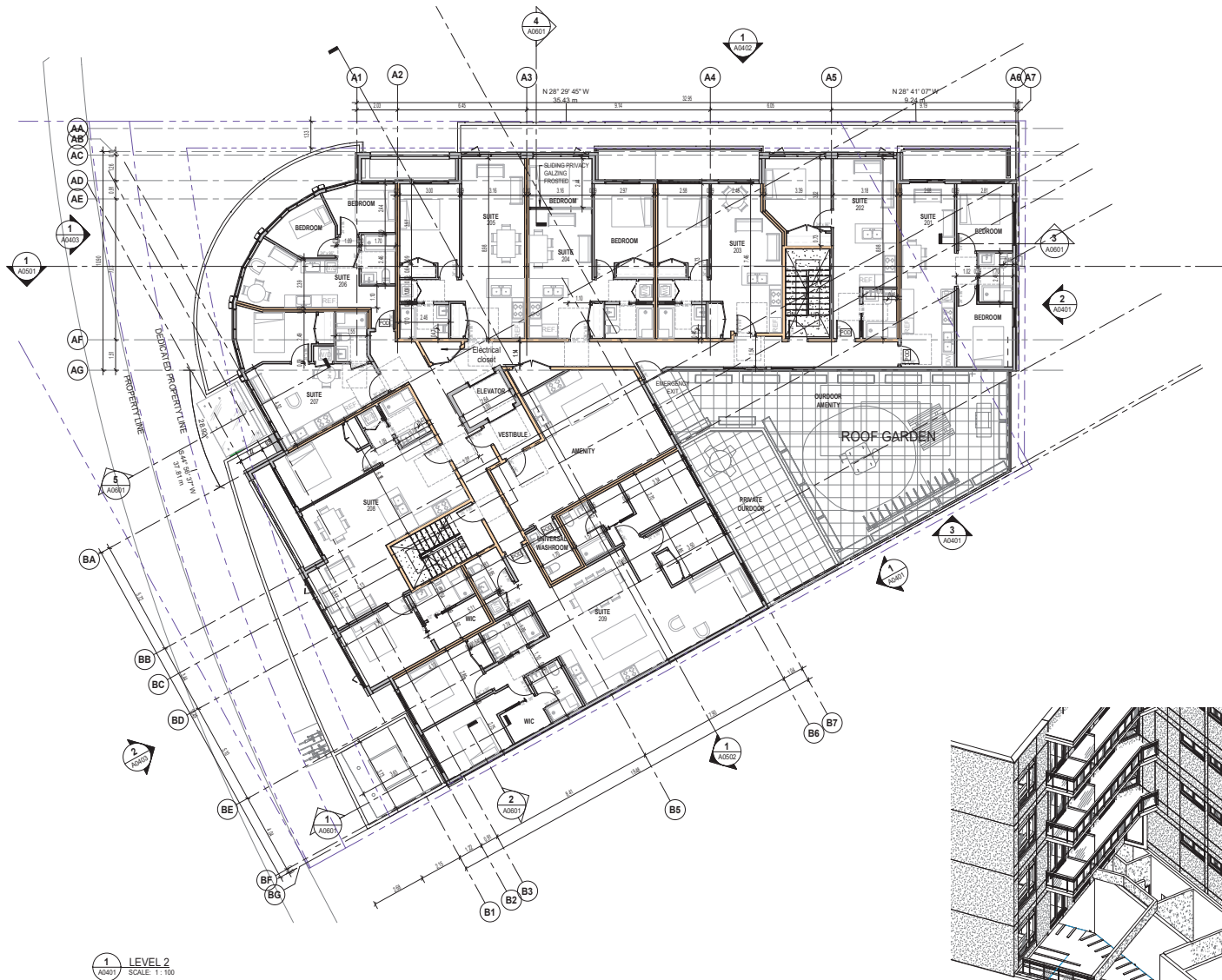
2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
ROAD, NORTH VANCOUVER B.C.

LEVEL 1 FLOOR PLAN

REISSUED FOR DETAILED
REZONING APPLICATION

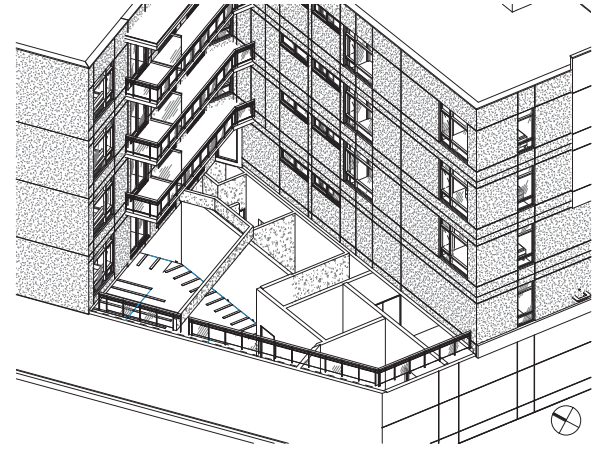
PROJECT NO. 18205	PLOT DATE OCT. 04, 2023	DRAWN MT
	SCALE As indicated	REVIEWED AF
DRAWING NO. A0202		REVISION 10

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MATERIAL LEGEND

	TILE PAVEMENT ON PEDESTAL
	1X5 COMPOSITE BENCH
	1X5 COMPOSITE DECKING
	CONCRETE
	LANDSCAPE AREA



2 LEVEL 2 Roof Garden-View 01
SCALE: 1:100

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9	2020-03-01	REISSUED FOR DETAILED REZONING APPLICATION	AF
8	2020-01-20	REISSUED FOR DETAILED REZONING APPLICATION	AF
7	2020-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF
6	2021-10-05	REISSUED FOR ADP REVIEW	AF
5	2021-07-09	REISSUED FOR DETAILED REZONING APPLICATION	AF
4	2020-05-28	REISSUED FOR ADP REVIEW	AF
3	2019-12-05	REISSUED FOR PUBLIC INFORMATION MEETING	AF
2	2019-08-07	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF
1	2018-03-17	REISSUED FOR PRELIMINARY PLANNING APPLICATION	AF
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PROJECT

OLD DOLLARTON ROAD

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON ROAD, NORTH VANCOUVER BC.

DRAWING TITLE

LEVEL 2 FLOOR PLAN

DRAWING ISSUE

REISSUED FOR DETAILED REZONING APPLICATION

PROJECT NO.	18205	PLOT DATE	OCT. 04, 2023	DRAWN	NN
SCALE	1:100	REVIEWED	AF	REVISION	10

DRAWING NO. **A0203**

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MATERIAL LEGEND		
ITEM	MATERIAL	FINISH / COLOUR
01	HARDI PLANK PANEL CW REVEAL	SMOOTH, KHAKI BROWN
03	2-PIECE FACIA 1X6 ON 1X10	CHARCOAL
04	HARDI PLANK PANEL CW REVEAL	SMOOTH, ARCTIC WHITE
05	PAINTED CONCRETE	WHITE
06	MASONRY BRICK	ANDRION
07	CAST-IN-PLACE CONCRETE	ARCHITECTURAL FINISH , CHARCOAL
08	DOUBLE GLAZED PANEL	CLEAR
09	CAST-IN-PLACE CONCRETE	ARCHITECTURAL FINISH GREY
10	SPANDREL	BENJAMIN MORE, HC-86 KINGSPOST GRAY
11	ALUMINIUM FRAME & GLASS PANEL GUARD	ANODIZED CHARCOAL
12	ALUMINIUM WINDOW MULLION	ANODIZED CHARCOAL
13	PREFINISHED METAL FLASHING	DARK GRAY
14	HEAVY TIMBER WOOD FRAME	DOUGLAS FIR, STAINED
15	ALUMINIUM AND GLASS GARGE DOOR	CHARCOAL
16	METAL DOOR PANEL	PAINTED, DARK GRAY
17	HEAVY TIMBER WOOD & STEEL COLUMN	DARK CHERRY STAIN
18	PMT	TBD

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REV	DATE	DESCRIPTION	BY	CHK
1	2020-10-04	ISSUED FOR DETAILED REZONING APPLICATION		
2	2021-03-01	ISSUED FOR DETAILED REZONING APPLICATION	AF	
3	2021-01-26	ISSUED FOR DETAILED REZONING APPLICATION	AF	
4	2021-02-02	ISSUED FOR DETAILED REZONING APPLICATION	AF	
5	2021-10-06	ISSUED FOR ADP REVIEW	AF	
6	2021-01-09	ISSUED FOR DETAILED REZONING APPLICATION	AF	
7	2021-05-28	ISSUED FOR ADP REVIEW	AF	
8	2021-12-02	ISSUED FOR PUBLIC REPRESENTATION ON TREE LOG	AF	
9	2023-08-07	ISSUED FOR PRELIMINARY PLANNING APPLICATION	AF	
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PROJECT

OLD DOLLARTON ROAD

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON ROAD, NORTH VANCOUVER BC.

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NORTH ELEVATIONS

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PROJECT NO.	PLOT DATE	DATE	ORIGIN	NN
18205	OCT. 04, 2023			
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A0403				9

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PROJECT

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
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5	2023-01-20	REISSUED FOR DETAILED REZONING APPLICATION	AF
4	2022-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF
3	2021-10-05	REISSUED FOR ADP REVIEW	AF
2	2021-07-09	ISSUED FOR DETAILED REZONING APPLICATION	AF
1	2020-05-28	ISSUED FOR ADP REVIEW	AF
REV.	YYYY-MM-DD	REVISION / DRAWING ISSUE	REVIEW

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PROJECT

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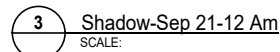
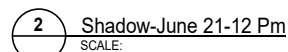
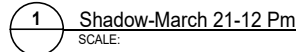
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4	2022-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF
3	2021-10-05	REISSUED FOR ADP REVIEW	AF
2	2021-07-09	ISSUED FOR DETAILED REZONING APPLICATION	AF
1	2020-05-28	ISSUED FOR ADP REVIEW	AF
REV.	YYYY-MM-DD	REVISION / DRAWING ISSUE	REVIEW

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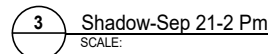
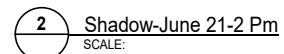
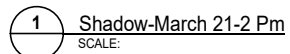
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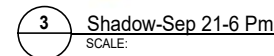
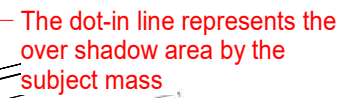
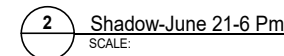
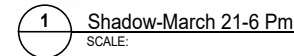
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PROJECT NO.	PLOT DATE	DRAWN	
18205	OCT. 04, 2023	MT	
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5	2023-01-20	REISSUED FOR DETAILED REZONING APPLICATION	AF
4	2022-02-02	REISSUED FOR DETAILED REZONING APPLICATION	AF
3	2021-10-05	REISSUED FOR ADP REVIEW	AF
2	2021-07-09	ISSUED FOR DETAILED REZONING APPLICATION	AF
1	2020-05-28	ISSUED FOR ADP REVIEW	AF
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PROJECT

OLD DOLLARTON ROAD

2045, 2055, 2059, 2065, 2075 OLD DOLLARTON
ROAD, NORTH VANCOUVER BC.

DRAWING TITLE

SHADOW STUDY - 6 PM

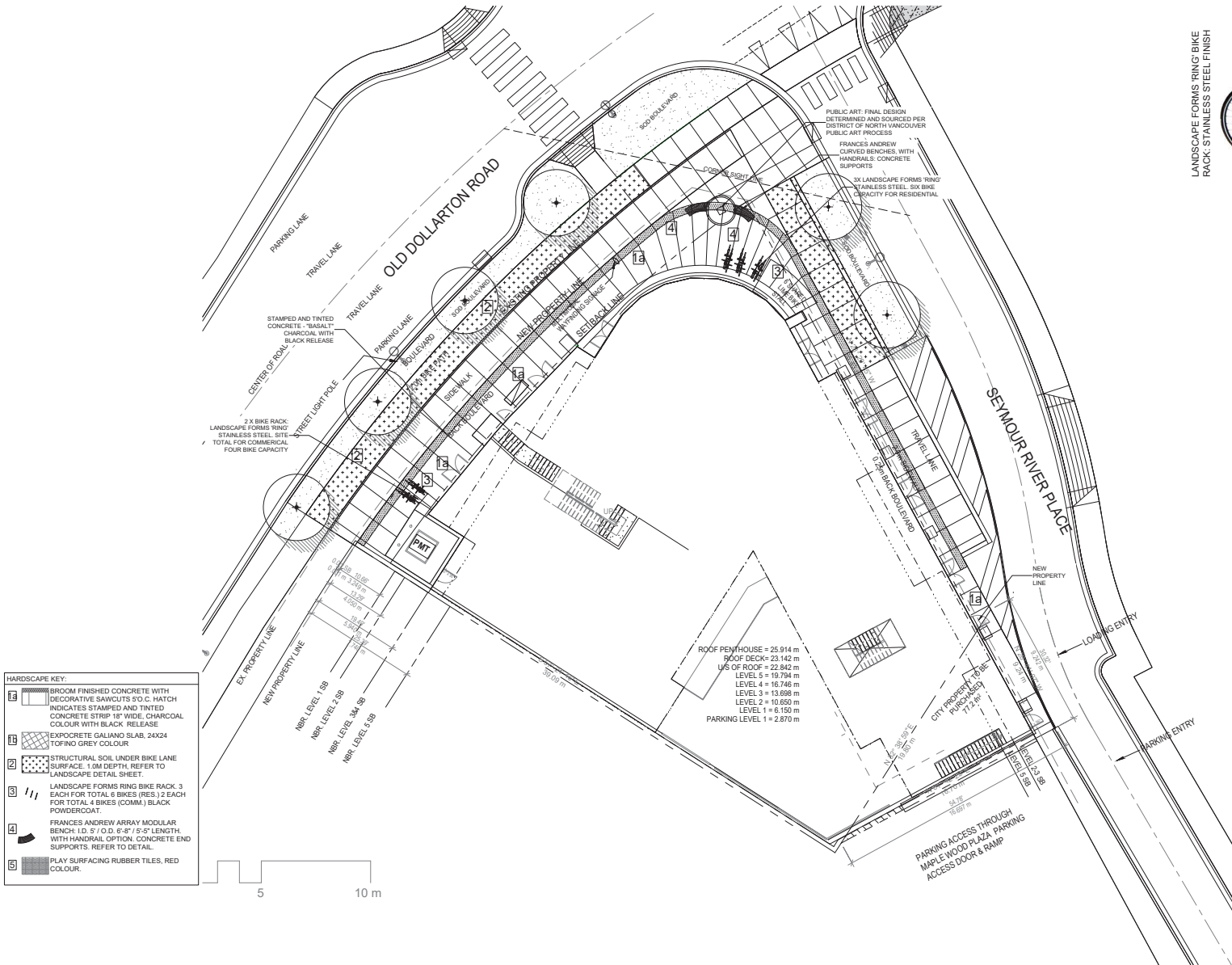
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REZONING APPLICATION

PROJECT NO.	PLOT DATE	DRAWN
18205	OCT. 04, 2023	MT
	SCALE	REVIEWED
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LANDSCAPE FORMS RING BIKE RACK STAINLESS STEEL FINISH



FRANCES ANDREW ARRAY BENCH, I.D. 5' / O.D. 6'-8" / 5'-6" LENGTH, WITH HANDRAIL OPTION, CONCRETE END SUPPORTS, REFER TO DETAIL



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pmg
LANDSCAPE
ARCHITECTS

Suite C100 - 4185 Still Creek Drive
Burnaby, British Columbia V5C 6G9
p. 604 294-0111 - f. 604 294-0022

SCALE:

12	23.OCT.03	UPDATE PER NEW SITE PLAN & COMMENTS	CLS
11	28.FEB.17	UPDATE LEVEL 2 TO NEW ARCH PLAN	CLS
10	23.JAN.16	UPDATE PER DISTRICT COMMENTS	CLS
9	22.OCT.22	UPDATE PER NEW SITE PLAN	CLS
8	22.OCT.15	UPDATE PER ADP COMMENTS/ISSUE TO DNV	CLS
7	22.SEP.9	NEW SITE PLAN	WET
6	21.NOV.25	NEW GROUNDWORK PLAN	DNV
5	21.JUL.26	COORDINATE WITH CIVIL OPTIC DESIGN	CLS
4	21.JUL.14	ISSUED FOR DETAIL REDLINING APPLICATION	CLS
3	21.JUL.13	UPDATE PER NEW SITE PLAN	CLS
2	21.JUN.10	UPDATE PER NEW SITE PLAN/COMMENTS	CLS
1	19.DEC.04	NEW SITE PLAN, COLOUR RENDERING	JR

NO. DATE REVISION DESCRIPTION DR.

CLIENT:

PROJECT:
5-STORY RESIDENTIAL / COMMERCIAL BUILDING
2045 OLD DOLLARTON HWY
NORTH VANCOUVER

DRAWING TITLE:
LANDSCAPE PLAN

DATE: 19.NOV.08 DRAWING NUMBER:
SCALE: 3/32"=1'-0"
DRAWN: JR
DESIGN: PC
CHKD: PC

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OF 5

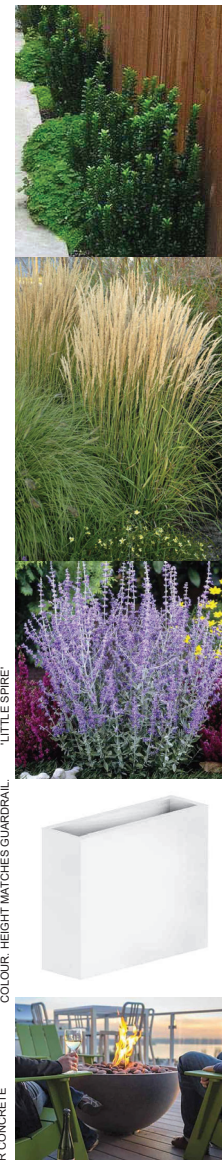
PMG PROJECT NUMBER: 19-168

19168-12.DP



PLANT SCHEDULE			LEVEL 2	PMP PROJECT NUMBER: 19-168
PLANT QTY	BOTANICAL NAME	COMMON NAME	PLANTED SITE / REMARKS	
SHRUB				
9	EUNYUNIA 'GREEN SPIRE'	GREEN SPIRE EUNYUNIA	#3 POT.	50CM. CLIMATE RESILIENT
GRASS				
9	CALAMAGOSTRIS ACUTIFLORA 'LAUREL FOSTER'	FEATHER REED GRASS	#1 POT.	CLIMATE RESILIENT
PERENNIAL				
9	PEROVSKIA ATROPURPUREA 'LITTLE SPIRE'	DWARF RUSSIAN SPICE	15CM POT.	CLIMATE RESILIENT

NOTES: * PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD. LATEST EDITION. CONTAINER SIZES SPECIFIED AS PER CNLA STANDARD. BOTH PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SUBSTITUTIONS FOR DEFINED CONTAINER MEASUREMENTS AND OTHER PLANT MATERIAL REQUIREMENTS. * SEARCH AND REVIEW: MAKE PLANT MATERIAL LISTING FOR ORIGINAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. * AREA OF SEARCH TO INCLUDE LOWLAND AND FRASER VALLEY SUBSTITUTIONS: OBTAIN WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS TO THE SPECIFIED MATERIAL. * PLANT MATERIALS MUST BE OBTAINED FROM A QUALIFIED SUPPLIER. * BIO-CLIMATE NOT PERMITTED IN GROWING MEDIUM UNLESS AUTHORIZED BY THE LANDSCAPE ARCHITECT. * ALL PLANT MATERIALS ARE SUBJECT TO BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD. DEFINITION OF CONDITIONS OF AVAILABILITY: "ALL LANDSCAPE MATERIAL AND PLANT MATERIAL MUST MEET OR EXCEED BC LANDSCAPE STANDARD AND CANADIAN LANDSCAPE STANDARD LATEST EDITION." ALL PLANT MATERIAL MUST BE PROVIDED WITH A WRITTEN GUARANTEE OF SURVIVAL FOR A MINIMUM OF ONE YEAR.



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p m g
LANDSCAPE
ARCHITECTS
Suite C100 - 4185 Still Creek Drive
Burnaby, British Columbia, V5C 6G5
p: 604 294-0011 f: 604 294-0022

SEAL:

12	23.OCT.03	UPDATE PER NEW SITE PLAN & COMMENTS	CLG
11	23.FEB.17	UPDATE LEVEL 2 TO NEW ARCH PLAN	CLG
10	23.JAN.16	UPDATE PER DISTRICT COMMENTS	CLG
9	23.DEC.22	UPDATE PER NEW SITE PLAN	CLG
8	22.OCT.15	UPDATE PER ADP COMMENTS/ISSUE TO DRIV	CLG
7	22.SEP.9	NEW SITE PLAN	WE
6	21.NOV.23	NEW GROUND FLOOR PLAN	DO
5	21.AUG.26	COORDINATE WITH CIVIL OFFICE DESIGN	CLG
4	21.AUG.14	ISSUED FOR DETAIL REZONING APPLICATION	CLG
3	21.AUG.13	UPDATE PER NEW SITE PLAN	CLG
2	21.JUN.10	UPDATE PER NEW SITE PLAN/CITY COMMENTS	CLG
1	19.DEC.04	NEW SITE PLAN, COLOUR RENDERING	JR
NO.	DATE	REVISION DESCRIPTION	DR

CLIENT:

PROJECT:
**5-STOREY RESIDENTIAL
/ COMMERCIAL BUILDING**

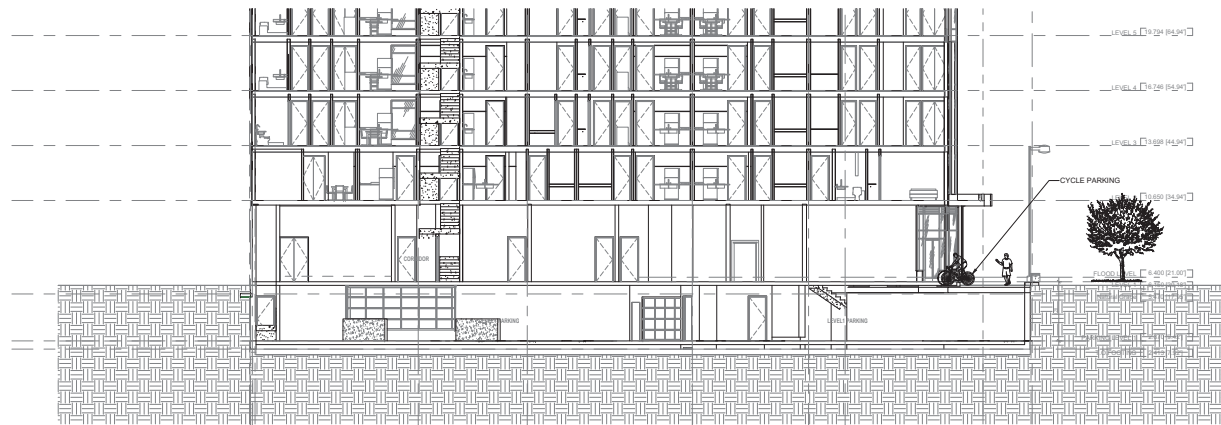
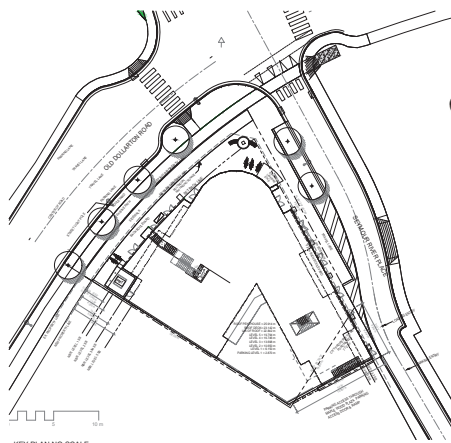
2045 OLD DOLLARTON HWY
NORTH VANCOUVER

DRAWING TITLE:

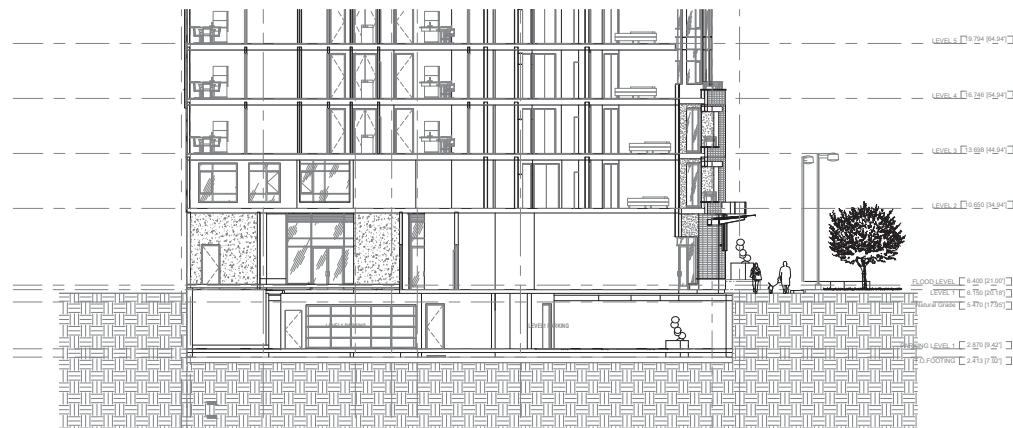
**LEVEL 2
LANDSCAPE PLAN**

DATE: 19.NOV.08 DRAWING NUMBER: L3
SCALE: 1/8"=1'-0"
DRAWN: JR
DESIGN:
CHKD: PC OF 5

PMG PROJECT NUMBER: 19-168



A SECTION
3/32" = 1'-0"



B SECTION
3/32" = 1'-0"

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pmg
LANDSCAPE
ARCHITECTS
Suite C100 - 4185 Still Creek Drive
Burnaby, British Columbia V5C 6G9
p. 604 294-0011 f. 604 294-0022

SEAL:

12	23.OCT.03	UPDATE PER NEW SITE PLAN & COMMENTS	CLS
11	28.FEB.17	UPDATE LEVEL 2 TO NEW ARCH PLAN	CLS
10	23.JAN.16	UPDATE PER DISTRICT COMMENTS	CLS
9	22.DEC.15	UPDATE PER NEW SITE PLAN	CLS
8	22.DEC.15	UPDATE PER ADP COMMENTS/ISSUE TO DRW	CLS
7	22.SEP.0	NEW SITE PLAN	WET
6	21.NOV.18	NEW GROUND FLOOR PLAN	CLS
5	21.JUL.16	COORDINATE WITH CIVIL OPPOSITE DESIGN	CLS
4	21.JUL.14	ISSUED FOR DETAIL REVISION APPLICATION	CLS
3	21.JUL.13	UPDATE PER NEW SITE PLAN	CLS
2	21.AUG.10	UPDATE PER NEW SITE PLAN/CITY COMMENTS	CLS
1	19.DEC.04	NEW SITE PLAN, COLOUR RENDERING	JR

NO. DATE REVISION DESCRIPTION DR.

CLIENT:

PROJECT:
**5-STOREY RESIDENTIAL
/ COMMERCIAL BUILDING**
**2045 OLD DOLLARTON HWY
NORTH VANCOUVER**

DRAWING TITLE:
**LANDSCAPE
SECTIONS**

DATE: 19.NOV.08 DRAWING NUMBER:
SCALE: AS NOTED
DRAWN: JR
DESIGN: JR
CHKD: PC

L5

OF 5

19168-12.ZIP PMG PROJECT NUMBER: 19-168

The Corporation of the District of North Vancouver

Bylaw 8660

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

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

1. Citation

This bylaw may be cited as “District of North Vancouver Rezoning Bylaw 1433 (Bylaw 8660)”.

2. Amendments

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

- (a) Part 2A, Definitions is amended by adding CD148 to the list of zones that Part 2A applies to.
- (b) Section 301 (2) by inserting the following zoning designation:

“Comprehensive Development Zone 148” CD148”

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

“4B 148 Comprehensive Development Zone 148” CD148

The CD148 zone is applied to:

- I. Lot 1 Block 18 District Lot 193 Plan 1587 (PID: 009-763-406);
- II. Lot 2 Block 18 District Lot 193 Plan 1587 (PID: 009-763-414);
- III. Lot 3 Block 18 District Lot 193 Plan 1587 (PID: 009-763-431);
- IV. Lot 4 Block 18 District Lot 193 Plan 1587 (PID: 009-763-465); and
- V. the portion of lane allowance shown outlined in Schedule B.

4B 148 – 1 Intent

The purpose of the CD148 Zone is to permit a commercial and residential medium density mixed-use development.

4B 148 – 2 Permitted Uses:

The following *principal* uses shall be permitted:

- a) Uses Permitted Without Conditions:
Not applicable.
- b) Conditional Uses:
The following *principal* uses are permitted when the conditions outlined in Section 4B 148-3 Conditions of Use, are met:
 - i. *office use;*
 - ii. *personal service use;*
 - iii. *residential use;*
 - iv. *restaurant use;*
 - v. *retail use; and*
 - vi. *service use.*

4B 148 – 3 Conditions of Use

- a) **All conditional uses:** All uses of land, buildings and structures are only permitted when the following condition of use is met:
 - i) All aspects of the use are completely contained within an enclosed building except for:
 - (1) Parking and loading areas;
 - (2) Outdoor customer services areas;
 - (3) Display of goods limited to 10 m² (108 sq. ft.) per personal service or retail use;
 - (4) Outdoor amenity areas (plazas, roof decks, play areas, and private or semi-private outdoor space); and
 - (5) Public plazas and park areas.
- b) **Residential:** *Residential uses* are only permitted when the following conditions are met:
 - i) Residential units are only permitted above the ground floor;
 - ii) Each dwelling unit has access to private or semi-private outdoor space;
 - iii) Each dwelling unit has exclusive access to a private storage space.
 - iv) Balcony enclosures are not permitted; and
 - v) A minimum of 474 m² (5,102 sq. ft.) of ground floor commercial is provided.

- c) **Office use, personal service use, restaurant use, retail use, and service use** are limited to the ground floor.

4B 148 – 4 Accessory Use

- a) *Accessory uses* customarily ancillary to the principal uses are permitted.
- b) *Home occupations* are permitted in *residential* units.

4B 148 – 5 Density

- a) The maximum permitted density is 2,146 m² (23,099 sq. ft.).
- b) For the purposes of calculating floor space ratio, the following areas are exempted:
- i. Above grade storage of up to 203 m² (2,185 sq. ft.);
 - ii. Above grade mechanical room of up to 60 m² (646 sq. ft.);
 - iii. Above grade garbage and recycling of up to 40 m² (431 sq. ft.);
 - iv. End-of-trip facilities of up to 39 m² (420 sq. ft.);
 - v. Indoor common amenity areas of up to 53 m² (570 sq. ft.);
 - vi. Underground parkades, which may contain: drive aisles, electrical/mechanical rooms, garbage and recycling collection areas, bicycle storage areas, and general storage areas; and
 - vii. Unenclosed balcony areas.

4B 148 – 6 Amenities

- a) Despite Subsection 4B 148 – 5, permitted density in the CD148 Zone is increased to a maximum of 3,345 m² (36,005 sq. ft.) *gross floor area* and 36 residential units if the following conditions are met:
- i. A Housing Agreement is entered into securing a minimum of 36 residential rental units of which a minimum of 7 units are secured to be operated as non-market rental units; and
 - ii. \$25,000 is contributed to public art.

4B 148 – 7 Setbacks

- a) Buildings shall be set back from property lines to the closest building face, excluding any underground or partially-exposed parking structure, window wells, balcony columns, alcove projections or projecting balconies, said projecting balconies not to exceed 2 m (6.5 ft.) as established by development permit and in accordance with “Table 1” and “Figure 1”.

Table 1

Setback Identifier	Minimum Setback
A	2.80 m (9.19 ft)
B	2.86 m (9.38 ft)
C	1.60 m (5.25 ft)
D	1.51 m (4.95 ft)
E	0.37 m (1.21 ft)
F	0.32 m (1.05 ft)
G	0.30 m (0.98 ft)

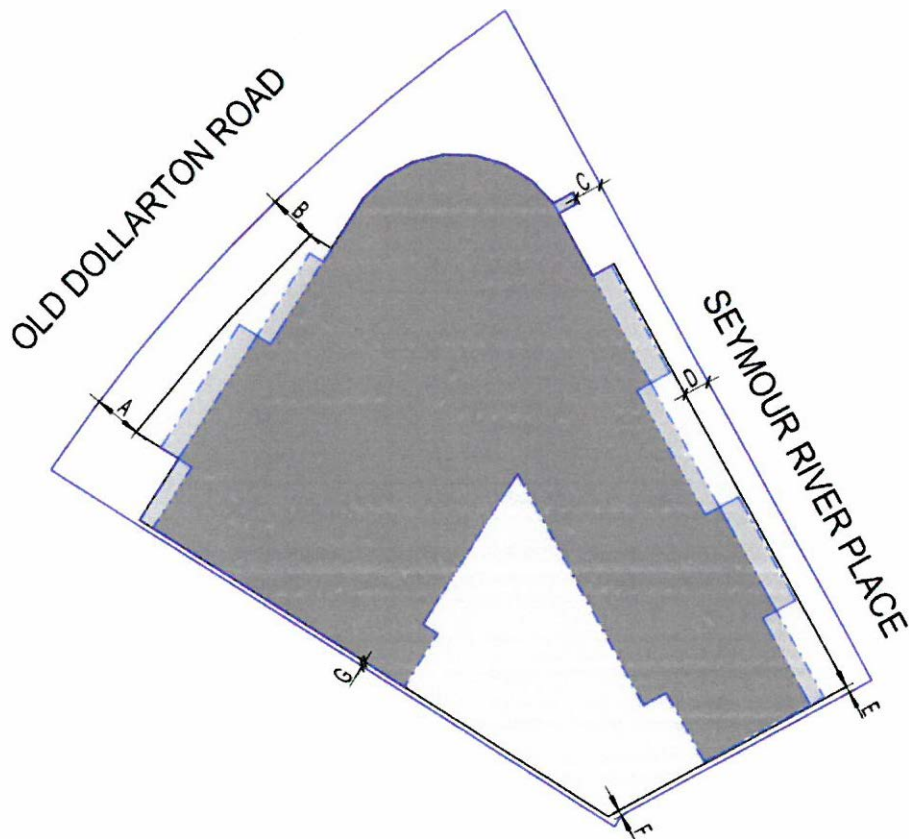


Figure 1

4B 148 – 8 Height:

- a) Maximum permitted height is 20.5 m (67.3 ft) and may not exceed 5 storeys.

4B 148 – 9 Coverage

- a) Building Coverage: The maximum building coverage is 90%.
- b) Site Coverage: The maximum site coverage is 100%.

4B 148 – 10 Landscaping and Storm Water Management

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

4B 148 – 11 Parking, Loading and Servicing Regulations

- a) Parking and loading are required as follows:

Use	Minimum Parking Requirement
Residential rental units	0.48 spaces / residential unit
Residential non-market rental units	0.43 spaces / residential unit
Residential Visitor Parking	0.06 spaces / residential unit
Shared Residential Visitor and Commercial	0.28 spaces / residential unit
Residential Bicycle Parking	2 secure spaces / residential unit
Commercial Bicycle Parking	4 secure spaces

- b) Except as specifically provided in 4B 148 -11 (a) Parking and Loading 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 the General Commercial Zone (C2) to Comprehensive Development Zone CD148.

READ a first time

READ a second time

READ a third time

Certified a true copy of "Rezoning Bylaw 1433 (Bylaw 8660)" as at Third Reading

Municipal Clerk

APPROVED by the Ministry of Transportation and Infrastructure on

ADOPTED

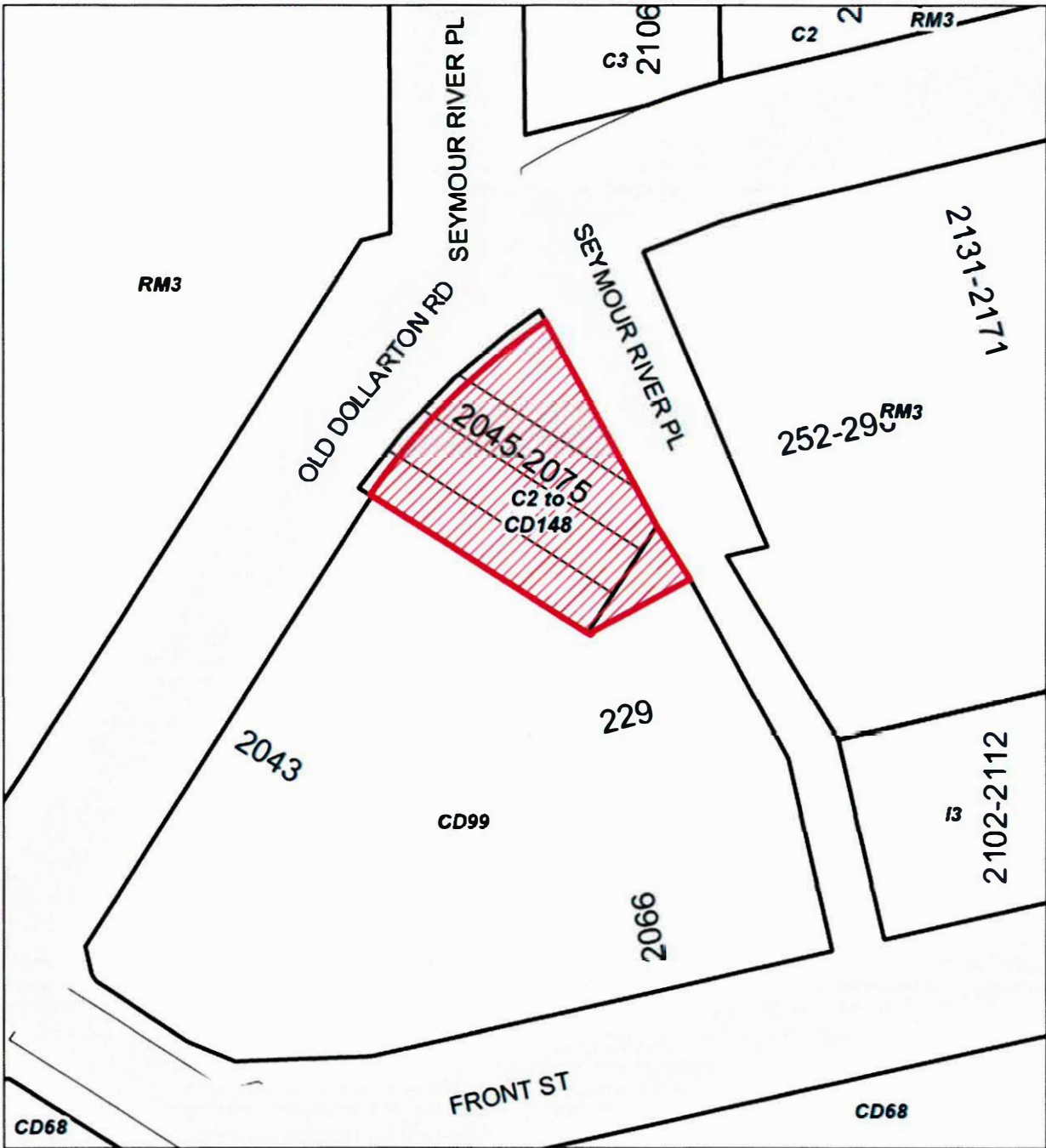
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

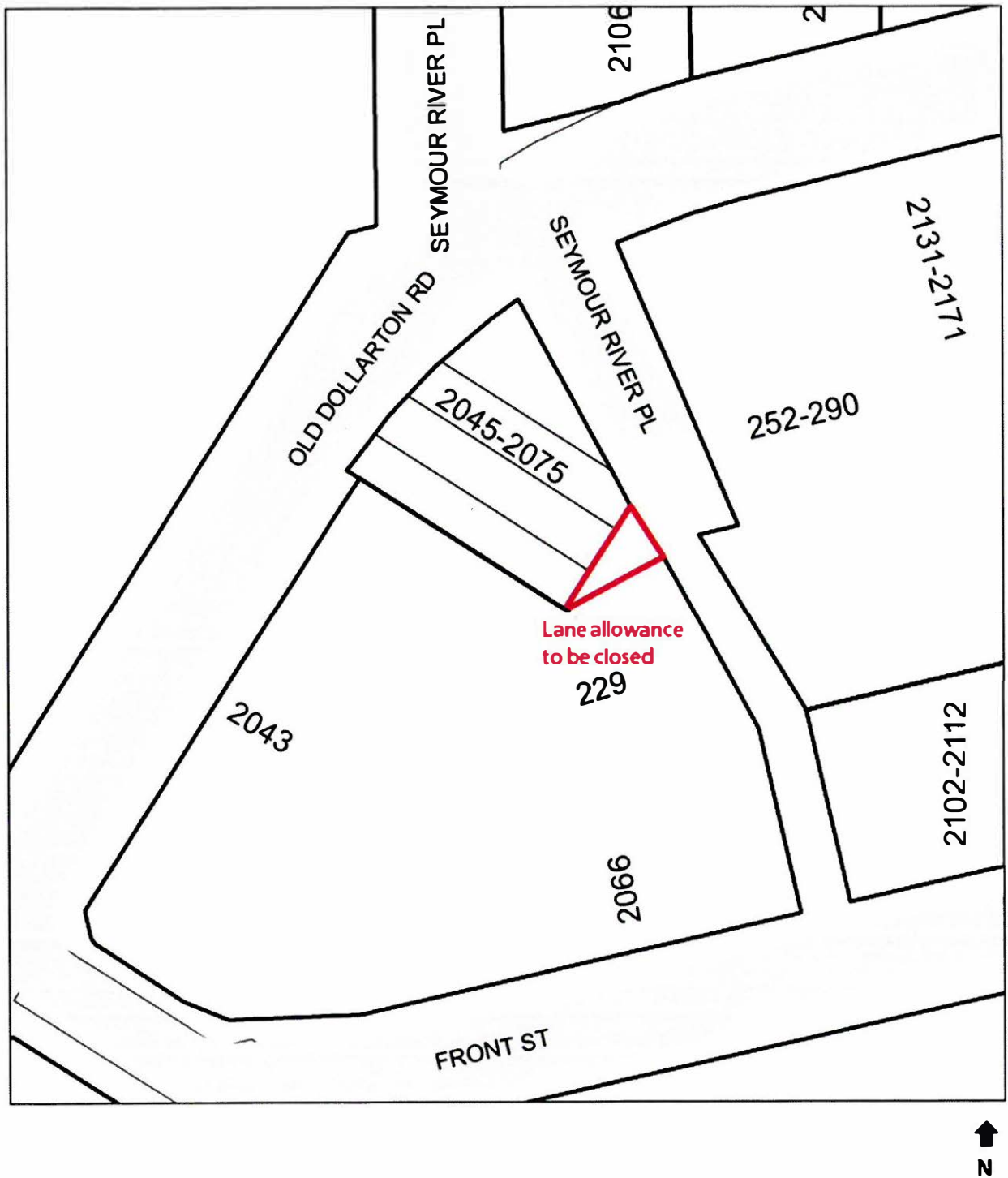
Schedule A to Bylaw 8660



GENERAL COMMERCIAL ZONE 2 (C2) TO
COMPREHENSIVE DEVELOPMENT ZONE 148 (CD148)



Schedule B to Bylaw 8660



The Corporation of the District of North Vancouver**Bylaw 8661****A bylaw to enter into a Housing Agreement**

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

1. Citation

This bylaw may be cited as "Housing Agreement Bylaw 8661, 2023 (2045 Old Dollarton Road)".

2. Authorization to Enter into Agreement

The Council hereby authorizes a housing agreement substantially in the form attached to this Bylaw as Schedule "A", between The Corporation of the District of North Vancouver and the "Developer" as defined in Schedule "A" to this Bylaw, with respect to the portion of the following lands outlined in bold on the sketch plan attached hereto as Schedule "C":

- a) Lot 1 Block 18 District Lot 193 Plan 1587 (PID: 009-763-406);
- b) Lot 2 Block 18 District Lot 193 Plan 1587 (PID: 009-763-414);
- c) Lot 3 Block 18 District Lot 193 Plan 1587 (PID: 009-763-431);
- d) Lot 4 Block 18 District Lot 193 Plan 1587 (PID: 009-763-465); and
- e) the portion of lane allowance shown outlined in Schedule "C".

3. Execution of Documents

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

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8661

SECTION 219 COVENANT – HOUSING AGREEMENT

THIS AGREEMENT dated for reference _____, 20__

BETWEEN:

1166537 B.C. LTD., INC.NO. BC1166537, a corporation
incorporated under the laws of the Province of British Columbia
with an office at 232 - 2030 Marine Drive, North Vancouver, BC,
V7P 1V7

1165692 B.C. LTD., INC.NO. BC1165692, a corporation
incorporated under the laws of the Province of British Columbia
with an office at 1909 - 1239 West Georgia Street, Vancouver, BC,
V6E 4R8

RTMA ENTERPRISES INC., INC.NO. BC1172070, a
corporation incorporated under the laws of the Province of British
Columbia with an office at 3601 - 1189 Melville Street,
Vancouver, BC, V6E 4T8

HOMA PACIFIC HOLDINGS LTD., INC.NO. BC1176773, a
corporation incorporated under the laws of the Province of British
Columbia with an office at 1 - 650 Clyde Avenue, West
Vancouver, BC, V7T 1E2

("Developer")

AND:

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

(the "District")

WHEREAS:

- A. The Developer 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 "Lands");
- B. 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 subdivisions of land;

- C. Section 905 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 Lands; and
- D. The Developer and the District wish to enter into this Agreement to restrict the subdivision and use of, and construction on, the Lands 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 905 of the *Local Government Act*.

NOW THEREFORE in consideration of the sum of \$10.00 now paid by the District to the Developer 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. **Definitions** – In this Agreement and the recitals hereto:

- (a) “*Affordable Rental Units*” means collectively the:
- (i) 4 one-bedroom residential Dwelling Units; and
 - (ii) 3 two-bedroom residential Dwellings,
- in the Rental Building, all of which said affordable rental units are, or will be, designed, located and configured in accordance with the requirements, criteria and approvals set out in the Development Covenant, and “*Affordable Rental Unit*” means one of the Affordable Rental Units;
- (b) “*Annual Allowable Adjustment*” means an increase in the Discounted Rental Rate once each calendar year by the lesser of:
- (i) the 12 month average percent increase in the Consumer Price Index for the previous calendar year; or
 - (ii) the annual rent increase amount provided for in the *Residential Tenancy Act* and regulations made thereunder; or
 - (iii) the average annual percent increase over the previous calendar year in the rent charged for the Market Rental Units of similar size which are occupied at any time during the previous calendar year.

If the 12 month average percent change in the Consumer Price Index for any calendar year is less than or equal to zero then the affordable rent for the following year must not be increased, but may be decreased at the Owner’s discretion;

- (c) “*Consumer Price Index*” means the all-items consumer price index published by Statistics Canada, or its successor in function, for British Columbia (based on a calendar year);

- (d) “*Development Covenant*” means the section 219 covenant registered in favour of the District against title to the Lands under No. _____;
- (e) “*Director*” means the District’s General Manager of Planning, Permits and Properties and his or her designate;
- (f) “*Discounted Rental Rate*” means for one-bedroom and two-bedroom Affordable Rental Unit:
 - (i) for the calendar year in which a certificate of occupancy is issued for the Rental Building by the District, the lesser of:
 - A. the rate set out in Schedule “A” for the applicable Affordable Rental Unit increased by the Annual Allowable Adjustment from the calendar year in which this Agreement is executed and delivered by both parties until the calendar year in which the final occupancy permit is issued; and
 - B. 80% of the then current District of North Vancouver median rents as published by CMHC for the one-bedroom Affordable Rental, and 80% of the then current District of North Vancouver median rents as published by CMHC for the studio, two-bedroom, and three-bedroom Affordable Rental Units, as applicable; and
 - (ii) for each subsequent calendar year, an amount not greater than the rent for the preceding calendar year increased by the Annual Allowable Adjustment for such preceding calendar year;
- (g) “*Dwelling Unit*” means a room or set of rooms containing cooking and sanitary facilities and designed to be used for residential occupancy by one or more persons;
- (h) “*Eligibility Requirements*” means:
 - (i) aggregate annual household gross income that is less than or equal to 333% of the annual rent for the size of Affordable Rental Unit proposed to be rented (which rent, for greater certainty, may not be greater than the Discounted Rental Rate for the Affordable Rental Unit), where said aggregate income is established by way of true copies of the previous year’s income tax returns for each household member or individual who will reside in the Affordable Rental Unit provided, however, a person will be deemed not to meet the Eligibility Requirements if the Owner has reasonable grounds to believe that such person is not in need of subsidized housing (e.g. seniors with a substantial assets or students with financial support from parents) even if such person would otherwise meet the criteria set out above; and

- (ii) a household size and composition that is commensurate with and justifies the size of the subject Affordable Rental Unit. For example, a household consisting of two adults would not be commensurate with and would not justify a two bedroom Affordable Rental Unit;
- (i) “*Lands*” has the meaning given to it in Recital A hereto;
- (j) “*LTO*” means the Lower Mainland Land Title Office and any successor of that office.
- (k) “*Market Rental Units*” means all of the Dwelling Units in the Rental Building which are not Affordable Rental Units, and “*Market Rental Unit*” means one of the Market Rental Units;
- (l) “*Master Development Plan*” has the meaning given to it in the Development Covenant or in the Replacement Covenant, as the case may be;
- (m) “*Owner*” means the Developer and any other person or persons registered in the LTO as owner of the Lands from time to time, or of any parcel into which the Lands are consolidated or subdivided, whether in that person’s own right or in a representative capacity or otherwise;
- (n) “*Rental Building*” means the apartment building containing the Rental Dwelling Units constructed or to be constructed on the Lands generally as shown on the Master Development Plan;
- (o) “*Rental Dwelling Units*” means at least 36 Dwelling Units, including the Affordable Rental Units, in the Rental Building satisfying the criteria and requirements set out in the Development Covenant;
- (p) “*Replacement Covenant*” has the meaning given to in the Development Covenant;
- (q) “*Society*” means either (i) a registered housing society or (ii) a non-profit society at arms’ length to the Owner, but which may be formed by the Owner, and which is permitted pursuant to the provisions of Section 49.1 of the *Residential Tenancy Act* to terminate a residential tenancy agreement where the tenant or other occupant ceases to qualify for a “subsidized rental unit” (as defined in the *Residential Tenancy Act*), in each case approved in writing by the District, acting reasonably;
- (r) “*Subdivided*” means the division of land into two or more parcels by any means, including by deposit of an air space subdivision plan or other subdivision plan under the *Land Title Act*, lease, or deposit of a strata plan or bare land strata plan under the *Strata Property Act* (including deposit of any phase of a phased bare land strata plan);
- (s) “*Zoning Amendment Bylaw*” means District of North Vancouver Rezoning Bylaw 1425 (No. 8622, 2023); and

- (t) *“Zoning Bylaw”* means the District of North Vancouver Zoning Bylaw No. 3210, 1965 as modified by the Zoning Amendment Bylaw and as further amended, consolidated, re-enacted or replaced from time to time.
2. **Rental Building** – The Rental Building must contain at least 36 Rental Dwelling Units including the Affordable Rental Units.
3. **No Subdivision** – The Lands and any improvements from time to time thereon (including without limitation the Rental Building), may not be subdivided by any means whatsoever, including, without limitation, by subdivision plan, strata plan, fractional interest, lease or otherwise.
4. **The Housing Society** – Prior to the date that is 90 days after issuance of the building permit for the Rental Building, and in any event prior to marketing any Affordable Rental Units or Market Rental Units in the Rental Building for rent and prior to entering into any residential tenancy in respect of any said rental units; the Owner must
- (a) enter into a lease, licence or operating agreement with the Society in respect of the Affordable Rental Units, said agreement to be in form and substance acceptable to the District; and
 - (b) cause the Society to enter into a separate agreement with the District in form and substance acceptable to the District regarding the operation of the Affordable Rental Units.

For clarification, this section will not prohibit the Owner from offering the Lands for sale, or entering into a purchase agreement for the sale of the Lands.

5. **Use of Market Rental Units** – No Market Rental Unit in the Rental Building may be used for any purpose whatsoever save and except for the purpose of rental housing 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, contingent or otherwise have been granted other than a right to continue in possession on a month-to-month basis after the expiry of the initial term).
6. **Use of Affordable Rental Units** - No Affordable Rental Unit will be used for any purposes whatsoever save and except for the purpose of providing rental accommodation in the Affordable Rental Unit to tenants meeting the Eligibility Requirements pursuant to residential tenancy agreements that comply with all of the requirements in sections 7 and 8.
7. **Occupancy Restriction** – No Affordable Rental Unit may be occupied except by:
- (a) a person meeting the Eligibility Requirements pursuant to a residential tenancy agreement that complies with section 8; and

- (b) the other members of the person's household, provided that the income of all members (other than income of legal dependents up to a maximum of \$10,000 per year per dependent) is included in the determination of eligibility under the Eligibility Requirements.

8. **Tenancy Agreements for Affordable Rental Units** - The Owner shall not suffer, cause or permit occupancy of any Affordable Rental Unit except pursuant to a month-to-month residential tenancy agreement or residential tenancy agreement with a term not exceeding three years in duration (including all periods in respect of which any rights or renewal, contingent or otherwise have been granted other than a right to continue in possession on a month-to-month basis after the expiry of the initial term), where said residential tenancy agreement:

- (a) is entered into by the Owner (or the Society), as landlord, and, as tenant, a person at arm's length from the Owner and the Society. For the purpose of this Agreement, "at arm's length" means:
 - (i) not in any other contractual relationship with the Owner or the Society or any director, officer or other senior employee of the Owner or the Society;
 - (ii) unrelated by blood, marriage or personal relationship to any director, officer or other senior employee of the Owner or the Society; and
 - (iii) not employed by any corporate entity that is an affiliate of the Owner or the Society, as that term is defined in the *British Columbia Business Corporations Act* as of the date of this Agreement,

provided that the Director may, in its sole discretion, relax the restrictions contained in this subsection 8(a) upon the written request of the Owner on a case-by-case basis. Any such relaxation in relation to any particular residential tenancy agreement is not to be construed as or constitute a waiver of the requirements in relation to any other residential tenancy agreement. No relaxation of the restrictions in this subsection 8(a) will be effective unless it is granted in writing by the Director prior to the execution and delivery of the residential tenancy agreement to which the relaxation relates;

- (b) does not, in relation to any Affordable Rental Unit or any accessory uses attached thereto (for example, storage lockers), require payment of rent or any other consideration directly or indirectly that exceeds the Discounted Rental Rate for the unit, but the tenant may be required to pay:
 - (i) additional consideration for parking or bicycle storage provided that the additional consideration does not exceed the amount charged for a parking stall or a bicycle storage locker, as the case may be, to tenants in the Market Rental Units; and

- (ii) third party providers directly for utilities, internet services and, if approved by the Director acting reasonably, other services not usually included in rent;
- (c) does not require the rent to be prepaid at an interval greater than monthly;
- (d) 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;
- (e) requires the tenant to provide within 30 days of demand true copies of the most recent filed income tax returns or assessment notices from Canada Revenue Agency for each occupant of the unit; and
- (f) contains a provision that, if the tenant ceases to qualify for the Affordable Rental Unit because he or she no longer meets the Eligibility Requirements, the Owner or the Society may end the tenancy agreement by giving the tenant a clear six month's notice to end the tenancy in accordance with section 49.1 of the *Residential Tenancy Act* (or successor legislation).

9. **Rental Application Process** – The Owner must:

- (a) accept applications for residential occupancy of the Affordable Rental Units from all applicants meeting the Eligibility Requirements;
- (b) maintain a housing list of all eligible applicants from whom the Owner has accepted applications;
- (c) where Affordable Rental Units become available for occupancy, offer the units to persons on the housing list in the order in which their applications were made, unless:
 - (i) the person no longer meets the Eligibility Requirements; or
 - (ii) the Owner does not consider the person to be an acceptable candidate for occupancy of that Affordable Rental Unit because the person does not satisfy other reasonable and fair criteria established by the Owner from time to time; and
- (d) make the housing list available to the District upon request.

10. **Duty to Account and Report** – In addition to the other covenants and obligations to be performed by the Owner hereunder, the Owner covenants and agrees that it will:

- (a) keep or cause to be kept separate true and accurate records and accounts in accordance with generally accepted accounting principles regarding the rental income earned from both the Market Rental Units and the Affordable Rental Units; and

- (b) deliver to the District, on request of the District, copies of all current tenancy agreements in respect of the Affordable Rental Units.
11. **Statutory Declaration** – Within seven days after receiving notice from the District, the Owner must deliver to the District a statutory declaration, substantially in the form attached as Schedule “B”, sworn by the Owner (or a director or officer of the Owner if the Owner is a corporation) under oath before a commissioner for taking affidavits in British Columbia, containing all of the information required to complete the statutory declaration.
12. **Damages and Rent Charge**
- (a) The Owner acknowledges that the District requires compliance with the provisions in this Agreement for the benefit of the community. The Owner therefore agrees that for each day the Lands are occupied in breach of this Agreement, the Owner must pay the District \$300.00 (the “Daily Amount”), as liquidated damages and not as a penalty, due and payable at the offices of the District on the last day of the calendar month in which the breach occurred. The Daily Amount is increased on January 1 each calendar year by the 12 month average percent increase in the Consumer Price Index for the previous calendar year. The Owner agrees that payment may be enforced by the District in a court of competent jurisdiction as a contract debt.
 - (b) By this section, the Owner grants to the District a rent charge under section 219 of the *Land Title Act*, and at common law, securing payment by the Owner to the District of the amounts described in subsection 11(a). The District agrees that enforcement of the rent charge granted by this section is suspended until the date that is 30 days after the date on which any amount due under subsection 11(a) is due and payable to the District in accordance with subsection 11(a). The District may enforce the rent charge granted by this section by an action for an order for sale or by proceedings for the appointment of a receiver.
 - (c) The Director may, in his or her sole discretion, grant to the Owner full or partial relief from the obligation to pay liquidated damages on a case-by-case basis if the Owner establishes to the satisfaction of the Director, in the Director’s discretion, that the breach for which the Daily Amount is payable was inadvertent. No such relief in relation to any particular default is to be construed as or deemed to constitute relief in relation to any other default other default.
13. **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 Lands in accordance with this Agreement.
14. **Adjustment to Discounted Rental Rate** – If the Owner establishes to the satisfaction of the Director that:

- (a) the average Annual Allowable Adjustment over any consecutive five year period has: (i) not kept pace with the average annual increase in the operating costs for the Rental Building (excluding debt financing) over said five year period; and (ii) not kept pace with average annual increases in the District of North Vancouver median rents as published by CMHC for the one-bedroom, two-bedroom and three-bedroom Affordable Rental Units over the same said five year period; and
- (b) the financial viability of the Rental Building has been materially compromised as a result of the circumstance described in subsection 14(a),

then the Owner may apply to the Director for an increase in the Discounted CMHC Rates for the Affordable Rental Units, with said increase not to exceed 80% of the then current District of North Vancouver median rents as published by CMHC for the one-bedroom Affordable Rental, and 80% of the then current District of North Vancouver median rents as published by CMHC for the two-bedroom Affordable Rental Units, as applicable. The Owner acknowledges and agrees that approval of said increase in the Discounted CMHC Rates for the Affordable Rental Units will be in the sole and unfettered discretion of the Director. The Owner may only apply for an Adjustment in the Discounted CMHC Rental Rates pursuant to this section once in any five year period.

15. **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 LTO against title to the Lands; 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 Lands in perpetuity.

16. **Compliance with Laws** – The Owner will at times ensure that the Lands are 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.

17. **Cost** – The Owner shall comply with all requirements of this Agreement at its own cost and expense, and shall pay the reasonable costs and expenses incurred and payment and expenditures made by the District, including without limitation, all survey, advertising, legal fees and disbursements and the District's administration costs (as determined by the District's charge out rate for District staff time) in connection with the preparation or enforcement of this Agreement and all other covenants, agreements and statutory rights of way granted by the Owner to the District or entered into between the Owner and the District in respect of the development of the Lands contemplated in this Agreement and ancillary documents and any modifications, discharges and partial discharges of them from time to time, and the costs of registration of such documents in the LTO.

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 Lands.
19. **Interpretation** – In this Agreement:
- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (b) any reference to a statute or by-law includes and is a reference to such statute or by-law and to the regulations made pursuant thereto, with all amendments made thereto and as in force from time to time, and to any statute, by-law and regulations that may be passed which have the effect of supplementing or superseding such statute, by-law and regulations;
 - (c) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
 - (d) 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;
 - (e) reference to the “Lands” 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;
 - (f) 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;
 - (g) reference to any enactment includes any regulations, orders, permits or directives made or issued under the authority of that enactment;
 - (h) unless otherwise expressly provided, referenced to any enactment is a reference to that enactment as consolidated, revised, amended, re enacted or replaced;
 - (i) time is of the essence;
 - (j) all provisions are to be interpreted as always speaking;
 - (k) 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;
 - (l) reference to the District is a reference also to its elected and appointed officials, officers, employees and agents;
 - (m) 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;

- (n) 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
- (o) 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.

20. **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:

Attention:

- (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: Director, Planning Permits and Bylaws
Email: _____

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.

21. **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.

22. **Rights are Cumulative** – All rights and remedies of a party under or in respect of this Agreement (including its breach) are cumulative and are in addition to, and do not exclude or limit any other right or remedy. All rights and remedies may be exercised concurrently.
23. **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.
24. **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 Lands;
 - (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 Lands; or
 - (d) Relieve the Owner from complying with any enactment, including in relation to the use, development, servicing or subdivision of the Lands.
25. **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).
26. **Covenant Runs With the Lands** - 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 Lands to the extent provided in this Agreement, and runs with them and binds the Owner's successors in title. This Agreement also burdens and runs with every parcel into which the Lands are or if they are consolidated (including by the removal of interior parcel boundaries) by any means.
27. **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 Lands.
28. **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 building or any portion thereof, including any Dwelling Unit; 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.
29. **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 Lands.
30. **Further Acts** - The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
31. **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.
32. **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.
33. **No Joint Ventureship** - Nothing in this Agreement shall constitute the Owner as the agent, joint venturer or partner of the District or give the Owner any authority or power to bind the District in any way.
34. **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.
35. **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.

SCHEDULE "A" (to Covenant)

Initial Discounted Rental Rates (as at the reference date of this agreement)

Unit Type	Number of Units	Initial Discounted Rental Rate
1 bed	4	\$1,450
2 bed	3	\$1,805

SCHEDULE "B" STATUTORY DECLARATION

Document: 6150994

Schedule A to the Statutory Declaration of _____

Name of Eligible Person	Age of Eligible Person	Other Resident(s) of Dwelling Unit	Apt. No.

Schedule B to the Statutory Declaration of _____

List the tenants who no longer meet the Eligibility Requirements together with reasons why.

Schedule C to Bylaw 8661, 2023

SKETCH PLAN



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The Corporation of the District of North Vancouver**Bylaw 8663****A bylaw to waive Development Cost Charges**

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

Citation

1. This bylaw may be cited as "2045 - 2075 Old Dollarton Road Development Cost Charges Waiver Bylaw 8663, 2023".

Waiver

1. 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.
2. For the purpose of this Bylaw "Eligible Development" means 7 rental 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.

Severability

3. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

READ a first time

READ a second time

READ a third time

ADOPTED

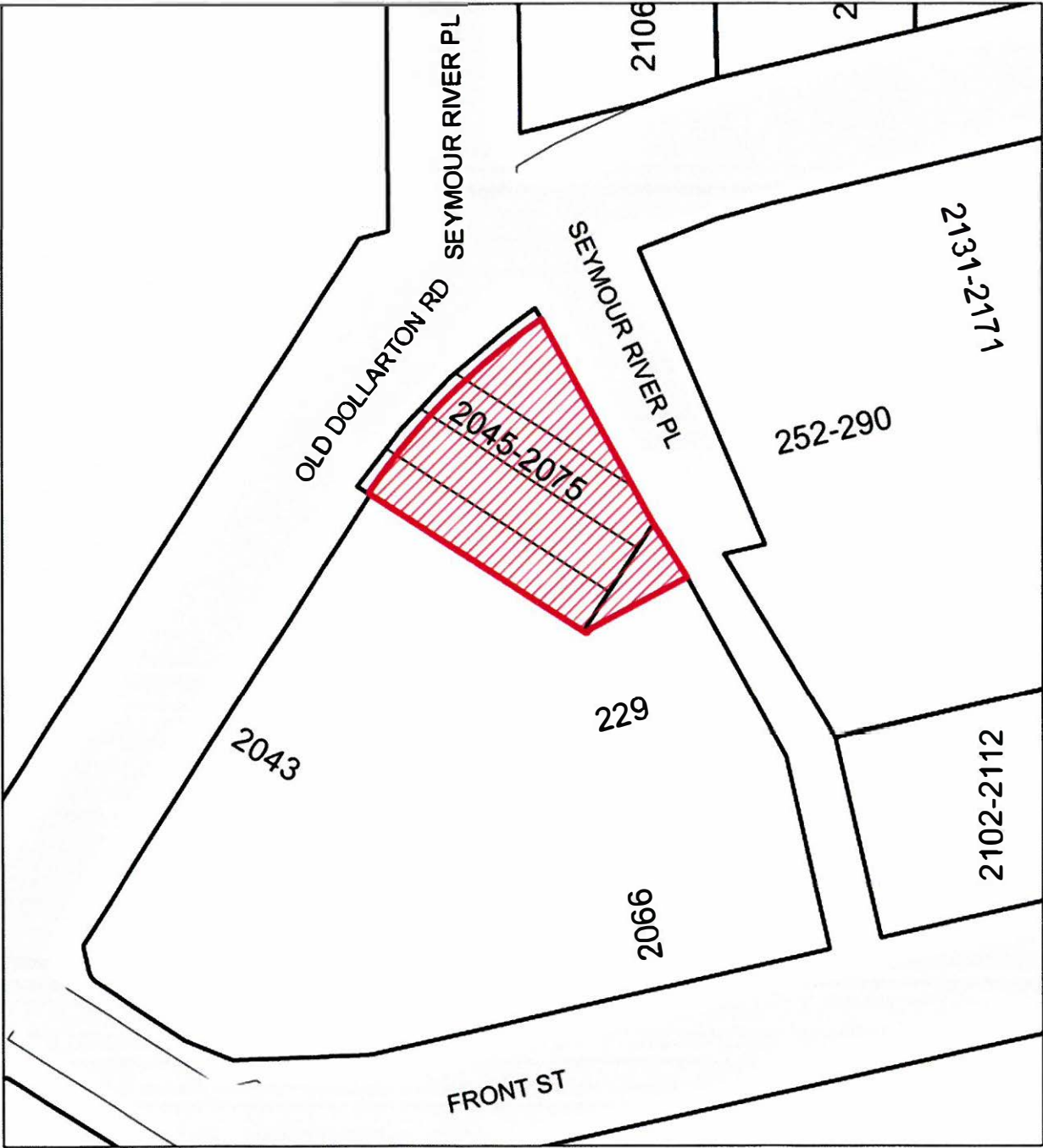
Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 8663



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2045-75 Old Dollarton Road Rezoning Application Virtual Public Information Meeting Summary Report

Event Date: April 4 – April 25, 2022
Website: DNV.org/public-meeting
Attendance: 80 visitors to the web page
Video presentation: 34 views
Comments: 1 comment received
Meeting Purpose: 1) To present development proposal materials to neighbours
 2) To provide an opportunity for the public to ask questions about the proposal
 3) To provide an opportunity for neighbours to comment on the proposal

Notification:

In accordance with District of North Vancouver policies:

Invitation Brochures

Approximately 350 addresses in an area exceeding a 100 m radius of the site. Appendix A includes a copy of this package and a map of the distribution area.

Newspaper Ad

A newspaper ad was placed in two editions of the North Shore News on March 30th and April 6th 2022. A copy of the ads is included in Appendix A: Notification.

Project Team:

The following District staff and project team members supported the virtual public information meeting:

District of North Vancouver:

- Andrew Norton, Development Planner

Project Team:

- Ben Basirat, Giva Groups

Overview:

The meeting was held in a virtual Public Information Meeting format. The purpose of this virtual public information meeting was to present to neighbours the proposed rezoning application. Meeting participants could view a video presentation and browse display boards prepared by the project team on the virtual meeting web page. Participants were also provided the opportunity to submit questions and comments to the project team and Development Planner through the virtual meeting web page between April 4 – April 25, 2022. One comment was received in support of the project.

Online Comment:

It would be great to see a larger percentage of Below Market Rental Residential units. The current percentage with 1 unit is a mere 3%. Increasing this to 3 units would be 9% and allow for 7 / 32 units to be designated for Rental Residential units, roughly 22% of all Residential Units.

Comment received after the Virtual PIM Closed:

1) The applicant presentation contains the following quote: "Although we maximized the number of parking stalls, we are still not compliant with the part 10 zoning bylaw. Therefore, the project proposes alternate parking calculation due to adjacency to the village center and B. Line."

I, unfortunately, can't read this as anything but a promise to provide inadequate parking. While I'm quite accustomed to this, as it's happened with every new development in the area since I moved into Maplewood in 2005, I'm hoping I'm wrong. Parking here is becoming increasingly ridiculous, to the point where it's making it harder to drive. (A good example is turning North on Seymour River Place when traveling Westbound on Old Dollarton. One basically has to cross one's fingers and hope there's nothing coming south, because visibility is almost always impaired by vehicles parked right up to the ridiculous curb extensions you foisted on us years ago.

I'm unsure why, when traffic has been clearly and repeatedly identified as a significant problem on the North Shore, developers are constantly being allowed to build more and more units without providing adequate parking. I don't know if you think we can just get everybody out of their cars, but it's not working. Street parking in Maplewood, specifically in the immediate vicinity of this development, is completely out of control. Access to transit is all well and good, but most people avoid transit if they can afford it, because transit isn't an efficient or pleasant way to travel.

2) On a more PR related front, I suggest that council stop with this farce of having developers pretend to be providing "affordable" housing. A single "below market" rental is not "affordable housing". [Editor's note: The proposal includes 7 below market rental units] It's a PR stunt. The closest we had to affordable housing in North Van used to be Maplewood. That's all being torn down and replaced with homes that aren't affordable and are too small for families, in any case. Please stop talking about affordable housing for families when a development offers one below market unit, and the largest homes are under 1,000 sq.ft.

3) When you approve this development, please don't extend the sidewalks, make the street lanes narrower, or put in more curb extensions. I don't know why this nonsense has been so rampant for so long, but it's incredibly frustrating.

I hope someone will at least give some thought to what I've had to say. I'm sure the development will be approved and building will commence in my neighbourhood in the near future. (Is the drawing in the applicant's presentation final? It's really incredibly ugly-even more so than most of the ones being put up around here.) I'm also sure that the traffic will get worse, and there won't be adequate parking. But, I had to say something.

Appendix A: Notification

North Shore News Advertisement

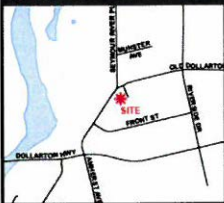
Development Proposal

PUBLIC INFO MEETING

VIRTUAL Open House: April 4 - April 25, 2022
Visit: [DNV.org/public-meeting](https://dnv.org/public-meeting)

This is not a Public Hearing. District of North Vancouver Council will formally consider the proposal at a later date.

PROPOSAL: 2045-75 Old Dollarton Rd



32 residential apartments
5,401 sq. ft. commercial floor space
3,109 sq. ft. childcare space

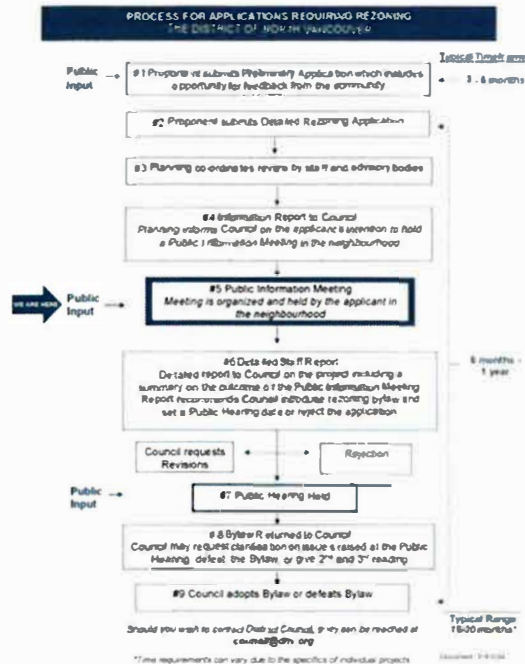


Questions?
Ben Basirat, Giva Construction Group
Ben@Givagroups.ca / 604-363-8433

Notification Signs



Notification Flyer page 1



Notice of a Public Information Meeting in Your Neighbourhood

Giva Construction Group is hosting a Virtual Public Information Meeting to present the development proposal for 2045-2075 Old Dollarton Road.

This application is for a Rezoning and Development Permit. The applicant proposes to construct a five-storey mixed-use building in accordance with the Official Community Plan, and the Maplewood Village Centre and Innovation District Implementation Plan and Design Guidelines.

This information package is being distributed to the owners and occupants within 100 meters of the proposed development site in accordance with District of North Vancouver policy.

Please visit the Virtual Public Information Meeting from April 4 to April 25 2022 at

[DNV.org/public-meeting](https://dnv.org/public-meeting)

Virtual Public Information Meeting opens April 4, 2022

Virtual Public Information period from April 4 to April 25, 2022

Q & A period from April 4 to April 25, 2022

Notification Flyer page 2

The Proposal:

Giva Construction Group proposes to construct a five-storey mixed-use building located at 2045-2075 Old Dollarton Road. The proposal includes six commercial retail units, a 3,109 sq ft childcare, and 32 residential apartments of which 27 are strata units and five are rental units. There are 11 one bedroom units and 21 two-bedroom units proposed.

A total of 50 parking spaces are proposed, with 32 for residents, 2 for visitors, 4 for the childcare, and 12 for commercial users. All parking is provided within two levels of underground parking. Vehicular access to the site is provided via Seymour River Place and the adjacent Maplewood Plaza development.

The proposal includes improvements to the public realm through sidewalk and landscaping enhancements along Old Dollarton Road and Seymour River Place.

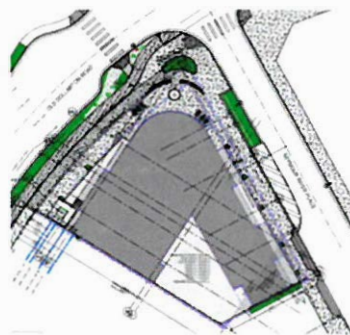
For further information please contact:

Ben Basirat
604-363-8433
ben@topkitchens.ca

Andrew Norton
604-990-3717
nortona@dnv.org

Giva Construction Group

Development Planner,
District of North Vancouver



Proposed Site Layout



Project Render - Corner of Old Dollarton Road and Seymour River Place

Notification mail out 100m radius

