



**AGENDA FOR THE REGULAR MEETING OF COUNCIL,  
HELD ELECTRONICALLY FROM CITY HALL,  
141 WEST 14<sup>TH</sup> STREET, NORTH VANCOUVER, BC, ON  
MONDAY, JULY 12, 2021 AT 5:30 PM**

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“Live” Broadcast via City Website [www.cnv.org/LiveStreaming](http://www.cnv.org/LiveStreaming)  
Complete Agenda Package available at [www.cnv.org/CouncilMeetings](http://www.cnv.org/CouncilMeetings)

*The City of North Vancouver acknowledges that this Council meeting is held on the  
traditional territories of the Squamish and Tsleil-Waututh Nations.*

**CALL TO ORDER**

**APPROVAL OF AGENDA**

1. Regular Council Meeting Agenda, July 12, 2021

**ADOPTION OF MINUTES**

2. Regular Council Meeting Minutes, July 5, 2021

**PUBLIC INPUT PERIOD**

**CONSENT AGENDA**

Items \*3, \*4, \*5, \*6, \*7, \*8, \*9, \*10, \*11, \*12 and \*13 are listed in the Consent Agenda and may be considered separately or in one motion.

**BYLAWS – ADOPTION**

- \*3. “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836”
- \*4. “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850”
- \*5. “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851”
- \*6. “Fire Bylaw, 2021, No. 8852”
- \*7. “Radio Amplification Bylaw, 2021, No. 8853”
- \*8. “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854”  
(Text Amendments)
- \*9. “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)
- \*10. “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)

**CONSENT AGENDA – Continued**

**BYLAWS – ADOPTION – Continued**

- \*11. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857”  
(Fire Bylaw)
- \*12. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841”  
(Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and  
288 East 9<sup>th</sup> Street, CD-424 Text Amendment)

**CORRESPONDENCE**

- \*13. Board in Brief – Metro Vancouver Regional District, June 25, 2021

**PUBLIC HEARING – 133 East 4<sup>th</sup> Street**

**BYLAWS – THIRD READING**

- 14. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837”  
(133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street,  
CD-734)
- 15. “Housing Agreement Bylaw, 2021, No. 8838” (133 4<sup>th</sup> Street Limited Partnership /  
Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing  
Commitments)

**REPORT**

- 16. Proposed 2021 Filming Schedule of Fees

**BYLAW – FIRST, SECOND AND THIRD READINGS**

- 17. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858”  
(2021 Filming Schedule of Fees)

**REPORT**

- 18. Updated Residential Tenant Displacement Policy

**COUNCIL INQUIRIES / REPORTS**

**NEW ITEMS OF BUSINESS**

**NOTICES OF MOTION**

**RECESS TO CLOSED SESSION**

**REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)**

**ADJOURN**



## **CALL TO ORDER**

## **APPROVAL OF AGENDA**

1. Regular Council Meeting Agenda, July 12, 2021

## **ADOPTION OF MINUTES**

2. Regular Council Meeting Minutes, July 5, 2021

## **PUBLIC INPUT PERIOD**

The Public Input Period is addressed in sections 12.20 to 12.28 of “Council Procedure Bylaw, 2015, No. 8500.”

The time allotted for each speaker addressing Council during the Public Input Period is 2 minutes, with the number of speakers set at 5 persons. Speakers’ comments will be audio recorded, as well as live-streamed on the City’s website, and will form part of the public record.

As City Hall remains closed to the public, the Regular Council Meetings will be held electronically via “WebEx”. To speak during the Public Input Period of a Regular Council Meeting, pre-registration is required by completing an online form at [cnv.org/PublicInputPeriod](http://cnv.org/PublicInputPeriod). Persons can also pre-register by phoning 604-990-4230 and providing contact information. **All pre-registration must be submitted no later than 12:00 noon on the day of the meeting.**

Once you have pre-registered, you will receive login/call-in instructions via email/phone.

You will be required to login or phone into the Council meeting between 5:00 and 5:15 pm on the day of the meeting. At the meeting, speakers will be asked to state their name and address for the record. If speakers have written materials to accompany their presentation, these materials must be emailed to the Corporate Officer at [clerks@cnv.org](mailto:clerks@cnv.org) no later than 12:00 noon on the day of the meeting.

The Public Input Period provides an opportunity for comment only and places the speaker’s concern on record, without the expectation of a response from Council.

Speakers must comply with the General Rules of Conduct set out in section 5.1 of “Council Procedure Bylaw, 2015, No. 8500” and may not speak with respect to items as listed in section 12.25(2).

Speakers are requested not to address matters that refer to items from a concluded Public Hearing/Public Meeting or to Public Hearings, Public Meetings and Committee meetings when those matters are scheduled on the same evening’s agenda, as an opportunity for public input is provided when the particular item comes forward for discussion.

Please address the Mayor as “Your Worship” or “Mayor, followed by his/her surname”. Councillors should be addressed as “Councillor, followed by their surname”.

## **CONSENT AGENDA**

Items \*3, \*4, \*5, \*6, \*7, \*8, \*9, \*10, \*11, \*12 and \*13 are listed in the Consent Agenda and may be considered separately or in one motion.

### **RECOMMENDATION:**

THAT the recommendations listed within the “Consent Agenda” be approved.

## **START OF CONSENT AGENDA**

### **BYLAWS – ADOPTION**

- \*3. “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836”

### **RECOMMENDATION:**

THAT “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836” be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*4. “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850”

### **RECOMMENDATION:**

THAT “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850” be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*5. “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851”

### **RECOMMENDATION:**

THAT “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851” be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*6. “Fire Bylaw, 2021, No. 8852”

### **RECOMMENDATION:**

THAT “Fire Bylaw, 2021, No. 8852” be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**CONSENT AGENDA – Continued**

**BYLAWS – ADOPTION – Continued**

- \*7. “Radio Amplification Bylaw, 2021, No. 8853”

**RECOMMENDATION:**

THAT “Radio Amplification Bylaw, 2021, No. 8853” be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*8. “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854” (Text Amendments)

**RECOMMENDATION:**

THAT “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854” (Text Amendments) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*9. “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)

**RECOMMENDATION:**

THAT “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*10. “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)

**RECOMMENDATION:**

THAT “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**CONSENT AGENDA – Continued**

**BYLAWS – ADOPTION – Continued**

- \*11. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857”  
(Fire Bylaw)

**RECOMMENDATION:**

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

- \*12. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841”  
(Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and 288 East 9<sup>th</sup> Street, CD-424 Text Amendment)

**RECOMMENDATION:**

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841”  
(Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and 288 East 9<sup>th</sup> Street, CD-424 Text Amendment) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**CORRESPONDENCE**

- \*13. Board in Brief, Metro Vancouver Regional District, June 25, 2021  
– File: 01-0400-60-0006/2020

Re: Metro Vancouver – Board in Brief

**RECOMMENDATION:**

THAT the correspondence from Metro Vancouver, dated June 25, 2021, regarding the “Metro Vancouver – Board in Brief”, be received and filed.

**END OF CONSENT AGENDA**

**PUBLIC HEARING – 133 East 4<sup>th</sup> Street – 5:30pm**

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734) and “Housing Agreement Bylaw, 2021, No. 8838” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments) would rezone the subject property from a Medium Density Residential Level 1 (RM-1) Zone to a Comprehensive Development 734 (CD-734) Zone to permit the development of a 6-storey, 23-unit market rental apartment building, over one level of childcare space for up to 44 children. No on-site resident parking is proposed, but includes one stall for childcare pickup and a drop-off stall located off the rear lane. The proposed density is 2.6 times the lot area.

*Bylaw Nos. 8837 and 8838 to be considered under Items 14 and 15.*

**AGENDA**

Staff presentation  
Applicant presentation  
Representations from the public  
Questions from Council  
Motion to conclude the Public Hearing

**BYLAWS – THIRD READING**

14. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734)

**RECOMMENDATION:**

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734) be given third reading.

15. “Housing Agreement Bylaw, 2021, No. 8838” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments)

**RECOMMENDATION:**

THAT “Housing Agreement Bylaw, 2021, No. 8838” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments) be given third reading.

## **REPORT**

16. Proposed 2021 Filming Schedule of Fees – File: 15-8110-01-0001/2021

Report: Film and Community Events Coordinator, June 30, 2021

### **RECOMMENDATION:**

PURSUANT to the report of the Film and Community Events Coordinator, dated June 30, 2021, entitled “Proposed 2021 Filming Schedule of Fees”:

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858” (2021 Filming Schedule of Fees) be considered.

*Item 17 refers.*

## **BYLAW – FIRST, SECOND AND THIRD READINGS**

17. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858” (2021 Filming Schedule of Fees)

### **RECOMMENDATION:**

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858” (2021 Filming Schedule of Fees) be given first, second and third readings.

## **REPORT**

18. Updated Residential Tenant Displacement Policy – File: 10-5040-08-0001/2021

Report: Planner 2, June 29, 2021

### **RECOMMENDATION:**

PURSUANT to the report of the Planner 2, dated June 29, 2021, entitled “Updated Residential Tenant Displacement Policy”:

THAT Council endorse the updated Residential Tenant Displacement Policy, a policy to mitigate the impacts resulting from redevelopment of rental buildings on current tenants.

**COUNCIL INQUIRIES / REPORTS**

**NEW ITEMS OF BUSINESS**

**NOTICES OF MOTION**

**RECESS TO CLOSED SESSION**

THAT Council recess to the Committee of the Whole (Closed Session) pursuant to the *Community Charter*, Sections 90(1)(e) [land matter], 90(1)(i) [legal advice], 90(1)(j) [information privacy] and 90(2)(b) [negotiations].

**REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)**

**ADJOURN**



## THE CORPORATION OF THE CITY OF NORTH VANCOUVER

### PUBLIC HEARING GUIDELINES FOR ELECTRONIC MEETINGS

Public Hearings are included as part of a Regular Council agenda and governed by the provisions of the *Local Government Act*.

A Public Hearing is held to allow the public an opportunity to make representations to Council – in person at the Public Hearing or by written submission – on a proposed amendment to the City's Official Community Plan and/or Zoning Bylaw. All persons who believe their interest in property is affected by a proposed bylaw(s) are afforded a reasonable opportunity to be heard, voice concerns or present written submissions regarding matters contained within the bylaw(s).

All written submissions and representations made at the Public Hearing form part of the official public record. Minutes of the Public Hearing and a video recording of the proceedings will be posted on the City's website at [cnv.org](http://cnv.org).

All written submissions must include the person's name and address. If this information is not provided, it cannot be included as part of the public record. Electronic submissions are preferred, and hand-delivered or mailed submissions will also be accepted. The deadline to submit email submissions is 12:00 noon on the day of the Public Hearing. Due to COVID-19, safety quarantine restrictions have been put in place and the deadline for submissions by mail or delivery to City Hall is 4:00 pm on the Friday prior to the Monday Public Hearing (a minimum of one clear day prior to the Public Hearing).

If persons wish to speak at the Public Hearing, we ask that everyone pre-register to be placed on the speaker's list. The pre-registration form is available at [cnv.org/PublicHearings](http://cnv.org/PublicHearings), or speakers can pre-register by contacting the Corporate Officer's office. All pre-registrations must be submitted no later than 12:00 noon on the day of the Public Hearing, to allow City staff time to contact all participants and provide them with call-in/online access instructions.

Comments from the public must specifically relate to the proposed bylaw(s). Speakers are asked to avoid repetitive comments and not to divert to other matters.

Speakers will be asked to confirm their name and address for the record and will be provided one, 5-minute opportunity to present their comments. There will be no opportunity to speak a second time. After all persons who have pre-registered have spoken, the Mayor (Chair) will ask if anyone else from the public has new information to provide. Speakers who have not pre-registered will also have an opportunity to provide input at [cnv.org/PublicHearings](http://cnv.org/PublicHearings). Call-in details will be displayed on-screen at the Public Hearing (watch web livestream). Once all registered speakers have provided input, the Mayor will call for a recess to allow additional speakers time to phone in.

*Continued...*





## **THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

### **PUBLIC HEARING GUIDELINES FOR ELECTRONIC MEETINGS (continued)**

Everyone will be given a reasonable opportunity to be heard and no one should feel discouraged or prevented from making their views known. The City asks for everyone's patience during the electronic Public Hearing.

Procedural rules for the conduct of the Public Hearing are set at the call of the Chair and Council's main function is to listen to the views of the public regarding the change of land use in the proposed bylaw(s). It is not the function of Council to debate the merits of an application with speakers. Questions from members of the public and Council must be addressed through the Chair.

Once the Public Hearing concludes, no further information or submissions can be considered by Council.

Following adjournment of the Public Hearing, the Regular meeting reconvenes and the Zoning and/or Official Community Plan bylaw amendment(s) are discussed and debated by members of Council, followed by consideration of third reading of the bylaw(s).

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**MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD  
ELECTRONICALLY FROM CITY HALL, 141 WEST 14<sup>TH</sup> STREET, NORTH  
VANCOUVER, BC, ON **MONDAY, JULY 5, 2021****

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**PRESENT**

**COUNCIL MEMBERS**

Mayor L. Buchanan  
Councillor H. Back  
Councillor D. Bell  
Councillor A. Girard  
Councillor T. Hu  
(joined at 5:32 pm)  
Councillor J. McIlroy  
Councillor T. Valente

**STAFF MEMBERS**

L. McCarthy, CAO  
K. Graham, Corporate Officer  
C. Baird, Deputy Corporate Officer  
J. Peters, Assistant City Clerk  
H. Granger, City Solicitor  
C. Nichols, Manager, Human Resources  
J. Draper, Deputy Director, Planning and Development  
R. de St. Croix, Manager, Long Range and Community Planning  
Y. Zeng, Manager, Development Planning  
D. Johnson, Development Planner  
K. Magnusson, Acting Deputy Director, Engineering, Parks and  
Environment  
L. Orr, Deputy Director, Community and Partner Engagement  
G. Schalk, Public Safety Director and Fire Chief  
D. Owens, Deputy Fire Chief, Prevention and Public Safety

The meeting was called to order at 5:30 pm.

**APPROVAL OF AGENDA**

Moved by Councillor Back, seconded by Councillor Bell

1. Regular Council Meeting Agenda, July 5, 2021

**CARRIED UNANIMOUSLY**

**ADOPTION OF MINUTES**

Moved by Councillor Bell, seconded by Councillor Back

2. Regular Council Meeting Minutes, June 21, 2021

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT PERIOD**

Nil.

**CONSENT AGENDA**

Moved by Councillor Back, seconded by Councillor McIlroy

THAT the recommendations listed within the "Consent Agenda" be approved.

**CARRIED UNANIMOUSLY**

## **START OF CONSENT AGENDA**

### **BYLAWS – ADOPTION**

- \*3. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2020, No. 8796” (Kent Halex, Halex Architecture, 225 East 21<sup>st</sup> Street, CD-727)

Moved by Councillor Back, seconded by Councillor McIlroy

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2020, No. 8796” (Kent Halex, Halex Architecture, 225 East 21<sup>st</sup> Street, CD-727) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**(CARRIED UNANIMOUSLY)**

- \*4. “Local Area Service Parcel Tax Bylaw, 2021, No. 8814” (Paved Lane Construction North of the 600 Block of East Keith Road)

Moved by Councillor Back, seconded by Councillor McIlroy

THAT “Local Area Service Parcel Tax Bylaw, 2021, No. 8814” (Paved Lane Construction North of the 600 Block of East Keith Road) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**(CARRIED UNANIMOUSLY)**

- \*5. “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8690, Amendment Bylaw, 2021, No. 8859” (Funding Reallocation)

Moved by Councillor Back, seconded by Councillor McIlroy

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8690, Amendment Bylaw, 2021, No. 8859” (Funding Reallocation) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**(CARRIED UNANIMOUSLY)**

- \*6. “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8623, Amendment Bylaw, 2021, No. 8860” (Funding Reallocation)

Moved by Councillor Back, seconded by Councillor McIlroy

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8623, Amendment Bylaw, 2021, No. 8860” (Funding Reallocation) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

**(CARRIED UNANIMOUSLY)**

### **END OF CONSENT AGENDA**

## **PUBLIC HEARING – 2612 Lonsdale Avenue**

Moved by Councillor Back, seconded by Councillor Bell

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8696” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717) and “Housing Agreement Bylaw, 2021, No. 8697” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717, Rental Housing Commitments).

**CARRIED UNANIMOUSLY**

The meeting recessed to the Public Hearing at 5:33 pm and reconvened at 7:08 pm.

## **BYLAWS – THIRD READING**

7. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8696” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717)

Moved by Councillor Girard, seconded by Councillor Bell

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8696” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717) be amended by deleting Section 3(B)(3) and replacing it with the following:

“(3) The Principal Building shall not exceed a Height of five storeys and 16.0 metres (52.5 feet);”

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8696” be given third reading, as amended.

**CARRIED**

Councillor Back, Councillor Hu and Councillor Valente are recorded as voting contrary to the motion.

8. “Housing Agreement Bylaw, 2021, No. 8697” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717, Rental Housing Commitments)

Moved by Councillor Girard, seconded by Councillor Bell

THAT “Housing Agreement Bylaw, 2021, No. 8697” (Nor-Van Vliet Properties Ltd. / Ekistics Architecture, 2612 Lonsdale Avenue, CD-717, Rental Housing Commitments) be referred to staff for amendment to reflect the necessary changes to the number of units and unit mix due to the reduction in height to 5 storeys.

**CARRIED UNANIMOUSLY**

## **BYLAWS – THIRD READING – Continued**

9. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841” (Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and 288 East 9<sup>th</sup> Street, CD-424 Text Amendment)

Moved by Councillor Bell, seconded by Councillor Back

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841” (Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and 288 East 9<sup>th</sup> Street, CD-424 Text Amendment) be given third reading.

**CARRIED UNANIMOUSLY**

## **REPORTS**

10. 2021 Round One Community Grant Recommendations – File: 05-1850-20-0005/2021

Report: Chair, Social Planning Advisory Committee, and Community Planner, June 23, 2021

Moved by Councillor Bell, seconded by Councillor McIlroy

PURSUANT to the report of the Chair, Social Planning Advisory Committee, and the Community Planner, dated June 23, 2021, entitled “2021 Round One Community Grant Recommendations”:

THAT grants be allocated to the following organizations from the 2021 Community Grants budget:

Athletics for Kids Financial Assistance (B.C.) Society (Operating)	\$1,300
Athletics for Kids Financial Assistance (B.C.) Society (Program – Youth Sports Granting)	\$1,950
Avalon Recovery Society (Operating)	\$6,500
Backpack Buddies (Operating)	\$2,275
Backpack Buddies (Program – Backpack Buddies)	\$2,275
BC Pets & Friends (Operating)	\$650
Big Brothers of Greater Vancouver (Operating)	\$1,625
Big Brothers of Greater Vancouver (Program – Community Mentoring Program)	\$2,600
Big Brothers of Greater Vancouver (Program – Teen Mentoring)	\$1,950
Big Sisters of BC Lower Mainland (Program – North Shore Mentoring)	\$1,950
Camp Kerry Society (Program – Camp Kerry Workshops & Retreats)	\$650
Camp Kerry Society (Program – Family Grief Support)	\$650
Canadian Mental Health Assn. – North and West Vancouver Branch (Operating)	\$3,250

*Continued...*

## **REPORTS – Continued**

### 10. 2021 Round One Community Grant Recommendations – File: 05-1850-20-0005/2021 – Continued

Canadian Mental Health Assn. – North and West Vancouver Branch (Program – Circle of Care: Supported Housing)	\$4,875
Crisis Intervention & Suicide Prevention Centre of BC (Operating)	\$975
Crisis Intervention & Suicide Prevention Centre of BC (Program – Peer Helper Training for North Shore)	\$650
Crisis Intervention & Suicide Prevention Centre of BC (Program – YouthInBC.com and Chat Services)	\$650
Friend 2 Friend Learning Society (Program – Autism Demystification Programs)	\$650
Friend 2 Friend Learning Society (Program – Play Groups for Children with Autism Program)	\$1,300
Greater Vancouver Law Students' Legal Advice Society (Program – Law Students' Legal Advice Program)	\$1,625
Hollyburn Family Services Society (Operating)	\$2,600
Hollyburn Family Services Society (Program – Aboriginal Court Outreach Worker)	\$975
Hollyburn Family Services Society (Program – Indigenous Specialized Victim Support Worker in the DVU)	\$975
Hollyburn Family Services Society (Program – Seniors at Housing Risk)	\$1,300
Hollyburn Family Services Society (Program – Supporting Seniors to Remain Housed)	\$1,300
Immigrant Link Centre Society (Program – From Pollution to Solution)	\$3,000
Lionsview Seniors' Planning Society (Operating)	\$2,700
Lionsview Seniors' Planning Society (Program - North Shore News Column: Older and Wiser Column)	\$200
Lionsview Seniors' Planning Society (Program - City of North Vancouver Seniors Action Team (CNV SAT))	\$250
Lionsview Seniors' Planning Society (Program - Services to Seniors Coalition/Planning Table)	\$250
Living Systems: Family Systems Counselling, Education, Training & Research Society (Program – Parent Hope Counselling)	\$2,000
Lookout Housing and Health Society	\$1,000
North Shore ConneXions Society (Program – Education and Community Awareness)	\$1,000
North Shore ConneXions Society (Program – Friendship Circles)	\$750
North Shore Disability Resource Centre (Program – Information and Advocacy)	\$2,500

*Continued...*

## **REPORTS – Continued**

### 10. 2021 Round One Community Grant Recommendations – File: 05-1850-20-0005/2021 – Continued

North Shore Disability Resource Centre (Program – Summer Bursary Program 2021)	\$2,500
North Shore Keep Well Society (Operating)	\$1,500
North Shore Meals on Wheels Society (Operating)	\$6,000
North Shore Multicultural Society (Operating)	\$4,000
North Shore Multicultural Society (Program – Community Bridging)	\$1,000
North Shore Multicultural Society (Program – NEONology and Youth Engagement)	\$1,000
North Shore Safety Council (Operating)	\$500
North Shore Stroke Recovery Centre (Operating)	\$5,000
North Shore Stroke Recovery Centre (Program – Speech Language Pathology Program)	\$2,500
North Shore Table Tennis Society (Program – Happy Hands Table Tennis)	\$1,000
North Shore Table Tennis Society (Program - Seniors' Therapeutic Body and Mind Table Tennis)	\$1,000
North Shore Table Tennis Society (Program - Youth Leadership Table Tennis Program)	\$1,000
North Shore Women's Centre (Program – North Shore Coordinating Committee to End Violence Against Women in Relationships)	\$3,000
North Shore Women's Centre (Program – Separation Support Group)	\$1,000
North Star Montessori Elementary (Operating)	\$1,000
Pacific Post Partum Support Society (Operating)	\$1,000
Pacific Post Partum Support Society (Program - Postpartum Depression/Anxiety Support Group)	\$1,000
Parkgate Community Services (Program – Youth Outreach)	\$2,000
Pathways Serious Mental Illness Society (Operating)	\$1,750
Pathways Serious Mental Illness Society (Program - Family-to-Family Education)	\$1,000
Quest Outreach Society (Program – Food Recovery and Redistribution Program)	\$2,500
RNB Dance and Theatre Arts (Operating)	\$3,000
Sharing Abundance Association (Program – Sharing Abundance Community and Senior Meal Programs)	\$4,000
Special Olympics British Columbia Society – North Shore (Operating)	\$1,500
Special Olympics British Columbia Society – North Shore (Program – SOBC – North Shore Sports Programs)	\$1,000

*Continued...*



## **REPORTS – Continued**

10. 2021 Round One Community Grant Recommendations – File: 05-1850-20-0005/2021  
– Continued

St. Andrews United Church (Program – St. Andrews Community Meal Program)	\$3,000
St. John the Evangelist Anglican Church (Program – Queen Mary Family Learning Program)	\$7,000
Vancouver Adaptive Snow Sports (Operating)	\$500
Vancouver Adaptive Snow Sports (Program – Adaptive Learn to Ski)	\$1,000
Volunteer Cancer Drivers Society (Program – Cancer Patient Transportation)	\$500
TOTAL	\$121,900

AND THAT the following organizations be notified that their application for a 2021 Community Grant will not be funded:

Alliance of British Columbia Students Society (ABCS) (Program - Centering Indigenous Student Voices)
North Shore Polish Association Belweder (Operating)
North Shore Table Tennis Society (Program – Racket Power for Women & Girls Table Tennis Program)
North Shore Volunteers for Seniors (Operating)
Upper Lonsdale Preschool (Program – Covid Safety Program)
Upper Lonsdale Preschool (Program – Covid Snack Program)
WAVAW Rape Crisis Centre (Operating)

**CARRIED UNANIMOUSLY**

11. Shipyards Festival Funding Request – File: 13-6740-01-0001/2021

Report: Acting Manager, Shipyards and Waterfront, June 23, 2021

Moved by Councillor Girard, seconded by Councillor Valente

PURSUANT to the report of the Acting Manager, Shipyards and Waterfront, dated June 23, 2021, entitled “Shipyards Festival Funding Request”:

THAT staff be directed to make the necessary notifications working with the Lower Lonsdale Business Improvement Association (LLBIA) as the event organizer for the 2021 Shipyards Festival;

THAT City funding for the festival is contingent on the confirmation of the event taking place on September 25, 2021;

AND THAT funding in the amount of \$20,000 for the 2021 Shipyards Festival, to support the Lower Lonsdale Business Improvement Association (LLBIA), be approved.

**CARRIED UNANIMOUSLY**

## **REPORTS – Continued**

12. Fire Bylaw and Radio Amplification Bylaw – File: 14-7002-01-0001/2021

Report: Deputy Fire Chief, Prevention and Public Safety, June 23, 2021

Moved by Councillor Back, seconded by Councillor Hu

PURSUANT to the report of the Deputy Fire Chief, Prevention and Public Safety, dated June 23, 2021, entitled “Fire Bylaw and Radio Amplification Bylaw”:

THAT the following bylaws be considered:

- “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850”;
- “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851”;
- “Fire Bylaw, 2021, No. 8852”;
- “Radio Amplification Bylaw, 2021, No. 8853”;
- “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854” (Text Amendments);
- “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties);
- “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties); and
- “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw)

AND THAT the Mayor, on behalf of Council, write to David Eby, Attorney General, Building and Safety Standards Branch, regarding the BC Building Code and Radio Amplification.

**CARRIED UNANIMOUSLY**

## **BYLAWS – FIRST, SECOND AND THIRD READINGS**

13. “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850”

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850” be given first and second readings.

**CARRIED UNANIMOUSLY**

## **BYLAWS – FIRST, SECOND AND THIRD READINGS – Continued**

13. “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850” – Continued

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850” be given third reading.

**CARRIED UNANIMOUSLY**

14. “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851”

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851” be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851” be given third reading.

**CARRIED UNANIMOUSLY**

15. “Fire Bylaw, 2021, No. 8852”

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Bylaw, 2021, No. 8852” be given first and second readings, as amended, by changing the wording in section 4.13 to the following:

“4.13 A design solution from a Registered Professional for an Alternate Solution that is approved by the City is subject to the following requirements:”

and by changing the wording in section 7.20 to the following:

“7.20 The Owner or Occupier of premises must pay the applicable fee prescribed in the Fees and Charges Bylaw on the occurrence of a second False Alarm, or Nuisance Alarm, and for each subsequent False Alarm or Nuisance Alarm, respecting the premises occurring in a calendar year.”

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fire Bylaw, 2021, No. 8852” be given third reading.

**CARRIED UNANIMOUSLY**

## **BYLAWS – FIRST, SECOND AND THIRD READINGS – Continued**

16. “Radio Amplification Bylaw, 2021, No. 8853”

Moved by Councillor Back, seconded by Councillor Hu

THAT “Radio Amplification Bylaw, 2021, No. 8853” be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Radio Amplification Bylaw, 2021, No. 8853” be given third reading.

**CARRIED UNANIMOUSLY**

17. “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854”  
(Text Amendments)

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854” (Text Amendments) be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854” (Text Amendments) be given third reading.

**CARRIED UNANIMOUSLY**

18. “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)

Moved by Councillor Back, seconded by Councillor Hu

THAT “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be given third reading.

**CARRIED UNANIMOUSLY**

## **BYLAWS – FIRST, SECOND AND THIRD READINGS – Continued**

19. “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties)

Moved by Councillor Back, seconded by Councillor Hu

THAT “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties) be given third reading.

**CARRIED UNANIMOUSLY**

20. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw)

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw) be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Back, seconded by Councillor Hu

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw) be given third reading.

**CARRIED UNANIMOUSLY**

## **REPORT**

21. A Bylaw to Repeal Fire Department Regulation Bylaw, 1982, No. 5437  
– File: 09-3900-02-0001/2021

Report: Public Safety Director and Fire Chief, June 28, 2021

Moved by Councillor Valente, seconded by Councillor Girard

PURSUANT to the report of the Public Safety Director and Fire Chief, dated June 28, 2021, entitled “A Bylaw to Repeal Fire Department Regulation Bylaw, 1982, No. 5437”:

THAT “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836” be considered.

**CARRIED UNANIMOUSLY**

## **BYLAW – FIRST, SECOND AND THIRD READINGS**

22. “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836”

Moved by Councillor Valente, seconded by Councillor Girard

THAT “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836” be given first and second readings.

**CARRIED UNANIMOUSLY**

Moved by Councillor Valente, seconded by Councillor Girard

THAT “Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836” be given third reading.

**CARRIED UNANIMOUSLY**

## **COUNCIL INQUIRIES / REPORTS**

Nil.

## **NEW ITEMS OF BUSINESS**

Nil.

## **NOTICES OF MOTION**

Nil.

## **RECESS TO CLOSED SESSION**

Moved by Councillor Back, seconded by Councillor Valente

THAT Council recess to the Committee of the Whole (Closed Session) pursuant to the *Community Charter*, Sections 90(1)(c) [labour relations], 90(1)(e) [land matter], 90(1)(g) [legal matter], 90(1)(k) [proposed service] and 90(2)(b) [contract negotiations].

**CARRIED UNANIMOUSLY**

The meeting recessed to the Committee of the Whole (Closed session) at 8:28 pm and reconvened at 9:08 pm.

Councillor Back left the meeting at 8:41 pm, in the Closed session, and did not return to the meeting.

## **REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)**

23. Release of Closed Council Resolution – Potential Disposition of City Property at 364 East 1<sup>st</sup> Street – Hamersley Cottage – File: 02-0890-20-0027/1

Report: Manager, Real Estate, June 28, 2021

Moved by Councillor McIlroy, seconded by Councillor Bell

PURUSANT to the report of the Manager, Real Estate, dated June 28, 2021, entitled “Release of Closed Council Resolution – Potential Disposition of City Property at 364 East 1<sup>st</sup> Street – Hamersley Cottage”:

THAT Council authorize the release of the following resolution from the Committee of the Whole (Closed session) of June 21, 2021:

“PURSUANT to the report of the Manager, Real Estate, dated May 19, 2021, entitled “Potential Disposition of City Property at 364 East 1<sup>st</sup> Street – Hamersley Cottage”:

THAT staff be authorized to negotiate a sale of the City-owned property located at 364 East 1<sup>st</sup> Street, subject to consolidation with the adjacent property at 380 East 1<sup>st</sup> Street and successful completion of a rezoning of this property. If negotiations are successful, staff will report back to Council for approval of the negotiated purchase and sale agreement;

THAT staff be directed to include the restoration of the heritage features of Hamersley Cottage as part of the negotiated sale and, as a condition of the sale, the owner agree to a covenant, heritage revitalization agreement or other mechanism to secure the ongoing protection of the heritage features of the Hamersley Cottage;

THAT staff be authorized to accept a rezoning application from the owner of the adjacent property at 380 East 1<sup>st</sup> Street for both 380 East 1<sup>st</sup> Street and 364 East 1<sup>st</sup> Street;”

AND THAT the report of the Manager, Real Estate, dated June 28, 2021, entitled “Release of Closed Council Resolution – Potential Disposition of City Property at 364 East 1<sup>st</sup> Street – Hamersley Cottage”, remain in the Closed session.

**CARRIED UNANIMOUSLY**

24. Lions Gate Community Recreation Centre – Release of Resolution from Closed Session – File: 15-7710-01-0001/2021

Report: Corporate Officer, June 29, 2021

Moved by Councillor McIlroy, seconded by Councillor Bell

PURSUANT to the report of the Corporate Officer, dated June 29, 2021, entitled “Lions Gate Community Recreation Centre – Release of Resolution from Closed Session”:

*Continued...*

## **REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION) – Continued**

24. Lions Gate Community Recreation Centre – Release of Resolution from Closed Session – File: 15-7710-01-0001/2021 – Continued

THAT Council authorize the release of the following resolution from the Committee of the Whole (Closed session) of June 14, 2021:

“PURSUANT to the report of the Director, Recreation and Culture, North Vancouver Recreation and Culture Commission, dated June 10, 2021, entitled “Lions Gate Community Recreation Centre”:

THAT the Lions Gate Community Recreation Centre be approved as part of the North Vancouver Recreation and Culture Commission’s shared cost structure for a temporary period of 3 years.”

AND THAT the report of the Corporate Officer, dated June 29, 2021, entitled “Lions Gate Community Recreation Centre – Release of Resolution from Closed Session”, remain in the Closed session.

**CARRIED UNANIMOUSLY**

25. The Polygon Gallery – Loan Guarantee – File: 05-1610-01-0001/2021

Report: Acting Director, Finance, June 30, 2021

Moved by Councillor McIlroy, seconded by Councillor Bell

PURSUANT to the report of the Acting Director, Finance, dated June 30, 2021, entitled “The Polygon Gallery – Loan Guarantee”:

THAT the City of North Vancouver provide a loan guarantee for the British Columbia Photography and Media Arts Society, doing business as The Polygon Gallery, of up to \$510,000 for the remaining debt related to the construction of The Polygon Gallery for a period not to exceed five years;

AND THAT the report of the Acting Director, Finance, dated June 30, 2021, entitled “The Polygon Gallery – Loan Guarantee”, remain in the Closed session.

**CARRIED UNANIMOUSLY**

## **ADJOURN**

Moved by Councillor Valente, seconded by Councillor Bell

THAT the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 9:09 pm.

*“Certified Correct by the Corporate Officer”*

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CORPORATE OFFICER



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8836

**A Bylaw to repeal “Fire Department Regulation Bylaw, 1982, No. 5437”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Fire Department Regulation Bylaw, 1982, No. 5437, Repeal Bylaw, 2021, No. 8836”**.
2. “Fire Department Regulation Bylaw, 1982, No. 5437” and amendments thereto are hereby repealed.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8850**

**A Bylaw to repeal “Fire Bylaw, 2005, No. 7709”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Fire Bylaw, 2005, No. 7709, Repeal Bylaw, 2021, No. 8850”**.
2. “Fire Bylaw, 2005, No. 7709” and amendments thereto are hereby repealed.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8851**

**A Bylaw to repeal “Fire Chief Powers Bylaw, 2004, No. 7583”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Fire Chief Powers Bylaw, 2004, No. 7583, Repeal Bylaw, 2021, No. 8851”**.
2. “Fire Chief Powers Bylaw, 2004, No. 7583” and amendments thereto are hereby repealed.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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# **THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

## **BYLAW NO. 8852**

### **A Bylaw for the prevention and suppression of fire and preservation of life**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

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### **PART 1 – INTRODUCTION**

- 1.1 Title
- 1.2 Minimum Competency Training Level

### **PART 2 – INTERPRETATION AND GENERAL PROVISIONS**

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## **PART 1 – INTRODUCTION**

### **Title**

- 1.1 This Bylaw shall be known and cited for all purposes as “**Fire Bylaw, 2021, No. 8852**”.

### **Minimum Competency Training Level**

- 1.2 The City of North Vancouver Fire and Rescue Service is a Full Service Operation according to the Structure Firefighters Competency and Training Handbook, prepared by the Officer of the Fire Commissioner of British Columbia, pursuant to paragraph 3(3)(b) of the Fire Services Act.

## **PART 2 – INTERPRETATION AND GENERAL PROVISIONS**

### **Words and Phrases**

- 2.1 Unless specifically defined herein, words and phrases used in this Bylaw shall be construed in accordance with the meanings assigned to them by the Fire Services Act, the Building Code, the Fire Code or the *Community Charter*, all as may be amended or replaced, as the context and circumstances require.

### **Definitions**

- 2.2 The definitions of terms used in this bylaw are contained in Appendix A of this bylaw.

### **Conflict**

- 2.3 In the event of a conflict, discrepancy, variation or inconsistency between any provision of this bylaw and the Fire Services Act, the Fire Code or the Building Code, the provisions of the Fire Services Act, the Fire Code or the Building Code, as the case may be, shall prevail over the provisions of this bylaw to the extent of any conflict, discrepancy, variation or inconsistency.

### **Application**

- 2.4 The provisions of this bylaw apply to all Buildings, structures, premises and conditions within the Municipality and, for certainty, apply to both existing Buildings and Buildings under construction.

### **Duty of Care**

- 2.5 This bylaw does not create any duty of care whatsoever on the Municipality or its elected officials, officers, employees or agents in respect of enforcement or failure to enforce this bylaw. Neither the failure to administer or enforce, nor the incomplete or inadequate administration or enforcement of this bylaw or inspections made by the Fire Chief or Fire Inspector gives rise to a cause of action in favour of any person.

## **PART 3 – FIRE DEPARTMENT OPERATIONS**

### **Fire Chief**

- 3.1 The Fire Chief is appointed by the Municipal Council.
- 3.2 Any references to the Fire Chief in this bylaw shall include a reference to any person duly authorized by the Fire Chief to exercise any of the Fire Chief's powers or to carry out any of the Fire Chief's duties under this bylaw.

### **Authority of Fire Chief**

- 3.3 The Fire Chief is authorized to:

- (a) Manage, control, supervise and enforce the activities of the Fire Department and its Members;
  - (b) Appoint or authorize Members to exercise any of the Fire Chief's powers on such terms and conditions as the Fire Chief considers appropriate and revoke any such appointment or authorization;
  - (c) Carry out all other actions the Fire Chief is authorized to perform pursuant to this bylaw, the Fire Code, the Fire Services Act and any statute or regulation.
- 3.4 The Fire Chief and every Member authorized by the Fire Chief is authorized to take all measures considered necessary to:
- (a) Prevent, suppress, control and extinguish fires;
  - (b) Provide Incident Response;
  - (c) Provide fire inspection and fire investigation services;
  - (d) Provide Fire Code review for Buildings;
  - (e) Protect life and property; and
  - (f) Have the care, custody and control of all Fire Department apparatus, equipment and buildings.
- 3.5 No apparatus of the Fire Department shall be used beyond the jurisdictional boundaries of the Municipality without the permission of the Fire Chief.

### **Conduct of Persons**

- 3.6 A person must not:
- (a) Impede in any way any Member in the execution of their duties, including but not limited to:
    - (i) providing an Incident Response;
    - (ii) investigating a fire scene;
    - (iii) investigating a Building to determine the cause of activation of a Fire Alarm System, sprinkler system or other fire or Life Safety System;
    - (iv) investigating a complaint of a fire hazard; or
    - (v) conducting a fire safety inspection as required by the Fire Services Act or this bylaw;
  - (b) Enter an incident area without the permission of the Fire Chief except for those duty authorized by the Fire Chief or any Member in charge at an incident;
  - (c) Drive a vehicle over any fire hose;
  - (d) Falsely represent themselves as a member or wear or display the Fire Department badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation.

- 3.7 The Fire Chief or any Member designated by the Fire Chief to be in charge at an incident may order any person at or near an Incident Response to render reasonable assistance to mitigate an incident.

### **Vacant and Fire-Damaged Buildings**

- 3.8 The Owner(s) or Owner's Authorized Agent of a vacant or fire-damaged Building must promptly take all steps necessary to secure the Building against the entry of unauthorized persons, including, but not limited to, guarding the Building and securing all openings to the Building to the satisfaction of the Fire Chief.
- 3.9 The Fire Chief or any Member has the authority, at all times, by day or night, to provide a post-incident watch for a period of time deemed necessary to secure the property against further incident, or to engage the services of a security company or security person to maintain a Fire Watch for the Building, to perform site security or to secure a premise at the expense of the Owner(s) or Owner's Authorized Agent or Occupier.

### **Demolition**

- 3.10 The Fire Chief and any Member authorized by the Fire Chief may order the damage, destruction or demolition of any Building, part of a Building, structure, equipment or other private property as may be necessary to extinguish, suppress or prevent the spread of fire or prevent the potential collapse of a Building resulting from an Incident Response.
- 3.11 None of the Municipality, the Fire Department or any of their elected or appointed officials, officers, employees or members is obligated to restore or pay compensation for property damaged, destroyed or demolished pursuant to section 3.10.
- 3.12 If the Fire Chief or a Member arranges for damage, destruction or demolition pursuant to section 3.10, the Owner(s) or Owner's Authorized Agent of the property subject to such services must pay to the Municipality the hourly rate of equipment and staffing costs of each Member for the actual time the Member and equipment attended at the site, plus any other expenses incurred by the Fire Department in relation to the Incident Response.

### **Commandeer Privately Owned Equipment**

- 3.13 The Fire Chief or any Member in charge at an Incident Response has the authority to commandeer privately owned equipment which the Fire Chief or Member considers necessary to deal with the Incident Response and the owner of such equipment will be compensated in accordance with standard industry rates.

### **Safe Handling of Dangerous Goods**

- 3.14 Every Owner(s) or Owner's Authorized Agent, carrier, agency, organization or other person having responsibility for the transport, storage or use of Dangerous Goods is responsible, at their own cost, for the clean-up and safe disposal of all such Dangerous Goods arising from any incident and where the person fails to clean up and/or dispose of such Dangerous Goods adequately (as determined by the Fire Chief), such person must pay the actual costs and expenses incurred by the Fire Department or its contractors in mitigating the incident involving Dangerous Goods and pay the actual costs and expenses incurred to clean up and safely dispose of the Dangerous Goods.

### **Tampering with Fire Protection Equipment**

- 3.15 A person must not:

- (a) Tamper with, alter or damage in any way any Fire Protection Equipment of any kind except as may be required for maintenance and service; or
- (b) Reset or silence a Fire Alarm System until authorized by the Fire Chief.

## **PART 4 – PUBLIC SAFETY**

### **Regular System of Inspections**

- 4.1 The Fire Chief is responsible for ensuring that a regular system of inspections is provided by Members of the Fire Department, as required by the Fire Services Act.

### **Fire Chief/Fire Inspectors**

- 4.2 Fire Inspectors are authorized to enforce rules, regulations and policies for the administration and operation of the Fire Department as directed by the Fire Chief.
- 4.3 The Fire Chief and Fire Inspectors are authorized to:
  - (a) Enter on property and inspect premises for conditions that may cause a fire, increase the danger of a fire or increase the danger to persons or property from a fire;
  - (b) Take measures to prevent and suppress fires, including demolition of buildings or other structures and removal or cutting of natural or planted vegetation to prevent the spreading of fires;
  - (c) Order an Owner(s) or Owner's Authorized Agent to undertake any actions to remove or reduce anything or condition that is a fire hazard or increases the danger of fire;
  - (d) Provide Incident Response;
  - (e) Exercise any of the powers of a Fire Commissioner under the Fire Services Act;
  - (f) Create and enforce rules, orders, regulations and policies respecting fire prevention and suppression and the protection of life, property and the environment;
  - (g) Inquire into, investigate and record the causes of fires in the Municipality;
  - (h) Collect and disseminate information in regard to fires in the Municipality;
  - (i) Investigate and hold inquiries into fires in the Municipality;
  - (j) Study methods of fire prevention; and/or
  - (k) Provide advice and make recommendations to Council, other officers and employees of the Municipality and the public in relation to:
    - (i) the installation or maintenance of Fire Protection Equipment; and
    - (ii) fire prevention generally.

### **Emergency Fire Protection System Inspection, Testing and Maintenance**

- 4.4 Every Occupier, Owner(s) or Owner's Authorized Agent must undertake required actions to correct violations within the time specified in a report, notice or Order.
- 4.5 The Municipality may undertake required actions to correct violations, but is not obligated to carry out such work. The Fire Chief has the authority, at all times, by day or night to hire or engage the services of a fire protection service company to repair, inspect or maintain Fire Protection Equipment that may require repair, inspection or maintenance and the costs are to be paid by the Occupier, Owner(s) or Owner's Authorized Agent.
- 4.6 Every person who is required under any provision of the Fire Code to perform or cause to be performed any inspection or test of Fire Protection Equipment, whether annually or otherwise, must ensure that:
- (a) The inspection or test is performed by a Certified Fire Protection Technician and in accordance with the Fire Code; and
  - (b) The inspection or test is recorded on the Fire Protection Equipment tagged or labelled in accordance with the Fire Code and any regulations or bylaws under the Professional Governance Act, SBC 2018, c. 47, as amended or replaced, and acceptable to the Authority Having Jurisdiction.
- 4.7 All Fire Protection Equipment in Buildings with two or more strata corporations must be serviced by a common Certified Fire Protection Technician.

### **Falsify Records and Reports**

- 4.8 A person must not withhold or falsify any information required by any Member, nor refuse to assist a Member in their responsibilities under this bylaw.

### **Premise Evacuation**

- 4.9 Upon activation of a fire alarm, the Owner(s) or Owner's Authorized Agent and all Occupiers must exit the Building, if possible, or remain inside the suite, unit, Building or Area of Refuge as directed in the Fire Safety Plan for the Building or comply with the orders or directions of the Fire Chief or Member, until the Fire Chief or officer in charge authorizes re-entry into the Building or premise and/or the re-setting of the Fire Protection Equipment and/or the all clear is given.

### **Fire Watch**

- 4.10 A Fire Watch is required:
- (a) When any Life Safety System is taken out of service, requires servicing, has been silenced or shut down, or as otherwise directed by a Member; and
  - (b) When doing Hot Works or as required in a special Permit or Fire Safety Plan.
- 4.11 When a Fire Watch has been initiated, the person assigned to perform the Fire Watch must have the means and ability to comply with all of the following:
- (a) Communicate effectively with Building occupants and emergency personnel;
  - (b) Notify the Fire Department in the event of a fire emergency;

- (c) Notify the Building Occupiers in the event of a fire emergency;
- (d) Ensure that all public areas on all floors of the Building are patrolled at least once every 45 minutes;
- (e) Maintain a logbook on the premises to be immediately available for inspection by the Fire Chief;
- (f) Relay any special orders or pertinent information to any person relieving the Owner of the Fire Watch duty;
- (g) Remain on duty until relieved by another Assigned Fire Watch Person that complies with this section;
- (h) Have an easily visible means of identification, such as an armband or nametag; and
- (i) Must not have other assigned duties that negate their ability to perform the Fire Watch as detailed in this Section 4.11.

The Fire Watch must be maintained until Fire Department personnel have been notified that the Life Safety Systems are back in service.

#### **Review of Building Construction Plans**

4.12 The Fire Chief or any Member is authorized to review plans and inspect the construction of all new Buildings and structures, other than single family dwellings, in order to establish that the fire protection facilities and equipment in the Building comply with the Fire Code and all other applicable fire-related regulations, codes and standards.

#### **Alternate Solutions to Prescribed Code**

4.13 A design solution from a Registered Professional for an Alternate Solution that is approved by the City is subject to the following requirements:

- (a) Alternate Solutions must be functionally demonstrated before Occupancy of a Building is authorized by the Fire Chief;
- (b) Alternate Solutions must be serviced and maintained in accordance with applicable codes and standards as represented by the system components in Part 6 of this bylaw and must be operational at all times;
- (c) A copy of the Alternate Solution and the service and maintenance requirements must be included in the Fire Safety Plan;
- (d) Alternate Solutions that include interconnected components of property and/or multiple property strata(s) must be serviced by a common fire protection service company in order to maintain the operational function of the Alternate Solution; and
- (e) A functional demonstration of an Alternate Solution may be requested by the Fire Department at any time in which case the Owner of the property must pay the

applicable fee prescribed in the Fees and Charges Bylaw for the attendance and review by the Fire Department.

### **Technical Assistance**

- 4.14 If, in the opinion of the Fire Chief, a design proposal for a Building requires an independent review, the Fire Chief is authorized, at the Owner's expense, to retain the services of a Registered Professional with expertise in the proposed design to review the design proposal and provide an evaluation, including making recommendations for changes to the proposed design, operation, process, or new technology. The cost for the Registered Professional must be paid by the Building Owner upon receipt of an invoice from the Municipality.

### **Code Analysis**

- 4.15 The Fire Chief may require an Owner(s) or Owner's Authorized Agent of a Building to provide, at the Owner's expense, confirmation from a Registered Professional that the Building or use within the Building is adequately protected against fire hazards in conformance with the Building Code, the Fire Code and any associated regulations.
- 4.16 If required by the Fire Chief, the Owner's Registered Professional must provide an evaluation of the Building or use and, where applicable, recommended upgrades to the Building or Life Safety Systems.

### **Construction Fire Safety Planning**

- 4.17 An Owner(s) or Owner's Authorized Agent must at the time of Building Permit application submit a Construction Fire Safety Plan for review and acceptance in a form and diagram template acceptable to the Fire Chief together with the Construction Fire Safety Plan review fee prescribed in the Fees and Charges Bylaw.
- 4.18 The Owner(s) or Owner's Authorized Agent must ensure that Construction Fire Safety Plan is kept up to date, including but not limited to:
- (a) The emergency contact information; and
  - (b) The changing hazards or risks at the construction site.
- 4.19 The Owner(s) or Owner's Authorized Agent must:
- (a) Submit updates to the Construction Fire Safety Plan to the Fire Department for review and acceptance together with the applicable fee prescribed in the Fees and Charges Bylaw; and
  - (b) Ensure that the Construction Fire Safety Plan includes a Fire Code Exposure Report per Fire Code section 5.6.1.2, prepared by a Registered Professional in accordance with the Fire Code, to identify risks to adjacent properties and the mitigation methods that will be used on the construction site.

### **Fire Safety Plan/Emergency Planning**

- 4.20 The Owner(s) or Owner's Authorized Agent of any of the following must provide fire emergency planning and procedures conforming to section 2.8. of the Fire Code:
- (a) Buildings containing assembly or care and detention occupancy as per the Building Code;



- (b) Buildings required to have a fire alarm system;
- (c) Demolition and construction sites;
- (d) Indoor and outdoor storage areas;
- (e) Properties where Flammable and Combustible Liquids are stored or handled; and
- (f) Properties where Hazardous Materials are stored or processed.

4.21 The Owner(s) or Owner's Authorized Agent must:

- (a) Where required to have a Fire Safety Plan per the Fire Code, submit the plan for review and acceptance in a form and diagram template acceptable to the Fire Chief together with the Fire Safety Plan review fee prescribed in the Fees and Charges Bylaw;
- (b) Review the approved Fire Safety Plans at least every twelve (12) months to ensure that the emergency contact information is up to date;
- (c) Forward any changes in the use, design or Life Safety Systems to the Fire Department for review and acceptance together with the Fire Safety Plan review fee prescribed in the Fees and Charges Bylaw; and
- (d) Ensure that every Fire Safety Plan is placed in a locked cabinet located at the Fire Department Response Point or other location acceptable to the Fire Chief.

#### **Pre-Incident Fire Plans**

4.22 The Owner(s) or Owner's Authorized Agent of any Building required by the Fire Code to have a Fire Safety Plan must, on the request of the Fire Chief, provide Building pre-plan information, including floor plans and diagrams showing the type and location of any Building service, Fire Protection Equipment, Fire Department connection, fire hydrant, Fire Department Access Route and Hazardous Materials storage or processing, in a form prescribed by the Fire Chief, and must pay the review fee prescribed in the Fees and Charges Bylaw.

#### **Occupancy Contact Requirements**

4.23 The Owner(s) or Owner's Authorized Agent of a Building that has a Fire Alarm System or an automatic fire sprinkler system, monitored or non-monitored, must:

- (a) Provide a twenty-four hour emergency contact name and phone numbers for persons able to respond to a phone call and attend the premise immediately; and
- (b) Provide additional Building contact names and phone numbers.

4.24 The contact persons required under section 4.23 must:

- (a) Have full access to the entire Building for which they have responsibility;

- (b) Be available to attend, enter and secure the premises at all times of day and night to respond to an Incident Response;
- (c) Be able to take responsibility for the Building from the Member on completion of an Incident Response;
- (d) Attend all alarms at the Building within forty-five (45) minutes of being requested by the Fire Department; and
- (e) Secure the premises within a reasonable time or when directed to do so by the Fire Chief.

## **PART 5 – REGULATION OF FIRE HAZARDS**

### **Fire Hazards**

5.1 The Fire Chief may, at all reasonable hours enter any premises to inspect them and ascertain whether:

- (a) A fire hazard exists on the premises;
- (b) The premises are in such a state of disrepair that a fire starting in them might spread rapidly to endanger life or other property;
- (c) The premises are so used or occupied that fire would endanger life or property; or
- (d) Combustible or explosive material is kept or other flammable conditions exist on the premises so as to endanger life or property.

5.2 A person must not cause a fire hazard.

### **Disposal of Material**

5.3 A person must not:

- (a) Dispose of any liquid, flammable substance or hazardous substance in any manner that could cause a fire hazard;
- (b) Dispose of any explosive, Flammable and Combustible Liquid, Hazardous Material or any liquid of a petro-chemical nature without written permission from the Fire Chief;
- (c) Dispose of any lighted or extinguished cigarette, cigar, match, smoking or vaporizing equipment or other burning substance except into a garbage container or other container designed for such disposal; or
- (d) Dispose of yard waste or trimmings, trees, branches or any other materials which could cause a fire hazard onto property of the Municipality.

### **Garbage and Recycling Containers**

5.4 Containers for the disposal, removal or storage of garbage, refuse, Building debris, paper, recyclable materials or Combustible material with any dimension greater than 1.5 meters must comply with the following requirements:

- (a) Be constructed of non-Combustible material;
- (b) Be equipped with a non-Combustible tight-fitting lid;
- (c) Have lids kept closed at all times, unless otherwise approved by the Fire Chief;
- (d) If the container is located outside of a Building, it must not be located within 5 meters of any Combustible Building or structure, unless stored within a non-Combustible structure or in a location approved by the Fire Chief; and
- (e) If the container is located outside of a Building and is a non-Combustible container with a self-closing lid and no hold-open devices, it must be located no closer than 1 meter from any Combustible Building or structure,

Provided that Combustible containers with dimensions greater than 1.5 meters are permitted to be stored in storage rooms specifically designed for the storage of garbage and recycling.

### **Combustible Waste Near Buildings**

- 5.5 An Owner(s) or Owner's Authorized Agent must not allow Combustible waste materials or garbage to remain adjacent to such Building for longer than forty-eight (48) hours.
- 5.6 The Municipality may cause the removal of Combustible materials from in and around Buildings and in such event, the Owner of the property must pay the cost of such removal.

### **Explosion or Potential Explosion – Hazardous Substance**

- 5.7 It is the duty of the Owner(s) or Owner's Authorized Agent of any property, Building, premises, motor vehicle, vessel or railway rolling stock, to immediately report the potential for or the occurrence of any Explosion, discharge, emission, escape or spill of a Hazardous Materials to the Fire Chief.

### **Open Air Fires**

- 5.8 Restrictions:

- (a) Except as specifically permitted in section 5.8, a person must not light, ignite, start or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air, including airborne fire holding devices not under the control of the user (e.g. wish lanterns);
- (b) Burning for land clearing and/or construction purposes is prohibited;
- (c) All exterior solid fuel-fired appliances or devices are prohibited, including pizza ovens and outdoor fireplaces that were built without a municipal Building Permit;
- (d) Existing wood-fired pizza ovens and outdoor fireplaces that were constructed and inspected through a municipal Building Permit may be permitted to operate, but must be in compliance with the Metro Vancouver Air Quality Bylaw.

Exemptions:

- (a) The Fire Chief may issue a Permit for open air burning fires. Any person to whom such a Permit has been issued must comply with the Metro Vancouver Air Quality Bylaw, as amended or replaced
- (b) The Fire Chief or designate may suspend an open air fire Permit if on the date specified, the wind and weather conditions, or other conditions such as fire danger rating, are not conducive to fire safety;
- (c) CSA/ULC approved briquette, natural gas, electric or propane appliances are permitted provided such appliance is operated in accordance with its listed use and manufacturer's instructions. In the absence of defined operating instructions, the operator must:
  - (i) maintain a minimum of 1-meter clearance from the nearest structure, property line, overhead tree or other combustible material;
  - (ii) keep the appliance under constant supervision when in use;
  - (iii) provide an adequate extinguishing agent, such as a fire extinguisher or garden hose; and
  - (iv) dispose of used briquettes in a non-combustible container;
- (d) Open air burning for the purposes of Fire Department approved training is permitted;
- (e) Smokers that are ULC rated and fueled by electricity, propane, or natural gas where wood/mesquite is supplemental, and the appliance is used in accordance with the manufacturer's specifications, including clearance to combustibles, are permitted. Smoke generated from such device must be in compliance with Metro Vancouver Air Quality Bylaw;

### **Forest Fire Danger**

5.9 For the purpose of preventing forest fires within the Municipality, the Fire Chief may:

- (a) Order the temporary closure to public use of outdoor trails, camping areas and other facilities located in or near forested areas, whether on municipal land, Crown land or private land;
- (b) Order the notification of the public regarding a closure under this section, including without limitation, the erection of signs and the publication and broadcasting of notices;
- (c) Order that a person not light, ignite, start, or maintain, or allow or cause to be lighted, ignited, started or maintained, a campfire or other kind of fire outdoors or within a grill, barbecue or other outdoor fireplace or appliance which uses wood, charcoal, briquettes;
- (d) Order that any procedures, activity or work program of any business, contractor, facility or their operations adjacent to a forest or park be stopped or modified as directed by the Fire Chief;
- (e) Modify and rescind any order under this section;

- (f) Exempt in writing any person or group of persons from an order issued under this section where the Fire Chief considers that such an exemption is unlikely to result in a fire, increase the danger of a fire or increase the danger to persons or property from fire; and
  - (g) Suspend, revoke or deny any Permits.
- 5.10 An order under section 5.10 does not prevent any person from travelling to and from or occupying his or her residence or using a Highway.
- 5.11 A person must not:
- (a) Tamper with or remove any sign or notice placed pursuant section 5.9; or
  - (b) Violate any order issued pursuant to section 5.9.

### **Interface Construction Protocols**

- 5.12 High-risk construction and demolition activity, as defined in the Interface Construction Guidelines, will require a site-specific Construction Fire Safety Plan which must be available on site for review by the Fire Chief on request.
- 5.13 High-risk construction and demolition activity during high and extreme fire danger rated days, as established or declared by the Province, requires submission and acceptance of an interface construction mitigation checklist in the form required by the Fire Department.
- 5.14 The Owner(s) or Owner's Authorized Agent must:
- (a) Provide all mitigation measures that are required in the Construction Fire Safety Plan and/or the interface construction risk mitigation checklist, as applicable;
  - (b) Where a site inspection is required to confirm that mitigation measures are in place during construction and/or demolition, pay the applicable fee prescribed in the Fees and Charges Bylaw; and
  - (c) Ensure that the mitigation measures required pursuant to subsection 5.14(a) are complied with and/or must comply with any order by the Fire Chief to cease and desist any or all activities on site.

### **Delegation of Authority – Fire Risk in Forest/Woodlands**

- 5.15 Where the Fire Chief determines that there is a fire or a risk of fire in a forest or woodland, the Fire Chief has the authority to take the following measures to prevent or suppress the fire:
- (a) Order the Owner(s) or Owner's Authorized Agent, Occupier or any other person who has contributed or may contribute to the risk of fire to cease any activity that may contribute to the risk of fire;
  - (b) Order the Owner(s) or Owner's Authorized Agent, Occupier or any other person who has contributed or may contribute to a risk of fire to take specified reasonable actions to prevent or suppress a fire, including, but not limited to, cutting, removing and demolishing any trees, vegetation, Buildings and other things;

- (c) With the consent of the Fire Chief, order that no person enter or be in all or a portion of the forest or woodland unless authorized by the Fire Chief;
- (d) Enter on private or public forest or woodland and take any reasonable action to prevent or suppress a fire, including, but not limited to, cutting, removing and demolishing any trees, vegetation, Buildings and other things.

### **Compliance with Orders**

5.16 If the Fire Chief makes an Order under sub-section 5.15, any person to whom the Order is directed must:

- (a) Cease the activity specified in the Order; and/or
- (b) Take the actions specified in the Order.

5.17 If the Fire Chief makes an Order under sub-section 5.15, a person must not enter or be in the forest or woodland specified in the Order unless authorized by the Fire Chief.

### **Right to Enter**

5.18 The Fire Chief may:

- (a) On reasonable notice, enter on property for the purpose of fire protection;
- (b) In the case of an emergency, as determined by the Fire Chief or any person authorized to act in the place of the Fire Chief, enter on property for the purpose of fire protection;
- (c) On reasonable notice, enter on property that is subject to a direction in or requirement of a bylaw to ascertain whether the direction or requirement is being met or the regulations under the bylaw are being observed.

## **PART 6 – INSPECTION OF PREMISES AND FIRE PROTECTION EQUIPMENT**

### **Fire Department Access**

6.1 An Owner(s) or Owner's Authorized Agent must in relation to all property they own or control:

- (a) Maintain and keep all streets, yards and roadways provided for Fire Department Access Routes on private property clear and ready for use by Fire Department vehicles at all times;
- (b) Post signs in all fire lanes prohibiting parking with the wording "FIRE LANE – NO PARKING";
- (c) Ensure that all fire lanes are designed to meet Fire Department response needs and to meet the operational restrictions of Fire Department vehicles and apparatus;
- (d) Maintain Fire Department Access Routes in compliance with all applicable codes and standards;
- (e) Ensure the address of the Building is visible from the street frontage at all times;

- (f) Provide directional signage for entrances not visible from the primary Fire Department Response Point;
- (g) Maintain and keep corridors used by the public and exits free of obstructions; and
- (h) Design, install, keep, maintain and use devices on all required exit doors in accordance with the Building Code.

### **Fire Department Lock Boxes**

6.2 All premises, not including single family dwellings, with a monitored or unmonitored fire alarm or an automatic fire sprinkler system, must install a Fire Department Lock Box conforming to the Fire Department Lock Box key and:

- (a) Maintenance and upgrades of the Fire Department Lock Box is the responsibility of the Owner(s) or Owner's Authorized Agent.
- (b) The Owner(s) or Owner's Authorized Agent is responsible for ensuring that the building access, service rooms, and common area keys that are provided in the Fire Department Lock Box, are kept current.
- (c) Additional Fire Department Lock Boxes may be required to accommodate additional sets of access keys for high or complex Buildings.

6.3 For all new construction, the interior access stairs for providing access to all levels of each Building must be located within close proximity to the Fire Department Response Point, in a location acceptable to the Fire Chief.

### **Indoor and Outdoor Storage**

6.4 An Owner(s) or Owner's Authorized Agent of a Building must in relation to all property they own or control:

- (a) Ensure indoor and outdoor storage is in compliance with the Fire Code;
- (b) Not permit Combustible materials to accumulate or be stored in and around Buildings in quantities or locations that constitute a fire hazard;
- (c) Ensure that all storage is contained within rooms designed for storage and that such storage rooms are designed in compliance with the requirements of the Building Code;
- (d) Not permit Combustible materials to accumulate or be stored in a Storage Garage or Underground Storage Garage designed for the parking of motor vehicles;
- (e) Not permit limited non-Combustible materials such as bicycles and metal ladders to be stored in a Storage Garage unless, they can remain in place during a fire without affecting aisles and means of egress and so as not to interfere with firefighting activities which is to be determined at the discretion of the Fire Chief;
- (f) Ensure that no storage units, cabinets or shelving, whether Combustible or non-Combustible, are located within a Storage Garage;

- (g) Not Permit storage in the common area of a Storage Garage; storage is only to be permitted in storage rooms designed for storage use; and
- (h) Not permit storage in portable storage containers or bike lockers in the common area of a Storage Garage.

### **Fire Separations**

- 6.5 Where Fire Separations are damaged so as to affect their integrity, the Owner(s) or Owner's Authorized Agent must, without delay, repair them in conformance with the Fire Code and Building Code.

### **Fire Doors**

- 6.6 The Owner(s) or Owner's Authorized Agent of any Building must not block, wedge or keep open closures in Fire Separations or allow such action.
- 6.7 Every door used as a closure within a Fire Separation must have a permanent sign posted on the visible side of the door when the door is in the open position with the words "FIRE DOOR KEEP CLOSED".

### **Identification of Floors**

- 6.8 The Owner(s) or Owner's Authorized Agent of every Building greater than 4 stories must ensure that the following requirements are complied with:
- (a) Display conspicuous signage of the floor level in all stairwells at each floor level. If numbers are used, the minimum height of those numbers is 100 mm. If wording is used, the dimensions and type must be not less than 50 mm by 100 mm on permanent plastic laminate or equivalent material;
  - (b) Have stair numbering as follows:
    - (i) main exit stair from lobby to floor levels above is to be Stair #1;
    - (ii) other exit stair is to be Stair #2; and
    - (iii) no Building or complex may duplicate stair numbers, other than as stated in section 6.8(c);
  - (c) For complex sites where there is more than one tower on a common podium and/or parkade, Stair #1 and Stair #2 should be duplicated in each tower. There must be no further duplication of Stair #1 and Stair #2;
  - (d) Lettering must not be used for stair signage;
  - (e) Stair number plan for complex sites is to be submitted to the Fire Department and the Building Official for review;
  - (f) Stair numbers are to be clearly posted on both the inside of the stairwell and on the corridor side;
  - (g) Cross Over Floors in a high building as defined by the Building Code, must be posted on the inside of the stairwell and identified on the fire alarm graphic annunciator; and



- (h) Stair numbers in a high building as defined by the Building Code, must be identified on the fire alarm graphic annunciator.

### **Portable Extinguishers**

6.9 Portable fire extinguishers must be:

- (a) Selected and installed in conformance with the Fire Code and NFPA 10;
- (b) Located so as to be visible and readily accessible at all times; and
- (c) Inspected, tested and tagged annually by a Certified Fire Protection Technician.

### **Exit Signs**

- 6.10 Illuminated exit signage must be installed in Buildings in accordance with the Building Code.
- 6.11 Illuminated exit signage with internal battery backup systems must be inspected, tested and maintained in conformance with the Fire Code and CAN/CSA C282-M, "Emergency Electrical Power Supply for Buildings".
- 6.12 Emergency power systems for illuminated exit signage must be inspected, tested and tagged annually by a Certified Fire Protection Technician.
- 6.13 Replacement of illuminated exit signage must be consistent to avoid combining current code green signs with previous code versions of red signs.
- 6.14 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Emergency Power Systems and Emergency Lighting Systems**

- 6.15 Emergency power systems and emergency lighting systems must be:
  - (a) Installed in Buildings in accordance with the Building Code;
  - (b) Inspected, tested and maintained in operable condition at all times in conformance with the Fire Code and CAN/CSA C282-M "Emergency Electrical Power Supply for Buildings"; and
  - (c) Inspected, tested and tagged annually by a Certified Fire Protection Technician.
- 6.16 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Exit Systems**

- 6.17 There must be no storage in access to exits and exits, including elevators, stair shafts, hallways and fire escapes.
- 6.18 Exit systems must be inspected, tested and maintained in operational condition at all times.
- 6.19 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Smoke Control Systems and Fire Dampers**

6.20 Smoke control systems and fire dampers must be:

- (a) Installed in accordance with the Building Code;
- (b) Inspected, tested and maintained in operable condition at all times in conformance with the Fire Code and CAN/ULC-S1001 "Integrated Systems Testing of Fire Protection and Life Safety Systems"; and
- (c) Inspected, tested and maintained annually by a Certified Fire Protection Technician.

6.21 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

6.22 Inspection is required to confirm operation of smoke control systems and fire dampers, and the Owner(s) or Owner's Authorized Agent must pay the applicable fee prescribed in the Fees and Charges Bylaw.

### **Fire Alarm and Voice Communication Systems**

6.23 Fire Alarm Systems and related systems must be:

- (a) Maintained in operable conditions at all times;
- (b) Inspected and tested in conformance with the Fire Code and CAN/ULC-S536 "Inspection and Testing of Fire Alarm Systems"; and
- (c) Inspected, tested and tagged annually by a Certified Fire Protection Technician.

6.24 Records of monthly inspections of Fire Alarm Systems and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Fire Alarm System Monitoring and Certificate Posting**

6.25 The Owner or Owner's Authorized Agent of any Building required by the Building Code or Construction Bylaw to have a monitored Fire Alarm System installed as per ULC S561 must obtain a ULC Certificate or equivalent as approved by the Fire Chief and post it in a permanent manner in close proximity to the monitoring equipment or such other location acceptable to the Fire Chief.

6.26 The Owner(s) or Owner's Authorized Agent of any Building containing a ULC monitored Fire Alarm System must immediately notify the Fire Chief if the monitoring service has been cancelled or changed or the ULC Certificate has been removed.

6.27 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Smoke Alarms**

6.28 Smoke alarms must be:

- (a) Installed in accordance with the Building Code and the Fire Code; and

- (b) Maintained in operable condition at all times and in conformance with CAN/ULC-S552 Inspection, Testing and Maintenance of Smoke Alarms.
- 6.29 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Standpipe and Hose Systems**

- 6.30 Standpipe and hose systems must be:
- (a) Installed in accordance with the Building Code and NFPA 14 Installation of Standpipe and Hose Systems and be operable at all times;
  - (b) Inspected, tested and maintained in conformance with the Fire Code and NFPA 25 Inspections, Testing and Maintenance of Water-Based Fire Protection Systems;
  - (c) Inspected, tested and tagged annually by a Certified Fire Protection Technician.
- 6.31 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.
- 6.32 Unless otherwise approved by the Fire Chief, Fire Department connections must be located not less than 0.61m (24 inches) and not more than 0.91 m (36 inches) above the level of the adjacent grade or access level.
- 6.33 Fire Department Connections for standpipe and hose systems must:
- (a) Be clearly identified, clean, functional and with protective caps in place;
  - (b) Have signage in place to clearly identify the area that the Fire Department connection serves and the maximum pumping pressure, if applicable; and
  - (c) Be kept free and clear by at least one metre (three feet) from all shrubbery, trees, other vegetation, structures, Buildings and obstructions and be clearly visible at all times from the Fire Department access route.

### **Automatic Sprinkler Systems**

- 6.34 Automatic sprinkler systems must be:
- (a) Installed in conformance with the Building Code, NFPA 13 Installation of Sprinkler Systems and the Construction Bylaw;
  - (b) Inspected, tested and maintained annually in conformance with the Fire Code and NFPA 25 Inspection, Testing and Maintenance of Water-Based Fire Protection Systems; and
  - (c) Inspected, tested and tagged annually by a Certified Fire Protection Technician.
- 6.35 Fire Department Connections for automatic sprinkler systems must be:
- (a) Clearly identified, clean, functional and with protective caps in place;

- (b) Located not less than 0.61 m (24 inches) and not more than 0.91 m (36 inches) above the level of the adjacent grade or access level, Unless otherwise approved by the Fire Chief; and
  - (c) Kept free and clear by at least one metre (three feet) from all shrubbery, trees, other vegetation, structures, buildings and obstructions, and be clearly visible at all times from the Fire Department Access Route.
- 6.36 Signage must be in place to clearly identify the area the Fire Department Connection serves and the maximum pumping pressure if applicable.
- 6.37 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

#### **Water Supply Systems for Fire Protection**

- 6.38 Fire hydrants must be maintained in operable condition at all times.
- 6.39 The colour coding and location of all fire hydrants in the Municipality will be subject to the approval of the Fire Chief and the Municipal Engineer.
- 6.40 No person, except a Member, may use or take water from any water supply system nor make any attachment thereto without first obtaining authorization from the Fire Chief.
- 6.41 Fire hydrants must be in clear view from the driving lane when approached from either direction.
- 6.42 There must be a clear and unobstructed radius of one metre (three feet) around fire hydrants.
- 6.43 Fire hydrants must be maintained so that the center of the 0.1 m (4 inch) port is not less than 0.46 m (18 inches) and not more than 0.91 m (36 inches) above the level of the adjacent grade.
- 6.44 Fire pumps must be inspected, serviced and tested at full rated capacity by a Certified Fire Protection Technician at least once per year to ensure that they are capable of delivering the rated flow.
- 6.45 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.
- 6.46 The owner of any property being used for manufacturing or industrial uses must ensure that the property is equipped with sufficient fire hydrants and water supply with pressure and quantity that is adequate to meet the demands for fire protection purposes to the satisfaction of the Fire Chief.
- 6.47 The Owner(s) or Owner's Authorized Agent of a property on which a private fire hydrant has been installed must:
  - (a) Have the private fire hydrant flushed and drained and have all the threads of outlets and caps greased with waterproof grease not less than twice per calendar year;

- (b) Before November 1 of each year, provide the Fire Chief with a written report of the inspection, servicing and testing performed on the private fire hydrant during the previous 12 months;
- (c) Maintain the private fire hydrant so that the center of the 0.1 m (4 inch) port is not less than 0.46 m (18 inches) and not more than 0.91 m (36 inches) above the level of the adjacent grade; and
- (d) Keep the ground surface clear of shrubs, trees, structures, debris and any obstructions of any kind within a radius of one meter around the private fire hydrant.

### **Special Fire Suppression Systems**

- 6.48 Where a Special Fire Suppression System has been installed, inspection, testing and maintenance must be provided in conformance with the Fire Code and/or applicable NFPA standard.
- 6.49 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Commercial Cooking Equipment**

- 6.50 Commercial cooking equipment, fire suppression, hood, vent and exhaust systems must be installed in accordance with the Fire Code and NFPA 96 - "Ventilation Control and Fire Protection of Commercial Cooking Operations."
- 6.51 Commercial cooking equipment and fire suppression systems must be inspected, tested and maintained in conformance with the Fire Code by a Certified Fire Protection Technician at intervals not greater than 6 months or more often if required to remove grease and other Combustible residues.
- 6.52 Commercial kitchen hood, vent and exhaust systems must be inspected, tested, maintained, and cleaned by a Certified Fire Protection Technician at intervals not greater than 6 months or more often if required to remove grease and other Combustible residues.
- 6.53 Records of monthly inspections and the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **In Building Emergency Responder Communication Enhancement Systems**

- 6.54 Radio amplification systems must be installed, maintained and inspected in Buildings as per the Radio Amplification Bylaw, 2021, No. 8853.

### **Carbon Monoxide/Gas Monitoring Systems**

- 6.55 Carbon monoxide and gas monitoring systems must be inspected, tested and maintained in conformance with the Fire Code and the manufacturer's instructions.
- 6.56 Records of the last two consecutive testing and service reports must be kept on site and available for examination by the Fire Chief on request.

### **Access to Storage Areas**

- 6.57 The Owner(s) or Owner's Authorized Agent of a property must maintain adequate access for firefighting purposes to all portions of a storage area in accordance with the Fire Code.

### **Enclosed Storage Garages for Vehicles**

- 6.58 Enclosed Storage Garages in any multifamily residential development must be used for the parking of vehicles only (including bicycles, scooters, motorcycles and watercraft).
- 6.59 Private Storage Garages are not permitted..
- 6.60 “NO STORAGE PERMITTED” signage must be installed in all Enclosed Storage Garages.
- 6.61 The Fire Safety Plan for an Enclosed Storage Garage must require the Owner or Strata Corporation to inspect the Enclosed Storage Garages monthly and enforce for compliance with sections 6.63 through 6.68, inclusive.
- 6.62 Enclosed Storage Garages must be available for inspection by the Fire Department at any time without notice and must not have the access or visibility of the garage blocked at any time.
- 6.63 Replacement of the door at the entrance to an Enclosed Storage Garage with a solid door is not permitted.

### **Shipping Containers**

- 6.64 All Shipping Containers used for storage of Dangerous Goods, including but not limited to any flammable or combustible liquids or Combustible materials must have the following identification information:
- (a) UN (United Nations) Placards for all stored Dangerous Goods must be visible on the two container sides most visible to emergency responders;
  - (b) The name of the company/person responsible for the storage and an emergency telephone contact number must be marked on the shipping container in lettering visible from 10m; and
  - (c) The shipping container and contents must be identified in the Fire Safety Plan for the property.
- 6.65 Any Shipping Containers being used for any kind of storage must have the following safety features in place prior to any use for storage:
- (a) One ventilation opening must be added within 150 mm of the floor in the container door primarily used for opening;
  - (b) One ventilation opening must be added within 150 mm from the top of the container on the opposite end from the doors for cross ventilation;
  - (c) The high ventilation opening required in subsection 6.70(b) must not directly vent toward a structure and must be equipped with a wind vent device designed to generate a venturi effect during low wind speeds; and
  - (d) Where heavier than air flammable or combustible liquids are stored in the shipping container, a ventilation opening at a low level as referenced in 6.70(a) must also be installed at the opposite end from the doors.

- 6.66 The ventilation openings in a Shipping Containers required in section 6.70 must be constructed in accordance with the following minimum requirements:
- (a) Containers 6m or less in length must have two 0.3 m x 0.3 m ventilation openings;
  - (b) Containers over 6m in length must have two 0.5 m x 0.5 m ventilation openings;
  - (c) Both ventilation openings must be covered by open grate wire mesh with greater than 50% free area; and
  - (d) Both ventilation openings must remain unobstructed by stored materials at all times and must be kept clean of internal and external debris.
- 6.67 Where 1A flammable liquids (as defined in the Fire Code) in quantities greater than 4 litres are stored in a Shipping Containers, the Shipping Containers must be modified to withstand an internal Explosion as per the Fire Code, Building Code and NFPA 68.
- 6.68 Compressed gasses must not be stored within Shipping Containers.
- 6.69 Alternate engineered solutions for ventilation and Explosion protection in a Shipping Containers may be submitted to the Fire Chief for consideration.

#### **Construction and Demolition Sites**

- 6.70 All construction and demolition sites must have a Construction Fire Safety Plan in accordance with Section 4.17.
- 6.71 Prior to construction of any new water supply system or extension of an existing water supply system, the Owner of the property must submit plans for the water supply system, including the proposed fire hydrant locations and all components of the water supply system to the Municipal Engineer and the Fire Chief for review and acceptance.
- 6.72 Fire hydrants must not be decommissioned prior to review and acceptance by the Municipal Engineer and the Fire Chief.
- 6.73 All construction and demolition sites must immediately advise the Municipal Engineer and the Fire Department of all fire hydrant conditions affecting fire safety during the installation of the water supply to the site for mitigation measures, including, but not limited to, fire hydrants temporarily out of service, low water volumes and low water pressure.
- 6.74 Construction and demolition sites must maintain a Fire Department access route as required in the Building Code and Fire Code.
- 6.75 The Owner(s) or Owner's Authorized Agent of all construction and demolition sites must:
- (a) Comply with the site-specific Construction Fire Safety Plan;
  - (b) Comply with the site-specific BCFC 5.6.1.2 Exposure Report; and
  - (c) Ensure that the water supply to the site for mitigation measures proposed in the Construction Fire Safety Plan and the BCFC 5.6.1.2. Exposure Report is installed at the beginning of construction and is functionally operational before a hazard exists.

### **New Fire Hydrants**

- 6.76 As part of the development of a property, the Fire Chief may require an Owner to provide additional fire hydrant(s) to be located and installed to address Fire Department operational requirements.
- 6.77 New fire hydrants must be installed so that the distribution density and fire flow requirements will meet the needs for each Building, structure or use that the new fire hydrant serves.
- 6.78 Fire hydrants must be installed in accordance with the following requirements:
- (a) Installed in accordance with the City's standard;
  - (b) In residential areas - located generally at street intersections and no more than 150m apart. In high density residential, commercial or industrial areas, - located a maximum of 75m apart or as otherwise approved by the Municipal Engineer and the Fire Department;
  - (c) Installed so that the center of the 0.1 m (4 inch) port is not less than 0.46 m (18 inches) and not more than 0.91 m (36 inches) above the level of the adjacent grade.

### **Flammable and Combustible Liquids**

- 6.79 Flammable and Combustible liquids must be handled and stored in accordance with the Fire Code.

### **Hazardous Processes and Operations**

- 6.80 Any processes or operations that involve a risk from Explosion, high flammability or related conditions that may create a hazard to life safety must only be carried out in compliance with the Fire Code.

### **Dangerous Goods**

- 6.81 Dangerous Goods must be stored in accordance with the Fire Code.

### **Mobile Food Vendors**

- 6.82 Every Mobile Food Vendor operation must:
- (a) Apply for and obtain an annual inspection by the Fire Chief;
  - (b) Comply with the commercial cooking equipment requirements in this bylaw; and
  - (c) Situate all cooking appliances on a stable non-Combustible base with clearance from Combustibles.
- 6.83 All Mobile Food Vendor tents and awnings must have flame resistance conforming with CAN/ULC S-109 and identified with a factory label. Flame retardant treatments to tents and awnings must be renewed as often as required to meet the match test of NFPA 705.
- 6.84 All Mobile Food Vendors must have fire extinguishers that meet the requirements in sections 6.8 and comply with the following, where applicable:



- (a) At least one portable multi-purpose extinguisher (minimum 4.54 kg (10-pound) 4A-10B:C);
- (b) A portable Class K wet chemical extinguisher for all deep fryers; and
- (c) A 2A rated water-type extinguisher or a 6L wet chemical fire extinguisher listed for Class K Fires if using solid fuel cooking appliances.

### **Special Events**

6.85 Any person organizing or hosting any Special Event must submit an application for an occupant load certificate together with a dimensioned site plan prepared by a Registered Professional must ensure that:

- (a) All cooking and Mobile Food Vendor operations comply with the commercial cooking equipment requirements in sections 6.48 through 6.51, inclusive;
- (b) Aisles with a minimum width of 3.0 metres are maintained between displays at all times;
- (c) The line of travel to an exit door by an aisle is not more than 45 metres;
- (d) Lobbies, foyers or access to exit are not blocked; and
- (e) A special inspection is scheduled; and
- (f) All prescribed fees for Special Events in the Fees and Charges Bylaw have been paid.

6.86 Any person holding a Special Event that displays automobiles, motorcycles, scooters, or other fuel-operated vehicles in any public Building must ensure that the vehicles comply with the Fire Code, including, but not limited to:

- (a) The battery must be disconnected and the battery cable placed or tied in a position to prevent accidental battery contact;
- (b) Fuel tanks must be equipped with a key-locking cap or other similar locking device; and
- (c) The quantity of fuel in the fuel tank must not exceed the lesser of one quarter of the tank capacity or nineteen (19) litres (5 gallons).

### **Service Station Safety**

6.87 The operator of a service station must ensure that:

- (a) Every employee who acts as an attendant successfully completes a training program in fire safety and protection designed for service station employees within 30 days of being hired;
- (b) All fire extinguishers comply with the requirements in this bylaw;
- (c) One fire extinguisher is mounted on each of the dispensing service islands with conspicuous signs that clearly identify the location of each fire extinguisher;

- (d) Emergency signage is provided in each attendant's booth and in the office of the service station, providing instructions for dealing with any emergency involving a fire or potential fire, including instructions on how to shut off all electrical power to the pumps, evacuate the area and notify the Fire Department.

### **Integrated Fire Protection and Life Safety Systems Testing**

- 6.88 As per CAN/ULC-S1001, an Integrated Testing Plan must be submitted to the Fire Department for review as required by the Building Code.
- 6.89 The Integrated Testing Coordinator must ensure that system testing is coordinated with the Fire Department in advance of the occupancy of a Building being authorized by the Fire Chief.
- 6.90 The Integrated Testing Coordinator must coordinate with the Fire Department to conduct an Integrated Test one year after completion of the initial Integrated Test.
- 6.91 The Integrated Testing Coordinator must ensure that subsequent Integrated Tests are conducted at intervals not exceeding five years.
- 6.92 Integrated Testing Reports must be kept on site and available for examination by the Fire Chief on request.
- 6.93 As outlined in CAN/ULC-S1001, the Municipality may request that any Building which has not undergone an initial Integrated Test provide an Integrated Testing Plan, conduct an Integrated Test and submit an Integrated Testing Report.
- 6.94 A functional demonstration of the Integrated Test may be required by the Fire Department and the owner of the property must pay the applicable fee in the Fees and Charges Bylaw.

## **PART 7 – COST RECOVERY AND FEES**

### **Fees for Permits and Services**

- 7.1 Every person who requests any Permits, inspections and services from the Fire Department listed in the Fees and Charges Bylaw must pay the applicable fee unless otherwise exempted under this bylaw.
- 7.2 Payment of a fee or charge under this bylaw or the Fees and Charges Bylaw does not relieve a person from an obligation to pay any fee or charge prescribed under another enactment.

### **Special Inspections, Follow-up and Re-inspections**

- 7.3 Where a special inspection is required to determine compliance with the Fire Code and/or municipal bylaws, the applicant may be required to pay the fee prescribed in the Fees and Charges Bylaw.
- 7.4 Where a second and subsequent inspections are required to determine compliance with instructions noted on a Fire Department "Fire Inspection Violation Report", the applicant must pay the re-inspection fee prescribed in the Fees and Charges Bylaw.

## **Fire Investigations**

- 7.5 Every Owner of property which requires a Fire Department investigation and report pursuant to the Fire Services Act must pay the minimum fee for fire investigation services as prescribed in the Fees and Charges Bylaw and, in addition, may have to pay other costs, including, but not limited to, overtime costs of fire investigators for an investigation lasting 4+ hours and/or requiring more than one fire investigator, tools/equipment/supplies that are lost, damaged or consumed as a result of Fire Department investigation or operations, and/or rentals of Fire Department equipment.
- 7.6 If, while completing an investigation pursuant to the Fire Service Act, the Fire Chief deems it necessary to obtain the services of a private investigation company, service contractor, industry specialist or consultant, site security or structure securing services and/or testing fees from an independent agency, the Owner(s) or Owner's Authorized Agent of the property shall pay all expenses incurred by the Municipality in relation to such services. Any charges remaining unpaid on December 31 of that year will be added to and form part of the taxes payable on the property as taxes in arrears.

## **Comfort Letter Requests**

- 7.7 Comfort letter requests may be fulfilled on payment of the fee prescribed in the Fees and Charges Bylaw. Additional fees may be charged for any requested on-site inspection to complete a comfort letter.

## **Damaged or Contaminated Vehicles or Equipment**

- 7.8 The Fire Chief may charge an Owner or Occupier of a premise for the costs of decontamination, replacement or repair of Fire Department vehicles or equipment where such vehicles or equipment has been damaged or contaminated by a hazardous substance or Dangerous Goods and requires decontamination, repair or replacement as a result of an incident at that Owner or Occupier's property.

## **Building Permit Fees**

- 7.9 When the Fire Department is involved in the process of Building Permit issuance or is required to perform an inspection or inspections in order to determine compliance with an issued Building Permit, the Building Permit holder must pay a fee in an amount equal to 0.1% of the value of the work associated with that Building Permit with a minimum Permit fee of \$75.00. Such fee must be paid at the time of Building Permit issuance.

## **Occupant Load**

- 7.10 An owner or Owner(s) or Owner's Authorized Agent of a premise must ensure that the number of persons in a room does not exceed the maximum occupant load for that room for that use. Occupant loads are calculated as follows:
- (a) For all new construction - calculated in conformance with the Building Code; and/or
  - (b) For all existing construction - calculated in conformance with the Fire Code.
- 7.11 Occupant load signage must be posted as required by the Fire Code:
- (a) In a conspicuous location near the principal entrance to the room or floor area;
  - (b) In the form prescribed by the Fire Commissioner; and
  - (c) Signed by the Fire Chief.

- 7.12 Every person who requires an occupant load certificate for the purpose of assembly in an existing Building or area within the Municipality must apply in the form specified by the Fire Chief and must include with the application:
- (a) Drawings certified by an architect or other Registered Professional;
  - (b) Occupant load calculation form; and
  - (c) Any other documentation required by the Fire Chief.
- 7.13 Every person who receives an occupancy load certificate must pay to the Municipality the fee set out in the Fees and Charges Bylaw.

#### **Event Approval**

- 7.14 If the approval of the Fire Chief is required by any Act, bylaw or procedure for an event to be permitted within the Municipality, the Fire Chief will review the details of the event application and may:
- (a) Refuse approval if the Fire Chief determines that the event may be hazardous or create a nuisance;
  - (b) Provide approval without condition; or
  - (c) Provide approval subject to the conditions and restrictions that they deem necessary for safety and the prevention or the spread of fire.
- 7.15 If as a condition of event approval, the Fire Chief requires any number of Members to inspect or attend at an event site for any time before, during or after the event, for any reason, the person applying to the Municipality for the event shall pay to the Municipality the fees set out in the Fees and Charges Bylaw.

#### **Filming Special Effects and Pyrotechnics**

- 7.16 Fire protection is required for Special Effects and pyrotechnics. A Permit is required in the form prescribed by the Fire Chief and must include a site plan, a description of the event including time and date, the risks of the event, training of staff, and the proposed mitigation measures for the event. The Fire Chief will review for acceptance the level of fire protection required based on the location and event specific risks.
- 7.17 Permit, inspection, and fire protection fees for the event must be paid to the Municipality as prescribed in the Fees and Charges Bylaw.

#### **Notification of Fire and Sprinkler Alarm Testing**

- 7.18 Any Owner or Occupier of premises where there is a monitored Fire Alarm System must notify their fire alarm monitoring company and/or fire dispatch prior to any service, test, repair, maintenance, adjustment alteration or installation of the system which might activate a false alarm which would normally result in an emergency response.
- 7.19 Where an Owner or Occupier of premises fails to notify as required in section 7.19, such Owner or Occupier must pay the applicable fee prescribed in the Fees and Charges Bylaw.

### **False Alarms and Nuisance Alarms**

- 7.20 The Owner or Occupier of premises must pay the applicable fee prescribed in the Fees and Charges Bylaw on the occurrence of a second False Alarm, or Nuisance Alarm, and for each subsequent False Alarm or Nuisance Alarm, respecting the premises occurring in a calendar year.

## **PART 8 – PERMITS**

### **Issuance of Permit**

- 8.1 If a Permit is required under this bylaw, the Fire Chief will only issue such Permit if:
- (a) The proposed operation or occupancy conforms to this bylaw, the Fire Code and any other applicable bylaws or codes;
  - (b) Receptacles, vehicles, Buildings and storage places to be used for the activity have been reviewed and accepted by the Fire Chief;
  - (c) The proposed location for the activity is acceptable to the Fire Chief with respect to topography, proximity to other occupancies and adequacy of water supply for fire control; and
  - (d) The Permit fee, if required, has been paid.

### **Conditions of Permit**

- 8.2 A Permit issued by the Fire Chief:
- (a) Is not transferable and any change in use or Occupancy of a Building or premises or change in operations to be conducted, requires a new Permit;
  - (b) Is revocable where there is a violation of:
  - (c) Any condition under which the Permit was issued; or
  - (d) Any violation of this bylaw;
  - (e) Must be posted in the premises in a conspicuous place on the Building or structure to the satisfaction of the Fire Chief; and
  - (f) May be revoked at any time at the discretion of the Fire Chief.

### **Permit Form**

- 8.3 Where in this bylaw a Permit is required for any activity, the application for a Permit must be in the form prescribed by the Fire Chief for such Permit.

## **PART 9 – ENFORCEMENT**

### **Orders**

- 9.1 The Fire Chief is authorized to issue an Order to a person requiring the correction of any non-compliance with this bylaw and where a person is delivered such an Order, whether by mail, sign, posting or personal delivery, the person must comply with it, either promptly or, if a time period for compliance is specified, within that time period. Any and all costs

and expenses associated with compliance are the responsibility of the property Owner or other person to whom the Order is directed.

- 9.2 Where an Order issued by the Fire Chief is not complied with within the time specified, the Fire Chief may give such notice as the Fire Chief deems sufficient for entry onto the property or premises and carrying out of any remedial work required to bring the property into a safe, compliant condition, including, without limitation:
- (a) Removal and safe disposal of any accumulation of Combustible material;
  - (b) Installation of a fire safety device; or
  - (c) Work to secure a vacant or fire-damaged Building.
- 9.3 In any circumstance where the Fire Chief has arranged for work to be carried out on, within, or for a property or Building to achieve compliance with an Order, the Owner of the property is liable to pay the Municipality the total amount of all costs incurred by the Fire Department for the purpose.
- 9.4 If fees charged for fire inspections, reviews or other services to land or improvements, or the amounts charged for costs incurred by the Fire Department in taking remedial action to lands or for improvements are not paid to the Municipality by December 31st of the year in which they are due and payable, the amounts owing may be collected from the Owner in the same manner as for property taxes in arrears.

#### **Standard of Work**

- 9.5 The Fire Chief may, where work being completed is not covered by this bylaw or applicable codes, in the interest of safety adopt the latest edition of the National Fire Protection Association codes, standards, recommended practices and manuals by reference or equivalent.

#### **Rejection of Work**

- 9.6 The Fire Chief may, after the examination of any work, issue a written rejection which shall have the same force and effect as an Order issued under this bylaw.

#### **Form of Order**

- 9.7 An Order made under this bylaw will be in writing and may be directed to the Owner, Occupier or lessee of the Building or property in respect of which the Order is made.

#### **Serving and Compliance with Order**

- 9.8 An Order made under this bylaw will be served by delivering it or causing it to be delivered to the person to whom it is directed.
- 9.9 An Owner(s) or Owner's Authorized Agent of a Building or premises must, after receipt of a violation report, inspection report or Order issued by the Fire Chief, comply within the stated timelines.
- 9.10 Where an Order has been made pursuant to this bylaw, the Owner must pay applicable fees for inspection prescribed in the Fees and Charges Bylaw and if upon re-inspection, a Member determines that the Order has not been complied with, the Owner must pay the applicable fee for each additional inspection as prescribed in the Fees and Charges Bylaw.

### **Cost Recovery**

- 9.11 The Municipality may recover the costs and expenses of providing service and/or incident response as outlined in this bylaw, jointly and severally from any person, Owner(s) or Owner's Authorized Agent responsible for the Building or premises.
- 9.12 Fees may be collected as property taxes as per section 258(1) of the Community Charter. If the Owner does not pay the cost of the service, on or before December 31st in the year in which the service was done the cost shall be added to and form part of the taxes payable on the parcel as taxes in arrears.

### **Compensation to Municipality**

- 9.13 Every person who, without necessary cause or required Permit, sets a fire to which the Fire Department responds, or in any manner makes or causes to be made a False Alarm, or causes a fire, damage to property or injury to persons that can be attributed to the use of fireworks contrary to the Fireworks Regulation Bylaw, 2005, No. 7677, or to the unauthorized cultivation, processing, manufacturing or storage of a controlled substance contrary to the Controlled Drugs and Substances Act (Canada), SC 1996, c. 19, is deemed to have caused a nuisance in the community and, in addition to any fine or other penalty, as an extraordinary service fee is liable to compensate the Municipality for the actual costs and expenses incurred by the Fire Department in responding to the fire, False Alarm or unauthorized activity. The amount of the extraordinary service fee will be calculated in accordance with the rates prescribed in the Fees and Charges Bylaw.
- 9.14 Whether or not a Permit is in effect, any person who fails to comply with this bylaw must, upon direction of the Fire Chief, immediately and completely extinguish any fire that the person has started, maintained or otherwise is responsible for, and at their own cost, promptly take any and all remedial measures that the Fire Chief considers necessary or advisable in the interest of fire safety and protection of life or property as communicated to that person.
- 9.15 If a person fails to extinguish a fire as directed by the Fire Chief or Fire Officer, the Fire Chief or Fire Officer may direct or cause it to be extinguished and in that circumstance, the Permit holder or other person responsible is liable to pay the Municipality the costs and expenses of extinguishment incurred by the Fire Department.
- 9.16 Every person who is not a resident or ratepayer of the Municipality and who causes, directs, allows or suffers an incident attended by the Fire Department is liable to pay the Municipality for all costs and expenses incurred by the Fire Department in response to the incident as well as any fees imposed under the Fees and Charges Bylaw.

### **Designation of the Bylaw**

- 9.17 Pursuant to section 264 of the *Community Charter*, this bylaw is designated as a bylaw that may be enforced by means of a ticket in the form prescribed and Fire Chief, Local Assistants to the Fire Commissioner, and Bylaw Enforcement Officers are designated to enforce this bylaw.

### **Obstruction**

- 9.18 A person must not interfere with, delay, obstruct or impede any person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

## Default

- 9.19 Whenever a person is in default of doing any matter or thing required to be done under this bylaw, the Municipality, through its employees or agents, may do what is required to be done, at the expense of the person in default and such costs will constitute a debt due and owing in accordance with section 17 of the *Community Charter*.

## Offences and Penalties

- 9.20 Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, is deemed to be guilty of an offence against this bylaw and of a separate offence each day the violation is caused or allowed to continue and is liable upon conviction to a fine of up to \$50,000.

## Ticketing (Municipal Ticket Information)

- 9.21 Pursuant to sections 264(1)(c) and 265(1)(a) of the *Community Charter*, this bylaw is designated as a bylaw that may be enforced by means of a ticket in the form prescribed and Fire Chief, Local Assistants to the Fire Commissioner, and Bylaw Enforcement Officers are designated to enforce this bylaw and the table below sets out the designated expressions for offences under this bylaw with the corresponding bylaw section number and fine amount:

Section number	Designated Expression (Short-Form Description)	Fine \$
3.6(a)	Obstruct Member	500
3.6(b)	Enter incident area	200
3.6(c)	Drive over fire hose	200
3.6(d)	Impersonate Member	500
3.8	Fail to secure vacant/damaged Building	500
3.15(a)	Tamper with Fire Protection Equipment	500
3.15(b)	Reset Fire Alarm System without authorization	200
4.4	Fail to comply with Order	200
4.6(a)	Fail to have inspection by Certified Fire Protection Technician	200
4.6(b)	Fail to have Fire Protection Equipment tagged	200
4.8	Falsify records	300
4.10	Fail to have Fire Watch	200
4.11	Fail to comply with Fire Watch requirements	500
4.19(a)	Fail to submit update to Construction Fire Safety Plan	200
4.21(a)	Fail to submit Fire Safety Plan	200
4.23	Fail to have occupancy contact information	200
5.2	Cause fire hazard	200
5.3(a)	Unsafe disposal of hazardous substance	500
5.3(b)	Unauthorized disposal of Hazardous Materials	500
5.3(c)	Unsafe disposal of smoking equipment	500
5.4	Fail to comply with container requirements	200
5.5	Combustible waste near Building	200
5.7	Fail to report potential explosion/Hazardous Materials spill	500
5.8(a)	Start open air fire	500
5.8(b)	Burn land for clearing	300
5.8(c)	Unpermitted cooking fire	200
5.8(d)	Smoke from outdoor cooking fire	200
5.9(a)	Smoke from open air burning	200



<b>Section number</b>	<b>Designated Expression (Short-Form Description)</b>	<b>Fine \$</b>
5.9(c)	Fail to comply with propane appliance requirements	200
5.9(e)	Smoke from smoker	200
5.11(a)	Tamper with fire ban sign	200
5.11(b)	Violate fire ban Order	300
5.12	Unauthorized high-risk construction/demolition	200
5.13	Fail to obtain approval of construction Fire Safety Plan mitigation checklist	200
5.14	Fail to comply with Construction Fire Safety Plan mitigation checklist	200
5.16	Fail to comply with Order	300
5.17	Enter forest contrary to Order	200
6.1(a)	Fail to keep access routes clear	200
6.1(b)	Fail to post fire lane sign	200
6.1(d)	Fail to maintain access routes in compliance with Fire Code	200
6.1(e)	Fail to have address visible from street	100
6.1(f)	Fail to provide directional signage	100
6.1(g)	Fail to keep corridors free of obstructions	200
6.1(h)	Fail to have devices on exit doors per Building Code	200
6.2	Fail to maintain Fire Department Lock Box	200
6.4(a)	Storage contrary to Fire Code	200
6.4(b)	Permit Combustibles around Building	200
6.4(c)	Fail to contain storage in room	200
6.4(c)	Storage room fails to comply with Building Code	200
6.4(d)	Store combustible materials in Storage Garage or Underground Storage Garage	200
6.4(e)	Storage impeding firefighting access	200
6.4(f)	Have storage unit in Storage Garage	200
6.4(g)	Storage in common area of Storage Garage	200
6.4(h)	Storage in portable storage container in common area of Storage Garage	200
6.5	Fail to maintain Fire Separation	200
6.6	Keep fire door open	200
6.7	Fail to have sign on Fire Separation door	200
6.8	Fail to comply with stair numbering requirements	200
6.8	Fail to comply with fire extinguisher requirements	200
6.10	Exit sign not in compliance with Building Code	200
6.11	Fail to maintain exit sign	200
6.12	Fail to maintain emergency power for exit sign	200
6.13	Exit sign not consistent with current Fire Code	200
6.14	Fail to keep records for exit sign	200
6.14	Emergency power system does not meet requirements	200
6.16	Fail to keep records for emergency power system	200
6.17	Storage in exit system area	200
6.18	Fail to inspect exit systems	200
6.19	Fail to keep records for exit system	200
6.20	Fail to comply with smoke control system requirements	500
6.21	Fail to keep records for smoke control system	200
6.22	Fail to obtain inspection of smoke control system	200
6.23	Fail to inspect or maintain fire alarm system	200

<b>Section number</b>	<b>Designated Expression (Short-Form Description)</b>	<b>Fine \$</b>
6.24	Fail to keep records for Fire Alarm System	200
6.25	Fail to obtain certificate for installation of monitored fire alarm system	200
6.26	Fail to notify of cancellation of monitored Fire Alarm System	200
6.27	Fail to keep records of monitored fire alarm system	200
6.28(a)	Fail to install smoke alarm	200
6.28(b)	Fail to maintain smoke alarm	200
6.29	Fail to keep records for smoke alarm	200
6.30	Fail to comply with standpipe requirements	200
6.31	Fail to keep records for standpipe	200
6.33	Fail to comply with standpipe siting requirements	200
6.34	Fail to comply with automatic sprinkler system requirements	500
6.35	Fail to comply with automatic sprinkler system connection requirements	200
6.36	Fail to post sign for automatic sprinkler system connection	200
6.37	Fail to keep records for automatic sprinkler system	200
6.40	Take water without authorization	200
6.44	Fail to maintain fire pump	200
6.45	Fail to keep records for fire pump	200
6.47	Fail to comply with private fire hydrant requirements	300
6.48	Fail to maintain Special Fire Suppression System	200
6.49	Fail to keep records for special fire suppression system	200
6.50	Fail to install fire suppression system for commercial cooking equipment	200
6.51	Fail to maintain fire suppression system for commercial cooking equipment	200
6.52	Fail to maintain exhaust system for commercial cooking equipment	200
6.53	Fail to keep records of commercial cooking equipment	200
6.54	Fail to install radio amplification system	200
6.55	Fail to maintain carbon monoxide monitoring system	200
6.56	Fail to keep records for carbon monoxide monitoring system	200
6.57	Fail to maintain access to storage areas	200
6.58	Enclosed Storage Garage used for other than parking vehicles	200
6.59	Have Private Storage Garage	200
6.60	Fail to install no storage sign in Enclosed Storage Garage	200
6.62	Access to Enclosed Storage Garage blocked	200
6.63	Solid door on Enclosed Storage Garage	200
6.64(a)	Fail to have required info. on Shipping Container	200
6.64(b)	Fail to have required contact info. on Shipping Container	200
6.64(c)	Fail to identify shipping container in Fire Safety Plan	200
6.65	Fail to install safety features in Shipping Container	200
6.66	Fail to install ventilation for Shipping Container	200
6.67	Fail to modify Shipping Container as required	200
6.68	Store compressed gas in shipping container	300
6.70	Fail to have Construction Fire Safety Plan	200
6.72	Decommission fire hydrant without authorization	200
6.73	Fail to notify of fire hydrant conditions	200
6.74	Fail to maintain access route	200
6.75(a)	Fail to comply with Construction Fire Safety Plan	200

<b>Section number</b>	<b>Designated Expression (Short-Form Description)</b>	<b>Fine \$</b>
6.75(b)	Fail to comply with Exposure Report	200
6.75(c)	Fail to install water supply	200
6.78	New fire hydrant fail to meet requirements	200
6.79	Handle flammable and combustible liquids contrary to Fire Code	200
6.80	Hazardous process contrary to Fire Code	300
6.81	Store Dangerous goods contrary to Fire Code	300
6.82(a)	Fail to obtain Mobile Food Vendor inspection	200
6.82(b)	Mobile Food Vendor fail to comply with commercial cooking equipment requirements	200
6.82(c)	Mobile food vendor fail to safely situate cooking appliances	200
6.83	Mobile food vendor with non-flame retardant tent	200
6.84	Mobile food vendor fail to have required fire extinguishers	200
6.85(a)	Fail to comply with commercial cooking requirements for special event	200
6.85(b)	Fail to have required aisle width at Special Event	200
6.85(c)	Fail to have required line of travel at Special Event	200
6.85(d)	Access to exit blocked at Special Event	200
6.85(e)	Fail to obtain inspection for Special Event	200
6.86	Fail to comply with requirements for motor vehicle display	200
6.87(a)	Service station attendant not qualified	200
6.87(b)	Service station fire extinguishers do not meet requirements	200
6.87(c)	Service station fire extinguishers not mounted as required	200
6.87(d)	Fail to post service station emergency signage	200
6.88	Fail to submit Integrated Testing Plan	200
6.89	Fail to conduct Integrated Test before occupancy	200
6.90	Fail to conduct Integrated Test after one year	200
6.91	Fail to conduct Integrated Test every 5 years	200
6.92	Fail to keep records for Integrated Test on site	200
6.93	Fail to provide Integrated Testing Plan	200
6.94	Fail to give functional demonstration of Integrated Test	200
7.10	Exceed occupant load	300
7.11	Fail to post occupant load	200
7.16	Fail to provide fire protection for Special Effects	200
9.1	Fail to comply with Order	300
9.15	Fail to extinguish fire	300
9.20	Obstruction	500

## **PART 10 – MISCELLANEOUS**

### **Severability**

- 10.1 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a Court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

**Repeal**

- 10.2 “Fire Bylaw, 2005, No. 7709” and all its amendments are hereby repealed, and all references in other bylaws of the City to “Fire Bylaw, 2005, No. 7709” are hereby amended to refer to this “Fire Bylaw, 2021, No. 8852”.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

## Appendix A – Definitions

In this bylaw, unless the context otherwise requires:

“Alternate Solution” means a proposed alternate design solution for a Building that is produced by a Registered Professional to comply with the requirements of the Building Code, Fire Code or other statutory or regulatory requirements.

“Area of Refuge” means a space that facilitates a safe delay in egress, is sufficiently protected from fire conditions developing in the floor area, and provides direct access to an exit or firefighters elevator.

“Authority Having Jurisdiction” means the governmental agency having regulatory authority over a specific aspect of a project.

“Building” means any structure used or intended for supporting or sheltering any use or Occupancy as defined by the Fire Code.

“Building Code” means the current edition of the British Columbia Building Code as adopted by the Minister responsible under provincial legislation, as amended or replaced.

“Building Official” means the Municipality’s Chief Building Official and the building inspectors, plan checkers, plumbing inspectors, mechanical inspectors and electrical inspectors designated or appointed by the Municipality.

“Building Permit” has the meaning prescribed in the Construction Bylaw.

“Bylaw Enforcement Officer” means a Park Ranger, Royal Canadian Mounted Police officer, a Member, or any official or employee of the Municipality whose designated duties include the enforcement of bylaws within the Municipality;

“Certified Fire Protection Technician” means a person certified by ASTTBC (Applied Science Technologists and Technicians of British Columbia) to inspect and test Fire Protection Equipment, or an equivalent acceptable to the Fire Chief.

“City” means the Corporation of the City of North Vancouver or the geographic area within the municipal boundaries of the City, as the context requires.

“Combustible” refers to the chemical reaction that is demonstrated when matter (substance, product) bursts into flame, through combustion or being exposed to fire. Combustion is a self-sustaining chemical reaction yielding energy or products that cause further reactions of the same kind.

“Community Charter” means the *Community Charter*, SBC 2003, c. 26, as amended or replaced.

“Construction Bylaw” means the “Construction Regulation Bylaw, 2003, No. 7390”, as amended or replaced;

“Construction Fire Safety Plan” means a plan meeting Fire Department Guidelines for construction fire safety submitted for acceptance in accordance with the Fire Code and Building Code.

“Cross Over Floors” has the meaning prescribed in the Building Code.

“CSA/ULC” means the Canadian Standards Association/Underwriters Laboratory of Canada.

“Dangerous Goods” means those products or substances which are regulated by the Transportation of Dangerous Goods Act, SC 1992, c. 34 and its Regulations, as amended or replaced.

“Enclosed Storage Garage” means a structure built within a common area of a Storage Garage as defined in the Building Code, where the interior space can be fully viewed from the exterior through a gated or mesh overhead door.

“Explosion” means a rapid release of energy that may or may not be preceded or followed by a fire which produces a pressure wave or shock wave in air and is usually accompanied by a loud noise.

“False Alarm” means the activation of a Fire Alarm System, regardless of how caused, as a result of which Fire Department resources and services are provided and a Member does not find any evidence of fire, fire damage or smoke.

“Fees and Charges Bylaw” means the “Fees and Charges Bylaw, 1993, No. 6383”, as amended or replaced.

“Fire Alarm System” means a device or devices installed on or in real property and designed to issue a warning of a fire by activating an audible alarm signal and/or alerting a monitoring service, but does not include local smoke alarms that are intended to alert only the occupants of a single family dwelling unit in which it is installed.

“Fire Chief” means the person appointed as the Chief of the Fire Department of the Municipality or an authorized designate.

“Fire Code” means the BC Fire Code adopted as Regulation 263/2012 to the Fire Services Act;

“Fire Commissioner” means the person appointed as the fire commissioner for British Columbia pursuant to the Fire Services Act.

“Fire Department” means the department that provides municipal emergency and non-emergency fire and rescue services.

“Fire Department Access Route” means an approved route designed to Building Code and municipal standards that the Fire Department uses to respond to a building or occupancy.

“Fire Department Connection” means a Siamese connection through which the Fire Department pumps supplemental water into a sprinkler or standpipe system.

“Fire Department Response Point” means an identified primary response point on a property where the Fire Department would access and operate the site specific fire protection equipment and life safety systems during an incident response.

“Fire Inspector” means a local assistant to the Fire Commissioner as appointed or authorized by the Fire Chief.

“Fire Investigation Report” means a report prepared by a Fire Investigator in accordance with the Fire Services Act.

“Fire Officer” means Fire Department personnel who have achieved the rank of Lieutenant or Captain.

“Fire Protection Equipment” means, but is not limited to, fire alarm systems, automatic sprinkler systems, special extinguisher systems, portable fire extinguishers, fire hydrants, water supplies for fire protection, standpipe and hose systems, fixed pipe fire suppression systems in commercial cooking exhaust systems, smoke control measures and emergency power installations.

“Fire Safety Plan” means a documented plan outlining fire safety measures, procedures and equipment as required in accordance with the Fire Code and the Building Code.

“Fire Separation” has the meaning prescribed in the Building Code.

“Fire Services Act” means the Fire Services Act, RSBC 1996, c. 144, as amended or replaced.

“Fire Watch” is a temporary measure intended to ensure continuous and systematic surveillance of a Building or portion thereof by an assigned fire watch person, for the purposes of identifying and controlling fire hazards, detecting early signs of fire, raising an alarm for fire and notifying occupiers and the Fire Department.

“Flammable and Combustible Liquid” means a liquid classified as flammable or combustible in the Fire Code.

“Hazardous Materials” means products, materials, or substances that are considered Dangerous Goods.

“Highway” includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property.

“Hot Works” means processes that involve open flames or that produce heat or sparks, including but not limited to cutting, welding, soldering, brazing, grinding, adhesive bonding, roofing operations, thermal spraying and thawing pipes.

“Incident Response” means aid provided in response to fires, Explosions, medical emergencies, earthquakes or other natural disasters, escape of Dangerous Goods, rail or marine incidents, motor vehicle or other accidents and other circumstances to which the Fire Department responds or attends.

“Integrated Test” means a test of the interconnections between fire protection and life safety systems as per CAN/ULC-S1001 “Integrated Systems Testing of Fire Protection and Life Safety Systems”.

“Integrated Testing Coordinator” means a person, firm, corporation, or organization responsible for developing and implementing the Integrated Testing Plan and who are knowledgeable and experienced in the design, installation and operation of the Fire Protection Equipment included in the Integrated Testing Plan. The Integrated Testing Coordinator is to be certified by ULC as an Integrated Systems Testing Service Provider or equivalent acceptable to the Fire Chief.

“Integrated Testing Plan” means a written project-specific document, prepared by the Integrated Testing Coordinator, outlining the required tests and necessary functional results to conduct integrated fire protection and life safety system testing.

“Integrated Testing Report” means a written project-specific document, prepared by the integrated testing coordinator, documenting the implementation of the integrated testing plan.

“Interface Construction Guidelines” means the municipal permit process for reporting risks and mitigating measures related to construction work adjacent to or in parks and forest, which must be submitted by the Owner to the Authority Having Jurisdiction before the fire danger rating, as declared by the Province, for the area becomes high or extreme.

“Life Safety Systems” means components or combinations of equipment of Fire Alarm Systems, sprinkler systems, special suppression systems, means of egress, and other emergency equipment as regulated by the Fire Code, its regulations and this bylaw.

“Lock Box” means a locked metal enclosure designed to securely hold the keys to a Building, structure or complex where the Lock Box is to be located, as approved by the Fire Department.

“Member” means any employee of the Fire Department.

“Metro Vancouver Air Quality Bylaw” means the “Metro Vancouver Air Quality Management Bylaw No. 1082, 2008” as amended or replaced.

“Mobile Food Vendor” means a person carrying on a business of preparing food and offering it for sale from a vehicle and includes, but is not limited to, vehicles, trailers and carts with cooking equipment that produce smoke or grease laden vapors in a confined compartment.

“Municipal Council” or “Council” means the elected council of the Municipality.

“Municipal Engineer” means the General Manager – Engineering, Parks and Environment or a person designated to act in his/her place.

“Municipality” means the Corporation of the City of North Vancouver or the geographic area within the municipal boundaries of the District, as the context requires.

“NFPA” means the National Fire Protection Association.

“Nuisance Alarms” means activation of a Fire Alarm System regardless of how it is caused necessitating a fire response where a fire or emergency does not exist.

“Occupancy” means the use or intended use of a Building or part thereof for the shelter or support of persons, animals or property as defined in Fire Code.

“Occupier” means the owner, tenant, lessee, agent or other person who has the right of access to and responsibility for any Building or premises.

“Order” means an order, direction, remedial action, approval, decision, determination, or Permit made under this bylaw and/or the Fire Code by the Fire Chief, Fire Inspector or a member.

“Owner” has the meaning prescribed in the *Community Charter*, SBC 2003, c. 26, as amended or replaced.



“Owner’s Authorized Agent” means the person or persons appointed by the Owner to make decisions in relation to the Owner’s property in their absence.

“Permit” means a Permit issued by the Fire Chief or any Member pursuant to this bylaw.

“Private Storage Garage” means a structure built within a common area of a Storage Garage as defined in the Building Code where the interior space cannot be fully viewed from the exterior due to the installation of solid doors and walls.

“Registered Professional” means a person who is registered or licensed to practice as an architect under the Architects Act, RSBC 1996, c. 17, as amended or replaced, a person who is registered or licensed to practice as a professional engineer under the Professional Governance Act, SBC 2018, c. 47, as amended or replaced, or other professionals as approved by the Fire Chief.

“Shipping Container” means a large standardized container designed and built for intermodal freight transport.

“Special Effects” means images and/or sounds used to represent real or imaginary spectacles in a television or movie production or other similar activity, including but not limited to an Explosion or fire.

“Special Event” means any exhibit, market, outdoor concert, fair display, trade show, vehicle display or outdoor event or other similar event.

“Special Fire Suppression System” includes low, medium and high expansion foam systems, foam-water, carbon dioxide, dry chemical and wet chemical systems.

“Storage Garage” as defined by the BC Building Code means a Building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles, but do not include entrances at which vehicles stop for a short time beneath an unenclosed canopy to pick up and drop off passengers. For certainty, Storage Garages may also contain space for parking or storing other vehicles, including, but not limited to bicycles and boats.

“Test Operator” means an individual or company with experience in testing radio communications signals and whose credentials are acceptable to the Fire Chief.

“Transportation of Dangerous Goods Act” means the Transportation of Dangerous Goods Act, SC 1992, c. 34, as amended or replaced

“ULC Certificate” is a certificate issued under the Certificate Service of Underwriters Laboratories of Canada.

“Value of the Work” has the meaning prescribed in the Construction Bylaw.

“Water Supply System” means the system for supplying water for fire protection purposes and includes, but is not limited to, fire hydrants, fire pumps, water towers and tanks, Fire Department connections and any other hose connections necessary for Fire Department operations.

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# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8853

### **A Bylaw to provide for In-Building Emergency Responder Communications Enhancement Systems within the City of North Vancouver**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

#### **PART 1 – TITLE**

**101** This Bylaw shall be known and cited for all purposes as “**Radio Amplification Bylaw, 2021, No. 8853**”.

#### **PART 2 – DEFINITIONS**

**201** In this Bylaw, unless the context otherwise requires:

“Adequate Radio Coverage” has the meaning ascribed in section 401;

“Building” means any structure used or intended to be used for supporting or sheltering any use of occupancy as defined by the BC Fire Code adopted as Regulation 263/2012 to the BC *Fire Services Act*, RSBC 1996, c. 144;

“Building Inspector” means the person(s) appointed by the Council for the City to be building inspectors, or such person’s authorized designate;

“City” means the City of North Vancouver;

“Community Charter” means the BC *Community Charter* SBC 2003, c. 26, as amended or replaced;

“dB” means decibel, a relative unit of measurement used to express the ratio of one value to another on a logarithmic scale;

“dBs” means dB SINAD, the ratio of the total power of a received signal to the power of the noise and distortion of that signal in decibels;

“dBm” means decibel-milliwatts, a measure of absolute power with reference to one milliwatt in decibels;

“Delivered Audio Quality” or “DAQ” means a subjective performance scale developed by the Telecommunications Industry Association for determining the intelligibility of radio system audio;

“Dispatch Center” means the dispatch service used by the Fire Department;

“E-Comm” means Emergency Communications for Southwest British Columbia Incorporated and all the features and functions of its radio communications systems, including microwave radio systems, provided to the Fire Department, Royal Canadian

Mounted Police, British Columbia Emergency Health Services, and other emergency services;

“Enhancement System” means an in-building emergency responder communications enhancement system, also known as a zone enhancer, that enhances radio signal coverage inside a building for the radio frequencies used by E-Comm;

“Fire Chief” means the person appointed as the Chief of the Fire Department of the City or an authorized designate;

“Fire Department” means the department of the City that provides municipal emergency and non-emergency fire and rescue services;

“Inadequate Radio Coverage” means radio coverage that does not meet all of the criteria required in section 401;

“Low-E reflective glass” means glass that has been treated with a coating intended to reflect infrared and ultraviolet radiation;

“NEMA Type 4” means a waterproof enclosure as defined by the National Electrical Manufacturers Association;

“Owner” has the meaning prescribed in the *Community Charter*;

“Permit” means authorization in writing by the Building Inspector to perform construction or demolition of a building or structure, or to permit occupancy of a building or structure, all as regulated by the Construction Regulation Bylaw 2003, No. 7390, as amended or replaced;

“P25” means Project 25 which is a suite of standards for the design and manufacture of interoperable digital two-way wireless communication products. Project 25 is administered by the Telecommunications Industry Association (TIA);

“Shadowed Area” means an area that suffers attenuation or obstruction of radio signals to or from the area as a result of the interposition of all or any part of a building or structure in the radio signal path (line of sight) between the area and the transmitting/receiving site of E-Comm;

“SINAD” means signal-to-noise and distortion ratio and is a measure of the quality of a signal from a communications device;

“Test Operator” means an individual or company with experience in testing radio communications signals and whose credentials are satisfactory to the Fire Chief.

## **PART 3 – APPLICABILITY**

### **301 – Applies to all Buildings**

Unless specifically exempted in this Bylaw, this Bylaw applies to all Buildings within the municipal boundaries of the City.

## **302 – Exemptions**

This Bylaw shall not apply to:

- a) Any single-family detached or semi-detached residence;
- b) Any Building or structure that complies with all of the following:
  - i. is constructed entirely of wood frame;
  - ii. does not have any metal cladding;
  - iii. does not have any Low-E reflective glass;
  - iv. does not have any portion of the Building or structure with a floor level that is partially or wholly underground, including basements, cellars and crawlspaces;
  - v. the area of all the floors of the Building or structure is less than 5000 square metres, as measured to the lesser of the outside edge of the exterior walls or sheathing; and
  - vi. is less than 12 metres in height, as measured from the lowest ground elevation of the Building or structure to the highest point of the Building or structure; or

Any Building that has been granted an exemption in writing by the Fire Chief or Building Official, where the Fire Chief or Building Official considers that the Building should be exempt from this Bylaw, having consideration for the operational needs of the City, the need for or quality of radio coverage in the Building, or any other factor the Building Official or Fire Chief considers appropriate.

## **PART 4 – REQUIREMENTS TO PROVIDE ADEQUATE RADIO COVERAGE**

### **401 – Adequate Radio Coverage**

For the purposes of this Bylaw, “Adequate Radio Coverage” means coverage that meets all of the following criteria:

- a) System access and DAQ of 3.4 or better (speech understandable with repetition only rarely, some noise or distortion may be present) for communication between a portable (handheld) radio with simple flexible whip antenna and E-Comm radio communication sites:
  - i. within the Building, for a minimum of 90% of the area of each floor of the Building, including underground areas such as for parking;
  - ii. within the Building, for 100% of fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms and high-hazard areas; and
  - iii. in areas that are in the Shadow Area of the Building, in 90% of all areas where DAQ 3.4 could be achieved before the erection, construction or modification of the Building or structure.

As an aid to system design, DAQ 3.4 has been measured by NTIA (U.S. Department of Commerce, National Telecommunications and Information Administration) to be approximately equivalent to 22 dBs (22 dB SINAD) for analogue signals modulated with a 1 kHz tone at 1.5 kHz deviation, and to 2%

BER (Bit Error Rate) for P25 digital signals. It is approximately equivalent to a received signal level of -95 dBm, in the absence of other signals that may affect the receiver. Good design should provide a margin of not less than 10 dB to allow for uncontrolled variables. Based on the foregoing, the design target for indoor coverage should be -85 dBm;

- b) Signaling transmitted by the portable radios (radio ID, Emergency Alert, or other signals used by the Fire Department) shall pass through the Enhancement System and be rebroadcast to all receiving radios;
- c) The radio frequency range to be supported shall be any frequencies used by the E-Comm network. If signal amplifiers are used, they shall include filters that will protect the amplifiers from overload and the system from interference by out-of-band signals; and
- d) In the event that active amplification is required to meet the foregoing communication quality requirements in the Building including the Shadowed Area of the Building, coordination with E-Comm is required to ensure that its outdoor radio communication performance is not degraded. If there is a trade-off to be made between maintaining the E-Comm outdoor radio communication performance and restoration of signal strength in the Building and Shadowed Area, the trade-off decision shall be made by E-Comm and communicated to the Fire Chief by the Building Owner.

#### **402 – Requirement to Provide Adequate Radio Coverage**

Subject to the exemptions listed in Part 3 of this Bylaw and except as otherwise provided, a Building must have Adequate Radio Coverage within the Building:

- a) For 90% of the area of each floor of the Building, including underground areas; and
- b) For any part of those areas designed or designated in the Building as being fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms and high-hazard areas.

#### **403 – Licensing Requirements**

All active systems shall be licensed by the federal regulator, Innovation, Science & Economic Development Canada (ISED) and shall comply with the applicable Standard Radio Systems Plan (SRSP). Radio equipment shall only be selected from the ISED Radio Equipment List. Any License required shall be renewed annually by the Building Owner and the cost of the license borne solely by the Building Owner.

#### **404 – System Changes**

Enhancement Systems shall be capable of upgrade to allow for instances where the Fire Department changes or adds system frequencies, or changes or adds signaling functionality, in order to maintain system coverage as originally designed.

## **PART 5 – ENHANCEMENT SYSTEMS ALLOWED**

### **501 – Systems Allowed**

Where a Building must provide an Enhancement System to achieve Adequate Radio Coverage to comply with section 402 of this Bylaw, such Enhancement System shall include any of the following that are sufficient to achieve the required criteria:

- a) Passive antenna systems or radiating cable systems;
- b) Distributed antenna systems with unidirectional or bidirectional amplifiers as required;
- c) Voting receiver systems; or
- d) Any other system acceptable to the Fire Chief, as signified in writing on a case by case basis.

### **502 – Secondary Power**

If any part of the installed Enhancement System contains an electrically powered component, the system shall be equipped to operate on an independent "Uninterruptible Power Supply" (UPS), using a battery and/or generator system, for a period of at least twelve hours without external power or maintenance. All amplifiers and electronics required by the system shall be protected by NEMA type 4 or higher enclosures. The UPS shall automatically charge the batteries in the presence of external power.

The UPS shall provide supervisory signals to the fire alarm to indicate:

- a) Failure of primary power;
- b) Failure of the UPS charger (primary power but no charger output); and
- c) 70% discharge of the batteries.

### **503 – Emergency Generators**

The Owner of a Building that is equipped with emergency generators for backup power shall ensure that such generator is connected to and provides emergency power to the Enhancement System UPS.

### **504 – System Monitoring**

Active components of the Enhancement System shall be capable of sending the following supervisory signals, which shall be connected to and monitored by the fire alarm panel:

- a) Donor antenna malfunction;
- b) Active RF-emitting device failure;
- c) Low battery capacity (70% depleted);
- d) Active system component failure;
- e) Loss of normal AC power; and
- f) Failure of battery charger.

### **505 – Remote Annunciation**

The Enhancement System supervisory signals shall be summarized on a graphic annunciator located near the Fire Alarm Panel as described in this section, either:

- a) Using a stand-alone, hardwired annunciator designed to display the supervisory signals described in section 504; or
- b) As part of the Fire Alarm graphic annunciator using a delineated area labelled "Radio Enhancement System" containing 3 LEDs:
  - i. normal operation shall be annunciated with a green LED labelled "Normal" that indicates there are no supervisory signals being sent by the Enhancement System;
  - ii. off normal operation shall be annunciated with a yellow LED labelled "Trouble" that indicates a supervisory signal specified in 504 e), f) or any other signal where the Enhancement System is off normal but still fully operational for in-building radio communications; and
  - iii. system failure shall be annunciated by a yellow LED labelled "Failure" that indicates a supervisory signal specified in 504 a), b), c), d), or any other supervisory signal that indicates the radio communication performance of the system is unreliable

## **PART 6 – PROCEDURES TO VERIFY AND MAINTAIN COMPLIANCE**

### **601 – Initial Compliance**

After a new Enhancement System has been installed and before that system is put into regular operation, the Owner of a Building regulated by this Bylaw shall arrange for tests by a Test Operator to verify that the Enhancement System is installed and operates in compliance with this Bylaw, at the sole expense of the Owner. The procedures used for testing shall be developed by the Owner, subject to acceptance by the Fire Chief, and in compliance with the following guidelines:

#### **Acceptance Tests**

Enhancement System acceptance shall be based upon a commissioning report that consists of the following tests and information:

- a) Radio Coverage testing:
  - i. radio coverage testing shall be performed when the construction of the Building is substantially complete and all interior and exterior doors and windows have been installed. All doors and windows shall remain closed during testing;
  - ii. acceptance tests shall be performed using radio frequencies assigned to the Dispatch Center, after proper coordination with an agent of that system and with the Fire Chief;
  - iii. if queuing occurs on the radio system while testing is underway, testing shall be terminated immediately and resumed only when traffic levels on the radio system drop to the level where queuing will no longer occur;
  - iv. for all DAQ tests, a pre-defined "Harvard" sentence should be used, such that the listeners are not aware of the sentence in advance on each test. A different recorded sentence should be used at each location;
  - v. where the Shadowed Area, or the floor plate area of a Building, is greater than 4,500 m<sup>2</sup> it shall be divided into a uniform grid of not more than 15m



on a side, or if the floor area is smaller than 4,500m<sup>2</sup> it shall be divided into a uniform grid of approximately 20 equal areas, to a minimum of 9m<sup>2</sup>, and measurements shall be taken at the centre of each grid area. The size of the grids shall also be reduced, or the number of grids increased, upon recommendation of the Fire Chief, or Building Inspector in areas where special construction or other obstruction may significantly affect radio signals. Tests shall also be performed in the fire command centres, stairwells, protect-in-place areas, lobby refuge areas, equipment rooms, and high-hazard areas without the use of a grid system;

- vi. tests shall first be made using a portable (handheld) radio of the type used by emergency service providers, held at hip level and using a simple flexible whip antenna, and shall be deemed satisfactory if Adequate Radio coverage can be achieved for a five-second test transmission in each direction. If system access is not reliable, or if Adequate Radio Coverage for five seconds cannot be achieved at any location, the Test Operator may move a maximum of 1.5m in any direction from the centre of the grid and repeat the test. If system access continues to be unreliable, or if Adequate Radio Coverage still cannot be achieved, or if there is any doubt about whether it can be achieved, a failure shall be recorded for that location;
- vii. a maximum of two (2) non-adjacent grid areas on a floor or in a Shadowed Area will be allowed to fail the test. In the event that three (3) or more grid areas on a floor or in a Shadowed Area fail the test, the floor or Shadowed Area may be divided into 40 approximately equal areas and the tests repeated. In such event, a maximum of four (4) non-adjacent areas will be allowed to fail the test. If the Enhancement System fails the 40-area test, the Owner shall have the Enhancement System altered to meet the 90% coverage requirement in section 3.2(a); otherwise the Enhancement System will not be accepted; and
- viii. if the Enhancement System fails to provide Adequate Radio Coverage in any of the fire command centre, any portion of a stairwell, protect-in-place areas, lobby refuge areas, equipment rooms, or high-hazard areas, the Owner shall have the Enhancement System altered to meet the 100% coverage requirement for these areas, otherwise the Enhancement System will not be accepted.

b) System Measurements:

- i. measurements shall be taken and recorded in compliance with the E-Comm Coverage Enhancement System Commissioning Guidelines, and shall be included in the document specified in 601 e) ix.

c) Secondary Power:

- i. backup batteries and power supplies shall be tested under full load by generating communication traffic automatically for a duration of at least one hour. If within the one-hour period the UPS shows any symptom of failure or impending failure, the test shall be continued to determine the integrity of the UPS. If the UPS fails within a twelve-hour continuous period, such UPS will not be accepted; and
- ii. if the Building contains an emergency generator, the UPS shall be tested to ensure charging takes place on emergency generator power.

d) System Monitoring:

- i. tests shall be made using deliberate failures or simulations that activate each monitoring signal in section 504. Each test must also ensure that the signals are annunciated in compliance with section 505.

e) Documentation:

The Owner shall provide the following documentation to the Fire Department:

- i. complete drawings of the system as installed showing the location of all components;
- ii. design drawings sufficient to use as a baseline for future maintenance and testing;
- iii. the measured signal strength received at the donor antenna from the targeted E-Comm site;
- iv. other amplifier settings required for compliance with this bylaw or the requirements of E-Comm;
- v. signal strength measurements at each interior antenna;
- vi. an acceptance test report showing signal strength and/or bit error rate and the DAQ values for each required test grid, certified in accordance with section 603;
- vii. secondary power system design information and test results;
- viii. supervisory signals and fire alarm panel interconnection details and test results; and
- ix. an annual test procedures document sufficient to ensure future system compliance with this bylaw.

If any tests described in section 601 are not successful the Enhancement System will not be accepted.

## **602 – Annual Testing**

At least once per calendar year, at the sole cost of the Owner, the Owner shall retain a Test Operator to test all active components of the Enhancement System, including but not limited to all amplifiers, power supplies and back-up batteries, and shall keep a record of such tests for inspection by the Fire Chief or other inspector designated by the City. The Test Operator may adjust the amplifier gain if necessary to re-establish the gain recorded upon acceptance testing, and batteries and power supplies shall be tested under load for a period of at least one hour to verify that they will function properly during a power outage.

Additional tests or inspection of records may be conducted from time to time by the Fire Department at the discretion of the Fire Chief, after giving reasonable notice to the Owner. If the radio signal within the Building or within the Shadowed Area appears to have degraded, or if the tests show Inadequate Radio Coverage, the Owner of the Building is required to remedy the problem and restore the Enhancement System in a manner consistent with the original acceptance criteria in section 601, unless the Owner can demonstrate conclusively that the degradation is solely the result of external changes not under his or her control.

### **603 – Test Reports**

Unless otherwise approved by the Fire Department, all test reports of tests described in Part 6 must be certified by a professional engineer registered in the Province of British Columbia and qualified in radio communications. Test reports will not be deemed conclusive or acceptable for the purposes of this Bylaw unless they bear the seal of a professional engineer.

### **604 – Test Equipment**

Portable radios used for DAQ testing must be of the same type used by the Fire Department. SINAD (ratio of signal-plus-noise-plus-distortion-to-noise-plus-distortion) Bit Error Rate (BER) and signal strength measurements shall be made using appropriate instrumentation acceptable to the Fire Chief. The Test Operator shall ensure that the Test Operator's radios and measurement equipment have been tested for conformance to design specification within twelve months prior to the conduct of Enhancement System acceptance tests or re-tests.

### **605 – Maintenance**

Enhancement Systems shall be maintained in operable condition at all times. The Fire Department shall be notified of any Enhancement System supervisory signal, either immediately that the signal is detected, but not later than (2) hours after the initial signal occurred. Supervisory signals regarding Enhancement System failure shall be reported immediately.

### **606 – System Upgrade**

If the Enhancement System fails to provide Adequate Coverage because of any technological change to the municipal fire services radio system, the Enhancement System shall be upgraded at the sole expense of the Owner, in order to maintain Enhancement System coverage as originally designed.

## **PART 7 – EXISTING ENHANCEMENT SYSTEMS**

### **701 – Minimum Compliance**

The Owner of a Building containing an existing Enhancement System:

- a) That has provision to supply supervisory signals shall upgrade their fire alarm interconnection if necessary to comply with section 504 and 505 for all such signals present;
- b) That has an emergency generator shall provide a connection from the generator to the Enhancement System UPS;
- c) That provides less than 12 hours of secondary power shall upgrade the UPS to provide 12 hours of secondary power;
- d) That does not have documented measurements as specified in 601 b) shall have those measurements taken and recorded in the next annual test report to ensure system compliance; and
- e) That requires repairs shall ensure replacement components comply with the current requirements of this Bylaw.

## **PART 8 – PERMIT CONDITIONS**

- 801** No Permit for occupancy of a Building shall be issued for any Building until the requirements of this Bylaw have been met to the satisfaction of the Building Inspector and Fire Chief.

## **PART 9 – RIGHT OF ENTRY**

- 901** Every Owner or occupant of a Building shall, at all reasonable times, permit the Building Inspector, the Fire Chief, or their authorized designate to enter into and inspect any Building or structure to ascertain whether the regulations and provisions of this Bylaw are being obeyed and any person who refuses entry shall be in violation of the Bylaw and shall be liable to the penalties hereby imposed.

## **PART 10 – DEEMED NUISANCE**

- 1001** The construction or erection of a Building which interferes with the City's fire services, law enforcement and other emergency related telecommunications networks shall constitute a nuisance because it threatens the health, safety and welfare of the residents and visitors to the City. In addition to any other remedies or enforcement procedures provided herein, the City may seek an injunction to restrain such a nuisance.

## **PART 11 – ENFORCEMENT**

### **1101 – Orders**

If the Fire Chief finds that any provision of this Bylaw has been contravened or has not been complied with, or has been complied with improperly or only in part, or that conditions exist in or about a Building or property to which the Bylaw applies and which constitutes a hazard to life or property or both, the Fire Chief may make an order to ensure full and proper compliance with this bylaw and, in particular, but without limiting the generality of the foregoing, Fire Chief may:

- a) make recommendations to the Owner, occupier or lessee of the Building or property to correct the contravention or to ensure compliance with this Bylaw or to remove the hazards referred to in the Bylaw; or
- b) make orders with respect to any of the matters referred to in this Bylaw; and

if the Owner, occupier or lessee does not comply with the requirements in subsection (a) and/or (b) above, the Fire Chief may take such action as the Fire Chief deems necessary to mitigate the hazard and may recover the costs and expenses of such action from the Owner, occupier or lessee, as applicable.

### **1102 – Standard of Work**

The Fire Chief may, where work being completed is not covered by this Bylaw or applicable codes, in the interest of safety adopt the latest edition of the National Fire Protection Association codes, standards, recommended practices and manuals by reference or equivalent.

### **1103 – Rejection of Work**

The Fire Chief may, after the examination of any work, issue a written rejection, which shall have the same force and effect as an order issued under Section 1101.

### **1104 – Form of Order**

An order made under this Bylaw shall be in writing and may be directed to the Owner, occupier or lessee of the Building or property in respect of which the order is made, or to any or all of them.

### **1105 – Serving of Order**

An order made under this Bylaw shall be served by delivering it or causing it to be delivered to the person to whom it is directed. An Owner, occupier or lessee of a Building or premises shall, after receipt of a violation report, inspection report or order, comply with it.

### **1106 – Appeal of Order to Fire Chief**

Any person against whom an order has been made under this Bylaw may, before the expiration of seven days after the service of the order, appeal to the Fire Chief, who shall review and shall amend, revoke or confirm the order appealed against or substitute another order.

### **1107 – Cost Recovery**

The municipal fire service may recover the costs and expenses of providing service and/or assistance response as outlined in this Bylaw, jointly and severally from any person, Owner, occupier or lessee in control of the Building or premises.

### **1108 – Designation of the Bylaw**

This Bylaw is designated pursuant to section 264 of the *Community Charter* as a bylaw that may be enforced by means of a ticket in the form prescribed and the Fire Chief, members and authorized Local Assistants to the Fire Commissioner, are designated to enforce this Bylaw by means of a ticket pursuant to section 264 of the *Community Charter*.

### **1109 – Offences, Penalties and Enforcement**

Every person who violates a provision of this Bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this Bylaw is guilty of an offence punishable upon summary conviction and is liable to a fine of not more than \$50,000.00 or to imprisonment for not more than six months or to both. Each day that an offence continues shall constitute a separate offence.

Pursuant to Section 264 of the *Community Charter*, any person designated as a Bylaw Enforcement Officer pursuant to the “Bylaw Notice Enforcement Bylaw, 2018, No. 8675” or is named as the enforcement officer pursuant to the “Ticket Information Utilization Bylaw, 1992, No. 6300” is hereby authorized and empowered to enforce the provisions of this Bylaw by Bylaw Notice or Municipal Ticket Information or as otherwise provided by this or any other Bylaw.

## 1110 – Ticketing (Municipal Ticket Information)

Pursuant to sections 264(1)(c) and 265(1)(a) of the *Community Charter*, this bylaw is designated as a bylaw that may be enforced by means of a ticket in the form prescribed, and the Fire Chief, Local Assistants to the Fire Commissioner and Bylaw Enforcement Officers are designated to enforce this bylaw. The table below sets out the designated expressions for offences under this bylaw with the corresponding bylaw section number and fine amount.

Section	Designated Expression (Short-Form Description)	Fine
402	Fail to provide Adequate Radio Coverage	\$200
601	Fail to test Enhancement System	\$200
605	Fail to maintain Enhancement System	\$200
606	Fail to upgrade Enhancement System	\$200
901	Obstruction	\$500
1101	Fail to comply with Order	\$500

## PART 12 – SEVERABILITY OF PROVISIONS

**1201** The provisions of this Bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining provisions of this Bylaw.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8854

### A Bylaw to amend “Fireworks Regulation Bylaw, 2005, No. 7677”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Fireworks Regulation Bylaw, 2005, No. 7677, Amendment Bylaw, 2021, No. 8854**” (Text Amendments).
2. “Fireworks Regulation Bylaw” is amended as follows:
  - A. By deleting the wording for the purpose of the Bylaw and replacing it with the following:

“A Bylaw to regulate the sale, purchase, possession, disposal and discharge of Fireworks, and the discharge of Animal-Deterring Explosives, in the City of North Vancouver pursuant to section 264 of the *Community Charter* (SBC 2003, c.26).”
  - B. By adding the following definition, in the correct alphabetical order:

“Animal-Deterring Explosive” means a type of low-hazard special purpose explosive that produces only noise designed to scare away bears and other animals and includes, but is not limited to, devices known as air bangers, bear bangers and seal bombs.”
  - C. By adding the following section, in the correct numerical order:

“3. (c) No person shall discharge Animal-Deterring Explosives in the City of North Vancouver.”
  - D. By deleting the wording in section 7, first paragraph, and replacing it with the following:

“The Fire Chief, a member of North Vancouver City Fire Department or a member of the Royal Canadian Mounted Police may rescind a permit or written permission and/or confiscate and seize any Fireworks, and may confiscate and seize any Animal-Deterring Explosives and issue a ticket, in the event:”
  - E. By adding the following section, in the correct numerical order:

“7. (f) One or more Animal-Deterring Explosives are discharged within the boundaries of the City.”
  - F. By adding the following wording to section 8.(d), after the word “Fireworks”:

“and/or Animal-Deterring Explosives”

G. By deleting section 12 in its entirety and replacing it with the following:

“12.(a) Members of the Royal Canadian Mounted Police, the Fire Chief, authorized Local Assistants to the Fire Commissioner and the Fire Inspector for the City are designated to enforce this bylaw by means of seizure of Fireworks and/or Animal-Deterring Explosives and/or issuance of a ticket pursuant to Section 264 of the *Community Charter*, as amended;

(b) Bylaw Enforcement Officers and Business License Inspectors are designated to enforce this bylaw by means of a ticket issued pursuant to Section 264 of the *Community Charter*, as amended.”

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July,  
2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER



# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8855

### A Bylaw to amend “Ticket Information Utilization Bylaw, 1992, No. 6300”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2021, No. 8855**” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties).
2. “Ticket Information Utilization Bylaw, 1992, No. 6300” is amended as follows:
  - A. In Schedule A, Designated Bylaws, line 4, by deleting “Fire Bylaw, 2005, No. 7709” and replacing it with “Fire Bylaw, 2021, No. 8852”.
  - B. By deleting Schedule B4 in its entirety and replacing it with the following:

#### SCHEDULE B4 TO BYLAW NO. 6300 FIRE BYLAW, 2021, NO. 8852

DESIGNATED EXPRESSION	SECTION	FINE (\$)
Obstruct Member	3.6(a)	500
Enter incident area	3.6(b)	200
Drive over fire hose	3.6(c)	200
Impersonate Member	3.6(d)	500
Fail to secure vacant/damaged Building	3.8	500
Tamper with Fire Protection Equipment	3.15(a)	500
Reset Fire Alarm System without authorization	3.15(b)	200
Fail to comply with Order	4.4	200
Fail to have inspection by Certified Fire Protection Technician	4.6(a)	200
Fail to have Fire Protection Equipment tagged	4.6(b)	200
Falsify records	4.8	300
Fail to have Fire Watch	4.10	200
Fail to comply with Fire Watch requirements	4.11	500
Fail to submit update to Construction Fire Safety Plan	4.19(a)	200
Fail to submit Fire Safety Plan	4.21(a)	200
Fail to have occupancy contact information	4.23	200
Cause fire hazard	5.2	200
Unsafe disposal of hazardous substance	5.3(a)	500
Unauthorized disposal of Hazardous Materials	5.3(b)	500
Unsafe disposal of smoking equipment	5.3(c)	500
Fail to comply with container requirements	5.4	200
Combustible waste near Building	5.5	200
Fail to report potential explosion/Hazardous Materials spill	5.7	500
Start open air fire	5.8(a)	500
Burn land for clearing	5.8(b)	300
Unpermitted cooking fire	5.8(c)	200
Smoke from outdoor cooking fire	5.8(d)	200

<b>DESIGNATED EXPRESSION</b>	<b>SECTION</b>	<b>FINE (\$)</b>
Smoke from open air burning	5.9(a)	200
Fail to comply with propane appliance requirements	5.9(c)	200
Smoke from smoker	5.9(e)	200
Tamper with fire ban sign	5.11(a)	200
Violate fire ban Order	5.11(b)	300
Unauthorized high-risk construction/demolition	5.12	200
Fail to obtain approval of construction Fire Safety Plan mitigation checklist	5.13	200
Fail to comply with Construction Fire Safety Plan mitigation checklist	5.14	200
Fail to comply with Order	5.16	300
Enter forest contrary to Order	5.17	200
Fail to keep access routes clear	6.1(a)	200
Fail to post fire lane sign	6.1(b)	200
Fail to maintain access routes in compliance with Fire Code	6.1(d)	200
Fail to have address visible from street	6.1(e)	100
Fail to provide directional signage	6.1(f)	100
Fail to keep corridors free of obstructions	6.1(g)	200
Fail to have devices on exit doors per Building Code	6.1(h)	200
Fail to maintain Fire Department Lock Box	6.2	200
Storage contrary to Fire Code	6.4(a)	200
Permit Combustibles around Building	6.4(b)	200
Fail to contain storage in room	6.4(c)	200
Storage room fails to comply with Building Code	6.4(c)	200
Store combustible materials in Storage Garage or Underground Storage Garage	6.4(d)	200
Storage impeding firefighting access	6.4(e)	200
Have storage unit in Storage Garage	6.4(f)	200
Storage in common area of Storage Garage	6.4(g)	200
Storage in portable storage container in common area of Storage Garage	6.4(h)	200
Fail to maintain Fire Separation	6.5	200
Keep fire door open	6.6	200
Fail to have sign on Fire Separation door	6.7	200
Fail to comply with stair numbering requirements	6.8	200
Fail to comply with fire extinguisher requirements	6.8	200
Exit sign not in compliance with Building Code	6.10	200
Fail to maintain exit sign	6.11	200
Fail to maintain emergency power for exit sign	6.12	200
Exit sign not consistent with current Fire Code	6.13	200
Fail to keep records for exit sign	6.14	200
Emergency power system does not meet requirements	6.14	200
Fail to keep records for emergency power system	6.16	200
Storage in exit system area	6.17	200
Fail to inspect exit systems	6.18	200
Fail to keep records for exit system	6.19	200
Fail to comply with smoke control system requirements	6.20	500
Fail to keep records for smoke control system	6.21	200
Fail to obtain inspection of smoke control system	6.22	200
Fail to inspect or maintain fire alarm system	6.23	200

<b>DESIGNATED EXPRESSION</b>	<b>SECTION</b>	<b>FINE (\$)</b>
Fail to keep records for Fire Alarm System	6.24	200
Fail to obtain certificate for installation of monitored fire alarm system	6.25	200
Fail to notify of cancellation of monitored Fire Alarm System	6.26	200
Fail to keep records of monitored fire alarm system	6.27	200
Fail to install smoke alarm	6.28(a)	200
Fail to maintain smoke alarm	6.28(b)	200
Fail to keep records for smoke alarm	6.29	200
Fail to comply with standpipe requirements	6.30	200
Fail to keep records for standpipe	6.31	200
Fail to comply with standpipe siting requirements	6.33	200
Fail to comply with automatic sprinkler system requirements	6.34	500
Fail to comply with automatic sprinkler system connection requirements	6.35	200
Fail to post sign for automatic sprinkler system connection	6.36	200
Fail to keep records for automatic sprinkler system	6.37	200
Take water without authorization	6.40	200
Fail to maintain fire pump	6.44	200
Fail to keep records for fire pump	6.45	200
Fail to comply with private fire hydrant requirements	6.47	300
Fail to maintain Special Fire Suppression System	6.48	200
Fail to keep records for special fire suppression system	6.49	200
Fail to install fire suppression system for commercial cooking equipment	6.50	200
Fail to maintain fire suppression system for commercial cooking equipment	6.51	200
Fail to maintain exhaust system for commercial cooking equipment	6.52	200
Fail to keep records of commercial cooking equipment	6.53	200
Fail to install radio amplification system	6.54	200
Fail to maintain carbon monoxide monitoring system	6.55	200
Fail to keep records for carbon monoxide monitoring system	6.56	200
Fail to maintain access to storage areas	6.57	200
Enclosed Storage Garage used for other than parking vehicles	6.58	200
Have Private Storage Garage	6.59	200
Fail to install no storage sign in Enclosed Storage Garage	6.60	200
Access to Enclosed Storage Garage blocked	6.62	200
Solid door on Enclosed Storage Garage	6.63	200
Fail to have required info. on Shipping Container	6.64(a)	200
Fail to have required contact info. on Shipping Container	6.64(b)	200
Fail to identify shipping container in Fire Safety Plan	6.64(c)	200
Fail to install safety features in Shipping Container	6.65	200
Fail to install ventilation for Shipping Container	6.66	200
Fail to modify Shipping Container as required	6.67	200
Store compressed gas in shipping container	6.68	300
Fail to have Construction Fire Safety Plan	6.70	200
Decommission fire hydrant without authorization	6.72	200
Fail to notify of fire hydrant conditions	6.73	200
Fail to maintain access route	6.74	200
Fail to comply with Construction Fire Safety Plan	6.75(a)	200
Fail to comply with Exposure Report	6.75(b)	200

<b>DESIGNATED EXPRESSION</b>	<b>SECTION</b>	<b>FINE (\$)</b>
Fail to install water supply	6.75(c)	200
New fire hydrant fail to meet requirements	6.78	200
Handle flammable and combustible liquids contrary to Fire Code	6.79	200
Hazardous process contrary to Fire Code	6.80	300
Store Dangerous goods contrary to Fire Code	6.81	300
Fail to obtain Mobile Food Vendor inspection	6.82(a)	200
Mobile Food Vendor fail to comply with commercial cooking equipment requirements	6.82(b)	200
Mobile food vendor fail to safely situate cooking appliances	6.82(c)	200
Mobile food vendor with non-flame retardant tent	6.83	200
Mobile food vendor fail to have required fire extinguishers	6.84	200
Fail to comply with commercial cooking requirements for special event	6.85(a)	200
Fail to have required aisle width at Special Event	6.85(b)	200
Fail to have required line of travel at Special Event	6.85(c)	200
Access to exit blocked at Special Event	6.85(d)	200
Fail to obtain inspection for Special Event	6.85(e)	200
Fail to comply with requirements for motor vehicle display	6.86	200
Service station attendant not qualified	6.87(a)	200
Service station fire extinguishers do not meet requirements	6.87(b)	200
Service station fire extinguishers not mounted as required	6.87(c)	200
Fail to post service station emergency signage	6.87(d)	200
Fail to submit Integrated Testing Plan	6.88	200
Fail to conduct Integrated Test before occupancy	6.89	200
Fail to conduct Integrated Test after one year	6.90	200
Fail to conduct Integrated Test every 5 years	6.91	200
Fail to keep records for Integrated Test on site	6.92	200
Fail to provide Integrated Testing Plan	6.93	200
Fail to give functional demonstration of Integrated Test	6.94	200
Exceed occupant load	7.10	300
Fail to post occupant load	7.11	200
Fail to provide fire protection for Special Effects	7.16	200
Fail to comply with Order	9.1	300
Fail to extinguish fire	9.15	300
Obstruction	9.20	500

C. In Schedule B5, by adding the following Designated Expression in Section sequence:

<b>DESIGNATED EXPRESSION</b>	<b>SECTION</b>	<b>FINE</b>
Discharge within City	7(f)	\$500

D. By adding the following Schedule B25:

**SCHEDULE B25 TO BYLAW NO. 6300  
RADIO AMPLIFICATION BYLAW, 2021, NO. 8853**

<b>DESIGNATED EXPRESSION</b>	<b>SECTION</b>	<b>FINE</b>
Fail to provide Adequate Radio Coverage	402	\$200
Fail to test Enhancement System	601	\$200
Fail to maintain Enhancement System	605	\$200
Fail to upgrade Enhancement System	606	\$200
Obstruction	901	\$500
Fail to comply with order	1101	\$500

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8856

### A Bylaw to amend “Bylaw Notice Enforcement Bylaw, 2018, No. 8675”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Bylaw Notice Enforcement Bylaw, 2018, No. 8675, Amendment Bylaw, 2021, No. 8856**” (Fire Bylaw Penalties; Fireworks Regulation Bylaw Penalties; Radio Amplification Bylaw Penalties).
2. “Bylaw Notice Enforcement Bylaw, 2018, No. 8675” is amended as follows:
  - A. In Schedule “A” – Designated Bylaw Contraventions and Penalties for Bylaw Contraventions, by deleting the “Fire Bylaw No. 7709” table in its entirety and replacing it with the following:

<b>“Fire Bylaw, 2021, No. 8852”</b>						
<b>Description</b>	<b>Bylaw Section</b>	<b>A1 Penalty Amount (\$)</b>	<b>A2 Discounted Penalty: Within 14 days (\$)</b>	<b>A3 Late Payment: After 28 days (\$)</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Compliance Agreement Discount</b>
Obstruct Member	3.6(a)	450	400	500	NO	N/A
Enter incident area	3.6(b)	200	225	450	NO	N/A
Drive over fire hose	3.6(c)	200	75	150	NO	N/A
Impersonate Member	3.6(d)	450	400	500	NO	N/A
Fail to secure vacant/damaged Building	3.8	450	400	500	NO	N/A
Tamper with Fire Protection Equipment	3.15(a)	450	400	500	NO	N/A
Reset Fire Alarm System without authorization	3.15(b)	200	150	300	NO	N/A
Fail to comply with Order	4.4	200	150	300	NO	N/A
Fail to have inspection by Certified Fire Protection Technician	4.6(a)	200	150	300	NO	N/A
Fail to have Fire Protection Equipment tagged	4.6(b)	200	150	300	NO	N/A
Falsify records	4.8	300	225	450	NO	N/A
Fail to have Fire Watch	4.10	200	150	300	NO	N/A
Fail to comply with Fire Watch requirements	4.11	450	400	500	NO	N/A
Fail to submit update to Construction Fire Safety Plan	4.19(a)	200	150	300	NO	N/A
Fail to submit Fire Safety Plan	4.21(a)	200	150	300	NO	N/A
Fail to have occupancy contact information	4.23	200	150	300	NO	N/A
Cause fire hazard	5.2	200	150	300	NO	N/A
Unsafe disposal of hazardous substance	5.3(a)	450	400	500	NO	N/A
Unauthorized disposal of Hazardous Materials	5.3(b)	450	400	500	NO	N/A
Unsafe disposal of smoking equipment	5.3(c)	450	400	500	NO	N/A
Fail to comply with container requirements	5.4	200	150	300	NO	N/A
Combustible waste near Building	5.5	200	150	300	NO	N/A
Fail to report potential explosion/Hazardous Materials spill	5.7	450	400	500	NO	N/A
Start open air fire	5.8(a)	450	400	500	NO	N/A
Burn land for clearing	5.8(b)	300	225	450	NO	N/A
Unpermitted cooking fire	5.8(c)	200	150	300	NO	N/A
Smoke from outdoor cooking fire	5.8(d)	200	150	300	NO	N/A
Smoke from open air burning	5.9(a)	200	150	300	NO	N/A
Fail to comply with propane appliance requirements	5.9(c)	200	150	300	NO	N/A
Smoke from smoker	5.9(e)	200	150	300	NO	N/A
Tamper with fire ban sign	5.11(a)	200	150	300	NO	N/A
Violate fire ban Order	5.11(b)	300	225	450	NO	N/A
Unauthorized high-risk construction/demolition	5.12	200	150	300	NO	N/A

<b>"Fire Bylaw, 2021, No. 8852"</b>						
<b>Description</b>	<b>Bylaw Section</b>	<b>A1 Penalty Amount (\$)</b>	<b>A2 Discounted Penalty: Within 14 days (\$)</b>	<b>A3 Late Payment: After 28 days (\$)</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Compliance Agreement Discount</b>
Fail to obtain approval of construction Fire Safety Plan mitigation checklist	5.13	200	150	300	NO	N/A
Fail to comply with Construction Fire Safety Plan mitigation checklist	5.14	200	150	300	NO	N/A
Fail to comply with Order	5.16	300	225	450	NO	N/A
Enter forest contrary to Order	5.17	200	150	300	NO	N/A
Fail to keep access routes clear	6.1(a)	200	150	300	NO	N/A
Fail to post fire lane sign	6.1(b)	200	150	300	NO	N/A
Fail to maintain access routes in compliance with Fire Code	6.1(d)	200	150	300	NO	N/A
Fail to have address visible from street	6.1(e)	100			NO	N/A
Fail to provide directional signage	6.1(f)	100			NO	N/A
Fail to keep corridors free of obstructions	6.1(g)	200	150	300	NO	N/A
Fail to have devices on exit doors per Building Code	6.1(h)	200	150	300	NO	N/A
Fail to maintain Fire Department Lock Box	6.2	200	150	300	NO	N/A
Storage contrary to Fire Code	6.4(a)	200	150	300	NO	N/A
Permit Combustibles around Building	6.4(b)	200	150	300	NO	N/A
Fail to contain storage in room	6.4(c)	200	150	300	NO	N/A
Storage room fails to comply with Building Code	6.4(c)	200	150	300	NO	N/A
Store combustible materials in Storage Garage or Underground Storage Garage	6.4(d)	200	150	300	NO	N/A
Storage impeding firefighting access	6.4(e)	200	150	300	NO	N/A
Have storage unit in Storage Garage	6.4(f)	200	150	300	NO	N/A
Storage in common area of Storage Garage	6.4(g)	200	150	300	NO	N/A
Storage in portable storage container in common area of Storage Garage	6.4(h)	200	150	300	NO	N/A
Fail to maintain Fire Separation	6.5	200	150	300	NO	N/A
Keep fire door open	6.6	200	150	300	NO	N/A
Fail to have sign on Fire Separation door	6.7	200	150	300	NO	N/A
Fail to comply with stair numbering requirements	6.8	200	150	300	NO	N/A
Fail to comply with fire extinguisher requirements	6.8	200	150	300	NO	N/A
Exit sign not in compliance with Building Code	6.10	200	150	300	NO	N/A
Fail to maintain exit sign	6.11	200	150	300	NO	N/A
Fail to maintain emergency power for exit sign	6.12	200	150	300	NO	N/A
Exit sign not consistent with current Fire Code	6.13	200	150	300	NO	N/A
Fail to keep records for exit sign	6.14	200	150	300	NO	N/A
Emergency power system does not meet requirements	6.14	200	150	300	NO	N/A
Fail to keep records for emergency power system	6.16	200	150	300	NO	N/A
Storage in exit system area	6.17	200	150	300	NO	N/A
Fail to inspect exit systems	6.18	200	150	300	NO	N/A
Fail to keep records for exit system	6.19	200	150	300	NO	N/A
Fail to comply with smoke control system requirements	6.20	500	375	750	NO	N/A
Fail to keep records for smoke control system	6.21	200	150	300	NO	N/A
Fail to obtain inspection of smoke control system	6.22	200	150	300	NO	N/A
Fail to inspect or maintain fire alarm system	6.23	200	150	300	NO	N/A
Fail to keep records for Fire Alarm System	6.24	200	150	300	NO	N/A
Fail to obtain certificate for installation of monitored fire alarm system	6.25	200	150	300	NO	N/A
Fail to notify of cancellation of monitored Fire Alarm System	6.26	200	150	300	NO	N/A
Fail to keep records of monitored fire alarm system	6.27	200	150	300	NO	N/A
Fail to install smoke alarm	6.28(a)	200	150	300	NO	N/A
Fail to maintain smoke alarm	6.28(b)	200	150	300	NO	N/A
Fail to keep records for smoke alarm	6.29	200	150	300	NO	N/A
Fail to comply with standpipe requirements	6.30	200	150	300	NO	N/A
Fail to keep records for standpipe	6.31	200	150	300	NO	N/A
Fail to comply with standpipe siting requirements	6.33	200	150	300	NO	N/A
Fail to comply with automatic sprinkler system requirements	6.34	450	400	500	NO	N/A



<b>"Fire Bylaw, 2021, No. 8852"</b>						
<b>Description</b>	<b>Bylaw Section</b>	<b>A1 Penalty Amount (\$)</b>	<b>A2 Discounted Penalty: Within 14 days (\$)</b>	<b>A3 Late Payment: After 28 days (\$)</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Compliance Agreement Discount</b>
Fail to comply with automatic sprinkler system connection requirements	6.35	200	150	300	NO	N/A
Fail to post sign for automatic sprinkler system connection	6.36	200	150	300	NO	N/A
Fail to keep records for automatic sprinkler system	6.37	200	150	300	NO	N/A
Take water without authorization	6.40	200	150	300	NO	N/A
Fail to maintain fire pump	6.44	200	150	300	NO	N/A
Fail to keep records for fire pump	6.45	200	150	300	NO	N/A
Fail to comply with private fire hydrant requirements	6.47	300	225	450	NO	N/A
Fail to maintain Special Fire Suppression System	6.48	200	150	300	NO	N/A
Fail to keep records for special fire suppression system	6.49	200	150	300	NO	N/A
Fail to install fire suppression system for commercial cooking equipment	6.50	200	150	300	NO	N/A
Fail to maintain fire suppression system for commercial cooking equipment	6.51	200	150	300	NO	N/A
Fail to maintain exhaust system for commercial cooking equipment	6.52	200	150	300	NO	N/A
Fail to keep records of commercial cooking equipment	6.53	200	150	300	NO	N/A
Fail to install radio amplification system	6.54	200	150	300	NO	N/A
Fail to maintain carbon monoxide monitoring system	6.55	200	150	300	NO	N/A
Fail to keep records for carbon monoxide monitoring system	6.56	200	150	300	NO	N/A
Fail to maintain access to storage areas	6.57	200	150	300	NO	N/A
Enclosed Storage Garage used for other than parking vehicles	6.58	200	150	300	NO	N/A
Have Private Storage Garage	6.59	200	150	300	NO	N/A
Fail to install no storage sign in Enclosed Storage Garage	6.60	200	150	300	NO	N/A
Access to Enclosed Storage Garage blocked	6.62	200	150	300	NO	N/A
Solid door on Enclosed Storage Garage	6.63	200	150	300	NO	N/A
Fail to have required info. on Shipping Container	6.64(a)	200	150	300	NO	N/A
Fail to have required contact info. on Shipping Container	6.64(b)	200	150	300	NO	N/A
Fail to identify shipping container in Fire Safety Plan	6.64(c)	200	150	300	NO	N/A
Fail to install safety features in Shipping Container	6.65	200	150	300	NO	N/A
Fail to install ventilation for Shipping Container	6.66	200	150	300	NO	N/A
Fail to modify Shipping Container as required	6.67	200	150	300	NO	N/A
Store compressed gas in shipping container	6.68	300	225	450	NO	N/A
Fail to have Construction Fire Safety Plan	6.70	200	150	300	NO	N/A
Decommission fire hydrant without authorization	6.72	200	150	300	NO	N/A
Fail to notify of fire hydrant conditions	6.73	200	150	300	NO	N/A
Fail to maintain access route	6.74	200	150	300	NO	N/A
Fail to comply with Construction Fire Safety Plan	6.75(a)	200	150	300	NO	N/A
Fail to comply with Exposure Report	6.75(b)	200	150	300	NO	N/A
Fail to install water supply	6.75(c)	200	150	300	NO	N/A
New fire hydrant fail to meet requirements	6.78	200	150	300	NO	N/A
Handle flammable and combustible liquids contrary to Fire Code	6.79	200	150	300	NO	N/A
Hazardous process contrary to Fire Code	6.80	300	225	450	NO	N/A
Store Dangerous goods contrary to Fire Code	6.81	300	225	450	NO	N/A
Fail to obtain Mobile Food Vendor inspection	6.82(a)	200	150	300	NO	N/A
Mobile Food Vendor fail to comply with commercial cooking equipment requirements	6.82(b)	200	150	300	NO	N/A
Mobile food vendor fail to safely situate cooking appliances	6.82(c)	200	150	300	NO	N/A
Mobile food vendor with non-flame retardant tent	6.83	200	150	300	NO	N/A
Mobile food vendor fail to have required fire extinguishers	6.84	200	150	300	NO	N/A
Fail to comply with commercial cooking requirements for special event	6.85(a)	200	150	300	NO	N/A
Fail to have required aisle width at Special Event	6.85(b)	200	150	300	NO	N/A
Fail to have required line of travel at Special Event	6.85(c)	200	150	300	NO	N/A
Access to exit blocked at Special Event	6.85(d)	200	150	300	NO	N/A

<b>"Fire Bylaw, 2021, No. 8852"</b>						
<b>Description</b>	<b>Bylaw Section</b>	<b>A1 Penalty Amount (\$)</b>	<b>A2 Discounted Penalty: Within 14 days (\$)</b>	<b>A3 Late Payment: After 28 days (\$)</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Compliance Agreement Discount</b>
Fail to obtain inspection for Special Event	6.85(e)	200	150	300	NO	N/A
Fail to comply with requirements for motor vehicle display	6.86	200	150	300	NO	N/A
Service station attendant not qualified	6.87(a)	200	150	300	NO	N/A
Service station fire extinguishers do not meet requirements	6.87(b)	200	150	300	NO	N/A
Service station fire extinguishers not mounted as required	6.87(c)	200	150	300	NO	N/A
Fail to post service station emergency signage	6.87(d)	200	150	300	NO	N/A
Fail to submit Integrated Testing Plan	6.88	200	150	300	NO	N/A
Fail to conduct Integrated Test before occupancy	6.89	200	150	300	NO	N/A
Fail to conduct Integrated Test after one year	6.90	200	150	300	NO	N/A
Fail to conduct Integrated Test every 5 years	6.91	200	150	300	NO	N/A
Fail to keep records for Integrated Test on site	6.92	200	150	300	NO	N/A
Fail to provide Integrated Testing Plan	6.93	200	150	300	NO	N/A
Fail to give functional demonstration of Integrated Test	6.94	200	150	300	NO	N/A
Exceed occupant load	7.10	300	225	450	NO	N/A
Fail to post occupant load	7.11	200	150	300	NO	N/A
Fail to provide fire protection for Special Effects	7.16	200	150	300	NO	N/A
Fail to comply with Order	9.1	300	225	450	NO	N/A
Fail to extinguish fire	9.15	300	225	450	NO	N/A
Obstruction	9.20	450	400	500	NO	N/A

- B. In Schedule "A" – Designated Bylaw Contraventions and Penalties for Bylaw Contraventions, by adding the following to the "Fireworks Regulation No. 7677" table in Section sequence:

<b>Bylaw</b>	<b>Description</b>	<b>Section</b>	<b>A1 Compliance Agreement Available</b>	<b>A2 Penalty</b>	<b>A3 Early Payment Option</b>	<b>A4 Late Payment Penalty</b>	<b>A5 Compliance Agreement Discount</b>
Fireworks Regulation No. 7677	Discharge within City	7(f)	No	\$450	\$400	\$500	N/A

- C. In Schedule “A” – Designated Bylaw Contraventions and Penalties for Bylaw Contraventions, by adding the following table for “Radio Amplification Bylaw, 2021, No. 8853”:

<b>“Radio Amplification Bylaw, 2021, No. 8853”</b>						
<b>Description</b>	<b>Bylaw Section</b>	<b>A1 Penalty Amount (\$)</b>	<b>A2 Discounted Penalty: Within 14 days (\$)</b>	<b>A3 Late Payment: After 28 days (\$)</b>	<b>A4 Compliance Agreement Available</b>	<b>A5 Compliance Agreement Discount</b>
Fail to provide Adequate Radio Coverage	402	200	150	300	NO	N/A
Fail to test Enhancement System	601	200	150	300	NO	N/A
Fail to maintain Enhancement System	605	200	150	300	NO	N/A
Fail to upgrade Enhancement System	606	200	150	300	NO	N/A
Obstruction	901	450	400	500	NO	N/A
Fail to comply with order	1101	450	400	500	NO	N/A

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

\_\_\_\_\_  
MAYOR

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CORPORATE OFFICER

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**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8857**

**A Bylaw to amend “Fees and Charges Bylaw, 1993, No. 6383”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8857” (Fire Bylaw)**.
2. “Fees and Charges Bylaw, 1993, No. 6383” is amended by adding the new Schedule “D” attached to this bylaw.

READ a first time on the 5<sup>th</sup> day of July, 2021.

READ a second time on the 5<sup>th</sup> day of July, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

**SCHEDULE “D”  
SCHEDULE OF FIRE BYLAW FEES**

File Search – Comfort Letter (up to 2 Hours)	\$150	per 2 hours
Fire Safety Plan Review (up to 2 Hours)	\$150	per 2 hours
Pre-Incident Fire Plan Review (up to 2 Hours)	\$150	per 2 hours
Special Effects Application Review (up to 2 Hours)	\$150	per 2 hours
Development Review Fee	0.10%	Based on value of Building Permit
Development Review Fee	\$75	Minimum on Building Permit
Hourly Fee (For Reviews, Inspections and File Searches):		
Straight Time	\$100	per hour
Time & Half	\$150	per hour
Double Time	\$200	per hour
Fire Investigation:		
Minimum Fee	\$750	per investigation
Damaged or Lost Equipment/Supplies	Replacement Cost	
After Hours Fire Investigation:		
Straight Time	\$100	per hour
Time & Half	\$150	per hour
Double Time	\$200	per hour
Fire Department Standby (Required by Fire Department):		
After Hours – Straight Time	\$100	per hour
After Hours – Time & Half	\$150	per hour
After Hours – Double Time	\$200	per hour
Vehicle/Apparatus	\$171	per hour
<b>PERMIT FEES:</b>		
Permit fees must be paid to the Municipality by all applicants for any Permit required by the Fire Bylaw, 2021, No. 8852 or by the regulations passed pursuant to the <i>Fire Services Act</i> (1996) c. 144, as amended or replaced.		
Permit Processing (up to 2 hours):		
Hourly Fees for Permit Processing as per above “Hourly Fee”	\$150	per 2 hours
Permit Inspections as per above “Hourly Fee”	\$150	per 2 hours
<b>FALSE ALARMS and NUISANCE ALARMS (Based on Calendar Year):</b>		
First False and/or Nuisance Alarm	\$0	
Second False and/or Nuisance Alarm	\$150	
Third False and/or Nuisance Alarm	\$250	
Fourth False and/or Nuisance Alarm	\$400	
Fifth False and/or Nuisance Alarm	\$600	
Subsequent to Fifth False and/or Nuisance Alarm	\$900	

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8841**

**A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8841” (Darrell Mussatto / Charles Moorhead, 925 and 935 St. Andrews Avenue and 288 East 9<sup>th</sup> Street, CD-424 Text Amendment).**
2. Comprehensive Development 424 Zone of Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended as follows:
  - A. By deleting subsection (4) in its entirety and replacing it with the following:
    - (4) The Principal Buildings shall not exceed a Lot Coverage of 42 percent which shall include attached parking areas;
  - B. By deleting subsection (5)(a) in its entirety and replacing it with the following:
    - (5) The northernmost Principal Building shall be sited as follows:
      - (a) 28.6 metres (93.8 feet) from the Front Lot Line;

READ a first time on the 14<sup>th</sup> day of June, 2021.

READ a second time on the 14<sup>th</sup> day of June, 2021.

READ a third time on the 5<sup>th</sup> day of July, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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**For Metro Vancouver meetings on Friday, June 25, 2021**

*Please note these are not the official minutes. Board in Brief is an informal summary. Material relating to any of the following items is available on request from Metro Vancouver. For more information, please contact:*

[Greg.Valou@metrovancover.org](mailto:Greg.Valou@metrovancover.org).

## Metro Vancouver Regional District

**E1.1 Technical Paper – Preparing Metro Vancouver for the Digital Economy****RECEIVED**

Following direction from the Board, Metro Vancouver's Regional Economic Prosperity Service staff have prepared a technical paper on preparing Metro Vancouver for the digital economy. The paper posits that the rapidly digitizing economy requires the region to rethink its economic development approach in favour of one that is more adaptive, responsive and reflective of where the economy is headed, while also advancing the region's co-equal equity goals to afford more economically distressed communities and residents with greater access to the myriad benefits that can and should accrue to all. An overarching objective is to provide all of the region's residents with career pathways into occupations within high-growth industries that offer family-supporting wages, upward mobility, and low-risk of dislocation due to automation.

In a global marketplace where investors have many choices, the region must position itself in the best possible way to attract investment into the region that play to Metro Vancouver's industrial strengths and specializations to ensure the investment stays in the region, where it can be further nurtured, and reinvested into research, talent acquisition, local supplier purchases, and new product and service development; and that maximizes the direct and downstream economic contributions in terms of output generation, job creation, increased wages, and positive fiscal impacts. Adopting this approach will drive the region's economic recovery and further its resiliency in a way that advances equitable opportunity and shared prosperity for all of Metro Vancouver's residents.

While not all of the economic development strategies in the paper are within the purview of the Regional Economic Prosperity Service, the paper contextualizes the work of the service and the systemic changes required to meet the challenges of the changing economy.

The Board received the report for information.

**E1.2 REPS Industry Cluster Selection Criteria****RECEIVED**

This report sets out the evaluation criteria for the industry clusters on which Metro Vancouver's Regional Economic Prosperity Service REPS will focus: growing, export-oriented industries in which the Metro Vancouver region has established or emerging competitive advantages, that create desirable jobs, and which do not conflict with other Metro Vancouver priorities.

**Reviewed by:**

CAO



Based on these criteria, building on work prepared for REPS by Deloitte, and informed by exemplary work by established economic development organizations, REPS will initially focus on the following clusters:

- Trade and Transportation
- Life Sciences
- Digital Media and Entertainment
- Apparel
- Green Economy
- Agritech
- High-tech Manufacturing, Telecoms and Software

The Board received the report for information.

### **E1.3 Clean Transportation Sector Profile**

**RECEIVED**

The clean transportation sector presents an immense opportunity for the Metro Vancouver region as the world seeks solutions to the climate emergency. Driven by the specialization in hydrogen and fuel cell technology, this sector includes low- and zero-emission vehicles and components, renewable and low carbon fuels and charging infrastructure, and transferable systems and technologies. Supported by a strong innovation ecosystem and benefiting from the larger green economy industry cluster, the clean transportation sector would benefit from regional efforts to strengthen local competitive advantages, to fill any gaps along the clean transportation industry value chain, and to attract additional investment. The next step of this initiative is to undertake a gap analysis of the sector to understand how to strengthen the industry to be more globally competitive.

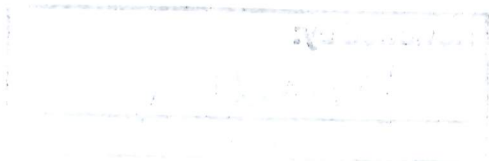
The Board received the report for information.

### **E2.1 Howe Sound Fire Protection Services Feasibility Study**

**RECEIVED**

The *Howe Sound Fire Protection Feasibility Study* examines fire service delivery options for the Electoral Area A Howe Sound mainland communities of Montizambert Wynd, Strachan Point and Ocean Point. The study recognizes that any fire service would be delivered through service agreements with the adjacent jurisdiction of the Village of Lions Bay, with backup support from the District of West Vancouver. The study found that previously identified needs for access and water system improvements to support firefighting in Montizambert Wynd and Strachan Point remain, while the community of Ocean Point has no immediate infrastructure deficiencies preventing consideration of fire protection services. The study recommends consideration of separate fire service areas for each community in phases, subject to support from residents and negotiation of service agreements with the Village of Lions Bay.

The Board received the report for information.





**E2.2 Barnston Island Flood Construction Level Study – Engagement Update****RECEIVED**

The *Barnston Island Flood Construction Level Study* was commissioned to determine the appropriate flood construction level for new construction on Barnston Island, and was completed in early 2021. The Board provided direction in February 2021 in support of engaging with residents, including the Katzie First Nation, and relevant government agencies regarding the consultant's report.

Staff met with representatives of the Agricultural Land Commission, Ministry of Transportation and Infrastructure (MoTI), Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and the Lands Manager for the Katzie First Nation.

Issues discussed included potential impacts of fill on farm land, future referrals of applications to MoTI, and existing drainage challenges on Katzie First Nation IR 3. A virtual community meeting for Barnston Island residents was hosted on May 20. Residents expressed understanding of the long-term goal of a higher flood construction level and the need to include exemptions for certain buildings. Staff will review and consider feedback, and will prepare applicable zoning and building bylaw amendments for consideration by the Electoral Area Committee and Board. The Board received the report for information.

**E2.3 Community Works Fund – Barnston Island****APPROVED**

The Community Works Fund is delivered to all local governments in British Columbia through a direct annual allocation to support local priorities, and the Board directed that it be distributed to Electoral Area A communities based on population. Barnston Island represents 1.1% of the total population of Electoral Area A, which equates to \$12,100 of the Electoral Area A Community Works Fund. The recently completed Barnston Island Flood Construction Level Study highlighted deficiencies with the pump house and flood box gates. Staff discussed potential improvements with the volunteer Barnston Island Diking Commission, who would coordinate the works and who identified electrical upgrades to the pump house and potential repairs to the flood box gate as priorities. These improvements are eligible costs under the Community Works Fund disaster mitigation category guidelines.

The Board approved funding from the Electoral Area A Community Works Fund up to \$12,100 for Barnston Island pump house and flood box gate improvements, as described in the report.

**E3.1 Draft Metro 2050: Referral for Comment****APPROVED**

A draft of *Metro 2050*, the update to the current regional growth strategy, has been presented to the Regional Planning Committee and MVRD Board for consideration and referral for comment. *Metro 2050* contains: updates to the regional vision; growth projections to the year 2050; updated descriptions of the main regional policy tools (such as the Urban Containment Boundary); updates to the five goals and implementation section with supporting strategies and policy actions; updates to the performance monitoring indicators; a new glossary of terms; and updated maps.

The new and amended policy actions have been reviewed by the *Metro 2050* Intergovernmental Advisory Committee and Regional Planning Committee, each providing feedback.

This feedback was considered and, in addition to feedback from other stakeholders, helped to improve the policies contained in this draft version of *Metro 2050*. The Board's referral will initiate a five-month comment period between July and the end of November. During this time, Metro Vancouver will provide opportunities for engagement and comment, including formal presentations to affected local government councils or boards and public information meetings.

The Board referred the draft of *Metro 2050* for comment to the following:

- signatories to the regional growth strategy including: mayors and councils of Metro Vancouver member jurisdictions; the TransLink Board; the Squamish-Lillooet Regional District Board; the Fraser Valley Regional District Board; and
- other members of the *Metro 2050* Intergovernmental Advisory Committee including: in region First Nations; the Province of B.C.; the Agricultural Land Commission; Vancouver Coastal Health; Fraser Health; BC Housing; BC Hydro; University Endowment Lands; Bowen Island; City of Abbotsford; City of Chilliwack; District of Mission; Integrated Partnership for Regional Emergency Management; Simon Fraser University; Kwantlen Polytechnic University; University of British Columbia; Vancouver Fraser Port Authority; Transport Canada; Canada Mortgage and Housing Corporation; and Vancouver International Airport Authority.

### E3.2 2021 Agriculture Awareness Grant Recommendations

APPROVED

Metro Vancouver has awarded grants for agriculture awareness since 2008, as recommended by the Agriculture Advisory Committee. The funding is particularly valuable now for community organizations doing public outreach on the value of producing or buying food close to home.

Metro Vancouver is providing a total of \$50,000 in Agriculture Awareness Grants to 11 non-profit organizations in 2021:

- BC Agriculture in the Classroom Foundation, for the "Take a Bite of B.C." project – \$6,000
- BC Chicken Growers' Association, for the "Poultry in Motion Educational Mini Barn" project – \$6,000
- Delta Farmland and Wildlife Trust, for the "Agriculture and Conservation in the Fraser River Estuary Videos" – \$6,000
- FarmFolk CityFolk, for "B.C. Seed Gathering" – \$6,000
- Growing Chefs Society, for "Metro Vancouver Edible Education" – \$3,500
- Grow Local Society, for the "Power of Produce Club" – \$3,600
- Langley Environmental Partners Society, for the "Langley Eats Local" project – \$4,400
- Maple Ridge Pitt Meadows Agricultural Association, for the "Maple Ridge Pitt Meadows Country Fest" – \$1,500
- Open Science Network Society, for the "Digital Agriculture in Metro Vancouver" – \$3,000
- Pacific Immigrant Resources Society, for the "Needs Assessment & Educational Campaign on Food Literacy and Metro" – \$6,000
- The Sharing Farm, for the "Interpretive Signage at the Sharing Farm" – \$4,000



**E3.3 Evaluation of Regional Ecosystem Connectivity Study****RECEIVED**

Habitat connectivity is a critical issue for conservation and is particularly important in urban areas where remaining greenspace is often fragmented. The recently completed *Evaluation of Regional Ecosystem Connectivity Study* evaluates the connectivity of greenspaces in the region by studying the habitat requirements of eight representative species: red-backed vole, red-back salamander, long-toed salamander, muskrat, great blue heron subspecies fannini, brown creeper, rufous hummingbird and pileated woodpecker. The study found that:

- there are more important habitat areas for connectivity for the four bird species compared to the other four mammals and amphibian species
- the largely protected areas of the North Shore mountains provide high levels of connectivity
- forest patches in between farmland are the highest ranked stepping stone patches
- there is a current lack of high-value habitat along the shorelines of many of the reaches of the Fraser River
- connectivity across agricultural areas is relatively uniform

The study is intended to be used as a high-level planning tool to help guide development and land acquisition by member jurisdictions throughout the region. The Board received the report for information.

**E3.4 Metro Vancouver Tree Regulations Toolkit****RECEIVED**

This report highlights the *Metro Vancouver Tree Regulations Toolkit*, which provides guidance on regulatory tools for member jurisdictions to help preserve trees and increase tree canopy cover. Metro Vancouver commissioned Diamond Head Consulting Ltd. to develop the toolkit in response to projected tree canopy cover decline within the Urban Containment Boundary over the next 20 to 30 years, and a lack of regionally-specific guidance related to tree regulations available to member jurisdictions. The toolkit identifies the available approaches to regulate trees in British Columbia, highlights considerations for selecting appropriate tools based on the local community context, and assesses the tools that regulate both land use (e.g. zoning bylaws and subdivision and servicing bylaws) and trees (e.g. environmental development permit areas, covenants and tree bylaws). As a next step, Metro Vancouver will promote and share the toolkit to inform planning efforts at the local level.

The Board received the report for information.

**E4.1 Cancellation of Provincial Climate Action Revenue Incentive Program (CARIP)****APPROVED**

The Board authorized the Board Chair to write a letter to the Provincial Minister of Municipal Affairs, Minister of Environment and Climate Change Strategy, and Minister of Finance, regarding the cancellation of the *Climate Action Revenue Incentive Program*, providing details on key elements to be retained in a replacement program and suggested improvements, based on the analysis in the report dated May 27, 2021.

**E4.2 Next Phase of Engagement on an Open-Air Burning Emission Regulation****RECEIVED  
APPROVED**

Reducing emissions of smoke from open-air burning of vegetative debris can protect public health, air quality and our climate. Metro Vancouver completed the initial phase of engagement on a potential open-air burning emission regulation in August 2020. Feedback was generally supportive of the development of an emission regulation as a simpler process for authorizing emissions from open-air burning compared to the current site-specific approval process. Staff considered feedback and adjusted proposals presented during the initial engagement, such as simplifying record keeping and notification to neighbours and authorities, clarifying registration requirements and associated fees, and options to increase protection of the public near open-air burning activities. Details about the adjusted proposals and additional information requested during initial engagement are provided in a discussion paper, which will be used to support the next phase of engagement.

The Board received for information the summary of initial engagement on the potential emission regulation and authorized staff to proceed with additional engagement based on the draft discussion paper and updated engagement plan as presented.

**E4.3 Air Quality and Climate Action Initiatives in Caring for the Air 2021****RECEIVED**

*Caring for the Air* is Metro Vancouver's annual plain-language publication on regional climate action and air quality projects. The 2021 edition marks 10 years of *Caring for the Air* and features both a look back and a look forward. Over the past decade, Metro Vancouver improved and protected regional air quality and climate with proactive management plans, progressive regulations, comprehensive monitoring and outreach and engagement. Over the next several years, upcoming plans and programs will respond to emerging challenges such as wildfires and climate change. In 2021, staff refreshed the online format of *Caring for the Air* to be more interactive and accessible, and created a 10th anniversary promotional video. The COVID-19 pandemic has necessitated a number of modifications to promotion and distribution of *Caring for the Air*. The Board received the report for information.

**E5.1 Greater Vancouver Regional Fund – 2020 Annual Report****RECEIVED**

TransLink has submitted its annual report containing budget and schedule information on active projects funded with federal gas tax funds through the Greater Vancouver Regional Fund as of December 31, 2020 in accordance with the *Federal Gas Tax Fund Expenditures Policy*. TransLink has successfully delivered the majority of the projects on or ahead of schedule with positive cost variances. Five projects are experiencing delays exceeding three months as a result of the COVID-19 pandemic. Approximately \$1.74 billion in funds is anticipated to contribute to the capital investments identified in TransLink's Phase Two Investment Plan for the period 2018 to 2027.

The Board received the report for information.



**G1.1 MVRD Procedure Amending Bylaw No. 1322, 2021****APPROVED**

In April 2021, delegations requested to speak at committee and board meetings in relation to specific contract awards. Concerns were expressed about the propriety of hearing delegations during a procurement process. To ensure the fairness of the procurement process, *Procedure Bylaw* amendments were presented wherein delegations would not be permitted if their applications relate to an ongoing contract award matter.

The Board gave first, second and third readings to *Metro Vancouver Regional District Procedure Amending Bylaw Number 1322, 2021*, then passed and finally adopted said bylaw.

**I 1 Committee Information Items and Delegation Summaries****RECEIVED**

The Board received information items and delegation summaries from standing committees.

**Climate Action Committee – June 11, 2021**

Information Items:

**5.3 Alternatives to Agricultural Open-Air Burning in Metro Vancouver**

Open-air burning of vegetative debris is a significant source of fine particulate matter and other air contaminants, including greenhouse gases, which are harmful to health and the environment. A study to investigate the benefits and barriers to using alternatives to open-air burning for managing agricultural vegetative debris in the Metro Vancouver region has been completed as part of a Sustainability Innovation Fund project. The work complements public engagement on a potential open-air burning emission regulation. Benefits of alternative waste management methods include reduced emissions of both particulate matter and greenhouse gases compared to open-air burning. Barriers for farmers in the region to using these alternative methods include cost, complexity, practical feasibility, biosecurity considerations and equipment availability.

**5.6 Sectoral GHG Reduction Targets Update and Comparison**

Metro Vancouver, the B.C. government and the federal government have developed emissions reductions targets for 2030 and 2050, and sector-specific targets for 2030. This report provides an update on recent changes to climate targets established by senior orders of government, and compares them to Metro Vancouver targets. While there is relatively good alignment in overall targets, there is some variation between sector targets — notably for buildings and transportation at the provincial level.

Some, but not all, of the difference is caused by different sector categories and emissions sources. In order to meet its emissions targets, Metro Vancouver has proposed a number of actions in the *Clean Air Plan* and *Climate 2050 Roadmaps* that require leadership from or strong collaboration with the B.C. government. An analysis of sectoral targets will be helpful for Metro Vancouver to work closely with the B.C. government on key actions in order to meet our respective targets.

**Regional Parks Committee – June 16, 2021**

## Delegation Summaries:

**3.1 Pierce McNeal, Canadian Pacific Trials Association**

## Information Items:

**5.1 Kanaka Creek Regional Park Interpretive Art Mural Project**

Kanaka Creek Regional Park Interpretive Art Mural Project is a multi-agency collaboration at the Fish Fence site in Kanaka Creek Regional Park that aims to address the ongoing issue of graffiti under the 240th Street bridge, connect the local community to the space and educate park visitors about the salmon life cycle and food web, and the importance of habitat conservation.

A public art specialist has been selected through an invitational call for proposals who will engage youth, seniors and community members in creating murals. All safety protocols related to COVID-19 will be followed. Anticipated completion date is spring 2022.

**Finance and Intergovernment Committee – June 16, 2021**

## Delegation Summaries:

**5.1 Nathan Davidowicz****Greater Vancouver Water District****E1.1 Drinking Water Customer Information Guide****RECEIVED**

Metro Vancouver and its member jurisdictions, in collaboration with the regional health authorities, are responsible for the provision of clean, safe drinking water to the region. To aid frontline staff in answering questions from the public, Metro Vancouver has developed an updated *Drinking Water Customer Information Guide*. The guide provides information on various topics such as the overall water system, treatment processes, water quality and associated regulations and guidelines, common issues and solutions, and frequently asked questions. Given the type and category of inquiry, the guide clarifies where the inquiry should be directed if further information is required and includes contact lists for each member jurisdiction and health authority.

The Board received the report for information.

**E1.2 Update on Adult Coho Release Program in Coquitlam Lake****RECEIVED**

Following Board support in July 2020, GVWD partnered with Kwikwetlem First Nation, Fisheries and Oceans Canada, BC Hydro and the Port Coquitlam and District Hunting and Fishing Club to capture and transport 62 adult coho salmon from the Coquitlam River below the dam to Cedar Creek, a main tributary to Coquitlam Lake. In May 2021, BC Hydro fisheries consultants completed monitoring work in the Cedar Creek area and confirmed the success of the adult release when they found emergent coho fry in the creek. These fry are the first coho naturally spawned in the upper watershed since the original Coquitlam River Dam was



built over 115 years ago. This marks a significant milestone in salmon recovery for the Coquitlam River system and a significant cultural event for the Kwikwetlem First Nation. Metro Vancouver is proud to support this initiative.

The Board received the report for information.

## I 1 Committee Information Items and Delegation Summaries

**RECEIVED**

The Board received an information item summary from a standing committee.

### Water Committee – June 10, 2021

Information Items:

#### 5.1 2020 GVWD Dam Safety Program Annual Update

GVWD owns and operates five drinking water supply dams that are regulated by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development Dam Safety Branch. The GVWD Dam Safety Program is compliant with the requirements outlined in the provincial *Dam Safety Regulation* (BC Reg. 40/2016) as required for all dam owners in British Columbia. There were no significant concerns identified from the 2020 routine surveillance, monitoring or formal dam inspections.

Scheduled formal dam audits were carried out by provincial Dam Safety Officers at Cleveland Dam and Seymour Falls Dam in late October 2020. Pursuant to Section 14(2)(a) of the *Dam Safety Regulation*, GVWD issued an October 1, 2020 Incident Report on October 30, 2020 and an Additional Information Report on January 29, 2021 to the Dam Safety Branch. No further actions or requests for information have been received from the Dam Safety Branch.

## Greater Vancouver Sewage and Drainage District

### E1.1 Board Appointments and Rescindments of Bylaw Enforcement Officers

**APPROVED**

Recent changes in staff have resulted in a need to update appointments as GVS&DD Board-designated municipal sewage control officers under the *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw*, the *Environmental Management Act* and the *Offence Act*.

The Board:

- pursuant to *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007* and Section 29 of the *Environmental Management Act*:
  - rescinded the appointment of former City of Vancouver employee Linda Kwan as a municipal sewage control officer; and
  - appointed Metro Vancouver employee Rei Van as a municipal sewage control officer.

- pursuant to Section 28 of the *Offence Act* for the purpose of serving summons for alleged violations under *Greater Vancouver Sewerage and Drainage District Sewer Use Bylaw No. 299, 2007*:
  - rescinded the appointment of former City of Vancouver employee Linda Kwan; and
  - appointed Metro Vancouver employee Rei Van.

**E1.2 Integrated Liquid Waste and Resource Management Plan: Biennial Reporting for 2019-2020****APPROVED**

The Board directed staff to:

- submit the *Biennial Report: 2019-2020* as revised in Volume 1 of the *Biennial Report*, under Combined Sewer Separation, by removing paragraph two, to the Ministry of Environment and Climate Change Strategy in accordance with the requirements of the *Integrated Liquid Waste and Resource Management Plan*; and
- arrange for the Liquid Waste Committee to receive public comments on the *Biennial Report: 2019-2020* at the September 9, 2021 Liquid Waste Committee meeting.

**E1.3 Award of Contract Resulting from Request for Proposal (RFP) No. 20-350: Construction Services for the Crescent Beach Force Main Stage 3 – Phase 1****APPROVED**

The project is to replace Crescent Beach Force Main located in South Surrey. Request for Proposal (RFP) No. 20-350 for the construction services was issued to six short-listed contractors on December 24, 2020 and closed on February 12, 2021. Three proposals were received and evaluated for technical and financial criteria. The work involves installation of approximately 1.5 km of high density polyethylene pipe, two trenchless crossings and underground cast-in-place concrete chamber.

The Board approved the award of a contract for an amount of up to \$16,564,714.06 (exclusive of taxes) to JJM Construction Ltd. resulting from RFP No. 20-350: Construction Services for the Crescent Beach Force Main Stage 3 – Phase 1, subject to final review by the Commissioner.

**I 1 Committee Information Items and Delegation Summaries****RECEIVED**

The Board received information items from standing committees.

**Liquid Waste Committee – June 10, 2021**

Information Items:

**5.2 2020 GVS&DD Environmental Management and Quality Control Annual Report**

Production of the *GVS&DD Environmental Management and Quality Control Annual Report* is a regulatory requirement under the *Integrated Liquid Waste and Resource Management Plan*. This report is submitted once per year and summarizes the compliance, process control and regional environmental quality information gathered through various monitoring and risk assessment programs.



In 2020, Metro Vancouver wastewater treatment plants operated in compliance with the applicable regulatory requirements. Regional liquid waste discharges were effectively managed in a manner that is protective of human health and aquatic life.

## **Climate Action Committee – June 11, 2021**

Information Items:

### **5.4 2021 Update on Liquid Waste Sustainability Innovation Fund Projects**

This provides an update on 10 projects that were approved for funding in 2017 through to 2020 under the Sustainability Innovation Fund. Three projects having the most material updates are covered in the following sections. Seven of the projects that are progressing, some with work pace slowed due to COVID-19-related challenges. The *Multiphase Composite Coating for Concrete Sewers* project has achieved its first significant milestone of in-situ deployment for evaluation.

Two projects, *Microwave-enhanced Advanced Oxidation Process Sludge Destruction Pilot* and *Capture of Wastewater Contaminants of Concern and Beneficial Use of Residuals*, will not proceed to their next phase of work due to the technology not achieving performance and/or economic expectations.

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 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**  
**PLANNING & DEVELOPMENT DEPARTMENT**

**REPORT**

To: Mayor Linda Buchanan and Members of Council

From: David Johnson, Development Planner

Subject: REZONING APPLICATION: 133 EAST 4<sup>th</sup> STREET (133 4<sup>th</sup> STREET LIMITED PARTNERSHIP / INTEGRA ARCHITECTURE INC.)

Date: June 9, 2021 File No: 08-3400-20-0035/1

*The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.*

**RECOMMENDATION**

PURSUANT to the report of the Development Planner, dated June 9, 2021, entitled "Rezoning Application: 133 East 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc.):":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837 (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734) be considered and referred to a Public Hearing;

THAT "Housing Agreement Bylaw, 2021, No. 8838 (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments) be considered and referred to a Public Hearing;

THAT notification be circulated in accordance with the Local Government Act;

THAT the community benefits listed in the report, in the section "Density Bonus and Community Benefits" be secured, through agreements at the applicant's expense and to the satisfaction of staff;

AND THAT the Mayor and Corporate Office be authorized to sign the necessary documentation to give effect to this motion.

## ATTACHMENTS

1. Context Map (CityDocs [2057558](#))
2. Project Summary Sheet (CityDocs [2057559](#))
3. Architectural and Landscape Plans, dated May 2021 (CityDocs [2059371](#))
4. Public Consultation Summary (CityDocs [2060169](#))
5. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837" (CityDocs [2057560](#))
6. "Housing Agreement Bylaw, 2021, No. 8838" (CityDocs [2053665](#))

## PURPOSE

The purpose of this report is to present, for Council's consideration, a rezoning application for 133 East 4<sup>th</sup> Street to amend the Zoning Bylaw to permit a six-storey residential building consisting of 23 rental apartment units, three of which are mid-market rental units, and a private childcare facility on the lower level.

## BACKGROUND

Applicant:	Three Shores Development
Architect:	Integra Architecture Inc.
Official Community Plan Designation:	Residential Level 5 (R5)
Existing Zoning:	Medium Density Apartment Residential 1 (RM-1)
Applicable Guidelines:	None

The applicant (Three Shores Development) has an approved rezoning project at 145-153 East 4<sup>th</sup> Street (two lots to the east of the subject site). That project, which currently has a Building Permit application under review, is for a six-storey, 69-unit rental apartment building with a rooftop amenity area, over one and a half levels of underground parking.

## Site Context and Surrounding Use

The subject property is located in Lower Lonsdale on the south side of East 4<sup>th</sup> Street between Lonsdale Avenue to the west and St. Georges Avenue to the east (Attachment #1).

The area consists mainly of two and three storey apartment buildings and some townhouse buildings. The subject site is within a transition area from the higher density buildings along Lonsdale Avenue corridor to the lower density buildings towards the east.

The buildings and uses immediately surrounding the subject site are described in Table 1 following.



**Table 1. Surrounding Uses**

Direction	Address	Description	Zoning
North	120 and 140 East 4 <sup>th</sup> Street	3 storey apartment building	RM-1
South	122 East 3 <sup>rd</sup> Street	5 storey mixed use building with 4 residential levels over one ground floor of commercial space	RM-1
South	140 East 3 <sup>rd</sup>	3 storey apartment building	RM-1
East	143 East 4 <sup>th</sup> Street	2 storey apartment building	RM-1
West	127 East 4 <sup>th</sup> Street	3 storey apartment building	RM-1

The subject site is currently the location of Gospel Hall Church. The church intends to relocate its services to another site.

In addition to being close to commercial amenities, the site is along a AAA bikeway (East 4<sup>th</sup> Street) and is accessible by public transit routes along East 3<sup>rd</sup> Street and Lonsdale Avenue.

## PROJECT DESCRIPTION

The proposal is for a six-storey rental apartment building consisting of 23 rental apartment units and a private childcare space on the lower level with access off of the rear lane (Attachment #3). The applicant is proposing no on-site resident and visitor vehicle parking and one pick-up and drop-off vehicle stall for the childcare (located off the lane). The subject site is approximately 15.2 meters (49.8 feet) wide and 36.5 metres (119.7 feet) deep and slopes down from East 4<sup>th</sup> Street side to the rear lane by approximately 3.9 metres (12.7 feet), which exposes the childcare level at the lane side of the building.

The proposed breakdown of the 23 rental units by type is shown in Table 2 below.

**Table 2. Proposed Unit Breakdown**

Unit Type	Number of Units	Size
1-Bedroom	12	402 square feet
2-Bedroom	5	690 square feet
3-Bedroom	6	730 square feet

Of these, three are proposed as mid-market units that would be secured through a Housing Agreement for the life of the building.

The proposed main access to the building is on East 4<sup>th</sup> Street. Through the main floor are two separate bike storage rooms to the right, and a bike workshop room further down the hall to the left that can be used by all residents of the building. An outdoor common amenity area is located on a front patio to the right of the main entrance, which

wraps around the building to the west and provides seating areas which can be removed to provide flexible programming.

Access to the private childcare is from East 4<sup>th</sup> Street via a direct entrance next to the main door to the residential lobby as well as the rear lane, and from a pathway along the eastern edge of the site connecting East 4<sup>th</sup> Street and the rear lane. The proposed childcare is slightly over 2,500 square feet with an outdoor space of 1,475 square feet. The applicant is working with Vancouver Coastal Health on meeting their requirements for the facility.

The childcare will have a capacity of up to 44 children, including three infants, six toddlers and 35 pre-school children.

Parking for the proposed private childcare facility is one pickup/drop-off stall on the property, with two other stalls located at their 145-153 East 4<sup>th</sup> Street location. This satisfies the parking requirements of the Zoning Bylaw as the off-site location is within the maximum distance requirement to the subject site of 122 metres (400 feet).

The applicant is proposing six of the units meet Level 2 of the City's Adaptable Design Guidelines with the remaining to be designed to Level 1, which satisfies the minimum requirements of the Zoning Bylaw.

The proposed building is west coast contemporary with a mixture of façade materials and colours to articulate the building massing as well as to create interest.

## PLANNING ANALYSIS

### *2014 Official Community Plan*

The subject site is designated Residential Level 5 (R5) in the Official Community Plan (OCP). The designation is to provide quality multi-family housing with a mix of unit sizes, and a focus on creating attractive and active streets. It supports a maximum density of 2.60 FSR, including a 1.0 FSR density bonus in accordance with Schedule A Land Use map.

The applicant is proposing a density of 2.55 FSR or 1,422.6 square metres (15,313.0 square feet), which is within OCP maximum density. The proposed lower level of the building is exempt from Gross Floor Area as the bulk of the level is below grade. This level is where the childcare facility is located.

The project is in keeping with the goals and objectives of the following City policies:

Official Community Plan	
Policy 1.1.1 <i>Plan for growth in the City's population, dwelling units and employment in keeping with the projections in Metro Vancouver's Regional Growth Strategy.</i>	Intensification of the site supports the use of existing amenities, including transit and services along Lonsdale Avenue and East 3 <sup>rd</sup> Street.



<p><b>Policy 1.1.7</b>  <i>Allow for accessory uses, such as home-based businesses and childcare, in residential areas.</i></p>	<p>The proposal would be zoned to allow desk and computer style home-based businesses in this residential area.</p>
<p><b>Policy 1.2.1</b>  <i>Ensure the location, density, design and durability of developments and their infrastructure are informed by the best available science on climate impacts.</i></p>	<p>The proposed development is located close to the Lonsdale Avenue corridor and is utilizing an existing site and infrastructure to densify while proposing to achieve an energy level of Step 3 in the BC Building Code.</p>
<p><b>Policy 1.3.1</b>  <i>Ensure that new development is compatible with the established urban form of the City, reflecting primacy of the Lonsdale Regional City Centre and the transition through mid and low-rise buildings to lower-density residential neighbourhoods.</i></p>	<p>The proposal includes high-quality materials and design in a location that is one-half block east of Lonsdale Avenue. The scale of the proposed building provides a good transition from the higher density buildings found along the Lonsdale corridor towards lower density neighbourhoods further east.</p>
<p><b>Policy 1.3.6</b>  <i>Encourage architecture that responds to the unique context of the City in a sensitive, sustainable, and aesthetically compatible manner.</i></p>	<p>Design and materials are consistent with those found in the local context. Landscaping utilizes native plant species.</p>
<p><b>Policy 1.3.10</b>  <i>Encourage active, healthy lifestyles and the opportunity for more social connections through planning and active design principles that encourage physical activity and contribute to enhanced walkability and active streets, sidewalks and public spaces.</i></p>	<p>The high-quality secure bike storage with easy access directly to the AAA bike network along East 4<sup>th</sup> Street will help make cycling a more appealing mode of transportation for residents. The pedestrian environment will see improvements to encourage walking.</p>
<p><b>Policy 1.4.1</b>  <i>Consider the needs of households with children in the design of multi-family developments.</i></p>	<p>The proposal would provide six 3-bedroom units, and an outdoor amenity space at the front of the building allowing for multiple uses and activities.</p>
<p><b>Policy 1.4.3</b>  <i>Consider recreational, cultural and other community spaces as aspects of informal community living rooms, and essential 'social infrastructure', particularly in high-density neighbourhoods like Central/Lower Lonsdale.</i></p>	<p>The proposed outdoor amenity space provides opportunities for social interaction. The proposed bike repair room offers the same ability for social interaction.</p>
<p><b>Policy 1.5.1</b>  <i>Provide opportunities for a range of housing densities, diversified in type, size and location.</i></p>	<p>The project will provide 23 new rental units with a range of unit types and sizes, from 402 to 730 sq. ft. Six of these units will be 3-bedroom.</p>
<p><b>Policy 1.5.4</b>  <i>Prioritize the development and revitalization of affordable rental housing and use density bonusing and density transfers to incentivize the retention, renewal and/or replacement of rental units as a public benefit.</i></p>	<p>The proposed 23 rental units, including three mid-market units, will be secured by a Housing Agreement for the life of the building which provides a public benefit.</p>
<p><b>Policy 1.5.6</b></p>	<p>The proposal meets the minimum number of Adaptable Level 2 units, in accordance with</p>

<i>Ensure a sufficient number of new apartment buildings provide accessible units and that these accessible units are represented across various unit sizes.</i>	the Zoning Bylaw, and the distribution of which will reflect the overall unit-mix, and the remaining units will be Adaptable Level 1.
<b>Policy 2.1.1</b> <i>Invest in cycling and pedestrian networks and facilities to make these more attractive, safer, and convenient transportation choices for all ages and abilities with and aim to increase these ways of travelling over single-occupant vehicle use.</i>	The proposal includes a bike repair room on the main level and the subject site is located along the AAA bike network along East 4 <sup>th</sup> Street.
<b>Policy 2.2.2</b> <i>Strategically manage off-street transportation facilities to prioritize more sustainable forms of transportation through a variety of measures (e.g. providing bicycle end-of-trip facilities and pedestrian-level lighting, reducing parking requirements in developments in close proximity to transit, on-street pay parking, electric vehicle charging stations, and parking spaces for car-share, carpool and low-emission vehicles.</i>	The subject site is located close to many of the City's main public transit routes, including Lonsdale Avenue routes and the 3 <sup>rd</sup> Street Rapid-Bus route.
<b>Policy 2.2.3</b> <i>Encourage higher and medium density residential area uses near jobs and services.</i>	The subject site is located one-half block east of Lonsdale Avenue, near many services and employment opportunities.
<b>Strategic Plan</b>	
<b>City for People</b>	The proposal supports the Strategic Plan vision and priority to be a City for People by using an existing site to increase the number of rental units in the Lower Lonsdale area, providing employment opportunities and services within close walking distance.
<b>Housing Action Plan</b>	
<b>Action #3:</b> <i>Mid-Market Rental Units</i>	The project will provide three mid-market units, to be secured by a Housing Agreement or the life of the building.
<b>Action #4:</b> <i>Family-Friendly Housing</i>	The project includes six three-bedroom units to support families.
<b>Action #9:</b> <i>Zero Parking Residential Buildings</i>	This action item references a pilot project for a residential development to provide zero parking at a location within 400 metres of the SeaBus Terminal. While the subject site is located outside of the 400 metre area, the applicant is offering to undertake a study one year after occupancy to see what methods of transportation tenants, childcare users and providers are using. This study would be secured with a financial deposit to the City.
<b>Sustainable Development Guidelines</b>	



<p><b>Natural Systems</b> <i>The ability of natural systems, both global and local, to support life. Parks and green spaces help regulate the climate, clean and filter water and air, and provide recreational and aesthetic benefits. Maintaining healthy natural systems will reduce strain on municipal infrastructure, support local wildlife and enhance quality of life for community members.</i></p>	<p>The proposal includes green space not only on the street front, but also on the common patio on the main level. The planting plan includes a number of native species</p>
<p><b>Physical Structures/Infrastructure</b> <i>The ability to effectively deliver basic services, shelter and physical amenities required to sustain the health and well-being of the community. This includes water supply, sanitary sewer, stormwater drainage, solid waste management, roads, telecommunications, and energy efficiency and conversion including district energy. As well, this category includes attractive streetscapes, durable buildings, provision of a range of housing types and adequate community amenities.</i></p>	<p>The project will use high-performance and environmentally friendly building materials and will achieve Step 3 of the Step Code. Energy Star and water-efficient appliances will be installed in the dwelling units. The proposal will be connecting to the LEC network. An on-site stormwater management system will be provided.</p>
<p><b>Local Economy</b> <i>The ability to maintain and grow a healthy local economy. A strong economy brings employment and a solid tax base to support services without compromising other areas of capacity. A stronger economy has been shown to support healthier lifestyles for community members and greater opportunities for personal fulfillment and overall quality of life.</i></p>	<p>The proposal will provide a variety of jobs during the construction period as well as longer term jobs in the Child Care Use.</p>
<p><b>Human Potential</b> <i>The ability of our local community to support our residents in their pursuit of individual livelihood objectives including access to education, healthy food, active transportation and affordable housing. Meeting these basic needs is essential for the maintenance and growth of human capacity.</i></p>	<p>The development provides Market Rental and Mid-Market Rental housing at a range of unit types and sizes. The subject site is close to several public transit routes and the services along Lonsdale Avenue.</p>
<p><b>Social Connections</b> <i>The ability of our community to foster communication, interaction and networks to respond effectively to community issues. These may include supporting community members with low incomes, lone-parent families, and matters specific to children, youth, seniors and people with disabilities.</i></p>	<p>The project includes an outdoor amenity area that are well-programmed with multiple opportunities for activities.</p>

<b>Cultural Diversity</b> <i>The ability of our community to support and celebrate a diversity of cultural backgrounds. This includes recognition of the traditions of the Squamish Nation and the many cultures of residents who make the City their home. With both tangible and intangible elements, cultural capacity has economic implications and is strongly connected to social traditions. Manifestations of cultural practices can range from spiritual practices to heritage buildings.</i>	The proposed design includes various informal gathering spaces for tenants both within the building and in the public realm.
<b>Active Design Guidelines</b>	
Indoor Amenity	A bike repair room is located on the main floor close to the secured bike storage areas and has the opportunity for social interaction.
Outdoor Recreation and Gardens	The outdoor amenity area is designed to allow various activities, with outdoor seating and landscaping.
Enhanced bicycle facilities	A bicycle repair room with access from the main parking level is close to the parkade entrance and easy access to the secured storage areas.
<b>Child Care Action Plan</b>	
Target to create 1063 new licensed childcare spaces by 2031.	The proposal would provide a private childcare facility that would provide up to 44 new spaces in the City. The breakdown would be as follows: Infant – 3 spaces Toddler – 6 spaces Pre-school – 35 spaces.

#### *Residential Tenant Displacement Policy*

The Residential Tenant Displacement Policy does not apply as the site is not currently used as a residential property, and no tenants are being displaced.

#### *Zoning Bylaw 1995, No. 6700*

The subject site is zoned “Medium Density Apartment Residential 1 (RM-1)” that would allow a three-storey building on the property at a maximum density of 1.60 times the lot area (FSR). An amendment to the Zoning Bylaw is required to permit the proposal and is reflected in Zoning Amendment Bylaw 8818 (Attachment #6).

Using the RM-1 Zone as a base, the proposal requires the following special provisions be incorporated into the new Comprehensive Development Zone:

- Increase the allowable density from 1.60 to 2.60 FSR by entering into a Housing Agreement with the City to secure rental housing in perpetuity as well as the provision of three mid-market units, also in perpetuity;
- Allow a maximum Building Height of six storeys and 18.64 metres (61.2 feet);



- Allow the maximum Lot Coverage to increase from the maximum 50 percent to 51 percent of the lot area;
- Waive the minimum resident and visitor parking requirement;
- Permit the proposed childcare stall to be directly accessed from the lane;
- Allow the maximum number of children in the Child Care Use to exceed 20 children;
- Waive the minimum Lot Area requirement to no less than 15.2 metres (49.9 feet) in width; and
- Allow the proposed building setback from the property lines.

A summary comparing the Zoning requirements to the proposal is shown in Attachment #2.

While the proposed density is in keeping with the OCP, the rationale for considering other key relaxations from zoning are discussed below.

#### *Height*

A variance is required to the current Zone which limits the building height to three storeys and 13 meters (42.6 feet). The proposed height is in keeping with the OCP maximum height of six storeys.

#### *Site Coverage*

The variance request from 50% in the current Zone to 51% of the site is very minor and has been applied in recent projects.

#### *Parking*

The applicant is not proposing any on-site parking for residents or visitors in the development as the small site size constraints the provision of underground parking.

Transportation Objective 2.2.2 in the OCP directs staff to consider reducing parking requirements on properties within close proximity to frequent and rapid transit. Further, the Housing Action Plan also seeks to pilot zero residential parking development, particularly for rental projects, on sites within 400-meter (about 5-8 minutes walk) radius of the SeaBus Terminal. To date, the City has not seen a zero parking residential proposal.

The site is within close proximity to Lonsdale Avenue and 3<sup>rd</sup> Street where many of the City's Public Transit routes operate, including the Rapid-Bus line. It is about a 10- to 15-minute walk to Lonsdale Quay, the SeaBus and the bus loop. It is also along a designated All Access and Ability (AAA) bike network supporting easy access to bike lanes in the City. While strictly speaking the site does not meet the 400-meter radius criteria under the Housing Action Plan, its close proximity to the major city public and active transportation infrastructure network, its site constraints and its intended residents (people who do not own cars) make the zero parking supportable from a policy perspective.

To encourage potential tenants to use public transportation and green modes of travel, the applicant is proposing Transportation Demand Management (TDM) measures, as follows:

- transit passes for residents for a two year period; and
- secured bike parking as well as a bike repair shop on the premises.

Furthermore, the applicant has committed to undertaking a study of how on-site residents and childcare users and employees are getting around the City and beyond after a year of getting occupancy.

As stated in a previous section of the report, one stall dedicated to pick-up/drop off for the childcare is provided off the rear lane as well as two additional parking stalls secured in the applicant's building at 145-153 East 4<sup>th</sup> Street and will be secured through the Development Covenant.

Lastly, the applicant stated that if there is a need, some parking spaces at their site at 145-153 East 4<sup>th</sup> Street can be made available to tenants in this development.

#### *Minimum Lot Area*

The proposed development will need a variance of approximately 2.8 metres (9.2 feet) to the width of the property. Staff supports the variance given the OCP supports the development of a multi-family building, and the applicant has made attempts to acquire the property to the east to enlarge the site for redevelopment. Staff find that the proposal does not limit the redevelopment potential of the neighbouring property, which is wider than the subject site.

#### *Building Setbacks*

The proposal includes a request to vary the building setbacks in order to achieve the full development potential of the site. With the need for outdoor space for the proposed childcare, the building has been shifted to the north and east of the site to accommodate.

- The proposed setback of 10 feet at the front of the property has the benefit of providing a good street front by encouraging more "eyes on the street" along East 4<sup>th</sup> Street.
- The rear setback is to allow better livability of the rental units.
- The west setback of nine feet is to accommodate more outdoor space for the proposed childcare as it wraps around the western side of the building and to provide more space for the outdoor amenity for the residents of the building.
- The east setback of five feet is designed to lessen the impact to the eastern property by lessening the amount of windows facing the site as well as stepping the middle of the building back about eight feet above the main floor to provide more separation from the property line.

Should the eastern property redevelop in the future, they would need to be mindful of the building separation of this proposal, but this proposal would not limit the future potential of that site.



#### *Maximum Number of Children in a Childcare at one Time*

Given the high demand for child care spaces in the city, the variance to increase the maximum number of 20 children in one facility to 44 children is supported by staff as there is an early indication that this is licensable under the Vancouver Coastal Health regulations. Sound mitigation measures from the outdoor play space to the surrounding area should be carefully considered (condition included in Development Covenant).

### **Density Bonus and Community Benefits**

The City's *Density Bonus and Community Benefits Policy*, in conjunction with the Official Community Plan, allows for density bonuses beyond 1.60 FSR in the Residential Level 5 land use designation, up to a maximum of 2.60 FSR.

The policy provides a number of community benefit options for projects seeking additional density and seeks to ensure the City receives value for additional density granted. The value could be in the form of a cash contribution or some form of amenity, such as an all-rental apartment building to be secured in perpetuity plus a form of housing affordability in accordance with the City's Housing Action Plan. In this case, to achieve the desired 1.0 FSR bonus density, the applicant has agreed to secure through the registration of a Housing Agreement, that all proposed 23 units will be secured as rental units in perpetuity, as well as to provide three of these units at Mid-Market rates (rates below market levels) in perpetuity.

As the Density Bonus and Community Benefits Policy recognizes rental and affordable rental dwelling units as an acceptable public amenity, any cash contribution for the density bonus that is generally required for a non-rental project is waived.

For example, if the applicant was proposing these units for sale as a strata development project, the Density Bonus and Community Benefits Policy would value this density bonus at approximately \$1.14 million dollars, as outlined in Table 3 below.

**Table 3. Estimated Value of Community Benefits through Density Bonusing**

Density Value Calculation	Value
Density Bonus to 1.60 FSR / OCP Density (@ \$25 / sq. ft.)	N/A
Density Bonus of 1.0 FSR to 2.6 FSR (@ \$190 / sq. ft.)	\$1,139,182
<b>Total Value of Community Benefits</b>	<b>\$1,139,182</b>

Instead of this amount, and consistent with the Density Bonusing and Community Benefits Policy, the City's total rental housing stock would be increased by 23 rental apartment units, with three of these being below market, or mid-market units. These will be secured in the Housing Agreement. This building will be privately owned and the tenant selection for the three mid-market units will be at the discretion of the building owner.

In addition to the Market and Mid-Market Rental Units to be provided, the following items are to be secured through the Servicing Agreement:

- a contribution of \$50,000 towards upgrading the East 4<sup>th</sup> Street bicycle route to a AAA route to encourage safe and comfortable cycling along the street; and
- a \$20,000 deposit for the applicant to conduct a one-year post-occupancy tenant survey to measure the modes of transportation used by residents, childcare providers and childcare users.

Staff seeks Council's endorsement for the items listed below. These items are not specifically required under the authority of City bylaws, but could be made a requirement of rezoning under the authority of Council. Adoption of these items would typically address or mitigate identified issues within the local area, and provide community infrastructure improvements typical of developments this size. These items would be secured in a Servicing Agreement.

#### East 4<sup>th</sup> Street

- Existing watermain in East 4th Street is undersized and must be replaced from Lonsdale Avenue to site complete with new water service, twin connection and meter to City of North Vancouver (CNV) standards.
- Existing sanitary sewer in the lane is undersized and must be upgraded from East 3rd Street to the site complete with new sanitary service to CNV standards.
- Mill and pave north half of East 4th Street for entire length of project to CNV standards.

#### Lane

- Reconstruct south half of lane for the entire length of project to CNV standards.

### **ADVISORY BODY INPUT**

#### **Advisory Design Panel**

The application was received by the Advisory Design Panel on December 9, 2020, where the Panel reviewed and unanimously supported the project that included a few recommendations to enhance the outdoor area for the childcare facility, enhance the function of the recycling and garbage enclosure, and to work with the City on addressing the drop-off management of the child care. The applicant has responded to these items to the satisfaction of City staff.

#### **Integrated Transportation Committee**

The application was received by the Integrated Transportation Committee on May 19, 2021, where the committee reviewed and unanimously supported the project that included recommendations to improve the secured bike storage areas to accommodate cargo bikes and trailers, and to address concerns over congestion of drop-off management for the childcare.

In response, the applicant has increased the number of horizontal bike stalls in the secured area to accommodate more cargo bikes and trailers and has agreed to monitor



and manage the back lane for childcare traffic management and will notify all new tenants of the parking restrictions of the property.

## **COMMUNITY CONSULTATION**

The applicant held their Developer Information Session on November 20, 2020, and this was attended by 15 people (Attachment #4). Comment forms were received where 15 people supported the application, four opposed and one was neutral.

The public comments that staff received showed those who support the proposal liked that there will be more rental opportunities in a variety of unit types and that daycare is needed in the area.

Those who were opposed to the application raised concerns regarding the proposed building height, parking, and construction impact.

Members of the public will have an additional opportunity to speak at the Public Hearing should Council proceed with referral.

## **FINANCIAL IMPLICATIONS**

The applicant has agreed to contribute \$50,000 towards a AAA cycling design for East 4<sup>th</sup> Street to assist in upgrading the bicycle infrastructure of the street, as well as a \$20,000 deposit for a one-year post-occupancy tenant survey to collect information on the mobility of the building residents as well as the childcare users and providers. Other cash contributions are not anticipated for this proposal.

## **CONCLUSION**

This proposal is consistent with the Official Community Plan. The subject site's proximity to existing amenities, commercial areas, and public transit and active transportation facilities makes it an appropriate site for the proposed new 23-unit rental apartment building with no on-site vehicle parking. The childcare in the proposal, if approved, will help contribute towards the goals of the Childcare Action Plan. The application meets the Strategic Plan as a City for People in using an existing site to increase the number of rental and mid-market units to the City.

RESPECTFULLY SUBMITTED:



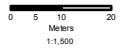
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David Johnson  
Development Planner



**Legend**

- Subject Site
- Legal\_Parcels



**DISCLAIMER**

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GIS Division, Information Technology,  
City of North Vancouver







# PROJECT SUMMARY SHEET

DEVELOPMENT APPLICATION

133 East 4th Street



## SITE CHARACTERISTICS

OCP Designation	Residential Level 5 (R5)
Existing Zoning	Medium Density Apartment Residential 1 (RM-1)
Site Area	557.0 sq. m (5,995.5 sq. ft.)

## FLOOR AREA AND HEIGHT

	Existing Zoning (RM-1)	Official Community Plan	Proposed (CD-734)
Floor Space Ratio	Maximum 1.60 FSR or 891.2 sq. m (9,592.8 sq. ft.)	Maximum - 2.60 FSR 1,448.2 sq. m (15,588.3 sq. ft.)	1,422.6 sq. m (15,313.0 sq. ft.) 2.55 FSR
Total Lot Coverage	50%	N/A	51%
Principal Building Height (maximum)	13.0 m (and three storeys) (42.65 ft. (and three storeys))	Six Storeys	18.64 m (61.17 ft.)

## SETBACKS

	Existing Zoning (RM-1)	Proposed
Front (East 4th Street)	6.1 m (20.0 ft.)	3.05 m (10.0 ft.)
Interior Side Yard (West)	4.57 m (15.0 ft.)	2.74 m (9.0 ft.)
Interior Side Yard (East)	4.57 m (15.0 ft.)	1.52 m (5.0 ft.)
Rear (South)	6.1 m (20.0 ft.)	5.10 m (16.75 ft.)

## BICYCLE PARKING

	Required	Proposed
Short Term	6	6
Secured	35	36
Total Bicycle Parking (stalls)	41	42

## VEHICLE PARKING

	Required	Proposed
Resident Parking	14	0
Visitor Parking	2	0
Childcare Parking	3	1
Total Vehicle Parking (stalls)	17 visitor parking	1 (inclusive of)

Numbers based on plans dated August 7, 2020

#2010016

# 133 East 4th

## Issue - ISSUE 05 - DP RESUBMISSION

Thursday, May 27, 2021

Civic Address:  
133 E 4th Street, North Vancouver, British Columbia

Note: Drawings only to scale when printed on 24x36 sheets



### Architectural Drawing Issues

2020-02-13	Issue 1 - Preliminary Inquiry
2020-09-01	Issue 2 - RZ DP Submission
2020-11-27	Issue 3 - ADP Submission
2021-05-19	Issue 4 - ITC Presentation

### Architectural Drawing Index

<b>A-0.000 Cover</b>		
A-0.000	Cover	
A-0.101	Project Statistics	
A-0.310	Context - Zoning & OCP	1:3.65, 1:2.91, 1:1.01
A-0.320	Context - Site Photos	1:3.65, 1:2.91
A-0.330	Context Plan	
A-0.610	Perspective Render	
A-0.620	Perspective Render	
A-0.630	Perspective Render	
<b>A-1.000 Site</b>		
A-1.100	Site Plan	
A-1.200	Fire Access Plan	
<b>A-2.000 Plans</b>		
A-2.020	Level P1 Plan	
A-2.100	Level 1 Floor Plan	
A-2.200	Level 2 Floor Plan	
A-2.300	Level 3 Floor Plan	
A-2.400	Level 4 Floor Plan	
A-2.500	Level 5 Floor Plan	
A-2.600	Level 6 Floor Plan	
A-2.700	Roof Plan	
<b>A-3.000 Adaptable Units</b>		
A-3.001	ADAPTABLE UNITS DESIGN GUIDELINES	
A-3.002	UNIT PLANS ADAPTABLE	
<b>A-4.000 Elevations</b>		
A-4.000	Material Board	
A-4.100	Building Elevations	
A-4.200	Building Elevations	
<b>A-5.000 Sections</b>		
A-5.100	Site Sections	
<b>A-8.000 Supplemental</b>		
A-8.100	Shadow Study	1:97.04
A-8.200	Shadow Study	1:97.04
A-8.300	Childcare Indoor Space	
<b>A-9.000 Area Overlays</b>		
A-9.210	P1 FSR Overlays	
A-9.220	Level 1 FSR Overlays	
A-9.230	Level 2 FSR Overlays	
A-9.240	Level 3 FSR Overlays	
A-9.250	Level 4 FSR Overlays	
A-9.260	Level 5 FSR Overlays	
A-9.270	Level 6 FSR Overlays	



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[PROJECT TEAM]



Three Shores

[PROJECT]

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

Cover

[PROJECT]

20507

Not To Scale

[SCALE]

Thursday, May 27, 2021

[DATE]

ISSUE 05 - DP RESUBMISSION

[DATE]

[DRAWING]

**A-0.000**

### CONTACT LIST

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Energy/Sustainability/Commissioning	Kane	Dan Roberts	604.924.0094	dan@kane-consulting.ca
Traffic	IBI	Mladen Pecanac	NA	Mladen.Pecanac@IBIGroup.com

Project Name: 133 E4th St, North Vancouver, BC  
Client: Three Shores Development

Project: 20507  
Date: May 27/2021  
Issue: DP Resubmission

PROJECT DATA - DP RESUBMISSION 6-STOREY PURPOSE BUILT RENTAL BUILDING

EXISTING ADDRESS  
PROPOSED ADDRESS  
LEGAL DESCRIPTION

PROJECT ARCHITECT Integra Architecture  
PROJECT OWNER Three Shores Development  
OCP LAND USE DESIGNATION Residential Level 5: Medium Density Apartment R5  
EXISTING ZONING RM-1  
PROPOSED ZONING CD

SITE AREA :			
Gross Site Area		5,996 sq.ft.	557.01 m2
Road Dedications	TBC	- sq.ft.	- m2
Net Site Area		5,996 sq.ft.	557.01 m2
Max FSR (Gross Site Area)	1.60 OCP Density	9,593 sq.ft.	891.22 m2
Max Bonus FSR	1.00 With Public Benefits		
Max FSR (Gross Site Area)	2.69 Purpose Built Rental Housing	15,589 sq.ft.	1,442.2 m2
Total Proposed Gross Floor Area		20,148 sq.ft.	1,871.8 m2
Total Proposed Exclusions		4,837 sq.ft.	449.3 m2
Proposed FSR (Gross site area)	2.55	15,311 sq.ft.	1,422.5 m2
Max. Site Coverage	50%	2,997.85 sq.ft.	278.51 m2
Lot Coverage	51%	3,031 sq.ft.	281.61 m2

UNIT SUMMARY:

Unit Type	P1	1st	2nd	3rd	4th	5th	6th	Total	Average sqft / unit	Total Unit Area (sq/ft)	AD	Total Unit Area (m2)	%	Unit Mix
A1 - Studio							0	0		-		0.0	0.0%	0%
B1 - 1Bed		1	1	1	1	1	1	6	398.5	2,391.06		222.1	26.1%	52.2%
B2 - 1Bed		1	1	1	1	1	1	6	398.5	2,391.06	6	222.1	26.1%	1 Bed
C1 - 2Bed			1	1	1	1	1	5	689.6	3,447.80		320.3	21.7%	21.7%
D1 - 3Bed		1	1	1	1	1	1	6	730.6	4,383.6		407.2	26.1%	26.1%
														3 Bed
Total		3	4	4	4	4	4	23		12,614		1,171.8	100.0%	100%

FSR CALCULATION:

Exclusion Summary	Min.	No Units	Stair 01				per Unit	Total Exclusions	Comments
Access to Outdoor Amenity								0.00 sq.ft.	0.00 m2 Active Design Guidelines
Adaptable Units Level 2 ( 20 sf / unit )	0	6					20.0	120.00 sq.ft.	11.15 m2 25.0% Units AD Level 2
Indoor Amenity min 2% / 15sf unit	345	23	Max 5% excluded =	1007.40	sq.ft.	24.1		554.41 sq.ft.	51.53 m2 Min 15 SF / Unit
Day Care								2550.51 sq.ft.	237.04 m2 Active Design Guidelines
Bike Store								0.00 sq.ft.	0.00 m2
Stairs (Active Design) - 8% max			2056.00		8% of GFA	1611.842		1611.84 sq.ft.	149.74 m2 8.0% (Floor 1-6)
Total Exclusions From FSR								4,836.8 sq.ft.	449.35 m2

Gross Floor Area	Unit Area	Common Area	Total GFA	Efficiency L1 - L6
Gross Area - P1	0.00 sq.ft.	224.67 sq.ft.	2,775.18 sq.ft.	258 m2 0.0%
Gross Area - 1st Floor	1,527.64 sq.ft.	1,503.65 sq.ft.	3,031.29 sq.ft.	282 m2 50.4%
Gross Area - 2nd Floor	2,217.01 sq.ft.	651.30 sq.ft.	2,868.31 sq.ft.	266 m2 77.3%
Gross Area - 3rd Floor	2,217.01 sq.ft.	651.30 sq.ft.	2,868.31 sq.ft.	266 m2 77.3%
Gross Area - 4th Floor	2,217.01 sq.ft.	651.30 sq.ft.	2,868.31 sq.ft.	266 m2 77.3%
Gross Area - 5th Floor	2,217.01 sq.ft.	651.30 sq.ft.	2,868.31 sq.ft.	266 m2 77.3%
Gross Area - 6th Floor	2,217.01 sq.ft.	651.30 sq.ft.	2,868.31 sq.ft.	266 m2 77.3%
Gross Area - Roof	0.00 sq.ft.	0.00 sq.ft.	0.00 sq.ft.	- m2 0.0%
Total Gross Area	12,613 sq.ft.	4,984.8	20,146.9 sq.ft.	1,872 m2 Overall: 72.6%

PARKING SPACES:

Minimum Parking Required	23 units @	0.50 space/unit	12 spaces	
Visitor Parking Required	23 units @	0.10 space/unit	2 spaces	inclusive of required parking
Parking Reduction	0%		0.0 spaces	
Total Parking Required			14 spaces	
Total Parking Provided			2 spaces	
Disabled Parking Required:			2 spaces	inclusive of required parking
Level 1 - Adaptable Units			0 spaces	
Level 2 / 3 - Adaptable Units	0	0	1 - 25 Level 2 AD Units	2 spaces
Disabled Parking Provided:			0 space	inclusive of required parking
Max. Small Cars	35% of required spaces		1 spaces max	
Provided Small Cars	0% of provided spaces		0 spaces	

BICYCLE SPACES:

Required Secure Bicycle Parking	23 units	1.5 spaces/unit	35 spaces	long term
Provided Secure Bicycle Parking	23 units	1.5 spaces/unit	35 spaces	long term
Max vertical parking Spaces		35% max	0 spaces	long term
Required Short Term Bicycle Parking			0 spaces	short term
Provided Short Term Bicycle Parking			6 spaces	short term
Parkade not to exceed 1m (3.3 ft.) above average finished grade along perimeter of structure			DOES NOT COMPLY	

Note 1: Final areas, allowable parking ratios, and parking count to be confirmed

Note 2: All areas are approximate and are for zoning purposes only

Note 3: Net & gross unit areas are measured to the center of partywalls and to the exterior of sheathing of exterior walls

Note 4: Dedications and setbacks subject to City of North Vancouver approval

41 spaces total bicycle spaces provided

PROJECT SUMMARY:					
ZONING EXISTING		REQUIRED / PERMITTED		PROPOSED	
OCP LAND USE DESIGNATION - Medium Density Apartment R5		RM - 1 Residential Level 5		CD	
SITE AREA		5,996 sq.ft.	557 m2	5,996 sq.ft.	557 m2
UNIT NUMBER		not specified	not specified	23	
OCP DENSITY ( w/ exclusions ) Purpose Built Rental Housing		1.6 + 1.0 FSR	1,448 m2	2.55 FSR	1,422 m2
SITE COVERAGE		50%	279 m2	51%	282 m2
BUILDING HEIGHT - Storeys ( OCP Schedule 1 )		6 Storeys (59.0 - 62.3 ft)		6 Storeys	(68.875 ft)
BUILDING HEIGHT - Measured from Average Grade		59.0 - 62.3 ft	18.19 m	68.875 ft	20.993 m
Average Finished Grade -		144.4 ft	44.06 m geodetic		
Geodetic Max. Allowed Height -		19 m	206.7 ft	63.00 m geodetic	
Proposed Elevation				211.625 ft	64.503 m
Building Height from Average Grade				68.875 ft	20.993 m
FRONT YARD (E. 4th St)		20.00 ft	6.10 m	10.00 ft	3.05 m
REAR YARD - EAST (Lane)		20.00 ft	6.10 m	16.75 ft	5.11 m
INTERIOR SIDE YARD (West PL)		15.00 ft	4.57 m	9.00 ft	2.74 m
INTERIOR SIDE YARD (East PL)		15.00 ft	4.57 m	5.00 ft	1.52 m
PARKING SPACES		Rental Housing	0.60 space/ unit	14 spaces	2 spaces
EV CHARGING STATIONS		All Residential Parking Spaces	47 spaces	47 spaces	0 spaces
BICYCLE SPACES			1.50 space/ unit	35 Class A	36 Class A
				6 Class B	6 Class B

OUTDOOR AMENITY AREA					
Garden Plots Active Design Guidelines	2.2 m2 / 4 units	138.0 sq.ft.	12.7 m2	504.9 sq.ft.	46.9 m2

PARKING DIMENSIONS (No column encroachments)	Width		Length		Height	
	m	ft.	m	ft.	m	ft.
Standard Cars	2.500	8.20	5.486	18.00	2.134	7.00
Small Cars	2.500	8.20	4.650	15.26	2.134	7.00
Disabled Parking	4.000	13.12	5.486	18.00	2.134	7.00
Additional width at walls	0.305	1.00				

MINIMUM AISLE	90 degrees		60 degrees		45 degrees	
	m	ft.	m	ft.	m	ft.
One-Way Traffic	6.700	21.98	5.280	17.32	3.860	12.66
Two-Way Traffic	6.700	21.98	6.096	20.00	6.096	20.00

GARBAGE (WEEKLY):

Multi-Family Residential	no. of units	Est. volume/unit	Total Volume	Container capacity	
Garbage	23 units	95 L	2185 L	2294 L (3 cu.yd.)	1 serviced twice/wk
NSRP Newprints	23 units	8.5 L	196 L	360 L (95 gal)	1
NSRP Mixed Papers	23 units	15 L	345 L	360 L (95 gal)	1
NSRP Mixed Containers	23 units	9 L	207 L	360 L (95 gal)	1
Cardboard	23 units	30 L	690 L	1529 L (2 cu.yd.)	0
Food Scraps	23 units	14 L	322 L	240 L (64 gal)	1
Multi-Family Residential	no. of units	Space/unit	Total Space		
Minimum space required	23 units	0.486 m2	11.2 m2	120.32 sq.ft.	Min11 m2
Max additional space required	23 units	0.486 m2	11 m2		
Max total space required	23 units	0.972 m2	22 m2		
Space proposed	23 units	0.972 m2	22 m2	121.14 sq.ft.	

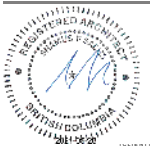


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(PROJECT TEAM)



Three Shores

(PROJECT)

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

(TITLE)

Project Statistics

20507 (PROJECT)

Not To Scale (SCALE)

Thursday, May 27, 2021 (DATE)

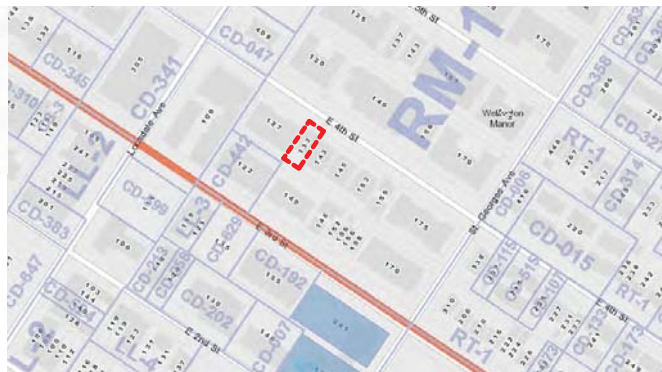
ISSUE 05 - DP RESUBMISSION (REVISION)

(DRAWING)

A-0.101



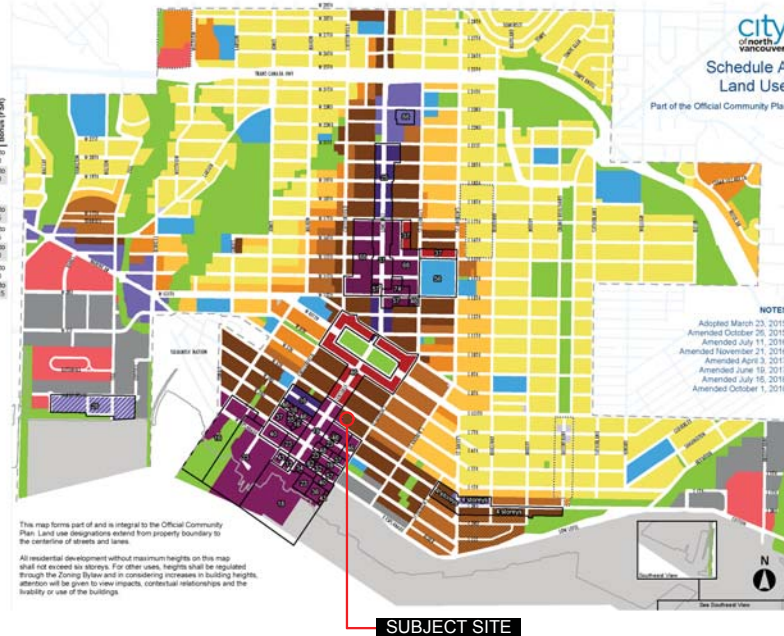
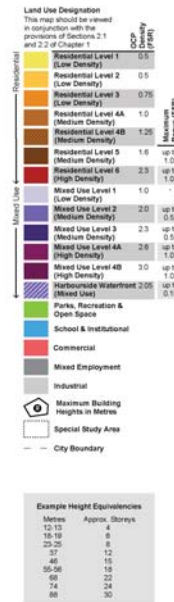
- Legend**
- Property
- Zoning
- Zoning Boundaries
  - Zoning Special
  - Setback Line
  - Land Use Contracts



- Legend**
- Residential Apt Development Permit (Pending)
- Duplex Development Permit
- E3rd/Moodyville Development Permit
- Duplex Development Permit (Pending)



- Legend**
- Property
- 2014 OCP Land Use
- 2014 OCP Maximum Height Limits (m)
- 2014 OCP Special Study Areas
- 2014 OCP Land Use
- Residential Level 1
  - Residential Level 2
  - Residential Level 3
  - Residential Level 4A
  - Residential Level 4B
  - Residential Level 5
  - Residential Level 6
  - Mixed Use Level 1
  - Mixed Use Level 2
  - Mixed Use Level 3
  - Mixed Use Level 4A
  - Mixed Use Level 4B
  - Harbourside
  - Waterfront (Mixed Use)
  - Parks, Recreation & Open Space
  - School & Institutional
  - Commercial
  - Mixed Employment
  - Industrial



## OCP - MID-RISE APARTMENT MEDIUM DENSITY R5:

- 1.6 FSR (MAX BONUS FSR 1.0)
- 1.0 FSR BONUS WITH PUBLIC BENEFITS:
  - 1) SECURE MARKET RENTAL HOUSING OR NON-MARKET RENTAL
  - 2) COMMUNITY AMENITY SPACE
- MAX HEIGHT 6 STOREY

## APPLICABLE GUIDELINES:

- 2018 DENSITY BONUS AND COMMUNITY BENEFITS POLICY
- ACTIVE DESIGN GUIDELINES
- ADAPTABLE DESIGN GUIDELINES
- SUSTAINABLE DESIGN GUIDELINES
- CPTD PRINCIPLES

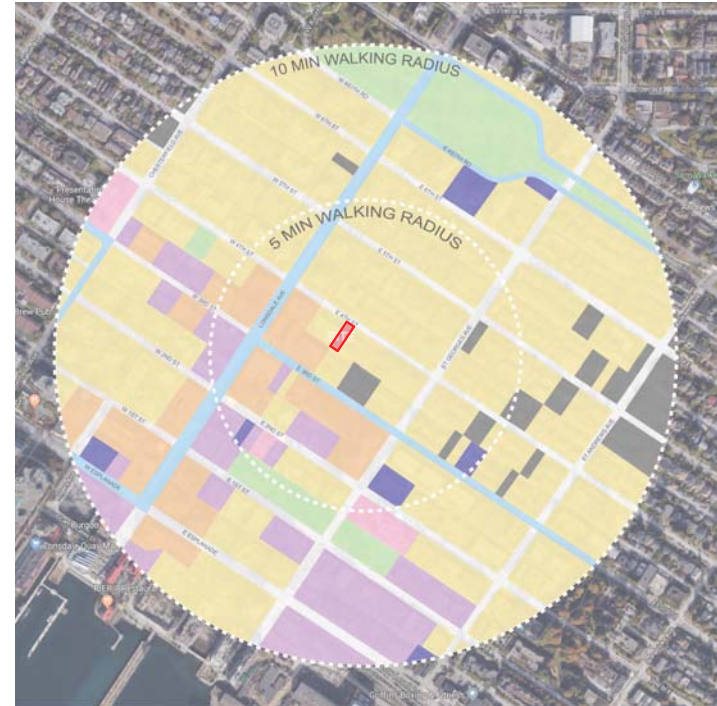




3D Aerial View Looking South East



3D Aerial View Looking North West



- |  |  |
|--|--|
| <span style="color: green;">■</span> PARKS               | <span style="color: purple;">■</span> COMMERCIAL               |
| <span style="color: lightblue;">■</span> TRANSIT ROUTE   | <span style="color: orange;">■</span> MIXED-USE                |
| <span style="color: blue;">■</span> REZONING APPLICATION | <span style="color: yellow;">■</span> MULTI-FAMILY RESIDENTIAL |
| <span style="color: pink;">■</span> COMMUNITY BUILDINGS  | <span style="color: grey;">■</span> SINGLE-FAMILY RESIDENTIAL  |



View Along E 4th St Looking West



View Along E 4th St Looking East



View of Site from Lane



View Along Lane looking East



Elevation along E 4th St



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[PROJECT TEAM]



Three Shores

[PROJECT]

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

[STYLE]

Context - Site  
Photos

[PROJECT]

20507

[SCALE]

Not To Scale

[DATE]

Thursday, May 27, 2021

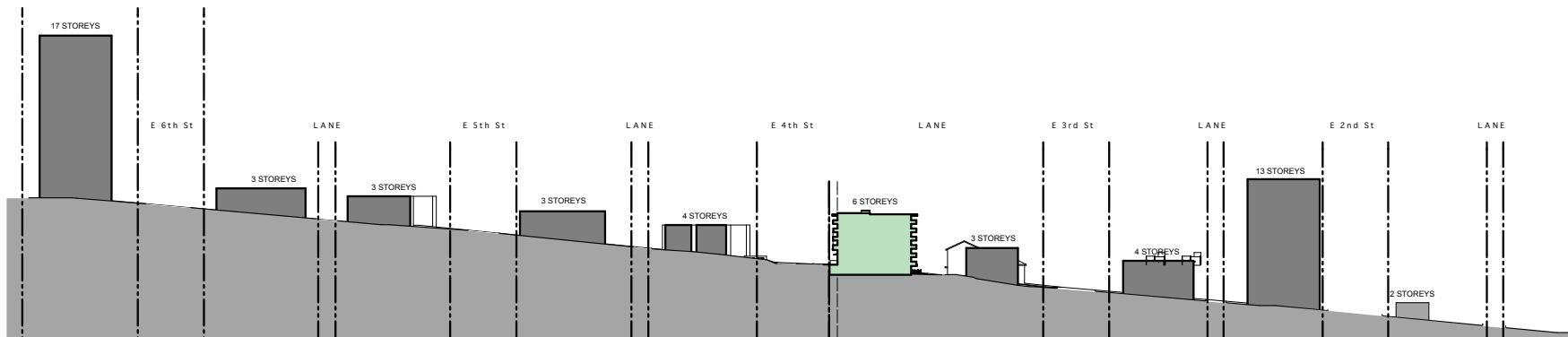
[SUBJECT]

ISSUE 05 - DP RESUBMISSION

[DRAWING]

**A-0.320**





1 N/S Overall Section  
SCALE 1/8" = 1'-0"



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[PROJECT TEAM]



Three Shores

[PROJECT]

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

## Context Plan

20507

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A-0.330





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[PROJECT TEAM]



Three Shores

[PROJECT]

133 East 4th

133 E 4th Street  
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[TITLE]

## Perspective Render

20507

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A-0.610



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[PROJECT TEAM]



**Three Shores**

[PROJECT]

**133 East 4th**  
133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Perspective  
Render**

**20507**

**Not To Scale**

**Thursday, May 27, 2021**

**ISSUE 05 - DP RESUBMISSION**

[DRAWING]

**A-0.620**





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[PROJECT TEAM]

[PROJECT]

[TITLE]

[PROJECT]

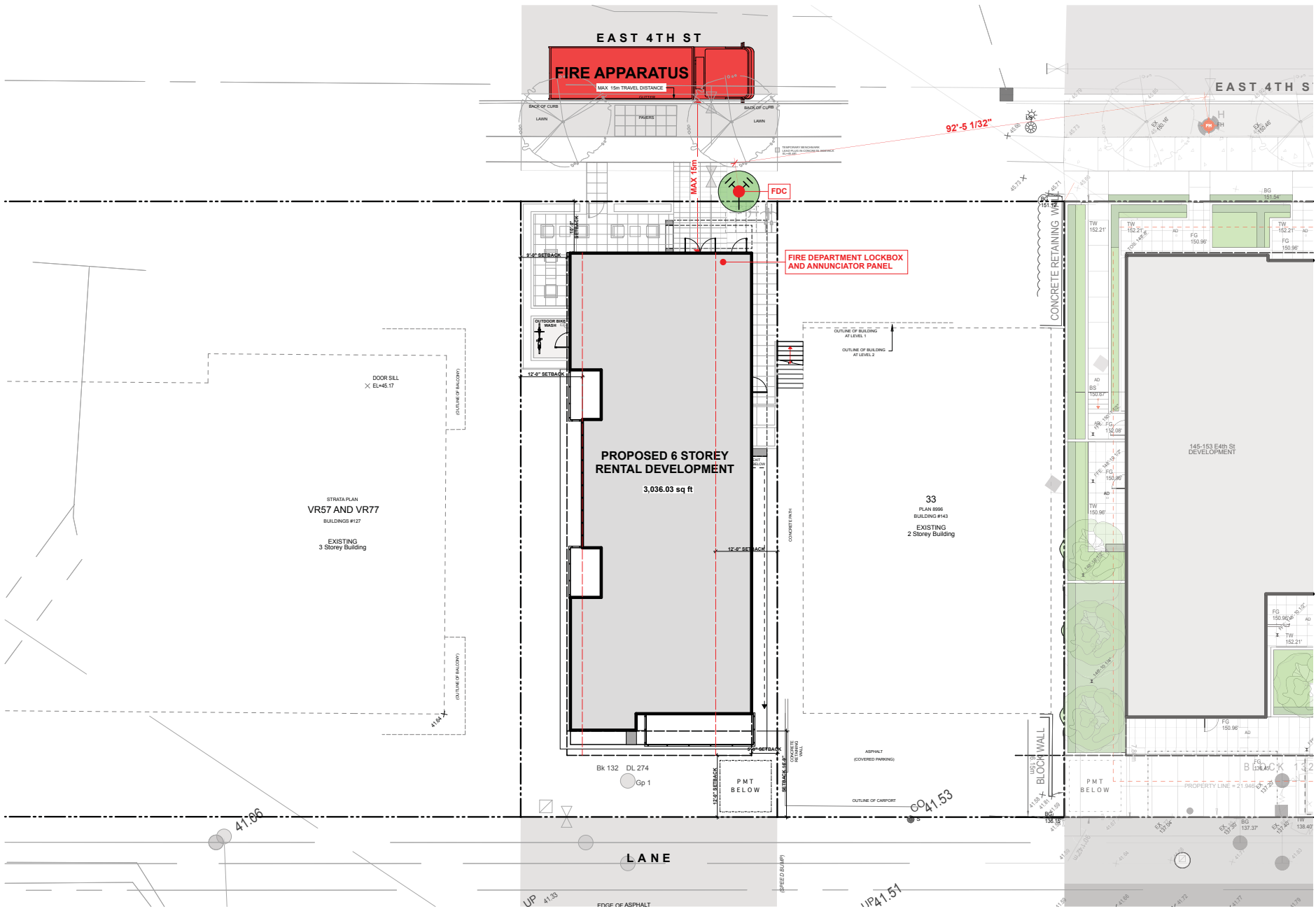
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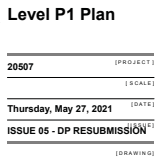
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DRAWING

**A-0.630**













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**Three Shores**

[PROJECT]

**133 East 4th**  
133 E 4th Street  
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[TITLE]

**Level 2 Floor Plan**

**20507**

[PROJECT]

[SCALE]

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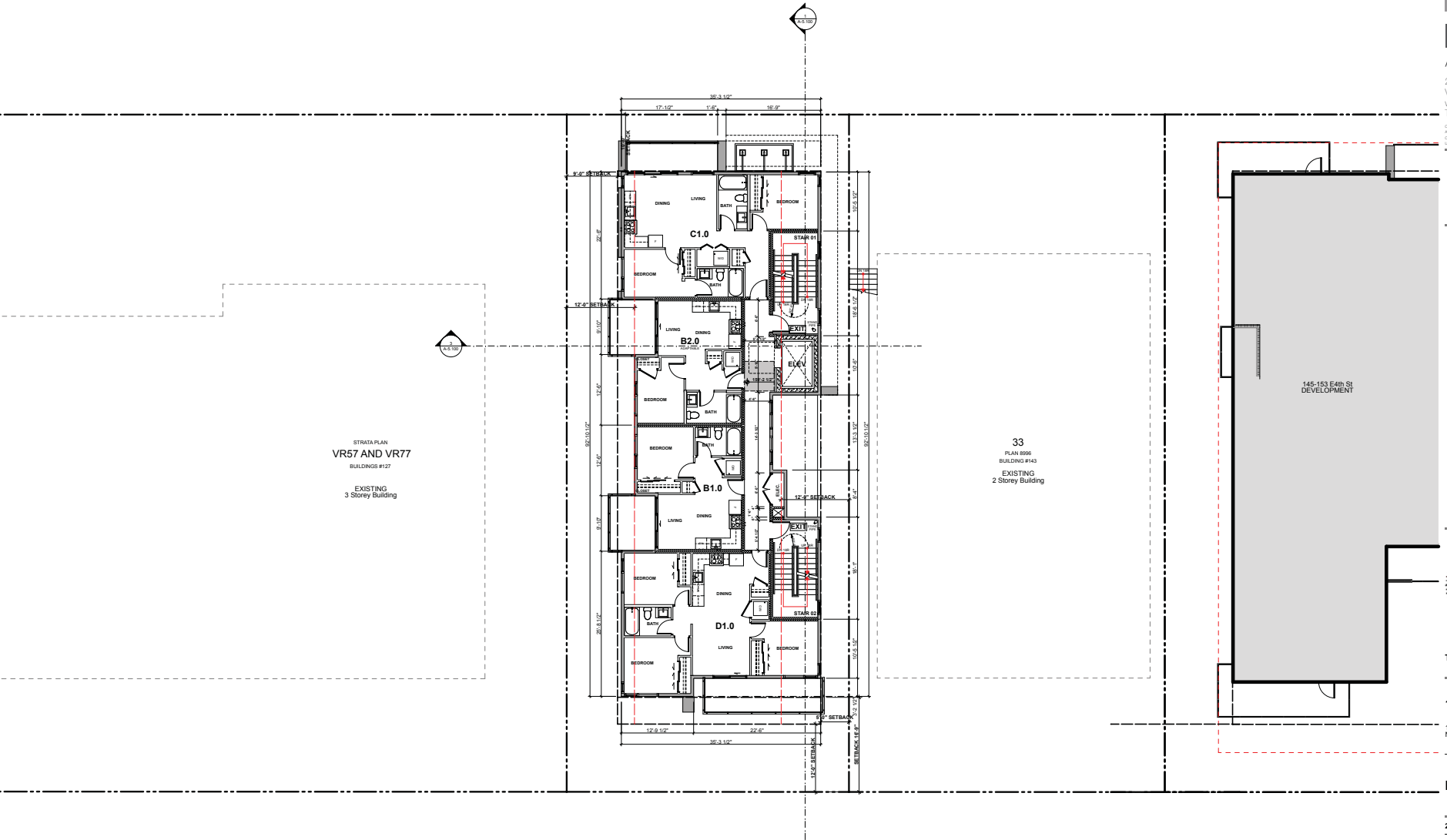
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**ISSUE 05 - DP RESUBMISSION**

[REVISION]

[DRAWING]

**A-2.200**



**1 Level 2 Floor Plan**  
SCALE: 1/8" = 1'-0"  
0' 4' 8'





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**Three Shores**

[PROJECT]

**133 East 4th**

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Level 3 Floor Plan**

**20507**

[PROJECT]

[SCALE]

**Thursday, May 27, 2021**

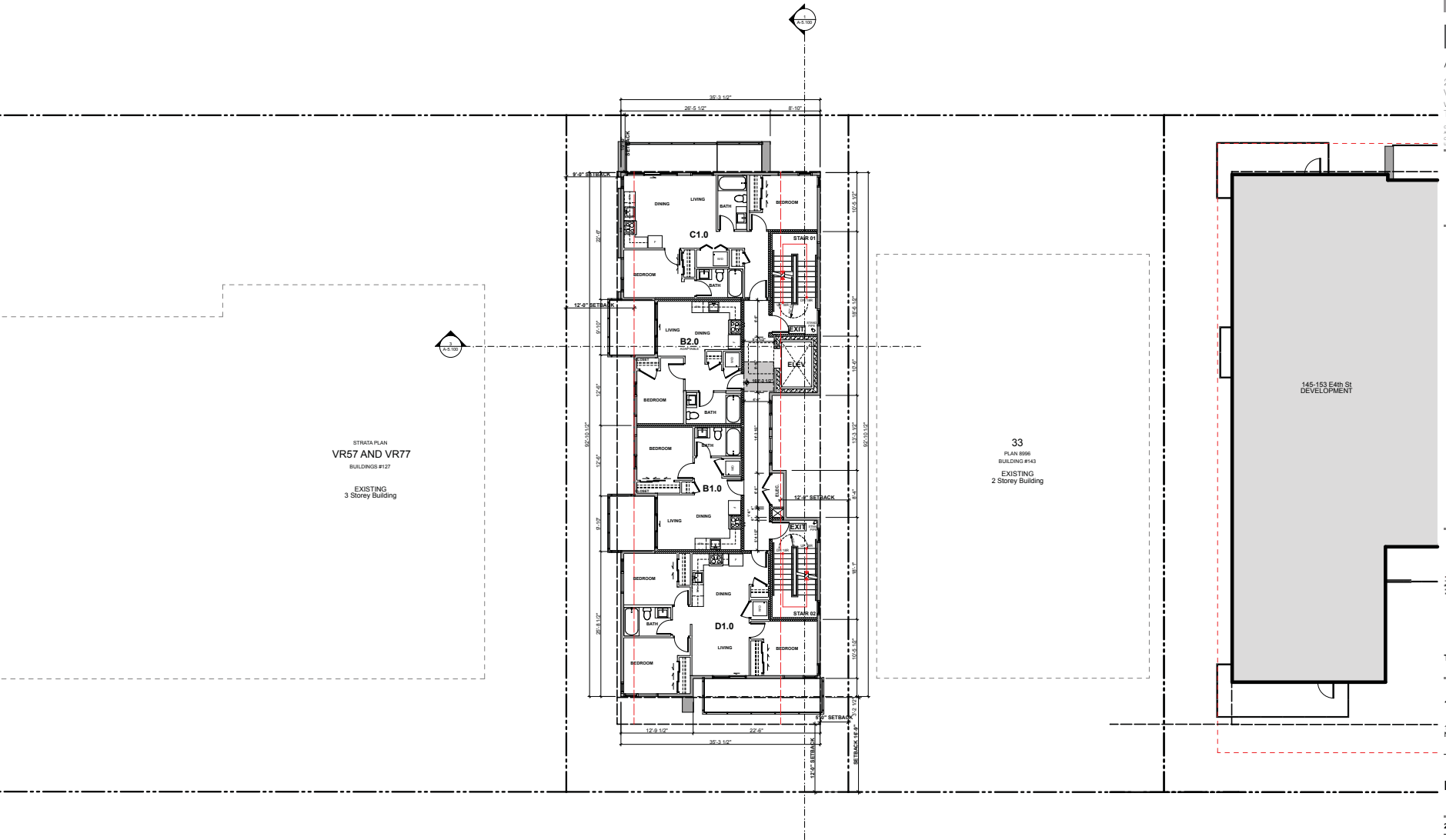
[DATE]

**ISSUE 05 - DP RESUBMISSION**

[REVISION]

[DRAWING]

**A-2.300**



**1 Level 3 Floor Plan**  
SCALE: 1/8" = 1'-0"  
0 4 8 16



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**Three Shores**

[PROJECT]

**133 East 4th**  
North Vancouver, British Columbia

[TITLE]

**Level 4 Floor Plan**

**20507**

[PROJECT]

[SCALE]

**Thursday, May 27, 2021**

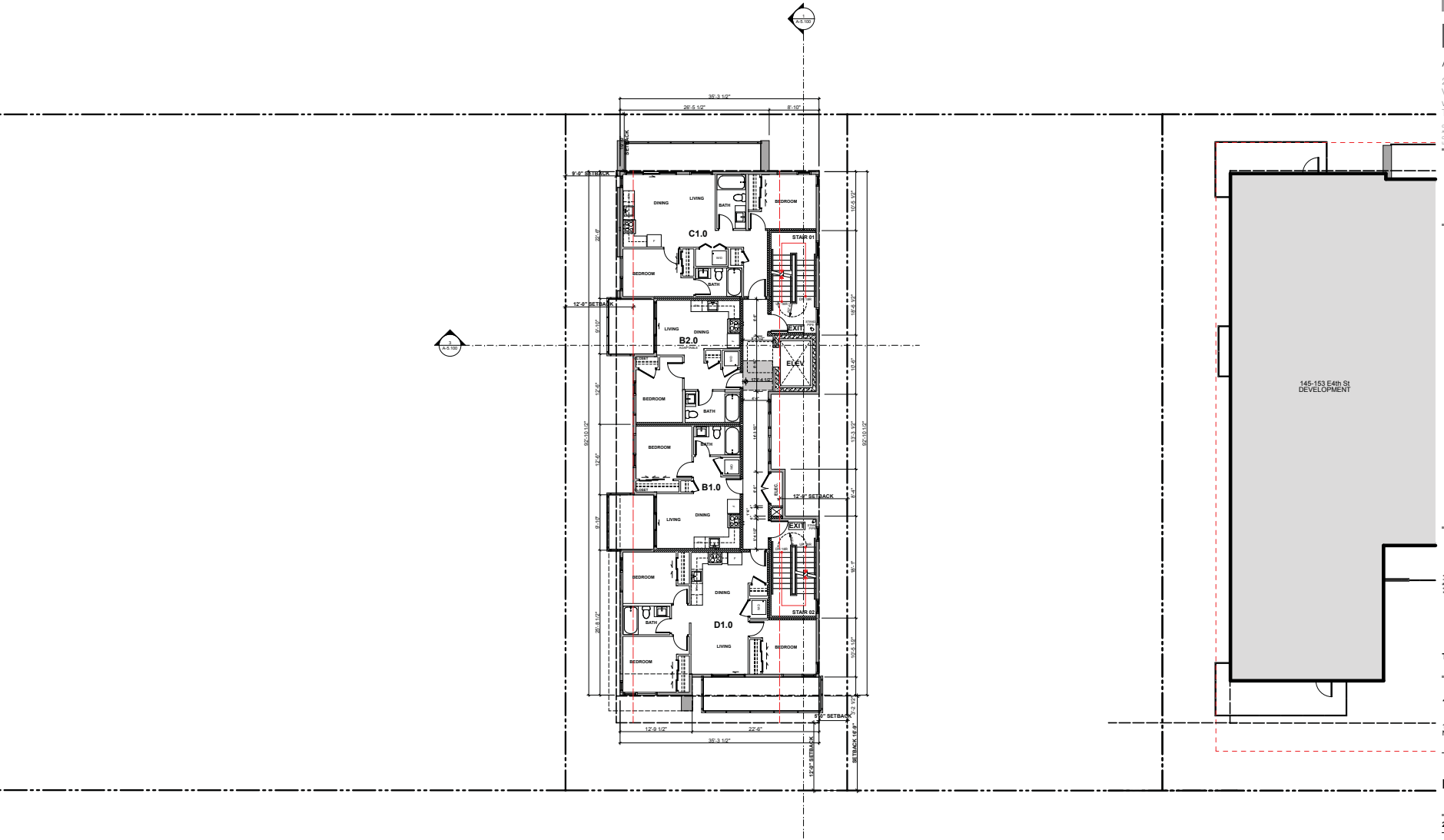
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**ISSUE 05 - DP RESUBMISSION**

[REVISION]

[DRAWING]

**A-2.400**





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[PROJECT TEAM]



**Three Shores**

[PROJECT]

**133 East 4th**

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Level 5 Floor Plan**

**20507**

[PROJECT]

[SCALE]

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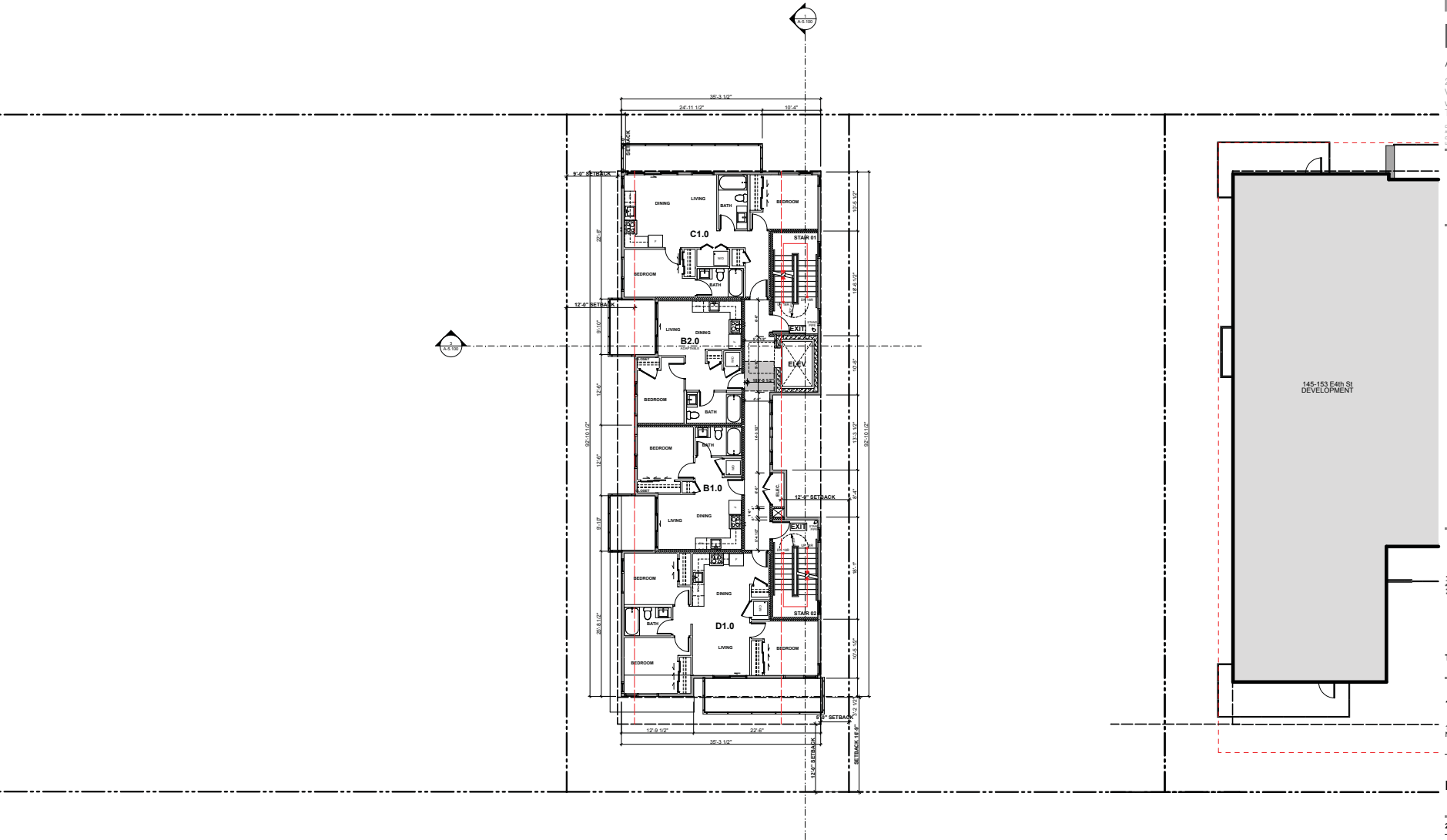
[DATE]

**ISSUE 05 - DP RESUBMISSION**

[REVISION]

[DRAWING]

**A-2.500**



**1 Level 5 Floor Plan**  
SCALE: 1/8" = 1'-0"  
0 4 8 16



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**Three Shores**

[PROJECT]

**133 East 4th**  
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North Vancouver, British Columbia

[TITLE]

**Level 6 Floor Plan**

**20907**

[PROJECT]

[SCALE]

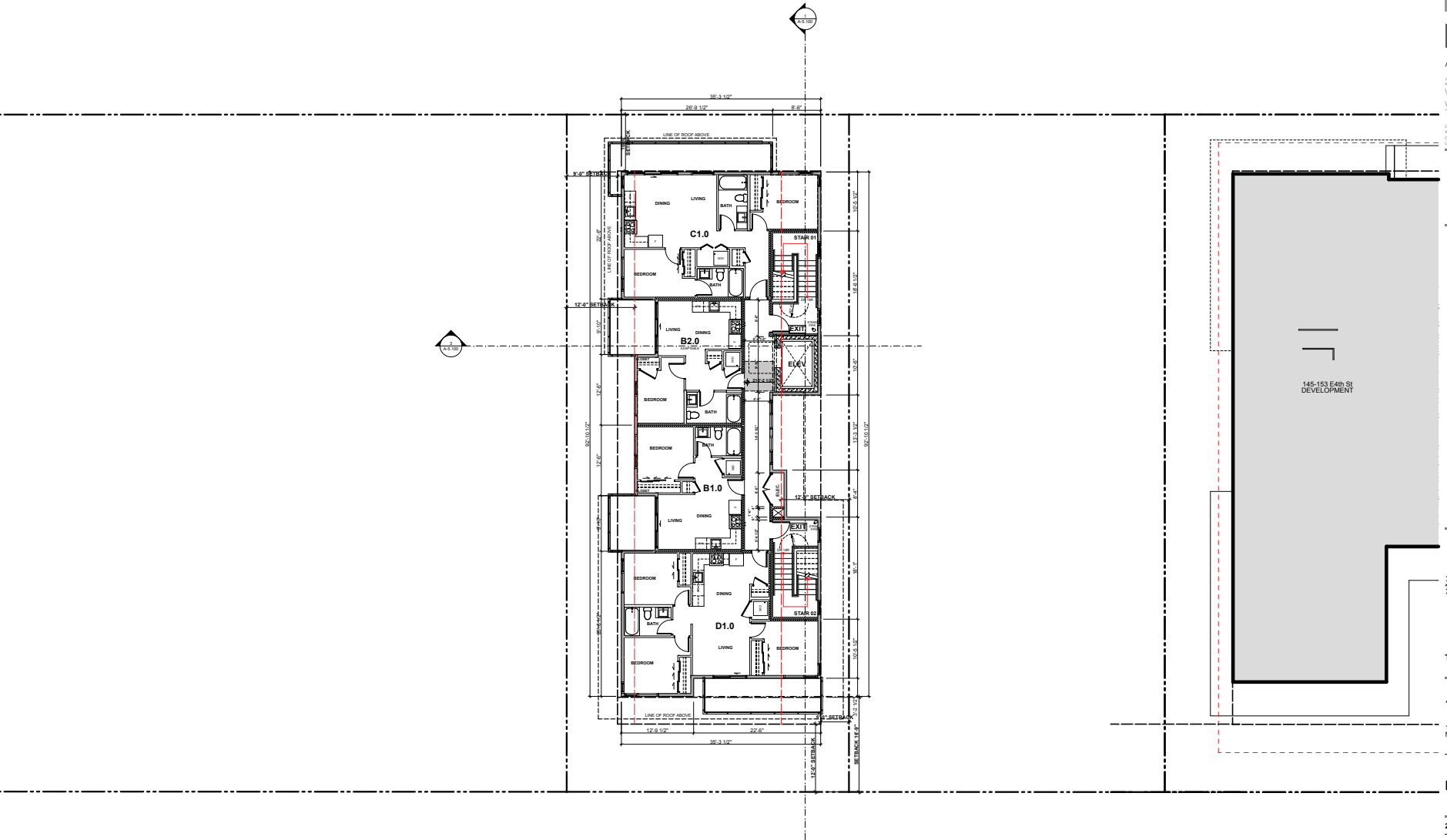
**Thursday, May 27, 2021**

[DATE]

**ISSUE 05 - DP RESUBMISSION**

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**A-2.600**



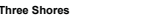
**1 Level 6 Floor Plan**  
SCALE: 1/8" = 1'-0"  
0' 4' 8'



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## PROJECT TEAM



[PROJECT]

**133 East 4th**

133 E 4th Street  
North Vancouver, British Columbia

**TITLE**

### Roof Plan

20507 [PROJECT]

SCALE:

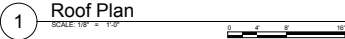
Thursday, May 27, 2021 [DATE]

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[DRAWING]

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## A-2.700



## Roof Plan

SCALE: 1/8" = 1'-0"





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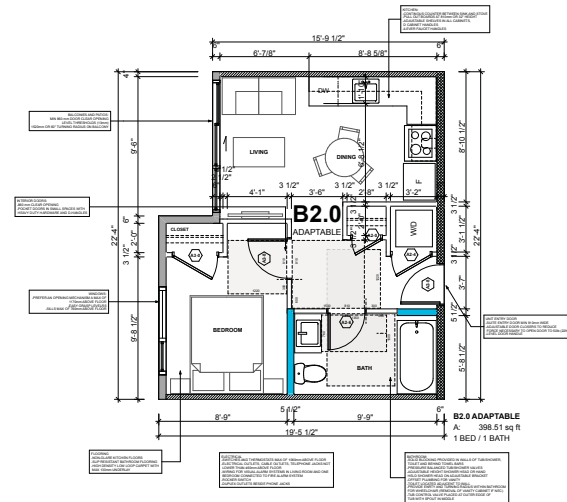
[PROJECT TEAM]

## SYMBOLS AND LEGENDS:

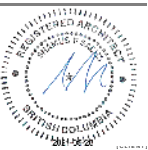
	WINDOW TYPE
	DOOR TYPE DOOR RATING (HRS)
	INDICATES WALL TYPE / WALL RATING (HR)
	CONCRETE WALL - 1, 1.5 OR 2 HOUR FIRE RESISTANCE RATING
	EXTERIOR WALL - 1 HOUR FIRE RESISTANCE RATING
	PARTY WALL - 1 HOUR FIRE RESISTANCE RATING
	CORRIDOR WALL - 1 HOUR FIRE RESISTANCE RATING
	INTERIOR LOAD BEARING 2 x 6 WALL
	INTERIOR LOAD-BEARING WALL - 1 HOUR FIRE RESISTANCE RATING
	INTERIOR SERVICE WALL - PLUMBING / HVAC 2x6 WALL
	SHAFT ENCLOSING WALL - WITH FIRE RESISTANCE RATING
	CONCRETE COLUMN
	INDICATES ELECTRICAL PANEL
	INDICATES MEDIA PANEL
	INDICATES MANIFOLD PLUMBING PANEL
	SUITE NO.
	STRATA LOT NO.
	UNIT TYPE
	APPROX. NET AREA
	INDICATES DROPPED CEILING

## NOTES:

- SEE 1/8" SCALE DWGS. FOR EXTENT OF EXTERIOR WALLS @ PARTY WALL LOCATIONS
- SEE 1/8" SCALE DWGS. FOR BALCONY RAILING CONFIGURATION
- PROVIDE 4 EVENLY DISTRIBUTED SHELVES IN EACH LINEN CLOSET
- MIRROR DIMENSIONS TO BE CONFIRMED ON SITE
- AT ALL KITCHEN, BATHROOM CABINET, & BATHTUB WALLS - STUD SPACING TO BE MINIMUM OF 16" o.c.
- PROVIDE A MIN. 12" CLEARANCE ON EACH SIDE OF RANGE TO KITCHEN CABINETS
- PROVIDE 37" (WIDTH) AND 70" (HEIGHT) CLEAR BETWEEN BASEBOARD & COUNTER TOP FOR FRIDGES - CONFIRM W/OWNER
- BATHROOM & LAUNDRY CEILINGS (EXCEPT BELOW ROOF) TO BE DROPPED TO ACCOMMODATE PLUMBING & VENTING ABOVE (MIN 2.1 m CEILING HEIGHT)
- KITCHEN, LIVING ROOM, BEDROOMS (WHERE INDICATED) TO BE DROPPED TO 8'-0" HEIGHT TO ACCOMMODATE PLUMBING & VENTING ABOVE. MIN HEIGHT 2.44m
- SEE INTERIOR DESIGN DRAWINGS FOR ALL INTERIOR DETAILS, TILE PATTERNS, CABINETS, PASS THROUGH, STAIRS, FIREPLACES - ADVISE OWNER OF ANY DISCREPANCIES BETWEEN SCOPES OF WORK, DRAWINGS AND/OR INTERIOR DESIGN SPECIFICATIONS
- ALL VENTILATION DUCTS THAT PASS THROUGH UNHEATED ATTIC SPACES ARE TO BE INSULATED - SEE MECH DWGS
- PROVIDE MIN 32" CLEAR FINISH DIMENSION INSIDE ALL LAUNDRY CLOSETS
- PROVIDE SEPARATE PRICE FOR OPTIONAL DOOR OVERHEIGHT DOOR AT LAUNDRY CLOSET
- FINISHED BULKHEAD WIDTH ABOVE KITCHEN CABINETS IS NOT TO EXCEED 11" & IS NOT TO EXTEND PAST FACE OF KITCHEN CABINETS
- EACH KITCHEN TO HAVE A MIN OF ONE BANK OF DRAWERS
- LOCATE WASHER DRYER BOX ALONG SIDE WALL ADJACENT TO FRONT OF WASHER DRYER.
- PROVIDE WIRING FOR AN AUTOMATIC DOOR OPENER FOR DOORS WHERE INDICATED.



Unit B2 (ADAPTABLE)  
SCALE 1/4" = 1'-0"



## Three Shores

[PROJECT]

## 133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

## UNIT PLANS ADAPTABLE

[PROJECT]

20507

[SCALE]

Thursday, May 27, 2021

[DATE]

ISSUE 05 - DP RESUBMISSION

[DRAWING]

A-3.002



1.1 JAMES HARDIE COLORPLUS COLLECTION  
HardiePanel - smooth texture  
Colour: BM - COAT OF ARMS 763



3.1 EXTERIOR TRIMS  
Colour: BM - ONYX 2133-10



1.2 JAMES HARDIE COLORPLUS COLLECTION  
HardiePanel - smooth texture  
Colour: ARCTIC WHITE



1.3 JAMES HARDIE COLLECTION  
HardiePlank Lap Siding  
Select Cedarmill texture  
Colour: ARCTIC WHITE



1.4 JAMES HARDIE COLLECTION  
HardiePlank Lap Siding  
Select Cedarmill texture  
Colour: IRON GREY



1.5 WOODTONE  
Horizontal 6" Fibre Cement  
Cladding  
Colour: OLD CHERRY -  
RUSTIC SERIES

Material and Colour Legend				
Colour	Manufacturer	Product (to match)	Finish (to match)	Location
CLADDING				
1.1	Teal	HardiePanel With Colour Match Trim	Benjamin Moore - <b>Coat of Arms 763</b>	Selected Exterior Walls
1.2	White	HardiePanel With Colour Match Trim	James Hardie - <b>Arctic White</b>	Selected Exterior Walls
1.3	White	HardiPlank Lap Siding - Select Cedarmill Texture, 7" Exposure	James Hardie - <b>Arctic White</b>	Exterior Walls
1.4	Dark Gray	HardiPlank Lap Siding - Select Cedarmill Texture, 7" exposure	James Hardie - <b>Iron Gray</b>	Exterior Walls
1.5	Stained Cedar	Woodtone - Rustic Series, 6" Fibre Cement Cladding	Woodtone - <b>Old Cherry</b>	Exterior Walls / Soffits
SOFFIT				
2.1	Stained Cedar	Woodtone - Rustic Series, 6" Fibre Cement Cladding	Woodtone - <b>Old Cherry</b>	Roof / Balcony Soffits
2.2	White		Benjamin Moore - <b>Mirage White 2116-70</b>	Roof / Balcony Soffits
TRIMS				
3.1	Black		Benjamin Moore - <b>Onyx 2133-10</b>	Hardie trims - Beam, Column, balcony edge
3.2	White		Benjamin Moore - <b>Mirage White 2116-70</b>	Hardie trims - Beam, Column, balcony edge
ROOFS				
4.1	Grey	TBC	TBC	SBS Membrane at flat roofs
WINDOWS				
5.1	Black	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black	Residential Windows
5.2	White	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White	Residential Windows
DOORS				
6.1	Black	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black	Residential Doors
6.2	White	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White	Residential Doors
6.3	White	Aluminum Door c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White	Entry Doors
6.4	Black	Aluminum Door c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black	Entry Doors
RAILINGS				
7.1	Black	Pre-Finished Aluminum Frame + Clear Safety Glass	Clear / Charcoal	Railings @ Entry Stairs, Balconies, Roof Decks
7.2	White	Pre-Finished Aluminum Frame + Clear Safety Glass	Clear / Charcoal	Railings @ Entry Stairs, Balconies, Roof Decks
STRUCTURE				
8.1	Light Grey	Architectural Exposed Concrete	Concrete	Cast-in-place and Landscape Retaining Walls
METALS				
9.1	Charcoal	Pre-Finished Metal Flashing	Black - Satin	Flashing @ Roofs/Opening, Downspouts, Gutters
9.2	White	Pre-Finished Metal Flashing	White - Satin	Flashing @ Roofs/Opening, Downspouts, Gutters



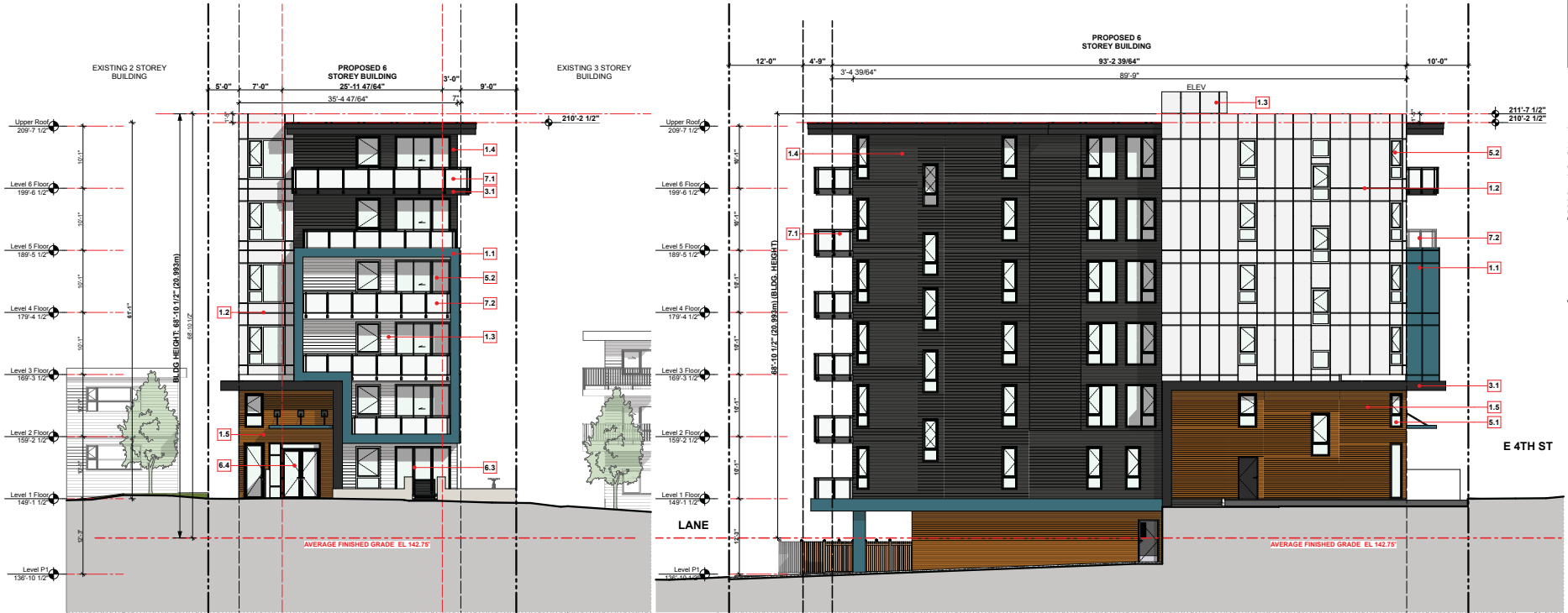




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[PROJECT TEAM]

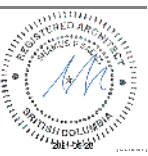


2 East 4th St. - NE Elevation  
SCALE: 1/8" = 1'-0"  
0 4' 8' 16'

1 SE Elevation  
SCALE: 1/8" = 1'-0"  
0 4' 8' 16'

Material and Colour Legend				
Color	Manufacturer	Product (to match)	Finish (to match)	Location
CLADDING				
1.0				
1.1	Teal	HardiPanel With Colour Match Trim	Benjamin Moore - <b>Coat of Arms 763</b>	Selected Exterior Walls
1.2	White	HardiPanel With Colour Match Trim	James Hardie - <b>Arctic White</b>	Selected Exterior Walls
1.3	White	HardiPlank Lap Siding - Select Codemill Texture, 7" Exposure	James Hardie - <b>Arctic White</b>	Exterior Walls
1.4	Dark Gray	HardiPlank Lap Siding - Select Codemill Texture, 7" Exposure	James Hardie - <b>Iron Gray</b>	Exterior Walls
1.5	Stained Cedar	Woodbone - Rustic Series, 6" Fibre Cement Cladding	Woodbone - <b>Old Cherry</b>	Exterior Walls / Soffit
SOFFIT				
2.0				
2.1	Stained Cedar	Woodbone - Rustic Series, 6" Fibre Cement Cladding	Woodbone - <b>Old Cherry</b>	Roof / Balcony Soffits
2.2	White		Benjamin Moore - <b>Mirage White 2116-70</b>	Roof / Balcony Soffits
TRIMS				
3.0				
3.1	Black		Benjamin Moore - <b>Onyx 2133-10</b>	Hardie trim - Beam, Column, balcony edge
3.2	White		Benjamin Moore - <b>Mirage White 2116-70</b>	Hardie trim - Beam, Column, balcony edge
ROOFS				
4.0				
4.1	Gray	TBC	TBC	SES Membrane at flat roofs

5.0	5.1   Black 5.2   White	Vinyl Windows and Doors c/w matching Flashing and Trim Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black Tiger Drylac Powder Coat Paint - White	Residential Windows Residential Windows
DOORS				
6.0	6.1   Black 6.2   White 6.3   White 6.4   Black	Vinyl Windows and Doors c/w matching Flashing and Trim Vinyl Windows and Doors c/w matching Flashing and Trim Aluminum Door c/w matching Flashing and Trim Aluminum Door c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black Tiger Drylac Powder Coat Paint - White Tiger Drylac Powder Coat Paint - White Tiger Drylac Powder Coat Paint - Black	Residential Doors Residential Doors Entry Doors Entry Doors
RAILINGS				
7.0	7.1   Black 7.2   White	Pre-Finished Aluminum Frame + Clear Safety Glass Pre-Finished Aluminum Frame + Clear Safety Glass	Clear / Charcoal Clear / Charcoal	Railings @ Entry Stairs, Balconies, Roof Decks Railings @ Entry Stairs, Balconies, Roof Decks
STRUCTURE				
8.0	8.1   Light Gray	Architectural Exposed Concrete	Concrete	Cast in place and Landscape Retaining Walls
METALS				
9.0	9.1   Charcoal 9.2   White	Pre-Finished Metal Flashing Pre-Finished Metal Flashing	Black - Satin White - Satin	Flashing @ Roofs/Opening, Downspouts, Gutters Flashing @ Roofs/Opening, Downspouts, Gutters



Three Shores  
[PROJECT]

133 East 4th  
North Vancouver, British Columbia

[TITLE]

**Building Elevations**

20507  
[SCALE]

Thursday, May 27, 2021  
[DATE]

ISSUE 05 - DP RESUBMISSION  
[REVISION]

[DRAWING]

**A-4.100**



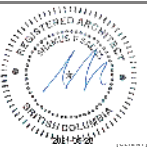
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(PROJECT TEAM)



Three Shores

(PROJECT)

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

(TITLE)

## Building Elevations

(PROJECT)

20507

(SCALE)

Thursday, May 27, 2021

(DATE)

ISSUE 05 - DP RESUBMISSION

(DRAWING)

A-4.200



2 Lane - SW Elevation

SCALE: 1/8" = 1'-0"



1 NW Elevation

SCALE: 1/8" = 1'-0"



Material and Colour Legend				
Color	Manufacturer	Product (to match)	Finish (to match)	Location
CLADDING				
1.1 Teal	HardiPanel With Colour Match Trim	Benjamin Moore - <b>Coat of Arms 763</b>		Selected Exterior Walls
1.2 White	HardiPanel With Colour Match Trim	James Hardie - <b>Arctic White</b>		Selected Exterior Walls
1.3 White	HardiPlank Lap Siding - Select Cadamill Texture, 7" Exposure	James Hardie - <b>Arctic White</b>		Exterior Walls
1.4 Dark Gray	HardiPlank Lap Siding - Select Cadamill Texture, 7" Exposure	James Hardie - <b>Iron Gray</b>		Exterior Walls
1.5 Stained Cedar	Woodstone - Rustic Series, 6" Fibre Cement Cladding	Woodstone - <b>Old Cherry</b>		Exterior Walls / Softs
SOFFIT				
2.1 Stained Cedar	Woodstone - Rustic Series, 6" Fibre Cement Cladding	Woodstone - <b>Old Cherry</b>		Roof / Balcony Softs
2.2 White	Benjamin Moore - <b>Mirage White 2116-70</b>			Roof / Balcony Softs
TRIMS				
3.1 Black	Benjamin Moore - <b>Onyx 2133-10</b>			Hardie trims - Beam, Column, balcony edge
3.2 White	Benjamin Moore - <b>Mirage White 2116-70</b>			Hardie trims - Beam, Column, balcony edge
ROOFS				
4.1 Gray	TBC	TBC		SES Membrane at flat roofs

WINDOWS				
5.1 Black	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black		Residential Windows
5.2 White	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White		Residential Windows
DOORS				
6.1 Black	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black		Residential Doors
6.2 White	Vinyl Windows and Doors c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White		Residential Doors
6.3 White	Aluminum Door c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - White		Entry Doors
6.4 Black	Aluminum Door c/w matching Flashing and Trim	Tiger Drylac Powder Coat Paint - Black		Entry Doors
RAILINGS				
7.1 Black	Pre-Finished Aluminum Frame + Clear Safety Glass	Clear / Charcoal		Railings @ Entry Stairs, Balconies, Roof Decks
7.2 White	Pre-Finished Aluminum Frame + Clear Safety Glass	Clear / Charcoal		Railings @ Entry Stairs, Balconies, Roof Decks
STRUCTURE				
8.1 Light Gray	Architectural Exposed Concrete	Concrete		Cast in place and Landscape Retaining Walls
METALS				
9.1 Charcoal	Pre-Finished Metal Flashing	Black - Satin		Flashing @ Roofs/Opening, Downspouts, Gutters
9.2 White	Pre-Finished Metal Flashing	White - Satin		Flashing @ Roofs/Opening, Downspouts, Gutters



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## Three Shores

(PROJECT)

133 East 4th  
133 E 4th Street  
North Vancouver, British Columbia

(TITLE)

## Site Sections

20507 (PROJECT)

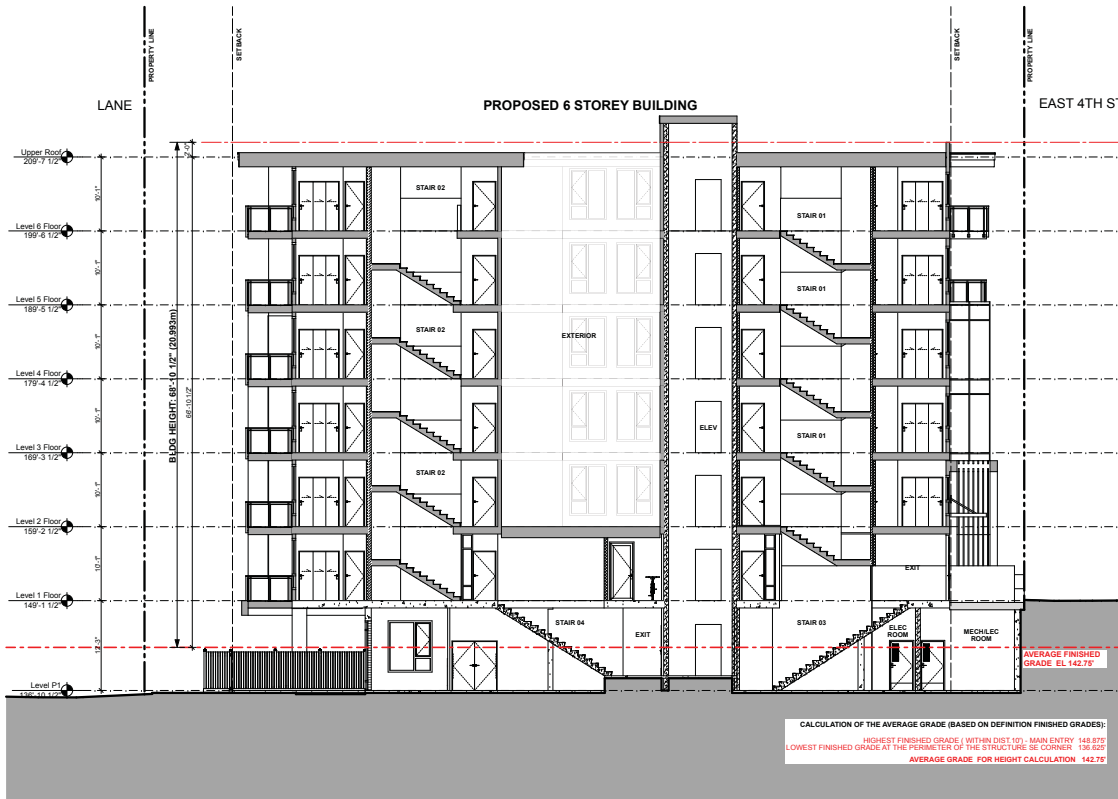
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Thursday, May 27, 2021 (DATE)

ISSUE 05 - DP RESUBMISSION (REVISION)

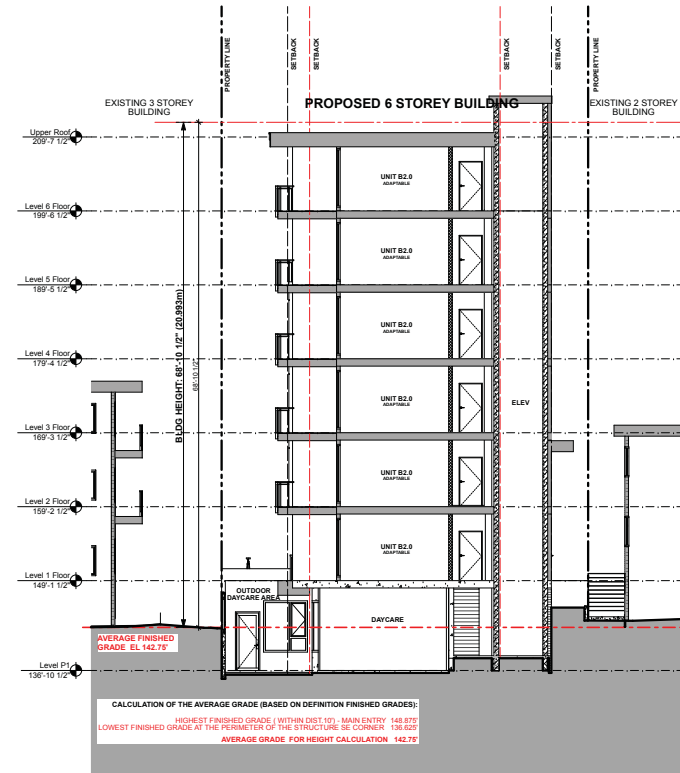
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A-5.100



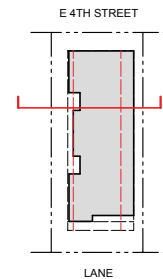
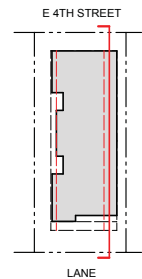
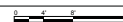
1 N/S Site Section

SCALE: 1/8" = 1'-0"

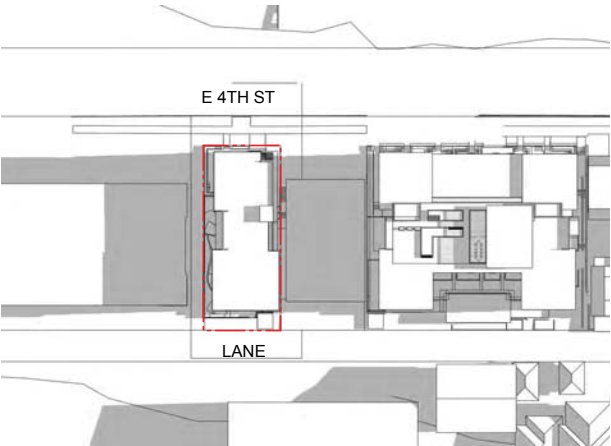


3 E/W Site Section

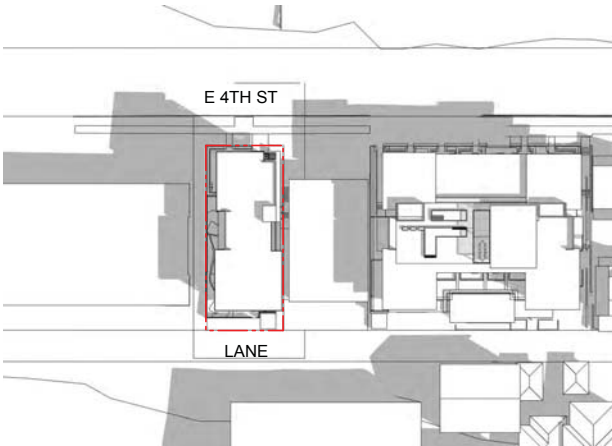
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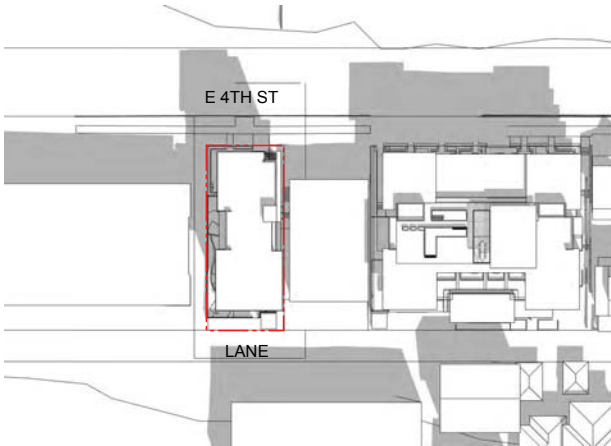
SPRING EQUINOX  
MARCH 21



10 AM

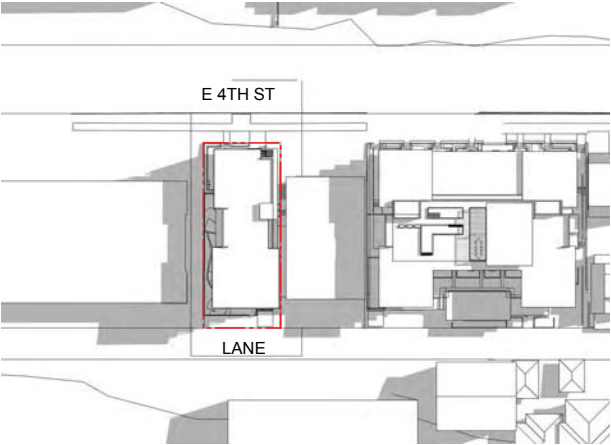


12 PM

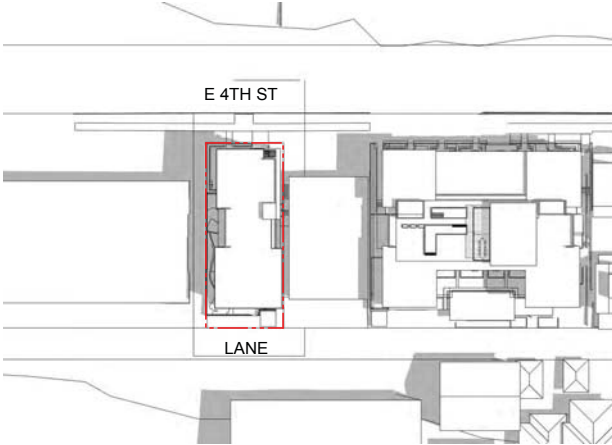


2 PM

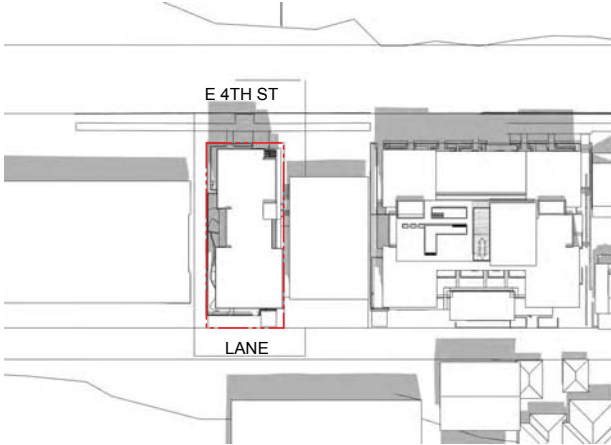
SUMMER SOLSTICE  
JUNE 21



10 AM



12 PM



2 PM

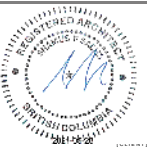


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[PROJECT TEAM]



**Three Shores**

[PROJECT]

**133 East 4th**  
North Vancouver, British Columbia

[TITLE]

**Shadow Study**

[PROJECT]

**20507**

**1:97.04**

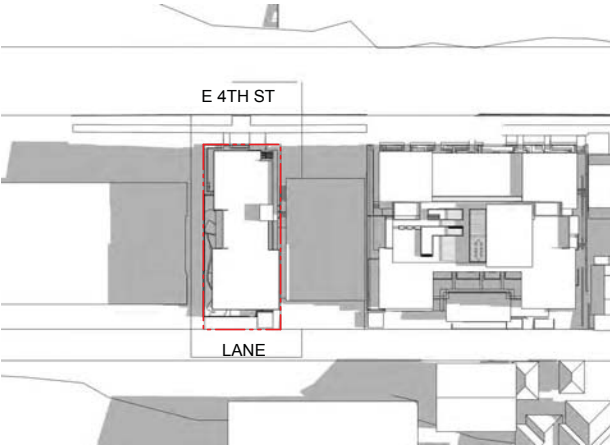
**Thursday, May 27, 2021**

**ISSUE 05 - DP RESUBMISSION**

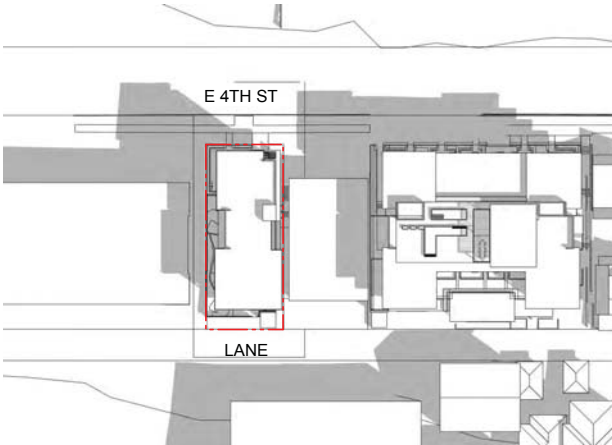
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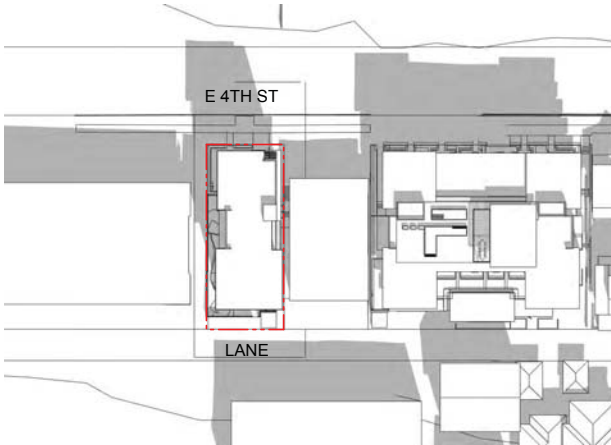
FALL EQUINOX  
SEPTEMBER 23



10 AM

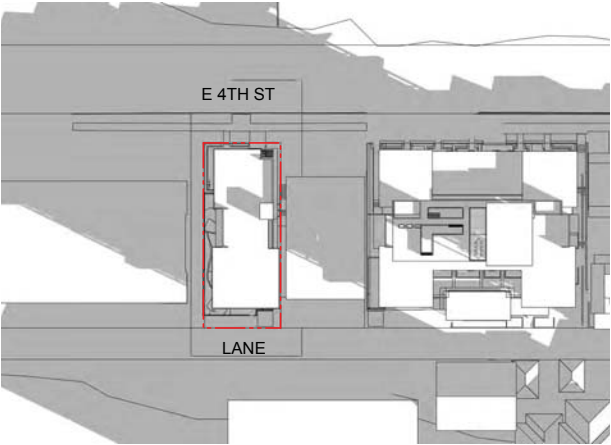


12 PM



2 PM

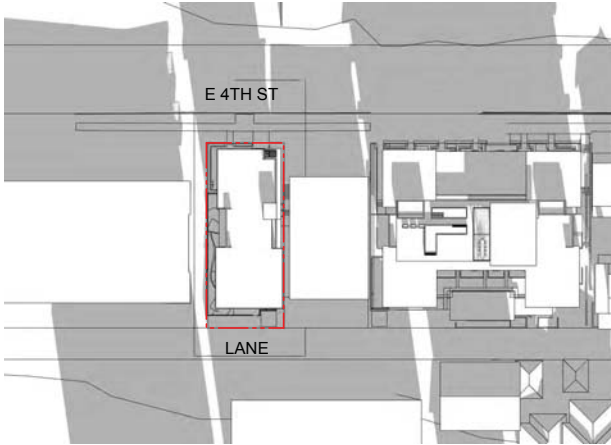
WINTER SOLSTICE  
DECEMBER 21



10 AM



12 PM



2 PM

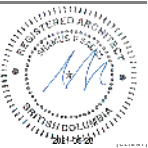


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**Three Shores**

[PROJECT]

**133 East 4th**  
133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Shadow Study**

[PROJECT]

**20507**

[SCALE]

**1:97.04**

[DATE]

**Thursday, May 27, 2021**

[DRAWING]

**ISSUE 05 - DP RESUBMISSION**

**A-8.200**

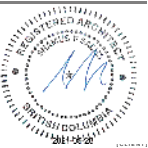


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**Three Shores**

[PROJECT]

**133 East 4th**  
133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**P1 FSR Overlays**

[PROJECT]

**20907**

[SCALE]

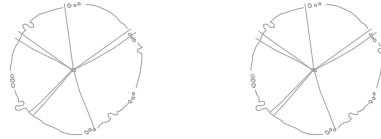
**Thursday, May 27, 2021**

[DATE]

**ISSUE 05 - DP RESUBMISSION**

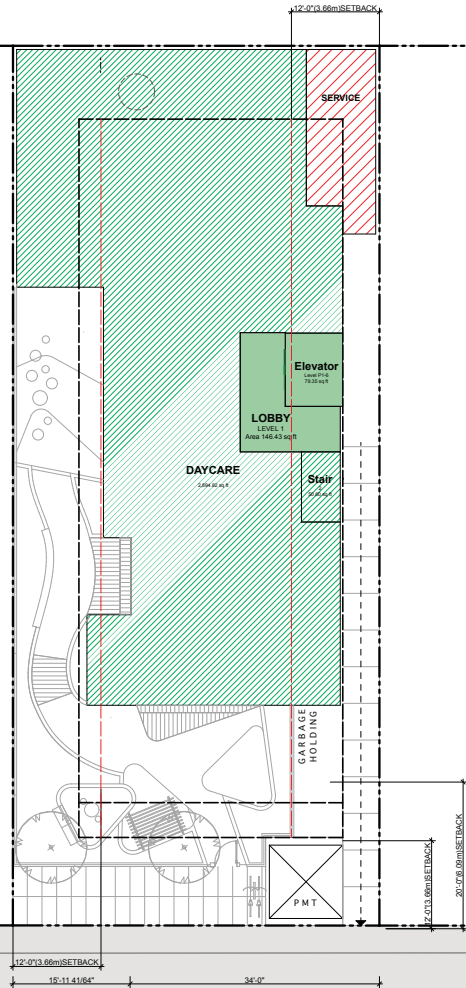
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**A-9.210**



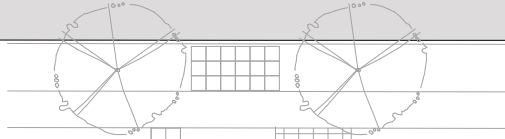
- AREAS INCLUDED IN THE FSR CALCULATION**
- AREA - GROSS FLOOR AREA FOR FSR
  - AREA - UNIT
  - AREA - ACTIVE DESIGN - ACCESS TO OUTDOOR AMENITY (AREA EXCLUSION FROM FSR MAX 5%)

- AREAS NOT INCLUDED IN THE FSR CALCULATION**
- AREA - OPEN BALCONY AND UNIT DECK AREA
  - AREA - COMMON STORAGE / BICYCLE LOCKERS PARKING
  - AREA - SERVICE ROOMS (VIG PARKING, GARBAGE)



Level P1 - FSR Overlay  
SCALE: 1/8" = 1'-0"  
0 5 10

EAST 4TH ST



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[PROJECT TEAM]

**AREAS INCLUDED IN THE FSR CALCULATION**

- AREA - GROSS FLOOR AREA FOR FSR
- AREA - UNIT
- EXCLUSIONS  
STAIR AREA - ACTIVE REGION  
(AREA EXCLUSION FROM FSR) MAX 8%

**AREAS NOT INCLUDED IN THE FSR CALCULATION**

- AREA - OPEN BALCONY  
AND UNIT DECK AREA
- AREA - COMMON STORAGE/  
BICYCLE LOCKERS PARKING
- AREA - SERVICE ROOMS  
UGD PARKING, GARBAGE

**PROPOSED 6 STOREY  
RENTAL DEVELOPMENT**

TOTAL  
3,000 SQM

RESIDENTIAL  
1,000 SQM

Indoor Amenity  
1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

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1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

1,000 SQM

LANE

Level 1 - FSR Overlay  
SCALE: 1/8" = 1'-0"

**Three Shores**

**133 East 4th**

133 E 4th Street  
North Vancouver, British Columbia

**Level 1 FSR  
Overlays**

20507

Thursday, May 27, 2021

ISSUE 05 - DP RESUBMISSION

**A-9.220**









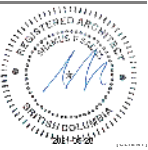
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Three Shores

[PROJECT]

133 East 4th

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

## Level 4 FSR Overlays

20507

[PROJECT]

[SCALE]

Thursday, May 27, 2021

[DATE]


ISSUE 05 - DP RESUBMISSION


[REVISION]

[DRAWING]


A-9.250

**AREAS INCLUDED IN THE FSR CALCULATION**

 AREA - GROSS FLOOR AREA FOR FSR

 AREA - UNIT

**EXCLUSIONS**

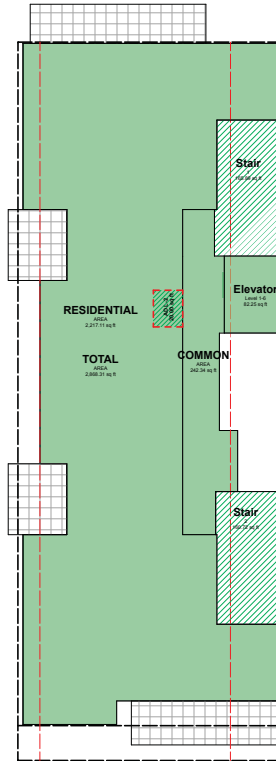
 STAIR AREA - ACTIVE REGION  
(AREA EXCLUSION FROM FSR) MAX 8%

**AREAS NOT INCLUDED IN THE FSR CALCULATION**

 AREA - OPEN BALCONY  
AND UNIT DECK AREA

 AREA - COMMON STORAGE /  
BICYCLE LOCKERS PARKING

 AREA - SERVICE ROOMS  
UGO PARKING, GARBAGE



Level 4 - FSR Overlay

SCALE: 1/8" = 1'-0"

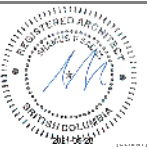


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[PROJECT TEAM]



**Three Shores**

[PROJECT]

**133 East 4th**  
133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Level 5 FSR  
Overlays**

**20507**

[PROJECT]

[SCALE]

**Thursday, May 27, 2021**

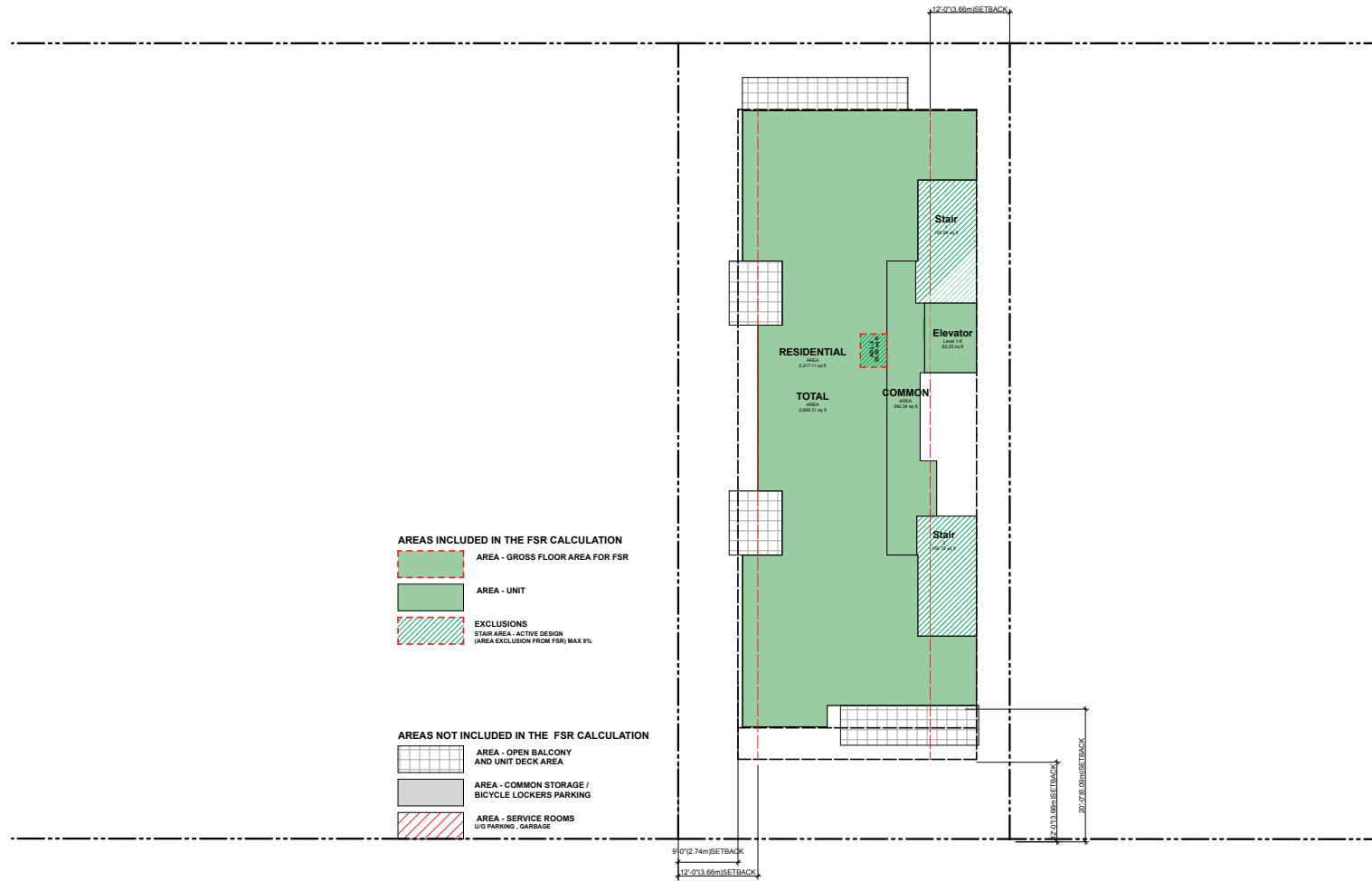
[DATE]

**ISSUE 05 - DP RESUBMISSION**

[REVISION]

[DRAWING]

**A-9.260**



Level 5 - FSR Overlay  
SCALE: 1/8" = 1'-0"  
0 4 8 16



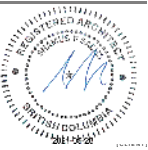
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[PROJECT TEAM]



**Three Shores**

[PROJECT]

**133 East 4th**

133 E 4th Street  
North Vancouver, British Columbia

[TITLE]

**Level 6 FSR  
Overlays**

[PROJECT]

**20507**

[SCALE]

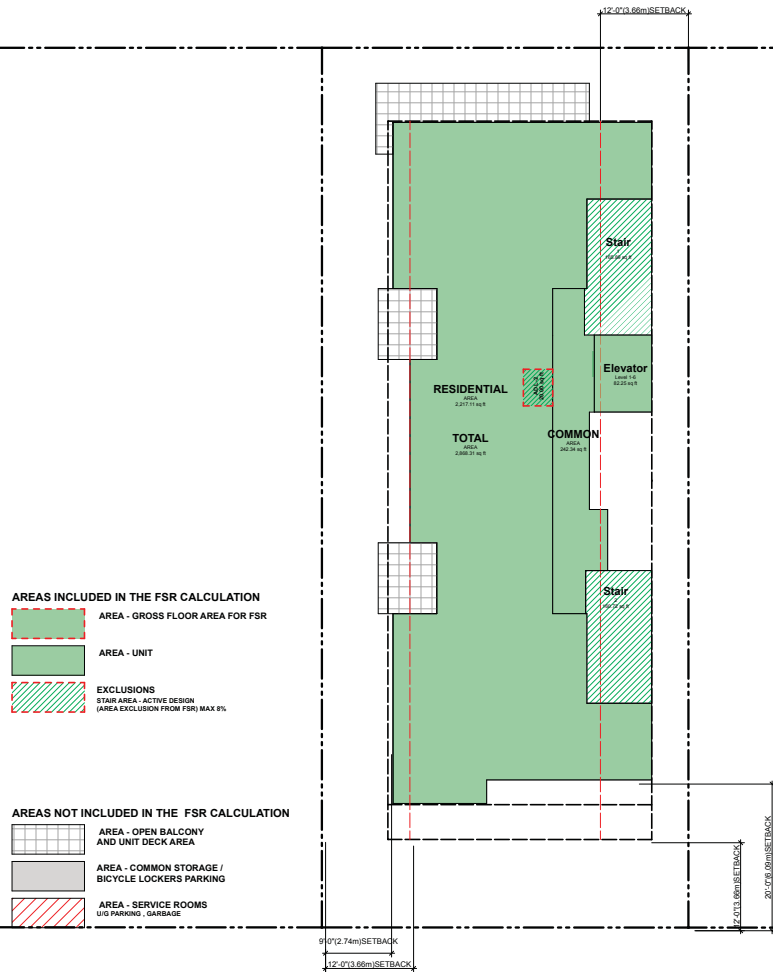
**Thursday, May 27, 2021**

[DATE]

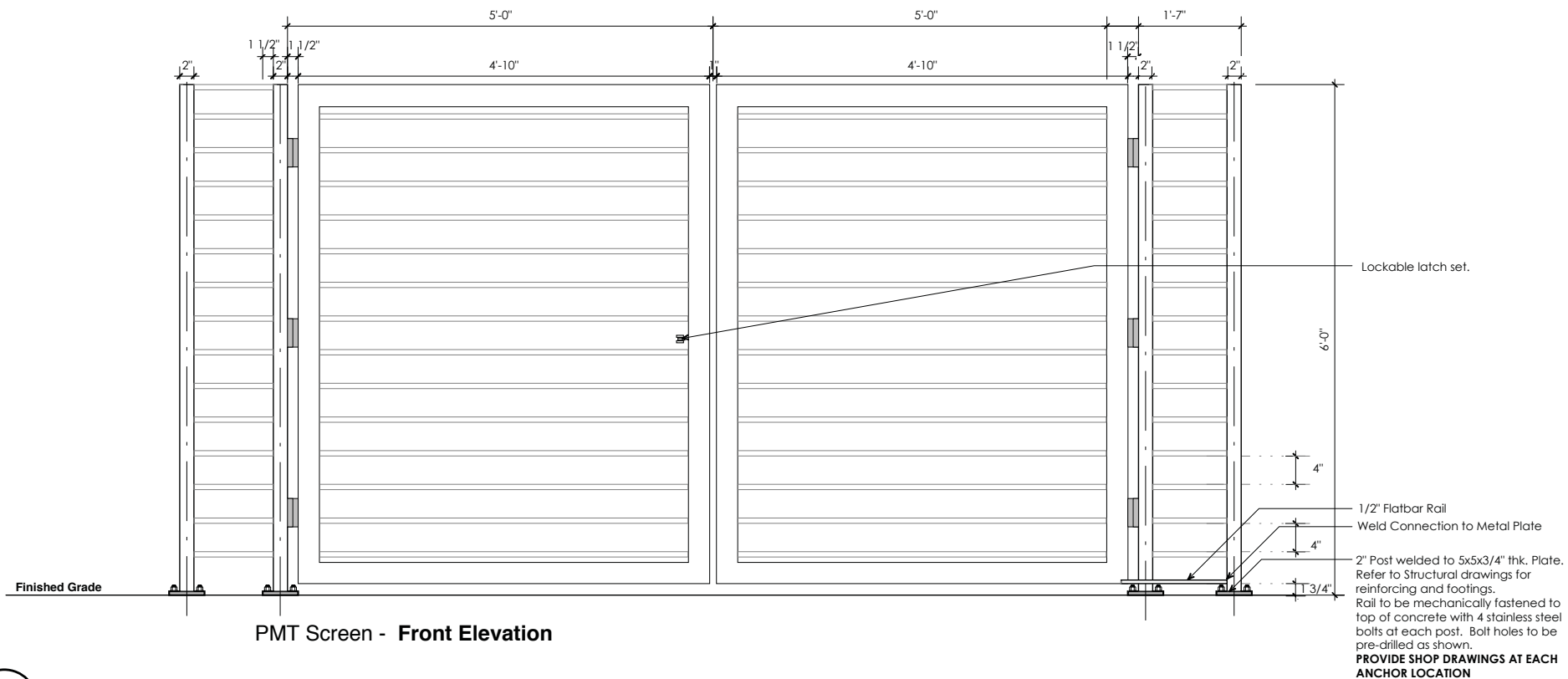
**ISSUE 05 - DP RESUBMISSION**

[DRAWING]

**A-9.270**







PMT Screen - Front Elevation

Ld-01

L-1.1

PMT Screen - Ground Level

Scale 1" = 1'-0"





## DEVELOPERS INFORMATION MEETING – SUMMARY REPORT

**To:** David Johnson, City of North Vancouver

**From:** Barry Savage, Three Shores Development

**Re:** 133 East 4<sup>th</sup> Street – Virtual Developer’s Information Session

**Date:** November 20, 2020

**Event Date:** Thursday, November 19, 2020  
**Time:** 6:00 PM – 8:00 PM  
**Location:** Virtual Meeting (GoTo Meeting)  
**Attendees:** Fifteen (15) people

### Notification

#### Information Flyer

The Early Application Information Flyer was delivered to approximately 211 residents within a 40 meter radius of the site as per CNV requirements. See Appendix A for a copy of the information flyer and Appendix B for the address labels used for Canada Post delivery.

#### Site Signs

A site sign was erected on November 6, 2020 on E4th Street. See Appendix C.

#### Newspaper Advertisement

Advertisements were placed in the North Shore News, on November 4, 2020 and November 11, 2020. See Appendix D.

### Event Details

#### Attendees

Eighteen (18) members of the public registered for the Virtual Developers Information Meeting and Fifteen (15) members of the public attended the meeting. See Appendix E.

#### Comment Sheets

Six (6) of the comment sheets were completed and submitted to the applicant. Two (2) emails were also received.

In addition, the following project team members and City of North Vancouver staff were in attendance.

#### **City of North Vancouver**

David Johnson

#### **Project Team**

Barry Savage, Three Shores Development

Mehdi Shokri, Three Shores Development

Stephen Vincent, DKL Landscape Architects

Mladen Pecanac, IBI (Traffic Consultant)

### **OVERVIEW**

An early input Developers Information Session provides an opportunity for participants to hear about the proposed development and to ask questions and provide comments. Since this was a Virtual Developers Information Session, the applicant and architect did a 30 minute slide show presentation at the beginning of the meeting to go through the project and to provide some context and rationale for the development. The members of the public were asked to provide their questions through the online platform chat function so that the questions could be answered at the end of the presentation. During the question and answer portion of the meeting, the person asking the question had their microphone turned on so that the applicant and consultant team could answer the question and provide an opportunity for discussion and clarification. A summary of the questions and responses is provided in Appendix F.

Eighteen (18) members of the public registered for the meeting and Fifteen (15) attended the meeting. Six (6) comment sheets and two (2) emails were received. The comment sheets included a series of questions. See Appendix G

QUESTION			
	<i>Yes</i>	<i>No</i>	<i>Not Sure</i>
Do you support the proposed project?	6	0	0
	RESPONSE THEMES		
What do you like most about the proposed project?	Need more rental supply Attractive design Childcare Facility Addresses the needs of employees on the North Shore.		

Do you have any concerns about the proposed project?	Impact on traffic during construction
What would you suggest to improve or enhance the proposed project?	<p>Add additional landscaping</p> <p>Small mural on E4th</p> <p>Parking solutions for the neighbourhood</p> <p>More density</p>
Please provide additional comments.	<p>Good use of space and a much needed daycare</p> <p>Architecture is a nice addition to the neighbourhood</p> <p>New rental allows young people and families to enjoy the community lifestyle.</p> <p>Common Rooftop deck would be good for the residents.</p> <p>Will help keep young talented employees on the North Shore.</p>

See Appendix H for copies of the Display Boards.

## APPENDIX A: INFORMATION FLYER



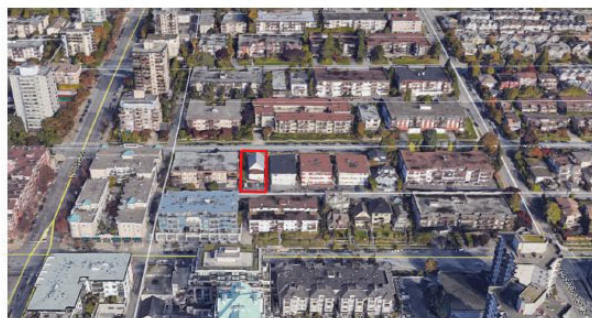
### VIRTUAL DEVELOPER'S INFORMATION SESSION

Early Public Input Opportunity  
Rezoning Application  
133 East 4th Street, North Vancouver

#### How to Participate:

Please register in advance at: [www.133east4th.com](http://www.133east4th.com) or contact the applicant.

**Date & Time:** Thursday November 19, 2020  
6:00 PM - 6:30 PM - Presentation  
6:30 PM - 8:00 PM - Q & A



Three Shores Development has submitted a rezoning application to the City of North Vancouver for 133 East 4th Street to support the development of a six-storey rental building with a ground floor childcare facility. Interested members of the public are invited to attend a Virtual Developer's Information Session with the applicant for an early opportunity to review the proposal, ask questions, and submit a comment form.

**Applicant Contact**  
Barry Savage  
Three Shores Development  
E: [bsavage@threeshoresdevelopment.com](mailto:bsavage@threeshoresdevelopment.com)  
T: 604-505-8818

**City of North Vancouver Contact**  
David Johnson  
Development Planner  
E: [djohnson@cnv.org](mailto:djohnson@cnv.org)  
T: 604-990-4219



# Public Hearing Presentation for 133 East 4<sup>th</sup> Street

Bylaw No. 8337 and 8338




Presented July 12, 2021  
Development Planning



## Introduction

- For Council's consideration, a proposed rezoning for a six storey residential building containing
  - 23 purpose built rental units.
  - Over one level of childcare space for up to 44 children.
- An existing church building is on the site.





2



## Location



Located on the south side of East 4<sup>th</sup> Street.  
 Lonsdale Avenue to the west and St. Georges Avenue to the east.  
 Close to public transit routes along both Lonsdale Avenue and East 3<sup>rd</sup> Street.  
 Same applicant has an application for 145-153 East 4<sup>th</sup> as well. (yellow outline)

## Neighbourhood context



## Land Use and Zoning

### OCP

- Residential Level 5
  - Base 1.60 FSR
  - Density Bonus 1.0 FSR
  - Six Storeys Maximum
  - No OCP amendment required.

### Zoning Bylaw

- RM-1
- Supports 1.60 FSR max.
- Height of 3 Storeys and 13.0 m (42.65 feet) in height
- Rezoning required to support the proposal.



## Proposal

- Six Storey, 23 unit rental apartment.
- Childcare facility for up to 44 children.
- Outdoor amenity room adjacent to secured bike parking on the main level.
- Zero on-site resident parking, one on-site childcare stall, two off-site childcare stalls.





## Rental Housing

### Proposed Unit Breakdown

Unit Type	Number of Units	Size
1-Bedroom	12	402 square feet
2-Bedroom	5	690 square feet
3-Bedroom	6	730 square feet

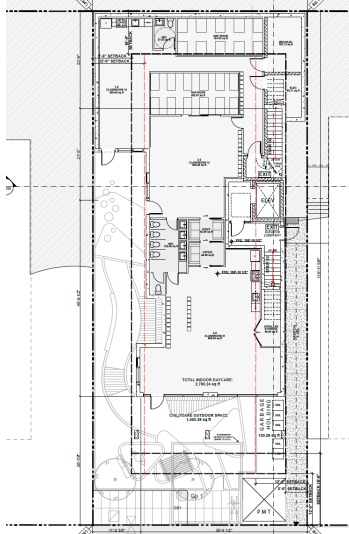
- Three of the 23 units to be secured as Mid-Market Rental in perpetuity.
- Six of the units proposed to meet Adaptability requirements.

## Proposed Childcare

- Childcare is a permitted secondary use in residential zones
- Facility has capacity potential of:
  - 3 infants
  - 6 toddlers
  - 35 preschool
  - 44 total
- Stair access from 4<sup>th</sup> Street, at-grade access from the lane.
- Outdoor space at the rear by the lane and on the western side of the building.

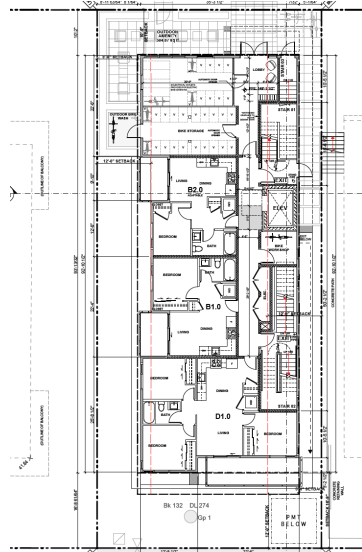


## Ground Floor/Basement



- Fully below grade along 4<sup>th</sup> Street;
- Fully above grade facing the lane;
- Bicycle storage in the basement portion;
- Proposed nap/quiet room in the middle of the building;
- Activity room and outdoor space facing south and fully above grade
- One pick-up/drop-off vehicle stall by the lane

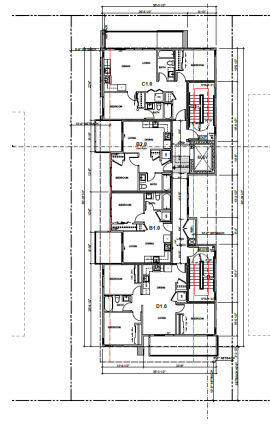
## Level 1



- Access to the main lobby is off of East 4<sup>th</sup> Street, with access to childcare directly adjacent.
- Outdoor amenity room adjacent to secured bike parking.
- Bike workshop and bike wash on-site.
- Wider westerly side yard setback to allow more sunlight and better separate with neighbor to the west;

## Upper Levels

- The upper levels follow a similar floor plan with immediate access given to the stairs from the lobby.
- The proposed building is shifted to the east to accommodate the required outdoor space for the childcare giving a larger setback along the west (9 feet) than the east (5 feet).



## Policy Analysis

- No OCP amendment required.
- Zoning amendment Bylaw required to include:
  - Support density increase to 2.60 FSR
  - Support a building height maximum of 18.64 metres (61.2 feet).
  - Allow proposed setbacks from the property lines.
  - Waive minimum residential parking requirements and allow off-site parking arrangement for childcare.

## Transportation Analysis

Subject site is located close to a walkable urban core with good access to multiple travel options.

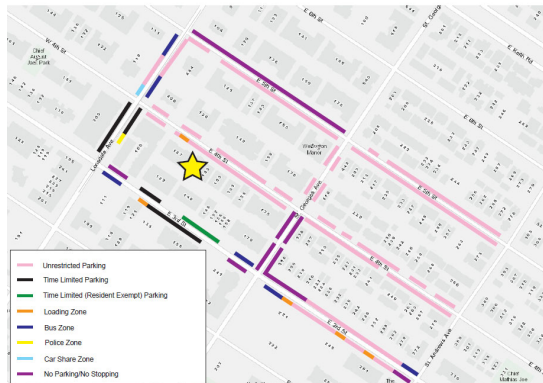
- 1 minute walk to Lonsdale Avenue Transit corridor
- 1 minute walk to a dedicated car-share kiosk at 4<sup>th</sup> Street and Lonsdale Avenue
- 3 minute walk to R2 RapidBus service.
- 5 minute walk to future Lime e-bike share parking haven at 4<sup>th</sup> Street and St. Andrews
- 10 minute walk to the Seabus Terminal at Lonsdale Quay
- Located 4<sup>th</sup> Street local bikeway

## Transportation Analysis

- Applicant is seeking variance to provide no off-street resident parking.
- OCP directs staff to consider reducing parking requirements in areas near rapid transit.
- Housing Action Plan seeks a pilot for zero resident parking in a rental project.

## Transportation Analysis

Curbside Restrictions near 133 East 4th St



On-street parking utilization in area varies throughout the day. Applicant transportation study found off-street parking utilization along corridor generally below capacity.

Given the location of the site being in a good urban area with lots of nearby amenities and access to walking, biking, car share, public transit and room for street parking would justify the proposed variance.

## Transportation Analysis

Applicant is proposing to deliver multiple to incentives to encourage no/low vehicle use:

- Monthly subsidies for two-zone transit passes for two years to encourage transit use.
- On-site bike repair room.

## Density Bonus

- 1.0 FSR density bonus supported through:
  - Supply of 100% rental apartment units; and
  - Minimum of 10% (3 units) be secured as mid-market units in perpetuity.
- Density Bonus and Public Benefits Policy recognizes that an all-rental building with an affordable component such as mid-market units is a public amenity and mentions waiving the financial amenity contribution.
- The proposed private childcare is not part of the Density Bonus.

## City Contributions

- In addition to the standard off-site requirements, the applicant has agreed to:
  - Contribute \$50,000 towards upgrading East 4<sup>th</sup> Street bicycle route to a AAA route; and
  - \$20,000 deposit for the applicant to conduct a one-year post-occupancy survey to measure the modes of transport by residents and all on-site childcare stakeholders.

## Advisory Design Panel

- The applicant appeared before the Panel on December 9, 2020.
- Staff worked with the applicant to satisfy the recommendations of the Panel.

## Integrated Transportation Committee

- The applicant appeared before the Committee on May 19<sup>th</sup>, 2020.
- The applicant responded to the recommendations of the Committee.
  - Increased the number of horizontal bike stalls to accommodate cargo bikes and trailers;
  - Applicant agreed to monitor and manage the childcare pick-up and drop-off zone at the back lane; and
  - Notify all potential tenants of the parking restrictions of the property.



## Community Consultation

- Applicant held their DIS on November 20, 2020 where 15 people attended.
- Comment forms were submitted were mixed and included items such as:
  - Concerns regarding the proposed building height, off-street parking and construction impact.
  - Support the variety of unit types, available mid-market units and daycare in the area.

## Conclusion

- The proposal is consistent with the OCP.
- The site is in an appropriate location for this proposal.
- Takes advantage of existing amenities, commercial areas and active transportation facilities.
- Meets the City's Strategic Plan (City for People) by:
  - Increasing the number of rental and mid-market units; and
  - Location is close to a main transportation corridor along both Lonsdale Avenue and East 3<sup>rd</sup> Street.



# WELCOME

To the Public Hearing Presentation for:  
133 East 4th Street, North Vancouver, BC



View from E4th looking South West at Front Entry



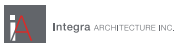
## PROJECT TEAM



Three Shores development is a integrated real estate development company that is based on the North Shore. We believe that our industry gives us an ability to create change. It allows us to think differently about the design of a building and how it will ultimately reshape a neighbourhood.

We're inspired by making neighbourhoods better - building them to be timeless, livable, and long-lasting so that communities can flourish. We design projects that are attainable for the people who want to live well.

Affordability becomes an essential element for a neighbourhood to



Integra Architecture Inc. is an award winning architecture firm formed in 1999 and is based in downtown Vancouver. With over 20 years of experience and a growing staff Integra fosters a collaborative approach to design, sharing our experiences to bring new ideas to each project. We believe that client-centered architecture, teamwork and long-term working relationships allow for our strong project outcomes and continuing client relationships. Our capable staff has extensive experience in all types of residential buildings, mixed-use projects, as well as renovations and seniors housing. We also specialize in residential buildings and combine west-coast contemporary aesthetics with sustainable principles to create homes that are modern, welcoming, and energy efficient.

Through effective communication and high-quality construction drawings Integra bridges the gap between the builder's reality and the architect's vision.

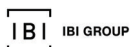


Durante Kreuk (DK) is an award winning landscape architectural firm with over thirty years experience in private and public realm design and development.

Their broad perspective and diverse thinking is the key to creating a wide range of sustainable, people-focused urban places. DK multiplies their thinking through a style of collaboration that nurtures the freedom to explore, push boundaries and ourselves.

Sustainable development can be defined as 'developments that meet the needs of the current population without compromising the ability of future generations to meet their needs. DK's approach is to develop site concepts that are ecologically sensitive and they find the unique challenge of creating a sustainable neighbourhood in an integrated design process both complex and rewarding.

Over the years the firm has developed a keen sense of clarity and practicality, which helps them reliably deliver the most challenging and unique solutions.



IBI Group™ is a global team of industry leading architects, engineers, planners, designers, and technology professionals united by a common desire: to create livable, sustainable, technologically advanced urban environments. They are a technology-driven design firm.

From high-rises to industrial buildings, schools to state-of-the-art hospitals, transit stations to highways, airports to toll systems, bike lanes to parks, they design every aspect of truly integrated cities. Their collaborative approach focuses on future-forward solutions. They're bridging the gap between design and technology, unlocking new potential in data-driven environments. They believe in cities built upon intelligent systems, sustainable buildings, efficient infrastructure, and the human touch.



133 East 4th Street, North Vancouver, BC



# SITE CONTEXT



3D Aerial View Looking South East



3D Aerial View Looking North West



View Along E 4th St Looking West



View Along E 4th St Looking East



View of Site from Lane



View Along Lane looking East



- PARKS
- TRANSIT ROUTE
- REZONING APPLICATION
- COMMUNITY BUILDINGS
- COMMERCIAL
- MIXED-USE
- MULTI-FAMILY RESIDENTIAL
- SINGLE-FAMILY RESIDENTIAL



Elevation along E 4th St



Integra ARCHITECTURE INC.



IBI GROUP

133 East 4th Street, North Vancouver, BC

# DESIGN RATIONALE

## FORM & MASSING



The design vision reflects the **West Coast Contemporary Architecture** synonymous with Integra Architecture.



The use of planar and mass elements, accented natural materials, and transparency to connect indoor to outdoor spaces help ground this building in the West Coast style.



The use of **color** creates a **playful** language around the building and creative street presence identifying the **childcare space** below.



Integra ARCHITECTURE INC.



IBI GROUP

133 East 4th Street, North Vancouver, BC

## SITE

## SITE

OUTDOOR AMENITY		505 sq.ft.
INDOOR AMENITY	543 sq.ft.	554 sq.ft.
TOTAL AMENITY	543 sq.ft.	1,059 sq.ft.

### UNIT MIX SUMMARY

UNIT MIX SUMMARY	NUMBER	AVERAGE UNIT SIZE	TOTAL AREA
1 BED	12	399 sq.ft.	4,782 sq.ft.
2 BED	5	690 sq.ft.	3,448 sq.ft.
3 BED	6	731 sq.ft.	4,384 sq.ft.
TOTAL	23		12,614 sq.ft.

## CHILDCARE SUMMARY

	AGES	AMOUNT
CHILDCARE	Preschool Age	35 Children
CHILDCARE	Toddler Age	6 Children
CHILDCARE	Infant Age	3 Children
TOTAL		44 Children

	PROPOSED
INDOOR CHILDCARE SPACE	2,833 sq.ft.
OUTDOOR CHILDCARE SPACE	1,393 sq.ft.
<b>TOTAL</b>	<b>4,226 sq. ft.</b>

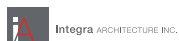
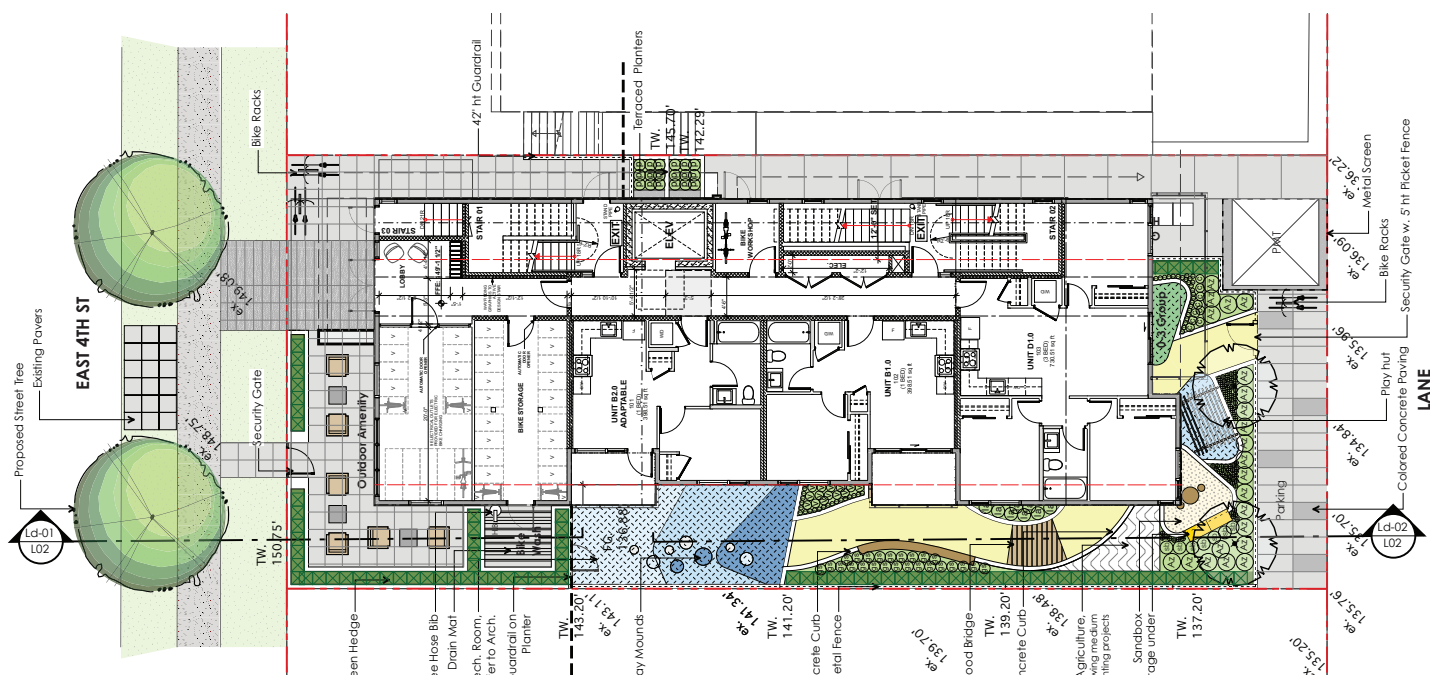
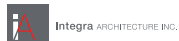
## PARKING

	REQUIRED	PROVIDED
RESIDENTIAL	0 spaces	0 spaces
CHILDCARE	2 spaces	1 spaces
TOTAL	2 spaces	1 spaces

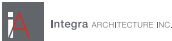
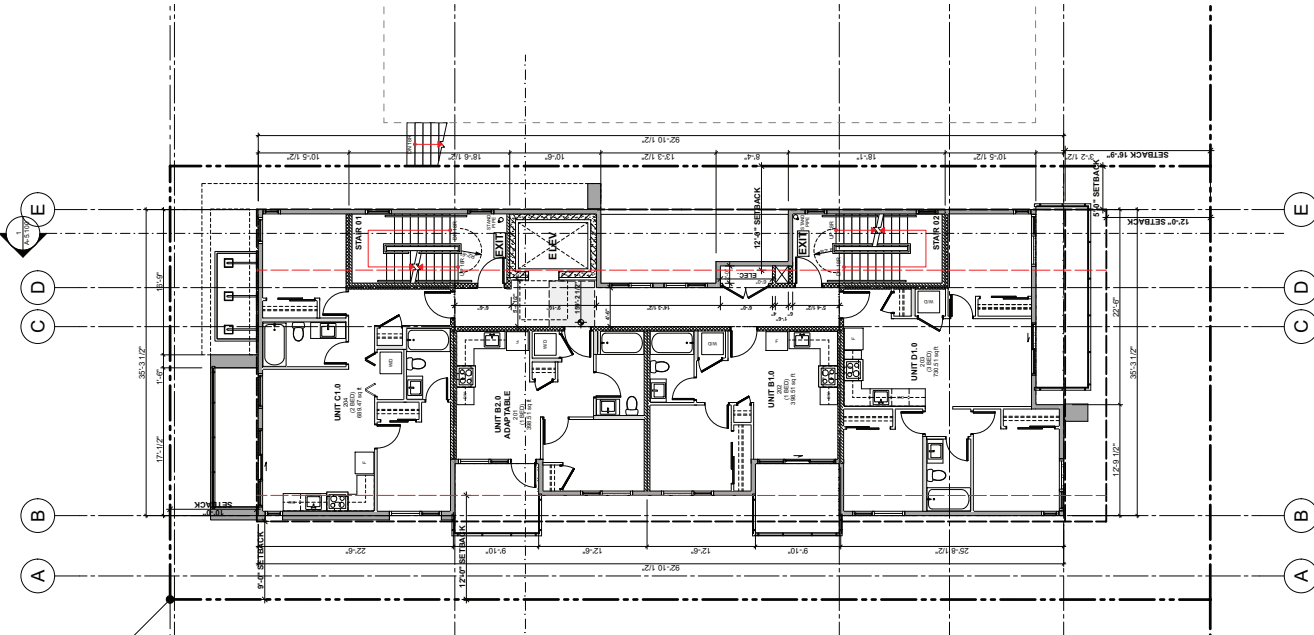
SECURE BYCICLE PARKING	35 spaces	35 spaces*
SHORT-TERM BYCICLE PARKING	0 spaces	6 spaces

*Disclaimer: All numbers are not final and still subject to change.*

\*(note: 1 storage cage @ 2 spaces is provided)

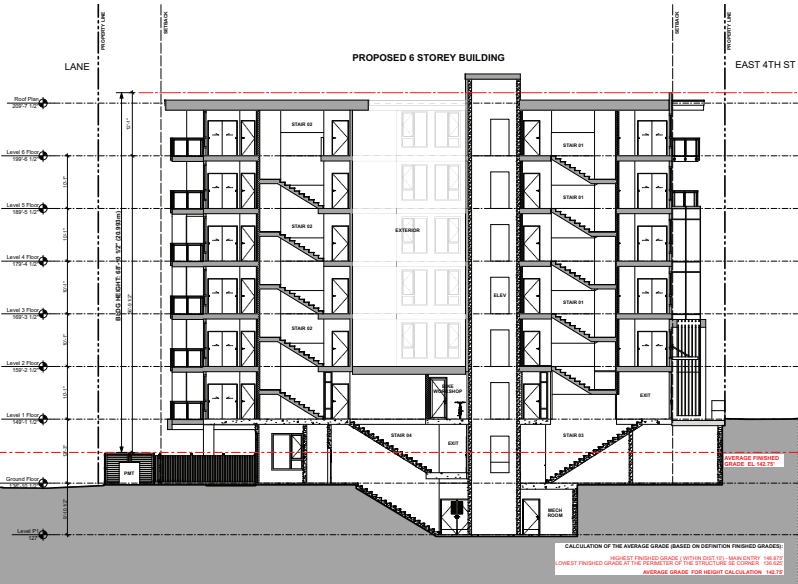


# 2-5TH TYP. FLOOR PLAN

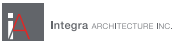
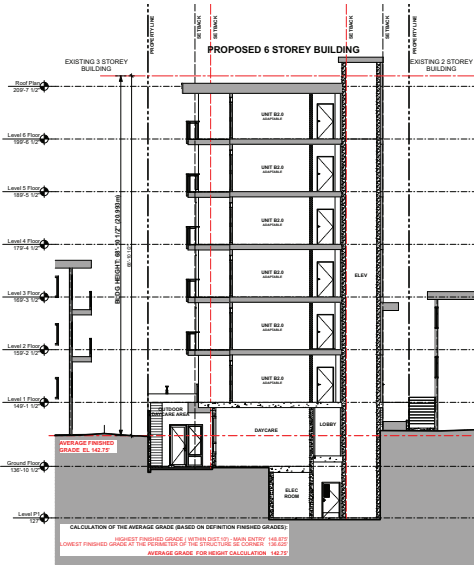


133 East 4th Street, North Vancouver, BC

## SECTIONS



1 N/S Site Section



133 East 4th Street, North Vancouver, BC

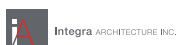


## E. 4TH CORNER PERSPECTIVE



133 East 4th Street, North Vancouver, BC

## E. 4TH FRONT FACADE PERSPECTIVE



133 East 4th Street, North Vancouver, BC



## E. 4TH FRONT PERSPECTIVE



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## LANE EXTERIOR PERSPECTIVE



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133 East 4th Street, North Vancouver, BC

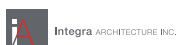


## CHILDCARE OUTDOOR PERSPECTIVE



133 East 4th Street, North Vancouver, BC

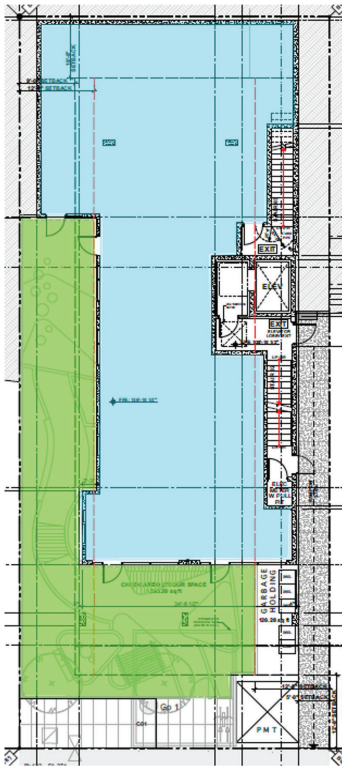
## CHILDCARE OUTDOOR PERSPECTIVE



133 East 4th Street, North Vancouver, BC



## CHILD CARE - PLAN



### Response to Child Care Action Plan

- Increasing Accessibility
  - Number of spaces
  - Location of Spaces
  - Who is able to Use the Spaces
  - When are the Spaces Available
- Improving Affordability
- Focusing on Quality
- Strengthening Partnerships
  - Value of Relationships
  - Opportunities for Collaboration
  - Value of Partnerships

### Child Care Size

- Indoor Space – 2,833 SF
- Outdoor Space – 1,393 SF



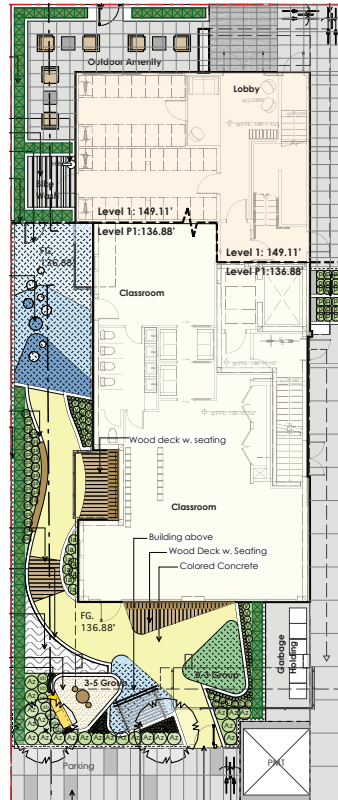
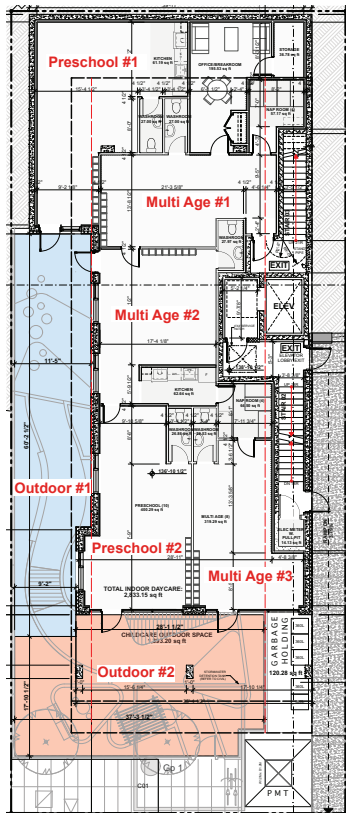
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133 East 4th Street, North Vancouver, BC

## CHILD CARE - PLAN



### Preliminary Concept

- 44 Children
  - Preschool Age – 35
  - Toddler Age – 6
  - Infant Age – 3
- Classrooms
  - Preschool #1 – 10 Children
  - Preschool #2 – 10 Children
  - Multi Age #1 – 8 Children
  - Multi Age #2 – 8 Children
  - Multi Age #3 – 8 Children



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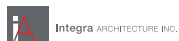
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133 East 4th Street, North Vancouver, BC

# TRANSPORTATION STUDY OVERVIEW

## (AUGUST 2020)

- Transportation Network Review
- Transportation Analysis
- Parking Requirements Review
  - City of North Vancouver Bylaw.
  - Comparable developments.
  - Metro Vancouver Apartment Parking Study
  - New Trends
  - Nearby off-street availability
  - On-street parking availability



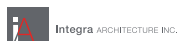
133 East 4th Street, North Vancouver, BC

## PARKING REQUIREMENTS REVIEW

Land Use	Units	Parking Rate	Min. Required Stalls
Rental Apartment Residential Use - Residents	23	0.6 spaces per unit	14
Rental Apartment Residential Use - Visitors		0.1 spaces per unit	3
Child Care Use – Residential Uses (Class of Building)		3 Spaces	3
<b>Total</b>			<b>20</b>

#	Site Location	Land Use	# of Units	# of Parked Cars	Parking Rate	Rate Unit
1	143 E 5th St	Residential	9	3	0.33	parking spaces/ unit
2	158 E 4th St	Residential	7	3	0.43	parking spaces/ unit
3	143 E 4th St	Residential	11	3	0.27	parking spaces/ unit
<b>Average Site</b>		<b>Residential</b>	<b>13</b>	<b>4</b>	<b>0.34</b>	<b>parking spaces/ unit</b>

- City of North Vancouver Bylaw.
- Comparable developments.
- Metro Vancouver Apartment Parking Study.
  - The parking supply for rental buildings exceeded use by 35%
  - The minimum parking demand parking rate for rental buildings was 0.35 spaces per unit
- New Trends
  - City of Edmonton – Open Option Parking city-wide effective July 2, 2020
  - City Of Vancouver – Exploring Open Option Parking as part of it Climate Action Plan



133 East 4th Street, North Vancouver, BC

## PARKING REQUIREMENTS REVIEW

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- **Nearby off-street availability - Five Locations with 1455 spaces**
  - 153 East 4th Street (17m) - 10 spaces
  - 119-125 East 2nd Street (260m) - 25 Spaces
  - 72 St. Georges Avenue (400m) - 72 spaces
  - 151 West Esplanade (580m) - 580 spaces
  - 132 West Esplanade (420m) - 188 spaces
- **Nearby on-street availability (from 2nd to 5th Streets between Lonsdale & St Georges)**
  - ~252 parking spaces available
  - ~70% Parking utilization (occupancy) from 2020 survey
  - ~70% Parking utilization (occupancy) from 2021 survey
  - 2nd and 3rd Street parking mainly used for short term parking
  - 4th and 5th Street parking mainly used for residential long-term parking.

## PARKING SUMMARY

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- **Development is suitable for a pilot project (zero parking) considering:**
  - **Nearby off-street and on-street parking availability**
  - **Alternative transportation network availability**
    - 4th Street Bike Route upgraded to AAA. Developer to contribute \$50,000 to the upgrade.
    - R2 Marine Drive RapidBus route stop at 3rd and Lonsdale
    - Seabus terminal at Lonsdale Quay
  - **New parking trends with no minimum parking requirement**
  - **Transportation Demand Management Plan**
    - Monthly Subsidy for Translink Compass Cards for 2 years (15% Residents)
    - Bike repair stand
    - Enhanced Class B bicycle parking

**From:** Donna Gretz <>  
**Sent:** November-27-20 10:46 AM  
**To:** Mayor Linda Buchanan  
**Cc:** Don Bell (Councillor); Holly Back (Councillor); Angela Girard (Councillor)  
**Subject:** Fwd: Development proposal at 133 East 4th Street North Vancouver

Hi,

We are members of Strata council VR 57 and VR 77 , at 127 East 4th Street NV. As respects to the above mentioned proposal, we have major concerns.

First of all, the parking. The 100 block of 4th East Street has been having major parking issues from the time development started in Lower Lonsdale.

This development proposal is created with 100% profit in mind, and no consideration for the people in the community.

The project looks very nice on paper, however, to build a 6 story rental property, plus daycare, on a small lot, with 2 parking spots, and 42 bike racks for 23 rental units, in a parking problem area, is inconsiderate.

It is absurd to believe that you can rent 23 units to people that ride only bikes, and where are the daycare workers going to park? What about dropping off and picking up the kids from daycare? It would be double parking all day long.

As respects to daycare, being on first floor, because the east and west side buildings being so close, won't have much daylight. The small playground would be under our balconies and bedroom windows. How would you like that?

Overall, the proposal has a very high population density for such a small lot.

Thank you for your consideration,

Respectfully yours,

Donna Gretz  
Joana Marcea  
127 East 4<sup>th</sup> Street  
North vancouver

**From:** Kristen Gill <>  
**Sent:** June-25-21 10:37 PM  
**To:** Submissions  
**Subject:** Input regarding parkingless development 133 east 4th st, North Vancouver

Hello, this is input for the 133 east 4<sup>th</sup> st development, hearing set for July 12, 2021. My perspective is from living and driving on this street for 14 years and I have major concerns about the lack of parking options currently, and exponentially when this and the other development (143, 153, 153 4<sup>th</sup> street) are completed.

I support more rental housing, and I support 6 stories development. My 4 story 1971 building across the street is possibly interested in re-zoning, thinking about our future as well because it is time to do major repairs, or to sell out.

However, I have major concerns that the proposed development has NO PARKING planned, for 23 suites, combined with the next door development 143, 153 and 153 with insufficient parking, also relying on street parking which starts development July. I am curious, as it seems no observations or research have been done to the availability of parking on any given day of the week on this block, and how this would impact current long term residents. The 100 block of East 4th street is already in a severe parking shortage, every day of the week.

I strongly feel the City of North Vancouver should be seriously considering resident street permit parking ONLY currently, given the growth of the LOLO area. There is another development directly next door to this development, that will build parking, but not at all sufficient to that building. Permit parking will be needed if this development is not required to build parking, especially as the development going in on 143, 153 and 153 East 4th street residents will also need parking. The parking situation here is similar to many Vancouver low rise apartment areas, which have resident only permit parking.

Residents buying in this (and the other buildings going in next door) will likely have no idea they will be completing for parking with many buildings if they chose to live there, thinking they will have street parking.

I fully understand the need to transition away from personal vehicles, which must be why these buildings are expecting their residents not to have vehicles. These developments and their restrictions will not accomplish this. As far as I know, this entire area of apartments are not equipped for owners to charge vehicles on site at all, and the expense is prohibitive to have a mere 2 plugs installed in an apartment complex. There are a few public plugs on 1<sup>st</sup> street servicing thousands of residents. There is not sufficient infrastructure at this time. I personally will have to purchase a hybrid, not an EV due to lack of charging in my residence.

Lower Lonsdale has a parking problem. City council has to know this because it is not new. I have lived here since 2007, and friends usually can't find parking on my block. This is nearing Kitsilano levels. My building may be embarking on a garage update, which would put an additional 36 vehicles onto 4<sup>th</sup> street for 2 months at least.

The back lane will experience exponential traffic increase with a back lane day care drop off with one spot for potentially 44 families dropping and picking up children; and could see car accidents with the combination of parents dropping of children on their way to work, and the multiple parkade driveways. The number of people turning left and up into the back lane eastbound from third street during rush hours, will block traffic on 3<sup>rd</sup> street, and could impact the Lonsdale and Third Street intersection which already has turn restrictions, driving people to turn in the lane.

I truly hope this development is not approved with no parking for residents, or without permit parking instituted.  
Kristen Gill, 204-120 East 4<sup>th</sup> Street, North Vancouver



**From:** Eileen Schaub <>  
**Sent:** June-30-21 5:39 PM  
**To:** Submissions  
**Subject:** 133 East 4th St - Zoning Amendment Bylaw #8837 & Housing Agreement Bylaw #8838

Good afternoon and thank you for giving owners in the area the opportunity to voice concerns with regards to the above noted proposed bylaw amendments.

We are owners in the building next door, located at 127 4th Street E and have owned our unit for +25 years. For the most part we've been very happy with the positive changes in the neighborhood.

The more recent large increases in density, however, have led to some challenges. We now find that sufficient shopping, entertainment and parking facilities are not available. We should be able to do all we want to do without having to leave North Van but we don't have a nice shopping mall, we don't have a Costco, decent movie theatre and certainly, no place for visitors to park.

All of these have led to us having to change our lifestyle (Pre-Covid of course). We have to travel to West Vancouver, Burnaby and Coquitlam to shop and watch movies. We hesitate to invite family & friends over for a visit as there is no place for them to park.

At present, there is no place for parking along 4th street (East or West). This, I believe, is primarily due to the fact that many people from the upper Lonsdale area park along 4th street to access the Sea Bus at Lonsdale Quay to go downtown. Illegal parking in the alley way south of East 4th street is an ongoing issue that law enforcement can't keep up with.

Having said all this, our primary concern with Bylaws #8837 and #8838 is that the proposed 6-storey, 23 unit apartment building has **NO** on-site parking. This was a huge concern with the initial proposal presented months ago and still is. We were actually surprised that this was still in the proposal as it was a concern presented by residents at the last public hearing on this development proposal.

Thank you for listening,

Mary-Louise (Eileen) Schaub & Robert Weinborn  
301-127 East 4<sup>th</sup> Street  
North Vancouver

**From:** Angela Girard (Councillor)  
**Sent:** July-05-21 9:38 AM  
**To:** Karla Graham  
**Subject:** FW: Zoning Amendment Bylaw No 8837 and House Agreement Bylaw No 8838

**From:** Cathy Carlin  
**Sent:** July 4, 2021 11:20 AM  
**To:** Angela Girard (Councillor) <[agirard@cnv.org](mailto:agirard@cnv.org)>  
**Subject:** Zoning Amendment Bylaw No 8837 and House Agreement Bylaw No 8838

Good morning Angela. I hope that you are surviving the heat and enjoying summer.

I was surprised to receive a notice that was recently tucked in with the junk mail in regards to a Public Hearing. This hearing is being held at a time when most people are focusing on the end to Covid 19 restrictions and relishing a chance to enjoy summer with family and friends. Few will be reading junk mail and fewer still will be participating in a Public Hearing process.

You suggest that the development at 133 E. 4th street is not a fait accompli however, I believe that 99.9% of people feel that talking to Council is useless. You are the only member of Council who has responded to my emails. I have spoken to 100s of people over the past months and 99.9% of them feel that talking to Council is useless.

In your email you said that you "believe our staff are exploring ways to improve this process to obtain the public's input at an earlier stage of the development application process. I am not sure where they are with this body of work, but I do recall it being a piece that they were working on." Well that is great but definitely not helpful at this point. In regards to the Public Hearing for the properties at 144 and 153 the Mayor was quoted as saying that she listened to everyone and then made the decision that **she thought** was best for the community. That is not listening! We don't even know what the added 6 floor 'amenity' that you all approved is. There is no meaningful consultation.

Nevertheless I have written and submitted my response to the Zoning Amendment and I have also attached it to this email. I don't know if anyone actually reads them but I hope that some of you will have the courage to stand up and protect children. These proposed childcare 'spaces' are all about how many 'spaces' people can say that they *created*. There has been no discussion on the needs of the actual children. We have just endured the worst heat wave that Canada has ever known. In the coming years it will continue to get hotter. We will need more cooling spaces and that does not mean four hours in the public library. We need outdoor areas of respite with natural cooling areas.

Having no idea of when first and second reading took place I am sure that now that the Public Hearing has been set, Council's minds have already been made up. However, I would encourage you to take a courageous step, perhaps the one that should have been taken originally. Buy the Church property. A few million dollars and that could become an outdoor space that the whole community will value for a lifetime. Keep the gardens, add trees, water, spaces of discovery.

Many of the city's small outdoor spaces are built of concrete, fenced with metal and occasionally a tiny bit of grass. They are not inviting spaces particularly on hot days.

I can assure you that I will continue to fight the addition of 44 child care spaces in that facility because I believe that children deserve better. At this particular point in our history I think that there will be many, many more people who will join in to stand up and fight for safe, healthy and quality childcare. Now is the time to listen to the voices of the children.

Thank you,  
Cathy Carlin  
143 E. 4th Street  
North Vancouver BC

City of North Vancouver  
141 W. 14<sup>th</sup> Street  
North Vancouver BC V7M 1H9

July 2, 2021

Dear Members of City Council

**Re: Zoning Amendment Bylaw No. 8837 and Housing Agreement Bylaw No. 8838**

Thank you for the opportunity to respond to the proposed zoning amendment at 133 E. 4<sup>th</sup> Street North Vancouver. I and many neighbours have previously responded to Council, the Developer and City staff in regards to our objections to the current proposal.

**I object on many levels including:**

- 1 Many have already clearly expressed their concern in regards to the lack of parking on our street. Street parking is used daily by construction workers and sea bus commuters. The proposal for no tenant parking is **not** acceptable.
- 2 The property development at 145 and 153 was initially proposed at 5 stories but without consultation, Council gave approval to increase development to 6 stories. Increasing density through the re-development of all three properties on E. 4<sup>th</sup> will negatively impact our health, our quality of life and the overall livability of our community.
- 3 It appears that the initial plan to include twenty-five (25) child care spaces at 133 E. 4<sup>th</sup> has now increased to *"up to 44 spaces."* This means that up to 44 families and/or vehicles will be accessing the lane way entrance at least twice per day. This will cause noise, congestion, pollution and undoubtedly lead to unpleasant confrontations. I wonder if the plan is also intended to offer extended care hours as a way of increasing spaces? Is the community even aware that up to 44 child care spaces is being considered for that address?

**My Main Concern**

I have spent more than forty years working in the field of childcare and I have worked with passion to advocate for high quality, affordable services for children and families.

In my opinion, the proposal for childcare space at 133 E. 4<sup>th</sup> street is focused entirely on the total number of spaces that may be created with little or no regard to the quality of care those spaces will provide. The proposal notes an outdoor play area with a **featured rubber safety surface, a bright yellow concrete path, a sandbox, a wood deck, plant beds and shrubs that are kid friendly.** This vision was definitely not formed by anyone who really cares about children's developmental needs or their long-term physical, emotional or mental health. This definition is about *passive*, structured play and a sterile outdoor environment for children who will spend up to 50 hours per

week in the space. In my opinion the proposal it is motivated by profit and not by the needs of children and families nor by the values of the community.

Early Childhood Educators are keenly aware of the benefits of exposing children to outdoor play. Outdoor learning supports diversity in a child's play and contributes to learning in all areas. For a healthy development children need carefree opportunities to jump in puddles, dig in the mud, discover critters and their habitats, roll in the leaves, explore, investigate, take risks. In this way they begin to appreciate the world around them, grow skills, solve problems, understand concepts and develop confidence and self-esteem. Children need space to run freely, to build, to climb and to interact with nature in a meaningful way. In fact, *the British Columbia Childcare Regulation* requires that children in care participate in a minimum number of hours of *active* outdoor play each day.

Over my life time our society has come from a place where many childcare centres were housed in dingy church basements and care was often provided by caring but unqualified, unlicensed and poorly paid staff. We've worked hard and come a long way but this proposal falls far short of providing a nurturing environment for children to grow up in. There is no park or green space anywhere within walking distance for these little ones to breath fresh air and to effectively engage with one another and with nature. **Now is the time for all of us, including Council to take a stand, to speak out for what we really want for our children now and going forward.**

I encourage you to look past the number of childcare spaces proposed. Yes, we need child care but we need care that will support the child's sense of self worth, their personal development and their long-term health and particular needs. Educate yourself on what kinds of indoor and outdoor environments are truly working to foster healthy development in children.

If you take time some time to look at what high quality childcare really means I believe you will agree that this proposal is fundamentally wrong and is indeed detrimental to the health and well being of young children.

**I believe that the whole community would be better served if the City purchased the property,** took down the building, maintained the current gardens, planted some trees and ensured that the space continues to be the oasis that is has been to the community for nearly 100 years.

Thank you,

Cathy Carlin  
143 E. 4<sup>th</sup> Street  
North Vancouver BC V7L 1H7

**From:** Sara Fakhari <>  
**Sent:** July-06-21 9:33 AM  
**To:** Submissions  
**Subject:** Feedback for upcoming Public Hearing - 133 East 4th

I would like to express my support for this project.

The building is a good addition to the neighbourhood in terms of aesthetics.

Rental buildings are always welcome as they provide a good addition to the rental pool and the fact that there is no parking in this project, means that it will be more affordable for tenants who do not have a car and thus don't need to pay for a parking stall they won't be using.

This is also going to be helping the environment.

Thank you.  
Sara Fakhari  
Macdonald Realty Ltd.  
1050 Howe Street  
Vancouver BC V6Z 1P5



**From:** Amy Cross <>  
**Sent:** July-06-21 5:50 PM  
**To:** Submissions  
**Subject:** Upcoming Public Hearing: 133 East 4th Street

Dear Council,

I am fortunate to have lived and worked in the City of North Vancouver for many years. In particular, I have enjoyed the convenience of being able to walk to the variety of local amenities and businesses. As there are many transit options available, a car is not required.

I am in favour of the above development project because it will offer a daycare space instead of tenant parking, which supports green initiatives and community sustainability. I also believe it is important for families to have childcare options in their neighbourhood, close to home and work.

Please accept this letter in support of the project.

Best regards,

Amy Cross  
135 East 17<sup>th</sup> Street  
North Vancouver

**From:** Sue Avery <>  
**Sent:** July-07-21 9:11 AM  
**To:** Submissions  
**Subject:** 133 E 4th St - Zoning amendment bylaw no 8837 and housing agreement bylaw no 8838

To whom it may concern,

We live at 408 Lonsdale #701, Bill & Sue Avery. We face east & south.

First of all it is a sin to destroy a Church that people use to praise the Lord.

Second to build something 6 stories high with 23 units and no parking for the tenants is ridiculous. The parking on 4<sup>th</sup> is bad enough. With 2 other buildings being demolished without ample parking for those buildings is very poor planning. Fourth is the only street in the area that doesn't have restricted parking so people park on both sides of 4<sup>th</sup> in the 100 blocks and take a bus or walk to the sea bus when they live in different parts of North Van.

As far as the child care space for up to 44 kids is the worst. Kids need outdoor space to run around and play and to have kids yelling and screaming during the day is not something that most of the residents in our building would like to be hearing. They are mostly retired. Using the rear lane with 1 stall for drop off and pick up will also cause a lot of backup in the alley. I can't imagine living facing the alley with the confusion with kids running around and parents yelling at their kids.

We hope that you reconsider letting this go forward. Our community doesn't need any more buildings in the area, too many people already.

Sincerely

Sue & Bill Avery  
701-408 Lonsdale Ave  
North Vancouver

**From:** Marc Bourne  
**Sent:** July 5, 2021 3:07 PM  
**To:** David Johnson  
**Cc:** Kelly Bourne  
**Subject:** Zoning Amendment Bylaw 8837, Housing Agreement Bylaw 8838 at 133 East 4th

Good Afternoon David

My name is Marc Bourne and my wife and I own a residence in the building at 140 East 4<sup>th</sup>. We have owned the residence for over 5 years and rent it to a nice couple, the same couple for the entire 5 years we have owned the residence. They stay with us because they like the building and suite, they like us as landlords and they love the openness of the area. They have a parking spot with us but are not enamored by the available parking in the area for an additional car nor for anyone who comes to visit them.

We are not in favour of this proposed development because it takes away from the enjoyment of the area by people such as our tenants! It crowds up the streets more with traffic and parking requirements and increases the density of the area significantly (as you also had the 69 suiter built adjacent to this one approved earlier this year!). You know this and it is why you asked the new building owners of that project to put a traffic light on the corner of 4<sup>th</sup> !

No light was required there before as the density and traffic did not require one. It now does!

Finally, we do not necessarily need, as you repeatedly state, more rental units in the City of North Vancouver. It does not take long to examine the number of rental units available in North Van and the number of unoccupied suites (6400 in NV City according to CMHC, October 2020!) to realize that is not the true reason for the proposed project. It is a money grab from the developer/owner/renter and one from the City of North Vancouver. There are a number of owners in our building that rent their suite to people who require rentals and we do so without increasing the density nor the traffic nor the lack of parking on the street. We retain the enjoyment level and neighbourhood feel of East 4<sup>th</sup>!

We do like the fact that the project is 23 units instead of 69 from the last one and that the proposal includes a day care to help those who need it. Unfortunately though, they both add to the traffic levels and the busyness of an area now which is gradually losing its charm at each multi project you approve. You have added 92 more units to the same block in less than a year!! Yikes.

Please reconsider approving this project and consider the needs of just one of the families who already pays taxes in the area and already provides rental units for the people who want to live there, without causing more traffic nor more parking problems!

Sincerely,  
Marc and Kelly Bourne  
Owners of a unit at 140 East 4<sup>th</sup> St  
North Vancouver

**From:** Alison Cross <>  
**Sent:** July-07-21 11:47 AM  
**To:** Submissions  
**Subject:** Feedback for upcoming Public Hearing - 133 East 4th St

#### Feedback for 133 East 4th St, North Vancouver

I am in support of the this project. I have been a resident on the North Shore for almost all of my life and part of the time I was a resident on E 6th St very close to the proposed site. The proximity to transit and the walkability to all amenities allows for a pedestrian lifestyle that I enjoy very much as I also work on the Lonsdale corridor. I have two small children that now recently attend Elementary School but can say that it was quite difficult finding childcare spaces when I needed it that were close to home and work. I was on waitlists for several childcare locations which brought a lot of stress as it all felt out of my hands. In the end the location that had space that I selected required my car for pick up and drop off which was more of a hassle for me as I wanted to be able to walk from my office or home. Many of the locations that are available are in quite old buildings that are not appealing. I am thrilled that there is the opportunity for a nice new daycare space that will allow many of the young families around a place to take their children that is close to where they live.

Thanks,

Alison Cross  
135 East 17<sup>th</sup> Street  
North Vancouver



# NOTICE OF PUBLIC HEARING

**WHO:** 133 4<sup>th</sup> Street Limited Partnership  
**WHAT:** Zoning Amendment Bylaw No. 8837 and Housing Agreement Bylaw No. 8838  
**WHERE:** 133 East 4<sup>th</sup> Street  
**WHEN:** Monday, July 12, 2021 at 5:30 pm  
**HOW:** View the meeting online at [cnv.org/LiveStreaming](https://cnv.org/LiveStreaming)

Notice is hereby given that Council will consider:

**Zoning Amendment Bylaw No. 8837 and Housing Agreement Bylaw No. 8838**

to rezone the subject property from a Medium Density Residential Level 1 (RM-1) Zone to a Comprehensive Development 734 (CD-734) Zone to permit the development of a 6-storey, 23-unit market rental apartment building, over 1 level of childcare space for up to 44 children. No on-site resident parking is proposed, but includes 1 stall for childcare pickup and a drop-off stall located off the rear lane. The proposed density is 2.6 times the lot area.

The Public Hearing will be held electronically via "WebEx". All persons who believe their interest in property may be affected by the proposed bylaws will be afforded an opportunity to speak at the Public Hearing and/or by email or written submission. To ensure all submissions are available for Council at the Public Hearing, certain deadlines have been implemented.

**For email submissions (preferred):** Include your name and address and send to [input@cnv.org](mailto:input@cnv.org) **no later than 12:00 noon on Monday, July 12, 2021.**

**For written submissions:** Include your name and address and mail or deposit into a drop-box at City Hall **no later than 4:00 pm on Friday, July 9, 2021**, as documents are subject to a 24-hour quarantine period before being opened due to COVID-19.

**To speak at the Public Hearing by phone:** Pre-register by completing the online form at [cnv.org/PublicHearings](https://cnv.org/PublicHearings). Persons can also pre-register by phoning 604-990-4230 and providing contact information so call-in instructions can be forwarded to you. **All pre-registration must be submitted no later than 12:00 noon on Monday, July 12, 2021.**

Speakers who have not pre-registered will also have an opportunity to speak at the Public Hearing. Call-in details will be displayed on-screen at the Public Hearing (watch web livestream). Once all registered speakers have provided input, the Mayor will call for a recess to allow time for additional speakers to phone in.

Once the Public Hearing has concluded, no further information or submissions can be considered by Council.

The proposed Zoning Amendment and Housing Agreement Bylaws, background material and presentations of staff and the applicant will be available for viewing online at [cnv.org/PublicHearings](https://cnv.org/PublicHearings) on Friday, July 2, 2021.

Please direct inquiries to David Johnson at [djohnson@cnv.org](mailto:djohnson@cnv.org) or 604-990-4219.



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# THE CORPORATION OF THE CITY OF NORTH VANCOUVER

## BYLAW NO. 8837

### A Bylaw to amend “Zoning Bylaw, 1995, No. 6700”

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837**” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734).
2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-734 (Comprehensive Development 734 Zone):

Lots	Block	D.L.	Plan	
10	132	274	878	from RM-1

3. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:

- A. Adding the following section to Section 1100, thereof, after the designation “CD-733 Comprehensive Development 733 Zone”:

“CD-734 Comprehensive Development 734 Zone”

- B. Adding the following to Section 1101, thereof, after the “CD-733 Comprehensive Development 733 Zone”:

“CD-734 Comprehensive Development 734 Zone”

In the CD-734 Zone, permitted Uses, regulations for permitted Uses, regulations for the size, shape and siting of Buildings and Structures and required Off-Street Parking shall be as in the RM-1 Zone, except that:

- (1) One Principal Building shall be permitted on one Lot;
- (2) The permitted Principal Uses on the Lot shall be limited to:
  - (a) Rental Apartment Residential Use:
    - i. Accessory Off-Street Parking Use;
    - ii. Accessory Home Office Use;
  - (b) Child Care Use, subject to Section 507(5) of this Bylaw:
    - i. Accessory Off-Street Parking Use;
- (3) Gross Floor Area:

- (a) The Principal Building shall not exceed a Gross Floor Area of 1.0 times the lot area, provided that this amount may be increased to a maximum of 1.60 times the Lot Area through the provision of Adaptable Design subject to Section 423;
- (b) Notwithstanding 3(a), the maximum Gross Floor Area may be further increased, upon entering into a Housing Agreement with the City, from the “Base Density” to the “Total Density” as follows:

<b>BASE DENSITY</b>			
<b>OCP Schedule 'A'</b>		<b>1.60 FSR</b>	
<b>ADDITIONAL (BONUS) DENSITY</b>			
<b>ADDITIONAL DENSITY CATEGORY</b>	<b>DESCRIPTION</b>	<b>ADDITIONAL DENSITY (BONUS)</b>	<b>POLICY REFERENCE</b>
100% Rental Housing	Secured rental apartment building, of which 3 units are mid-market	1.0 FSR	OCP Section 2.2
<b>TOTAL DENSITY</b>		<b>2.60 FSR</b>	

To a maximum of 2.60 FSR;

- (4) The Lot Coverage of the Principal Building shall not exceed a maximum of 51 percent;
- (5) Height:
  - (a) The Principal Building shall not exceed a Height of six storeys and 18.64 metres (61.17 feet) as measured from the average Building Grade at the North property line along East 4<sup>th</sup> Street;
- (6) The minimum required Principal Building setback, measured to each building face, shall be limited to:
  - (a) 3.05 meters (10 feet) from the Front Property Line (East 4th Street);
  - (b) 5.10 meters (16.75 feet) from the rear Lot Line;
  - (c) 2.74 meters (9.0 feet) from the west Interior Lot Line;
  - (d) 1.52 meters (5.0 feet) from the east Interior Lot Line.
- (7) Section 908 Minimum Provision of Parking Spaces shall be varied to waive the minimum parking requirement for off-street resident and visitor parking;
- (8) Section 510(3) Building Width and Length shall not apply;
- (9) Section 506(c) Minimum Lot Area shall be waived;
- (10) Section 906(4)(d) Parking Space access directly from Lane shall not apply.

- (11) Section 906(4)(d) Parking Space access directly from Lane shall not apply.
- (12) Section 507(5)(h) Child Care Use maximum number of children shall not apply.

READ a first time on the 21<sup>st</sup> day of June, 2021.

READ a second time on the 21<sup>st</sup> day of June, 2021.

READ a third time on the <> day of <>, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER

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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8838

**A Bylaw to enter into a Housing Agreement (133 East 4<sup>th</sup> Street)**

**WHEREAS** Section 483 of the *Local Government Act* R.S.B.C. 2015 c.1 permits a local government to enter into a housing agreement for rental housing.

**NOW THEREFORE** the Council of The Corporation of the City of North Vancouver, in open meeting assembled enacts as follows:

1. This Bylaw shall be known and cited for all purposes as “**Housing Agreement Bylaw, 2021, No. 8838**” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments).
2. The Council hereby authorizes the agreement substantially in the form attached to this bylaw between The Corporation of the City of North Vancouver and 133 4<sup>th</sup> Street Limited Partnership with respect to the lands referenced as 133 East 4<sup>th</sup> Street, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734).
3. The Mayor and Corporate Officer are authorized to execute any documents required to give effect to the Housing Agreement.

READ a first time on the 21<sup>st</sup> day of June, 2021.

READ a second time on the 21<sup>st</sup> day of June, 2021.

READ a third time on the <> day of <>, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

---

CORPORATE OFFICER

## RENTAL HOUSING AGREEMENT

**THIS AGREEMENT** dated for reference the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BETWEEN:

**133 4<sup>TH</sup> STREET LIMITED PARTNERSHIP, by its general partner, 133 4<sup>TH</sup> STREET GP LTD.**  
2919 Altamont Crescent  
West Vancouver, British Columbia,  
V7V 3B9

(the "Owner")

AND:

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER,**  
a municipal corporation pursuant to the *Local Government Act* and  
having its offices at 141 West 14<sup>th</sup> Street, North Vancouver, British  
Columbia, V7M 1H9

(the "City")

### WHEREAS:

- A. The Owner is the beneficial owner of the Lands.
- B. The City is a municipal corporation incorporated pursuant to the Act.
- C. As a condition of the Rezoning Bylaw, the Owner has agreed to enter into a housing agreement with the City in accordance with section 483 of the Act.
- D. Section 483 authorizes the City, by bylaw, to enter into a housing agreement in respect of the form of tenure of housing units, availability of such units to classes of identified person, administration and management of such units and the rent that may be charged for such units.

**NOW THEREFORE** in consideration of the sum of Ten Dollars (\$10.00) now paid by the City to the Owner and for other good and valuable consideration (the receipt and sufficiency of which the Owner hereby acknowledges), the Owner and the City covenant each with the other as follows:

### 1. DEFINITIONS

- (a) "**Act**" means the *Local Government Act*, RSBC. 2015 c.1 as amended from time to time;
- (b) "**Affordable Rent**" means with respect to each Mid-Market Rental Unit a rent payment amount equal to 10% below the "Private Apartment Average Rents" for the corresponding bedroom type in the City of North Vancouver as established by CMHC's Housing Market Information Portal for the year the tenancy is entered into;
- (c) "**Agreement**" means this agreement as amended from time to time;

- (d) “**Commencement Date**” has the meaning set out in section 2.1 herein;
- (e) “**Council**” means the municipal council for the City of North Vancouver;
- (f) “**CMHC**” means Canada Mortgage and Housing Corporation;
- (g) “**Daycare**” means the daycare to be operated on a portion of the ground floor of the Residential Building;
- (h) “**Director of Planning**” means the chief administrator of the Department of Planning of the City and his or her successors in function and their respective nominees;
- (i) “**Dwelling Unit**” means a dwelling unit as defined in the City of North Vancouver’s “Zoning Bylaw 1995, No. 6700” as amended from time to time;
- (j) “**Lands**” means those lands and premises legally described as
- Parcel Identifier: 015-076-873  
Lot 10  
Block 132  
District Lot 274  
Plan 878;
- (k) “**Mid-Market Rental Units**” means Dwelling Units that are rented to tenants for Affordable Rent;
- (l) “**Market Rental Units**” means Dwelling Units that are rented to tenants for market rental rates as set by the Owner;
- (m) “**Rental Purposes**” means an occupancy or intended occupancy which is or would be governed by a tenancy agreement as defined in Section 1 of the *Residential Tenancy Act*, SBC 2002 c. 78 as amended from time to time between the Owner and the tenant;
- (n) “**Rental Units**” means the Market Rental Units and the Mid-Market Rental Units;
- (o) “**Residential Building**” means the six-storey building to be constructed on the Lands to be used for Rental Purposes with 23 Dwelling Units, of which 20 Dwelling Units will be Market Rental Units and 3 Dwelling Units will be Mid-Market Rental Units;
- (p) “**RT Act**” means the *Residential Tenancy Act*, SBC 2002 c. 78;
- (q) “**Rezoning Bylaw**” means the rezoning bylaw applicable to the Lands described as “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837”; and
- (r) “**Term**” has the meaning set out in section 2.1 herein.



## **2. TERM**

- 2.1 This Agreement will commence upon adoption by Council of “Housing Agreement Bylaw, 2021, No. 8838” (133 East 4<sup>th</sup> Street Limited Partnership / Integra Architecture Inc., 133 East 4<sup>th</sup> Street, CD-734, Rental Housing Commitments), (the “**Commencement Date**”) and will continue until the date this Agreement is terminated in accordance with sections 2.2 or 8.3(c) (the “**Term**”).
- 2.2 This Agreement will terminate immediately upon the removal or destruction of the Residential Building provided the Residential Building is not repaired or rebuilt following the destruction thereof.
- 2.3 Subject to section 7.3, upon termination of this Agreement, this Agreement will be at an end and of no further force and effect.

## **3. USE OF LANDS**

- 3.1 The Owner covenants and agrees with the City that during the term of this Agreement, notwithstanding the Rezoning Bylaw, the Lands shall be used and built on only in strict compliance with the terms and conditions of this Agreement and that:
- (a) the Lands shall not be subdivided or stratified;
  - (b) the Residential Building shall be used for Rental Purposes only, except for the portion of the ground floor which may be used for the Daycare; and
  - (c) no Rental Unit in the Residential Building shall be occupied for any purpose except for Rental Purposes.
- 3.2 The Owner further covenants and agrees with the City that the Lands and any buildings or structures constructed thereon including the Residential Building shall be developed, built and maintained in accordance with all City bylaws, regulations and guidelines as amended from time to time.

## **4. TENANCY RESTRICTIONS**

- 4.1 The unit mix for Rental Units in the Residential Building shall be no fewer than 6 three-bedroom units, 5 two-bedroom units and 12 one-bedroom units or as otherwise approved in writing by the Director of Planning in his or her discretion.
- 4.2 The three Mid-Market Rental Units shall be provided in the following unit mix: two one-bedroom units, and one three-bedroom unit. The Owner may only change this mix with the approval in writing by the Director of Planning with such approval to be granted in his or her discretion. The Owner shall be entitled to determine the locations of the three Mid-Market Rental Units within the Residential Building.
- 4.3 The Owner shall enter into a minimum 1 year tenancy agreement for each of the Mid-Market Rental Units which will convert to a month to month tenancy at the end of the 1 year term. If such a tenancy is ended prior to the end of the Term, the Owner must rent the Mid-Market Rental Unit at Affordable Rent. For greater certainty, at the end of each tenancy, the Mid-Market Rental Unit will continue to be rented as a Mid-Market Rental Unit at Affordable Rent, which obligation will be ongoing at all times during the Term.

## 5. OWNER'S OBLIGATIONS

5.1 Without limiting section 3.1 of this Agreement:

- (a) Management and administration: the management, administration, and associated costs with the management and administration of the Rental Units, including the Mid-Market Rental Units, will be borne by the Owner or its designated rental agent, unless otherwise approved by the City in writing;
- (b) Advertisement: the Owner will feature the tenure restrictions set out in this Agreement prominently in all advertising of Mid-Market Rental Units;
- (c) Tenant Selection: the Owner will determine the selection of the tenants of the Mid-Market Rental Units, applying the suggested income qualification of a maximum household income determined by multiplying the low-end of market rents by 12 to yield the households' annual housing costs, and divided by 30% to meet the standard definition of affordability. Tenants from the existing rental building on the Lands should be provided first right of refusal in the Mid-Market Rental Units, regardless of income. In determining financial eligibility, the Owner or its rental agent, so long as it acts honestly and in good faith, is entitled to rely on all information provided by the prospective tenant and the Owner will have no liability if the prospective tenant intentionally or unintentionally provides any incorrect information. The Owner is under no obligation to monitor or update the financial circumstances of the tenant once the lease is signed.
- (d) Rent Amount and Permitted Increases: Affordable Rent for Mid-Market Rental Units is to be determined at the time of tenancy. Rent amounts may be subsequently increased by the permitted annual rent increase then set under the RT Act.
- (e) Compliance with applicable laws: without restricting the foregoing, the Owner will comply with all applicable provisions of the RT Act and any other provincial or municipal enactments imposing obligations on landlords in relation to residential tenancies;
- (f) Performance: the Owner will perform its obligations under this Agreement diligently and in good faith; and
- (g) Evidence of compliance: provided that the same can be done without breaching the *Personal Information Protection Act* (as amended from time to time) the Owner will, at Business License renewal or upon request by the City, supply to the City copies of any documentation in possession of the Owner necessary to establish compliance with the Owner's obligations under this Agreement.

## 6. DEFAULT AND REMEDIES

6.1 The City may, acting reasonably, give to the Owner a written notice (in this section 6.1, the "**Notice**") requiring the Owner to cure a default under this Agreement within 30 days of receipt of the Notice or such longer period as may reasonably be required to cure such default provided the Owner is diligently pursuing same. The Notice must specify the nature of the default. The Owner must act with diligence to correct the default within the time specified.

- 6.2 If the default is not corrected within the time specified, the Owner will pay to the City on demand by the City 200 percent of the difference between current market rent, as determined by a third-party appraiser, and Affordable Rent for each Mid-Market Rental Unit in default for the default year to the end of the Term of the Agreement. The monies collected from default will be deposited to the City's Affordable Housing Reserve Fund.
- 6.3 The Owner will pay to the City on demand by the City all the City's costs of exercising its rights or remedies under this Agreement, on a full indemnity basis.
- 6.4 The Owner acknowledges and agrees that in case of a breach of this Agreement, which is not fully remediable by the mere payment of money and promptly so remedied, the harm sustained by the City and to the public interest will be irreparable and not susceptible of adequate monetary compensation.
- 6.5 Each party to this Agreement, in addition to its rights under this Agreement or at law, will be entitled to all equitable remedies including specific performance, injunction and declaratory relief, or any of them, to enforce its rights under this Agreement.
- 6.6 The Owner acknowledges and agrees that it is entering into this Agreement to benefit the public interest in providing housing for Rental Purposes, and that the City's rights and remedies under this Agreement are necessary to ensure that this purpose is carried out and that the City's rights and remedies under this Agreement are fair and reasonable and ought not to be construed as a penalty or forfeiture.
- 6.7 No reference to nor exercise of any specific right or remedy under this Agreement or at law or at equity by any party will prejudice, limit or preclude that party from exercising any other right or remedy. No right or remedy will be exclusive or dependent upon any other right or remedy, but any party, from time to time, may exercise any one or more of such rights or remedies independently, successively, or in combination. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy of a default by the Owner under this Agreement.

## **7. LIABILITY**

- 7.1 Except for the negligence or wilful misconduct of the City or its employees, agents or contractors, the Owner will indemnify and save harmless each of the City and its elected officials, board members, officers, directors, employees, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:
- (a) any act or omission by the Owner, or its officers, directors, employees, agents, contractors, or other persons for whom at law the Owner is responsible; and
  - (b) the Owner's ownership, operation, management or financing of the Lands for the provision of housing for Rental Purposes.
- 7.2 Except to the extent such advice or direction is given negligently or in wilful misconduct, the Owner hereby releases and forever discharges the City, its elected officials, board members, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns from and against all claims, demands, damages, actions or causes of action by reason of or arising out of advice or direction

respecting the ownership, operation or management of the Lands for the provision of housing for Rental Purposes which has been or hereafter may be given to the Owner by all or any of them.

- 7.3 The covenants of the Owner set out in sections 7.1 and 7.2 of this Agreement will survive the expiration or the earlier termination of this Agreement and will continue to apply to any breach of the Agreement and to any claims arising under this Agreement during the ownership by the Owner of the Lands.

## **8. GENERAL PROVISIONS**

- 8.1 The Owner agrees to reimburse the City for all legal costs reasonably incurred by the City for the preparation, execution and registration of this Agreement. The Owner will bear their own costs, legal or otherwise, connected with the preparation, execution or registration of this Agreement.

- 8.2 Nothing in this Agreement:

- (a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the use or subdivision of land;
- (b) affects or limits any enactment relating to the use of the Lands or any condition contained in any approval including any development permit concerning the development of the Lands; or
- (c) relieves the Owner from complying with any enactment, including the City's bylaws in relation to the use of the Lands.

- 8.3 The Owner and the City agree that:

- (a) this Agreement is entered into only for the benefit of the City;
- (b) this Agreement is not intended to protect the interests of the Owner, occupier or user of the Lands or any portion of it including the Rental Units and the Limited Common Property; and
- (c) without limiting part 2 of this Agreement, the City may at any time execute a release and discharge of this Agreement in respect of the Lands, without liability to anyone for doing so.

- 8.4 This Agreement burdens and runs with the Lands and any part into which any of them may be subdivided or consolidated, by strata plan or otherwise. All of the covenants and agreements contained in this Agreement are made by the Owner for itself, its successors and assigns, and all persons who acquire an interest in the Lands after the date of this Agreement. Without limiting the generality of the foregoing, the Owner will not be liable for any breach of any covenant, promise or agreement herein in respect of any portion of the Lands sold, assigned, considered or otherwise disposed of, occurring after the Owner has ceased to be the owner of the Lands.

- 8.5 The covenants and agreements on the part of the Owner in this Agreement have been made by the Owner as contractual obligations as well as being made pursuant to section 905 of the Act and as such will be binding on the Owner.
- 8.6 The Owner will, at its expense, do or cause to be done all acts reasonably necessary to ensure this Agreement is registered against the title to the Lands, including any amendments to this Agreement as may be required by the Land Title Office or the City to effect such registration.
- 8.7 The City and the Owner each intend by execution and delivery of this Agreement to create both a contract and a deed under seal.
- 8.8 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.
- 8.9 If a Court of competent jurisdiction finds that any part of this Agreement is invalid, illegal, or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 8.10 Every obligation of a party which is set out in this Agreement will extend throughout the Term and, to the extent that any obligation ought to have been observed or performed prior to or upon the expiry or earlier termination of the Term, such obligation will survive the expiry or earlier termination of the Term until it has been observed or performed.
- 8.11 All notices, demands, or requests of any kind, which a party may be required or permitted to serve on another in connection with this Agreement, must be in writing and may be served on the other parties by registered mail, by facsimile or e-mail transmission, or by personal service, to the following address for each party:

City: The Corporation of the City of North Vancouver  
141 West 14<sup>th</sup> Street  
North Vancouver, British Columbia  
V7M 1H9  
**Attention: Director, Planning and Development**  
Facsimile: 604.985.0576

**133 4<sup>th</sup> Street Limited Partnership**  
2919 Altamont Crescent  
West Vancouver, British Columbia,  
V7V 3B9  
Attention: Barry Savage

Service of any such notice, demand, or request will be deemed complete, if made by registered mail, 72 hours after the date and hour of mailing, except where there is a postal service disruption during such period, in which case service will be deemed to be complete only upon actual delivery of the notice, demand or request; if made by facsimile or e-mail transmission, on the first business day after the date when the facsimile or e-mail transmission was transmitted; and if made by personal service, upon personal service being effected. Any party, from time to time, by notice in writing served upon the other parties, may

designate a different address or different or additional persons to which all notices, demands, or requests are to be addressed.

- 8.12 Upon request by the City, the Owner will promptly do such acts and execute such documents as may be reasonably necessary, in the opinion of the City, to give effect to this Agreement.
- 8.13 This Agreement will enure to the benefit of and be binding upon each of the parties and their successors and permitted assigns.

## **9. INTERPRETATION**

- 9.1 Gender specific terms include both genders and include corporations. Words in the singular include the plural, and words in the plural include the singular.
- 9.2 The division of this Agreement into sections and the use of headings are for convenience of reference only and are not intended to govern, limit or aid in the construction of any provision. In all cases, the language in this Agreement is to be construed simply according to its fair meaning, and not strictly for or against either party.
- 9.3 The word "including" when following any general statement or term is not to be construed to limit the general statement or term to the specific items which immediately follow the general statement or term to similar items whether or not words such as "without limitation" or "but not limited to" are used, but rather the general statement or term is to be construed to refer to all other items that could reasonably fall within the broadest possible scope of the general statement or term.
- 9.4 The words "must" and "will" are to be construed as imperative.
- 9.5 Any reference in this Agreement to any statute or bylaw includes any subsequent amendment, re-enactment, or replacement of that statute or bylaw.
- 9.6 This is the entire agreement between the City and the Owner concerning its subject, and there are no warranties, representations, conditions or collateral agreements relating to the subject matter of this Agreement, except as included in this Agreement. This Agreement may be amended only by a document executed by the parties to this Agreement and by bylaw, such amendment to be effective only upon adoption by City Council of an amending bylaw to "Housing Agreement Bylaw, 2021, No. 8838".
- 9.7 This Agreement is to be governed by and construed and enforced in accordance with the laws of British Columbia.

9.8 This Agreement can be signed in counterpart.

**IN WITNESS WHEREOF** each of the City and the Owner have executed this Agreement under seal by their duly authorized officers as of the reference date of this Agreement.

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

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MAYOR  
Linda C. Buchanan

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CORPORATE OFFICER  
Karla D. Graham

**133 4<sup>th</sup> STREET LIMITED  
PARTNERSHIP, by its general  
partner 133 4<sup>th</sup> STREET GP LTD.**



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Authorized Signatory

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Barry Savage  
Printed Name

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Authorized Signatory

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Printed Name





 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**  
**COMMUNITY & PARTNER ENGAGEMENT DEPARTMENT**

**REPORT**

To: Mayor Linda Buchanan and Members of Council

From: Clare Husk, Film & Community Events Coordinator

Subject: PROPOSED 2021 FILMING SCHEDULE OF FEES

Date: June 30, 2021 File No: 15-8110-01-0001/2021

*The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.*

**RECOMMENDATION**

PURSUANT to the report of the Film and Community Events Coordinator, dated June 30, 2021, entitled "Proposed 2021 Filming Schedule of Fees":

THAT "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858" (2021 Filming Schedule of Fees) be considered.

**ATTACHMENTS**

1. Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858" (2021 Filming Schedule of Fees) (CityDocs [#2065586](#))

**SUMMARY**

This report presents, for Council's consideration, proposed updated and revised fees for filming related items including: Fire, RCMP, The Shipyards Public Realm locations and a new methodology for charging for street space for film vehicles.

The aim is to continue to cover City costs, plus continuing to simplify fees for film productions, while at the same time keeping fees in line with the industry standard.

**BACKGROUND**

The City recognizes the considerable stress the industry has been under in the past 18 months and continues to aspire to promote and enhance existing interest in the City as a film destination of choice.

## **DISCUSSION**

Staff is proposing modest increases in selected film fees to ensure sufficient cost recovery on staff time and materials, and to create a simpler methodology to enable productions to set more accurate production budgets.

The majority of fees generated from filming goes directly into general revenue, except for the Cemetery and The Shipyards' location fees which go their own specific budgets as both these cost centres are revenue generating.

## **PROPOSED AMENDMENTS**

These are laid out in the same order as they appear in Attachment #1

### **Film Permit Fee**

#### Cancelled Filming (NEW)

If a permit is already issued, then all fees will be refunded except those with a cost to the City such as the permit costs.

#### Changes to Permits

Material changes to issued permits will now incur a \$75 charge for additional staff time.

### **On-Street Parking**

#### Parking & Parking Signage Fees

Existing on-street parking related charges are \$60 for 30m of parking and \$330 for signage and labour.

The current fee for signage and labour (which includes the cost of sign shop labour, materials for creating the signs and staff and vehicle time for installing and later removing the signs) no longer covers City costs. Current costing was developed in 2010 and needs to be updated.

In order to simplify on-street parking related fees staff propose to replace the parking and signage charges with a standard Street Encroachment fee. This will include the film makers' use of the City boulevard (for equipment and generator cabling), plus film parking signage and linear parking for each 100m block face (the City has blocks that vary in length from 90m to over 250m – hence the need to specify the length of a block face).

It is further proposed that this Street Encroachment fee should be \$350 per 100m block face with a minimum fee of \$350.

Additionally there is no methodology for revising signs or for charging for lost or damaged signs. It is proposed to charge a \$15 per sign cost for every lost or damaged sign and to charge \$6.00 per sign for each amendment to the installed signage.

### Metered and Stall Parking

The price for metered and staff parking has increased in the City and therefore staff propose this adjustment to reflect the price increase from \$12/day to \$15/day.

### Parking Infractions

Issued film permits clearly states where film parking has been assigned. We encourage that only essential film vehicles are parked close to the film set and that efforts be made the film circus (where the majority of trucks, trailers and catering are set up) and crew off-site.

Staff have noticed times when film crew will take available street parking in residential areas instead of parking off-site where parking has been secured for them, or will park in areas outside the designated assigned street parking. In order to better regulate this problematic parking, staff are recommending new Parking Infractions charge.

This fee is intended to educate the crew member about the consequences of parking outside of assigned parking areas. Staff propose a sliding scale graduated penalty (1st infraction \$50, 2nd infraction \$100, 3rd infraction \$150). This graduated penalty is to be reset at the start of every calendar year.

However, any film trucks parked outside of assigned parking will have an immediate charge of \$150 per occurrence per day.

### **RCMP Fees**

Productions book the RCMP for road closures, intermittent traffic control or when there are exterior scenes being filmed with exposed weapons or gunfire (where the RCMP will be on hand to reassure any concerned members of the public).

The last increase to the fees for this service was before the RCMP pay increase. To continue to ensure that there is no cost incurred to the City for the film productions booking of RCMP labour, one of the line items for an RCMP officer is being increased by \$5/ph. The other line items will remain unchanged.

### **Fire Department Fees**

Anticipating the new Fire Bylaw No. 8852, the charge for the Special Effects (SPFX) Permit will be changed to have a separate permit fee of \$150 and an hourly on-site inspection fee rather than a combined fee of \$175. This could result in a lower fee to the film productions for the simpler SPFX requests.



To align with the Bylaw No. 8852, the charge for booking firefighters and vehicles for film will refer to Bylaw No. 8852 costs. The Film Office will then gather the information needed to provide an estimate of costs for the production.

## **Parks**

There are productions that wish to give back to the community for the use of parks (be it for lunch tent use, or for filming). A recent example includes the installation this past April of two benches at Grand Boulevard Park by the "A Million Little Things" production that has filmed in the park and also located lunch tents there.

It is proposed that a new line item of Parks Restoration Contribution be added to the Film Fees and it will be suggested as a non-mandatory additional charge for the productions that have a larger footprint in the parks. This charge could range from \$125 to over a thousand depending on the extent or intensity of the filming. This charge will also be exempt from GST. This is consistent with the approach taken by neighbouring municipalities.

As the parks are proving to be extremely popular for casual use by the public in the summer due to COVID, the Film Office has been declining all requests for weekend filming from May until after Labour Day in September, this includes filming that is not wrapped by Saturday morning.

## **The Shipyard Public Realm**

The first line item in the fees has been amended as clarity is needed that all named components will be charged. The pricing for the components at The Shipyards has not increased since 2010, therefore moderate location fee increases are sought (the Commons was added to the list in January 2020 and that fee is not changing, except to add the Ice Rink as an additional item to cover the potential loss of skate rental revenue).

Parking at Wallace Mews at The Shipyards, which is allowed on an occasional basis, needs to be formally listed and priced according to the disruption caused.

Prep and wrap fees are currently 50% of the film day, however, this will now be assessed on individual merit, depending on how disruptive to the public those days will be, especially if it is in effect the same disruption as a film day. It is anticipated that this change in fee will expedite faster wrapping after film in a prime film location and to encourage a light touch on prep days.

Lastly, due to the demand for filming in this location it is proposed that the existing 50% reduction in fees for low budget filming should not be applied to this area.

## **FINANCIAL IMPLICATIONS**

The proposed adjustments are in keeping with the City's "Motion Picture Filming Guidelines" which states, "to recover all direct costs and expenses incurred by the

City..." and to "establish a fee schedule which will reflect the City's costs in administering this policy as well as the direct costs in providing labour and material".

Except for RCMP, Firefighter, Cemetery and Shipyards fees, all the net money raised by these film fees goes into the general revenue of the City.

Fee Changes	Current	Proposed 2021
Permit, changes to issued permit	Not listed	\$ 75
Permit, cancelled issued permit	Not listed	\$230
Street parking per 30m	\$60	Replaced by Street Encroachment Fee
Street Signage and Labour	\$330	Replaced by Street Encroachment Fee
Street Encroachment Fee	Not listed	\$350 p/day per 100m block face
Missing Sign, per	Not listed	\$ 15/sign
Signage amendment, per	Not listed	\$ 6/sign
Street Meter Charges	\$12 each per day	\$ 15 each per day
Parkade Stall Charges	\$12 per stall per day	\$ 15 per stall per day plus TransLink tax
Parking outside designated assigned parking area	Not listed	Up to \$150 per occurrence per day
RCMP per hour Officer	\$150	\$155
Fire Officials Firefighter (in turn out gear)	\$125/hour per firefighter	
Various Fire Dept vehicles	Various charges /hour	
Firefighters & Vehicles		Charged as per Fire bylaw #8852.
Special effects permit (includes on-site inspection by Fire Officer)	\$175	
Special Effects Permit (SPFX)		\$150 (minimum)
Special Effects on-site inspection by Fire Officer		\$100 per hour
Parks Parks Restoration Fee (not Mandated fee)	Not Listed	
Shipyards Public Realm		
Each named component (e.g. the Spirit Trail, Wallace Mews, etc.)	\$800/day	\$1,000/day
The Commons Ice Rink (in addition to The Commons fee)	Not Listed	\$1500 per day
Prep and Wrap Days	50% daily amount	50% daily amount (min)
Street Parking (Wallace Mews)	Not listed	\$350 per half block face per day



## INTER-DEPARTMENTAL IMPLICATIONS

Filming impacts many staff groups in the City, such as Engineering, Parks & Environment (for parking, road closures, location use in parks and cemetery), Fire (for special effects), Bylaws (parking enforcement and noise/curfew), Planning and Development (development and demolition impacts on filming locations), Communications (issuing advisories about filming, or filming disruption) as well as Finance for processing payments and refunding balance of payments and providing insurance risk advice. When the filming is in the Hall (which due to COVID is not currently permitted except at weekends) or Civic Plaza then Facilities staff are fully involved in film logistics.

For this report staff in Engineering, Parks & Environment, RCMP, Fire and Finance were consulted and their advice and recommendations were included in this report.

## STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The proposed adjustment to the Filming Schedule of Fees is consistent with the City's aim of supporting local industry as per the City's Economic Development Strategy.

The proposed fee schedule supports the broad number of goals and objectives expressed in the City's Official Community Plan:

6.3.2 Recognize the importance of the creative sector as a sustainable source of economic growth...

7.2.5 Continue to promote the City to the film industry;

7.2.14 Encourage and support employment opportunities for a diverse community.

7.2.4 Review City regulations related to business and development to identify ways to make them more business-friendly

This report is consistent with the Prosperous City priority from the 2018-2022 Council Strategic Plan.

## CONCLUSION

A number of factors have been taken into consideration for amending these fees which include the recovery of costs to the City, impact on the industry and remaining competitive with other municipalities.

Certain fee items in this report have been discussed with Creative BC ((home of the BC Film Commission), and with members of the BC Director's Guild.

Staff believe these changes will not negatively impact the City's competitiveness for filming.

RESPECTFULLY SUBMITTED:



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Clare Husk  
Film & Community Events Coordinator

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER**

**BYLAW NO. 8858**

**A Bylaw to amend “Fees and Charges Bylaw, 1993, No. 6383”**

The Council of The Corporation of the City of North Vancouver, in open meeting assembled, enacts as follows:

1. This Bylaw shall be known and cited for all purposes as **“Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2021, No. 8858” (2021 Filming Schedule of Fees)**.
2. “Fees and Charges Bylaw, 1993, No. 6383” is amended as follows:
  - A. By deleting Schedule “C” Schedule of Fees for Filming in its entirety and replacing it with the new Schedule “C” attached to this bylaw.

READ a first time on the <> day of <>, 2021.

READ a second time on the <> day of <>, 2021.

READ a third time on the <> day of <>, 2021.

ADOPTED on the <> day of <>, 2021.

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MAYOR

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CORPORATE OFFICER



**SCHEDULE “C”  
SCHEDULE OF FEES FOR FILMING**

<b>PERMIT</b>	
Film Permit Fee	\$230
Material changes to Issued Permit	\$75
Cancellation of Issued Permit	Permit fee plus all non recoverable costs to the City
Each additional location	\$230
Commercial Media: i.e. still photography, reality TV, corporate video	\$225
Student Film Permit	Free
Damage Deposit	\$5,000 (dependent on location/project)
Youth in Film (one time annual fee, not mandatory) (GST EXEMPT)	\$250

<b>ELECTRICAL PERMIT (GST EXEMPT)</b>	
Single Location permit (one inspection/location)	\$124
Annual Permit	\$750

<b>PARKING, STREET USE &amp; TOW SHOTS</b>	
Street Encroachment Fee	\$350 per day per 100m block face
Missing No Parking Sign, replacement cost	\$15/sign
Signage Amendment	\$6/sign
Tow shots	\$150
Street Filming User Fee (per block)	\$175
Street Meter Charges / Surface Lot Stalls	\$15 each per day
Parkade Stall Charges	\$15 per stall per day + TransLink tax
Parking Lots/Gravel Fields	\$500/day
Parking Infraction	to \$150/day per occurrence

<b>RCMP (MINIMUM 4 HOUR CALLOUT AND 48 HOUR CANCELLATION NOTICE)</b>	
RCMP Officer (Cst/Cpl)	\$155/hour
RCMP Sergeant	\$185/hour
Clerical Staff Time (overtime)	\$80/hour (no 4 hour minimum)

<b>FIRE DEPARTMENT (MINIMUM 4 HOUR CALLOUT AND 48 HOUR CANCELLATION NOTICE)</b>	
Firefighters & Vehicles	Charged as per Fire Bylaw No. 8852

<b>SPECIAL EFFECTS APPLICATION (PYROTECHNICS)</b>	
Special Effects Permit (SPFX)	\$150 (minimum)
Special Effects On-Site Inspection by Fire Officer	\$100/hour

<b>CITY BUILDINGS AND PLAZAS: DAILY RATE</b>	
Fire Hall, Operations Yard, 14 <sup>th</sup> Street Plaza & other similar sites	\$600/day
City Hall (per named component)	\$600/day
City Library	\$1,000/day
Parks	\$600/day
Lunch Tents in Parks	\$250/day
Prep and Wrap Days – 50% daily amount	
Parks Restoration Fee (not mandatory) (GST EXEMPT)	

<b>CITY SHIPYARDS PUBLIC REALM: DAILY RATE</b>	
Each named component (e.g. Spirit Trail, Wallace Mews, Shipbuilder Square, etc.)	\$1,000/day
Burrard Dry Dock	\$2,500/day
The Shipyard Commons	\$4,500/day

CITY SHIPYARDS PUBLIC REALM: DAILY RATE	
The Commons Ice Rink (in addition to the Commons Fee)	\$1,500/day
Prep and Wrap Days	50% daily amount (min)
Electrical connection	\$150 per day per connection
Parking at Wallace Mews	\$350 per half block face per day

CEMETERY: DAILY RATE	
Cemetery (Heritage Section)	\$3,000/day
Prep and Wrap Days – 50% daily amount	
Cemetery Caretaker (out of hours only)	\$80/hour
Grave Digging (incl. digger, truck & two staff)	\$1,600
Parks Restoration Fee (not mandatory) (GST EXEMPT)	

MISCELLANEOUS FEES	
Site Meeting / site liaison fee, for City of North Vancouver staff	at cost
Film Liaison on site	\$75/hour




GST applies to the fees listed above, except for Electrical Permits. Please note that items in this Schedule of Fees are subject to change without notice.

### **FEE REDUCTION**

The City's Film Office staff have the authority to consider a request for a one-time 50% fee reduction of the City's location fees, subject to the following criteria:

1. Productions should be either non-theatrical (such as shorts, student foundation films, documentaries), or
2. Theatrical productions that are under \$500,000 total gross budget (staff will request they provide their budget top sheet to verify),
3. Filming will not take place over more than two days in the City location,
4. This reduction does not apply to The Shipyards Public Realm.



 Department Manager	 Director	 CAO
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The Corporation of **THE CITY OF NORTH VANCOUVER**  
**PLANNING & DEVELOPMENT DEPARTMENT**

**REPORT**

To: Mayor Linda Buchanan and Members of Council

From: Karen Montgomerie, Planner 2

Subject: UPDATED RESIDENTIAL TENANT DISPLACEMENT POLICY

Date: June 29, 2021 File No: 10-5040-08-0001/2001

*The following is a suggested recommendation only. Refer to Council Minutes for adopted resolution.*

**RECOMMENDATION**

PURSUANT to the report of the Planner 2, dated June 29, 2021, entitled  
“Updated Residential Tenant Displacement Policy”:

THAT Council endorse the updated Residential Tenant Displacement Policy, a policy to mitigate the impacts resulting from redevelopment of rental buildings on current tenants, and as outlined in this report and Attachment 1.

**ATTACHMENTS**

1. Residential Tenant Displacement Policy (Updated) – July 2021 (CityDocs [#2071189](#))
2. Notice of Motion Increased Financial Assistance and Support for Tenants Displaced by the Redevelopment of Older Purpose-Built Rental Buildings, May 17, 2021 (CityDocs [#2071193](#))
3. Residential Tenant Displacement Policy – September 2015 (CityDocs [#1322978](#))

**SUMMARY**

On May 17, 2021, Council approved the motion “Increased Financial Assistance and Support for Tenants Displaced by the Redevelopment of Older Purpose-Built Rental Buildings” (Attachment 2) and directed staff to report back on an updated Residential Tenant Displacement Policy that:

- Reflects increased financial assistance for tenants based on the length of tenancy; and

- Increased support for low income and marginalized tenants who face additional barriers in securing stable and affordable housing.

This report details an updated Residential Tenant Displacement Policy that offers increased support to renters affected by redevelopment, as directed by Council.

## **BACKGROUND**

The City's existing Residential Tenant Displacement Policy (Attachment 3) was approved by Council on October 28, 2015. The intent of the policy is to provide renters who are displaced through the redevelopment of purpose-built rental apartments with enhanced notice and assistance beyond that required in the Residential Tenancy Act (RTA). The policy only applies when a rezoning is being sought, and the City secures a voluntary commitment from the developer or applicant to enhanced tenant support as part of their approvals.

The existing policy applies to all rezoning applications that redevelop or demolish an existing purpose-built rental building on land designated Level 4 (Medium Density) and higher in the Official Community Plan (OCP). The existing policy does not apply to tenants displaced from non-secure/non-dedicated rental units such as duplexes, secondary suites, coach houses, strata units or single-family homes operating as rental units. The existing policy does not apply to buildings undergoing substantial renovations as these do not require a rezoning application.

The measures outlined in the existing policy represent a voluntary commitment by the applicant to provide additional measures to support current tenants. Adherence to the policy does not guarantee development approval. The provisions of the policy augment, not replace, the legal requirements of the RTA.

The following tenant supports are included in the existing policy:

- A Tenant Communication Plan that outlines how tenants will be engaged and notified of input opportunities through the development application process.
- A designated Tenant Relocation Coordinator to help tenants find up to three comparable rental units in the City, with rents no more than 10% higher than average rents in the City. Where existing rent levels are higher than average, alternate units should be no more than 10% above current rent.
- For tenants on a periodic (month-to-month) tenancy, financial compensation equivalent to three months' rent.
- Two months' notice, as per the RTA, following issuance of Demolition Permit.
- First right of refusal to live in the new building, with terms negotiated between property owner and individual tenants.
- Where below-market units are included in the new building, preference is that these units are leased to tenants displaced from the original building.



## **DISCUSSION**

In preparing the updated policy, staff have reviewed Council's suggested revisions to the policy in the context of the operation of the policy to date, and other municipal approaches to tenant relocation assistance. Minor text amendments have also been included throughout the updated policy to clarify expectations and operation.

### **Operation of Existing Policy**

Developers have generally complied with the provisions of the existing policy, and in some instances offered additional supports beyond those identified in the policy. Feedback from affected tenants has highlighted that the supports provided do not adequately reflect the challenges of availability and affordability of rental accommodations for displaced renters wishing to stay within the City.

### **Approaches in Other Municipalities**

The majority of Metro Vancouver municipalities now have some form of tenant relocation policy in place to provide additional supports to tenants displaced by redevelopment of existing rental housing sites. The draft Metro 2050 Regional Growth Strategy also acknowledges the importance of increasing the rental housing supply while minimizing the impacts of redevelopment on existing tenants. It states that municipal housing strategies should encourage tenant protections and assistance for renter households impacted by renovation or redevelopment of existing purpose-built rental housing.

Although details vary by local context, recently updated municipal policies include common components:

- Financial compensation based on length of tenancy;
- Separate compensation for moving costs;
- Relocation assistance to identify comparable accommodation;
- Additional support for low income and/or vulnerable tenants, and;
- First Right of Refusal for units in new building, with varying approaches to starting rent levels.

The updated policy includes locally appropriate requirements relating to the common components noted above.

The most notable difference between the City and comparators such as Burnaby and Vancouver is the scale of redevelopment possible through development applications. While rezoning of existing purpose-built rental buildings in the City achieves a notable net uplift in the number of residential units on the site, this uplift does not compare to the significant increases in height and density achieved in other municipalities.

The City's Density Bonus policy ensures full replacement of rental units lost to redevelopment and that 10% of units in the new development are Mid-Market Rental (MMR) units at 10% below average rents. Requirements relating to below market rents

in new developments are outside the scope of this review of support for displaced tenants. However, the Council directed inclusionary housing policy review, the Community Wellbeing Strategy (which incorporates housing policy actions) and Housing Needs Report are all underway and will inform any future updates to the approach to securing below market rental units in new developments.

### **Provisions of Updated Policy**

The following sections outline the key updates to the policy. They seek to provide balanced, fair, and transparent support for displaced tenants along with certainty and clarity for applicants.

Clarifications to the approach regarding submission details, communication expectations, and timing of compensation have been included in the updated policy. To standardize the format and content of submission details, staff will produce templates and/or checklists for submission of information by applicants, such as the Occupancy Report and Tenant Communication Plan. Templates will also be produced to standardize communication between existing tenants and the Tenant Relocation Coordinator.

### Applicability of Policy

The updated policy will apply to all rezoning applications that propose to redevelop or demolish any building or combination of buildings containing five or more dwellings occupied by tenants as their primary place of residence, regardless of whether their tenancy agreement is periodic or fixed term. This includes single-family homes and strata units operating as rental units. The current policy only applies to multi-family development. This amendment will create a more equitable policy that provides support to a wider range of displaced by redevelopment of rental accommodation. An added benefit is that this approach is consistent with the District of North Vancouver's recently updated (May 2021) policy approach.

Tenancies active when the development application is submitted are eligible for support under the policy. Tenants who move into an existing vacant rental unit after submission of the development application are not considered eligible to receive the supports offered to pre-existing tenants. They are however entitled to the notice and compensation requirements set out in the RTA. The applicant is expected to notify prospective tenants who wish to move into the building after the Occupancy Report is submitted that they will not receive the supports offered to pre-existing tenants.

### Compensation

The updated policy increases the baseline amount of financial compensation to better reflect the increasing costs associated with displacement (the amount is consistent with the City of Vancouver and District of North Vancouver policies). Furthermore, it introduces additional financial compensation linked to length of tenancy and provides separate compensation for moving expenses.

#### *Financial Compensation*

All tenants will receive financial assistance equivalent to 4 months' of their current rent (increased from 3 months' current rent). In addition to this baseline



amount, tenants will received additional compensation based on length of tenancy. Longer term tenants are generally more impacted by displacement due to having lower rents compared to the current market, albeit the current rent paid by a tenant does not necessarily reflect the ability of that tenant to afford a higher rent level.

Tenants whose tenancy began 5 years or more prior to the date the development application is submitted to the the City will receive additional financial assistance based on the length of time they have resided in the building. This will be calculated at a rate of \$25 per month for each full month's tenancy beyond five years. The monthly compensation rate for longer-term tenants is independent from the tenant's current rent. This is to avoid a situation whereby a tenant who has resided in the building for a shorter period of time and may be paying a higher rent could receive a higher amount of financial compensation than a tenant who has resided in the building for a longer period of time and would likely be paying a lower rent.

Providing additional financial compensation based on length of tenancy in months rather than years also ensures that there is not a large discrepancy between tenants who have lived in a building for similar amounts of time, for example 9 years and 11 months as opposed to 10 years. It also provides greater certainty for applicants about the amount of compensation payable by mitigating substantial differences in amounts due to unforeseen delays to submission.

*Table 1 Example calculations of financial compensation amount*

<b>Length of Tenancy</b>	<b>Financial Compensation Amount</b>
Less than 5 years	4 months' rent
7 years and 6 months	4 months' rent + \$750
9 years and 8 months	4 months' rent + \$1400
12 years and 3 months	4 months' rent + \$2175
16 years and 10 months	4 months' rent + \$3550
22 years and 7 months	4 months' rent + \$5275

#### *Moving Expenses*

In addition to the financial compensation, tenants will be compensated for moving expenses with a flat rate payment based on number of bedrooms. The amount of compensation has been determined based on the average costs of an insured moving company as follows:

- \$1,000 for studio and 1 bedroom units
- \$1,250 for 2 bedroom units
- \$1,500 for 3 bedroom and larger units

The policy stipulates that the amount provided should be adjusted upwards annually from the date the policy is adopted based on the Consumer Price Index

(CPI). The rates are consistent with rates provided in the District of North Vancouver and other municipalities within Metro Vancouver.

### Relocation Assistance

The existing policy requires relocation assistance to be provided through a designated Tenant Relocation Coordinator chosen by the property owner. The updated policy clarifies the requirement to use an independent, third party professional to ensure parity of support for tenants by a coordinator who is not associated with an individual property owner or development applicant. To support applicants, staff may at a future date prepare a list of qualified coordinators, however staff will not be directly involved in landlord-tenant relationships.

### Additional Assistance for Low Income Tenants and Others Facing Barriers

There are many reasons why tenants may require additional assistance with the relocation process – for example, elderly residents on fixed incomes, tenants with low incomes, people with disabilities, or others who may face barriers to securing appropriate housing in proximity to their support networks.

While individual tenant needs will vary on a case-by-case basis, applicants will be expected to provide individualized support to those identified as having additional needs to successfully navigate the process of relocation. This support is in addition to the financial compensation and moving expenses that all tenants are entitled to, and will generally be in the form of in-kind services provided by the applicant and/or the Tenant Relocation Coordinator.

For example:

- Early communication and notifications, in person if requested
- Additional support with arranging and attending viewings
- Support with accessing social housing or rent supplements
- Connecting with health organizations and non-profit services
- Free support with activities such as packing

The introduction of this new requirement will be supported by a standardized process and criteria for enabling low income tenants and those with additional housing barriers to request additional support if needed. Generally, a household is considered low income if its income is below 50% of median household income for that household size. To simplify the identification of low income tenants for the purposes of determining the need for additional assistance, the updated policy includes two thresholds:

- Households without dependents are considered low income when they have a gross annual income of less than \$35,000.
- Households with dependents are considered low income when they have a gross annual income of less than \$60,000. The higher threshold for households with dependents reflects that these households would require at a minimum a two



bedroom property and have additional households expenses associated with supporting dependent(s).

### Notice Period

The RTA notice period for evictions for redevelopment is four months. The updated policy stipulates a minimum of four months' notice to vacate, after a Demolition Permit is issued by the City, to maintain consistency with the RTA.

### First Right of Refusal

Displaced tenants will have the first right of refusal to rent an MMR unit in the new building, provided the tenant meets the eligibility requirements for the MMR unit at the time the unit is first available for rent. To ensure that displaced tenants receive notification when the MMR units are becoming available, tenants will need to confirm with the Tenant Relocation Coordinator during the relocation process that they want to exercise their first right of refusal.

As with the existing policy, the updated policy requires that details of all tenants who wish to return to the building and the status of their tenancy must be provided prior to the issuance of an Occupancy Permit. In cases where there are more tenants who wish to exercise their first right of refusal than available MMR units, the developer will be responsible for selecting a tenant in accordance with the provisions of the Housing Agreement associated with the development.

### Final Tenant Relocation Report

As with the existing policy, the updated policy requires the submission of a final Tenant Relocation Report prior to issuance of a Demolition Permit for the property. To standardize reporting, staff will produce a template for use by applicants with requirements to provide details on:

- The outcome of the relocation process for displaced tenants, including evidence that tenants have been satisfactorily assisted in locating alternative accommodation.
- The value of compensation given to each tenant including financial compensation, moving expenses, and any additional assistance or services that were provided to the tenant(s).

### **Approval Process for Current and New Applications**

Should Council endorse the attached updated Residential Tenant Displacement Policy, the updated policy will apply to all rezoning applications made after the adoption date of the policy. The Urban Development Institute (UDI) has been provided with notice of the proposed updates to the policy.

The updated policy will not apply to current rezoning applications (submitted prior to the adoption date of the updated policy), however the 2015 version of the policy will apply to those applications. Applicants with instream rezoning applications will be encouraged to voluntarily comply with the new policy.

## NEXT STEPS

Staff will undertake implementation of the policy, as outlined above. In addition, the Council directed inclusionary housing policy review, Community Wellbeing Strategy (which incorporates housing policy actions) and Housing Needs Report are all underway and will provide strategic direction on current and emerging housing issues. Staff will undertake a more comprehensive review of the *Tenant Displacement Policy* once these pieces of work have completed, should other issues or opportunities arise. In the interim, staff will also undertake a review of the eligibility criteria and Housing Agreement requirements relating to operation of secured MMR units to ensure that the units are meeting the intended need. Throughout these processes, staff will continue to meet with committees and Council at important milestones and/or as key content issues and opportunities arise.

## FINANCIAL IMPLICATIONS

Nil

## INTER-DEPARTMENTAL IMPLICATIONS

The scope of proposed updates to the *Residential Tenant Displacement Policy* were presented and discussed at the Advisory Planning Commission.

## STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The *Tenant Displacement Policy* is intended to support and build upon the key housing related objectives and policies in the City's *Official Community Plan* (2014), with particular emphasis on the guiding principle of "Community Supporting Community". It also supports the vision of the 2018-2022 *Council Strategic Plan*, and the priority of a "City for People".

RESPECTFULLY SUBMITTED:



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Karen Montgomerie  
Planner 2



## COUNCIL POLICY

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<b>Policy Name</b>	Residential Tenant Displacement Policy
<b>Policy Number</b>	## ###
<b>Effective Date</b>	July XX, 2021
<b>Approved By</b>	Council

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### PURPOSE

The purpose of this policy is to provide tenants who are displaced as a result of the redevelopment of rental accommodation with enhanced notice and assistance beyond that required under the Residential Tenancy Act (RTA). This policy does not replace or affect the requirements in the RTA.

### Applicability

The policy applies to all rezoning applications that would result in the demolition of any building or combination of buildings containing five or more dwelling units occupied by tenants as their primary place of residence at the time of submission of the application. This includes rental units in single family homes, duplexes and coach houses, strata units operating as rental units, and purpose-built rental units.

### Eligible Tenants

Tenancies active when the Development Application is submitted to the City are eligible for support under this policy. Support will be provided on a dwelling unit basis and be distributed to those named on the written tenancy agreement. Where there is more than one eligible tenant that resides in the dwelling units, tenants should determine among themselves who will be the designated tenant to act as the main point of contact, and communicate this decision to the Tenant Relocation Coordinator.

Tenants who move into an existing vacant rental unit after submission of the Development Application are not expected to receive the supports offered to pre-existing tenants. The developer is expected to notify prospective tenants who wish to move into the building after the Development Application is submitted that they will not receive the supports offered to pre-existing tenants.

### Exemptions

The policy does not apply to redevelopment that is permitted outright under existing zoning. Tenants who move into an existing rental dwelling unit after submission of a rezoning application are not expected to receive the same support as pre-existing tenants, and should be notified as such in writing prior to signing a rental agreement.

Rezoning applications submitted prior to the adoption date of this updated policy are subject to the provisions of the previous 2015 Residential Tenant Displacement Policy.

## **POLICY**

The following elements are requested by the development applicant as a voluntary commitment. Adherence to this policy does not guarantee development approval from Council.

### **Relocation Assistance**

The applicant will designate a Tenant Relocation Coordinator to support tenants throughout the process, and to aid tenants in finding up to three comparable rental units in the City of North Vancouver. The Tenant Relocation Coordinator must be an independent, third party professional to ensure parity of support for tenants by a coordinator who is not associated with an individual property owner or development applicant. The City will prepare a list of qualified coordinators, however City staff will not be directly involved in the selection of the Coordinator or landlord-tenant relationships.

The Tenant Relocation Coordinator should be engaged from the pre-application stage and should have regular hours during which they are available to tenants by phone and email. Reasonable measures should be taken to ensure that any tenants requesting support in a language other than English are provided with information in their preferred language.

The Tenant Relocation Coordinator is expected to be responsible for implementing the Tenant Communication Plan so that tenants are proactively engaged and notified of input opportunities throughout the development application process. Notifications as part of the Tenant Communication Plan should be provided directly to tenants and posted in conspicuous places within the building(s). Information on tenant resources, including this Policy, the Residential Tenancy Branch webpage, and the Tenant Resource and Advisory Centre should also be provided.

For eligible tenants who want assistance in finding new rental accommodation, the Tenant Relocation Coordinator should identify at least three comparable rental dwelling units for each tenant household. The comparable units should have the same number of bedrooms as the current unit and be located in the City of North Vancouver unless otherwise specified by the household. The comparable units should also meet any other needs and/or preferences specified by the tenant household, for example around accessibility adaptations or pet restrictions.

The maximum rent for the comparable units found by the Tenant Relocation Coordinator should be no more than the greater of:

- 10% above the tenant's current rent; or
- 10% above the most recently published CMHC median rent level, by number of bedrooms, for the City of North Vancouver (or Metro Vancouver, when insufficient rental data is available for the size of property within the City)

The Tenant Relocation Coordinator is also expected to help tenants secure identified units, including by providing references and arranging viewings for potential units, if requested.

### ***Additional Assistance for Low Income Tenants and Others Facing Barriers***

There are many reasons why tenants may require additional assistance with the relocation process – for example, elderly residents on fixed incomes, tenants with low incomes, people with disabilities, or others who may face barriers to securing appropriate housing in proximity to their support networks.

While individual tenant needs will vary on a case-by-case basis, applicants will be expected to provide individualized support to those identified as having additional needs to successfully navigate the process of relocation. Tenants potentially in need of additional assistance should be identified in the Occupancy Report, however it is possible that additional support needs may not become apparent



until later in the relocation process. Low income tenants and those with additional housing barriers to who do not initially identify a need for additional assistance in the Occupancy Report should not be denied reasonable additional assistance at a later date if needed.

This support is in addition to the financial compensation that all tenants are entitled to, and will generally be in the form of in-kind services provided by the applicant and/or the Tenant Relocation Coordinator. Examples of additional assistance that may be required include:

- Early communication and notifications, in person if requested
- Additional support with arranging and attending viewings
- Support with accessing social housing or rent supplements
- Connecting with health organizations and non-profit services
- Free support with activities such as packing

Generally, a household is considered low income if its income is below 50% of median household income for that household size. To simplify the identification of low income tenants for the purposes of determining the potential need for additional assistance with relocation, the below thresholds should be used as a guide for determining households who are low income:

- Households without dependents are considered low income when they have a gross annual income of less than \$35,000.
- Households with dependents are considered low income when they have a gross annual income of less than \$60,000.

The higher threshold for households with dependents reflects that these households would require at a minimum a two bedroom property and have additional households expenses associated with supporting dependent(s).

### **Financial Compensation**

The applicant will compensate all eligible tenants with financial assistance equivalent to 4 months' of their current rent.

In addition to this baseline amount, tenants whose tenancy began five or more years prior to the date the Development Application is submitted will receive additional financial assistance based on the length of time they have resided in the building. This will be calculated at a rate of \$25 per month for each full month's tenancy beyond five years.

<b>Length of Tenancy</b>	<b>Financial Compensation Amount</b>
Less than 5 years	4 months' rent
More than 5 years	4 months' rent plus $((\text{total tenancy length in months} - 60) \times \$25)$

If an eligible tenant moves prior to approval of the rezoning application, financial compensation (including the moving expenses detailed below) is to be provided to the tenant by the Applicant no later than immediately following final adoption of the rezoning bylaw(s). For all other eligible tenants, financial compensation is to be provided to the tenant no later than the date they move out, whether or not a demolition permit has been obtained or an eviction notice has been served.

## **Moving Expenses**

Tenants will be compensated for moving expenses with a flat rate payment based on number of bedrooms. The below amounts should be adjusted upwards annually from the date the policy is adopted based on the Consumer Price Index (CPI):

- \$1000 for studio and 1 bedroom units
- \$1250 for 2 bedroom units
- \$1500 for 3 bedroom and larger units

## **Notice Period**

The applicant will provide all tenants with four months' notice, only after a Demolition Permit is issued by the City.

## **First Right of Refusal**

The applicant will provide all displaced tenants the first right of refusal to live in any purpose-built rental units in the new building, with the particulars of the units to be negotiated between the property owner and individual tenants.

Where the new building includes mid-market rent (MMR) units, tenants will have the first right of refusal to rent an MMR unit in the new building, provided the tenant meets the eligibility requirements for the MMR unit at the time the unit is first available for rent. To ensure that displaced tenants receive notification when the MMR units are becoming available, they will need to confirm during the relocation process that they want to exercise their first right of refusal.

## **SUBMISSION REQUIREMENTS**

The applicant will submit the following documents throughout the development applications and approvals process

### **Development Application**

An Occupancy Report and Tenant Relocation Plan are required to be submitted at time of Development Application.

The Occupancy Report should contain the following information:

- i. Total number of units in building, by unit size (number of bedrooms) and status (occupied or vacant)
- ii. Type of tenancy (periodic or fixed term) for each tenant households
- iii. Start and, if relevant, end date of tenancy for each tenant household
- iv. Current Rent for each unit
- v. Specific tenant households characteristics from the Tenant Household Needs Assessment form, should the tenant wish to provide this information (for example, accessibility/mobility requirements, pets, proximity to particular amenities such as schools)

The Occupancy Report should comply with data protection and privacy requirements. If tenants do not wish to provide information and/or do not wish to engage with the Tenant Relocation Coordinator it should be communicated to them that they are still entitled to the other provisions of this Policy relating to financial compensation, moving expenses, notice period, and first right of refusal.

The Tenant Relocation Plan should include full information on how the applicant will comply with the minimum provisions of the policy throughout the redevelopment process. A detailed Tenant Communication Plan should be included alongside commitment to use of an independent Tenant Relocation Coordinator and provision of a Tenant Assistance Package that clearly sets out the additional assistance that will be provided to displaced tenants should the rezoning application be approved.

The Tenant Assistance Package must be distributed to tenants within two weeks of receiving staff approval and include the following information as a minimum:

- i. Timeline and overview of the development application process
- ii. Commitment to provide advanced notice and updates to tenants on Development Information Sessions, Council Meetings and Public Hearing related to the application
- iii. Contact information for Tenant Relocation Coordinator
- iv. Responsibilities of the developer to provide financial compensation and other assistance
- v. Method for low income tenants and others facing barriers to request additional assistance
- vi. A current copy of the British Columbia Residential Tenancy Act
- vii. A copy of the City's Residential Tenant Displacement Policy
- viii. Copies of applicable tenant resources

The applicant is responsible for submitting a copy of all written correspondence and notification to tenants to City staff. This correspondence will be included as part of the report to Council for consideration of the development application.

## Demolition Permit

A final Tenant Relocation Report is required to be submitted prior to issuance of a Demolition Permit for the property, as per the format prescribed by the City. As a minimum, this should include:

- i. The outcome of the relocation process for displaced tenants, including evidence that tenants have been satisfactorily assisted in locating alternative accommodation. Where tenants have opted out of relocation assistance, written notice from the tenant must be submitted.
- ii. The value of compensation given to each tenant including financial compensation, moving expenses, and any additional assistance or services that were provided to the tenant(s).
- iii. Details of all tenants who wish to exercise their first right of refusal for any mid-market rental units provided in the new building(s) and how these tenants will be notified when the units become available.

## Occupancy Permit

Details of all tenants who wish to return to the building and the status of their tenancy must be provided prior to the issuance of an Occupancy Permit. In cases where there are more tenants who wish to exercise their first right of refusal than available MMR units, the developer will be responsible for selecting a tenant in accordance with the provisions of the Housing Agreement associated with the development.

## AUTHORITY

Local Government Act, RSBC, 1996

## DOCUMENT HISTORY

Date	Action	By
November 16, 2015	Approved	Council
XX July, 2021	Amended	Council

Policy was first approved as Policy H18 Residential Tenant Displacement Policy

**NOTICE OF MOTION**

10. Increased Financial Assistance and Support for Tenants Displaced by the Redevelopment of Older Purpose-Built Rental Buildings – File: 10-5040-08-0001/2021

Submitted by Councillor Girard

Moved by Councillor Girard, seconded by Councillor Bell

WHEREAS the City of North Vancouver (City), through its policies and in alignment with Metro Vancouver's regional strategies for the delivery of rental housing, is experiencing an increase in investment in the construction of new, purpose-built rental buildings;

WHEREAS renters account for a significant portion of the City's population and are an important part of the City's social fabric;

WHEREAS the goals and objectives of the Official Community Plan include the City being a compassionate community, which recognizes that all individuals and/or their families will require support at some point in their lives, and the City maintaining and enhancing the well-being and quality of life for all community members;

WHEREAS the City, through its Residential Tenant Displacement Policy adopted in 2015, requires enhanced notice and financial assistance for tenants who are displaced due to the redevelopment of older rental buildings to mitigate the impacts of displacement;

WHEREAS the Residential Tenant Displacement Policy requires the development applicant to provide compensation to a tenant equivalent to the value of three months' rent and an amount towards moving expenses, regardless of the number of years of tenancy, and any additional tenant support measures offered by the applicant are done as a voluntary commitment;

WHEREAS tenants living in older rental buildings being redeveloped are at an increased risk of displacement and have difficulties finding stable and affordable housing within the City at comparable rents, which can lead to financial and emotional distress further exacerbated by the effects of the pandemic;

WHEREAS tenants living on limited incomes or who may be facing additional barriers to finding stable and affordable housing, including (but not limited to) seniors and persons with disabilities, require more assistance in relocation given that there are fewer choices available to them;

AND WHEREAS the average rental rates have increased by approximately 25% in addition to other cost of living increases since the Residential Tenant Displacement Policy was adopted;

THEREFORE BE IT RESOLVED THAT staff be directed to report back on an updated Residential Tenant Displacement Policy that reflects increased financial assistance for tenants based on the length of tenancy, and increased support for low income and marginalized tenants who face additional barriers in securing stable and affordable housing.

**CARRIED UNANIMOUSLY**

**City of North Vancouver****COUNCIL POLICY****Policy Name: Residential Tenant Displacement Policy****Policy Number: H18**

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**POLICY****General Policy**

The Council recognizes that renters account for a significant portion of the City's population and are an important part of the City's social fabric. With the redevelopment of older purpose-built rental buildings, renters are challenged to find affordable accommodations in the City. As such, Council supports the protection of renters who are displaced through the redevelopment of purpose-built rental apartments by requiring developers to provide enhanced notice and assistance to these affected individuals.

The goals and objectives that will be supported through the provision of this policy are those contained in the City's Official Community Plan (OCP) and Social Plan, and include:

1. Community Supporting Community – the City will continue to be a compassionate community recognizing that all individuals and/or their families will require support at some point in their lives.
2. Community Life – maintaining and enhancing well-being and quality of life for all community members.
3. Housing - ensuring availability of a range of housing types and tenure throughout the City which address a variety of housing needs.

**Applicability**

This policy is applicable to all development applications seeking Council approval to redevelop or demolish an existing purpose-built rental buildings on properties designated Level Four and higher in the Official Community Plan. The measures outlined in this Policy represent a voluntary commitment by the development applicant to provide additional measures to support City renters.



**Policy Name: Residential Tenant Displacement Policy****Policy Number:** To be assigned after Council adoption

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**Exemptions**

This policy does not apply to developments that are permitted outright under the Zoning Bylaw, properties that are designated Level One, Two or Three in the Official Community Plan, nor tenants displaced from non-secure rental units, such as secondary suites, coach houses and market condo units. Tenants that are displaced from non-dedicated rental units should understand their rights under the British Columbia Residential Tenancy Act. Additional tenant resources may also be found at the Tenant Resource & Advisory Centre ([www.tenants.bc.ca](http://www.tenants.bc.ca)).

**Authority to Act**

Administration of this policy is delegated to the Community Development Department.

**PROVISIONS AND PROCEDURES**

The following elements are requested of the development applicant as a voluntary commitment. Adherence to this Policy does not guarantee development approval from Council.

**Application Process****A. Development Application**

The applicant will submit the following documents at time of Development Application:

1. Current Occupancy Summary with the following information:
  - i. Number of occupied and vacant units;
  - ii. Type of tenancy for each tenant (e.g. periodic or fixed-term);
  - iii. Start and end of tenancy for each tenant;
  - iv. Rent for each unit;
  - v. Size of each unit;
  - vi. Number of bedrooms in each unit; and,
  - vii. Mobility or accessibility requirements and/or other housing supports required by a tenant.

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2. Tenant Communication Plan that outlines how tenants will be proactively engaged and notified of input opportunities throughout the development application process. Tenant resources, such as those offered through the Tenant Resource & Advisory Centre, should be widely advertised to tenants, including on notifications posted in conspicuous places within the building. The applicant is responsible for submitting a copy of all written correspondence and notification to tenants to City staff. This correspondence will be included as part of the report to Council for Council review and consideration.

**B. Development Review Process**

3. The applicant will designate a Tenant Relocation Coordinator to aid tenants in finding up to three comparable rental units in the City of North Vancouver. The maximum rent for the new units found by the Tenant Relocation Coordinator will not exceed 10 percent above the average rent, by the number of bedrooms, in the City of North Vancouver as established in the Rental Market Report released by Canada Mortgage and Housing Corporation (CMHC). Please refer to Table 1 for a sample calculation. If the existing rent amount of a tenant exceeds the average rent levels in the City as recorded by CHMC, the Tenant Relocation Coordinator will find alternate units with rents no more than 10 percent above the tenant's current rent amount.

**Table 1: Sample Calculation for Maximum Rent Amount by Number of Bedrooms for Alternate Units Found by Tenant Relocation Coordinator**

<b>Number of Bedrooms</b>	<b>Average Rent (2014 CMHC Rental Market Report)</b>	<b>Maximum Rent (Avg. Rent + 10%)</b>
Bachelor/Studio	\$876	\$963.60
One-Bedroom	\$1,024	\$1,126.40
Two-Bedroom	\$1,279	\$1,406.90
Three-Bedroom	\$1,586	\$1,744.60

The Tenant Relocation Coordinator is responsible for tracking the units found for each tenant and submitting a status report to the City prior to the issuance of a Demolition Permit. Tenants may opt out of this service by providing written notice to the Tenant Relocation Coordinator, who will then submit it to the City. Tenants may also change the criteria of the alternate

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rental units with written notice. It is recommended that the Tenant Relocation Coordinator engage with tenants early in the development process to develop rapport.

4. The applicant will compensate all tenants on a periodic tenancy (e.g. month-to-month tenancy) with three months' rent to assist tenants in securing alternate accommodations, as well as to compensate for moving expenses. For tenants with fixed-term tenancies, the RTA stipulates how to end a fixed-term tenancy at an earlier date than specified, although the City recommends that the applicant provide a minimum of three months' rent compensation to fixed-term tenants as well.

*C. Development Application Approval*

If the development application is approved by Council, the following provisions are applicable:

5. The applicant will provide all tenants with two months' notice, as per the RTA, only after a Demolition Permit is issued by the City.
6. The applicant will provide all displaced tenants the first right of refusal to live in the new building. The particulars of the unit, including rent amount, unit size and number of bedrooms, will be negotiated between the property owner and individual tenants. If the new building has units that are rented at below-market rents, it is the City's preference that these units are leased to tenants who were displaced from the original building. The Tenant Relocation Coordinator must document all tenants who want to return to the new building and the status of their tenancy prior to the issuance of an Occupancy Permit.

Approval date:	November 16, 2015	Approved by:	Council
Effective date:	November 16, 2015	Revision date:	