AGENDA FOR THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER AND ELECTRONICALLY (HYBRID) FROM CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON MONDAY, FEBRUARY 12, 2024 AT 6:00 PM

Watch Livestream at cnv.org/LiveStreaming
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The City of North Vancouver respectfully acknowledges that this Council meeting is held on the traditional and unceded territories of the Skwxwú7mesh (Squamish) and Səl̓ílwətaɬ (Tsleil-Waututh) Nations.

CALL TO ORDER

APPROVAL OF AGENDA

1. Regular Council Meeting Agenda, February 12, 2024

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, February 5, 2024

PUBLIC INPUT PERIOD

CONSENT AGENDA

Item *3 is listed in the Consent Agenda for consideration.

CORRESPONDENCE

*3. Board in Brief – Metro Vancouver Regional District, January 26, 2024

BYLAWS – FIRST, SECOND AND THIRD READINGS


5. “Housing Agreement Bylaw, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763, Rental Housing Commitments)

REPORT


BYLAW – RESCIND THIRD READING

7. “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006”
BYLAW – AMEND BYLAW AND THIRD READING, AS AMENDED

8. “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006”

NOTICE OF MOTION

9. B.C. Arts Council Funding – Councillor McIlroy

PUBLIC CLARIFICATION PERIOD

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, February 12, 2024

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, February 5, 2024

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.

Speakers may only speak on the same matter once in a 3-month period.

Speakers during the Public Input Period are permitted to join the meeting in person in the Council Chamber or electronically via Webex. There are 2 ways to sign up to speak during the Public Input Period.

1) IN PERSON: Speakers who choose to participate in person must sign the speaker list located outside the Council Chamber between 5:30 and 5:55pm on the day of the Council meeting.

2) ELECTRONICALLY VIA WEBEX: Speakers who choose to participate electronically must pre-register by 12:00 noon on the day of the Council meeting by completing the online form at cnv.org/PublicInputPeriod, or by phoning 604-990-4230. These pre-registrants will receive instructions by email or phone on the afternoon before the Council meeting.

If a speaker has written material to accompany their comments, the material must be sent to the Corporate Officer at clerks@cnv.org no later than 12:00 noon on the day of the Council 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 their surname”. Councillors should be addressed as “Councillor, followed by their surname”.
CONSENT AGENDA

Item *3 is listed in the Consent Agenda for consideration.

RECOMMENDATION:

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

START OF CONSENT AGENDA

CORRESPONDENCE

*3. Board in Brief, Metro Vancouver Regional District, January 26, 2024 – File: 01-0400-60-0006/2023
Re: Metro Vancouver – Board in Brief

RECOMMENDATION:

THAT the correspondence from Metro Vancouver, dated January 26, 2024, regarding the “Metro Vancouver – Board in Brief”, be received and filed.

END OF CONSENT AGENDA

BYLAWS – FIRST, SECOND AND THIRD READINGS


RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9004” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763) be given first, second and third readings.

Application considered by Council on January 22, 2024; notice published on January 31 and February 7, 2024.

No Public Hearing held.

5. “Housing Agreement Bylaw, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763, Rental Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763, Rental Housing Commitments) be given first, second and third readings.
REPORT


Report: Corporate Officer and Chief Financial Officer, February 1, 2024

RECOMMENDATION:

PURSUANT to the report of the Corporate Officer and Chief Financial Officer, dated February 1, 2024, entitled “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006”:

THAT third reading of the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be rescinded;

THAT the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be amended by:

a) replacing “Neighborhood” with “Neighbourhood”;

b) replacing the first Whereas clause with the following:

“WHEREAS it is deemed desirable to design and construct a new North Shore Neighbourhood House community facility, Kings Mill Walk Park and 1600 Eastern Park”;

c) replacing the second Whereas clause with the following:

“AND WHEREAS the estimated cost of designing and constructing the new North Shore Neighbourhood House community facility, and the two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, including expenses incidental thereto, is the sum of $66,475,000, of which the sum of $55,700,000 is the amount of debt intended to be borrowed from the Municipal Financing Authority for these capital projects as authorized by this Bylaw”;

d) replacing Section 2. with the following:

“The Council is hereby empowered and authorized to undertake and carry out, or cause to be carried out, the design and construction of a new North Shore Neighbourhood House community facility, and two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing”;

e) replacing Section 2., Subsection A. with the following:

“To borrow on the credit of the City a total amount not exceeding $55,700,000, with up to $49,500,000 being allocated to the North Shore Neighbourhood House, up to $4,300,000 being allocated to Kings Mill Walk Park and up to $1,900,000 being allocated to 1600 Eastern Park”;

AND THAT the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be given third reading, as amended.

Items 7 and 8 refer.
BYLAW – RESCIND THIRD READING

7. "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006"

RECOMMENDATION:

THAT third reading of “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be rescinded.

BYLAW – AMEND BYLAW AND THIRD READING, AS AMENDED

8. “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006"

THAT the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be amended and given third reading, as amended.

NOTICE OF MOTION

9. B.C. Arts Council Funding – File: 01-0400-01-0001/2024

Submitted by Councillor McIlroy

RECOMMENDATION:

WHEREAS investing in arts, culture, and heritage has proven social, economic, and educational benefits for communities small and large across the province;

AND WHEREAS the arts, culture, and heritage sector has been chronically underfunded in B.C. compared to other regions in Canada;

THEREFORE BE IT RESOLVED that UBCM request that the Province of B.C. increase the B.C. Arts Councils’ annual budget to a minimum of $55 million in the 2025/26 budget.

Background Information, January 31, 2024
PUBLIC CLARIFICATION PERIOD

The Public Clarification Period is limited to 10 minutes in total and is an opportunity for the public to ask a question regarding process or clarification on an item on the Regular Council Agenda. The Public Clarification Period concludes after 10 minutes and the Regular Council Meeting reconvenes.

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, Section 90(1)(e) [land matter].

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

ADJOURN
The meeting was called to order at 6:00 pm.

The Mayor acknowledged the Lunar New Year and invited the community to visit the lantern and light display in Living Lane.

APPROVAL OF AGENDA

Moved by Councillor McIlroy, seconded by Councillor Girard

1. Regular Council Meeting Agenda, February 5, 2024

CARRIED UNANIMOUSLY
R2024/3-1
ADOPTION OF MINUTES

Moved by Councillor Bell, seconded by Councillor Girard

2. Regular Council Meeting Minutes, January 22, 2024 CARRIED UNANIMOUSLY R2024/3-2

PROCLAMATIONS

Mayor Buchanan declared the following proclamations:

Heart Month – February 2024
Black History Month – February 2024

PUBLIC INPUT PERIOD

- Nathan Davidowicz, 7680 Columbia Street, Vancouver, spoke regarding TransLink’s 10-year Investment Plan and the lack of consultation with the City.
- Scott Paterson, 109-170 West 4th Street, North Vancouver, spoke regarding the removal of the tennis courts at the Cloverley redevelopment site and the need for additional courts in the City.
- Robert Luo, East 16th Street, North Vancouver, spoke regarding the removal of the tennis courts at the Cloverley redevelopment site and the need for additional courts in the City.

CONSENT AGENDA

Moved by Councillor Valente, seconded by Councillor Back

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

START OF CONSENT AGENDA

BYLAWS – ADOPTION


Moved by Councillor Valente, seconded by Councillor Back

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2023, No. 8970” (Three Shores Management / Integra Architecture Inc., 275 East 2nd Street, CD-761) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.
CONSENT AGENDA – Continued

BYLAWS – ADOPTION – Continued

4. “Housing Agreement Bylaw, 2023, No. 8971” (Three Shores Management / Integra Architecture Inc., 275 East 2nd Street, CD-761, Rental Housing Commitments)

Moved by Councillor Valente, seconded by Councillor Back

THAT “Housing Agreement Bylaw, 2023, No. 8971” (Three Shores Management / Integra Architecture Inc., 275 East 2nd Street, CD-761, Rental Housing Commitments) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

R2024/3-4

END OF CONSENT AGENDA

DELEGATION

Reid Shier, Director, and Jessica Bouchard, Associate Director, The Polygon Gallery – The Polygon Gallery – Operational Update

Reid Shier, Director, and Jessica Bouchard, Associate Director, The Polygon Gallery, provided a PowerPoint presentation regarding the “The Polygon Gallery – Operational Update” and responded to questions of Council.

CORRESPONDENCE

5. Reid Shier, Director, The Polygon Gallery, December 7, 2023

Re: The Polygon Gallery – Operational Update

Moved by Councillor McIlroy, seconded by Councillor Bell

THAT the correspondence from Reid Shier, Director, The Polygon Gallery, dated December 7, 2023, regarding “The Polygon Gallery – Operational Update”, be received for information.

CARRIED UNANIMOUSLY

R2024/3-5

FINANCE COMMITTEE MEETING

Moved by Councillor Shahriari, seconded by Councillor Back

THAT the meeting recess to the Finance Committee Meeting regarding the “Draft 2024-2028 Financial Plan”.

CARRIED UNANIMOUSLY

The meeting recessed to the Finance Committee Meeting at 6:49 pm and reconvened at 9:20 pm.
REPORT


   Report:  Chief Financial Officer, January 25, 2024

Moved by Councillor Bell, seconded by Councillor Girard


   THAT Council provide input on the 2024 Draft Operating Budget, 2024 Draft Shipyards Budget, 2024 Draft Cemetery Budget, and Proposed New Items that reflect options for a baseline tax rate increase of 6.5-7.5%;

   THAT Council provide feedback on the 2024-2028 Draft Capital Plan;

   THAT the 2024 Draft Operating Budget, 2024 Draft Shipyards Budget, 2024 Draft Cemetery Budget, and 2024-2028 Draft Capital Plan be amended based on the feedback received and brought back to a subsequent meeting for Council’s consideration;

   AND THAT “Affordable Housing Reserve Fund Bylaw, 1996, No. 6757, Amendment Bylaw, 2024, No. 9007” (Text Amendment) be considered.

   CARRIED UNANIMOUSLY

R2024/3-6

BYLAW – FIRST, SECOND AND THIRD READINGS

7. “Affordable Housing Reserve Fund Bylaw, 1996, No. 6757, Amendment Bylaw, 2024, No. 9007” (Text Amendment)

Moved by Councillor McIlroy, seconded by Mayor Buchanan

   THAT “Affordable Housing Reserve Fund Bylaw, 1996, No. 6757, Amendment Bylaw, 2024, No. 9007” (Text Amendment) be given first and second readings.

   CARRIED UNANIMOUSLY

Moved by Councillor McIlroy, seconded by Mayor Buchanan

   THAT “Affordable Housing Reserve Fund Bylaw, 1996, No. 6757, Amendment Bylaw, 2024, No. 9007” (Text Amendment) be given third reading.

   CARRIED UNANIMOUSLY

R2024/3-7
REPORT


Report: Community Development Coordinator, January 24, 2024

Moved by Councillor Bell, seconded by Councillor Girard

PURSUANT to the report of the Community Development Coordinator, dated January 24, 2024, entitled “Council Appointments to the Civic Youth Awards, Centennial Scholarships and Children and Youth Initiatives Fund Committee”:

THAT Councillor McIlroy and Councillor Shahriari be appointed to the Civic Youth Awards, Centennial Scholarships and Children and Youth Initiatives Fund Committee;

AND THAT the North Vancouver Board of Education be invited to appoint one City School Trustee to be a member of the committee to review the grant applications and youth award nominations submitted for the year 2024.

CARRIED UNANIMOUSLY

R2024/3-8

NOTICE OF MOTION


Submitted by Councillor McIlroy and Councillor Valente

Moved by Councillor McIlroy, seconded by Councillor Valente

WHEREAS most crashes in British Columbia happen at intersections and speed was the number one contributing factor in fatal crashes in BC between 2018 and 2022;

AND WHEREAS intersection cameras, for both speed and red light infractions, can be implemented quickly and have been proven to be a cost-effective method of improving intersection safety;

THEREFORE BE IT RESOLVED that UBCM call upon the BC government to install speed and red light cameras at all intersections across BC with 20 or more casualty crashes recorded between 2018-2022;

AND BE IT FURTHER RESOLVED that UBCM call upon the BC government to allow local governments to install speed and red light cameras at their own expense and directly collect fines to be invested in implementing road safety improvements.

CARRIED UNANIMOUSLY

R2024/3-9
PUBLIC CLARIFICATION PERIOD
Nil.

COUNCIL INQUIRIES / REPORTS
Nil.

NEW ITEMS OF BUSINESS
Nil.

NOTICES OF MOTION

Councillor McIlroy advised of her intention to bring forward a Notice of Motion at the next Regular Council meeting regarding “BC Arts Funding Council”.

Councillor Valente advised of his intention to bring forward two Notices of Motion at a future Regular Council meeting regarding “Strata Discrimination against Families” and “Green Infrastructure”.

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)(a) [personal information], 90(1)(d) [security of City property], 90(1)(e) [land matter] and 90(1)(m) [exclusion under another enactment].

CARRIED UNANIMOUSLY

The meeting recessed to the Committee of the Whole, Closed Session, at 9:28 pm and reconvened at 10:08 pm.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

10. Personal Information – 07-2685-01-0001/2024

Report: Corporate Officer, January 24, 2024

Moved by Councillor Back, seconded by Councillor Bell

PURSUANT to the report of the Corporate Officer, dated January 24, 2024, regarding personal information:

THAT the action taken by the Committee of the Whole (Closed Session) be ratified;

AND THAT the wording of the resolution and the report of the Corporate Officer, dated January 24, 2024, remain in the Closed session.

CARRIED UNANIMOUSLY
11. Security of City Property / Exclusion under another Enactment
   – File: 01-0340-50-0001/1

   Report: Chief Administrative Officer, January 30, 2024

   Moved by Councillor Back, seconded by Councillor Bell

   PURSUANT to the report of the Chief Administrative Officer, dated January 30,
   2024, regarding security of City property and exclusion under another enactment:

   THAT the action taken by the Committee of the Whole (Closed Session) be ratified;

   AND THAT the wording of the resolution and the report of the Chief Administrative
   Officer, dated January 30, 2024, remain in the Closed session.

   CARRIED UNANIMOUSLY

R2024/3-11


   Report: Acting Manager, Development Services, January 24, 2024

   Moved by Councillor Back, seconded by Councillor Bell

   PURSUANT to the report of the Acting Manager, Development Services, dated
   January 24, 2024, regarding a land matter:

   THAT the action taken by the Committee of the Whole (Closed Session) be ratified;

   AND THAT the wording of the resolution and the report of the Acting Manager,
   Development Services, dated January 24, 2024, remain in the Closed session.

   CARRIED UNANIMOUSLY

R2024/3-12

13. 2024 Appointments to the Integrated Transportation Committee
   – File: 01-0360-20-0040/2024

   Report: Corporate Officer, January 10, 2024

   Moved by Councillor Back, seconded by Councillor Bell

   PURSUANT to the report of the Corporate Officer, dated January 10, 2024, entitled
   “2024 Appointments to the Integrated Transportation Committee”:

   THAT Lailani Tumaneng, School District No. 44 representative, be appointed to the
   Integrated Transportation Committee for the term that concludes following the 2026
   general local election;

   Continued…
REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION) – Continued

13. 2024 Appointments to the Integrated Transportation Committee
   – File: 01-0360-20-0040/2024 – Continued

   THAT Matthew Cusanelli, Brady Faught and Richard Walton be appointed to the
   Integrated Transportation Committee for the term commencing on February 1, 2024
   and concluding on January 31, 2026;

   AND THAT the report of the Corporate Officer, dated January 10, 2024, entitled
   “2024 Appointments to the Integrated Transportation Committee”, remain in the
   Closed session.

   CARRIED UNANIMOUSLY
   R2024/3-13

ADJOURN

Moved by Councillor Back, seconded by Councillor Valente

   THAT the meeting adjourn.

   CARRIED UNANIMOUSLY

The meeting adjourned at 10:09 pm.

“Certified Correct by the Corporate Officer”

CORPORATE OFFICER
For Metro Vancouver meetings on Friday, January 26, 2024

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: media@metrovancouver.org.

Metro Vancouver Regional District

E1.1 Regional Park at Cape Roger Curtis – Project Update

Regional Park staff continue to work through the Bowen Island Municipality (BIM) rezoning and Official Community Plan (OCP) amendment process required to allow for supervised overnight tent camping in the proposed regional park at Cape Roger Curtis.

In July 2023, BIM council referred the park proposal, draft rezoning and OCP amendment bylaws, and a list of conditional requirements to advisory committees, external agencies, Islands Trust, and First Nations. Phase 2 public engagement took place July 29 to August 16, 2023. On August 25, 2023, the Islands Trust Executive Committee resolved that the BIM rezoning and OCP amendment bylaws are contrary to or at variance with the Islands Trust Policy Statement. BIM subsequently asked Metro Vancouver to submit an amended proposal to comply with the Islands Trust Policy Statement prior to consideration of second reading.

Staff have provided detailed responses to the Islands Trust decision and conditional requirements to BIM, and requested clarity on the next steps in the rezoning and OCP amendment process.

The Board received the report for information.

E2.1 Climate 2050: Priority Actions to Accelerate Toward our Regional Targets

The Board has adopted the targets and plans aligned with the global science to avoid the worst impacts of climate change. Metro Vancouver’s Clean Air Plan and Climate 2050 strategy and supporting roadmaps outline the necessary actions and roles. This report identifies priority “Big Moves” needed to accelerate toward the Board-adopted greenhouse gas emissions reduction targets.

At its January 11 meeting, the Climate Action Committee identified the importance of a broad and inclusive discussion on priority actions, and the need for all standing committees of the Metro Vancouver Board to be aware of, and understand the criticality of, these priority actions in advancing substantive climate action toward the Board adopted climate action targets. Given that affordability and housing challenges are top of mind for the residents of Metro Vancouver, it is important to ensure that there is broader discussion about the regulatory opportunities for Metro Vancouver in the building, transportation, and industrial sectors, and a good understanding of the range of supportive policies and equity outcomes that are imperative for any regulatory policy success.

The Board received the report for information and directed staff to forward a copy of the report to the Caucus of Committee Chairs for discussion and information.
E2.2 Proposed Regulatory Approach to Reduce Greenhouse Gas Emissions from Existing Large Buildings: Phase 2 Engagement

This report requested a second phase of engagement on a regulatory approach for reducing GHG emissions from existing large buildings (over 2,322 square metres or 25,000 square feet). The report sought Board direction to engage further with impacted and interested audiences on a regulatory intentions paper, which describes an approach to setting GHG emissions reporting requirements and final GHG limits for about 9,000 large buildings in the region. This represents less than two per cent of the region’s overall existing building stock, yet these buildings contribute 35 per cent of building sector GHG emissions.

The Board did not support the proposal to proceed with the next phase of engagement.

E3.1 Renewal of MVRD Internal Financing of MVHC Mortgages

The Board approved the MVRD continuing to provide first mortgage financing on four MVHC properties (Manor House, Regal Place Hotel, Cedarwood Place, and Crown Manor). The mortgages will be for another five-year term, and will have a variable interest rate based upon Metro Vancouver’s internal rate of return on investments. The Board directed the Corporate Officer to publish in the newspaper, pursuant to requirements of Section 272 of the Local Government Act, Metro Vancouver’s intention to lend money to the MVHC.

E4.1 Metro 2050 Implementation Guideline – Industrial and Employment Lands

The Board endorsed the Metro 2050 Implementation Guideline – Industrial and Employment Lands as presented.

Regional Planning is in the process of developing and updating a suite of Metro 2050 implementation guidelines in an effort to support the interpretation and implementation of the regional growth strategy. This implementation guideline is intended to provide clarity about industrial land objectives, as well as how planning policies, market conditions, site locations, industrial sectors, and local contexts influence the implementation of these objectives. It also provides guidance for member jurisdictions on how to best support the protection and efficient development and use of industrial lands, while also reflecting local contexts and issues, during the preparation of Regional Context Statements.

E4.2 Metro Vancouver Resident and Immigrant Behaviour Model: Phase One and Two

The Metro Vancouver Resident and Immigrant Behaviour Model was developed to better understand housing and neighbourhood needs and preferences of long-term residents and immigrants. The survey found that both cohorts are motivated to live in the region largely due to employment opportunities and a favourable climate. Immigrants are more likely to move within the region, while long-term residents tend to remain in a single location.

Immigrants prefer living in “the city,” while long-term residents prefer living in a suburban neighbourhood. Both cohorts express a preference to live in neighbourhoods with a mix of housing types, shops, and
businesses. Both cohorts prefer the housing type they currently live in with immigrants more likely to prefer apartments and multi-attached houses, and long-term residents more likely to prefer single detached houses.

The Board received the report for information.

E4.3 Metro Vancouver Housing Data Book 2023 RECOMMENDED

The Metro Vancouver Housing Data Book brings together a large collection of regional and municipal level housing related data to support policy makers, researchers, and members of the public. The Board received the report for information.

E4.4 Commercial Truck Parking on Agricultural Lands APPROVED

Metro Vancouver staff have reviewed the matter of unauthorized commercial or heavy-duty truck parking on the region’s agricultural lands. This issue has been an ongoing challenge for some member jurisdictions in the region and involves truck owner-operators parking or storing vehicles on agricultural lands because they have limited options. This report provides background and context of the issue, including: a summary of relevant policies and plans, an overview of the complexity and interconnected aspects of the issue, impacts on the agricultural sector, the needs of truck drivers and their operational considerations, current efforts to address the issue, and possible solutions that various agencies could further explore.

The Board resolved to send a letter to the Minister of Transportation and Infrastructure and the Minister of Agriculture and Food advocating for provincial actions to address the issue of commercial truck parking on agricultural lands, and to send a copy of this report to member jurisdictions with agricultural land.

G1.1 Metro Vancouver Regional District Dedication of Land as Regional Park Bylaw No. 1370, 2024 APPROVED

Metro Vancouver has undertaken a review of its regional park land holdings. Due to changes in legislation and corporate practice over time, there is a significant number of regional parks parcels that are not dedicated as regional park by way of bylaw. This includes outstanding regional park lands owned by Metro Vancouver that are not currently dedicated by way of bylaw, with some exceptions of parks where Metro Vancouver is engaged in major projects.

The Board gave first, second, and third readings to the Metro Vancouver Regional District Dedication of Land as Regional Park Bylaw No. 1370, 2024, then passed and finally adopted said bylaw.

G2.1 Metro 2050 Type 2 Proposed Amendment – City of Maple Ridge (Yennadon Lands) APPROVED
The City of Maple Ridge requested a Type 2 Metro 2050 amendment for a 25.4-hectare site comprising 13 properties located southwest of the intersection of 232 Street and 128 Avenue. The amendment would adjust the Urban Containment Boundary to include 23154 128 Avenue and 12791 232 Street (approximately two hectares in total), and re-designate the regional land uses from General Urban and Agricultural to Industrial and Conservation and Recreation to accommodate future industrial uses and protect a portion of the site for nature.

The Board initiated a Metro 2050 amendment process for the City of Maple Ridge as requested. They gave first, second, and third readings to Metro Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1376, 2024 and directed staff to notify affected local governments per section 6.4.2 of Metro 2050.

G3.1 MFA Spring 2024 Borrowing for the Township of Langley – MVRD Security Issuing Bylaw No. 1377, 2024

As set out in the Community Charter, Metro Vancouver must adopt a security issuing bylaw in order to enable the Township of Langley to proceed with their long-term borrowing request of $25,250,000. This borrowing is to finance the construction of Fire Hall #5.

The Board consented to the request for financing from the Township of Langley, gave first, second, and third readings to Metro Vancouver Regional District Security Issuing Bylaw No. 1377, 2024, then adopted said bylaw and forwarded it to the Inspector of Municipalities for Certificate of Approval.

H1 Notice of Motion

New Westminster Mayor Patrick Johnstone provided a notice of motion to the Board on behalf of New Westminster Council requesting that fair wage and living wage policies be developed and adopted by the regional government.

The Board directed staff to report back on living wage and fair wage policies for the MVRD, MVHC, GVWD, and GVS&DD.

I 1 Committee Information Items and Delegation Summaries

The Board received delegation summaries from standing committees.

Climate Action Committee – January 11, 2024

Delegation Summaries:

3.1 Melina Scholefield, Executive Director, Zero Emissions Innovation Centre
Subject: Climate Action in Metro Vancouver – Retrofit Accelerator for Existing Large Buildings

Regional Planning Committee – January 12, 2024
Delegation Summaries:

3.1 Marlene Best, Interim Director of Planning and Amanda Grochowich, Manager of Community Planning, Planning Department, City of Maple Ridge
Subject: Urban Containment Boundary Extension and Re-designation

Greater Vancouver Water District

I 1 Committee Information Items and Delegation Summaries

The Board received one information item from one standing committee.

Water Committee – January 10, 2024

Information Item:

E1.1 Cleveland Dam Safety Enhancements Program

Metro Vancouver remains dedicated to enhancing public safety for those enjoying nature around Capilano River Regional Park and has completed a number of upgrades to the Cleveland Dam as well as along the Capilano River downstream of the dam. These include installing an interim public alarm system, enhancing the reliability of the Cleveland Dam mechanical and control systems, adding more warning signage along the river, launching a safety education website, transitioning to Alertable (an emergency mass public alert system), and completing two phases of public engagement.

Design of the long-term public warning system is currently underway with new alarm sites being informed through on-site surveying along the Capilano River to determine patterns of public river uses. Another phase of engagement will take place in 2024 prior to installation and commissioning of new locations in 2025.

Greater Vancouver Sewerage and Drainage District

E1.1 2024 Liquid Waste Capital Projects

The Board approves an annual capital budget for the liquid waste system. This report provides the Board with geographical information regarding the location of the different projects that were approved for 2024. The Board received the report for information.

E1.2 Award of Contract Resulting from Standing Request for Expression of Interest No.
23-011: Biosolids Management – Multi-Site Forage Crop Fertilization

APPROVED
Metro Vancouver is obligated under the *Integrated Liquid Waste and Resource Management Plan* to continuously seek and secure beneficial use options to manage our supply of biosolids in an environmentally, socially, and fiscally responsible manner.

The Board approved award of a contract resulting from Standing Request for Expression of Interest No. 23-011 for biosolids management, in the amount of up to $5,607,000 (exclusive of taxes) to SYLVIS Environmental Services Inc., for a term of five years with an option to extend for one additional five-year term subject to final review by the Commissioner.

**E1.3 Award of Contract Resulting from Standing Request for Expression of Interest No. 23-011: Biosolids Management – Ingerbelle Composting Facility**

Metro Vancouver is obligated under the *Integrated Liquid Waste and Resource Management Plan* to continuously seek and secure beneficial use options to manage our supply of biosolids in an environmentally, socially, and fiscally responsible manner.

The Board approved award of a contract resulting from Standing Request for Expression of Interest No. 23-011 for biosolids management, in the amount of up to $29,768,000 (exclusive of taxes) to Arrow Transportation Systems Inc., for a term of five years with an option to extend for one additional two-year term subject to final review by the Commissioner.

**E1.4 Award of Contract Resulting from Request for Proposal No. 23-184: Iona Island Wastewater Treatment Plant Long-term Lagoon Cleaning**

Metro Vancouver requires specialized services to remove and dewater digested wastewater treatment plant sludge from the four lagoons located at Iona Island Wastewater Treatment Plant in order to create space for construction of the plant upgrade projects.

The Board approved the award of RFP No. 23-184 for Iona Wastewater Treatment Plant long-term lagoon cleaning in the amount of up to $29,913,644 (exclusive of taxes) to American Process Group Ltd., for a term of four years with an option to extend for an additional two years, subject to final review by the Commissioner.

**G1.1 Greater Vancouver Sewerage and Drainage District Sewerage and Drainage Areas Boundaries Amendment Bylaw No. 374, 2024 – Fraser Sewerage Area – Maple Ridge (14500 Silver Valley Road)**

At its November 24, 2023 meeting, the MVRD Board resolved that the extension of GVS&DD sewerage services to four new building footprints at 14500 Silver Valley Road, Maple Ridge was generally consistent with the provisions of *Metro 2050*. The City of Maple Ridge requested a sewer area amendment application to the GVS&DD requesting an extension of sewer service to 14500 Silver Valley Road, which is part of UBC's Malcolm Knapp Research Forest.
The Board gave first, second, and third readings to the Greater Vancouver Sewerage and Drainage District Sewerage and Drainage Areas Boundaries Amendment Bylaw No. 374, 2024, then passed and finally adopted said bylaw.

I 1 Committee Information Items and Delegation Summaries

The Board received a lone information item from a single standing committee.

Liquid Waste Committee – January 17, 2024

Information Item:

E1 2023 “Our Ocean Thanks You” Campaign Results

Microfibres from fabrics are one of the largest sources of microplastics in the ocean and can be harmful to aquatic life. The “Our Ocean Thanks You” campaign asks residents to wash in cold water to reduce microfibre shedding. The campaign ran from September 12 to October 29 and targeted parents with children under 18. Paid media placements included social media, YouTube, television, radio, transit advertising, online banners, and Google Search terms, all of which directed to a campaign website. Boosted by creative materials featuring new marine animals, many media placement and website results were stronger than last year. The campaign delivered over 25 million impressions, 1.1 million video views, 13,000 clicks for more information, 253 engagements, 11,600 website visits, and reached 845,000 residents through online tactics. The campaign will run again in 2024 with a similar timing and will continue to feature additional marine animals as part of its creative materials.

Metro Vancouver Housing

E1.1 Renewal of MVRD Internal Financing of MVHC Mortgages

The Board approved the MVRD continuing to provide first mortgage financing on four MVHC properties (Manor House, Regal Place Hotel, Cedarwood Place, and Crown Manor). The mortgages will be for another five-year term, and will have a variable interest rate based upon Metro Vancouver’s internal rate of return on investments. The Board directed the Corporate Officer to publish in the newspaper, pursuant to requirements of Section 272 of the Local Government Act, Metro Vancouver’s intention to lend money to the MVHC.
I 1 Committee Information Items and Delegation Summaries

The Board received a solitary information item from a standing committee.

Housing Committee – January 12, 2024

Information Item:

E1.1 Municipal Measures to Reduce Non-Market Housing Development Costs and Approval Timelines – Engagement Update

Non-profit rental housing projects face a number of challenges, including increasing costs and extended timelines, which have been exasperated in the current economic climate. To maximize the number of affordable homes delivered in the region, and to ensure affordable rental housing projects remain viable, supportive municipal policies that reduce development costs and approval timelines for non-market housing are critical. This report provides an update on engagement activities undertaken to date, following direction from the MVHC Board to work with Metro Vancouver member jurisdictions to identify opportunities for more regional consistency and supportive policy measures to aid in more effective delivery of non-market housing in the region.
The Corporation of THE CITY OF NORTH VANCOUVER
PLANNING & DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Matthew Menzel, Planner 3

Subject: ZONING BYLAW AMENDMENT FOR 351 WEST 3RD STREET (JIM PATTISON DEVELOPMENTS LTD.)

Date: January 10, 2024 File No: 08-3400-20-0082/1

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

RECOMMENDATION

PURSUANT to the report of the Planner 3, dated January 10, 2024, entitled "Zoning Bylaw Amendment for 351 West 3rd Street (Jim Pattison Developments Ltd.)";

THAT the application submitted by Jim Pattison Developments Ltd., to rezone the property located at 351 West 3rd Street from a CS-2 Zone to a Comprehensive Development Zone, be considered with no Public Hearing held, in accordance with the Local Government Act;

THAT notification be circulated prior to First Reading of the bylaw in accordance with the Local Government Act;

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

ATTACHMENTS

1. Context Map (CityDocs 2440419)
2. Architectural Plans, dated October 27, 2023 (CityDocs 2455162)
3. Landscape Plans, dated September 12, 2023 (CityDocs 2445127)
4. Overview of Zoning Variances and Parking Provisioning (CityDocs 2455522)
5. Advisory Design Panel Resolution, dated October 28, 2022 (CityDocs 2311622)
6. Advisory Design Panel Resolution, dated October 23, 2023 (CityDocs 2425912)
SUMMARY

This report presents a rezoning application for the subject site at 351 West 3rd Street to permit a 5-storey rental apartment building consisting of 53 units, six of which would be mid-market rental units.

A road dedication of 3.048 metres (10 feet), as per bylaw requirement, is to be provided at the northern lot line, being the West 3rd Street frontage, to facilitate future road upgrades. Further, a road dedication of 1.19 metres (3.9 feet) is to be provided along the western lot line, being the Forbes Avenue frontage, to facilitate required road and streetscape upgrades.

BACKGROUND

Applicant: Jim Pattison Developments Ltd.
Architect: Mallen Gowing Berzins Architecture
Official Community Plan Designation: Residential Level 5 (R5)
Existing Zoning: CS-2 (Service Station Commercial)
Applicable Guidelines: N/A

DISCUSSION

Site Context and Surrounding Use

The site is located on the south-east corner of West 3rd Street and Forbes Avenue. Both West 3rd Street and Forbes Avenue are identified as arterial roads and are transit routes. The Forbes Avenue frontage contains an existing off-street multi-use path.

The subject site is located within close proximity to a full range of services, public transit facilities and recreation opportunities within Lower Lonsdale to the south-east, and the Marine-Hamilton neighbourhood to the west.

The site is surrounded by multi-family residential apartment buildings with heights ranging from 3 to 4-storey. Land to the west is Squamish First Nation on the opposite side of Forbes Avenue.

The buildings and uses immediately surrounding the site are described in Table 1 following.
REPORT: Zoning Bylaw Amendment for 351 West 3rd Street (Jim Pattison Developments Ltd.)
Date: January 10, 2024

Table 1. Surrounding Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Address</th>
<th>Zoning</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North (across W 3rd St.)</td>
<td>308 Forbes Ave</td>
<td>RM-1</td>
<td>3 storey rental apartment</td>
</tr>
<tr>
<td>South (across lane)</td>
<td>212 Forbes Ave</td>
<td>RM-1</td>
<td>3 storey strata apartment</td>
</tr>
<tr>
<td>East</td>
<td>341 W 3rd St</td>
<td>RM-1</td>
<td>3 storey strata apartment</td>
</tr>
<tr>
<td>West (across Forbes Ave)</td>
<td>Various (Squamish Nation lands)</td>
<td>N/A</td>
<td>Single-family dwellings</td>
</tr>
</tbody>
</table>

Policy Context

The subject site is designated Residential Level 5 in the Official Community Plan (OCP). This designation has the purpose of providing quality multi-family housing with a mix of unit sizes, with a maximum density of 2.6 FSR (including 1.0 bonus FSR). A maximum height of six storeys is permitted.

Project Description

The application proposes a 5-storey residential rental building with one level of parking. Vehicle parking access is provided from the rear lane to the south.

The following table provides an overview of the proposed development:

Table 3: Development proposal overview

<table>
<thead>
<tr>
<th>Element</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>2.6 FSR</td>
</tr>
<tr>
<td>Unit Mix</td>
<td>53 residential rental units, including:</td>
</tr>
<tr>
<td></td>
<td>- 5 studio units;</td>
</tr>
<tr>
<td></td>
<td>- 36 one-bed units;</td>
</tr>
<tr>
<td></td>
<td>- 6 two-bed units; and</td>
</tr>
<tr>
<td></td>
<td>- 6 three-bed units (11%).</td>
</tr>
<tr>
<td>Mid Market Rental</td>
<td>6 units (11%), including:</td>
</tr>
<tr>
<td></td>
<td>- 1 studio units;</td>
</tr>
<tr>
<td></td>
<td>- 3 one-bed units;</td>
</tr>
<tr>
<td></td>
<td>- 1 two-bed units; and</td>
</tr>
<tr>
<td></td>
<td>- 1 three-bed units.</td>
</tr>
<tr>
<td>Adaptable Units</td>
<td>16, Level 2 adaptable units (30%)</td>
</tr>
<tr>
<td>Residential Amenity</td>
<td>Indoor – 103 square metres (1,107 square feet)</td>
</tr>
<tr>
<td></td>
<td>Outdoor (covered) – 80 square metres (865 square feet)</td>
</tr>
<tr>
<td></td>
<td>Outdoor (rooftop) – 395 square metres (4,254 square feet)</td>
</tr>
</tbody>
</table>

Six of the units (11%) are proposed as mid-market units and 16 of the units (30%) are proposed to meet Level 2 of the Adaptable Design guidelines. All units would be secured through the Housing Agreement for the life of the building.
PLANNING ANALYSIS

Policy Alignment

The proposal is consistent with the OCP land use designation and below OCP height limits for the site. The proposed density is 2.6 FSR, which is consistent with the OCP Mixed Use Level 2 land use designation.

The proposal is in alignment with a number of OCP goals and objectives to have additional secured rental housing within proximity to the Lonsdale Regional City Centre and close to shops, services, frequent public transit and employment opportunities.

The proposed mix of unit types meets key actions of the Housing Action Plan for mid-market rental units and family-friendly units. The proposal also exceeds the Zoning Bylaw minimum requirement for 25% of units to meet Level 2 Adaptable Design. The proposal generally addresses the Active Design Guidelines through the provision of indoor and outdoor amenity spaces, as well as new public realm upgrades.

Built Form and Urban Design

The proposed built form is consistent with the character of the neighbourhood. The proposed height at 18 metres and five storeys complies with the OCP and will ensure the building integrates with future developments on adjoining lots. The proposal establishes a strong street wall along both West 3rd Street and Forbes Avenue, with a suitable setback to the eastern side boundary to establish suitable building separation to the adjoining residential building.

A high level of activation and casual surveillance of the road frontages and laneway is achieved through orientation of private patios, communal outdoor amenity area and upper level private balconies towards the corresponding road.

The façade of the building has been designed with appropriate articulation through the use of steps and recesses along the elevations, and use of attached balcony structures, which work to break up the form of the building and reduce the perceived bulk. The proposed development has also provided suitable landscaping treatments within the buildings design that will soften the visual impacts of the built form.

Proposed Zoning Changes

The proposed Comprehensive Development Zone will be based off of the Medium Density Apartment Residential 1 RM-1 Zone, consistent with the proposed use types and recent developments of a similar nature. To allow the massing, the proposed bylaw would include modifications to the RM-1 zone density, building height, setbacks and building width. A table summary and overview of the proposed zoning changes is included as Attachment 8 to this report.
Parking, Loading and Transportation

The site is located in the Lonsdale Regional City Centre, approximately 700m from the closest RapidBus Stop along Marine Drive, and 1km from the SeaBus Terminal and Lonsdale Quay Bus Exchange. The proposal will involve construction of an upgraded Local Bus Stop along the West 3rd Street frontage.

The application proposes vehicle access to an underground parkade accessed from the southern laneway. The proposed bicycle rooms and bicycle amenity areas will be accessed directly from Forbes Avenue, as well as via elevator from the main residential lobby and parkade.

Overall, the application generally meets the parking and loading requirements of the Zoning Bylaw apart from a minor variance to resident parking. The design proposes an equivalent of 28 parking spaces, instead of the current bylaw requirement of 32 spaces. Considering the central location and transportation demand management measures in place, this variance is supported by staff.

An overview of the proposed parking variance and relevant statistics are included as part of Attachment 4 to this report.

Off-Site Works and Infrastructure Upgrades

The proposed development will provide appropriate off-site streetscape upgrades consistent with the Subdivision and Development Control Bylaw. This includes the reconstruction of the frontages along West 3rd Street and Forbes Avenue with the installation of new sidewalk, curb and gutter, street trees, street lighting, road paving, and an upgraded bus shelter.

The development will also deliver a 3.048 metre road dedication along the north property line, as required by the Zoning Bylaw, in order to facilitate future road upgrades along West 3rd Street.

In addition to the bylaw required works, the development will secure the following:

- A $109,460.00 financial contribution for the future upgrade of sanitary sewer infrastructure in the local catchment area, which is currently undersized.
- A $10,000.00 contribution for a third party review of the intersection and active transportation design.
- A 3.0 metre chamfered statutory right-of-way at the corner of 3rd Street and Forbes Avenue to accommodate a protected intersection design, pedestrian and cyclist movements, and future road widening/boulevard programming.
- A 1.19 metre road dedication along the west property line, in order to facilitate road and streetscape upgrades along Forbes Avenue.
- A 2.5 metre wide statutory right-of-way on the Forbes Avenue frontage to accommodate the proposed boulevard programming.

These requirements will be secured through legal agreements with the City.
Density Bonus and Community Benefits

The City's Density Bonus and Community Benefits Policy, in conjunction with the OCP, allows for density bonuses beyond 1.6 FSR in the Residential Level 5 designation, up to a maximum of 2.6 FSR.

The policy provides a number of community benefits options for projects seeking additional density and seeks to ensure the City receives value for additional density granted. The community benefit offered by this proposal is an increase of the City's rental housing stock by 53 units, 6 of which will be mid-market rental units, secured for the life of the building through a Housing Agreement with the City.

In addition to secured market and mid-market rental units, staff are seeking Council direction to secure the following items as conditions of this rezoning:

- Public Art to a value of $80,000;
- 3.048 metre road dedication along the West 3rd Street frontage; and
- 1.19 metre road dedication along the Forbes Avenue frontage.

Environmental Requirements

The subject site previously contained a gas station, which is a specified industrial or commercial use that is listed in Schedule 2 of the provincial Contaminated Sites Regulation of the Environmental Management Act. In June, 2023, the City received an Approval in Principle letter from the province, which allows the City to proceed with the current rezoning application under the relevant provisions of the Local Government Act. The most recent Approval in Principle approved an on-site remediation plan supporting independent remediation of the site, to return the site to applicable standards for a residential development.

As the subject site previously accommodated a gas station use, the City owned land adjacent to the site is also potentially affected by contamination. As a consequence, the applicant will need to undertake the following actions prior to Bylaw adoption, to appropriately respond to this potential constraint:

- Provide a report defining the extents of contamination and proposed remediation strategy to be approved by the Ministry of Environment; and
- If deemed necessary, enter into a remediation agreement with the City, to remediate affected soils and groundwater on the subject site and City lands according to the approved remediation plan and to the City's satisfaction.

Legal Agreements

Should Council support this rezoning, the following legal agreements will be prepared and signed by the applicant prior to final adoption:

- Development Covenant;
- Housing Agreement;
• Servicing Agreement;
• Statutory Right of Way over 3.0 metres of the subject site at the corner of 3rd Street and Forbes Avenue.
• Statutory Right of Way over 2.5 metres of the subject site on the Forbes Avenue frontage.
• Community Good Neighbour Agreement;
• Crane Swing and Shoring Agreement;
• Flooding Covenant;
• Community Energy Agreement; and
• Remediation Agreement (if necessary).

The plan for the road dedications will also be required to be prepared by the applicant and signed and delivered to the City with the above-noted agreements prior to final adoption.

ADVISORY BODY INPUT

The application was originally reviewed by the Advisory Design Panel (ADP) on October 28, 2022. The Panel did not recommend approval of the proposal pending resolution of a number of issues (refer to Appendix 4).

The application was subsequently reviewed by the Advisory Design Panel (ADP) on October 23, 2023, with the applicant having responded to the concerns raised at the previous meeting. At the second meeting, the Panel recommended approval of the proposal subject to addressing the following issues to the satisfaction of staff:

• Review the detailed design of the building entrance to incorporate lighting and further emphasize the entrance;
• Review access to bike room from Forbes Avenue focusing on ease of circulation and movement;
• Review placement of lower amenity space to provide greater access to natural light;
• Review layout of adaptable units and alignment of living space with balconies to ensure accessibility;
• Review sizing of Japanese Maple at the building entrance;
• Review security of bike storage areas, building entries and the parking entrance; and
• Recommend maximizing covered spaces on the rooftop.

Revised designs were subsequently submitted that address the above concerns to the satisfaction of staff.

COMMUNITY CONSULTATION

A Developer's Information Session (DIS) was held on August 30, 2022 and was attended by 9 people. 4 comment forms and emails with comments were submitted following the DIS. One member of the community provided support for the project, one opposed, and two provided conditional support.
The main reasons for support were:

- Provision of new rental units and housing options;
- Reduced vehicle parking; and
- Appearance of the building.

The main concerns were:

- Providing trees within the boulevard, especially adjacent to the mobility lane;
- Lack of commercial floor space;
- Provision of family friendly units;
- Reduced vehicle parking;
- Building height and shadow impacts; and
- Sustainability measures.

A summary of the public consultation, as prepared by the applicant, is available in Attachment #7.

**Staff Response**

The boulevard has been designed to accommodate approximately 16 new street trees, including adjacent to the new mobility lane along Forbes Avenue. This will provide suitable shading to pedestrians and soften the built form elements.

The site is designated Residential Level 5 in the OCP, and therefore no commercial land uses are anticipated. The site is well positioned and highly accessible to existing commercial services within Lower Lonsdale and the Marine Drive Frequent Transit Development Area.

The proposed development has provided 6 three-bedroom units (11%), which meets the Housing Action Plan in relation to providing family friendly housing.

As outlined in Attachment 4, the minor variance to vehicle parking is supported by staff.

Lastly, design development has taken place after the DIS, addressing comments from Advisory Design Panel and the public regarding the building design. Additionally, the development meets the City’s building standards and addresses a number of goals set out in the City’s Sustainable Development Guidelines.

**NO PUBLIC HEARING FOR OCP COMPLIANT RESIDENTIAL DEVELOPMENT**

Pursuant to recent Provincial amendments to Section 464 of the *Local Government Act*, which came into force on November 30, 2023, the City must not hold a public hearing on a proposed rezoning bylaw if: an OCP is in place for the subject site; the bylaw is consistent with the OCP; the development is residential; and that residential component is at least half of the gross floor area for the development. Since all of these factors apply to this development, no public hearing will be held and notice will be published for First Reading of the Bylaw, as set out in the *Local Government Act*. 
CONCLUSION

This proposal is in alignment with goals and objectives of the OCP and Council Strategic Plan to intensify residential development within the Lonsdale Regional City Centre, and increase rental and mid-market units in the City. The project will also provide appropriate land dedications to facilitate future road upgrades along West 3rd Street, along with a road dedication and statutory right-of-way to facilitate provision of an updated mobility path along the Forbes Avenue frontage.

RESPECTFULLY SUBMITTED:

Matthew Menzel
Planner 3
Context Map: 351 West 3rd Street
## LEGAL DESCRIPTION

LOT 1, BLOCK 136 DL 271, GI MED PLAN U388

### DRAWING LIST

<table>
<thead>
<tr>
<th>Drawing No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-100</td>
<td>Cover Sheet</td>
</tr>
<tr>
<td>01-101</td>
<td>Drawing List</td>
</tr>
<tr>
<td>02-000</td>
<td>Level 2</td>
</tr>
<tr>
<td>02-000</td>
<td>Level 2</td>
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<td>02-000</td>
<td>Level 2</td>
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</tr>
<tr>
<td>02-000</td>
<td>Level 2</td>
</tr>
</tbody>
</table>

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### ARCHITECTURAL

MAGNUS GRAVEN WAGONS ARCHITECTURE INC.

**Address:** Suite 300 7 east 5th Ave.

**Location:** Vancouver, BC V6C 1C2

**Website:** www.mgba.com

**Phone:** (604) 684-6282

### CIVIL

WAGLER ENGINEERING LLP

**Address:** 312 30th Street

**Location:** Burnaby, BC V5J 1G3

**Website:** www.waglerengineering.com

**Email:** kmc@waglerengineering.com

**Phone:** (604) 505-1592 Ext. 100

### LANDSCAPE

VAUGHAN LANDSCAPE PLANNING & DESIGN LTD

**Address:** 101-1155 - 7th Marine Drive

**Location:** West Vancouver, BC V7V 1J9

**Website:** www.vaughanplanning.com

**Email:** info@vaughanplanning.com

**Phone:** (604) 922-4700

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### CLIENT

**Name:** JIM PATTON DEVELOPMENTS

**Address:** 500 - 3rd Street West

**Location:** North Vancouver, BC V7T 1P7

**Website:** www.jimpattondevelopments.com

**Phone:** (604) 985-4334

---

**Note:** The document contains a list of drawings and is intended for review purposes.

---

**Attachment 2**
FALL EQUINOX
SEPTEMBER 22

WINTER SOLSTICE
DECEMBER 21
SPRING EQUINOX
MARCH 20

SUMMER SOLSTICE
JUNE 21
CITY OF NORTH VANCOUVER
DECIDUOUS TREE PLANTING DETAIL

PLANTING (TYP):
Fraxinus 'Patmore

SOIL BELOW (25 cu m OF SOIL PER TREE):
SIDEWALK

COVERED ABOVE

EXHAUST

CUSTOM ALUMINUM PLANTER PLACED ON SLAB

COVERED ABOVE

CUSTOM ALUMINUM PLANTER PLACED ON SLAB, 2" - 5" HEIGHT

COVERED ABOVE

CAST IN PLACE CONCRETE SURFACE UNVEILED AT TIP UP STAIRS

CUSTOM ALUMINUM PLANTER PLACED ON SLAB

COVERED ABOVE

ASPHALT INFILL BETWEEN CONCRETE PAVING IN ALLEY (TYP)

COVERED ABOVE

CONCRETE SLAB WITH LIGHT ROOM FINISH AND SLAB CITY SCONE LINES

PAVING

EXPOSED AGGREGATE CONCRETE WITH TRAFFIC COATING

FURNISHINGS

COVERED ABOVE

STANDARD MATERIALS ON FORBES AVENUE SIDEWALK

OUTLINE OF STRUCTURAL SOIL BELOW (25 cu m OF SOIL PER TREE)

SEE DETAILS

DECIDUOUS TREE PLANTING DETAIL

SCALE 1:10

SHRUB PLANTING DETAIL

2 X 6 INCH BALL, NORTH
Overview for Zoning Variances and Parking Provisioning

The following provides a summary and overview of the proposed zoning variances and car parking provisioning associated with the project at 351 West 3rd Street:

**Table 1. Summary of Proposed Zoning Changes**

<table>
<thead>
<tr>
<th>BASE RM-1 ZONE</th>
<th>PROPOSED CD-749 ZONE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Principal Uses</strong></td>
<td>Rental Apartment Residential Use</td>
</tr>
<tr>
<td>Retail-Service Group 1</td>
<td>Accessory Residential Uses</td>
</tr>
<tr>
<td>Accessory Residential and Parking Uses</td>
<td>Accessory Parking Uses</td>
</tr>
<tr>
<td><strong>Density Maximum</strong></td>
<td>2.6 FSR (as per the OCP) of the original lot area of 1,396m²</td>
</tr>
<tr>
<td><strong>Lot Coverage Maximum</strong></td>
<td>67% of the original lot area of 1,396m²</td>
</tr>
<tr>
<td><strong>Height Maximum</strong></td>
<td>18 metres &amp; 5 storeys (as per the OCP)</td>
</tr>
<tr>
<td><strong>Siting</strong></td>
<td>From the Front Lot Line (northern property boundary), being from the new property boundary following road dedication:</td>
</tr>
<tr>
<td>6.096 metres (20 feet) from a front, rear, or Exterior Side Lot Line</td>
<td>- 0 metres to the basement levels;</td>
</tr>
<tr>
<td>4.57 metres (15 feet) from an Interior Side Lot Line</td>
<td>- No less than 2.1 metres (6.9 feet) to upper level walls;</td>
</tr>
<tr>
<td></td>
<td>- No less than 0.3 metres (1 feet) to an unenclosed balcony.</td>
</tr>
<tr>
<td></td>
<td>From Rear Lot Line (southern boundary):</td>
</tr>
<tr>
<td></td>
<td>- 0 metres the basement levels;</td>
</tr>
<tr>
<td></td>
<td>- No less than 3.0 metres (9.8 feet) to the upper level walls;</td>
</tr>
<tr>
<td></td>
<td>- No less than 1.2 metres (4.2 feet) to an unenclosed balcony.</td>
</tr>
<tr>
<td></td>
<td>From the Exterior Side Lot Line (western boundary):</td>
</tr>
<tr>
<td></td>
<td>- No less than 2.5 metres (8.2 feet) to the basement levels;</td>
</tr>
<tr>
<td></td>
<td>- No less than 5.2 metres (17.1 feet) to the upper level walls;</td>
</tr>
<tr>
<td></td>
<td>- No less than 3.1 metres (10.2 feet) to an unenclosed balcony.</td>
</tr>
<tr>
<td></td>
<td>From Interior Side Lot Line (eastern boundary):</td>
</tr>
<tr>
<td></td>
<td>- 0 metres to the basement levels;</td>
</tr>
<tr>
<td></td>
<td>- No less than 4.0 metres (13.1 feet) to the upper level wall;</td>
</tr>
<tr>
<td></td>
<td>- No less than 2.3 metres (7.5 feet) to an unenclosed balcony.</td>
</tr>
</tbody>
</table>
### Table 2. Proposed Vehicle and Bicycle Parking

<table>
<thead>
<tr>
<th>Car Parking</th>
<th>Provided</th>
<th>Required by Zoning Bylaw</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total of 25 spaces, comprised of:</td>
<td>• 32 resident spaces,</td>
</tr>
<tr>
<td></td>
<td>• 19 resident parking spaces (including 1</td>
<td>including 5 visitor parking</td>
</tr>
<tr>
<td></td>
<td>accessible spaces);</td>
<td>spaces and 2 accessible</td>
</tr>
<tr>
<td></td>
<td>• 5 residential visitor spaces (including 1</td>
<td>spaces.</td>
</tr>
<tr>
<td></td>
<td>accessible spaces);</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 1 car share space (equal to 4 regular parking</td>
<td></td>
</tr>
<tr>
<td></td>
<td>spaces).</td>
<td></td>
</tr>
</tbody>
</table>

*Note, the total parking provided is equivalent to 28 spaces with the inclusion of the 1 car share space.*

<table>
<thead>
<tr>
<th>Bicycle Parking / Amenities</th>
<th>Provided</th>
<th>Required by Zoning Bylaw</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Secure – 97 spaces;</td>
<td>• Secure – 80 spaces;</td>
</tr>
<tr>
<td></td>
<td>• Short Term – 6 spaces;</td>
<td>• Short Term – 6 spaces.</td>
</tr>
<tr>
<td></td>
<td>• 11 stroller / bicycle trailer storage spaces;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 2 Bike repair stations;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Bicycle work bench and tool storage.</td>
<td></td>
</tr>
</tbody>
</table>

*Note:*  
  o 16 of the 97 secure spaces have been provided for larger cargo bikes.

### Justification for Variances

**Lot Coverage**  
The application seeks a variation to the lot coverage requirements set for the RM-1 zone, specifically being 50%. The application proposes a lot coverage of 67% of the original lot area of 1,396m².

The proposed lot coverage at the ground level is required in order to meet operational functions of the building, including for example vehicle and bicycle parking, loading and garbage storage/staging, and to establish active residential frontage to both West 3rd Street and Forbes Avenue.

The site has also been designed with appropriate landscaping treatments within the boulevard, and integrated within the residential building where possible. The proposed development will involve reconstruction of the front boulevard along both the West 3rd Street and Forbes Avenue frontages. These works will introduce approximately 16 new trees within this area, which will ensure the development positively contributes to the streetscape character, and reduces visual impacts of the development.

The proposed Lot Coverage is determined to result in an appropriate form and intensity for the medium density residential location.
**Boundary Setbacks**
The proposed development will result in a variation to the siting requirements for the RM-1 zone, as outlined in Table 1.

It is important to note that the proposed development will facilitate a 3m road dedication along the West 3rd Street frontage for future road upgrades along this corridor. Furthermore, a 2.5m statutory right of way has been provided over part of the western portion of the site to facilitate construction of a separated mobility lane. These two elements have significantly reduced the developable portion of the site, and have resulted in the reduced setbacks defining the new building.

With that said, the proposed setback variances are considered appropriate and consistent with similar rental apartment buildings in the R5 Residential areas. The development has been designed with a building height of 5 storeys, which is less than the 6-storey limit imposed by the OCP. Additionally the reduced setbacks still allows for suitable landscaping with tree plantings on all sides of the development. Attention has been paid to the western boundary edge, to ensure an appropriate side boundary setback has been achieved to create suitable separation to the adjoining building to the east. The eastern elevation has also been designed to limit the number of habitable rooms, balconies and windows facing the side boundary, to reduce potential privacy issues.

The proposed siting is determined to be appropriate for the subject site.

**Building Width and Length**
The proposed development will result in a minor variation to the building width and length requirements set for the C-2 zone, specifically being 30.48 m (100 ft). The proposed development results in a maximum building width of 31.5 m (103.3 ft) above the third storey for the northern elevation only.

The proposed elevations have been designed with appropriate articulation along the length of the building, including steps in the building line, and inclusion of recessed balconies. The building also adopts a contemporary design, which utilizes a variety of facade materials. These built form elements appropriately break up the form of the building and reduce the perceived building bulk, despite the minor variance to building length and width.

The building width and length standards are regularly varied in individual Comprehensive Development Zones to ensure a functional built form outcome is established in R5 areas.

**Vehicle Parking Spaces**
The proposed development involves a minor variation to the proposed vehicle parking. Specifically, an equivalent of 28 vehicle parking spaces will be provided in lieu of the required 32 spaces, factoring in the 1 shared vehicle spaces provided.

The reduction of vehicle parking by 4 spaces is supported on the following basis:

- The development will provide a 3.0m land dedication along the West 3rd Street frontage for future road upgrades, including for improvement of Transit networks;
- The project provides an additional 17 secure bicycle parking spaces for residents;
The project provides 16 bicycle parking spaces capable of accommodating larger cargo bikes;

The project provides enhanced bicycle amenities, including 11 stroller / bicycle trailer storages spaces, 2 bike repair stations, and a bicycle work bench and tool storage;

New local bus stop will be installed along the West 3rd Street frontage at the applicant’s expense;

The subject site is within reasonable walking distance to a range to Rapid Transit options including:
  o the RapidBus Stop along Marine Drive, being within 700m of the site;
  o the North Vancouver SeaBus Terminal and Lonsdale Quay Bus Exchange, being within 1km of the site;

The site has excellent access to existing bicycle networks, including construction of a new off-street mobility lane along the Forbes Avenue frontage.

Given the sites centralized location and access to transit facilities, there is expected to be a reduced demand for parking on the site. The proposed development also provides enhanced bicycle parking facilities to encourage use of active transportation modes. The proposed variance to vehicle parking is supported.
October 28, 2022

VIA EMAIL: mullen@mqa.com

PJ Mallen, Mallen Gowing Berzins Architecture
7 East 6th Avenue Unit 300
Vancouver, BC V5T 1J3

Dear Mr. Mallen:

Re: 351 West 3rd Street (Rezoning Application)

This will confirm that at their meeting on October 19, 2022, the Advisory Design Panel reviewed the above submission and endorsed the following resolution:

“THAT the Advisory Design Panel has reviewed the Rezoning Application for 351 West 3rd Street and does not recommend approval of the submission pending resolution of the issues below:

- Review of the articulation and interface of the building podium, to improve on the public realm and the pedestrian experience;
- Consideration of the safety and vandalism concerns along the podium/mural walls; being mindful of lighting and how the experience will be designed to minimize potential issues;
- Refinement of the site’s articulation at the corner; and revisiting of the landscaping to offer more buffer to the units that are facing West 3rd Street and Forbes Avenue;
- Consideration of enhancing the connection between the interior amenity space and the exterior landscaping;
- Consideration of revisiting the building language in more detail, by further refining the expression and distinguishing between the building faces;
- Refinement of the building corner and primary entrances;
- Further consideration of the rooftop amenity, with more thought in terms of potential weather protection;
- Additional review of the security on the parking level and access to bike storage;
- Reconsideration of the planters at the first residential level, with encouragement to have another look at the proportion of the planters with further refinement and engagement with the building base;
- Further development of the art mural; and
- Provision of the landscape design for review by the Panel;

AND THAT the Panel looks forward to reviewing the applicant’s response at a future meeting.”
The recommendations of the Advisory Design Panel pertain only to site-specific design and site planning considerations and do not, in any way, represent Council and staff approval or rejection of this project.

Yours truly,

T. Huckell
Committee Clerk-Secretary

Cc: M. Menzel, Planner 2, Planning and Development
    H. Dang, Planner 1, Planning and Development
    M. Cramp, JP Developments
    M. Vaughan, Vaughan Landscape Planning and Design
October 23, 2023

VIA EMAIL: cramp@jp-developments.com

Mitch Cramp, Vice President,
Development & Investment
Jim Pattison Developments
#200 – 879 Marine Drive,
North Vancouver, BC
V7P 1R7

Dear Mr. Cramp,

**Re: 351 West 3rd Street (Rezoning Application)**

This will confirm that at their meeting on October 17 2023, the Advisory Design Panel reviewed the above submission and endorsed the following resolution:

THAT the Advisory Design Panel has reviewed the (Rezoning Application) for 351 West 3rd Street, North Vancouver and recommends approval subject to addressing the following issues to the satisfaction of the Development Planner. The Panel wishes to thank the applicant for their presentation:

1. Review the detailed design of the building entrance to incorporate lighting and further emphasize the entrance;
2. Review access to bike room from Forbes Avenue focusing on ease of circulation and movement;
3. Review placement of lower amenity space to provide greater access to natural light;
4. Review layout of adaptable units and alignment of living space with balconies to ensure accessibility;
5. Review sizing of Japanese Maple at the building entrance;
6. Review security of bike storage areas, building entries and the parking entrance; and
7. Recommend maximizing covered spaces on the rooftop.

AND THAT the Panel commends the applicant for the quality of the proposal and their presentation.
The recommendations of the Advisory Design Panel pertain only to site-specific design and site planning considerations and do not, in any way, represent Council and staff approval or rejection of this project.

Yours truly,

S. Tandon
Committee Clerk

CC: L.M. Blair, Planner 1, Planning & Development
    M. Menzel, Planner 2, Planning & Development
351 West 3rd Street, North Vancouver – Developer Information Session Summary Report

Event Date: Tuesday August 30th, 2022
Time: 6:00 PM – 7:15 PM
Location: Online Zoom Webinar

Attendance: 9 members of the public attended virtually.
The Jim Pattison Developments applicant team was in attendance, as was a representative from the City of North Vancouver staff.

Comments: Four (4) comments forms and/or emails were received following the DIS.

Meeting Purpose:
1) To present rezoning application materials to the community
2) To provide an opportunity for the community to ask questions about the development
3) To provide an opportunity for the community to comment on the proposal

Notification:
In accordance with City of North Vancouver policies:

Invitation Flyers
DIS Invitation flyers were mailed on August 16th, 2022 to 214 addresses within a 40 m radius of the site. Appendix A: Notification includes a copy of this material.

Newspaper Ad
DIS newspaper ads were placed in the North Shore News on August 17th, 2022 and August 24th, 2022, as well as in the Vancouver Sun on August 23rd, 2022. A copy of the ads is included in Appendix A: Notification.

Notification Sign
A DIS notification sign was erected on the site August 4th, 2022. A copy of the installed site sign is included in Appendix A: Notification.

Attendance:
Nine (9) members of the public signed in for the virtual meeting. A copy of the attendee list is included in Appendix B: Attendee List (redacted for privacy).

The following City staff and project team members were in attendance:

City of North Vancouver:
- Huy Dang, Planner I

Jim Pattison Developments Project Team:
- Mitch Cramp, Jim Pattison Developments Ltd.
- Melissa Jang, Jim Pattison Developments Ltd.
• P.J. Mallen, Mallen Gowing Berzins Architecture Incorporated

Facilitators:
• Katrina May, Katrina May Consulting
• Charles Pan, Assistant

Overview:
In accordance with the City of North Vancouver’s Virtual DIS Public Consultation Guidelines, the developer-led meeting was held in an online Virtual Developer Information Session (DIS) format. Meeting participants watched a PowerPoint presentation by the applicant project team.

Participants were invited to use the Zoom Webinar Q&A function to ask questions or submit comments during the DIS, which were addressed at the end of the presentation during the Question & Answer period. The facilitator read all questions received aloud and directed questions to the appropriate project team member to respond verbally for all participants to hear. Answers were transcribed by the facilitator’s assistant and posted for all to see.

The project presentation and facilitated Question & Answer period took approximately 75 minutes. The facilitators received several questions and comments about the project and recorded them for inclusion in this summary report, attached as a separate Appendix C: Public Dialogue.

A total of 37 questions or comments were received during the DIS. The key themes related to concern over the number of parking stalls provided and whether or not this would be sufficient for the number of rental units proposed at this location, and the impact on traffic and parking for the neighbourhood. The applicant noted that initial traffic studies have suggested there would be a reduction in traffic volume as compared to the site’s previous use as a gas station. The applicant noted that in an effort to reduce costs of excavation and maintain affordability in the project, and in part due to the significant grade change on the site, that a relaxation of 5-6 stalls was being sought from the required parking ratio of 0.6 stalls per unit. Additional bike storage was being provided beyond the requirement, with the intent to attract tenants without motor vehicles.

Further questions related to sustainability, such as the sustainability approach being taken in the project as well as if the site would require environmental remediation. The applicant noted that the excavation process would likely remove any contaminated soils, which would be disposed of per applicable regulations. The site’s location is adjacent to two bus routes and close to the Sea Bus, as well as the proposed oversupply of bike parking and the provision of bike amenities, would incentivize the use of public transit and reduce greenhouse gas emissions. Additional sustainability measures include the use of wood-framed construction, the connection to LEC, heating and cooling being individually sub-metered, the use of a simple building envelope, the use of high-performance glazing, and the ability to add a roof-top garden.

Questions arose on the general design and construction of the building such as the proposed height and how it relates to the site’s grade change, the Official Community Plan (OCP) and Zoning, the use of wood-frame versus concrete construction. The applicant noted that the building is considered 6-storeys, in line with the suggested 4-6 storeys in the OCP, however due to the site’s grade change there is a partial seventh storey that comprises the concrete underground parkade. The building height enables
the use of wood-frame construction, as the building code does not permit anything over 6-storeys to be made of combustible material.

Further questions included whether the development is required to install a new sanitary or storm sewer or LEC that could be of benefit to the community. The applicant noted that the building would be connected to the existing LEC system and does not yet know if sanitary or storm system upgrades would be required.

Questions arose on whether the building would have air conditioning, if it would be non-smoking, and if there would be a loading zone. The applicant noted that the building will likely have air conditioning and likely would be non-smoking. There is no formal loading zone proposed but the parkade level contains the refuse and recycling, which would be wheeled out on service days.

The suggestion was made to include public art and/or a mural on the western façade of the building. The applicant thanked the participants for their suggestions and would investigate this possibility further.

**Comment Sheet and Email Summary:**

Participants were invited to submit written comments (using the City’s standard comment form or via email) to the applicant and/or the municipal development planner, following the DIS. Two (2) comment forms and two (2) emails were submitted before or after the DIS. These are submitted as a separate Appendix D: Public Comments.

The correspondence included support for rental housing at this location and the suggestion to include more larger (2 and 3-bedroom) units. Support was expressed for the attractive design of the building, the height proposed and for the use of wood-frame construction. Support was expressed for the reduced number of parking stalls proposed related to the site’s central location and the need to encourage active transportation.

Concern was expressed regarding the height of the building and how it may block neighbouring views, privacy and daylight, with the suggestion that 3 or 4 storeys would be more appropriate. The applicant noted in the DIS that the Official Community Plan described 4-6 storeys as permissible for this location, and that initially a different design was presented but staff encouraged the current building form.

Questions arose on the existing trees and the soil remediation procedures, as well as what passive design measures would be employed to reduce cooling and heating loads. The applicant noted during the DIS that the soil would likely not need to be remediated, as the excavation would likely remove any contaminated soil. The applicant noted that the building envelope and glazing would be high efficiency.

The suggestion was made to include commercial uses within the building along 3rd Street, as well as to activate and include active transportation strategies in the laneway and along Forbes Ave (such as planting trees for shading) to support community wellbeing and prioritize pedestrians and cyclists. The applicant noted during the DIS that commercial uses are not a requirement in this location and that an indoor tenant amenity space would be provided on the ground floor. They noted that the laneway was envisaged as an active service point for the building, e.g. for refuse, recycling, water, electricity, etc.
Concern was expressed over the number of parking stalls proposed as well as the impact of traffic and parking to the surrounding neighbourhood. The applicant noted during the DIS that a modest relaxation was being sought to reduce excavation costs and maintain affordability in the project and that additional bike stalls would be provided.

**Conclusion:**
The purpose of this online Virtual Developer Information Session (DIS) was to present to the community the proposed Rezoning application, and to provide attendees with an opportunity to ask clarifying questions and comment on the proposal. 214 DIS notification flyers were distributed by mail to the surrounding community, three newspaper ads were run, and nine community members signed into the DIS. Two DIS notification signs were posted on the property. A total of 37 questions or comment were received and responded to during the meeting. Two emails and two comment forms were received after the meeting.

Members of the public could participate in this consultation process in three ways:
- Watching a virtual project presentation during the DIS
- Asking questions of the project teams and/or City Staff during the DIS

The DIS meeting length and format was sufficient to provide all participants an opportunity to learn more about the proposed project, ask questions, and make any comments they wished to provide that evening. Participants asked questions or provided comments to the development team, mostly related to the parking count and general building design and sustainability. Support was expressed for the provision of rental housing at this location. Concern was expressed over the height and use of the building, suggesting that a commercial use be included along 3rd Street. Suggestions were made to plant more trees for shading, to activate the laneway, and to include a mural along Forbes Ave. During the DIS the applicant thanked participants for their suggestions and resolved to investigate all suggestions further.
Hello Mr. Dang,

I am writing you with concerns about the developments of 351 West 3rd Street. I own and live in a unit at 341 West 3rd Street and I do not believe these proposed developments are appropriate for this corner street. My main concerns are as follows:

- There will not be nearly enough parking for the number of units, which will cause significant parking issues and congestion on already busy Forbes Sr, 3rd St., and Mahon St.

- The size of the development (6-story) seems excessive for the neighborhood. It will overshadow all of the 3 story buildings around it and in my opinion, destroy the original skyline of west lower Lonsdale. Not to mention, the North West facing side of 341 West 3rd street will lose light, privacy, and views.

I would like to address that I am not against development and I think it is essential for North Vancouver and critical to address the housing/rental crisis. However, I believe there is a right way to do these things, and this does not seem like the right development for this area.

Please take the time to consider my concerns,

Sincerely,

Kathryn Ash
341 West 3rd Street
North Vancouver
From: Rob Boffard
Sent: February-01-24 7:53 AM
To: Submissions
Subject: 351 West 3rd Street

My name is Rob Boffard and I live at 330 2nd St W, North Vancouver, BC V7M 1E1, Canada.

While I do not object to the development at 351 West 3rd Street, I am appalled that only six of the 53 units are mid-market rental units. That’s less than 12% of the total.

Vancouver is in the grip of a massive housing crisis, and this is simply not good enough. If this development is going to be built, then it needs to offer low and middle income families a better opportunity.

Rob Boffard
330 West 2nd Street
North Vancouver
New Comment

Helga Harlander (Squamish Nation) posted a comment

Hi,

SN's Archaeology Specialist recommends the use of a Chance Find Management Plan (CFMP) for any future ground disturbance at this location. A copy of SN's CFMP is available under the 'Knowledge Base' tab for reference.

There are no environmental comments for this zoning amendment at this time from our Environmental Specialist.

Our Climate Action Managers recommend the proponent consider the implementation of climate resilient standards (e.g., HEPA smoke filters, passive cooling, and increased stormwater drainage capacity) for buildings and recommend the building designs to incorporate future climate impacts (increased temperatures, increased risk to fire and smoke, increased rainfall and wind, as well as changes to external flood risks). We also recommend buildings are designed to net
zero carbon emissions (considering clean power/heat, building envelope, renewables, and embodied carbon) and the highest sustainability standards as possible (including considerations for water conservation, stormwater management, waste management, transportation, environmental conservation, and food security).

Best regards, Helga Harlander, Squamish Nation

PROJECT NAME

351 West 3rd Street - Zoning Amendment

ISSUING AGENCY FILE NUMBER(S)

PLN2022-00010

REFERRAL ID

2400

View this Submission
Proposal: To rezone the subject property from a Service Station Commercial (CS-2) Zone to a new Comprehensive Development 763 (CD-763) Zone, to permit the development of a 5-storey rental residential building consisting of 53 units, 6 of which would be mid-market rental units.

Provide written input: All persons who believe their interest in property may be affected by the proposed bylaws will be afforded an opportunity to be heard by written or email submission. All submissions must include your name and address and should be sent to the Corporate Officer at input@cnv.org, or by mail or delivered to City Hall, no later than noon on Monday, February 12, 2024, to ensure their availability to Council at the meeting. No Public Hearing will be held.

Watch the meeting online at cnv.org/LiveStreaming or in person at City Hall, 141 West 14th Street. Enter City Hall from 13th Street after 5:30pm.

View the documents online at cnv.org/PublicHearings

Questions? Matthew Menzel, Planner, planning@cnv.org / 604-982-9675
BYLAW NO. 9004

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

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, 2024, No. 9004” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763).

2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lands currently having a civic address of 351 West 3rd Street and legally described below as henceforth being transferred, added to and forming part of CD-763 (Comprehensive Development 763 Zone):

| PID: 007-960-255 | LOT 1 BLOCK 136 DISTRICT LOT 271 PLAN 13998 |

from zone CS-2.

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 Comprehensive Development Zone to Section 1101 in numerical order:

   CD-763 Comprehensive Development 763 Zone (351 West 3rd Street)

   In the CD-763 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) “Basement” means the floor levels, located below the First Storey;

   (2) One Principal Building shall be permitted on one Lot;

   (3) The permitted Principal Use on the Lot shall be limited to:

   (a) Rental Apartment Residential Use:

   i. Accessory Home Occupation Use, subject to Sections 507(6), (7) and (8) of this Bylaw;

   ii. Accessory Off-Street Parking Use;

   iii. Accessory Home Office Use;

   (4) Gross Floor Area:

   (a) Combined and in total, shall not exceed 1.6 times the original lot area of 1,396m²;
(b) Maximum Gross Floor Area may be further increased to a maximum of 2.6 times the original lot area of 1,396m², upon entering into a Housing Agreement with the City:

<table>
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<tr>
<th>BASE DENSITY</th>
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<tbody>
<tr>
<td>OCP Schedule ‘A’</td>
<td>1.6 FSR</td>
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<th>ADDITIONAL (BONUS) DENSITY</th>
<th>DESCRIPTION</th>
<th>ADDITIONAL (BONUS) DENSITY</th>
<th>POLICY REFERENCE</th>
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<td>Secured Rental Housing</td>
<td>100% rental housing; 10% mid-market rental units</td>
<td>1.0 FSR</td>
<td>OCP section 2.2</td>
</tr>
</tbody>
</table>

| TOTAL DENSITY | 2.6 FSR |

(5) Lot Coverage of Principal Building shall not exceed a maximum of 67 percent of the original lot area of 1,396m²;

(6) Height:

(a) Height of Principal Building shall not exceed five storeys and 18 metres (59 feet) as measured from average building grade of the new northern property boundary following road dedication (being 24.35 metres);

(7) Height Exceptions:

(a) The Heights of Buildings and Structures permitted elsewhere in the Bylaw may be exceeded for:
   i. parapet walls, guard rails, Garden Structures, common staircase and elevator structures by not more than 4.0 metres (13.13 feet);
   ii. Fully screened mechanical equipment, sited at least 7.5 metres (24.6 feet,) from the property boundary, by not more than 2 metres (6.6 feet);

(8) Siting:

(a) Principal Building shall be sited in accordance with the following:
   i. from the Front Lot Line (northern property boundary), being from the new property boundary following road dedication:
      1. No less than 0 metres to the basement levels;
      2. No less than 2.1 metres (6.9 feet) to upper level walls;
      3. No less than 0.3 metres (1.0 feet) to an unenclosed balcony;
   ii. from the Rear Lot Line (southern boundary):
      1. No less than 0 metres the basement levels;
      2. No less than 3.0 metres (9.8 feet) to the upper level walls;
      3. No less than 1.2 metres (4.2 feet) to an unenclosed balcony;
   iii. from the Exterior Side Lot Line (western boundary):
1. No less than 2.5 metres (8.2 feet) to the basement levels;
2. No less than 5.2 metres (17.1 feet) to the upper level walls;
3. No less than 3.1 metres (10.2 feet) to an unenclosed balcony;
iv. from the Interior Side Lot Line (eastern boundary):
   1. Not less than 0 metres to the basement levels;
   2. Not less than 4.0 metres (13.1 feet) to the upper level walls;
   3. Not less than 2.3 metres (7.5 feet) to an unenclosed balcony;

(b) Section 410(3) “Siting Exceptions” is varied as follows:
   i. Where eaves project beyond the face of the Principal Building, the
      minimum distance to an abutting Lot Line as permitted above, may
      be reduced by:
      1. 1.7 metres (5.6 feet) from a Front Lot Line (northern property
          boundary);
      2. 2.1 metres (6.9 feet) from a Rear Lot Line (southern boundary);
      3. 2.3 metres (7.5 feet) from an Exterior Side Lot Line (western
          boundary);
      4. 1.6 metres (5.2 feet) from an Interior Side Lot Line (eastern
          boundary);

(9) Section 510(2), Unit Separation, shall be waived;

(10) Section 510 (3), Building Width and Length, shall be waived;

(11) Off-Street Parking, Short-Term and Secure Bicycle Parking, and Accessory Off-
      Street Loading Spaces shall be provided in conformity with the requirements of
      Division IV, Parts 9, 10, and 10A, except that:

      (a) Minimum number of accessory off-street Parking Spaces required for
          Rental Apartment Residential Use is varied to 0.53 per unit.

READ a first time on the <> day of <>, 2024.

READ a second time on the <> day of <>, 2024.

READ a third time on the <> day of <>, 2024.

ADOPTED on the <> day of <>, 2024.

________________________________________
MAYOR

________________________________________
CORPORATE OFFICER
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THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 9005

A Bylaw to enter into a Housing Agreement (351 West 3rd 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, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763, 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 the owner of the lands referenced as 351 West 3rd Street, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763).

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

READ a first time on the <> day of <>, 2024.

READ a second time on the <> day of <>, 2024.

READ a third time on the <> day of <>, 2024.

ADOPTED on the <> day of <>, 2024.

MAYOR

CORPORATE OFFICER
PART 2 – TERMS OF INSTRUMENT

RENTAL HOUSING AGREEMENT AND SECTION 219 COVENANT

THIS AGREEMENT,

BETWEEN:

JPD 351 WEST 3RD DEVELOPMENTS LTD., INC.NO. BC1115619
#200 - 879 Marine Drive
North Vancouver, British Columbia, V7P 1R7

(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 14th Street, North Vancouver, British Columbia, V7M 1H9

(the “City”)

WHEREAS:

A. The Owner is the registered owner of the Lands.
B. The City is a municipal corporation incorporated pursuant to the Local Government Act, RSBC 2015, c. 1 and the Community Charter, SBC 2003, c. 26.
C. Section 219 of the Land Title Act, RSBC 1996, c. 250 permits registration of a covenant in favour of a municipality in respect of the use of land or the use of a building on or to be erected on land, that land is or is not to be built on except in accordance with the covenant and that land is not to be subdivided except in accordance with the covenant.
D. Section 483 of the Act permits a local government to, by bylaw, enter into a housing agreement that may include terms and conditions regarding the occupancy of the housing units identified in the agreement, including respecting the form of tenure of the housing units, the availability of the housing units to classes of persons, the administration and management of the housing units and the rents and lease, sale or share prices that may be charged.
E. The City has adopted a bylaw authorizing this Agreement.
F. The Owner and the City wish to enter into this Agreement pursuant to Section 219 of the Land Title Act and section 483 of the Act.

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) “Director, Planning and Development” means the chief administrator of the Department of Planning of the City and their successors in function and their respective nominees;

(h) “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;

(i) “Lands” means those lands and premises legally described as:

Parcel Identifier: 007-960-255
Lot 1
Block 136
District Lot 271
Plan 13998;

(j) “Mid-Market Rental Units” means the 6 Dwelling Units in the Residential Building to be constructed on the Lands that are rented to tenants for Affordable Rent;

(k) “Market Rental Units” means all Dwelling Units in the Residential Building other than the Mid-Market Rental Units;

(l) “Maximum Household Income” means an annual gross household income determined by multiplying Affordable Rent by 12 to yield the households’ annual housing costs, and divide by 30% (0.30) to meet the standard definition of affordability;

(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;
2. TERM

2.1 This Agreement will commence upon adoption by the City's Council of “Housing Agreement Bylaw, 2024, No. 9005” (Jim Pattison Developments Ltd., 351 West 3rd Street, CD-763, 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. SECTION 219 COVENANT

3.1 The Owner covenants and agrees with the City as a covenant in favour of the City pursuant to Section 219 of the Land Title Act, RSBC 1996, c. 250 that during the Term of this Agreement, it being the intention and agreement of the Owner that the provisions in this Agreement be annexed to, and run with and be a charge upon the Lands, that notwithstanding the Rezoning Bylaw, the Lands will be used and built upon only in strict compliance with the terms and conditions of this Agreement and that:

(a) the Lands must not be subdivided or stratified;

(b) the Rental Units in the Residential Building must be used for Rental Purposes only and all Rental Units must be owned and operated by the Owner, provided that the Mid-Market Rental Units may be operated by a non-profit entity engaged by the Owner and having expertise in non-market housing, with the approval of the Director, Planning and Development; and

(c) no Rental Unit in the Residential Building must be occupied for any purpose except for Rental Purposes pursuant to a Tenancy Agreement.
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 must be developed, built, and maintained in accordance with all City bylaws, regulations and guidelines as amended from time to time.

3.3 Pursuant to section 219(6) of the *Land Title Act*, RSBC 1996, c. 250 except for the negligence 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, negligent or otherwise, by the Owner, or its officers, directors, employees, agents, contractors, or other persons for whom at law the Owner is responsible;

(b) the Owner’s default under this Agreement; and

(c) the Owner’s ownership, operation, management or financing of the Lands for the provision of housing for Rental Purposes.

4. **TENANCY RESTRICTIONS**

4.1 The unit mix for Rental Units in the Residential Building will be no fewer than 6 three-bedroom units, 6 two-bedroom units, 36 one-bedroom units and 5 studio units or as otherwise approved in writing by the Director, Planning and Development in their discretion.

4.2 The 6 Mid-Market Rental Units will be provided in the following unit mix: 1 studio unit, 3 one-bedroom unit(s), 1 two-bedroom unit, and 1 three-bedroom unit. The Owner may only change this mix with the approval in writing by the Director, Planning and Development with such approval to be granted in their discretion. The Owner will be entitled to determine the locations of the 6 Mid-Market Rental Units within the Residential Building.

4.3 The Owner will 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 and all Mid-Market Rental Units must be managed by one rental agent;
(b) **Advertisement:** when the Mid-Market Rental Units first become available, the Owner will advertise such units for a minimum of one month on at least two common rental property search platforms that allow potential tenants to view available properties for rent in North Vancouver without payment of a fee or requirement for registration, and the Owner will feature the tenure restrictions set out in this Agreement prominently in all advertising of Mid-Market Rental Units. When a Mid-Market Rental Unit becomes available for a subsequent, new tenancy, the Owner will advertise the unit in accordance with the foregoing requirements for a period of at least one week;

(c) **Tenant Selection:** the Owner will make the Mid-Market Rental Units available, both at the first tenancy and each subsequent tenancy, in the following order of priority:

(i) If the Residential Building replaces an existing rental building on the Lands being replaced who have household incomes at or below the Maximum Household Income will be provided first right of refusal in the Mid-Market Rental Units, and have first priority, provided that if there are multiple applicants in this category for one unit, then applicant families with one or more dependents will have priority for units with two or more bedrooms and if applicants are equal in this regard, then applications will be considered on a first come-first-served basis;

(ii) Households who have been displaced from redevelopment elsewhere in the City who have household incomes at or below the Maximum Household Income will have second priority, provided that if there are multiple applicants in this category for one unit, then applicant families with one or more dependents will have priority for units with two or more bedrooms and if applicants are equal in this regard, then applications will be considered on a first come-first-served basis

(iii) The Owner will then make any remaining Mid-Market Rental Units not rented by tenants from the existing building on the Lands available to tenants with an annual household income at or below that the Maximum Household Income who are either current residents of the City of North Vancouver or who work in the City of North Vancouver and have done so for at least six months, provided that if there are multiple applicants in this category for one unit, then applicant families with one or more dependents will have priority for units with two or more bedrooms and if applicants are equal in this regard, then applications will be considered on a first come-first-served basis;

(iv) If there are any remaining Mid-Market Rental Units not rented by tenants who meet the criteria in sections 5.1(d)(i) to (iii) after the expiry of the one-month advertising period, then the Owner will make such units available to tenants who meet the Maximum Household Income requirement; and

(v) Tenants in Mid-Market Rental Units must not have an ownership interest in a residential property in the City or in a neighbouring municipality which the tenant could otherwise occupy and the Owner will require confirmation from the prospective tenant that they meet this requirement at the time of tenancy;
(vi) In determining whether a tenant meets the Maximum Household Income requirements or the requirement in section 5.1(d)(v), 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 below or at 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;

(g) Information Regarding Unit Availability: If the City establishes a register for availability of Mid-Market Rental Units within the City, the Owner will provide to the City information regarding any Mid-Market Rental Units that become available for rent, in a form acceptable to the Director, Planning and Development;

(h) 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, on an annual basis at the time of Business License renewal and upon any other 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. 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 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, 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 and notice of this Agreement which is required to be filed pursuant to the Local Government Act. 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 483 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 and notice of 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 14th Street
North Vancouver, British Columbia
V7M 1H9
Attention: Director, Planning & Development
Facsimile: 604.985.0576
Email: planning@cnv.org

The Owner: JPD 351 WEST 3RD DEVELOPMENTS LTD., INC. NO. BC1115619
#200 - 879 Marine Drive
North Vancouver, British Columbia,
V7P 1R7
Attention: Mitch Cramp
Email: Cramp@jp-developments.com
Phone: 604-488-5238

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, 2024, No. 9005”.

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 OF THIS AGREEMENT the City and the Owner have executed this Agreement by signing the “Form C – General Instrument – Part 1” or “Form D – Executions Continued” attached hereto.
THIS PAGE INTENTIONALLY LEFT BLANK
To: Mayor Linda Buchanan and Members of Council

From: Amelia Cifarelli, Corporate Officer
Larry Sawrenko, Chief Financial Officer

Subject: NORTH SHORE NEIGHBOURHOOD HOUSE AND CITY PARKS LOAN AUTHORIZATION BYLAW, 2024, NO. 9006

Date: February 1, 2024

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

RECOMMENDATION

PURSUANT to the report of the Corporate Officer and Chief Financial Officer, dated February 1, 2024, entitled "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006":

THAT third reading of the "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006" be rescinded;

THAT the "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006" be amended by:

a) replacing "Neighborhood" with "Neighbourhood";

b) replacing the first Whereas clause with the following:

"WHEREAS it is deemed desirable to design and construct a new North Shore Neighbourhood House community facility, Kings Mill Walk Park and 1600 Eastern Park;"

c) replacing the second Whereas clause with the following:

"AND WHEREAS the estimated cost of designing and constructing the new North Shore Neighbourhood House community facility, and the two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, including expenses incidental thereto, is the sum of $66,475,000, of which the sum of $55,700,000 is the amount of debt intended to be borrowed from the Municipal Financing Authority for these capital projects as authorized by this Bylaw;"
d) replacing Section 2. with the following:
　"The Council is hereby empowered and authorized to undertake and carry out, or cause to be carried out, the design and construction of a new North Shore Neighbourhood House community facility, and two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:"

e) replacing Section 2., Subsection A. with the following:
　"To borrow on the credit of the City a total amount not exceeding $55,700,000, with up to $49,500,000 being allocated to the North Shore Neighbourhood House, up to $4,300,000 being allocated to Kings Mill Walk Park and up to $1,900,000 being allocated to 1600 Eastern Park;"

AND THAT the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” be given third reading, as amended.

ATTACHMENTS

2. “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” – Redlined version (CityDocs 2452739 v3)
3. “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” – Revised (CityDocs 2452739 v4)

SUMMARY

The “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” (the Bylaw) is being presented to Council to rescind the third reading, given at the January 22, 2024 Council meeting, to amend the Bylaw and then be considered for third reading, as amended.

BACKGROUND

At its regular meeting on January 22, 2024, Council gave three readings to the “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006” and directed the Corporate Officer to forward the Bylaw to the Inspector of Municipalities for review and approval.

DISCUSSION

On January 23, 2024, a copy of the Bylaw with the report from the Chief Financial Officer, dated January 10, 2024, titled “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw” (Attachment #1) was sent to the Inspector of Municipalities.
On January 30, 2024, the City Clerk’s Office received a response from the Inspector of Municipalities. In the response, it was noted that the Bylaw needs to specify the amount of debt to be incurred for each purpose. Therefore, staff have made the necessary amendments to the Bylaw (Attachment #2 & #3) to include the total amount of debt to be incurred for the North Shore Neighbourhood House ($49.5 million), Kings Mill Walk Park ($4.3 million) and 1600 Eastern Park ($1.9 million).

FINANCIAL IMPLICATIONS

The financial implications remain the same as described in the report titled “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw”, dated January 10, 2024, considered by Council at its regular meeting on January 22, 2024.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

These implications remain the same as described in the report titled “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw”, dated January 10, 2024, considered by Council at its regular meeting on January 22, 2024.

RESPECTFULLY SUBMITTED:

Amelia Cifarelli
Corporate Officer

Larry Sawrenko
Chief Financial Officer
REPORT

8. North Shore Neighbourhood House and City Parks Loan Authorization Bylaw
   – File: 05-1705-01-0001/2024

   Report: Chief Financial Officer, January 10, 2024

   Moved by Councillor Bell, seconded by Councillor Girard

   PURSUANT to the report of the Chief Financial Officer, dated January 10, 2024,
   entitled “North Shore Neighbourhood House and City Parks Loan Authorization
   Bylaw”:

   THAT “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw,
   2024, No. 9006” be considered;

   AND THAT the Corporate Officer be directed to submit “North Shore Neighbourhood
   House and City Parks Loan Authorization Bylaw, 2024, No. 9006” to the Inspector of
   Municipalities for review and approval.

   CARRIED UNANIMOUSLY

   R2024/2-8

BYLAW – FIRST, SECOND AND THIRD READINGS

   9006”

   Moved by Councillor Bell, seconded by Councillor Girard

   THAT “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw,
   2024, No. 9006” be given first and second readings.

   CARRIED UNANIMOUSLY

   Moved by Councillor Bell, seconded by Councillor Girard

   THAT “North Shore Neighbourhood House and City Parks Loan Authorization Bylaw,
   2024, No. 9006” be given third reading.

   CARRIED UNANIMOUSLY

   R2024/2-9
To: Mayor Linda Buchanan and Members of Council
From: Larry Sawrenko, Chief Financial Officer
Subject: NORTH SHORE NEIGHBOURHOOD HOUSE AND CITY PARKS LOAN AUTHORIZATION BYLAW
Date: January 10, 2024

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

RECOMMENDATION

PURSUANT to the report of the Chief Financial Officer, dated January 10, 2024, entitled "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw":

THAT "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006" be considered;

AND THAT the Corporate Officer be directed to submit "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006" to the Inspector of Municipalities for review and approval.

ATTACHMENTS

1. "North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006" (CityDocs 2452739)

SUMMARY

The timeline of the North Shore Neighbourhood House ("NSNH") Phase 2 Redevelopment is proposed to be advanced to 2024. This new timing is expected to enable the housing provider opportunities to leverage senior government housing funding, and deliver 180 non profit rental housing units to the City many years sooner.
than previously planned. A new much needed NSNH facility can also be delivered concurrent with the housing and is proposed to be funded with CNV debt financing. This Redevelopment advances the “A City for People” priority in Council’s 2022-2026 Strategic Plan.

Council’s Strategic Plan also includes “A Vibrant City” and “A Resilient City” as a priorities. A Vibrant City has dynamic public spaces and a Resilient City leads the way in climate action and acts as a steward of the environment for future generations. In order to advance these priorities, debt financing to support the delivery of two City parks (Kings Mill Walk Park and 1600 Eastern Park) is also being proposed.

This report initiates the process to obtain $53.4 million of low cost debt financing from the Municipal Finance Authority to fund CNV’s portion of the NSNH Phase 2 Redevelopment, Kings Mill Walk Park, and 1600 Eastern Park projects.

BACKGROUND

North Shore Neighbourhood House:

The NSNH Redevelopment Program is a multiphase redevelopment of an existing CNV owned site. Phase 1 is currently under construction and will deliver five stories of non-profit rental housing and a senior’s respite centre. Phase 2 can deliver a new NSNH as well as fifteen stories of non-profit housing. Phase 3 will deliver a new park following the demolition of the existing NSNH facility.

NSNH is a community resource that has been delivering critical services to the North Vancouver community since 1939. With a mission to enhance the lives of community members, especially the most vulnerable, NSNH strives to create a safe, healthy, and inclusive environment where everyone matters. As one of the largest not-for-profit organizations on the North Shore, NSNH employs more than 100 people across 18 sites, providing a wide range of programs and services that cater to children, families, youth, and seniors.

The main NSNH site is situated at 225 East 2nd Street in North Vancouver’s lower Lonsdale neighborhood, and serves the community through several major programming areas that operate on-site. These areas encompass a range of services aimed at improving the lives of community members, with a special focus on those who are most vulnerable, and include childcare and children’s programs as well as community programs and services that service diverse needs, including food security, service navigators, edible gardens, and lunch programs for new parents, seniors, and teens.

The current NSNH facility, built in 1967, is near end of life. The current facility is also faced with accessibility challenges and lack of storage. Rooms are also needing to be used as multi-purpose without the required support equipment and infrastructure. The replacement of the existing NSNH facility is critical to ensuring continuity of services.
Planning for a new 29,000 sq. ft. facility has begun on the Phase 2 site within a three story podium. Planning for a draft functional program to address current NSNH programming needs has also begun.

There is also an opportunity to incorporate 15 stories (180 units) of non-profit rental housing as part of the Phase 2 project that can contribute to greater livability in the community. The City, like many other municipalities, is facing a housing crisis and, with the NSNH site rezoned in 2021 and opportunities for funding for non profit rental housing emerging, there is an opportunity to advance delivery of the overall Phase 2 project. The 180 housing units are expected to be funded by senior levels of government and the non-profit sector, and require no CNV funding.

A class "D" estimate has been developed for CNV's portion of the Phase 2 project, being the new NSNH facility scope. Total project costs are estimated at $49.5 million.

<table>
<thead>
<tr>
<th>Project ($000's)</th>
<th>Previously Appropriated</th>
<th>Future Appropriations</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Building and Offsites</td>
<td>-</td>
<td>37,200</td>
<td>37,200</td>
</tr>
<tr>
<td>Tenant Improvements</td>
<td>-</td>
<td>9,900</td>
<td>9,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td><strong>49,500</strong></td>
<td><strong>49,500</strong></td>
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</tbody>
</table>

*Kings Mill Walk Park:*

Kings Mill Walk Park was originally constructed in 2000 as part of the initial commercial Harbourside development. In 2014, the upland properties were rezoned to create a vibrant mixed use neighbourhood. This work included the reimagining of Kings Mill Walk Park.

Kings Mill Walk Park offers 500 linear meters of shoreline on Burrard Inlet and is a destination park for City residents who have limited access to the waterfront. This amount of shoreline is over twice the length of Waterfront Park’s shoreline (200 linear meters) and is an intensely used waterfront section of the regional Spirit Trail.

In March 2022, Council endorsed the Kings Mill Walk Master Plan following consultation with the community. CNV's park plan now includes a new Kings Mill Walk Park for both the broader community and the new Harbourside Neighbourhood residents. Residents moving into phase one of that development are scheduled to occupy their new homes by the end of 2024.

A reimagined Kings Mill Park includes a series of park zones with distinct programming and character. A new park would gradually transition from a more urban experience near Fell Avenue to a natural character where the park meets Mackay Creek to the west. The main park zones include the Fell Avenue Plaza, an All Ages play area, an off-leash area, an open park, and shoreline habitat. Active, accessible circulation and the connection to the Spirit Trail is prioritized through a hierarchy of multi-use trail and pathway types and connections for pedestrians and cyclists. The renewal of the park will also increase the tree canopy and provide critical supporting amenities.
The current Kings Mill Walk Park shoreline, situated between Mackay and Mosquito Creeks, offers limited ecological value within a regionally significant environmental zone. The newly envisioned park shoreline will deliver a restored habitat within a primarily industrialized inlet therefore providing an overall net benefit to marine habitat in the intertidal and subtidal zones.

A new park is also planned to include upland and shoreline improvements designed to enhance climate and coastal resiliency to seismic events, extreme weather, and sea level rise. The new park's grades are expected to be set 1.5m higher than existing to meet flood protection requirements and the upland park areas can be densified to prevent liquefaction in the event of an earthquake. This scope contributes to the park becoming a high capacity, robust, durable park.

<table>
<thead>
<tr>
<th>Project ($000's)</th>
<th>Previously Appropriated</th>
<th>Future Appropriations</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Other TBD</td>
<td>DCC (Parks) Reserves</td>
</tr>
<tr>
<td>Planning</td>
<td>500</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Construction</td>
<td>5,300*</td>
<td>4,300</td>
<td>4,400</td>
</tr>
<tr>
<td>Total</td>
<td>5,800</td>
<td>4,300</td>
<td>4,400</td>
</tr>
</tbody>
</table>

*External funding

1600 Eastern Park:

The Parks Master Plan includes the goal of having all residents within 400 metres (or a 5-minute walk) to a park or public open space. Central Lonsdale is a park deficient neighbourhood with low park service levels.

The addition of a new neighbourhood park in East Central Lonsdale has been identified as a priority to help address the above deficiency. The delivery of a park in this densely populated area can provide valuable enjoyment and recreational opportunities in close proximity to where people in this neighborhood live.

In conjunction with the 2018 rezoning of the adjacent properties for a new rental building, Council endorsed the acquisition of a 0.2 hectare parcel at 1600 Eastern Avenue, using dedicated funding in the DCC (Parks) Reserve. In 2019, CNV funding was approved to commence the planning and community consultation for this new park, and that work was completed in Fall 2021. The resulting park plan, titled the "Oasis of Calm", received strong support from the community and includes a circular trellis and central lawn, pollinator gardens, a playful water feature, in-ground trampoline, porch swings and hammocks.

CNV took possession of the new park site in November 2021 and the CNV project team is preparing detailed design and construction documents.
DISCUSSION

CNV does not have the financial capacity to move forward with the above new projects in 2024 without additional debt financing. The amount of new debt financing proposed to advance the above three projects amounts to $55.8M, as shown in the table below:

<table>
<thead>
<tr>
<th>Project</th>
<th>Future Appropriations ($000's) **</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSNH Phase 2*</td>
<td>49,500</td>
</tr>
<tr>
<td>Kings Mill Walk Park</td>
<td>4,300</td>
</tr>
<tr>
<td>1600 Eastern Park</td>
<td>1,852</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>55,652</td>
</tr>
</tbody>
</table>

*Through the construction periods (2024-2026), short-term debt will be utilized as needed, with debt servicing cost (~$2.4M) being funded by CNV's Civic Amenity Reserve.

**DCC funded components removed.

The purpose of this report is to request Council's consideration of the North Shore Neighbourhood House and City Parks Loan Authorization Bylaw, 2024, No. 9006 to enable CNV to raise debt financing needed to close the current funding gap.

Giving first three readings to the Loan Authorization Bylaw is the first step in engaging the Province in the application process as required. If the Bylaw receives three readings, the Corporate Officer will send the Bylaw to the Inspector of Municipalities for review and approval in accordance with the Community Charter, Section 179(1). Once the Bylaw has received approval, the Corporate Officer will bring an open report to Council outlining the Alternative Approval Process for the redevelopment of the NSNH, Kings Mill Walk Park, and 1600 Eastern Park for Council's consideration. The process will also eventually require approval from the Municipal Finance Authority. Closing is currently targeted for Q3 2024.

FINANCIAL IMPLICATIONS

Should the full $55.7 million of debt be drawn and converted to long-term debt after the 2024-2026 construction period, the annual debt servicing costs would be approximately $3.5 million, assuming current borrowing rates. These additional debt servicing costs are equal to the additional revenues that CNV would generate assuming a one-time 5.4% tax rate increase. Staff are considering recommending, as part of the 2024-2028 Financial Planning process, that any increases in taxes be phased in over a three-year period, beginning with an additional incremental 1.0% tax levy in 2024. The three year phase in period approximates the end of the combined construction periods of the three projects. The debt funding and debt service costs associated with the North Shore Neighbourhood House and City Parks Loan will need to be included in the 2024-2028 Financial Plan.

CNV has the financial capacity to service the recommended new debt. The Province typically permits municipalities in British Columbia to take on additional borrowing so long as annual debt servicing costs (principal and interest) do not exceed 25% of
municipal revenue. Assuming all of CNV's credit facilities are fully drawn, CNV's debt serving costs would be approximately 10% of revenues, well within prescribed limits.

With additional debt, it is also recommended that CNV preserve financial capacity to be able to respond to unexpected events should they occur. As a part of the Harry Jerome Community Recreation Centre ("HJCRC") Financial Strategy endorsed by Council in January 2022, a $20M “safety net” was created by ensuring that balances in CNV's Tax Sale Land Principle Reserve were maintained at no less than $20 million. Now that 86% of the HJCRC project has been successfully tendered, the overall financial risk from the HJCRC has been reduced. Staff recommend maintaining the $20M “safety net” for both the HJCRC and for NSNH projects.

INTER-DEPARTMENTAL IMPLICATIONS

This report was prepared in collaboration with other CNV departments, specifically Strategic Initiatives, Engineering, Parks & Environment, and Clerks, as well as the City Solicitor.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The securing of debt financing enables the advancement of the NSNH Phase 2 project that supports the "A City for People" priority included in Council's 2022-2026 Strategic Plan, including initiatives to "Advance to explore innovative housing policy that includes protection and expansion of rental housing stock", and "Continue to build partnerships with other levels of government and housing providers to deliver more housing diversity and affordability" and to generally improve community well-being.

The recommended debt financing will also enable the advancement of two parks that support Council's priorities for "A Vibrant City" and "A Resilient City", and specifically the initiatives to "Activate Public Spaces – parks, streets, plazas, outdoor areas – for residents to gather together, interact and engage in activities" and "Implement the Kings Mill Walk Park Master Plan".

RESPECTFULLY SUBMITTED:

Larry Sawrenko
Chief Financial Officer
A Bylaw to authorize the borrowing of $55,700,000 for the purpose of the design and construction of a new North Shore Neighborhood House and City Parks

WHEREAS it is deemed desirable to construct a new North Shore Neighborhood House, Kings Mill Walk Park and 1600 Eastern Park;

AND WHEREAS the estimated cost of constructing the new North Shore Neighborhood House, Kings Mill Walk Park and 1600 Eastern Park, including expenses incidental thereto, is the sum of $66,475,000, of which the sum of $55,700,000 is the amount of debt intended to be borrowed from the Municipal Financing Authority as authorized by this Bylaw;

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 “North Shore Neighborhood House Loan Authorization and City Parks Bylaw, 2024, No. 9006”.

2. The Council is hereby empowered and authorized to undertake and carry out, or cause to be carried out, the construction of a new North Shore Neighborhood House, Kings Mill Walk Park and 1600 Eastern Park, generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

A. To borrow on the credit of the City a sum not exceeding $55,700,000;

B. To acquire all such real property, easements, rights-of-way, licences, rights or authorities as may be requisite or desirable for or in connection with the construction of the North Shore Neighborhood House, Kings Mill Walk Park and 1600 Eastern Park.

3. The maximum term for which debentures may be issued to secure the debt created by this Bylaw is 30 years.

READ a first time on the <> day of <>, 2024.

READ a second time on the <> day of <>, 2024.

READ a third time on the <> day of <>, 2024.

ADOPTED on the <> day of <>, 2024.

__________________________________________
MAYOR

__________________________________________
CORPORATE OFFICER
A Bylaw to authorize the borrowing of $55,700,000 for the purpose of the design and construction of a new North Shore Neighbourhood House and City Parks

WHEREAS it is deemed desirable to design and construct a new North Shore Neighbourhood House community facility, Kings Mill Walk Park and 1600 Eastern Park;

AND WHEREAS the estimated cost of designing and constructing the new North Shore Neighbourhood House community facility, and the two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, including expenses incidental thereto, is the sum of $66,475,000, of which the sum of $55,700,000 is the amount of debt intended to be borrowed from the Municipal Financing Authority for these capital projects as authorized by this Bylaw;

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

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2. The Council is hereby empowered and authorized to undertake and carry out, or cause to be carried out, the design and construction of a new North Shore Neighbourhood House community facility, and two City-owned Parks: Kings Mill Walk Park and 1600 Eastern Park, generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:

A. To borrow on the credit of the City a total amount not exceeding $55,700,000, with up to $49,500,000 being allocated to the North Shore Neighbourhood House, up to $4,300,000 being allocated to Kings Mill Walk Park and up to $1,900,000 being allocated to 1600 Eastern Park;

B. To acquire all such real property, easements, rights-of-way, licences, rights or authorities as may be requisite or desirable for or in connection with the construction of the North Shore Neighbourhood House, Kings Mill Walk Park and 1600 Eastern Park.

3. The maximum term for which debentures may be issued to secure the debt created by this Bylaw is 30 years.

READ a first time on the 22nd day of January, 2024.

READ a second time on the 22nd day of January, 2024.

READ a third time on the 22nd day of January, 2024.

RESCINDED third reading on the <> day of <>, 2024.
READ a third time, as amended, on the <> day of <>, 2024.

APPROVED by the Inspector of Municipalities on the <> day of <>, 2024.

ADOPTED on the <> day of <>, 2024.

MAYOR

CORPORATE OFFICER
A Bylaw to authorize the borrowing of $55,700,000 for the purpose of the design and construction of a new North Shore Neighbourhood House and City Parks

WHEREAS it is deemed desirable to design and construct a new North Shore Neighbourhood House community facility, Kings Mill Walk Park and 1600 Eastern Park;

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   B. To acquire all such real property, easements, rights-of-way, licences, rights or authorities as may be requisite or desirable for or in connection with the construction of the North Shore Neighbourhood House, Kings Mill Walk Park and 1600 Eastern Park.

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APPROVED by the Inspector of Municipalities on the <> day of <>, 2024.

ADOPTED on the <> day of <>, 2024.

______________________________
MAYOR

______________________________
CORPORATE OFFICER
NOTICE OF MOTION

9. B.C. Arts Council Funding – File: 01-0400-01-0001/2024

Submitted by Councillor McIlroy

RECOMMENDATION:

WHEREAS investing in arts, culture, and heritage has proven social, economic, and educational benefits for communities small and large across the province;

AND WHEREAS the arts, culture, and heritage sector has been chronically underfunded in BC compared to other regions in Canada;

THEREFORE BE IT RESOLVED that UBCM request that the Province of BC increase the BC Arts Councils’ annual budget to a minimum of $55 million in the 2025/26 budget.

Background Information, January 31, 2024
Background Information:

Arts, culture, and heritage organizations, workers, and practitioners, are one of the few sectors in every single community in British Columbia. The sector contributes roughly $8.6 billion to the province’s GDP, employs 154,800 workers, and plays a critical role in supporting a vibrant tourism industry. Studies have proven that every dollar invested in arts, culture, and heritage creates a four-dollar return on investment.

Despite the proven social, educational, and economic benefits of the arts, culture, and heritage sector, British Columbia has one of the worst records of investing in the arts of any province in Canada. For a nearly 20-year period from the early 2000s to the late 2010s, the Government of British Columbia invested less in arts, culture, and heritage than any province in the country. In 2010, for example, 89% of all arts, culture, and heritage organizations in BC received less provincial support than similar organizations in other provinces. While today BC is no longer in last place, this legacy of underinvestment continues to impact the capacity and sustainability of the sector.

And despite this chronic underinvestment, BC’s arts, culture, and heritage sector consistently outperforms other provinces. Cultural workers represent 5.4% of BC’s workforce, higher than the national average of 4.4%. Since 2020, BC has been the only province in Canada to have a cultural sector that has shown positive GDP growth.

In the 2017 provincial election, both the BC NDP and BC Liberal Party pledged to increase annual funding for arts, culture, and heritage. The BC NDP pledged to double the BC Arts Council budget over four years to $48 million annually. The BC Liberal Party pledged to maintain 2017 funding levels for the BC Arts Council at $24 million annually but to also allocate $15 million in new funding for the BC music fund and $5 million in new funding for the community gaming grant program. Funding the arts, culture, and heritage sector crosses partisan divides and with cultural organizations being present in every community in the province, also crosses urban/rural divides.

Now, seven years after taking power, the BC NDP has only raised the BC Arts Council budget to $39.6 million annually. When adjusted for inflation, the initial pledge of $48 million would be worth slightly more than $58 million. In 2023 BC’s arts, culture, and heritage sector saw the Bateman Gallery and the operators of Point Ellice House Museum & Gardens close due to unsustainable funding. That same year the closures of significant arts and culture events like the Vancouver Folk Music Festival or the Squamish Constellation Festival were avoided by special one-time funding from the Ministry of Tourism, Arts, Culture, and Sport. Across the arts, culture, and heritage sector, visitors have been slow to return to cultural events and spaces after the COVID-
19 pandemic. At the same time, the past several years have seen a cost of living crisis raise the prices of virtually all products and services and a series of unprecedented climate disasters that have made the regular operations of cultural organizations more unpredictable.

To support the arts, culture, and heritage sector during the COVID-19 pandemic and slow recovery, the Province of BC has made record one-time investments in the sector. In 2023 the BC Arts Council delivered $71 million in special funding which delayed the threat of significant closures in the sector. As is shown by the 2023 BC Arts, Culture, and Heritage Sector Insights Report that surveyed cultural workers and organizations, significant risk factors exist that undermine the sustainability of the sector. Nearly a quarter (23%) of organizations that responded to the survey are in “somewhat or very unstable cash flow” positions and 17% of respondents are concerned that their organization is at risk of “insolvency, bankruptcy, or ceasing operations within the next 12 months.” More than one-third (34%) of organizations reported that they rely on special one-time recovery/resiliency funding to keep them operating. The survey also shows that ticket sales and attendance levels are major risk factors for the sector, with 43% of organizations reporting negative sales trends over the past year.

At the individual level, the 2023 BC Arts, Culture, and Heritage Sector Insights Report also contains worrying data. The survey shows that 42% of respondents say they do not currently make a living wage. Survey respondents included leaders of arts and culture organizations, individual artists and other cultural practitioners. As numerous other sources of data show, wages for women, transgender, non-binary, BIPOC, Deaf, and disabled cultural workers can be as much as 31% lower than cisgender men working in the sector.

The BC Arts Council (BCAC) is the source of provincial funding that is the most widely accessible to the arts, culture, and heritage sector. Created in 1995 as an agency of the Province of British Columbia under the Arts Council Act, BCAC is mandated to nurture and support arts and cultural activity in communities across British Columbia. In its 2022/23 fiscal year BCAC distributed funding to 1723 individuals and organizations from its regular annual budget and 465 individuals and organizations in special one-time supplemental funding. With its current level of funding, BCAC supports roughly 66% of total funding requests. BCAC funding is delivered to organizations and individuals in every region of the province.