



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, MAY 27, 2024 AT 6:00 PM

Watch Livestream at cnv.org/LiveStreaming
View complete Agenda Package at cnv.org/CouncilMeetings

The City of North Vancouver respectfully acknowledges that this Council meeting is held on the traditional and unceded territories of the Skwxwú7mesh (Squamish) and Səlílwətał (Tsleil-Waututh) Nations.

CALL TO ORDER

APPROVAL OF AGENDA

1. Regular Council Meeting Agenda, May 27, 2024

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, May 13, 2024

PUBLIC INPUT PERIOD

DELEGATION

Darlene MacKinnon, Vice President, Coastal Community of Care,
Belinda Graham, Acting Executive Director, Planning and Projects, and
Emina Dervisevic, Manager, Community Engagement, Vancouver Coastal Health
– Health Vision Lions Gate Hospital

CORRESPONDENCE

3. Belinda Graham, Acting Executive Director, Planning and Projects, Vancouver Coastal Health – Health Vision Lions Gate Hospital

REPORTS

4. Finch and Barley Restaurant – Application for Patron Participation Entertainment
5. The Wallace Venue – Application for a Liquor Primary Licence
6. Provincial Housing Legislation – Transit Oriented Area

BYLAW – FIRST, SECOND AND THIRD READINGS

7. “Transit Oriented Area Designation Bylaw, 2024, No. 9029”

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, May 27, 2024

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, May 13, 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 5:50pm 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 604-990-4234. 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), including Zoning Bylaws for which a Public Hearing will not be held or is prohibited under section 464 of the *Local Government Act*.

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”.

DELEGATION

Darlene MacKinnon, Vice President, Coastal Community of Care,
Belinda Graham, Acting Executive Director, Planning and Projects, and
Emina Dervisevic, Manager, Community Engagement, Vancouver Coastal Health

Re: Health Vision Lions Gate Hospital

Item 3 refers.

CORRESPONDENCE

3. Belinda Graham, Acting Executive Director, Planning and Projects, Vancouver Coastal Health, May 10, 2024 – File: 01-0400-90-0001/2024

Re: Health Vision Lions Gate Hospital

RECOMMENDATION:

THAT the correspondence from Belinda Graham, Acting Executive Director, Planning and Projects, Vancouver Coastal Health, dated May 10, 2024, regarding “Health Vision Lions Gate Hospital”, be received for information and with thanks.

REPORTS

4. Finch and Barley Restaurant – Application for Patron Participation Entertainment – File: 09-4320-50-0002/2024

Report: Manager, Economic Development, May 15, 2024

RECOMMENDATION:

PURSUANT to the report of the Manager, Economic Development, dated May 15, 2024, entitled “Finch and Barley Restaurant – Application for Patron Participation Entertainment”:

THAT the proposed endorsement for patron participation entertainment for Finch and Barley Restaurant, located at 250 East 1st Street, be supported on the basis that:

- the proposed endorsement for patron participation entertainment will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- the impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- the proposed endorsement for patron participation entertainment is consistent with the vision for the Lower Lonsdale neighbourhood;

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

REPORTS – Continued

5. The Wallace Venue – Application for a Liquor Primary Licence
– File: 09-4320-50-0002/2024

Report: Manager, Economic Development, May 15, 2024

RECOMMENDATION:

PURSUANT to the report of the Manager, Economic Development, dated May 15, 2024, entitled “The Wallace Venue – Application for a Liquor Primary Licence”:

THAT the application for a Liquor Primary licence for The Wallace Venue, located at 301-125 Victory Ship Way, be supported on the basis that:

- the proposed Liquor Primary licence will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- the impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- the proposed Liquor Primary licence is consistent with the vision for The Shipyards;

THAT The Wallace Venue be subject to the following conditions:

- liquor service is only permitted in conjunction with an event;
- the hours of liquor service are solely from 9:00am to 12:00am, 7 days per week;
- the outdoor terrace/patio must be closed at 11:00pm and guests must remain indoors thereafter; and
- the maximum occupant load is 210 persons, in accordance with the Occupant Load Certificate issued by the City;

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

REPORTS – Continued

6. Provincial Housing Legislation – Transit Oriented Area
– File: 09-3710-20-0001/1

Report: Director, Planning and Development, May 15, 2024

RECOMMENDATION:

PURSUANT to the report of the Director, Planning and Development, dated May 15, 2024, entitled “Provincial Housing Legislation – Transit Oriented Area”:

THAT “Transit Oriented Area Designation Bylaw, 2024, No. 9029” be considered;

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030” (Transit Oriented Area Parking Amendment) be considered and no Public Hearing be held, in accordance with Section 464(2) of the *Local Government Act*,

AND THAT notification be circulated in accordance with the *Local Government Act*.

Item 7 refers.

BYLAW – FIRST, SECOND AND THIRD READINGS

7. “Transit Oriented Area Designation Bylaw, 2024, No. 9029”

RECOMMENDATION:

THAT “Transit Oriented Area Designation Bylaw, 2024, No. 9029” be given first and second readings;

AND THAT “Transit Oriented Area Designation Bylaw, 2024, No. 9029” be given third reading.

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*, Sections 90(1)(a) [personal information] and 90(1)(k) [contract negotiations/proposed service], and where required, Council considers that the matters could reasonably be expected to harm the interests of the City if they were held in public.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

ADJOURN

THIS PAGE INTENTIONALLY LEFT BLANK



**MINUTES OF 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, MAY 13, 2024**

PRESENT

COUNCIL MEMBERS

Mayor L. Buchanan
Councillor H. Back
Councillor D. Bell
Councillor A. Girard*
Councillor J. McIlroy
Councillor S. Shahriari
Councillor T. Valente

**participated electronically*

STAFF MEMBERS

L. McCarthy, CAO
B. Pearce, Deputy CAO
P. DeJong, Acting Corporate Officer
J. Peters, Manager, Legislative and Election Services
L. Sawrenko, Chief Financial Officer
H. Granger, City Solicitor
K. Magnusson, Director, Engineering, Parks and Environment
B. Willock, Deputy Director, Infrastructure Management
S. Galloway, Director, Planning and Development
J. Draper, Deputy Director, Planning and Development
T. Ryce, Chief Building Official
E. Elliott, Manager, Transportation
B. Underhill, Transportation Planner
E. Post, Transportation Planning Assistant
E. Doran, Director, People and Culture
C. Averiss, Manager, People and Culture
M. Trespalacios, Diversity, Equity and Inclusion Leader
R. Skene, Deputy Director, Civic Development & Strategic Initiatives
A. Gibbs, Sr. Manager, Communications and Engagement
R. Vaughan, Manager, Civic Engagement
L. Gillies, Deputy Director, Project Management and Delivery, LEC
S. Wood, Manager, Finance, LEC
H. van Gelderen, Legislative Services Advisor

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

APPROVAL OF AGENDA

Moved by Councillor McIlroy, seconded by Councillor Back

1. Regular Council Meeting Agenda, May 13, 2024

CARRIED UNANIMOUSLY

R2024-05-13/1

ADOPTION OF MINUTES

Moved by Councillor Back, seconded by Councillor Bell

2. Special Council Meeting Minutes, May 6, 2024

CARRIED UNANIMOUSLY

R2024-05-13/2

Moved by Councillor Back, seconded by Councillor Bell

3. Regular Council Meeting Minutes, May 6, 2024

CARRIED UNANIMOUSLY

R2024-05-13/3

PROCLAMATION

Mayor Buchanan declared the following proclamation:

International Day Against Homophobia, Transphobia and Biphobia – May 17, 2024
– read by Councillor McIlroy

PUBLIC INPUT PERIOD

- Samantha Paterson, North Vancouver, spoke in support of Item 10 – Youth Climate Corps.
- Jennifer Clay, North Vancouver, spoke regarding Item 9 – Allen Residence and the desire to relocate the home within the community.

CONSENT AGENDA

Councillor Bell requested that Item 4 be removed from the Consent Agenda.

CORRESPONDENCE

4. Board in Brief, Metro Vancouver Regional District, April 26, 2024
– File: 01-0400-60-0006/2024

Re: Metro Vancouver – Board in Brief

Moved by Councillor Bell, seconded by Councillor Valente

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

CARRIED UNANIMOUSLY

R2024-05-13/4

DELEGATION

Kulvir Mann, Board Member and Communications Coordinator, North Shore Safety Council

Re: Update on Programs and Services

Kulvir Mann, North Shore Safety Council, provided a PowerPoint presentation regarding an “Update on Programs and Services” and responded to questions from Council.

CORRESPONDENCE

5. Tom Walker, President, North Shore Safety Council, February 14, 2024
– File: 01-0360-20-0061/2024

Re: Update on Programs and Services

Moved by Councillor McIlroy, seconded by Councillor Back

THAT the correspondence from Tom Walker, President, North Shore Safety Council, dated February 14, 2024, regarding an “Update on Programs and Services”, be received for information and with thanks.

CARRIED UNANIMOUSLY

R2024-05-13/5

PRESENTATION

Curb Access and Parking Plan Proposed Policy Changes – Deputy Director, Planning and Development, and Planner 2

The Deputy Director, Planning and Development, and the Planner 2 provided a PowerPoint presentation regarding “Curb Access and Parking Plan Proposed Policy Changes” and responded to questions from Council.

REPORT

6. Curb Access and Parking Plan – Proposed Policy Changes – File: 16-8350-20-0041/1

Report: Planner 2, May 1, 2024

Moved by Councillor McIlroy, seconded by Councillor Back

PURSUANT to the report of the Planner 2, dated May 1, 2024, entitled “Curb Access and Parking Plan – Proposed Policy Changes”:

THAT staff be directed to undertake public and interest-holder engagement on proposed policy changes included in the report;

AND THAT staff report back to Council with a plan and implementation strategy that incorporates public and interest-holder feedback, technical analysis, and adheres to City-wide objectives.

CARRIED UNANIMOUSLY

R2024-05-13/6

PRESENTATION

Lonsdale Energy Corporation – Annual General Meeting and Annual Report
– Deputy Director, Project Management and Delivery, and Manager, Finance,
Lonsdale Energy Corporation

The Deputy Director, Project Management and Delivery, and the Manager, Finance, Lonsdale Energy Corporation, provided a PowerPoint presentation regarding the “Lonsdale Energy Corporation – Annual General Meeting and Annual Report” and responded to questions from Council.

REPORTS

7. Lonsdale Energy Corporation – 2024 Annual General Meeting
– File: 11-5500-06-0001/1

Report: Chief Executive Officer and Manager, Finance, Lonsdale Energy Corporation, May 1, 2024

Moved by Councillor Shahriari, seconded by Councillor McIlroy

PURSUANT to the report of the Chief Executive Officer and the Manager, Finance, Lonsdale Energy Corporation, dated May 1, 2024, entitled, “2024 Annual General Meeting”:

THAT the 2023 Financial Statements be received and filed;

THAT the proposed Unanimous Consent Resolutions of the Shareholder of Lonsdale Energy Corporation be endorsed;

AND THAT the Mayor and Corporate Officer be authorized to sign and seal the resolution.

CARRIED UNANIMOUSLY

R2024-05-13/7

8. Removing Barriers to Public Office – File: 07-2830-01-0001/2024

Report: Manager, People and Culture, and Diversity, Equity and Inclusion Leader, May 1, 2024

Moved by Councillor McIlroy, seconded by Councillor Shahriari

PURSUANT to the report of the Manager, People and Culture, and the Diversity, Equity and Inclusion Leader, dated May 1, 2024, entitled “Removing Barriers to Public Office”:

THAT the proposed Elected Officials’ Caregiving Leave Policy be endorsed.

CARRIED UNANIMOUSLY

R2024-05-13/8

9. The Hub North Shore Neighbourhood House Phase 2 – 204 East 1st Street (Allen Residence) Update – File: 02-0800-30-0013/1

Report: Deputy Director, Civic Development and Strategic Initiatives, May 1, 2024

Moved by Councillor McIlroy, seconded by Councillor Valente

PURSUANT to the report of the Deputy Director, Civic Development and Strategic Initiatives, dated May 1, 2024, entitled “The Hub North Shore Neighbourhood House Phase 2 – 204 East 1st Street (Allen Residence) Update”:

Continued...

REPORTS – Continued

9. The Hub North Shore Neighbourhood House Phase 2 – 204 East 1st Street (Allen Residence) Update – File: 02-0800-30-0013/1 – Continued

THAT, as the Allen Residence is being removed from the current location at 204 East 1st Street, North Vancouver, either by deconstruction or by relocation outside of the City's boundaries, staff be directed to remove reference to the Allen Residence from the City's Heritage Register 2013 and to provide requisite notices in accordance with the *Local Government Act*.

CARRIED
R2024-05-13/9

Councillor Shahriari is recorded as voting in opposition to the motion.

NOTICE OF MOTION

10. Support for a Youth Climate Corps – File: 01-0230-01-0001/2024

Submitted by Councillor McIlroy

Moved by Councillor McIlroy, seconded by Councillor Shahriari

WHEREAS thousands of young people across Canada understand that we face a climate emergency and are eager to serve as we seek to drive down GHG emissions and prepare for climate disruption;

WHEREAS a Youth Climate Corps would train youth for careers in the well-paying green jobs of the future and help ensure Canada and British Columbia have a skilled workforce for the new climate economy;

AND WHEREAS a Youth Climate Corps would offer two years of training and employment to every person under 35 years of age who wants to be part of the solution to this generational challenge and put thousands of young people to work rapidly curbing emissions, preparing our infrastructure for its coming impacts and responding to the climate emergencies we are already facing and will continue to face;

NOW THEREFORE BE IT RESOLVED that the City of North Vancouver formally endorse the call for both a new national Youth Climate Corps and a British Columbia Youth Climate Corps;

BE IT FURTHER RESOLVED that the Mayor, on behalf of Council, write to the federal Ministers of Finance, Infrastructure and Communities, Women and Gender Equality and Youth, Natural Resources, and Environment and Climate Change in support of the campaign asking for the financial commitment required to fund the establishment of a national Youth Climate Corps program;

AND BE IT FURTHER RESOLVED that the Mayor, on behalf of Council, write to the BC Ministers of Environment and Climate Change Strategy, Finance, Emergency Management and Climate Readiness, Energy and Low Carbon Innovation, and the Minister of Post-Secondary Education and Future Skills in support of the campaign asking for the budget commitment required to establish a full BC Youth Climate Corps program.

CARRIED UNANIMOUSLY
R2024-05-13/10

PUBLIC CLARIFICATION PERIOD

Nil.

COUNCIL INQUIRIES

11. Esplanade Complete Street – File: 01-0220-01-0001/2023

Inquiry by Councillor Valente

Councillor Valente inquired of Mayor Buchanan regarding the Esplanade Complete Street, specifically regarding the incompleteness in front of the development on the 200 block of West Esplanade at Chesterfield Avenue. Mayor Buchanan advised that this matter has been forwarded to staff for a report back to Council.

R2024-05-13/11

12. Electric Cargo Bike Library Program – File: 01-0220-01-0001/2023

Inquiry by Councillor Valente

Councillor Valente inquired of Mayor Buchanan regarding the Electric Cargo Bike Library Program, how it works, next steps, and when City residents will have access to the Library. Mayor Buchanan advised that this matter has been forwarded to staff for a report back to Council.

R2024-05-13/12

COUNCIL REPORTS

Councillor Bell reported on his attendance at the Lower Mainland Local Government Association (LMLGA) conference held in Whistler, BC, May 1-3, 2024. Topics discussed included public safety, the future of lower mainland transportation, indigenous insights, and over 50 resolutions were passed to be forwarded to UBCM. As well, Councillor McIlroy was elected as an LMLGA Director at Large.

NEW ITEMS OF BUSINESS

Nil.

NOTICES OF MOTION

Nil.

ADJOURN

Moved by Councillor Bell, seconded by Councillor McIlroy

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:09 pm.

“Certified Correct by the Acting Corporate Officer”

ACTING CORPORATE OFFICER

Health Vision Lions Gate Hospital

City of North Vancouver – City Council Meeting

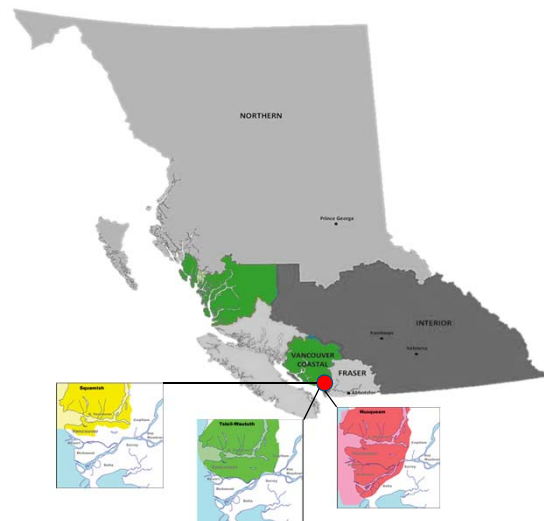
May 27, 2024



Territorial Acknowledgment

We wish to acknowledge that the land on which we gather is the traditional and unceded territory of the Coast Salish Peoples, including the Squamish and Tsleil-Waututh Nations.

Vancouver Coastal Health is committed to delivering exceptional care to 1.25 million people, including the First Nations, Métis and Inuit, within the traditional territories of the Heiltsuk, Kitasoo-Xai'xais, Lil'wat, Musqueam, N'Quatqua, Nuxalk, Samahquam, shíshálh, Skatin, Squamish, Tla'amin, Tsleil-Waututh, Wuikinuxv, and Xa'xtsa.



Overview

1. Health Vision Background
2. Objectives
3. Current Infrastructure & Scope
4. Guiding Principles
5. Engagement Process
6. Needs and Deliverables

Health Vision Background

Why are we doing high level planning?

- Capacity for current and future population
- Indigenous Health considerations
- Development of clinical service plans to address current and future population needs.



Objectives

Provide a **consolidated high-level vision** and plan for all future developments on the campus for the next 30 years



Maintain **safe, quality health care** in the region and enhance the **integration** of services



Allow the campus to be **agile and able to identify next steps** for investment as funding becomes available



Data driven, incorporating **best practices** and will consider key findings from **previous planning exercises**



Current Site Infrastructure and Scope for Health Vision LGH

1. Northern Expansion (1978)
2. Existing Paul Myers Tower, South Tower (1958)
3. HOpe Centre (2014)
4. Evergreen House (1969 & 1982)
5. Parkade (1977)
6. New Paul Myers Tower (2025)
7. St Andrew's site – current Lay Down Area

Guiding Principles



Indigenous Cultural Safety is one of Vancouver Coastal Health’s pillars and it guides in providing care, informed by the history and culture of Indigenous Peoples.



Ensure health-care services at LGH remain aligned with the evolving health-care needs of the local North Shore community and the broader region.



Develop plans to address the forecasted capacity increase.



Maintain access to safe, high-quality healthcare.



Ensure that the infrastructure is resilient and sustainable to allow it to continue supporting services in the short, medium and long-term, and considers climate risks and planetary health in the region.



Engagement Process

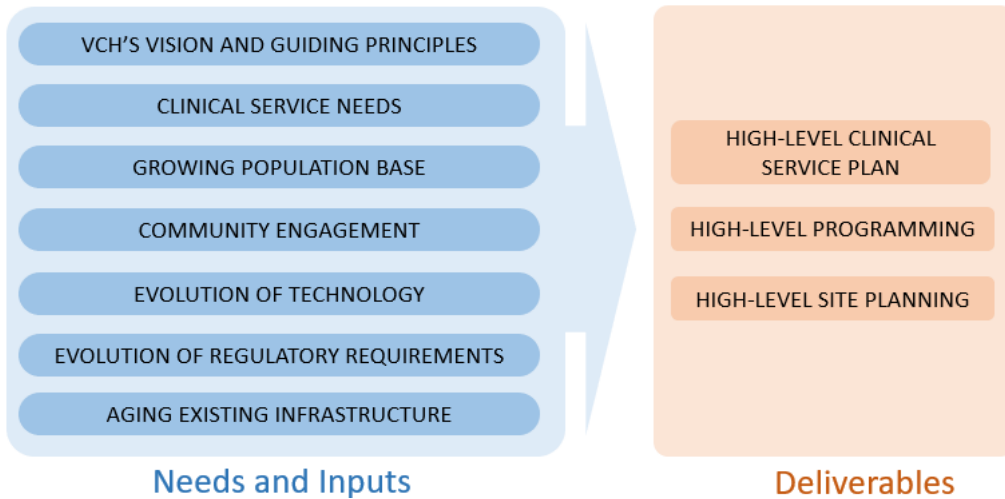
Two Phase Engagement over 13 months.

- Public outreach and engagement with local First Nations, community and all levels of elected governments representatives.
- Engagement with VCH staff and medical staff.
- Engagement with key partners, such as LGH Foundation, etc.

Activity	Timeline
Engagement Phase 1: Inform about the project and seek input on health-care needs, opportunities and priorities for Lions Gate Hospital	Apr-May 2024
Report-back 1	Fall 2024
Engagement Phase 2: Inform about how engagement input from Phase 1 has been considered in planning and seek input on draft plans	Fall 2024
Report-back 2	Early 2025



Needs and Deliverables



Learn more:
www.vch.ca/healthvisionlgh



May 10, 2024

Dear Mr. De Jong,

In May 2024, Vancouver Coastal Health launched Health Vision Lions Gate Hospital (LGH) – a high-level planning process for LGH and health-care programs that operate from the hospital campus.

At the request of Mayor Buchanan, I am hoping to coordinate a presentation to City of North Vancouver Council regarding Health Vision Lions Gate Hospital, including scope, process, engagement, and timeline.

For more information, visit vch.ca/healthvisionlgh
We look forward to this opportunity.


Warm Regards,



Belinda Graham, Acting Executive Director, Planning and Projects

Reviewed by CAO  _____



 Department Manager	 Director	 CAO
--	---	--

The Corporation of **THE CITY OF NORTH VANCOUVER**
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Siobian Smith, Manager, Economic Development

Subject: FINCH AND BARLEY RESTAURANT - APPLICATION FOR PATRON PARTICIPATION ENTERTAINMENT

Date: May 15, 2024 File No: 09-4320-50-0002/2024

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

RECOMMENDATION

PURSUANT to the report of the Manager, Economic Development, dated May 15, 2024, entitled "Finch and Barley Restaurant - Application for Patron Participation Entertainment":

THAT the proposed endorsement for patron participation entertainment for Finch and Barley Restaurant at 250 East First Street be supported on the basis that:

- The proposed endorsement for patron participation entertainment will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- The impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- The proposed endorsement for patron participation entertainment is consistent with the vision for the lower Lonsdale neighbourhood.

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

ATTACHMENTS

1. Map of local area with zoning indicated (City Doc: [2519803](#))

SUMMARY

Finch and Barley Restaurant (Finch and Barley) has submitted an application to the Liquor and Cannabis Regulation Branch (LCRB) to include an endorsement for patron participation entertainment on their current Food Primary licence. In accordance with LCRB's standing regulations, applications for adding an endorsement for patron participation entertainment must receive a response from the respective local government. Staff consider that this application is reasonable, and recommend that the City of North Vancouver (the City) opts out of the public consultation process with respect to this application, and allow LCRB to carry out the public consultation process.

BACKGROUND

Finch and Barley, located at 250 East First Street, holds an active business licence for operating a Food Primary licenced restaurant in the City. The establishment received endorsement from the LCRB for its existing Food Primary licence in April 2011, permitting the restaurant to offer liquor for immediate consumption as a complement to the food service. To date, the City is home to 93 Food Primary establishments that are located across the City.

In addition to offering food and alcoholic beverages, patrons of Finch and Barley currently enjoy live music and comedy shows, once a week, while dining on the premises. Finch and Barley has underscored that this request is intended to reinforce the establishment's service offering amidst an intensifying competition in the Shipyards District.

CONSIDERATIONS

The LCRB provides guidance to local governments in the consideration of specific factors for applications that seek to include an endorsement for patron participation entertainment on a Food Primary licence. Local governments that choose to provide a recommendation to the LCRB for an application are required to complete both the public consultation process (step 1), and provide comments to address factors that impact the community (step 2). Both steps must be completed in order to participate in the decision-making process for an application. The LCRB requires that nearby residents be consulted in this process, typically via posting of site signage to inform the public regarding an application. Local governments may choose to "opt out" of an application. This means that the LCRB will complete the 2-step public consultation process and will conclude a decision for this application, while keeping the City informed of the outcome. If Council chooses to opt out, this report and the minutes of the Council meeting will be shared with the LCRB for context and information.

1. Location of the Premises

Finch and Barley is located in a heritage (Class A) building. The site is located in the 200 block of East 1st Street - zoned as Industrial-Commercial (M-4) with a provision for "Accessory Retail Service Group 2 Use" (reference Attachment 1 for a map of the location with zoning indicated). The operation of a Food Primary premises is permitted in the current zone.

In addition to Finch and Barley, this site currently accommodates a tour operator, an office accessories store, counselling businesses, and an engineering firm. The immediate surrounding area within a 40-metre radius¹ is populated by a diversity of businesses, such as an alcoholic beverage producer, automobile repair services, a child care facility, an interior design firm, a food manufacturer, a health food store, furnishing and millwork businesses, and a construction company.

There are no residences fronting Finch and Barley. There are, however, two R5 properties (Residential Apartment Levels 5) located behind Finch and Barley that front onto East Second Street. Collectively, there are 61 dwelling units located behind Finch and Barley. At the corner of East First Street and St. Andrews Avenue (95 St. Andrews Avenue), approximately 55 meters away from the restaurant, there is a senior housing facility managed by the Metro Vancouver Housing Corporation with 15 dwelling units. Derek Inman Park is located about 37 metres away from Finch and Barley.

2. Hours of Liquor Service and Occupant Load

The current Food Primary licence provides for business closing hours by 1:00am, Monday to Saturday, and 12:00am on Sunday. In terms of occupancy, the establishment has an approved indoor seating capacity for 50 patrons. In May 2021, the restaurant received approval from the LCRB, which enables the business to temporarily expand its liquor service area to an outdoor patio without increasing the approved occupant load. Since then, the restaurant has been operating this temporary outdoor patio on the curb space fronting the premises. Staff are working with the business to finalize an Outdoor Dining Agreement for the outdoor patio to become eligible for long-term use.

3. Patron Participation Entertainment

Food Primary establishments are permitted to offer entertainment on the premises (non-patron participation). This may include activities such as live radio/ television broadcasts and comedy nights. The offering of patron participation entertainment, such as dine and dance or karaoke, however, requires consideration from the respective local government. Food Primary establishments must ensure that any entertainment to be provided does not shift the focus away from the premises' core service – food service with liquor as a complement. In accordance with LCRB's regulations, patron participation entertainment is permitted until 12:00am daily, with the exception of New Year's Day, up to 1:00am.

Finch and Barley currently offers live music and comedy nights, once per week, on its premises. The live entertainment generally ends by 11:00pm or earlier. The addition of patron participation entertainment, specifically in the form of open mic/ karaoke with dancing is expected to enrich the service offering of the business, and result in retaining and growing its customer base. For context, there are currently only two Food Primary establishments in the City with an endorsement for patron participation entertainment: Eighties Restaurant (110 W 14th Street), and Seaside Hotel (130-125 Victory Ship Way).

¹ The 40-metre radius is the designated range used by the City's Planning Department for public consultation.

4. Impact of Noise and Any Related Issues

Since opening in 2011, the Bylaws team received one complaint, which related to outdoor patio construction noise caused by the business in the evening hours. In January 2024, there was a noise complaint caused by patrons of Finch and Barley.

DISCUSSION

Staff consider that the application to add an endorsement for patron participation entertainment is reasonable and consistent with the vision for the lower Lonsdale neighbourhood as a vibrant community destination. The addition of patron participation entertainment is also consistent with the goal of maximizing economic opportunity for small businesses on employment generating lands.

Business establishments that do not front onto any residences, as in the case of Finch and Barley, are anticipated to have a minimal noise impact on the community in the immediate vicinity of the establishment. Notably, Finch and Barley has been offering live music and comedy nights since its establishment in 2011. The addition of patron participation entertainment will be kept solely indoors. The business has committed to ensure that signs are placed in conspicuous locations on the premises, indoors and outdoors, to remind patrons to be respectful of neighbours. Patrons will be guided to wait indoors while waiting for transportation after closing hours. The business intends to host no more than two patron participation entertainment events per week, and staff have been trained to monitor and control noise levels.

Staff will continue to explore tools that support positive community integration within neighbourhoods including updates to and compliance with "Good Neighbour" agreements. It should also be noted that staff have authority under the Business Licence Bylaw to introduce additional conditions on the Business Licence should issues arise at a later date. The LCRB also monitors complaints about business operations for businesses that hold Provincial Liquor Licences and can take action if warranted.

The following options are presented for Council's consideration:

Option 1 – Recommended: The City opts out of the public consultation process with respect to this application. For this option, the proposed motion would be:

THAT the proposed endorsement for patron participation entertainment for Finch and Barley Restaurant at 250 East First Street be supported on the basis that:

- The proposed endorsement for patron participation entertainment will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- The impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- The proposed endorsement for patron participation entertainment is consistent with the vision for the lower Lonsdale neighbourhood.

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

Option 2 – Not Recommended: Staff undertake a public consultation process that involves soliciting written feedback from business operators, residents, and property owners (residential and commercial properties) in the immediate vicinity of the business premises. Staff will return and present the feedback to Council, and seek direction from Mayor and Council for this application.

FINANCIAL IMPLICATIONS

If Council approves Option 2, the City will require staff time to process and generate findings from public feedback. The cost of signage to solicit public feedback will be borne by the applicant.

INTER-DEPARTMENTAL IMPLICATIONS

The Bylaws team has been consulted on this application. There is no anticipated impact for other City Departments. The Planning team review confirmed that the proposed endorsement for patron participation entertainment does not change the current permitted use for the property – a Food Primary licenced establishment.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The proposed activity conforms with the Official Community Plan's Mixed Employment designation for the property, which allows for light industrial and service commercial uses. This application aligns with Council's 2022-2026 Strategic Plan and the Economic Strategy, which emphasizes finding opportunities to support local businesses, strengthening vibrancy in the community, and increasing the visibility of the City as a tourism destination.

RESPECTFULLY SUBMITTED:



Siobian Smith
Manager, Economic Development

Attachment 1: Map of Local Area with Zoning Indicated

Aerial View

Applicant: **Finch and Barley Restaurant**

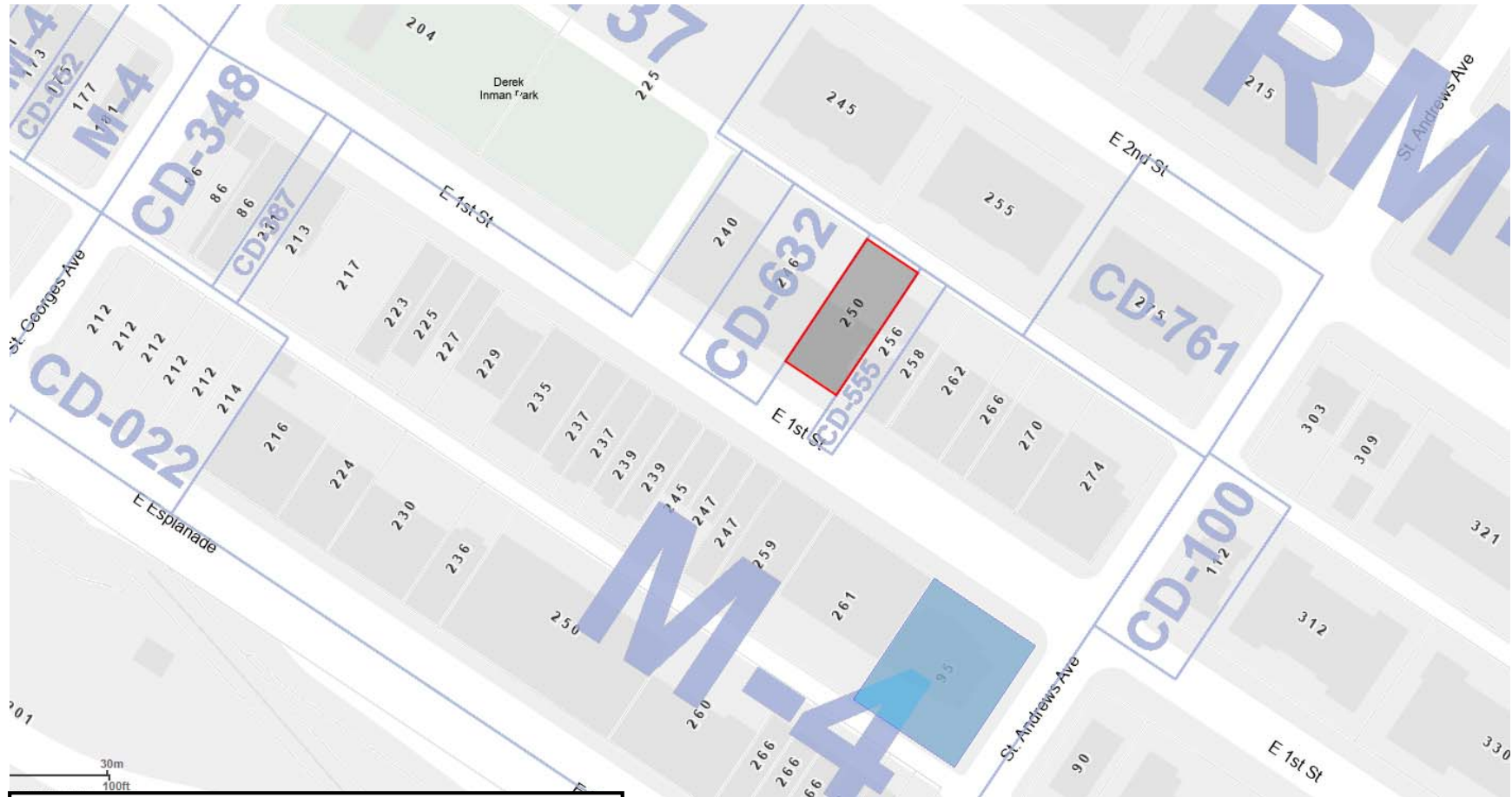
Location: 250 E 1st Street, North Vancouver



View of the Establishment and Zones

Applicant's Site: **M-4 Zone (Industrial Commercial Zone)**

OCP Designation: ME (Mixed Employment)



LEGEND	
CD-#	Comprehensive Development Zone
M-4	Industrial Commercial Zone

THIS PAGE INTENTIONALLY LEFT BLANK



 Department Manager	 Director	 CAO
---	---	--

The Corporation of **THE CITY OF NORTH VANCOUVER**
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

REPORT

To: Mayor Linda Buchanan and Members of Council

From: Siobian Smith, Manager, Economic Development

Subject: THE WALLACE VENUE - APPLICATION FOR A LIQUOR PRIMARY LICENCE

Date: May 15, 2024 File No: 09-4320-50-0002/2024

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

RECOMMENDATION

PURSUANT to the report of the Manager, Economic Development, dated May 15, 2024, entitled "The Wallace Venue - Application for a Liquor Primary Licence":

THAT the application for a Liquor Primary licence for The Wallace Venue, located at 301 – 125 Victory Ship Way, be supported on the basis that:

- The proposed Liquor Primary licence will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- The impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- The proposed Liquor Primary licence is consistent with the vision for The Shipyards.

THAT The Wallace Venue be subject to the following conditions:

- Liquor service is only permitted in conjunction with an event;
- Hours of liquor service are solely from 9:00am to 12:00am, 7 days per week;
- Outdoor terrace/ patio must be closed at 11:00pm, and guests must remain indoors thereafter; and
- Maximum occupant load of 210 persons in accordance with the Occupant Load Certificate issued by the City;

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

ATTACHMENTS

1. Current licenced Manufacturers, Liquor Primary and Liquor Primary Club in the City (City Doc: [2517691](#))
2. Map of local area with zoning indicated (City Doc: [2517692](#))

SUMMARY

The Wallace Venue (“The Wallace”) has submitted an application to the Liquor and Cannabis Regulation Branch (LCRB) for a Liquor Primary (Event-Driven) licence, specifically for its event-hosting venue in The Shipyards. In accordance with LCRB’s standing regulations, applications for a Liquor Primary licence must receive a response from the respective local government. Staff have reviewed public feedback gathered as part of the rezoning process for the same objective, and consider that the application for a Liquor Primary (Event-Driven) licence is reasonable, and recommend that the City of North Vancouver (the City) opts out of the public consultation process with respect to this application, and allow LCRB to carry out the public consultation process.

BACKGROUND

The Wallace holds an active Building Rental (Commercial) business licence, and has been operating The Wallace, located at 301 – 125 Victory Ship Way, since 2019. The Wallace has a total of 5,423 square feet of indoor space, and an exterior terrace/ patio area (2,407 square feet). Immediately adjacent to the Shipyard Commons, The Wallace is located on the third floor of the northwest block building. The Wallace offers rental of venue space for private, corporate, public and community events. Popular events at The Wallace include weddings, receptions, conferences and filming.

The Wallace has underscored that the request for a Liquor Primary (Event-Driven) licence is being sought to provide its clients with a full-service venue. Event hosts that seek to provide alcoholic beverages to their guests would have the option to use the liquor service that will be directly managed by The Wallace.

The Wallace received Council’s approval in June 2023 to amend the zone (CD-393), specifically to provide for “Liquor Primary Licenced Event-Hosting Venue Use” on this site. This approved use is in line with the conditions of a Liquor Primary (Event-Driven) licence, managed by the LCRB, in which liquor service is only permitted in conjunction with an event. To date, the City is home to 3 Liquor Primary (Event-Driven) operators, and 4 traditional Liquor Primary operators (reference Attachment 1 for a list of the current Liquor Primary establishments in the City).

CONSIDERATIONS

The LCRB provides guidance to local governments in the consideration of specific factors for new Liquor Primary licence applications. Local governments that choose to provide a

recommendation to the LCRB for an application are required to complete both the public consultation process (step 1), and provide comments to address factors that impact the community (step 2). Both steps must be completed in order to participate in the decision-making process for an application. The LCRB requires that nearby residents be consulted in this process, typically via posting of site signage to inform the public regarding an application. Local governments may choose to “opt out” of an application. This means that the LCRB will complete the 2-step public consultation process and will conclude a decision for this application, while keeping the City informed of the outcome. If Council chooses to opt out, this report and the minutes of the Council meeting will be shared with the LCRB for context and information.

1. Location of the Premises

Bordered by the Wallace Mews and Victory Ship Way, The Wallace is located on the third floor of one of the buildings that surround the Shipyard Commons – zoned as CD-393 with a provision for “Liquor Primary Licenced Event-Hosting Venue Use” (reference Attachment 2 for a map of the location with zoning indicated). Currently, this site consists of a diversity of retail units, such as restaurants, a café, an ice cream store, an e-bike and ski equipment store, boutique retail stores, wellness and spa facilities, an after-school education centre, along with a hotel, and a post-secondary educational institution. In addition, the immediate surrounding area within a 40-metre radius¹ is populated by strata apartment buildings, a mixed-use building, and an event-hosting venue. Businesses that immediately surround The Wallace include a hotel, clothing and design stores, a hair studio, a floral shop, and a tea store.

2. Current Liquor Service

Presently, event hosts that seek to provide alcoholic beverages to their guests at The Wallace can either apply for an event-specific Special Event Permit (SEP) through the LCRB, or a licenced caterer can be retained to sell and serve liquor at an event. These two options have been commonly used at The Wallace over the years. It should be noted, however, SEPs are reviewed and approved directly by the LCRB without consulting local governments. Local governments only receive a notification for SEPs that have been issued in their respective jurisdictions.

LCRB has outlined in its SEP Policy Manual that SEPs are intended for special events. It is not a means to be used as a liquor licensed establishment. The policy manual further notes that any one person (i.e., an individual event host) or organization can be granted a maximum of 24 SEPs per year. The Wallace has been issued 9 SEPs thus far in 2024. SEPs are required per event, and so create a greater administrative burden for operators like The Wallace.

3. Hours of Liquor Service and Occupant Load

The Wallace is seeking approval to provide liquor service whenever there is an event occurring at its venue. The proposed hours of liquor service will be from 9:00am to

¹ The 40-metre radius is the designated range used by the City’s Planning Department for public consultation.

12:00am, 7 days per week. The last call for alcohol service will be at 11:30pm to ensure that all events will end by 12:00am. For all events, activities on the outdoor terrace/ patio will end at 11:00pm, and guests will be required to remain indoors thereafter. Notably, all events involving alcoholic services will be required to also offer food and/or snacks, including non-alcoholic beverage options.

Currently, the 3 Liquor Primary (Event-Driven) operators in the City have approved closing hours between 12:00am to 1:00am (Friday to Sunday); however, in practice, these operators cease operations between 4:00pm to 5:00pm. Meanwhile, the 4 traditional Liquor Primary operators have approved closing hours between 12:00am to 2:00am (Friday to Sunday); however, in practice, Sailor Hagar's Brew Pub is the only Liquor Primary licensee in the City that closes at 2:00am (Friday to Saturday), followed by Jack Lonsdale's Pub, which closes at 12:00am (Friday to Saturday).

In terms of occupancy for The Wallace, the City has approved a combined occupant load of 210 persons for the indoor and outdoor (terrace/ patio) space. This approval from the City is inclusive of 10 employees to be operating on the premises. The Wallace may freely distribute the approved number of persons to the indoor and/or outdoor space, though subject to restrictions on liquor service hours. Further, staff are working with The Wallace to conclude an Outdoor Dining Agreement to ensure adherence to the City's Operating Conditions for the outdoor terrace.

4. Impact of Noise and Any Related Issues

A Developer Information Session was held on January 18, 2023, specifically to provide the public with an opportunity to comment on the Zoning Amendment application regarding "Liquor Primary Licenced Event-Hosting Venue Use" at The Wallace. The public also had the opportunity to provide mail-in comments for this Zoning Amendment application. In summary, the comments mostly revolved around seeking clarity on whether an approval for a Liquor Primary licence for The Wallace would result in disturbances to the neighbours. Two members of the public were concerned about the potential for noise disturbances in the neighbourhood due to liquor consumption.

The Wallace assured the public that the liquor service hours will continue to be aligned with its current operating hours. The typical entertainment, such as a DJ booth and live music/ performers will solely be kept indoors. There will be no live music on the exterior terrace/ patio, with the exception of having music in the background during a wedding ceremony. All events involving liquor service will have security guards on site. Staff consider that the feedback from the Developer Information Session for the rezoning process is relevant to the proposed Liquor Primary (Event-Driven) licence application.

Since The Wallace opened in 2019, the Bylaws team and the Shipyards and Waterfront team have not received any complaints against The Wallace.

DISCUSSION

Staff consider that the application for a Liquor Primary (Event-Driven) licence is reasonable and consistent with the vision of The Shipyards as a vibrant community destination. The establishment of a full-service event-hosting venue is expected to result

in positive exposure for the City with an opportunity for increased economic activities via the offering of flexible event-hosting spaces in The Shipyards. This is also in line with Destination BC's advocacy for the continued enhancement and addition of meeting/ event spaces across Metro Vancouver.

Further, staff consider that a Liquor Primary (Event-Driven) licence for The Wallace will result in improved accountability in ensuring control of potential disturbances in the neighbourhood. Unlike the SEP approach in which the duty to fulfil related LCRB regulations falls on the individual permit holders that span across different events, an approval for a Liquor Primary (Event Driven) licence would place the duty to fulfil regulations and bylaws on The Wallace, and should result in improved management of potential disturbances in the neighbourhood.

As increasing densification in the City will inevitably bring residential and commercial areas into closer proximity, staff will continue to explore tools that support positive community integration within neighbourhoods including updates to and compliance with "Good Neighbour" agreements. It should also be noted that staff have authority under the Business Licence Bylaw 2018, No. 8640 to introduce additional conditions on the Business Licence should issues arise at a later date. The LCRB also monitors complaints about business operations for businesses that hold Provincial Liquor Licences and can take action if warranted.

The following options are presented for Council's consideration:

Option 1 – Recommended: The City opts out of the public consultation process with respect to this application. For this option, the proposed motion would be:

THAT the application for a Liquor Primary licence for The Wallace Venue, located at 301 – 125 Victory Ship Way, be supported on the basis that:

- The proposed Liquor Primary licence will not result in the service area being operated in a manner that is contrary to the primary purpose of the business;
- The impact of noise on the community in the immediate vicinity of the establishment, in general, is expected to be minimal; and
- The proposed Liquor Primary licence is consistent with the vision for The Shipyards.

THAT The Wallace Venue be subject to the following conditions:

- Liquor service is only permitted in conjunction with an event;
- Hours of liquor service are solely from 9:00am to 12:00am, 7 days per week;
- Outdoor terrace/ patio must be closed at 11:00pm, and guests must remain indoors thereafter; and
- Maximum occupant load of 210 persons in accordance with the Occupant Load Certificate issued by the City;

AND THAT the City of North Vancouver opts out of the public consultation process to allow Liquor and Cannabis Regulation Branch to conduct public consultation with respect to this application.

Option 2 – Not Recommended: Staff undertake a public consultation process that involves soliciting written feedback from business operators, residents, and property owners (residential and commercial properties) in the immediate vicinity of the business premises. Staff will return and present the feedback to Council, and seek direction from Mayor and Council for this application.

FINANCIAL IMPLICATIONS

If Council approves Option 2, the City will require staff time to process and generate findings from public feedback. The cost of signage to solicit public feedback will be borne by the applicant.

INTER-DEPARTMENTAL IMPLICATIONS

The Bylaws and Shipyards teams have been consulted on this application. There is no anticipated impact for other City Departments.

STRATEGIC PLAN, OCP OR POLICY IMPLICATIONS

The proposed Liquor Primary Licence conforms to the Official Community Plan's Mixed-Use Level 4A designation for the property, which allows for a mix of commercial uses alongside residential uses. This application aligns with Council's 2022-2026 Strategic Plan and the Economic Strategy, that emphasize continuing to explore opportunities to support local businesses, while increasing the visibility of the City as a tourism destination.

RESPECTFULLY SUBMITTED:



Siobian Smith
Manager, Economic Development

Attachment 1 - Current Licenced Manufacturers, Liquor Primaries and Clubs in the City

City of North Vancouver

Premises **Current** Closing Hours

Closing Hours **Approved** by LCRB

Business Name	LCRB Licence Type	Address	Premises Current Closing Hours			Closing Hours Approved by LCRB		
			Friday	Saturday	Sunday	Friday	Saturday	Sunday
1 Streetcar Brewing	Manufacturer - Brewery	123 1st Street E, Unit A	11:00 PM	11:00 PM	9:00 PM	11:00 PM	11:00 PM	11:00 PM
2 North Point Brewing	Manufacturer - Brewery	266 1st Street E	11:00 PM	11:00 PM	9:00 PM	11:00 PM	11:00 PM	11:00 PM
3 La Cerveceria Astilleros	Manufacturer - Brewery	226 Esplanade E	11:00 PM	11:00 PM	9:00 PM	11:00 PM	11:00 PM	11:00 PM
4 Windfall Cider	Manufacturer - Cidery	250 Esplanade E, No. 101	10:00 PM	10:00 PM	9:00 PM	12:00 AM	12:00 AM	12:00 AM
5 Garden of Granite	Manufacturer - Winery	228 Esplanade E				5:00 PM	5:00 PM	5:00 PM
6 Copperpenny Distilling	Manufacturer - Distillery	288 Esplanade E, No. 101 & 103	12:00 AM	12:00 AM	10:00 PM	2:00 AM	2:00 AM	12:00 AM
7 Shaketown Brewing	Manufacturer - Brewery	288 Esplanade E, No. 105	11:00 PM	11:00 PM	9:00 PM	11:00 PM	11:00 PM	11:00 PM
8 Beere Brewing Company	Manufacturer - Brewery	312 Esplanade E	11:00 PM	11:00 PM	9:00 PM	11:00 PM	11:00 PM	9:00 PM
9 House of Funk Brewing Company	Manufacturer - Brewery	350 Esplanade E, No. 101	11:00 PM	11:00 PM	8:00 PM	11:00 PM	11:00 PM	11:00 PM
10 Braggot Brewing (API Crafts Inc.)	Manufacturer - Brewery	370 Esplanade East, No. 102	10:00 PM	10:00 PM	8:00 PM	11:00 PM	11:00 PM	11:00 PM
11 Black Kettle Brewing Company	Manufacturer - Brewery	720 Copping Street, No. 105-106 (Harbourside)	9:00 PM	9:00 PM	8:00 PM	11:00 PM	11:00 PM	11:00 PM
1 Sailor Hagar's Brew Pub	Liquor Primary	86 Semisch Avenue	2:00 AM	2:00 AM	11:00 PM	2:00 AM	2:00 AM	1:00 AM
2 The (Rusty) Gull Bar & Kitchen	Liquor Primary	175 East First Street	11:00 PM	11:00 PM	closed	1:00 AM	1:00 AM	12:00 AM
3 Lonsdale Quay Hotel	Liquor Primary	123 Carrie Cates Court	11:30 PM	11:30 PM	11:00 PM	2:00 AM	2:00 AM	12:00 AM
4 Jack Lonsdale's Pub	Liquor Primary	1433 Lonsdale Ave., No. 127	12:00 AM	12:00 AM	11:00 PM	2:00 AM	2:00 AM	1:00 AM
5 The Polygon Gallery	Liquor Primary (Event Driven)	101 Carrie Cates Court	5:00 PM	5:00 PM	5:00 PM	1:00 AM	1:00 AM	1:00 AM
6 Presentation House	Liquor Primary (Event Driven)	333 Chesterfield Ave.	4:00 PM	closed	closed	1:00 AM	1:00 AM	12:00 AM
7 Centennial Theatre Centre	Liquor Primary (Event Driven)	2300 Lonsdale Ave.	5:00 PM	5:00 PM	5:00 PM	1:00 AM	1:00 AM	12:00 AM
1 Army, Navy & Air Force Veterans in Canada No. 45	Liquor Primary Club	119 E 3rd ST	12:00 AM	12:00 AM	5:30 PM	12:00 AM	12:00 AM	12:00 AM
2 Fraternal Order of Eagles No. 2638	Liquor Primary Club	170 W 3rd St	12:00 AM	12:00 AM	8:00 PM	2:00 AM	2:00 AM	12:00 AM
3 Royal Canadian Legion, Branch No. 118	Liquor Primary Club	123 W 15th ST	11:00 PM	11:00 PM	7:00 PM	1:00 AM	1:00 AM	12:00 AM
4 Burrard Yacht Club	Liquor Primary Club	10 GOSTICK PLACE (Harbourside)	4:00 PM	closed	closed	2:00 AM	2:00 AM	12:00 AM

Attachment 2: Map of Local Area with Zoning Indicated

Aerial View

Applicant: **The Wallace Venue**

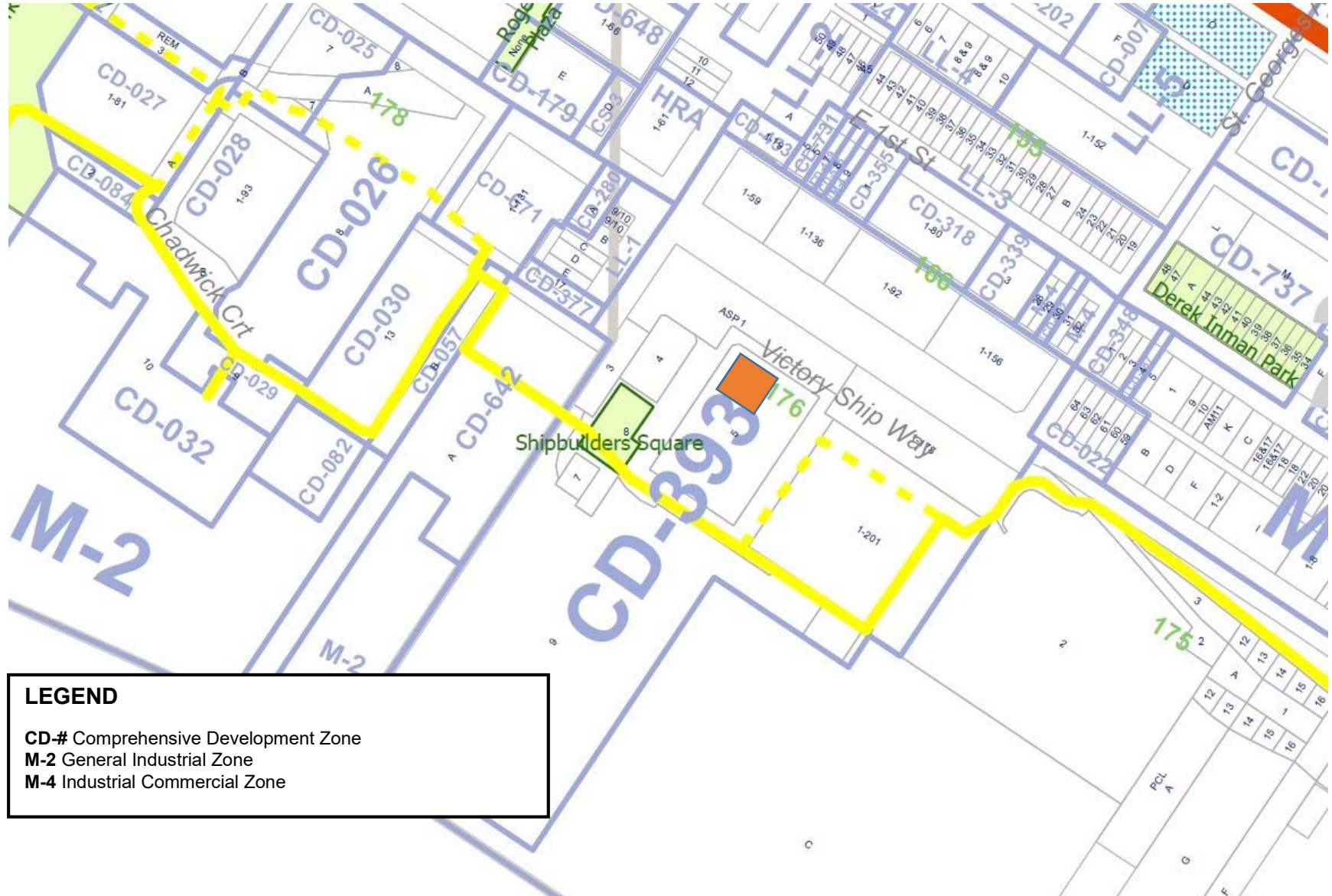
Location: 301 – 125 Victory Ship Way



View of the Establishment and Zones




Applicant's Site: **CD-393 Zone (Comprehensive Development Zone)**

OCP Designation: MU4A (Mixed Use Level 4A)



THIS PAGE INTENTIONALLY LEFT BLANK



 Manager	 Director	 CAO
---	---	--

The Corporation of **THE CITY OF NORTH VANCOUVER**
PLANNING & DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Linda Buchanan and Members of Council
From: Sean Galloway, Director, Planning and Development
Subject: PROVINCIAL HOUSING LEGISLATION – TRANSIT ORIENTED AREA
Date: May 15, 2024 File No: 09-3710-20-0001/1

RECOMMENDATION

PURSUANT to the report of the Director, Planning and Development, dated May 15, 2024, entitled “Provincial Housing Legislation – Transit Oriented Area”:

THAT “Transit Oriented Area Designation Bylaw, 2024, No. 9029” be considered;

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030” (Transit Oriented Area Parking Amendment) be considered and no Public Hearing be held, in accordance with Section 464(2) of the *Local Government Act*;

AND THAT notification be circulated in accordance with the *Local Government Act*.

ATTACHMENTS

1. Provincial Policy Manual for Transit Oriented Areas (CityDocs [#2443980](#))
2. “Transit Oriented Area Designation Bylaw 2024, No. 9029” (CityDocs [#2498257](#))
3. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030” (Transit Oriented Area Parking Amendment) (CityDocs [#2498259](#))

PURPOSE

This report provides an overview of new Provincial housing legislation with respect to Transit Oriented Areas (Bill 47). Coupled with this overview are two proposed bylaws: the “Transit Oriented Area Designation Bylaw, 2024, No. 9029” and “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030” (Transit Oriented Area Parking Amendment) which are required to be brought forward for Council’s consideration by the new legislation.

BACKGROUND

In late 2023, the Province passed a suite of housing legislation to enable and streamline approvals for an additional supply of housing across the Province, including:

- **Small Scale Multi Unit Housing (SSMUH) – Bill 44**
 - This legislation is intended to deliver more small-scale, multi-unit housing, including townhomes, triplexes and laneway homes, and fix outdated and restrictive zoning rules to help build more homes faster.

- **Transit Oriented Areas (TOAs) – Bill 47**
 - This legislation is intended to set a minimum density framework around transit hubs to create the transit-supportive development conditions and leverage significant investments in transit.

- **Development Financing – Bill 46**
 - This legislation is intended to provide a new development financing tool for local governments to collect funds for amenities like community centres, recreation centres, daycares, and libraries from new development.

This legislation requires that municipalities make regulatory changes to the Zoning Bylaw, Official Community Plan, Housing Needs Reports, and adopt other bylaws as necessary to be compliant with the new legislation.

To support this work, the Province released Policy Manuals, including the Transit Oriented Areas (TOAs) Policy Manual (Attachment 1), which municipalities are required to consider in the drafting of bylaws and bylaw amendments to meet the new legislative requirements. The *Local Government Act* and related regulations require municipalities to designate Provincially-prescribed TOAs and to amend parking requirements in zoning bylaws to remove parking minimums for residential buildings in a TOA by June 30, 2024. There is a subsequent deadline of December 31, 2025 to update the Official Community Plan (OCP) and other bylaws to be consistent with the TOAs and other legislative requirements.

It is unusual for legislation to require Council to adopt bylaws to re-state what is already set out in the legislation so that the bylaws are unnecessary to achieve the intent of the legislation. Staff will communicate to the Province that this should be avoided in any future legislation. This practice just increases risk to municipalities who are acting in good faith to implement provincial legislation.

DISCUSSION

Overview of the TOA Designation

A TOA is defined by the legislation as an area within a Provincially-prescribed distance from a transit station, which include bus exchanges. TOAs are intended to promote the

creation of complete, liveable, and sustainable communities by building more homes near transit and services.

In late 2023, the Province made amendments to the *Local Government Act* requiring local governments to designate land within certain distances around transit stations or exchanges as Transit Oriented Areas (TOAs) by Bylaw. For clarity, the Province has already established the TOAs by regulation and municipalities now have to adopt bylaws to designate the prescribed areas as TOAs within their boundaries.

Within the TOAs, local governments are required to adhere to prescribed minimum densities and heights on any land in the TOA zoned to permit residential use and are prohibited from requiring off-street parking for residential use, other than off-street parking spaces for use by disabled persons.

TOA Designation Requirements for CNV

The Province listed 52 TOA's across BC divided into four categories based on type of transit technology. The categories define the size and intensity of the TOA. At this time there is only one prescribed TOA in the City and it is the Lonsdale Quay Exchange.

The Lonsdale Quay Exchange is a Category 2 TOA. The area encompasses two concentric catchment areas at 0-200m and 200-400m from the centre of the bus exchange. The Province provided an exact geo-location from which the concentric catchments are determined.

The Province provided a Minimum Allowable Density Framework (the Framework), which prescribes minimum densities for land zoned to permit residential use within the TOA. This includes properties which have residential uses in their zoning provisions, as well as mixed-use zones, which may include commercial uses with residential uses. However, the Framework applies only to the residential uses.

The Framework includes two measures:

1. Density, measured by Floor Space Ratio (FSR)
2. Building Height, measured in storeys

For the Lonsdale Quay Exchange TOA, the following density and height is prescribed:

Table One: Provincial Minimum Allowable Density Framework for Bus Exchanges (Category 2)

Prescribed Distance	Minimum Allowable Density (FSR)	Minimum Allowable Height (Storeys)
Less than 200 meters	Up to 4.0	Up to 12
200 – 400 meters	Up to 3.0	Up to 8

Source: Adapted from Table 2, Page 30, Provincial Policy Manual Transit Oriented Area, Version 2

The prescribed densities and heights are the minimum that must be considered; the City cannot reject applications for developments solely on the basis of density or height “up

to” the prescribed minimums. Council may consider densities or heights above the minimums, at their discretion. Applicants may choose to advance a development that is below the minimums, at their discretion. The Framework provides an “allowable range or envelope” of densities and heights permitted within TOAs.

It is important to note that while Council cannot reject an application within the TOA solely on the basis of height or density if it is consistent with the above Framework, Council can still weigh other aspects of the proposal, and may approve or reject rezoning applications for other reasons at its discretion. For example, if a development application is located within the 0-200m catchment of the TOA, has a density of 3.9 FSR, and a height of 11 storeys, then the rezoning proposal cannot be rejected solely on the basis of this height and density, because it is consistent with the Framework.

The TOA designation bylaw does not include changes to existing zoning at this time. In other words, no lands are being rezoned. This means that a rezoning process is still required and density bonusing is still permitted. Furthermore, it does **not** affect application fees, submission requirements, staff reporting, or bylaw introduction / readings / final adoption. The designation does not fetter the local government’s ability to establish densities and heights greater than those set out in the Framework. As set out in the *Local Government Act*, public hearings would be prohibited for OCP-compliant developments in the TOA with more than 50% residential gross floor area. The TOA designation bylaw, if adopted, would come into force on June 30, 2024, which is the date that the section of the *Local Government Act* that requires the City to designate the TOA comes into force.

In addition to the designation bylaw, the City must update the parking provisions in the Zoning Bylaw by June 30, 2024 to remove minimum residential parking requirements within the TOA, except for off-street parking spaces for use by disabled persons. While a property developer may choose to include residential parking spaces, the City may not require the provision of residential parking spaces. The requirements for off-street parking for other uses (such as commercial uses) or space provisions for accessing vehicle parking, bicycle/micro-mobility parking, loading/unloading, service vehicle access, deliveries, and shared vehicles still apply.

Existing Official Community Plan (OCP) and the Lonsdale Quay Exchange TOA

The designation of the Lonsdale Quay Exchange as a TOA is generally consistent with the City’s OCP, which identifies the Lonsdale Regional City Centre as an area of growth supported by densities that enable a complete community with access to frequent transit. The Framework requirements are similar to the densities enabled in the OCP:

- All residentially zoned parcels within the 0-200m catchment are in the Mixed Use Level 4A (MU4A) designation, which allows a maximum of 3.6 FSR. Under the Framework this must be increased to 4.0.
- For residentially zoned parcels within the 200-400m catchment, most are also within the MU4A designation, which already allows more FSR than the minimum in the Framework (3.6 vs 3.0 FSR). Five parcels are in the Residential Level 5 (R5) designation, which would see an increase from 2.6 FSR to 3.0 FSR.

It is anticipated that there will be few new development applications generated by the TOA as many of the parcels have been recently developed with new buildings. There are currently (as of April 23, 2024) no in-stream OCP or Zoning amendment applications within the Lonsdale Quay Exchange TOA.

Designating the TOA

A proposed Transit Oriented Area Designation Bylaw No. 9029 is attached for Council consideration (Attachment 2), noting that the *Local Government Act* requires adoption. As required by the *Local Government Act*, the proposed TOA Designation Bylaw includes a map showing the catchment areas including all parcels that intersect within 200 and 400 meters. This includes ~40 parcels within the 0-200m catchment and ~80 parcels within the 200-400m catchment, of which approximately 100 parcels are zoned to permit residential uses.

A proposed Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030 (TOA Parking Amendment) is attached for Council consideration (Attachment 3). This bylaw is also required to be enacted by the *Local Government Act* so that the Zoning Bylaw no longer imposes minimum off-street parking requirements for residential buildings in the TOA other than off-street parking spaces for use by disabled persons.

Official Community Plan (OCP) Alignment – December 31, 2025 Deadline

For the period between the June 30, 2024 date for designating TOAs and the December 31, 2025 deadline for amending OCPs, the legislation does not require Zoning Bylaws to be consistent with OCPs for the purposes of the TOA. However, local governments must update their OCPs, Zoning Bylaws, and/or other policies, regulations, and bylaws by the December 31, 2025 deadline to ensure consistency thereafter.

The Province's two-phased approach is intended to quickly enable transit-supportive development conditions, while also providing local governments with time to develop and implement new planning tools, such as Amenity Cost Charges (Bill 46), to ensure that they are able to fund amenities and infrastructure that support growth. During the in-between period, local governments can continue using the existing densities established in their OCP's and Zoning Bylaws for existing density bonus tools.

The OCP alignment work, including updates to the OCP, Zoning Bylaw, and other policies, regulations, and bylaws, as well as the integration and alignment with other pieces of legislation, will be the subject of future reports to meet the required Provincial deadlines. The Province also tabled legislation in April 2024, known as Bill 16, to provide local governments with more tools to require developers to provide on-site benefits and amenities which, if passed by the legislature, will also be part of the OCP alignment work.

Community Engagement

Engagement for the TOA is not required by the legislation. However, it is important to provide information and share the requirements under the legislation. Staff will engage with the community in alignment with the City's upcoming Community Engagement Framework and focus on the 'inform' level of the [IAP2 Spectrum](#). The communications plan for this work will provide the community access to information and avenues to connect with staff for inquiries. City website content and key messages for responses to inquiries will continue to help inform applicants and interested members of the public about the required changes (www.cnv.org/HousingLegislation).

Community engagement will continue to be undertaken when new development applications within the TOA are brought forward as they still require a rezoning process, which includes requirements for engagement such as a "Virtual Developer Information Session" and neighbourhood notification.

FINANCIAL IMPLICATIONS

It is anticipated that there will be no financial implications for the adoption of the proposed bylaws. However, there will be financial implications relating to the available development financing tools when the OCP alignment work is undertaken. The Province has indicated that there will be a future transition of Development Financing tools (from current CAC/Density Bonusing to new Amenity Cost Charges (ACC)) in mid-2025 that may have implications on development applications. This work will be the subject of future reports.

INTER-DEPARTMENTAL

This report has been shared with Planning & Development, Engineering, Parks & Environment, Financial Services, Legal, and Communications & Engagement. A significant amount of cross-departmental collaboration has been undertaken and will be required going forward.

STRATEGIC PLAN IMPLICATIONS

The work to achieve alignment with the new Provincial housing legislation supports Council's Strategic Plan priority to be a City for People, by delivering housing in alignment with the City's housing needs and streamlining the development approvals process. It also supports the priority to be A Connected City, by providing transit-supportive densities near transit facilities.


STAFF RECOMMENDATION FOR NO PUBLIC HEARING

The TOA Designation Bylaw is not a bylaw that requires a public hearing to be considered but Council may decide at its discretion to hold a public hearing for the proposed "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030" (Transit Oriented Area Parking Amendment) pursuant to Section 464(2) of the *Local Government Act*. Given that the *Local Government Act* requires Council to adopt this bylaw, staff do not recommend holding a public hearing. If, however, Council chooses to

refer the bylaw to a Public Hearing, the following is an alternate recommendation of the second clause for consideration:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030”
(Transit Oriented Area Parking Amendment) be considered and referred to a
Public Hearing;

RESPECTFULLY SUBMITTED:



Sean Galloway
Director, Planning and Development

Provincial Policy Manual: Transit-Oriented Areas

Supporting Local Government Compliance with Legislative
Requirements Under the *Local Government Act* and *Vancouver
Charter* for Transit-Oriented Areas

Version 1.0

December 2023



Introduction.....	2
What are Transit-Oriented Areas?.....	3
Overview of the Minimum Density Framework	4
Defined Terms and Meanings	4
How should this Provincial Policy Manual be used?	4
Provincial Policy Manual Structure.....	5
Geographic Distinctions	5
Other Guidance Material.....	5
Part 1 - Overview of the Legislation and Regulations.....	6
Why is the Province introducing Transit-Oriented Area requirements?	6
What do the legislation and regulations do?	6
How were TOAs defined and identified?	7
Location Exemptions and Future Considerations.....	9
What are the minimum density requirements in TOAs?	9
The Density ‘Envelope’	10
What are the new parking requirements?	14
Exemptions and Limitations.....	15
Relationship with Other Provincial Legislation.....	15
Relationship with Other Provincial Initiatives.....	16
Housing Needs Reports.....	17
Linkages Between Official Community Plans and Zoning Bylaws	17
Small Scale Multi-Unit Housing Initiative.....	18
Development Financing	19
Part 2 – Implementing the Legislation and Regulations	22
Overview.....	22
Rezoning Process.....	22
Where do the New Requirements Apply?.....	23
Step-by-Step Guidance.....	24
Step 1 – Confirm the Transit Station Category.....	24
Step 2 – Confirm the Locations and Types of TOA.....	25
Step 3 – Confirm Density Required	29
Step 4 – Map All TOAs.....	31
Step 5 – Designate TOAs By Bylaw	31
Step 6 – Prepare TOA Plans (Optional but Encouraged)	32
Step 7 – Implement Density Requirements.....	32
Compliance.....	33
Appendix A.....	34

Introduction

In December 2023¹, the Province of British Columbia (BC) made amendments to the *Local Government Act* (LGA) and *Vancouver Charter* (VC) to establish transit-supportive densities adjacent to transit stations. These areas are referred to as Transit-Oriented Areas (TOAs) in the new legislation. TOAs are designated around prescribed transit stations to help achieve the goals of transit-oriented development such as mode shift and creating complete communities.

In addition to legislative amendments, the Province also established the following to define how and where to implement TOAs:

1. Designation of Transit-Oriented Areas Regulation
2. Local Government Transit-Oriented Areas Regulation
3. Vancouver Transit-Oriented Areas Regulation
4. An Order-in-Council that amends 2 and 3 above, effective June 30, 2024

collectively referred to as “the regulations” throughout this document.

In developing, amending, and adopting an official community plan (OCP), zoning bylaw, or other bylaws to support implementation of the new TOA legislation, a local government must adhere to the legislation and regulations, and must consider these Provincial Policy Guidelines (referred to herein as the “Provincial Policy Manual”). This Provincial Policy Manual is a resource to support local governments with the implementation of Provincial TOA requirements.

Subsequent resources or information bulletins may be issued by the Province to clarify or elaborate on these new TOA requirements. These resources will be available online at [Local Government Housing Initiatives](#).²

¹ <https://news.gov.bc.ca/releases/2023HOUS0063-001748>

² <https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/housing-initiatives>

What are Transit-Oriented Areas?

Transit-Oriented Area (TOA) is defined as an area within a prescribed distance from a transit station. TOAs are intended to be areas of mixed-use, complete communities around transit stations and bus exchanges. When thoughtfully planned and developed, TOAs provide a diversity of housing options, offer access to a variety of amenities and services, support local business and employment opportunities, and enable greater mobility options. This form of development achieves a highly efficient use of land and infrastructure, for example:

- TOAs are intended to foster vibrant urban environments that act to concentrate amenities and encourage active transportation and healthy lifestyles.
- TOAs contribute to improved environmental sustainability primarily through the reduction in energy consumption and greenhouse gas emissions due to fewer and shorter automobile trips. TOAs also enhance social sustainability by providing high-quality transportation choices and access to public spaces for all community members, regardless of age and ability. Lastly, efficient, cost-effective, and high-quality transit promotes a strong regional economy by providing workers and residents with access to places of employment, shopping, and other activities.
- The concentration of higher density and a diversity of land uses leverages public investment in transit infrastructure and ensures critical co-benefits, particularly increased housing supply and affordability.
- Since TOAs are organized around fixed transit infrastructure, they tend to retain their value as great places to live, work, and visit, even as the surrounding political, economic, and environmental landscapes fluctuate.



Overview of the Minimum Density Framework

Densification around transit hubs is a key ingredient to achieving livable, walkable, complete communities around transit. Within TOAs, local governments must comply with newly established density requirements. These prescribed densities vary according to geographic location and proximity to the transit station.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Policy Manual are defined in the Definitions section. For non-italicized terms, the conventional meaning of the word applies.

In legislation, *Transit-Oriented Area* (TOA) means an area within a prescribed distance from a transit station.

Per the *Local Government Act* and *Vancouver Charter*, *Transit Station* means:

- a) An existing prescribed, bus stop, bus exchange, rapid transit stop, passenger rail station or other transit facility; and
- b) A planned, prescribed transit bus stop, bus exchange, rapid transit stop, passenger rail station or other transit facility.

Notably, there are no bus stops prescribed in the regulations; at this time, only bus exchanges, West Coast Express stations and SkyTrain stations have been identified for TOAs.

How should this Provincial Policy Manual be used?

The legislation requires local governments to consider this Provincial Policy Manual when doing the following:

- Designating TOAs by bylaw
- Adopting/amending zoning bylaws
- Developing/amending an official community plan (OCP) or an official development plan (ODP)
- Adopting/amending an off-street parking requirements bylaw

The content of this Provincial Policy Manual is not a substitute for review of applicable legislation and regulations and is not provided as legal advice. Local governments are strongly encouraged to read the Provincial Policy Manual in its entirety and seek legal advice as necessary.

Provincial Policy Manual Structure

- **Part 1** provides an overview of the new legislative and regulatory requirements and provides an overview of how TOAs fit within the broader changes to the land use planning framework recently enacted by the Province.
- **Part 2** provides guidance on implementing the TOA legislation and regulations, including a description for how local governments should designate by bylaw the prescribed TOAs and the new permitted densities.
- The **Appendix** contains further information for local governments to assist them in complying with the legislative and regulatory requirements.

Geographic Distinctions

Local governments are required to designate TOAs and comply with the TOA legislation and regulations. This Provincial Policy Manual recognizes the significant diversity of local governments in British Columbia in terms of legal structure, size, geography, historical and current land use patterns, housing markets, etc. The Provincial Policy Manual therefore outlines a range of different considerations for different contexts. Consequently, not all contents will be applicable to every local government, geography, or parcel within a TOA boundary.

Other Guidance Material

Additional guidance material may be issued from time to time by the Province³ to assist local governments with implementing the TOA legislative requirements. This information is intended to support the information contained in this Provincial Policy Manual.

This Provincial Policy Manual is intended to be complementary to other resources and policy documents published by the Province to guide local governments in specific areas of land use planning.

³ <https://www2.gov.bc.ca/gov/content/housing-tenancy/local-governments-and-housing/housing-initiatives>

Part 1 - Overview of the Legislation and Regulations

Why is the Province introducing Transit-Oriented Area requirements?

Creating TOAs will address multiple provincial challenges simultaneously – tackling the housing crisis, multi-modal integration, real alternatives to vehicle travel, economically sustainable infrastructure investment, and the challenges of climate change, all while providing for more equitable neighbourhoods and leveraging significant investments in transit. The density, mix, and pattern of land uses around higher order transit can create the transit-supportive conditions necessary for TOAs to thrive.

What do the legislation and regulations do?

The legislative changes to the *Local Government Act* (LGA) and *Vancouver Charter* (VC) enable the Province to prescribe transit stations and require local governments to designate land within certain distances around those stations as Transit-Oriented Areas (TOAs) by bylaw. Within those TOAs, with respect to land zoned to permit any residential use or another prescribed use, local governments are required to adhere to minimum densities when amending a zoning bylaw. In the short term, the new legislation provides a temporary relief from the requirement that zoning bylaws be consistent with official community plans (OCPs) or official development plans (ODPs), which means it will **not** be necessary to simultaneously reflect these changes in OCPs or ODPs before December 31, 2025. However, as local government update their OCPs and ODPs they should ensure continued consistency with zoning bylaws as part of the regular update cycle established in other recent legislative changes.

The TOA legislation prohibits local governments from establishing requirements for off-street residential parking spaces in TOAs, other than for use by persons with disabilities, but it does not preclude a property developer from including parking in the building. Local governments can still establish design standards should developers choose to include off-street parking in their proposals.

The legislative changes also allow the Province to establish Provincial Policy Guidelines (i.e. this Provincial Policy Manual) which local governments must consider when undertaking planning or zoning changes in TOAs.

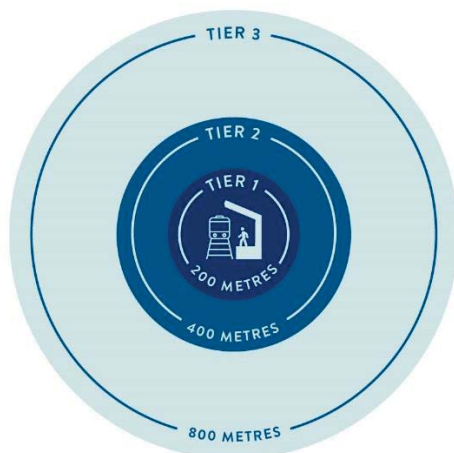
The regulations contain the prescribed transit stations, some of which take effect immediately and others which take effect June 30, 2024. The TOAs immediately in effect are in areas which already have transit supportive land use plans published by local government. Local governments will have until June 30, 2024, to designate their respective TOAs by bylaw.

The regulations also establish minimum densities that must be allowed in relation to land zoned for any residential (or other prescribed) use in TOAs. The minimum density will depend on the nature of the transit station (e.g. bus versus rail) and the distance from the transit station.

How were TOAs defined and identified?

The regulations define TOAs as geographic areas within a prescribed distance from a transit station. TOAs encompass either a 400 metre (m) or 800m radius around a transit station, which constitutes a 5 or 10-minute average walking distance, respectively. Each prescribed area is broken into Tiers, which establish the location of applicable minimum densities. The characteristics of the transit station determine whether the distance is 400m or 800m.

Currently, there are two categories of transit stations that correspond to the two TOA prescribed areas:

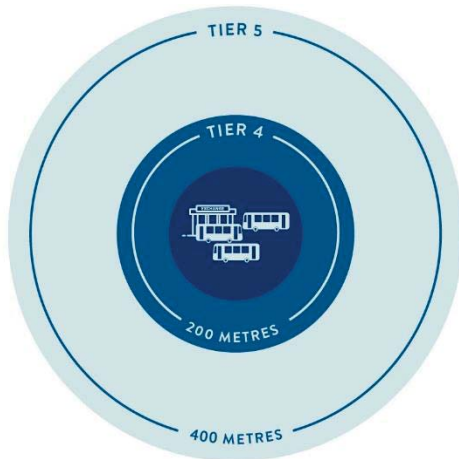


1. SkyTrain Stations

SkyTrain station TOAs include SkyTrain and subway stops, and all include a catchment area of 800m, measured as a radius from the centre of each station. SkyTrain TOAs encompass a gross land area of 200 hectares (ha) and are comprised of three distinct Tiers:

- Tier 1 encompasses a gross land area of 12.5 ha within 200m or less from the station.

- Tier 2 encompasses a gross land area of 37.5 ha within 200-400m from the station; and
- Tier 3 encompasses a gross land area of 150 ha within 400-800m from the station.



2. Bus Exchanges and West Coast Express Stations (400M)

Bus exchanges and West Coast Express stations TOAs have a catchment area of 400m. They encompass a gross land area of 50 ha and are comprised of two distinct Tiers:

- Tier 4 encompasses a gross land area of 12.5 ha within the 200m or less from the exchange; and
- Tier 5 encompasses a gross land area of 37.5 ha within 200m-400m from the exchange.

All West Coast Express stops are prescribed transit stations. Bus exchange locations were identified based on multiple service and infrastructure criteria, including:

- 15-minute service frequency (between 10am and 3pm, weekdays)
- 2 or more unique line/route connections
- Service 7 days a week (between 7am and 7pm)
- One route meeting minimum frequency at least 12 hours/day, weekdays; and
- Permanent, purpose-built infrastructure

Location Exemptions and Future Considerations

Some transit stations meet the above criteria but have significant site constraints, for example, sites which are not within local government's jurisdiction to regulate (ALR, federally regulated lands, etc.), and have been excluded from being prescribed in the TOA regulations.

The TOA legislation and regulations apply to current transit technologies and currently active or under construction transit stations. For example, TransLink plans to deploy Bus Rapid Transit throughout the Metro Vancouver region, but that technology has not been included in the current definitions because it does not yet exist. As transit technologies evolve and as transit services expand across the province, the legislation and regulations will be updated to accommodate those additions.

What are the minimum density requirements in TOAs?

The Province developed the Minimum Allowable Density Framework (MD Framework) that informed the prescribed densities which local governments must allow when exercising zoning powers in relation to land zoned to permit residential (or any other prescribed) use. The MD Framework is designed to ensure predictable and adequate densities within similar TOA catchment categories.

The MD Framework relies on two metrics to define minimum allowable density:

1. Density, measured by *Floor Area Ratio* (FAR⁴), and
2. *Building Height*, measured in storeys.

The MD Framework is reflected in a prescribed density table in the regulations that outlines the permissible density (i.e., FAR/FSR and storeys) as applicable, within designated TOAs.

Residential parcels mean properties which include residential uses in their zoning provisions. This includes mixed-use zones where commercial, employment, institutional, or other uses are permitted alongside residential uses.

⁴ The *Vancouver Charter* uses Floor Space Ratio (FSR)

Per the regulations, parcels which are zoned to permit residential use that is ancillary or secondary to agricultural or industrial uses are exempted from the minimum density requirements.

The Density 'Envelope'

Zoning bylaws typically contain a maximum permitted density and building heights within each zone and for each allowable use. These standards allow a range of building densities and heights up to, but not exceeding, the maximums established in the zone. This approach creates a range of possible densities and heights for rezoning applicants to choose from when planning and designing their project.

Similarly, the MD Framework establishes new minimum allowable densities which local governments must adhere to when exercising their zoning authority in relation to rezoning applications or amendments to zoning bylaws. These prescribed minimum densities are also established as "up to" regulations. For example, on Tier 1 land within passenger rail (SkyTrain) station TOAs, the minimum allowable FAR/FSR is 5.0 **or less** and the minimum allowable height is 20 storeys **or less**. This provides an allowable range or envelope of densities and building heights within TOAs.

However, an important distinction is that while an envelope of allowable densities and heights are available for rezoning applicants to work within, a local government may not reject a rezoning proposal based on the density or height exceeding what is allowed in a zoning bylaw if what is proposed is less than or equal to the prescribed minimum density or height in the regulations. For instance, if a rezoning applicant proposes a 15-storey project within a Tier 1 TOA that allows 20 storeys per the regulations, but the local government's zoning bylaw limits density to 2.0 FAR/FSR and 5 storeys, the local government must not refuse the rezoning application based on height and density alone. Conversely, if an applicant proposes a 22-storey project with an FAR/FSR or 5.0 in the same Tier 1, the local government could reject the application based on height that exceeds the Provincial minimum.

It is also important to note that local governments retain the zoning authority to established densities and heights **greater than** those prescribed by Provincial regulations.

The MD framework applies to all land area within the TOA and recognizes that there may be instances where an individual site cannot achieve all the allowable density or building height, including:

- A site cannot physically accommodate all the available density or building height (e.g. due to site size, shape, land constraints, etc.).
- Cost considerations of type of construction, building code requirements (e.g. concrete versus wood-frame or mass timber construction).
- Land assembly issues.

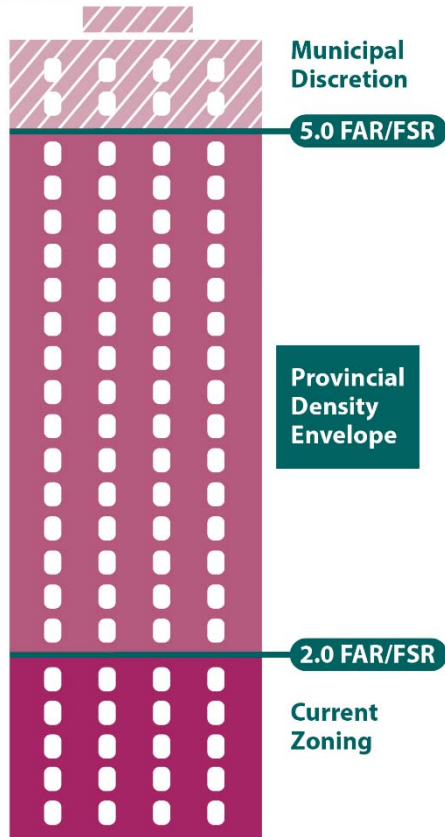
The MD Framework works as follows:

Existing Allowable Density (current zoning)	<ul style="list-style-type: none"> • Maximum density and building height allowed under existing zoning by the local government, prior to the MD Framework
MD Framework Density (Provincial Density Envelope)	<ul style="list-style-type: none"> • The required increase⁵ in allowable density prescribed through the regulations that must be allowed by the local government when exercising zoning authority in relation to rezoning applications or amendments to zoning bylaws.
Discretionary Additional Increase in Density (Municipal Discretion)	<ul style="list-style-type: none"> • Any increase in allowable density above the prescribed densities as authorized by the local government.

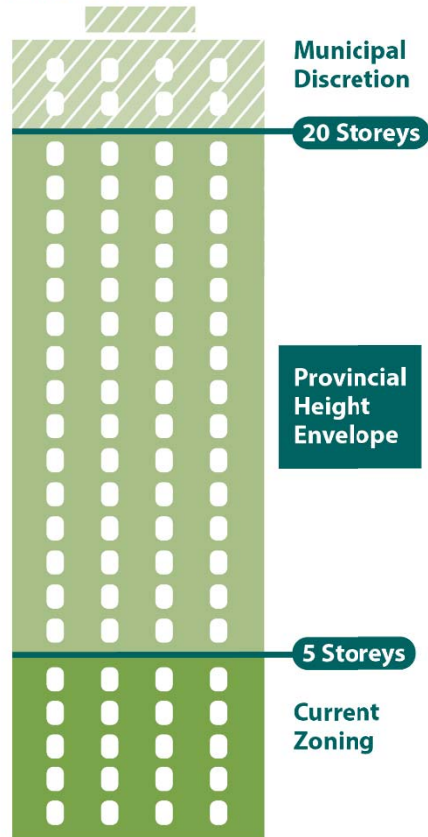
⁵ In most but not all cases, the MD Framework will set densities above the Existing Allowable Density (current zoning).

THE ILLUSTRATIONS BELOW PROVIDE AN EXAMPLE OF HOW THE PROVINCIAL DENSITY WORKS IN RELATION TO LOCAL GOVERNMENT AUTHORITY:

PROVINCIAL DENSITY ENVELOPE



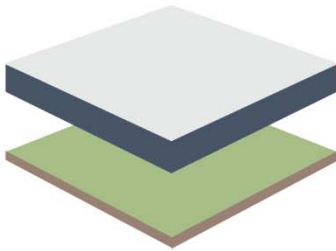
PROVINCIAL HEIGHT ENVELOPE



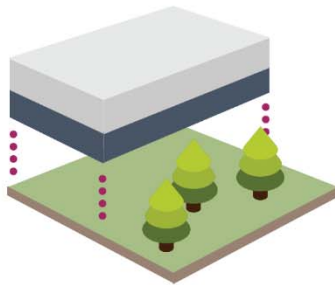
FAR/FSR:

FLOOR AREA RATIO (FAR) / FLOOR SPACE RATIO (FSR)

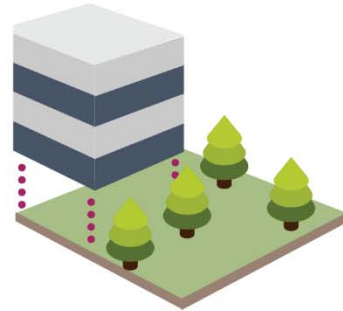
FAR/FSR 1.0



1 Storey
(100% lot coverage)

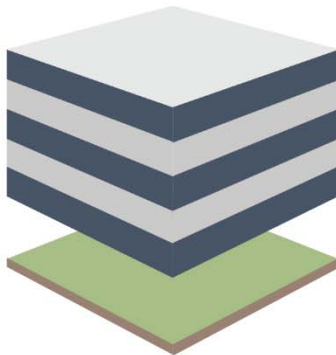


2 Storeys
(50% lot coverage)

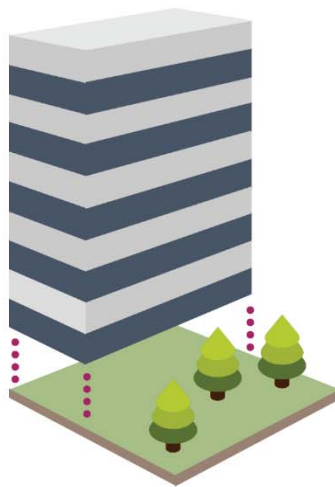


4 Storeys
(25% lot coverage)

FAR/FSR 5.0



5 Storeys
(100% lot coverage)



10 Storeys
(50% lot coverage)



20 Storeys
(25% lot coverage)

Since FAR/FSR and building height do not directly correspond to one another, the MD Framework has been designed so that the FAR/FSR and building heights listed represent the maximum FAR/FSR and height a local government is required to allow. For example, if a proposed building has an FAR/FSR which is at the provincial maximum FAR/FSR, but the proposed building height exceeds the provincial maximum height, then the local government would have discretion to limit the proposal to the provincial maximum height; however, the local government could not use its zoning authority to restrict or prohibit the maximum FAR/FSR allowed by the regulations.

MINIMUM DENSITY TOA CATEGORIES

The MD Framework aims to achieve viable densities based on transit infrastructure type and the nature of the housing market, population size, land values, and geographic location while also being broadly applied across the province. As such, the MD Framework categorizes land within TOAs into tiers in the regulations to assign different minimum allowable densities. The density prescribed for a tier will vary depending on the type of transit station (i.e., SkyTrain, West Coast Express or bus exchange).

What are the new parking requirements?

Off-street parking for residential units is often provided underground as part of a development in areas around higher-order transit, often according to set minimums required by local governments. Land in these areas is often expensive and providing parking underground can be a major cost for higher density residential projects. Minimum parking requirements can strain a project's economic viability, reduce the number of residential units, reduce the affordability of units, and disincentivize residents from utilizing transit. Further, parking garages often go underutilized, resulting in an inefficiently designed building.

Many local governments have recently considered reducing or eliminating residential off-street parking requirements in proximity to frequent transit or central urban areas.

The new parking legislation restricts local governments' ability to require residential off-street parking in TOAs, except for parking for people with disabilities. The legislation also requires local governments to update their parking bylaws by June 30, 2024. This does not eliminate all parking. Local governments will still be able to require builders and developers to add parking to accommodate people living with disabilities. Commercial parking requirements will not be affected within TOAs. Builders and developers will be

able to propose projects that include residential off-street parking but cannot be required to provide it other than parking spaces for use by people with disabilities.

All requirements for off-street parking or space provisions for accessing vehicle parking, bicycle/micro-mobility parking, loading/unloading, service vehicle access, deliveries, and shared vehicles set by local governments for residential and residential mixed-use developments will still apply. If a property owner provides off-street residential parking spaces, the space must meet the design standards established by the local government.

In cases where exceptions to these parking restrictions may be required, the legislation provides the Province with the authority make regulations to require the provision of off-street parking spaces, for the residential use of the land, building or other structure.

Exemptions and Limitations

The MD Framework applies to any parcel within a TOA on which the applicable zoning permits residential land use. There are two exceptions from TOAs:

- Land zoned to permit industrial use.
- Land zoned to permit agricultural use.

In addition, there are several scenarios where Federal or Provincial statutes are applicable, the provisions of which supersede or have a limiting effect on the MD Framework. For example:

- Agricultural Land Reserve (ALR)
- Airport Zoning Regulations under *Aeronautics Act*
- Federal Crown land
- Flood plains, hazard areas, riparian areas and other environmentally sensitive areas; and
- Heritage objects and sites that are subject to heritage designation, heritage revitalization agreements, etc.

Relationship with Other Provincial Legislation

When designating TOAs by a local government, there are provincial statutes or regulations that will need to be considered. It is up to local governments to determine the

legislative and regulatory frameworks that apply to a given parcel prior to approving development.

The *Transportation Act* governs public works related to transportation, as well as the planning, design, holding, construction, use, operation, alteration, maintenance, repair, rehabilitation, and closing of provincial highways. It also provides authority to designate arterial and controlled access highways.

Under Section 52 of the *Transportation Act*, a controlled area is defined as any land and improvements within an 800-metre radius of the intersection of a controlled access highway with any other highway. A local government zoning bylaw does not apply to the controlled area unless it has the written approval of the Minister of Transportation and Infrastructure or delegate, or the bylaw is compliant with an agreement under the signature of the Minister or delegate. Zoning amendments to implement the TOA legislation in controlled areas as defined in the *Transportation Act* will require the written approval of the Minister of Transportation and Infrastructure or delegate unless compliant with an existing agreement.

Relationship with Other Provincial Initiatives

A significant number of legislative requirements were introduced in the fall of 2023 that impact planning, reporting, and development approval processes for BC local governments. These legislative changes and related programs, such as the [Single Housing Application Service](#) and the [Complete Communities Program](#), are designed to respond to challenges communities across the province are experiencing, including a shortage of safe and affordable housing.

These legislative changes are summarized below. They were implemented in conjunction with TOA legislation to collectively modernize land use planning processes; improve the supply, diversity, and affordability of housing; and help equip local governments with the tools needed to sustainably manage their services and infrastructure. They support the *Homes for People Action Plan*, which strives to build more inclusive and affordable communities.

Many of the legislative changes described below originated from the Province's [Development Approvals Process Review](#) which began in 2018. It was undertaken with the goal of increasing the efficiency and effectiveness of local government development approvals processes. The extensive stakeholder consultation that informed the resulting report highlighted several systemic challenges these initiatives are designed to address.

Housing Needs Reports

In fall 2023, the Province changed legislative requirements related to local governments' preparation of housing needs reports (HNR). When updating their HNR every 5 years, local governments are now required to use a standard methodology and calculate housing needs over a longer 20-year time horizon, as well as the 5-year timeline originally required. The requirements also more directly link housing needs reports to official community plans and zoning bylaws to ensure both planning and zoning align with community housing needs.

Linkages Between Official Community Plans and Zoning Bylaws

Official community plans (OCPs) describe the long-term vision of communities. They include statements of objectives, maps, and policies that guide decisions on local government planning and land use management. Zoning bylaws are intended to implement land use planning visions expressed in OCPs and regional growth strategies by regulating how land, buildings, and other structures may be used.

In practice, zoning bylaws are often not updated for alignment with OCPs to enable the vision articulated in them to be realized. This means changes to different land uses, even if desired by local governments, are often subject to onerous and time-consuming site-specific rezoning application processes. This reduces the ability of local governments to adapt land uses to changing community needs in a timely way. It also creates a barrier to neighbourhoods and communities realizing the vision they have identified through extensive community consultation.

The fall 2023 legislative changes mean local governments are now required to update OCPs and zoning bylaws on a regular basis (every 5 years) for consistency with housing needs reports. Over time, this will have the effect of reducing the number of site-specific rezoning applications required to bring into effect land use changes that are consistent with community visions articulated through OCPs. Development permit applications will still be needed, as well as building permits. However, this will reduce administrative requirements for local governments to process land use applications, while assisting communities in realizing their vision for growth and change sooner.

The intent of the TOA legislation and associated regulations is to enable minimum densities when local governments make zoning decisions. Local governments can turn down rezonings for reasons other than density, such as the preservation of heritage

buildings and features. For example, in the case of Vancouver, which relies heavily on zoning authority to protect heritage buildings and features, Council may continue to regulate other aspects of a development (architectural expression, form of development, etc.) through their zoning authority to ensure any new development or additions are compatible and appropriate to the unique historical or cultural context of the district.

To support residents living near transit-oriented redevelopments, many municipalities have implemented policies for better tenant communication as well as considerations for tenant protections. Local governments are encouraged to follow best practices regarding existing residential tenancies and to ensure a diversity of housing types and tenures in TOD developments.

Small Scale Multi-Unit Housing Initiative

In the fall of 2023, the Province also introduced changes to the *Local Government Act* and *Vancouver Charter* to allow more small-scale, multi-unit housing in zones that are otherwise restricted to single family dwellings and/or duplexes.

Through the SSMUH legislation, enabling secondary suites or accessory dwelling units (ADUs) on single-family zoned lots throughout BC. In suburban and urban communities, the legislation requires multiple units of housing (3 to 6 units depending on the location and context) to be permitted on single-family and duplex zoned lots without the need for costly and time-consuming rezoning processes. As a result of this, local governments must amend their zoning bylaws to permit a minimum density of two units or three to six units of housing on lots identified in Restricted Zones as that term is defined by the new legislation.

The SSMUH requirements apply to all Restricted Zones, even if secondary suites or accessory dwelling units (ADUs) are currently permitted in those zones. Local governments are also encouraged (but not required) to apply the SSMUH requirements for increased density to appropriate multi-family zones (e.g., duplex, or low density attached housing zones). The SSMUH provisions are designed to reduce sprawl, ensure new housing units are adequately and efficiently serviced by infrastructure, and protect heritage buildings and features important to communities.

It is important to note that properties within a designated Transit-Oriented Area are exempt from the requirements to zone for 3 to 6 units under the SSMUH legislation. Properties within a TOA will be subject to higher density requirements in accordance with the TOA legislation and regulations to help improve transit viability and service.

Development Financing

The TOA legislation is intended to help facilitate housing supply, which will likely create demand for new or expanded infrastructure from local governments. To address this demand, local governments have a range of financing tools available to acquire and construct new assets. The key development finance tools set out in legislation include development cost charges, and in the case of City of Vancouver, development cost levies (DCCs/DCLs) and new provisions for amenity cost charges (ACCs). Local governments can also use density bonus authorities.

Development Cost Charges

DCCs/DCLs can be levied on new development to help pay the capital costs of new or expanded infrastructure, such as sewer, water, drainage, parks, and roads necessary to adequately service the demands of that new development. The LGA sets out the rules and requirements for using DCCs and the VC sets out the rules and requirements for using DCLs.

A new or amended DCC/DCL bylaw will also be required if a local government wishes to collect DCCs/DCLs to help pay the capital costs of fire protection facilities, police facilities and solid waste and recycling facilities, or if the updates to zoning regulations affect the assumptions used to calculate DCCs/DCLs, such as the number of residential units, housing stock mix, or occupancy rates. The same rules and requirements that exist in the DCC/DCL framework will apply to these new categories. Additional resources for DCCs/DCLs include the Province's [Development Cost Charges Best Practices Guide](#).

Amenity Cost Charges

Local governments can also use the new ACC tool to help pay the capital costs of amenities (e.g., community and recreation centers, libraries, day care facilities) needed to support growth and create liveable communities. Note that ACCs cannot be used to pay the capital costs of projects that are eligible to be funded through DCCs/DCLs.

Like DCCs/DCLs, ACCs must be imposed by bylaw. Local governments must determine the area or areas in their communities where they are anticipating growth and identify what amenities are needed in the area(s). When determining the area(s) and amenities, local governments will need to consider their official community plans and other relevant planning documents, expected increases in population, and the financial plan.

ACCs can then be imposed as a set charge based on units, lots, or floorspace area on new development to help pay for amenities that benefit the development and the increased population resulting from new development. When setting their charges, local governments need to consider the capital costs of the amenities, phasing of amenities, whether the charges are excessive in relation to existing standards of services, and whether charges would deter development (e.g., they will need to undertake a land economic analysis).

Charges cannot be based solely on the capital costs of the amenities. In determining charges, local governments must follow the steps below.

- Deduct any grants or other sources of funding that are helping finance an amenity.
- Allocate the costs between future residents (i.e., the portion of costs allocated to new users/to be paid by new development) and current residents (i.e., the portion attributed to existing users). As amenities often benefit the existing population, local governments will need to fairly distribute the costs of amenities between future residents (i.e., the development) and existing residents (i.e., the existing tax base).
- Deduct from the portion of costs attributed to new development an amount that will be funded by the local government. Like DCCs/DCLs, ACCs are intended to “assist” with paying the capital costs of amenities. Therefore, local governments are expected to provide a level of financial assistance to ensure that new development does not shoulder the entire costs of amenities.

There are certain circumstances in which a local government cannot impose ACCs, including on developments that have already paid an ACC, developments that do not result in an increase in population, or to cover the capital costs of the types of infrastructure for which a local government can impose DCCs/DCLs. Local governments can waive or reduce ACCs for not-for-profit rental housing and for-profit affordable rental housing (like DCCs/DCLs).

Unlike DCCs, ACC bylaws do not require approval by the Inspector of Municipalities. Instead, the legislation sets out specific requirements for developing the bylaw, such as a requirement to consult with affected parties (e.g., the public, neighbouring local governments, the development industry, impacted parties) and rules to ensure transparency and accountability about funds received (e.g., local governments are required to report annually on their charges). The Province has the authority to establish

regulations respecting specific aspects of the framework, such as to ensure that charges do not deter development and to exempt certain types of affordable housing from ACCs.

Density Bonus

Local governments can also use density bonus authorities to acquire amenities needed to support additional density, as well as affordable housing and special needs housing. Density bonus authorities allow local governments to establish a base density for a zone and then a higher density that a developer can choose to build to in exchange for providing amenities and/or affordable housing or social housing.

Amenity cost charges can be imposed according to the base density (rather than the “bonus” density), as the base density is planned for “up-front” and developers opt into the bonus density. Local governments cannot use the density bonus tool to collect for the same amenity projects for which an amenity cost charge is being collected (e.g., for an amenity project set out in an amenity cost charge bylaw).

Local governments can continue to use the density bonus tool in TOD areas. However, in TOD areas, the “base” density is expected to be the minimum allowable density as established in the regulations.

Part 2 – Implementing the Legislation and Regulations

Overview

Local governments must designate all TOAs in their jurisdiction by bylaw on or before June 30, 2024, using the list of prescribed transit stations in the regulations, including TOAs designated by the Province. In doing so, they are required to consider this TOA Provincial Policy Manual to support implementation and compliance.

The MD Framework places a restriction on zoning decisions in relation to density, size, or dimension of buildings or structures. Local governments may continue to develop and amend official community plans or development plans for areas around prescribed stations. However, as these plans are created and amended over time, local governments must ensure that they align land use designations with the MD Framework. In addition, these plans may include overall metrics, such as total capacity for housing supply or employment targets within the TOA and would consider all land uses within the TOA, account for local market conditions, and plan for the provision of services and amenities required to support a community.

Rezoning Process

There is no requirement to pro-actively zone to the prescribed heights and densities in TOAs. The MD Framework does not change the existing rezoning process of a local government. Application fees, submission requirements, staff reporting, bylaw introduction and readings, and final adoption are not affected by this legislation or the regulations. Only density and height requirements are imposed by the new framework.

However, as local governments are working to comply with the other legislative requirement to ensure that housing needs identified in their most recent housing needs report, are accommodated in official community plans and zoning bylaws, they may choose to prioritize some or all areas within TOAs for pro-active zoning. Local governments pro-actively zoning in TOAs must align zoning changes to the MD Framework.

Where do the New Requirements Apply?

The regulations identify the locations of prescribed transit stations. Local governments must use the Order-in-Council that amends the Local Government and Vancouver Transit Regulations, effective June 30, 2024, for the purposes of designating TOAs by bylaw.

The Province has identified 31 local governments that must designate TOAs:

City of Abbotsford	District of Lantzville	City of Port Coquitlam
City of Burnaby	City of Maple Ridge	City of Port Moody
City of Chilliwack	City of Mission	City of Richmond
City of Colwood	City of Nanaimo	District of Saanich
City of Coquitlam	City of New Westminster	City of Surrey
City of Delta	City of North Vancouver	City of Vancouver
City of Kamloops	District of North Vancouver	City of Vernon
City of Kelowna	City of Penticton	Town of View Royal
City of Langford	City of Pitt Meadows	City of Victoria
City of Langley	City of Prince George	Resort Municipality of Whistler
Township of Langley		

Note: The District of Lantzville and the City of Delta do not contain prescribed transit stations. However, the prescribed transit station is in an adjacent municipality and the TOA catchment area crosses the municipal boundary.

Step-by-Step Guidance

Below is a step-by-step guide for local governments to appropriately designate TOAs and permit the minimum allowable densities prescribed in the regulations.



Step 1 – Confirm the Transit Station Category

Transit stations differ based on transit technology (bus, West Coast Express and SkyTrain); local governments with both bus/West Coast Express (WCE) and SkyTrain TOAs may have more than one type of transit station, and therefore will have more than one type of TOA.

Local governments should first confirm their transit station type in Table 1. This table is provided for convenience. Local governments should refer to the regulations to confirm the prescribed transit stations and densities that are applicable in their jurisdictions.

Table 1: Categories of Transit Station Types Required to Designate TOAs

CATEGORY	APPLICABLE MUNICIPALITIES
Category 1 SkyTrain in Metro Vancouver	Burnaby, City Coquitlam, City Langley, City Langley, Township New Westminister, City Port Moody, City Richmond, City Surrey, City Vancouver, City
Category 2 Bus Exchange or West Coast Express in Metro Vancouver	Delta, City Langley, City

	Maple Ridge, City North Vancouver, City North Vancouver, District Pitt Meadows, City Port Coquitlam, City Surrey, City Vancouver, City
Category 3 Bus Exchange or West Coast Express in Capital region and other medium sized local governments	Abbotsford, City Chilliwack, City Colwood, City Kamloops, City Kelowna, City Langford, City Mission, City Nanaimo, City Prince George, City Saanich, District Vernon, City Victoria, City View Royal, Town
Category 4 Bus Exchange in smaller sized local governments	Lantzville, District Penticton, City Whistler, Resort Municipality

Step 2 – Confirm the Locations and Types of TOA

Confirm TOA locations and types: The Province has identified TOAs across BC and local governments must determine which TOAs are within their jurisdiction. A comprehensive list of all provincially prescribed transit stations for designation as TOAs can be found in the regulations.

Confirm catchment area: On average, most people will walk approximately ten minutes to SkyTrain and approximately five minutes to access frequent bus service. These walk

times coincide with an 800-metre radius and 400-metre radius, respectively, and are referred to as the catchment area.

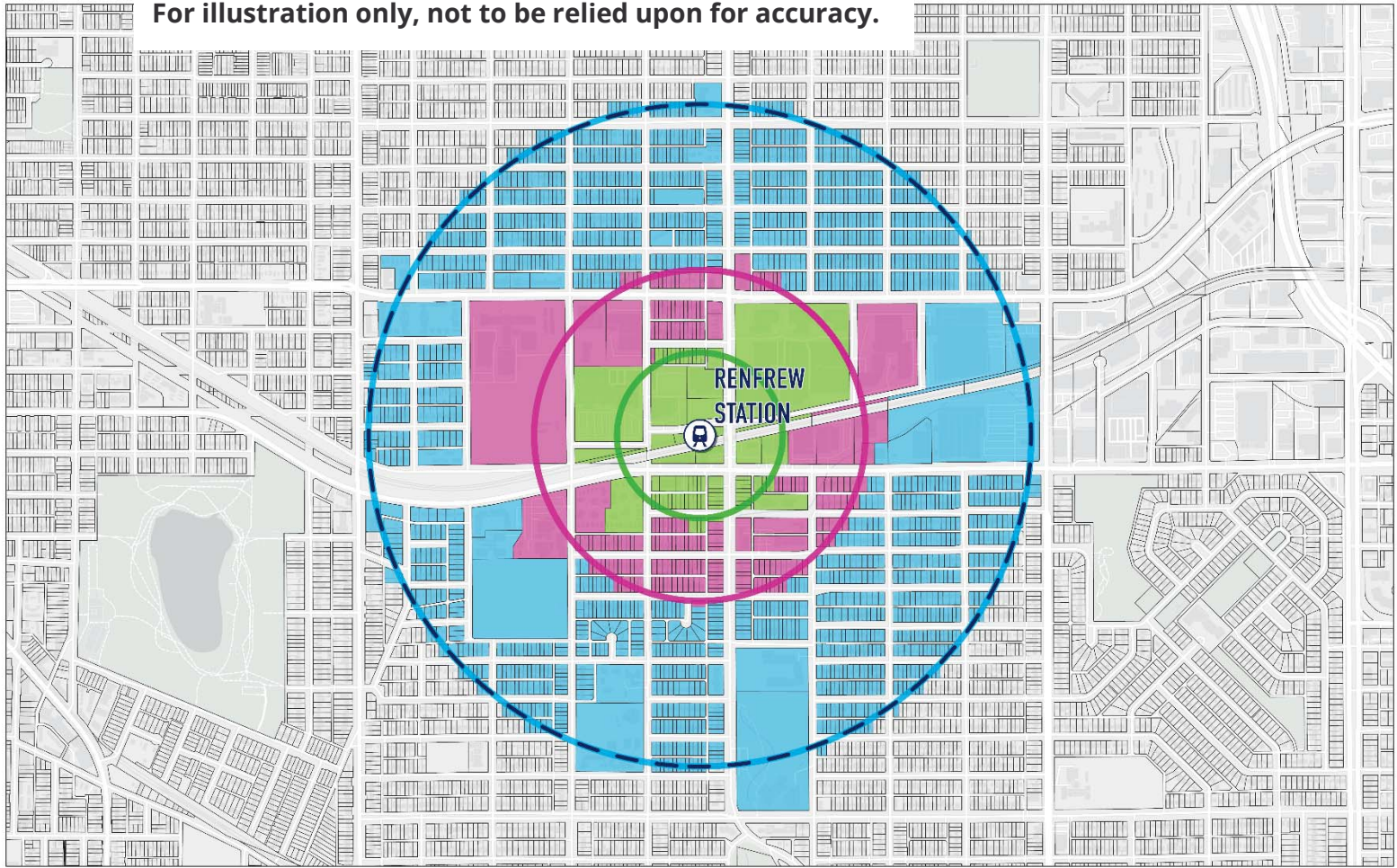
Local Governments identify catchment areas for each TOA station location. SkyTrain TOAs have a prescribed distance of 800m, and Bus Exchange and West Coast Express TOAs have a prescribed distance of 400m.

TOA Types	Catchment Area
SkyTrain TOA	800m
Bus Exchange or West Coast Express TOA	400m

Local governments will be responsible for mapping their catchment areas. Coordinates for prescribed transit facilities are included in the regulations. These coordinates should be used as the centre point, from which a 400m or 800m radius will be drawn to establish the catchment area. Any parcel which is partially included in the catchment area is deemed to be wholly within the catchment area of that TOA. See example on next page:

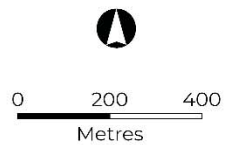
Catchment Area Map Example:

For illustration only, not to be relied upon for accuracy.



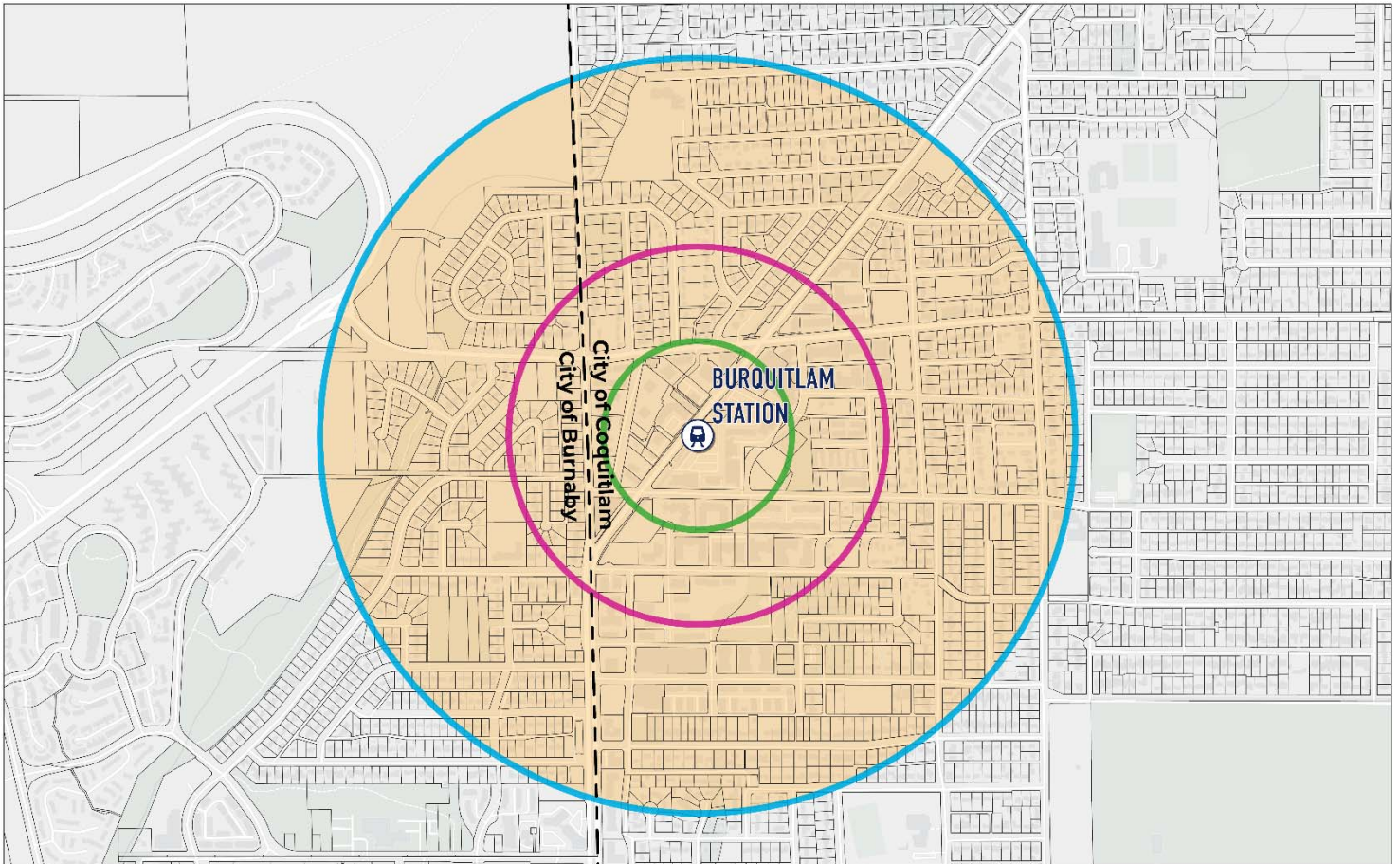
Legend

- | | | |
|-----------------------|----------------|-----------------------|
| Passenger Rail | 200 metre Tier | 200 metre Tier Parcel |
| Transit Oriented Area | 400 metre Tier | 400 metre Tier Parcel |
| Parcel | 800 metre Tier | 800 metre Tier Parcel |



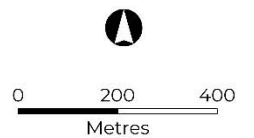
Cross-Jurisdictional TOAs

Some TOAs cross multiple boundaries. The municipalities that should designate these TOAs are listed in the regulations. In these cases, local governments will be responsible for designating the portion of the TOA that is within their jurisdiction.



Legend

- Passenger Rail
- 200 metre Tier
- Transit Oriented Area
- 400 metre Tier
- Parcel
- 800 metre Tier
- Municipal Boundary



Step 3 – Confirm Density Required

The density tables in the regulations outline the permissible density envelopes (i.e., FAR/FSR and Building Height) applicable to all residential zoned parcels within designated TOAs. Table 2 provides the FAR/FSR and building height parameters for each TOA Type and Tier as per the regulations.

The density table refers to the categories of local governments outlined in Table 1 and the transit technology (Rapid Transit or Bus Exchange/West Coast Express) outlined in Step 2. Local governments should use the Tables in the regulations to identify the density requirements which apply within a given TOA. Notably, Rapid Transit (SkyTrain) densities are broken out into three 'Tiers' (Tier 1, 2 and 3) and bus and West Coast Express densities are broken out into two 'Tiers' (Tier 4 and 5). See Table 2 below.

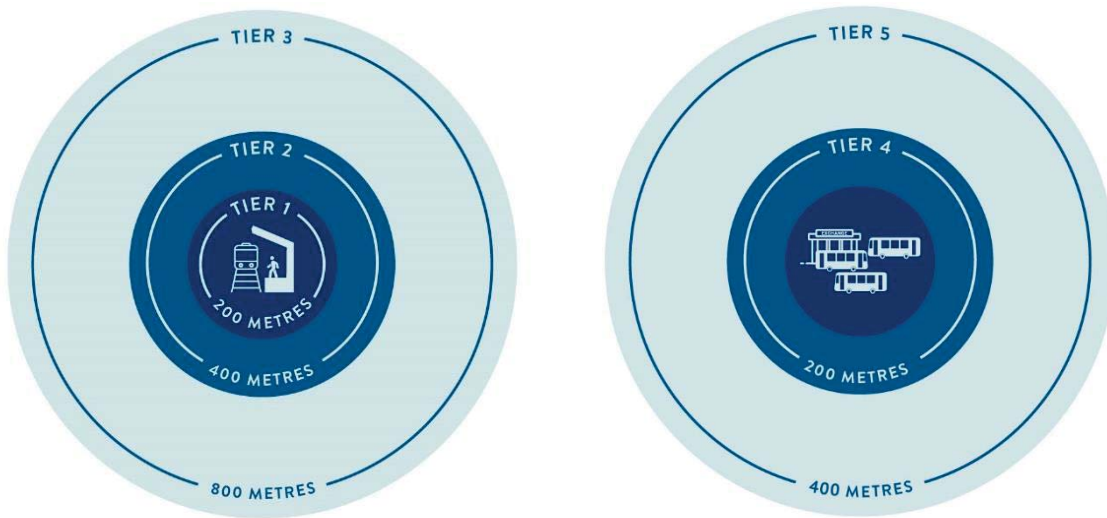


Table 2: Minimum Allowable Density Framework (FAR/FSR and Building Height)

TOA Type	Tier	Prescribed Distance	Minimum Allowable Density (FAR/FSR)	Minimum Allowable Height (Storeys)
SkyTrain	1	Less than 200	Up to 5.0	Up to 20
	2	200-400	Up to 4.0	Up to 12
	3	400-800	Up to 3.0	Up to 8
Bus/WCE	4	Less than 200	Up to 4.0	Up to 12
	5	200-400	Up to 3.0	Up to 8
Bus/WCE	4	Less than 200	Up to 3.5	Up to 10
	5	200-400	Up to 2.5	Up to 6
Bus	4	Less than 200	Up to 2.5	Up to 6
	5	200-400	Up to 1.5	Up to 4

Table 2 is provided for convenience purposes only. Please refer to the regulations when determining the density applicable to a given TOA.

Similar to mapping the outer border of a TOA, the 200m and 400m Tiers of a TOA must be measured from the coordinates provided in the regulations. Where parcels are bisected by two different density Tiers, the parcel is deemed to be wholly within the class of land to which the highest density applies.

The density table does not reduce or limit the density, size, or dimension permitted in existing zones established by local governments. Many local governments already allow higher densities than those listed in the density table and are encouraged to continue to do so.

Overlapping TOAs – Determining density

In some areas, TOAs will overlap due to transit station spacing. In these cases, the highest density applicable to a geographic area is the density level which must be applied.

A development proposal in an area where two TOAs overlap would be subject to the higher density and height, not a sum of the density and height of each of the overlapping

TOAs. Local governments continue to have discretion to permit density and height above the minimum allowable.

Step 4 – Map All TOAs

As noted above, bylaws designating a TOA must include a map showing each TOA boundary. The map must include the TOA type and tiers using the distances prescribed in Step 3 above.

Since TOAs are a prescribed distance of 400m or 800 m from transit stations, some TOAs may overlap with bodies of water, First Nations treaty lands, the Agricultural Land Reserve, federally regulated lands such as ports and airports, or heritage sites under the *Heritage Conservation Act*. In these cases, local governments may identify parcels where the densities in the regulations do not apply for greater certainty.

Step 5 – Designate TOAs By Bylaw

Local governments must designate each TOA with a catchment area within its jurisdiction by bylaw by June 30, 2024. There is no requirement to amend the zoning bylaw or official community plan bylaw to designate TOAs, but the bylaw must contain a map showing the boundaries of each TOA. The regulations prescribe transit stations in relation to which local governments must designate TOAs and specifies which geographic coordinates to use for the purpose of designating TOAs.

The *Local Government Transit-Oriented Areas Regulation* and the *Vancouver Transit-Oriented Areas Regulation* will be amended effective June 30, 2024.

The limitation on density will apply immediately TOAs around transit stations which are prescribed with an effective date of December 7, 2023, even if they haven't yet been designated a TOA by bylaw. Local governments are required to designate TOAs around prescribed stations within their municipal boundaries by June 30, 2024, and the limitation on the use of zoning powers will apply in those TOAs once designation by bylaw has occurred.

The local governments subject to interim TOA designations are those with existing OCP or ODP policies which contain a commitment to supporting transit-oriented development.

At the time of the enactment of the legislation and the regulations, the Province identified 46 transit-supportive policies. Where prescribed transit stations coincide with an existing policy, the requirements of the regulations limiting local governments' use of zoning

powers within the prescribed distance of that transit station apply on December 7, 2023. To reduce uncertainty, these locations are provided in a map format in the *Designation of Transit-Oriented Areas Regulation*. In most cases, the geographies of existing policies will differ from the 400m and 800m catchment areas of provincially prescribed TOAs. In these instances, the boundary of the provincially prescribed TOA is the boundary within which the MD Framework will immediately apply. Local governments will be expected to designate these areas by bylaw by June 30, 2024.

Step 6 – Prepare TOA Plans (Optional but Encouraged)

Local governments are strongly encouraged to prepare a Transit-Oriented Area Plan (TOA Plan) for all designated TOAs. In some circumstances, the TOAs identified in the regulations will form part of an existing municipal transit supportive policies or other land use plans and only text and/or boundary amendments will be required. In TOAs without existing transit supportive policies, local governments can identify their TOA boundaries according to the regulations.

Step 7 – Implement Density Requirements

The Provincial density requirements are minimum allowable densities that establish an ‘envelope’ for development that cannot be denied on the basis of the density being too high if the density is within the Provincial envelope. Local governments retain discretion to approve a higher density and/or height than the Provincial density requirements.

Eligible sites within a TOA meet all the following requirements:

1. The site is zoned for all or partial residential use.
 2. The site is not an exempt site (see Step 4).
 3. Local government has jurisdiction over land use decisions.
- a. For an *eligible site* within a TOA, a local government **must not reject** a rezoning application on the basis of the proposed density and/or building height if the density and height are both at or under the density and height specified in the Regulation.
 - b. For an *eligible site* within a TOA, a local government, at its discretion, **may approve** a rezoning application that exceeds the permissible density envelope (i.e., FAR/FSR and Building Height) specified in the regulations.

Transitional Provisions

The requirements and restrictions in the TOA legislation do not apply with respect to any in-stream zoning bylaws amendments that have received First Reading by their respective local government before December 7, 2023.

Compliance

How to ensure compliance with TOA designation requirements:

- a. Pass a bylaw that designates each TOA in accordance with the LGA or VC, including a map, plan, or other graphic material, by June 30, 2024; and
- b. Notify the Minister of Transportation and Infrastructure in writing of the final adoption of the bylaw that is compliant with TOA requirements, including a copy of the bylaw.

Local governments that do not comply with the designation requirements may have a regulation that designates the TOAs in their municipality imposed. Prior to making a recommendation to the Lieutenant Governor in Council, the Minister must notify the local government of the recommendation and provide at least 90 days for the local government to designate the TOA. If a TOA designation by regulation is made, the bylaw by which the local government designated TOA(s) is deemed to be amended to the extent necessary to reflect the TOA designated by regulation.

Appendix A

Appendix A – Definitions and Abbreviations for terms used in this Manual.

- Bus Exchange – off-street bus exchanges where buses park temporarily, and passengers transfer from one line to another.
- Floor Area Ratio/Floor Space Ratio (FAR/FSR) – ratio of a building’s total gross floor area, minus the permitted exclusions, to the total parcel size upon which it is built.
- Minimum Density (MD) – minimum FAR/FSR and building height values that must be allowed in each TOA.
- Passenger rail – Rail-based public transport systems including SkyTrain and West Coast Express. Note that in the regulations, passenger rail is often referred to as “passenger rail other than a West Coast Express Station,” in these instances, the regulations refer to SkyTrain only.
- SkyTrain – The Expo Line, Millennium Line and Canada Line in Metro Vancouver.
- Transit supportive policies – policies adopted by an elected local government that guides future development within a designated TOA.
- Transit Station - any of the following facilities, when prescribed in regulation:
 - A bus stop
 - A bus exchange
 - A passenger rail station (SkyTrain or West Coast Express)
 - Other prescribed transit facility, including planned facilities
- Transit-Oriented Area (TOA) – geographic area within a prescribed distance from a transit station as defined by provincial regulation.
- Transit-Supportive Density – density, variety, and patterns of land uses around prescribed transit stations aimed at creating and maintaining transit-supportive conditions.

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 9029

A Bylaw to designate a Transit Oriented Area

WHEREAS pursuant to the requirements of the *Local Government Transit Oriented Areas Regulation* (B.C. Reg. 263/2023), City Council must designate prescribed areas of the City as Transit-Oriented Areas, with a deadline of June 30, 2024;

AND WHEREAS the Province of British Columbia has established minimum allowable residential heights and densities for new development, and prohibited minimum off-street residential vehicle parking requirements, in designated Transit Oriented Areas in the *Local Government Act* (RSBC 2015, c. 1) and the *Local Government Transit-Oriented Areas Regulation*;

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 “**Transit Oriented Area Designation Bylaw, 2024, No. 9029**”.
2. The area identified in the map in Schedule A shall be designated as a Transit Oriented Area in the City of North Vancouver to be called the “Lonsdale Quay Transit Oriented Area”.
3. The minimum allowable residential heights and densities for new development are as set out in in the *Local Government Transit Oriented Areas Regulation* (B.C. Reg. 263/2023).
4. The effective date of this bylaw shall be June 30, 2024.

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

ACTING CORPORATE OFFICER

Schedule A



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 9030

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

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

1. This Bylaw shall be known and cited for all purposes as **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2024, No. 9030” (Transit Oriented Area Parking Amendment)**.
2. Part 9 of Division IV: Parking and Loading Standards of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:
 - A. Adding the following row to the table labelled ‘Figure 9-3 – Minimum Parking Provisions by Class of Building’ within the section labelled ‘A. Residential Uses.’

Residential Uses within a Transit Oriented Area as designated by Bylaw within the City of North Vancouver	0.038 Disability Parking Spaces per Dwelling 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