CALL TO ORDER

ADOPTION OF MINUTES

1. Regular Council Meeting Minutes, November 2, 2015.

PUBLIC INPUT PERIOD – 6:00 PM – File: 01-0550-07-0001/2015

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 appearing before Council during the Public Input Period is two minutes, with the number of speakers set at five persons. Speakers’ presentations will be audio and video recorded, as well as live-streamed on the Internet, and will form part of the public record.

To make a submission to Council during the Public Input Period, a person must complete the paper Public Input Period sign-up form at City Hall prior to the Regular Council Meeting. A person who fails to complete, or only partially completes, the Public Input Period sign-up form will not be permitted to make submissions to Council during the Public Input Period. The sign-up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 pm until 6:00 pm on the night of the Council meeting.

When appearing before Council, speakers are requested to state their name and address for the record. Speakers may display materials on the document camera at the podium in the Council Chamber and provide written materials to the City Clerk for distribution to Council, only if these materials have been provided to the City Clerk by 4:00 pm on the date of the meeting.

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

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 set out in section 12.25(2).

Speakers are requested to omit addressing matters that refer to items on the agenda from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings, Policy Committee and Finance Committee meetings, when these meetings are scheduled on the same evening’s agenda.

Please address the Mayor as “Mayor Mussatto” or “Your Worship” and address Councillors as “Councillor, followed by their surname.”
CONSENT AGENDA ITEMS

(Items *2, *3, *4, *5 and *6)

The following Items *2, *3, *4, *5 and *6 (see Agenda pages 2 and 3) are listed in the Consent Agenda and may be considered separately or in one motion:

RECOMMENDATION:

THAT the resolutions listed within the “Consent Agenda”, be approved.

START OF CONSENT AGENDA

BYLAW – FINAL ADOPTION

*2. “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8449” (Schedule B – Business Licence Fees) and (Schedule A – Housekeeping Amendments)

RECOMMENDATION:

THAT “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8449” (Schedule B – Business Licence Fees) and (Schedule A – Housekeeping Amendments), be finally adopted, signed by the Mayor and City Clerk and affixed with the Corporate Seal.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

*3. Revised Application for Reconsideration and Final Adoption – Four Lot Single Family Development Application (Roof Decks Deleted): 340/344 East Keith Road (Henderson, Halex Architecture) – File: 08-3360-20-0352/1

Report: Planner, November 10, 2015

RECOMMENDATION:

PURSUANT to the report of the Planner, dated November 10, 2015, entitled “Revised Application for Reconsideration and Final Adoption – Four Lot Single Family Development Application (Roof Decks Deleted): 340/344 East Keith Road (Henderson, Halex Architecture)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442” (J.C. Henderson and C.L. Henderson, Halex Architecture, 340-344 East Keith Road), be reconsidered and finally adopted;

AND THAT Development Variance Permit No. DVP2015-00011 be issued following adoption of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442”.
CONSENT AGENDA ITEMS – Continued

BYLAW – FINAL ADOPTION


RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442” (J.C. Henderson and C.L. Henderson, Halex Architecture, 340-344 East Keith Road, RS-2), be finally adopted, signed by the Mayor and City Clerk and affixed with the Corporate Seal.

MOTION

*5. Development Variance Permit No. DVP2015-00011 (340/344 East Keith Road)

RECOMMENDATION:

THAT Development Variance Permit No. DVP2015-00011 be issued following adoption of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442”;

AND THAT the Mayor and City Clerk be authorized to sign and seal DVP2015-00011.

CORRESPONDENCE

*6. Craig Tonini, North Shore Community Christmas Dinner, October 29, 2015

Re: Request for Funding for the North Shore Community Christmas Dinner – File: 05-1850-01-0001/2015

RECOMMENDATION:

PURSUANT to the correspondence of Craig Tonini, North Shore Community Christmas Dinner, dated October 29, 2015, regarding “Request for Funding for the North Shore Community Christmas Dinner”:

THAT the City of North Vancouver provide funding in the amount of $1,500 for the North Shore Community Christmas Dinner;

AND THAT the funds be provided from the Council Contingency Account.


END OF CONSENT AGENDA

PROCLAMATION

“ADOPTION AWARENESS MONTH” – NOVEMBER 2015
BYLAWS – FINAL ADOPTION


RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8439” (R. Moghaddam / A. Seradj, 1345 Forbes Avenue, RS-3), be finally adopted, signed by the Mayor and City Clerk and affixed with the Corporate Seal.


RECOMMENDATION:

THAT “Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be finally adopted, signed by the Mayor and City Clerk and affixed with the Corporate Seal.

COUNCIL REPORT – File: 01-0550-04-0001/2015

Each Council member is permitted 5 minutes to report on their activities.

PUBLIC HEARING – 6:30 PM

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8441” (Changes to Support Active Lifestyles and Social Interaction)

The proposed zoning changes would:

- Increase the maximum permitted amenity room size in some projects;
- Expand floor area exclusions for open stairwells to encourage greater use of the stairs;
- Exclude a greater number of semi-enclosed spaces, such as balconies and corridors.

Council will consider Bylaw No. 8441 under Item 9.

AGENDA

Chair: Mayor Darrell Mussatto

- Staff presentation
- Representations from the public
- Questions from Council
- Motion to conclude the Public Hearing
BYLAW – SECOND AND THIRD READINGS


RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8441” (Changes to Support Active Lifestyles and Social Interaction), be given second and third readings.

PUBLIC MEETING – Following Item 9


The proposed changes would require that gas stations post greenhouse gas emissions information labels on all gas pumps in the City of North Vancouver.


Council will consider Bylaw No. 8437 under Item 10.

AGENDA

Chair: Mayor Darrell Mussatto

- Staff presentation
- Representations from the public
- Questions and comments from Council
- Motion to conclude the Public Meeting

BYLAW – SECOND AND THIRD READINGS


RECOMMENDATION:

PUBLIC HEARING – Following Item 10

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8447”
(Dave Iaquinta / Cobblestone Homes Ltd., 253-255 East 6th Street, CD-667)

To reclassify the said properties from Two-Unit Residential (RT-1) to Comprehensive Development 667 (CD-667) to permit the construction of a Four-Unit Townhouse. A total of four parking stalls are proposed with vehicle access from the rear lane.

Council will consider Bylaw No. 8447 under Item 11.

AGENDA

Chair: Mayor Darrell Mussatto
- Staff presentation
- Applicant’s presentation
- Representations from the public
- Questions from Council
- Motion to conclude the Public Hearing

BYLAW – SECOND AND THIRD READINGS

(Dave Iaquinta / Cobblestone Homes Ltd., 253-255 East 6th Street, CD-667)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8447”
(Dave Iaquinta / Cobblestone Homes Ltd., 253-255 East 6th Street, CD-667), be given second and third readings.
PUBLIC HEARING – Following Item 11

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8450”
(Parking Requirement Reductions, CD-52, CD-120, CD-124)

To reduce the parking requirement for Liquor Primary use as follows:

- 175 East 1st Street – from 16 parking spaces to 7 parking spaces
- 2601 Westview Drive – from 30 parking spaces to 12 parking spaces
- 1433 Lonsdale Avenue – from 14 parking spaces to 8 parking spaces

_Council will consider Bylaw No. 8450 under Item 12._

AGENDA

Chair: Mayor Darrell Mussatto

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

BYLAW – SECOND AND THIRD READINGS

(Parking Requirement Reductions, CD-52, CD-120, CD-124)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8450”
(Parking Requirement Reductions, CD-52, CD-120, CD-124), be given second
and third readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. Amendments to the Proposed Arts and Culture Grants Policy
– File: 01-0340-01-0001/2015

Report: Cultural Services Officer, North Vancouver Recreation and Culture
Commission, November 6, 2015

RECOMMENDATION:

PURSUANT to the report of the Cultural Services Officer, North Vancouver
Recreation and Culture Commission, dated November 6, 2015, entitled
“Amendments to the Proposed Arts and Culture Grants Policy”:

Continued…
REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF
– Continued

13. Amendments to the Proposed Arts and Culture Grants Policy
   – File: 01-0340-01-0001/2015 – Continued

   THAT Council approve the Arts and Culture Grants Policy, as amended, after
consultation with key organizations;

   THAT upon adoption of the new policy, the City’s existing “Arts Assistance
Grants” and “Special Events and Festivals Grants” policies be rescinded;

   AND THAT Council direct staff to bring forward an amendment to “North
Vancouver Recreation and Culture Commission Establishing Bylaw, 2009, No.
8020”, as amended by “North Vancouver Recreation and Culture Commission
Establishing Bylaw, 2009, No. 8020, Amendment Bylaw, 2014, No. 8380
(Schedule A - North Vancouver Recreation and Culture Commission
Agreement)”, and “North Vancouver Recreation and Culture Commission
Delegation Bylaw, 2014, No. 8381” to delegate granting authority to the North
Vancouver Recreation and Culture Commission.

14. Amendments to the Bylaw Notice Enforcement Bylaw
   – File: 09-4000-01-0001/2015

   Report: Manager, Bylaw Services, November 3, 2015

   RECOMMENDATION:

   PURSUANT to the report of the Manager, Bylaw Services, dated November 3,
2015, entitled “Amendments to the Bylaw Notice Enforcement Bylaw”:

   THAT “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw,
2015, No. 8430” (Fines, Screening Procedures and Housekeeping), be given
introduction and three readings;

   THAT the letter included as Attachment #2 of the report be sent to the
Honourable Suzanne Anton, Attorney General for the Province of British
Columbia, requesting Provincial Government amendments to the Local
Government Bylaw Notice Enforcement Act to increase the maximum penalty
amount from $500 to $1,000 to match the current maximum fine for the Municipal
Ticket Information fine process;

   AND THAT Council instruct staff to submit to the 2016 Union of British Columbia
Municipalities’ Resolution Committee, a resolution requesting the Provincial
Government amendments to the Local Government Bylaw Notice Enforcement
Act to increase the maximum penalty amount from $500 to $1,000, citing the
reasons provided in the report of the Manager, Bylaw Services, dated November
3, 2015, entitled “Amendments to the Bylaw Notice Enforcement Bylaw”.

   Item 15 refers.
BYLAW – INTRODUCTION AND THREE READINGS

15. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2015, No. 8430" (Fines, Screening Procedures and Housekeeping)

RECOMMENDATION:

THAT "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2015, No. 8430" (Fines, Screening Procedures and Housekeeping), be given introduction and three readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

16. Road Closure Amendments to the Street and Traffic Bylaw
   – File: 09-4000-01-0001/2015

   Report: Manager, Bylaw Services, November 4, 2015

RECOMMENDATION:

PURSUANT to the report of the Manager, Bylaw Services, dated November 4, 2015, entitled “Road Closure Amendments to the Street and Traffic Bylaw”:

THAT "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2015, No. 8436" (Enforcement of Unapproved Highway Closures), be given introduction and three readings.

Item 17 refers.

BYLAW – INTRODUCTION AND THREE READINGS

17. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2015, No. 8436" (Enforcement of Unapproved Highway Closures)

RECOMMENDATION:

THAT "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2015, No. 8436" (Enforcement of Unapproved Highway Closures), be given introduction and three readings.
REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF


Report: Manager, Information Technology, November 10, 2015

RECOMMENDATION:

PURSUANT to the report of the Manager, Information Technology, dated November 10, 2015, entitled “Appropriation for Permits, Licensing and Ticketing Software Replacement”:

THAT (Funding Appropriation No. 1526) an amount of $400,000 be appropriated from the General Reserve Fund for the purpose of funding the Permits, Licensing and Ticketing Software Replacement;

AND THAT should any of the above amount remain unexpended after December 31, 2018, the unexpended balance shall be returned to the credit of the General Reserve Fund.


Report: Planner 1, October 28, 2015

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated October 28, 2015, entitled “Residential Tenant Displacement Policy”:

THAT the Residential Tenant Displacement Policy, a policy for the protection of renters who are displaced by redevelopment of existing purpose-built rental apartments, dated September 2015, be endorsed.


Report: City Planner, November 10, 2015

RECOMMENDATION:

PURSUANT to the report of the City Planner, dated November 10, 2015, entitled “Preliminary Development Application: 1301 – 1333 Lonsdale Avenue (Hollyburn Properties Ltd. / Francl Architecture)”:

THAT staff process the Official Community Plan Amendment and Zoning Amendment application for 1301-1333 Lonsdale Avenue.
PUBLIC CLARIFICATION PERIOD

The Public Clarification Period is limited to 10 minutes in total and is an opportunity for the public to ask questions for clarification regarding an item on the Regular Council Agenda. If more than one person wishes to ask a question, the Mayor will divide the 10 minutes equally. The Mayor will ask each person “What is your question?” and decide if the question is related to an item on the Regular Council Agenda. After 10 minutes, the Public Clarification Period concludes and the Regular Council Meeting reconvenes.

NEW ITEMS OF BUSINESS

INQUIRIES

CITY CLERK’S RECOMMENDATION:

THAT Council recess to the Committee of the Whole, Closed session, pursuant to Section 90(1)(e) of the Community Charter:

Sections 89, 90 and 92 of the Community Charter are listed in their entirety within this agenda package.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

ADJOURN
COMMUNITY CHARTER

DIVISION 3 – OPEN MEETINGS

General rule that meetings must be open to the public.

89  (1) A meeting of a council must be open to the public, except as provided in this Division.

          (2) A council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

Meetings that may or must be closed to the public

90  (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

          (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

          (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

          (c) labour relations or other employee relations;

          (d) the security of the property of the municipality;

          (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

          (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

          (g) litigation or potential litigation affecting the municipality;

          (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;

          (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

          (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

          (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

          Continued…
COMMUNITY CHARTER

DIVISION 3 – OPEN MEETINGS

Meetings that may or must be closed to the public – *Continued*

(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 *[annual municipal report]*;

(m) a matter that, under another enactment, is such that the public may be excluded from the meeting;

(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

(o) the consideration of whether the authority under section 91 *[other persons attending closed meetings]* should be exercised in relation to a council meeting.

(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

(a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

(c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 *[ombudsman to notify authority]* of that Act;

(d) a matter that, under another enactment, is such that the public must be excluded from the meeting.

(3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

Requirements before meeting is closed

**92** Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting:

(a) the fact that the meeting or part is to be closed; and

(b) the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.
PUBLIC HEARING PROCESS

GUIDELINES

Public Hearings are generally held on the third Monday of every month on a Council meeting night in the Council Chamber when Council is considering the adoption of, or amendments to, either the City’s Official Community Plan or Zoning Bylaw. Public Hearings are regulated by the Local Government Act.

The Mayor, when opening the Public Hearing, may restrict the public to a certain defined number of minutes to speak once, and may offer other restrictions on the presentations by the public, provided that everyone is given a reasonable opportunity to be heard and indicate their concerns (Section 890(3.1) of the Local Government Act).

All written submissions and representations made in person at the Public Hearing will form part of the public record with respect to the Public Hearing. Minutes of the Public Hearing and a video of the proceedings will be posted to the City’s website.

A sign-up sheet is located on the table outside the Council Chamber 1½ hours prior to the advertised start time of the Public Hearing for all members of the public to sign if they wish to speak at the Public Hearing. The sign-up sheet will remain until the commencement of the Public Hearing scheduled for that evening. The sign-up sheet is restricted to “In Person” sign-up only. Other people are not permitted to sign the sheet on another speaker’s behalf. The City does not pre-register speakers.

If members of the public do not sign the sign-up sheet, the Chair will ask if anyone else in the Chamber wishes to speak, after all the people who signed the sign-up sheet have been given the chance to speak at the Public Hearing.

Speakers will be requested to provide their name and address for the record.

Members of the public who wish to display material on the overhead projector in the Council Chamber or distribute material to Council members are required to provide the document to the City Clerk (kgraham@cnv.org) prior to 4:00pm on the date of the Public Hearing.

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

If you require further information on the Public Hearing process, please contact either the City Clerk (kgraham@cnv.org or 604-990-4234) or the Deputy City Clerk (jficoceili@cnv.org or 604-990-4233).
## SITE CHARACTERISTICS

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<th>Site Area (sq. ft.)</th>
<th>6,989</th>
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<tbody>
<tr>
<td>OCP Designation</td>
<td>Residential Level 4-A: Ground Oriented (Medium Density)</td>
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<tr>
<td>Existing Zoning</td>
<td>RT-1 (Two-Unit Residential Zone)</td>
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<tr>
<td>Proposed Zoning</td>
<td>CD–667 (Comprehensive Development 667 Zone)</td>
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## FLOOR AREA AND HEIGHT

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<tr>
<th></th>
<th>Existing Zoning</th>
<th>Proposed</th>
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<td>Lot Size (sq. ft.)</td>
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<td>6,989</td>
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<tr>
<td>Number of Principal Buildings</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Floor Space Ratio (FSR)</td>
<td>0.49</td>
<td>0.97</td>
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<tr>
<td>Total Gross Floor Area (sq. ft.)</td>
<td>3,450 max.</td>
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<td>Total Lot Coverage (Percent)</td>
<td>35 max.</td>
<td>53</td>
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<td>Northern Building Height (ft.)</td>
<td>15 max. (Top of Plate)</td>
<td>20</td>
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<td></td>
<td>30 max. (Ridge)</td>
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<tr>
<td>Southern Infill Building Height (ft.)</td>
<td>N/A (Top of Plate)</td>
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<td></td>
<td>15 max. (Garage Ridge)</td>
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<tr>
<td>Parking Stalls (per unit)</td>
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<td>1</td>
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## PARKING

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<tr>
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<tr>
<td>Total Vehicle Parking Stalls</td>
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<tr>
<td>Secure Bicycle Spaces</td>
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## PRINCIPAL BUILDING SETBACKS

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<tr>
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<tr>
<td>Northern Building - Front Yard Setback (ft.)</td>
<td>25 min.</td>
<td>10</td>
</tr>
<tr>
<td>West Interior Side Yard (ft.)</td>
<td>5 min.</td>
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</tr>
<tr>
<td>East Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>5.6</td>
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<tr>
<td>Southern Building - Rear Yard Setback (ft.)</td>
<td>49 min.</td>
<td>4.1</td>
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<tr>
<td>East Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>3.9</td>
</tr>
<tr>
<td>West Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>6.0</td>
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</tbody>
</table>

Calculations base on sheets revised September 24, 2015
PRESENT:

COUNCIL MEMBERS

Mayor D. Mussatto
Councillor H. Back
Councillor D. Bell
Councillor P. Bookham
Councillor L. Buchanan
Councillor R. Clark
Councillor C. Keating

STAFF MEMBERS

K. Tollstam, CAO
K. Graham, City Clerk
P. Lurbiecki, Assistant City Clerk
B. Pearce, Director, Special Projects
B. Themens, Director, Finance
G. Penway, Director, Community Development
N. Chand, Acting Deputy Director, Finance
M. Epp, City Planner
D. Pope, City Engineer
P. Navratil, Deputy City Engineer
H. Reinhold, Manager, Waterfront
D. Mitic, Manager, Transportation
M. Hunter, Manager, Parks and Environment
C. Jackson, Section Manager, Environmental Sustainability
L. Orr, Manager, Manager, Business Services
S. Fevrier, Manager, Planning and Engineering
G. Gusdal, Manager, Bylaw Services
A. Kurnicki, Streetscape Planner
W. Tse, Planner 1
J. Peters, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Buchanan

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, October 26, 2015.

CARRIED UNANIMOUSLY
PROCLAMATION

Mayor Mussatto read the following Proclamation:

“VETERANS’ WEEK” – NOVEMBER 5 – 11, 2015

Mayor Mussatto presented a framed proclamation to the Colour Party of the Royal Canadian Legion, Branch 118.

PUBLIC INPUT PERIOD - File: 0550-07-01-0001/2015

- Don Peters, 678 West Queens Road, North Vancouver, in support of Item 7 “Request for Emergency Funding for Community Housing Action for North Shore Community Services”.
- Murray Mollard, 935 Marine Drive, North Vancouver, in support of Item 7 “Request for Emergency Funding for Community Housing Action for North Shore Community Services”.
- Ann Sturrock, 1006-160 East 13th Street, North Vancouver, regarding a noise complaint at the Onni development site at 13th Street and Lonsdale Avenue.
- Donna Stewart, 1406-155 West 1st Street, North Vancouver, in support of Item 7 “Request for Emergency Funding for Community Housing Action for North Shore Community Services”.
- Ivan Leonard, 215 St. Andrew’s Avenue, North Vancouver, regarding rental housing in the City.

CONSENT AGENDA ITEMS

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the resolutions listed within the “Consent Agenda”, be approved.

CARRIED UNANIMOUSLY

START OF CONSENT AGENDA

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

*3. Legal Matter – File: 11-5500-06-0001/1

Report: Director, Finance, October 21, 2015

PURSUANT to the report of the Director, Finance, dated October 21, 2015, regarding a legal matter:

THAT the action taken by the Committee of the Whole, Closed Session, held on October 26, 2015, be ratified;

AND THAT the wording of the recommendation and the report of the Director, Finance, dated October 21, 2015, remain in the Closed Session.

(CARRIED UNANIMOUSLY)
CONSENT AGENDA ITEMS - Continued

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)
- Continued

*4. Legal Fees – Request for Proposals – File: 01-0110-01-0001/2015

Report: Chief Administrative Officer, October 26, 2015

PURSUANT to the report of the Chief Administrative Officer, dated October 26, 2015, entitled “Legal Fees – Request for Proposals”:

THAT staff be directed to proceed with a request for proposals for all legal services and report back to Council in a Closed session with their recommendations in early 2016.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA

PROCLAMATIONS - Continued

Mayor Mussatto read the following Proclamations:

“WORLD TOWN PLANNING DAY” – NOVEMBER 8, 2015

“WORLD DIABETES DAY” – NOVEMBER 14, 2015

CORRESPONDENCE

5. Garry Nordhoj, Chairman, North Shore Lions Youth Exchange Program, September 23, 2015

Re: Youth Exchange Program – File: 05-1850-01-0001/2015

Moved by Mayor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence of Garry Nordhoj, Chairman, North Shore Lions Youth Exchange Program, dated September 23, 2015, regarding “Youth Exchange Program”:

THAT the City of North Vancouver donate $6,000 to the North Shore Lions Youth Exchange Program, with funds to be provided from the Sister City Account.

CARRIED UNANIMOUSLY

Re: Operation Red Nose 2015 – File: 01-0230-01-0001/2015

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the correspondence of Brian Martin, Sponsorship Coordinator, dated October 12, 2015, regarding the “2015 Operation Red Nose North Shore”:

THAT the City of North Vancouver contribute the amount of $1,000 (Corporate Pack Plus) to the 2015 Operation Red Nose campaign, to be held on November 27, 28; December 4, 5, 12, 13, 19, 20, and 31, 2015;

AND THAT the funds be provided from the Council Contingency Account.

CARRIED UNANIMOUSLY

7. Murray Mollard, Executive Director, North Shore Community Resources, October 16, 2015

Re: Request for Emergency Funding for Community Housing Action Committee – File: 01-0230-20-0043/2015

Moved by Councillor Buchanan, seconded by Councillor Bell

PURSUANT to the correspondence of Murray Mollard, Executive Director, North Shore Community Resources, dated October 16, 2015 regarding “Request for Emergency Funding for Community Housing Action Committee:

THAT the City of North Vancouver provide emergency funding in the amount of $5,750 to North Shore Community Resources for their Community Housing Action Committee;

AND THAT the funds be provided from the Council Contingency Account.

CARRIED UNANIMOUSLY
8. Davide De Spirito and Jeremy Brodtrick, NVC Firefighters Local 296 Foundation, and David Franco, DNV Firefighters Charitable Society IAFF Local 1183, October 29, 2015

Re: Park & Tilford Hi-Light Festival – File: 01-0230-01-0001/2015

Moved by Councillor Buchanan, seconded by Councillor Keating

PURSUANT to the correspondence of Davide De Spirito and Jeremy Brodtrick, NVC Firefighters Local 296 Foundation, and David Franco, DNV Firefighters Charitable Society IAFF Local 1183, dated October 29, 2015, regarding the “Park and Tilford High-Light Festival”:

THAT North Van City Firefighters Local 296 Foundation, District of North Vancouver Firefighters Charitable Society IAFF Local 1183, be granted the Captains sponsorship level of $1,000 for the Park and Tilford High-Light Festival;

AND THAT the funds be provided from the Council Contingency Account.

CARRIED UNANIMOUSLY

9. BC Non-Profit Housing Association, October 29, 2015

Re: BC’s Affordable Housing Conference, November 22-25, 2015, Sheraton Vancouver Airport Hotel, Richmond, BC – File: 01-0530-01-0001/2015

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the correspondence from the BC Non-Profit Housing Association, received October 29, 2015, regarding “BC’s Affordable Housing Conference, November 22 to 25, 2015, Sheraton Vancouver Airport Hotel, Richmond, BC”:

THAT Council members be authorized to attend BC’s Affordable Housing Conference, to be held November 22-25, 2015, in Richmond, BC;

THAT the expenses be paid in accordance with City Policy;

AND THAT the funds be provided from the Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY
DELEGATION

Renee Strong, Executive Director, Capilano Community Services Society, and Keith Gallant, Choices Teacher, School District No. 44 (North Vancouver)

Re: Stein Valley Youth Trip July 2015 – File: 01-0230-20-0008/2015

Keith Gallant and Jessie Lyon provided a PowerPoint presentation regarding “Stein Valley Youth Trip July 2015” and responded to questions of Council.

CORRESPONDENCE

10. Renee Strong, Executive Director, Capilano Community Services Society, October 6, 2015

Re: Stein Valley Youth Trip July 2015 – File: 01-0230-20-0008/2015

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT the correspondence received from Renee Strong, Executive Director, Capilano Community Services Society, received October 6, 2015, regarding “Stein Valley Youth Trip July 2015”, be received and filed with thanks.

CARRIED UNANIMOUSLY

DELEGATION

Emily Jubenvill, Manager, Edible Garden Project, North Shore Neighbourhood House

Re: Loutet Farm Update and Licence to Occupy Renewal – File: 12-6350-01-0001/2015

Emily Jubenvill, Gavin Wright and Holly Rook provided a PowerPoint presentation regarding “Loutet Farm Update and Licence to Occupy Renewal” and responded to questions of Council.

CORRESPONDENCE


Re: Loutet Farm Update and Licence to Occupy Renewal – File: 12-6350-01-0001/2015

Moved by Councillor Bell, seconded by Councillor Keating

THAT the correspondence received from Emily Jubenvill, Manager, Edible Garden Project, North Shore Neighbourhood House, dated September 28, 2015, be received and filed with thanks.

CARRIED UNANIMOUSLY
REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

12. Loutet Urban Farm Update and Extension – File: 12-6350-01-0001/2015

Report: Streetscape Planner, October 28, 2015

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Streetscape Planner, dated October 28, 2015, entitled “Loutet Urban Farm Update and Extension”:

THAT staff be directed to extend the existing “Licence to Use Agreement” for a second five-year term;

AND THAT the Edible Garden Project continue to keep Council updated on their activities through their Annual Reports.

CARRIED UNANIMOUSLY

WORKSHOP

Jada Basi and Brent Elliot, CitySpaces Consulting Ltd.

Re: Housing Action Plan – File: 10-5040-03-0001/2015

The Housing Action Plan Workshop to discuss housing issues, key focus areas and receive feedback regarding housing alternatives.

Jada Basi and Brent Elliot, CitySpaces Consulting Ltd. Provided a PowerPoint presentation regarding the “Housing Action Plan” and responded to questions of Council.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the meeting recess to the Public Meeting for the City’s “Active Design Guidelines”.

CARRIED UNANIMOUSLY

The meeting recessed at 8:10 pm and reconvened at 8:37 pm with the same staff present.

   Report: Cultural Services Officer, North Vancouver Recreation and Culture Commission, October 23, 2015

   PURSUANT to the report of the Cultural Services Officer, North Vancouver Recreation and Culture Commission, dated October 23, 2015, entitled “New Arts and Culture Grants Policy”:

   THAT Council adopt the new Arts and Culture Grants policy with the following funding categories: Operating Assistance, Program and Project Assistance, Community Public Art Assistance, and Events and Celebrations Assistance;

   THAT this new policy replace the City’s existing Arts Assistance Grants and Special Events and Festivals Grants policies;

   THAT the City’s Core Funding Policy for Social and Cultural Services be amended as required to reflect the inclusion of “core-funded” arts and cultural service groups in the new policy;

   AND THAT Bylaw No’s. 8380 and 8381 be amended to delegate granting authority to the North Vancouver Recreation and Culture Commission.

   Moved by Councillor Bell, seconded by Councillor Clark

   THAT the report of the Culture Services Officer, North Vancouver Recreation and Culture Commission, dated October 23, 2015, entitled “New Arts and Culture Grants Policy”, be referred back to staff to obtain input from affected stakeholder groups.

   **CARRIED UNANIMOUSLY**
REPORTEOB COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF
- Continued

14. Federal Tax Incentives for Food Waste Reduction
   – File: 11-5280-14-0001/2015

   Report: Section Manager, Environmental Sustainability,
   October 28, 2015

   Moved by Councillor Buchanan, seconded by Mayor Mussatto

   PURSUANT to the report of the Section Manager, Environmental
   Sustainability, dated October 28, 2015, entitled “Federal Tax Incentives for
   Food Waste Reduction”:

   THAT Council support the National Zero Waste Council’s Food Waste
   Reduction Federal Tax Incentive Proposal and urge the Government of
   Canada to implement tax incentives for food producers, suppliers and retailers
   to donate unsold edible food, thereby reducing the environmental impact of
   food waste and addressing the issue of hunger and poverty in our
   communities;

   THAT a copy of this resolution be forwarded to the Federation of Canadian
   Municipalities (FCM), requesting that FCM urges the Government of Canada
   to implement tax incentives for food producers, suppliers and retailers to
   donate unsold edible food and that this resolution be considered at FCM’s
   upcoming Annual General Meeting;

   AND THAT a copy of the report and resolution be forwarded to Jonathan
   Wilkinson, Member of Parliament for North Vancouver.

   CARRIED UNANIMOUSLY

15. Zoning Amendments to Reduce Parking Requirements for Existing
   Liquor Primary Establishments – File: 08-3010-01-0001/2015

   Report: Planning Analyst, October 20, 2015

   Moved by Councillor Clark, seconded by Councillor Keating

   PURSUANT to the report of the Planning Analyst, dated October 20, 2015,
   entitled “Zoning Amendments to Reduce Parking Requirements for Existing
   Liquor Primary Establishments”:

   THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8450”
   (Liquor Primary Parking Requirement Reductions, CD-52, CD-120, CD-124),
   be considered and referred to a Public Hearing.

   CARRIED UNANIMOUSLY
BYLAW – INTRODUCTION AND FIRST READING


Moved by Councillor Clark, seconded by Councillor Keating


CARRIED UNANIMOUSLY

Bylaw No. 8450 was introduced and read a first time.

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT Item 21 be brought forward for consideration.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF


Report: Director, Special Projects, October 29, 2015

PURSUANT to the report of the Director, Special Projects, dated October 29, 2015, entitled “Pilot Project – The Shipyards – Lot 5 Ice Rink”:

THAT staff further investigate the possibility of building a temporary ice rink and proceed with the project if determined feasible;

THAT pending the result of staff investigation, funding up to a maximum amount of $275,000 be allocated to the Pilot Project from an existing shipyard capital project;

AND THAT staff submit a request to appropriate funding from the Civic Amenity Reserve Fund to replenish the amount used to fund the Pilot Project once costs have been finalized.

Moved by Councillor Buchanan, seconded by Councillor Clark

THAT the report of the Director, Special Projects, dated October 29, 2015, entitled “Pilot Project – The Shipyards – Lot 5 Ice Rink”, be received and filed.

CARRIED UNANIMOUSLY
REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF
- Continued


Report: Acting Deputy Director, Finance, October 27, 2015

Moved by Councillor Keating, seconded by Councillor Bell

PURSUANT to the report of the Acting Deputy Director, Finance, dated October 27, 2015, entitled “2015 – 2024 Revised Financial Plan”:

THAT “Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be brought forward for consideration.

CARRIED UNANIMOUSLY

BYLAW – INTRODUCTION AND THREE READINGS


Moved by Councillor Keating, seconded by Councillor Buchanan

THAT “Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be given introduction and first reading.

CARRIED

Councillor Bookham and Councillor Clark are recorded as voting contrary to the motion.

Bylaw No. 8445 was introduced and read a first time.

Moved by Councillor Bell, seconded by Councillor Buchanan

THAT the Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be amended by removing $275,000 - “Temporary Ice Rink at Shipyards” from the 2015 Revised Budget Items.

CARRIED UNANIMOUSLY

Continued…
BYLAW – INTRODUCTION AND THREE READINGS - Continued


Moved by Councillor Bell, seconded by Councillor Bookham

THAT the Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be further amended by removing $60,000 - “Bike Lift Feasibility Study” from the 2015 Revised Budget Item.

A recorded vote was taken on the motion.

Voting in favour: Councillor Clark
Councillor Bell
Councillor Bookham

Voting against: Councillor Buchanan
Councillor Back
Councillor Keating
Mayor Mussatto

The motion was DEFEATED by a vote of 4 to 3.

Moved by Councillor Keating, seconded by Councillor Back

THAT “Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445” (Revised Financial Plan), be given second and third readings, as amended.

A recorded vote was taken on the motion.

Voting in favour: Councillor Back
Councillor Keating
Councillor Buchanan
Mayor Mussatto

Voting against: Councillor Clark
Councillor Bell
Councillor Bookham

The motion was CARRIED by a vote of 4 to 3.

Bylaw No. 8445, as amended, was read a second and third time by title.
REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. 2015 Summer Sessions Wrap Report – Shipbuilders’ Square
   – File: 13-6740-20-0014/1

   Report: Manager, Business Services, October 28, 2015

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Manager, Business Services, dated October 28, 2015, entitled “2015 Summer Sessions Wrap Report – Shipbuilders’ Square”:

THAT the City partner with Twilight Markets for a Saturday Summer Concert Series in July and August 2016;

AND THAT the funding request for the 2016 Saturday Summer Concert Series be referred to the 2016-2025 Financial Plan review process.

CARRIED UNANIMOUSLY

20. Colosseum Pizza and Steak House Ltd. – Change in Location Liquor Licence Approval (100-124 West 1st Street) – File: 09-4320-01-0001/2015

   Report: Manager, Business Services, October 28, 2015

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Manager, Business Services, dated October 28, 2015, entitled “Colosseum Pizza and Steak House Ltd. – Change in Location Liquor Licence Approval (100-124 West 1st Street)”:

THAT extended liquor serving hours of Monday to Saturday until 2:00 am for the relocated Colosseum Pizza and Steak House, at #100-124 West 1st Street, be approved on the basis that:

1. the potential for noise is minimal;
2. the impact on the community is minor in nature;
3. the change would not result in the establishment being operated in a manner that is contrary to its primary purpose;
4. the impact on nearby residents should not be sufficient to warrant further public input; and
5. the applicant has operated with these hours at the previous location without any issues.

THAT the closing hours for the outdoor patio remain at 11:00 pm;

AND THAT the processing fee for this application be waived.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.
PUBLIC CLARIFICATION PERIOD

Mayor Mussatto declared a recess at 9:15 pm for the public clarification period and reconvened immediately thereafter.

NEW ITEMS OF BUSINESS

Nil.

INQUIRIES

22. Onni Development Site – 13th and Lonsdale Project
   – File: 08-3360-20-0260/1

Inquiry by: Councillor Bell

Councillor Bell inquired if staff could look into the noise complaint of Ann Sturrock regarding the Onni development site located at 13th Street and Lonsdale Avenue.

The Mayor advised that staff will report back to Council.

CITY CLERK’S RECOMMENDATION:

Moved by Councillor Clark, seconded by Councillor Keating

THAT Council recess to the Committee of the Whole, Closed session, pursuant to Sections 90(1)(e), (f), (k) and 90(2)(b) of the Community Charter:

CARRIED UNANIMOUSLY

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

REPORTS

Negotiations – File: 13-6740-20-0009/1

Report: Chief Administrative Officer and Director, Special Projects, October 28, 2015

Moved by Councillor Clark, seconded by Councillor Keating

THAT the action taken by the Committee of the Whole Closed session regarding “Negotiations” be ratified;

AND THAT the wording of the recommendation and the report of the Chief Administrative Officer and Director, Special Projects, dated October 28, 2015, remain in the Closed session.

CARRIED UNANIMOUSLY
REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)
- Continued

REPORTS - Continued

Leasing of 719 West 2\textsuperscript{nd} Street – File: 08-3010-01-0001/2015

Report: Property Services Coordinator, October 28, 2015

Moved by Councillor Clark, seconded by Councillor Keating

\textbf{PURSUANT} to the report of the Property Services Coordinator, dated October 28, 2015, entitled “Leasing of 719 West 2\textsuperscript{nd} Street”:

\textbf{THAT} subject to the successful purchase of 719 West 2\textsuperscript{nd} Street, staff be directed to enter into a lease with Arnsoren Bulldozing Ltd.;

\textbf{THAT} notice of the disposition be given in accordance with the Community Charter;

\textbf{THAT} the Mayor and Clerk be authorized to execute the necessary documentation to give effect to this motion;

\textbf{AND THAT} the report of the Property Services Coordinator, dated October 28, 2015, entitled “Leasing of 719 West 2\textsuperscript{nd} Street”, remain in the Closed session.

\textbf{CARRIED UNANIMOUSLY}

Chamber of Commerce Agreement for Services – File: 13-6750-01-0001/2015

Report: Manager, Business Services, October 19, 2015

Moved by Councillor Clark, seconded by Councillor Keating

\textbf{PURSUANT} to the report of the Manager, Business Services, dated October 19, 2015, entitled “Chamber of Commerce Agreement for Services”:

\textbf{THAT} $30,000 be provided in the 2016-2026 Program Budget for years 2016, 2017 and 2018 to fund the Chamber of Commerce Agreement for Services;

\textbf{THAT} the 2016 to 2018 Agreement for Services, dated November 2, 2015, between the Corporation of the City of North Vancouver and the North Vancouver Chamber of Commerce be ratified;

\textbf{THAT} the Chief Administrative Officer or designate be authorized to sign and execute the 2016 to 2018 Agreement for Services, dated November 2, 2015;

\textbf{THAT} the Manager, Business Services report back to Council annually on the progress of the agreement work program;

\textit{Continued…}
REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)  
- Continued

REPORTS - Continued

Chamber of Commerce Agreement for Services – File: 13-6750-01-0001/2015  
- Continued

AND THAT the report of the Manager, Business Services, dated October 19, 2015, with respect to the proposed 2016 to 2018 Agreement for Services with the North Vancouver Chamber of Commerce, remain in the Closed session.

CARRIED UNANIMOUSLY

LifeWays Child Care Centre – Release of Information to the Public  
– File: 10-4750-01-0001/2015

Report: Community Planner and Manager, Bylaw Services, October 27, 2015

Moved by Councillor Clark, seconded by Councillor Keating

PURSUANT to the report of the Community Planner and Manager, Bylaw Services, dated October 27, 2015, entitled “LifeWays Child Care Centre – Release of Information to the Public”:

THAT a redacted version of the confidential report, dated September 30, 2015, to remove any personal information about an identifiable individual with respect to LifeWays Child Care Centre, located at 532 East 4th Street, be released to the public;

AND THAT the report of the Community Planner and Manager, Bylaw Services, dated October 27, 2015, entitled “LifeWays Child Care Centre – Release of Information to the Public”, remain in the Closed session.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:13 pm.

“Certified Correct by the City Clerk”

CITY CLERK
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

Bylaw No. 8449

A Bylaw to amend the “Business Licence Bylaw, 2004, No. 7584”

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 “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8449” (Schedule B – Business Licence Fees) and (Schedule A - Housekeeping Amendments).

2. “Business Licence Bylaw, 2004, No. 7584”, is hereby amended as follows:

SCHEDULE “A”

Add the following classification in the correct alphabetical order:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Regulatory Services</td>
<td>912150</td>
</tr>
</tbody>
</table>

Amend the classification codes for restaurants as follows:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Service Restaurants</td>
<td>722511</td>
</tr>
<tr>
<td>Limited Service Eating Places</td>
<td>722512</td>
</tr>
<tr>
<td>(Cafes, Drive-In Restaurants, Restaurants)</td>
<td>IIA</td>
</tr>
<tr>
<td>Limited Service Eating Places</td>
<td>722512</td>
</tr>
<tr>
<td>(Take-Out Service Prepared Food)</td>
<td>IIA</td>
</tr>
</tbody>
</table>

SCHEDULE “B”

Schedule “B” is hereby deleted in its entirety and replaced with a new Schedule “B” attached to this bylaw.
3. This Bylaw shall come into force and effect on January 1, 2016.

READ a first time by the Council on the 26th day of October, 2015.

READ a second time by the Council on the 26th day of October, 2015.

READ a third time and passed by the Council on the 26th day of October, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 20<>.

__________________________
MAYOR

__________________________
CITY CLERK
SCHEDULE “B”

TABLE I – PERSONS

<table>
<thead>
<tr>
<th></th>
<th>A ($)</th>
<th>B ($)</th>
<th>C ($)</th>
<th>D ($)</th>
<th>E ($)</th>
<th>F ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 2</td>
<td>111.00</td>
<td>203.00</td>
<td>240.00</td>
<td>123.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 to 25</td>
<td></td>
<td></td>
<td>1032.00</td>
<td></td>
<td>615.00</td>
<td></td>
</tr>
<tr>
<td>3 to 5</td>
<td>215.00</td>
<td>314.00</td>
<td>494.00</td>
<td>222.00</td>
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<td></td>
</tr>
<tr>
<td>6 to 10</td>
<td>320.00</td>
<td>415.00</td>
<td>740.00</td>
<td>327.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 to 20</td>
<td>518.00</td>
<td>527.00</td>
<td>993.00</td>
<td>542.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 to 50</td>
<td></td>
<td>1438.00</td>
<td>984.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51 to 100</td>
<td></td>
<td>1862.00</td>
<td>1355.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Each additional 10 over 20</td>
<td>205.00</td>
<td>205.00</td>
<td>240.00</td>
<td>205.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### TABLE II - AREAS

#### A. For areas of sales, service, display and storage space, contained within the building, from:

<table>
<thead>
<tr>
<th>Area</th>
<th>Per Annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 70 sq. me.</td>
<td>$123.00</td>
</tr>
<tr>
<td>71 to 163 sq. me.</td>
<td>$196.00</td>
</tr>
<tr>
<td>164 to 256 sq. me.</td>
<td>$278.00</td>
</tr>
<tr>
<td>257 to 349 sq. me.</td>
<td>$354.00</td>
</tr>
<tr>
<td>350 to 442 sq. me.</td>
<td>$428.00</td>
</tr>
<tr>
<td>443 to 535 sq. me.</td>
<td>$501.00</td>
</tr>
<tr>
<td>536 to 628 sq. me.</td>
<td>$577.00</td>
</tr>
<tr>
<td>629 to 721 sq. me.</td>
<td>$657.00</td>
</tr>
<tr>
<td>722 to 814 sq. me.</td>
<td>$724.00</td>
</tr>
<tr>
<td>815 to 908 sq. me.</td>
<td>$795.00</td>
</tr>
<tr>
<td>909 to 930 sq. me.</td>
<td>$871.00</td>
</tr>
</tbody>
</table>

For each additional 93 sq. me. of sales, service, display and storage space or any portion thereof contained within the building in excess of 930 sq. me. the sum of $34.00

And for outside ground storage area adjacent to the building, as determined by Table IIB.

#### B. Storage Areas (Open)

<table>
<thead>
<tr>
<th>Area</th>
<th>Per Annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 115 sq. me.</td>
<td>$29.00</td>
</tr>
<tr>
<td>116 to 230 sq. me.</td>
<td>$42.00</td>
</tr>
<tr>
<td>231 to 465 sq. me.</td>
<td>$88.00</td>
</tr>
<tr>
<td>466 to 930 sq. me.</td>
<td>$157.00</td>
</tr>
<tr>
<td>931 to 1,860 sq. me.</td>
<td>$314.00</td>
</tr>
<tr>
<td>1,861 to 4,650 sq. me.</td>
<td>$731.00</td>
</tr>
<tr>
<td>4,651 to 7,440 sq. me.</td>
<td>$1,102.00</td>
</tr>
<tr>
<td>7,441 to 10,230 sq. me.</td>
<td>$1,470.00</td>
</tr>
<tr>
<td>10,231 to 13,020 sq. me.</td>
<td>$1,848.00</td>
</tr>
<tr>
<td>13,021 to 15,810 sq. me.</td>
<td>$2,215.00</td>
</tr>
</tbody>
</table>

For areas in excess of 15,810 sq. me. of ground space, the sum of $2,485.00

#### C. Building Rentals

For 0 to 93 sq. me. of floor space $29.00

and for each additional 93 sq. me. of floor space or any portion thereof $29.00

#### D. General Warehousing & Storage, Other Warehousing & Storage, and Self-Storage Mini-Warehouses

For each 100 sq. me. of floor space contained within the building, the sum of $58.00
E. Department Stores, Supermarkets & Other Grocery Stores, Hardware Stores, and General-Line Building Supplies Wholesaler-Distributor

For areas of sales, service, display and storage space, contained within the building, from:

0 to 500 sq. me. the sum of $ 494.00
501 to 950 sq. me. the sum of $ 842.00
951 to 1,400 sq. me. the sum of $ 1,698.00
For areas in excess of 1,400 sq. me. of floor space, the sum of $ 2,485.00

And for outside ground storage area adjacent to the building, as determined by Table IIB.

TABLE III – UNITS

A. Vending Machine Operators

Classification 1 – 1 cent to 99 cents - for each machine $ 79.00
Classification 2 – $1 or more - for each machine $ 88.00

B. Marinas

with not more than 50 leased spaces $ 111.00
with 51 to 100 leased spaces $ 166.00
with 101 to 200 leased spaces $ 268.00
with 201 to 300 leased spaces $ 371.00
with 301 to 400 leased spaces $ 493.00
with 401 to 500 leased spaces $ 581.00
with 501 to 600 leased spaces $ 686.00
with 601 to 700 leased spaces $ 787.00
with 701 to 800 leased spaces $ 889.00
with 801 to 900 leased spaces $ 993.00
with 901 to 1000 leased spaces $1,053.00

C. Vehicles for Hire

for each unit $ 111.00
D. **Arcades**

Classification 1 - arcade with 3 machines $439.00  
Classification 2 - arcade with 4 machines $542.00  
Classification 3 - arcade with 5 machines $644.00  
Classification 4 - arcade with 6 machines $746.00  
Classification 5 - arcade with 7 machines $849.00  
Classification 6 - arcade with 8 machines $952.00  

Each additional machine located on site exceeding eight (8) shall constitute a change in classification with a corresponding change in numerical designation and the fee shall increase on an increment basis of $101.00 per machine to a maximum annual of $1,678.00.

Where a device accommodates more than one (1) game or function each game or function shall be regarded as a separate unit and licenced accordingly under the unit designations or classifications as enumerated in this section.

**TABLE IV**

A. **Units**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>4A00</td>
<td>Apartment House</td>
<td>for each suite $19.00</td>
</tr>
<tr>
<td>4A01</td>
<td>Amusement Machines</td>
<td>two (2) or less $346.00</td>
</tr>
<tr>
<td>4A02</td>
<td>Commercial Parking Lot</td>
<td>for each space $19.00</td>
</tr>
<tr>
<td>4A03</td>
<td>Bed &amp; Breakfast</td>
<td>for each room $19.00</td>
</tr>
<tr>
<td>4A04</td>
<td>Billiard/Pool Hall</td>
<td>for each table $42.00</td>
</tr>
<tr>
<td>4A05</td>
<td>Boarding House</td>
<td>for each room $10.50</td>
</tr>
<tr>
<td>4A06</td>
<td>Bowling Alley</td>
<td>for each alley $42.00</td>
</tr>
<tr>
<td>4A08</td>
<td>Coin-operated Laundries and Dry Cleaners</td>
<td>for each machine $14.50</td>
</tr>
<tr>
<td>4A09</td>
<td>Curling Rink</td>
<td>for each sheet $38.50</td>
</tr>
<tr>
<td>4A10</td>
<td>Rooming Houses</td>
<td>for each room $10.50</td>
</tr>
<tr>
<td>4A11</td>
<td>Mobile Canteen</td>
<td>for each unit $166.00</td>
</tr>
<tr>
<td>4A15</td>
<td>Automated Teller Machines</td>
<td>for each machine $434.00</td>
</tr>
<tr>
<td>4A16</td>
<td>Mobile Carts</td>
<td>for each unit $123.00</td>
</tr>
<tr>
<td>4A17</td>
<td>Post Box Rental Agency</td>
<td>for each box $2.00</td>
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<tr>
<td>4A18</td>
<td>Mobile Carts - On-Street</td>
<td>for each unit $737.00</td>
</tr>
<tr>
<td>4A19</td>
<td>Free Publication Boxes</td>
<td>for each box $84.00</td>
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B. **Itinerants**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>4B01</td>
<td>Bingo Operations, Games of Chance</td>
<td>$83.00</td>
</tr>
<tr>
<td>4B02</td>
<td>Carnivals</td>
<td>$166.00</td>
</tr>
<tr>
<td>4B03</td>
<td>Circuses</td>
<td>$166.00</td>
</tr>
<tr>
<td>4B05</td>
<td>Dog &amp; Cat Shows</td>
<td>$25.50</td>
</tr>
<tr>
<td>4B06</td>
<td>Exhibitions</td>
<td>$88.00</td>
</tr>
<tr>
<td>4B09</td>
<td>Performing Arts Promoters (Presenters) without Facilities</td>
<td>$174.00</td>
</tr>
<tr>
<td>4B10</td>
<td>Sports Presenters and Other Presenters without Facilities</td>
<td>$408.00</td>
</tr>
<tr>
<td>4B12</td>
<td>Theatrical Shows (when held in other than a duly licenced theatre)</td>
<td>$19.00</td>
</tr>
<tr>
<td>4B13</td>
<td>Other forms of itinerant shows, entertainment, amusement or exhibition not hereinbefore enumerated</td>
<td>$166.00</td>
</tr>
<tr>
<td>4B14</td>
<td>Soliciting for charity</td>
<td>$1.00</td>
</tr>
</tbody>
</table>

C. **Child Care Facility**

<table>
<thead>
<tr>
<th>Description</th>
<th>per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$5.00</td>
</tr>
</tbody>
</table>

**TABLE V**

A. **Entertainment, Social & Recreational Facilities for Adults**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels (excl. leased operations and pay parking areas)</td>
<td>$2,485.00</td>
</tr>
<tr>
<td>Movie Theatre</td>
<td>$2,485.00</td>
</tr>
<tr>
<td>Liquor – Primary Establishments</td>
<td>$2,485.00</td>
</tr>
<tr>
<td>Liquor Primary – Pubs</td>
<td>$675.00</td>
</tr>
<tr>
<td>the first 10 seats and $78.00 for each additional 10 seats or any portion thereof, to a maximum of $2,485.00</td>
<td></td>
</tr>
<tr>
<td>Body Rub Parlour</td>
<td>$3,691.00</td>
</tr>
<tr>
<td>(plus $121.00 per employee per annum)</td>
<td></td>
</tr>
</tbody>
</table>
TABLE VI – TRANSFERS

A. Where any licence or licences is or are transferred, from one location to another within the municipality, a fee of $50.00 shall be charged.

B. Where the ownership of a business is passed from one person or corporation to another, a fee of $50.00 shall be charged.

TABLE VII – CRIME FREE MULTI-HOUSING

A. The Business Licence annual fee is to be reduced by 10% for those properties participating as active members of the Crime Free Multi-Housing program, as long as they are current participants in the program.

TABLE VIII – PHARMACEUTICAL PRODUCTION & MANUFACTURING

A. MEDICAL MARIJUANA LICENSED PRODUCER (Medicinal and Botanical Manufacturing) per annum $3,691.00.  (Bylaw 8376/Oct 20/14)
WHO: City of North Vancouver
WHEN: Monday, November 16, 2015 at 6:00 pm in Council Chamber

In accordance with Section 59(2) of the Community Charter, Council intends to adopt “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8449” (Schedule B - Business Licence Fees and Schedule A - Housekeeping Amendments).

The purpose of the Bylaw is to increase the annual business licence fees by 2%.

The intent of this notice is to provide an opportunity for all persons who believe they may be affected by the proposed Bylaw to attend and/or to submit written or email submissions to Jennifer Ficocelli, Deputy City Clerk, at jficocelli@cnv.org or by mail to City Hall. Submissions must be received no later than 4:00 pm, Monday, November 16, 2015, to ensure their availability to Council.

The proposed Business Licence Amendment Bylaw will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from November 4, 2015. Please direct any inquiries to Larry Orr, Manager, Business Services, at lorr@cnv.org or 604-982-3913.
To: Mayor Darrell R. Mussatto and Members of Council

From: Christopher Wilkinson, Planner

SUBJECT: REVISED APPLICATION FOR RECONSIDERATION AND FINAL ADOPTION – FOUR LOT SINGLE FAMILY DEVELOPMENT APPLICATION (ROOF DECKS DELETED): 340/344 EAST KEITH ROAD (HENDERSON, HALEX ARCHITECTURE)

Date: November 10, 2015

File No: 08-3360-20-0352/1

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

RECOMMENDATION:

PURSUANT to the report of the Planner, dated November 10, 2015, entitled "Revised Application for Reconsideration and Final Adoption – Four Lot Single Family Development Application (Roof Decks Deleted): 340/344 East Keith Road (Henderson, Halex Architecture)":

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442” (J.C. Henderson and C.L. Henderson, Halex Architecture, 340-344 East Keith Road) be reconsidered and finally adopted;

AND THAT Development Variance Permit No. DVP2015-00011, be issued following adoption of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442”.

ATTACHMENTS:

1. Revised Architectural Plans (Roof Decks Deleted) (Doc: 1336431)
2. Revised Development Variance Permit No. DVP2015-00011 (Doc: 1314294)
PURPOSE:

The purpose of this report is to present Zoning Amendment Bylaw No. 8442 for reconsideration and final adoption and to present the revised Development Variance Permit No. DVP2015-00011 for issuance.

Pursuant to Council's direction, roof decks have been deleted from the application as illustrated in Attachment #1.

DISCUSSION:

Background

Following the Public Hearing on October 26, 2015, Council gave second and third reading to:

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8442"
(J.C. Henderson and C.L. Henderson, Halex Architecture, 340-344 East Keith Road); and,

Directed that Development Variance Permit No. DVP2015-00011 be referred to staff regarding the removal of roof decks.

Revised Application

Rooftop decks have been removed from Development Variance Permit No. DVP2015-00011(DVP) as a permitted projection into the height envelope (Attachment #2).

A portion of the 93 square foot stairwell previously accessing the roof deck has been reallocated by extending the main floor family room and upper floor bedroom, each by two feet. Even with this small modification, the total gross floor area on each lot has been reduced by 37 square feet. Staff view this as a minor and inconsequential change to the application.

Following Council's adoption of the Zoning Amendment Bylaw and DVP, staff will secure the road dedications and other commitments prior to the approval of the subdivision.

RESPECTFULLY SUBMITTED:

Christopher Wilkinson
Planner

Attachments

CW:eb
Basement Plan (1246 s.f. gross area | 657 s.f. secondary suite)

Main Floor Plan (1044 s.f.)

Second Floor (988 s.f.)
Roof Plan - Principal House (93 s.f. roof access)

Main Floor Plan - Accessory Building (439 s.f.)

Basement Floor Plan - Accessory Building (137 s.f.)

Roof Plan - Accessory Building
CONTRACTOR SHALL VERIFY ALL DIMENSIONS, DATUMS AND LEVELS PRIOR TO COMMENCEMENT OF WORK. ALL VARIATIONS AND MODIFICATIONS TO WORK SHOWN SHALL NOT BE CARRIED OUT WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT - THIS DRAWING IS THE EXCLUSIVE PROPERTY OF HALEX ARCHITECTURE INC. AND CAN BE REPRODUCED ONLY WITH THE PERMISSION OF THE ARCHITECT.

**Roof Elevation**
- LOT 1- 279.75' 0"
- LOT 2- 280.50' 0"
- LOT 3- 281.65' 0"
- LOT 4- 282.65' 0"

**Main Floor Elevation**
- LOT 1- 257.75' 0"
- LOT 2- 259.50' 0"
- LOT 3- 259.65' 0"
- LOT 4- 260.65' 0"

**Upper Floor Elevation**
- LOT 1- 257.75' 0"
- LOT 2- 259.50' 0"
- LOT 3- 259.65' 0"
- LOT 4- 260.65' 0"

**Finish Schedule**
1. 3"-4" stone veneer rainscreen cladding
2. Composite metal panel rainscreen cladding system
3. Horizontal stained cedar bevel siding with 5" exposure
4. 3-coat cementitious stucco rainscreen system
5. High quality vinyl windows
6. High quality vinyl doors
7. Painted wood trim
8. Hollow core metal doors
9. Pre-finished direct-vent f.p. exhaust
10. Pre-finished direct-vent f.p. exhaust
11. Stained wood column
12. Pre-finished direct-vent f.p. exhaust

*See Site Sections 6.3.1 for height envelopes...*
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

DEVELOPMENT VARIANCE PERMIT

Permit No. DVP2015-00011

Issued to owner(s): James Craig Henderson
Candice Lynn Henderson

Respecting the lands located at 340 and 344 East Keith Road, North Vancouver, BC as shown on Schedule "A", Location map attached hereto, legally described as:

LOT A of LOTS 19 AND 20, BLOCK 107, DISTRICT LOT 274 PLAN 7704
LOT B of LOTS 19 AND 20, BLOCK 107, DISTRICT LOT 274 PLAN 7704

PARCEL IDENTIFIERS: 010-353-356
010-353-364

(the “Lands”)

List of Attachments:
Schedule “A”: Location Map
Schedule “B”: List of Plans
Schedule “C”: Minimum Required Setbacks

Authority to Issue:

1. This Development Variance Permit is issued pursuant to Section 922 of the Local Government Act.

Bylaws Supplemented or Varied

2. The provisions of the “City of North Vancouver Zoning Bylaw, 1995, No. 6700” is hereby varied as follows:

A. Section 509(2)(a)(i) shall be varied to require a minimum of EnerGuide 84 Energy Standard;

B. Section 409 shall be varied for each Accessory Building to permit skylights to project 0.2 metres (0.5 feet) into the maximum height for an Accessory Building with a roof pitch less than 4 in 12.
C. Section 509(4)(a) shall be varied to permit Building ‘A’ which shall not exceed a Height Envelope of 6.52 metres (21.4 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

D. Section 509(4)(a) shall be varied to permit Building ‘B’ which shall not exceed a Height Envelope of 6 metres (19.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

E. Section 509(4)(a) shall be varied to permit Building ‘C’ which shall not exceed a Height Envelope of 5.97 metres (19.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

F. Section 509(4)(a) shall be varied to permit Building ‘D’ which shall not exceed a Height Envelope of 6.28 metres (20.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

G. Section 514(3) shall be varied to permit a 6.04 square metre (63.5 square foot) basement in the Accessory Building on each Lot.
Special Terms and Conditions of Use:

3. No variances other than those specifically set out in this permit are implied or to be construed.

4. The Buildings and Structures shall be developed in accordance with the plans dated and listed on the attached Schedule B “List of Plans” and filed in the offices of the City, approved by Council, and in compliance with the regulations and conditions listed hereunder.

5. All plans attached to this Permit and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the City where such plans and specifications do not comply with any bylaw or statute, and such non-compliance is not specifically permitted by this Development Variance Permit. The Lands may be subject to additional regulations, restrictive covenants and agreements which may affect their use, development and amenities, if any section or lesser portion of this Development Variance Permit is held invalid for any reason the invalid portion shall be severed from this Development Variance Permit and the validity of the remainder of the Development Variance Permit shall not be affected.

General Terms and Conditions:

6. Pursuant to Section 926 of the Local Government Act, this Permit lapses if the work authorized herein is not commenced within 24 months following issuance of this Development Variance Permit. In the event the Owner is delayed or interrupted or prevented from commencing or continuing the construction on or about the subdivision by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the completion of the works shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that the commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.

7. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 910(2) of the Local Government Act.

8. Nothing in this Permit shall in any way relieve Land Owner/Developers obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.

9. Nothing in this Permit shall in any way relieve the Land Owner/Developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the Health Act, the Fire Services Act, the Electrical Energy Inspection Act, and any other provincial statutes.
Execution Date: ____________________
                                   Year/month/date

Signatures:

_________________________________
Darrell R. Mussatto, Mayor

_________________________________
Karla Graham, City Clerk

______________________________

Note: As required by Section 927 of the Local Government Act, the City of North Vancouver shall file a notice of this permit in the Land Title Office stating that the land described in this Permit is subject to Development Variance Permit No. DVP2015-00011.

Notice filed this ___________day of ______________, 20____.

THIS IS NOT A BUILDING PERMIT
Legend:

= 340 East Keith Road
  344 East Keith Road
## Schedule B
### List of Plans 340 and 344 East Keith Road

<table>
<thead>
<tr>
<th>Designer</th>
<th>Project Name</th>
<th>Sheet Name</th>
<th>Sheet No.</th>
<th>Revision Date</th>
<th>City Doc. File Number</th>
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<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Site Plan Context and Data</td>
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<td>Halex Architecture</td>
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<td>Floor Plans (Principal)</td>
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<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Floor Plans (Principal &amp; Accessory)</td>
<td>A 1.1</td>
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<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Elevations Principal House</td>
<td>A 2.0</td>
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<td>340-344 East Keith Road</td>
<td>Elevations &amp; Section: Accessory</td>
<td>A 2.1</td>
<td>June 17, 2015</td>
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<td>340-344 East Keith Road</td>
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<td>1335758</td>
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<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Site Sections</td>
<td>A 3.1</td>
<td>June 17, 2015</td>
<td>1335758</td>
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<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Landscape Site and Planting Plan</td>
<td>L 1.0</td>
<td>June 11, 2015</td>
<td>1335758</td>
</tr>
<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Landscape Site and Grading Plan</td>
<td>L 2.0</td>
<td>June 11, 2015</td>
<td>1335758</td>
</tr>
</tbody>
</table>
340-344 West Keith Road – Minimum Required Setbacks

Lot 1
Lot 2
Lot 3
Lot 4

Building A
Building B
Building C
Building D

East Keith Road

Lot 1:
- 3.2' setback from Building A
- 2' setback from Lane

Lot 2:
- 3.2' setback from Building B
- 2' setback from Lane

Lot 3:
- 3.2' setback from Building C
- 4.6' setback from Lane

Lot 4:
- 3' setback from Building D
- 30' setback from Lane
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8442

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, 2015, No. 8442” (J.C. Henderson and C.L. Henderson, Halex Architecture, 340-344 East Keith Road, RS-2).

2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of RS-2 (One-Unit Residential 2) Zone:

<table>
<thead>
<tr>
<th>Lots</th>
<th>Block</th>
<th>D.L.</th>
<th>Plan</th>
<th>PID</th>
<th>from</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot A of Lots 19 and 20</td>
<td>107</td>
<td>274</td>
<td>7704</td>
<td>010-353-356</td>
<td>from RT-1A</td>
</tr>
<tr>
<td>Lot B of Lots 19 and 20</td>
<td>107</td>
<td>274</td>
<td>7704</td>
<td>010-353-364</td>
<td>from RT-1A</td>
</tr>
</tbody>
</table>

READ a first time by the Council on the 14th day of September, 2015.

READ a second time by the Council on the 26th day of October, 2015.

READ a third time and passed by the Council on the 26th day of October, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

____________________________________
MAYOR

____________________________________
CITY CLERK
The Corporation of the City of North Vancouver

DEVELOPMENT VARIANCE PERMIT

Permit No. DVP2015-00011

Issued to owner(s): James Craig Henderson
Candice Lynn Henderson

Respecting the lands located at 340 and 344 East Keith Road, North Vancouver, BC as shown on Schedule “A”, Location map attached hereto, legally described as:

LOT A of LOTS 19 AND 20, BLOCK 107, DISTRICT LOT 274 PLAN 7704
LOT B of LOTS 19 AND 20, BLOCK 107, DISTRICT LOT 274 PLAN 7704

PARCEL IDENTIFIERS: 010-353-356
010-353-364

(the “Lands”)

List of Attachments:
Schedule “A”: Location Map
Schedule “B”: List of Plans
Schedule “C”: Minimum Required Setbacks

Authority to Issue:

1. This Development Variance Permit is issued pursuant to Section 922 of the Local Government Act.

Bylaws Supplemented or Varied

2. The provisions of the “City of North Vancouver Zoning Bylaw, 1995, No. 6700” is hereby varied as follows:

A. Section 509(2)(a)(i) shall be varied to require a minimum of EnerGuide 84 Energy Standard;

B. Section 409 shall be varied for each Accessory Building to permit skylights to project 0.2 metres (0.5 feet) into the maximum height for an Accessory Building with a roof pitch less than 4 in 12.
C. Section 509(4)(a) shall be varied to permit Building ‘A’ which shall not exceed a Height Envelope of 6.52 metres (21.4 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

D. Section 509(4)(a) shall be varied to permit Building ‘B’ which shall not exceed a Height Envelope of 6 metres (19.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

E. Section 509(4)(a) shall be varied to permit Building ‘C’ which shall not exceed a Height Envelope of 5.97 metres (19.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

F. Section 509(4)(a) shall be varied to permit Building ‘D’ which shall not exceed a Height Envelope of 6.28 metres (20.7 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 9.44 metres (30 feet).

G. Section 514(3) shall be varied to permit a 6.04 square metre (63.5 square foot) basement in the Accessory Building on each Lot.
Special Terms and Conditions of Use:

3. No variances other than those specifically set out in this permit are implied or to be construed.

4. The Buildings and Structures shall be developed in accordance with the plans dated and listed on the attached Schedule B “List of Plans” and filed in the offices of the City, approved by Council, and in compliance with the regulations and conditions listed hereunder.

5. All plans attached to this Permit and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the City where such plans and specifications do not comply with any bylaw or statute, and such non-compliance is not specifically permitted by this Development Variance Permit. The Lands may be subject to additional regulations, restrictive covenants and agreements which may affect their use, development and amenities, if any section or lesser portion of this Development Variance Permit is held invalid for any reason the invalid portion shall be severed from this Development Variance Permit and the validity of the remainder of the Development Variance Permit shall not be affected.

General Terms and Conditions:

6. Pursuant to Section 926 of the Local Government Act, this Permit lapses if the work authorized herein is not commenced within 24 months following issuance of this Development Variance Permit. In the event the Owner is delayed or interrupted or prevented from commencing or continuing the construction on or about the subdivision by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the Owner, the time for the completion of the works shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that the commercial or financial circumstances of the Owner shall not be viewed as a cause beyond the control of the Owner.

7. This Development Variance Permit shall not vary the permitted uses or densities of land use in the applicable zoning bylaw nor a flood plain specification designated under Section 910(2) of the Local Government Act.

8. Nothing in this Permit shall in any way relieve Land Owner/Developers obligation to ensure that the development proposal complies in every way with the statutes, regulations, requirements, covenants and licences applicable to the undertaking.

9. Nothing in this Permit shall in any way relieve the Land Owner/Developers obligation to comply with all setback regulations for construction of structures or provision of on-site services pursuant to the Health Act, the Fire Services Act, the Electrical Energy Inspection Act, and any other provincial statutes.
Execution Date: ____________________________
Year/month/date

Signatures:

_________________________
Darrell R. Mussatto, Mayor

_________________________
Karla Graham, City Clerk

Note: As required by Section 927 of the Local Government Act, the City of North Vancouver shall file a notice of this permit in the Land Title Office stating that the land described in this Permit is subject to Development Variance Permit No. DVP2015-00011.

Notice filed this __________day of ____________, 20____.

THIS IS NOT A BUILDING PERMIT
Schedule A
Location Map

Legend:

= 340 East Keith Road
   344 East Keith Road
<table>
<thead>
<tr>
<th>Designer</th>
<th>Project Name</th>
<th>Sheet Name</th>
<th>Sheet No.</th>
<th>Revision Date</th>
<th>City Doc. File Number</th>
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</thead>
<tbody>
<tr>
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<td>340-344 East Keith Road</td>
<td>Site Plan Context and Data</td>
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<td>June 17, 2015</td>
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<td>340-344 East Keith Road</td>
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<td>September 24, 2014</td>
<td>1335758</td>
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<td>View Studies Upper Floor</td>
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<td>September 24, 2014</td>
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<tr>
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<td>November 10, 2015</td>
<td>1335758</td>
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<td>Floor Plans (Principal &amp; Accessory)</td>
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<td>November 10, 2015</td>
<td>1335758</td>
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<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Elevations Principal House</td>
<td>A 2.0</td>
<td>November 10, 2015</td>
<td>1335758</td>
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<td>340-344 East Keith Road</td>
<td>Elevations &amp; Section: Accessory</td>
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<td>June 17, 2015</td>
<td>1335758</td>
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<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Limiting Distance Calculations</td>
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<td>November 10, 2015</td>
<td>1335758</td>
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<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Site Sections</td>
<td>A 3.1</td>
<td>June 17, 2015</td>
<td>1335758</td>
</tr>
<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Landscape Site and Planting Plan</td>
<td>L 1.0</td>
<td>June 11, 2015</td>
<td>1335758</td>
</tr>
<tr>
<td>Halex Architecture</td>
<td>340-344 East Keith Road</td>
<td>Landscape Site and Grading Plan</td>
<td>L 2.0</td>
<td>June 11, 2015</td>
<td>1335758</td>
</tr>
</tbody>
</table>
340-344 West Keith Road – Minimum Required Setbacks

Lot 1

Lot 2

Lot 3

Lot 4

Building A

Building B

Building C

Building D

East Keith Road
Good morning Karla,

I wanted to reach out to you and the City of North Vancouver to highlight a great event which is hosted at Carson Graham Secondary School in December. It is the North Shore Community Christmas Dinner and the event will be on Saturday December 12th, 5:30 - 8:30pm.

This event has now been running for 27 years and was originally started by The Harvest Project. The main focus of the event is to provide a plated, full serviced Christmas meal to people trapped in the poverty cycle. Many of these folks struggle with hunger, poverty, loneliness and for some, the challenges of being new immigrants. Last year was a huge success with over 300 people being served this great meal bringing happiness to many during what can be a difficult period of the year for people.

The event is hosted entirely by volunteers and is made possible through the generous participation of goods and services of many businesses, churches and organizations. The City of North Vancouver has actually been involved in the past through the generous offering of the Memorial Community Recreation Center as the hosting venue for this event. As a member of the organizing committee, I am reaching out to the City to see if any participation is possible for this year's event. I realize the timing is quite short before the event, but it would be great to have the City involved in some way.

I am not familiar with the process involved in approaching the City for participation in events like this. I thought I would approach you as a first step and hopefully this request can be brought forward. I have a couple of ways the City could be involved. One of the more pressing challenges is ensuring cash donations are collected which is a critical component to the success of the event. Many goods and services are donated, however, there are still quite a few significant line items which need to be covered. I am reaching out to see if the City of North Vancouver could donate $1,500 to help towards costs incurred for this event. Not sure if this is possible or not, but it would be great if it could be considered.

In addition to any possible cash donation, there is also the opportunity for the City to be represented on the day of the event if desired. We would welcome the Mayor or a Council member to join us for the event. It would be great if there was some representation so you can see live what an amazing event this truly is. The representative is able to show up on the night and experience the event and meet some of the great people that attend. If a more active role is desired, we could also slot the representative in for a 3 hour shift of serving tables for the event.

Karla, I realize requests for funding have to go through the appropriate channels and I respect that. December is also a very busy time for Council members. Your consideration for participation in any way possible is greatly appreciated.

I have attached a sponsors letter which gives you a bit more insight into the event for this year.

Sincerely,

Craig Tonini
623 East 4th Street, North Vancouver
September 14, 2015

To Whom It May Concern,

This letter is to request your support for the Annual North Shore Community Christmas Dinner to be held Saturday, December 12, 2015 from 5:30 to 8:00pm at Carson Graham Secondary School in North Vancouver.

Our vision is to provide a nicely prepared Christmas meal in a festive atmosphere for the North Shore's many hungry, lonely, and new immigrants. This 27-year-old event (started by the Harvest Project) continues to be carried out by a number of North Shore businesses and churches. If you wish to provide goods or services to help make the Dinner happen, we will advertise your sponsorship on our posters and invitations.

All the funds are run through North Shore Alliance Church (Charity Number: 85281 4615 RR0001). Thank you for your interest in helping us out as we continue to work together to bring a brighter and happier Christmas to over three hundred North Shore people trapped in the poverty cycle. If you have any questions, please do not hesitate to contact us.

With gratitude,

David Maciver, Coordinator
dave.maciver@gwl.ca
Office: 604.713.8905
Mobile: 604.805.1877

Dave Sattler, Coordinator
daves@nsac.bc.ca
Office: 604 984 6422 (ext 223)
Mobile: 604 809 1457
To: Mayor Darrell R. Mussatto and Members of Council

From: Debbie Cameron, Budget Analyst


Date: November 10, 2015

ATTACHMENT

1. Contingency and Grant Accounts at December 31, 2014

The following tables provide up to date status of grant accounts, as they are allocated during the current year. Attachment 1 provides a look back at the same grant accounts in the previous year, for information and comparison.

**General Contingency 2015**

<table>
<thead>
<tr>
<th>General Grants Issued</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>BC Without Barriers BC Aboriginal Network on Disability Society</td>
<td>$200.00</td>
</tr>
<tr>
<td>Canadian Improv Games Carson Graham Students</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Car Free Day</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Beyond the Call Police/Peace Officers Memorial Film</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Canada Day Parade in-kind services</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Kukkiwan Taekwondo Demonstration</td>
<td>up to 1,200.00</td>
</tr>
<tr>
<td>Community Housing Action Committee NS Comm Resources</td>
<td>5,750.00</td>
</tr>
<tr>
<td>Operation Red Nose</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Park &amp; Tilford Christmas Hi-Light Festival</td>
<td>1,000.00</td>
</tr>
</tbody>
</table>

Subtotal General Monies Issued: $23,650.00

Remaining Budget: $26,350.00
# One-Time Grants 2015

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 50,000.00</td>
</tr>
</tbody>
</table>

**Grants Issued:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>

**Subtotal Grants Issued**  
$ 0.00

**Remaining Budget**  
$ 50,000.00

---

# Council Bereavement Donations Fund 2015

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 5,000.00</td>
</tr>
</tbody>
</table>

**Donations made:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>

**Subtotal Donations Made**  
$ 0.00

**Remaining Budget**  
$ 5,000.00

---

# Sports/Recreation Travel Grants 2015

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 2,500.00</td>
</tr>
</tbody>
</table>

**Grants Issued:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 0.00</td>
</tr>
</tbody>
</table>

**Subtotal Sports Travel Grants Issued**  
$ 0.00

**Remaining Budget**  
$ 2,500.00
Children and Youth Program (Youth Initiatives Fund) 2015

2015 Budget: $20,500.00

Grants Issued:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capilano Community Services</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Family Services of the North Shore</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Mountainside Secondary School</td>
<td>2,800.00</td>
</tr>
<tr>
<td>North Shore Crisis Services Society</td>
<td>2,000.00</td>
</tr>
<tr>
<td>North Shore Women's Centre</td>
<td>1,700.00</td>
</tr>
<tr>
<td>North Vancouver Community Arts Council</td>
<td>2,500.00</td>
</tr>
<tr>
<td>North Shore Neighbourhood House</td>
<td>500.00</td>
</tr>
<tr>
<td>Urban Ink Productions</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Westview Elementary School</td>
<td>1,500.00</td>
</tr>
</tbody>
</table>

Subtotal Children and Youth Monies Issued: $20,000.00

Remaining Budget: $500.00

RESPECTFULLY SUBMITTED:

Debbie Cameron
Budget Analyst
**Contingency and Grants Accounts at December 31, 2014**

### General Contingency 2014

2014 Budget $50,000.00

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Grants Issued:</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>North Shore MS Walk (MS Society of Canada)</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>VeloWorks Cycling Society</td>
<td>8,500.00</td>
</tr>
<tr>
<td>Juno Beach Centre Association - Canada's D-Day Tribute</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Together Against Plastic Bottles (TAP)</td>
<td>8,500.00</td>
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<tr>
<td>Eagle Song Dancers of the Squamish Nation</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Pacific Bipolar Foundation</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Operation Red Nose</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Park and Tilford Hi-Light Festival</td>
<td>1,000.00</td>
</tr>
</tbody>
</table>

Subtotal General Monies Issued $25,000.00

Remaining Budget $25,000

### One-Time Grants 2014

2014 Budget $50,000.00

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grants Issued:</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Subtotal Grants Issued $50,000.00

Remaining Budget $50,000.00

---

Attachment 1 to Information Report: Status of Council Contingency and Grants Accounts

Document No. 1242207
Council Bereavement Donations Fund 2014

2014 Budget $5,000.00

Donations made:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
</table>

Subtotal Donations Made $0.00

Remaining Budget $5,000.00

Sports/Recreation Travel Grants 2014

2014 Budget $2,500.00

Grants Issued:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Crone - Mountain United Football Club</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

Subtotal Sports Travel Grants Issued $100.00

Remaining Budget $2,400.00
Children and Youth Program (Youth Initiatives Fund) 2014

2014 Budget $20,500.00

Grants Issued:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capilano Community Services</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Digital Media Academy</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Mountainside Secondary School</td>
<td>850.00</td>
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<tr>
<td>North Shore Community Resources</td>
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<tr>
<td>North Shore Crisis Services Society</td>
<td>2,000.00</td>
</tr>
<tr>
<td>North Shore Women's Centre</td>
<td>2,000.00</td>
</tr>
<tr>
<td>North Vancouver City Library</td>
<td>1,500.00</td>
</tr>
<tr>
<td>North Vancouver Community Arts Council</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Queen Mary Community School</td>
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<tr>
<td>Sutherland Choices Program</td>
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<tr>
<td>Sutherland Secondary School</td>
<td>2,000.00</td>
</tr>
</tbody>
</table>

Subtotal Children and Youth Monies Issued $19,500.00

Remaining Budget $1,000.00
PROCLAMATION

ADOPTION AWARENESS MONTH

WHEREAS adoptive families in British Columbia provide children with the love and support of a permanent family; and

WHEREAS the Government of British Columbia recognizes the care, compassion and unselfish commitment of adoptive families in British Columbia; and

WHEREAS there is an ongoing need for adoptive families to nurture the growth and development of children, especially those with special needs because of physical, mental or emotional disabilities;

NOW THEREFORE I, Darrell Mussatto, Mayor of the City of North Vancouver, do hereby proclaim November 2015 as ADOPTION AWARENESS MONTH in the City of North Vancouver.

So proclaimed on Monday, November 16, 2015

Mayor Darrell Mussatto
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, 2015, No. 8439” (R. Moghaddam / A. Seradj, 1345 Forbes Avenue, RS-3).

2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of RS-3 (One-Unit Residential 3 Zone):

<table>
<thead>
<tr>
<th>Lots</th>
<th>Block</th>
<th>D.L.</th>
<th>Plan</th>
<th>from RS-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>66</td>
<td>271</td>
<td>750</td>
<td></td>
</tr>
</tbody>
</table>

READ a first time by the Council on the 28th day of September, 2015.

READ a second time by the Council on the 26th day of October, 2015.

READ a third time and passed by the Council on the 26th day of October, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

______________________________
MAYOR

______________________________
CITY CLERK
THIS PAGE INTENTIONALLY LEFT BLANK
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

Bylaw No. 8445

A Bylaw to Revise the Financial Plan for the Years 2015 to 2024

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

1. This Bylaw may be cited for all purposes as the "Financial Plan for the Years 2015 to 2024 Bylaw, 2015, No. 8413, Amendment Bylaw, 2015, No. 8445" (Revised Financial Plan).

2. Schedule "A" attached hereto is the Financial Plan of The Corporation of the City of North Vancouver for the period commencing January 1, 2015 and ending December 31, 2024.

READ a first time by the Council on the 2nd day of November, 2015.

READ a second time as amended by the Council on the 2nd day of November, 2015.

READ a third time as amended and passed by the Council on the 2nd day of November, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

______________________________
MAYOR

______________________________
CITY CLERK
(1) 2015 – 2024 Financial Plan (000's)

For the year ended December 31

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Value Tax</td>
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<td>52,642</td>
<td>54,101</td>
<td>55,583</td>
<td>57,088</td>
<td>296,376</td>
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<td>Parcel taxes</td>
<td>2,437</td>
<td>2,544</td>
<td>2,656</td>
<td>2,773</td>
<td>2,895</td>
<td>16,516</td>
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<td>Licenses and Permits</td>
<td>3,378</td>
<td>3,412</td>
<td>3,446</td>
<td>3,480</td>
<td>3,515</td>
<td>17,751</td>
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<td>Fines and Fees</td>
<td>3,703</td>
<td>3,762</td>
<td>3,824</td>
<td>3,888</td>
<td>3,953</td>
<td>20,496</td>
</tr>
<tr>
<td>Rent</td>
<td>659</td>
<td>666</td>
<td>673</td>
<td>679</td>
<td>686</td>
<td>3,466</td>
</tr>
<tr>
<td>Interest and Penalties</td>
<td>2,147</td>
<td>2,169</td>
<td>2,191</td>
<td>2,214</td>
<td>2,237</td>
<td>11,314</td>
</tr>
<tr>
<td>Sale of Services</td>
<td>21,040</td>
<td>22,513</td>
<td>23,962</td>
<td>25,399</td>
<td>26,933</td>
<td>171,012</td>
</tr>
<tr>
<td>Rebates and Recoveries</td>
<td>81</td>
<td>82</td>
<td>83</td>
<td>84</td>
<td>84</td>
<td>426</td>
</tr>
<tr>
<td>Grants</td>
<td>3,160</td>
<td>2,892</td>
<td>2,921</td>
<td>2,950</td>
<td>2,980</td>
<td>15,047</td>
</tr>
<tr>
<td>Contributions</td>
<td>2,187</td>
<td>1,705</td>
<td>1,751</td>
<td>1,837</td>
<td>1,843</td>
<td>9,144</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>89,998</td>
<td>92,388</td>
<td>95,608</td>
<td>98,887</td>
<td>102,205</td>
<td>561,548</td>
</tr>
<tr>
<td>Collections for Other Governments</td>
<td>43,645</td>
<td>44,517</td>
<td>45,407</td>
<td>46,315</td>
<td>47,241</td>
<td>240,930</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>133,643</td>
<td>136,905</td>
<td>141,015</td>
<td>145,202</td>
<td>149,446</td>
<td>802,478</td>
</tr>
</tbody>
</table>

For the year ended December 31

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Government</td>
<td>23,613</td>
<td>24,085</td>
<td>24,566</td>
<td>25,058</td>
<td>25,559</td>
<td>130,350</td>
</tr>
<tr>
<td>Transportation and Transit</td>
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<td>4,378</td>
<td>4,466</td>
<td>4,555</td>
<td>4,646</td>
<td>23,695</td>
</tr>
<tr>
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<td>2,505</td>
<td>2,555</td>
<td>2,606</td>
<td>2,658</td>
<td>13,556</td>
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<td>4,833</td>
<td>4,930</td>
<td>5,029</td>
<td>25,648</td>
</tr>
<tr>
<td>Protective Services</td>
<td>23,487</td>
<td>23,957</td>
<td>24,436</td>
<td>24,925</td>
<td>25,424</td>
<td>129,663</td>
</tr>
<tr>
<td>Parks, Recreation and Culture</td>
<td>18,397</td>
<td>18,765</td>
<td>19,140</td>
<td>19,523</td>
<td>19,913</td>
<td>101,557</td>
</tr>
<tr>
<td>Water</td>
<td>8,891</td>
<td>9,271</td>
<td>9,668</td>
<td>10,083</td>
<td>10,517</td>
<td>66,187</td>
</tr>
<tr>
<td>Sewer</td>
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<td>7,790</td>
<td>8,679</td>
<td>9,710</td>
<td>10,909</td>
<td>78,764</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>4,342</td>
<td>4,476</td>
<td>4,609</td>
<td>4,745</td>
<td>4,885</td>
<td>26,635</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>97,501</td>
<td>99,965</td>
<td>102,952</td>
<td>106,135</td>
<td>109,540</td>
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<tr>
<td>Collections for Other Governments</td>
<td>43,645</td>
<td>44,517</td>
<td>45,407</td>
<td>46,315</td>
<td>47,241</td>
<td>240,930</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>141,146</td>
<td>144,482</td>
<td>148,359</td>
<td>152,450</td>
<td>156,781</td>
<td>836,985</td>
</tr>
</tbody>
</table>

| Surplus(Deficit) for the year           | (7,503)| (7,577)| (7,344)| (7,248)| (7,335)| (34,507)  |

| Reserves and capital                    |        |        |        |        |        |           |
| Capital Expenditures                    | (75,123)| (16,842)| (17,859)| (13,714)| (18,509)| (79,890)  |
| Depreciation                           | 11,300 | 11,526 | 11,757 | 11,992 | 12,232 | 62,995    |
| Reserves                                | 41,852 | 10,114 | 7,786  | 7,195  | 9,204  | 48,107    |
| Contributions                          | 29,474 | 2,779  | 5,660  | 1,775  | 4,408  | 3,295     |
| **Total**                              | 7,503  | 7,577  | 7,344  | 7,248  | 7,335  | 34,507    |

| Budget Balance                         | 0      | 0      | 0      | 0      | 0      | 0         |
(2) Revenue Proportions by Funding Source
(Excluding Transfers from Reserves and Collections for Other Governments)

**Background:** Property Taxes are the City’s major source of revenue. The City’s reliance on property tax as a source of revenue has increased steadily over the past several years. This is partially due to the lack of access to other types of revenues. Where feasible, the City charges user fees for services, however this is not possible for many services. In preparing the 2015 Financial Plan, the City’s goal has been to maintain the current percentage of revenue coming from property taxes; however the City continues to rely heavily on this source of revenue to fund a large portion of City services.

**Policy:** Under Council’s direction, the City will continue to look for ways to reduce the overall percentage of revenue that comes from property tax, by pursuing alternate revenue sources, and remains committed to charging user fees for services where feasible.

(3) Distribution of Property Taxes among the Property Classes

<table>
<thead>
<tr>
<th>Property Class and Description</th>
<th>Tax Allocation %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2014</td>
</tr>
<tr>
<td>1 Residential</td>
<td>54.51%</td>
</tr>
<tr>
<td>2 Utilities</td>
<td>0.73%</td>
</tr>
<tr>
<td>4 Major Industry - Capped</td>
<td>6.65%</td>
</tr>
<tr>
<td>4 Major Industry - Non capped</td>
<td>0.71%</td>
</tr>
<tr>
<td>5 Light Industry</td>
<td>0.80%</td>
</tr>
<tr>
<td>6 Business</td>
<td>36.56%</td>
</tr>
<tr>
<td>8 Recreation/Non-Profit</td>
<td>0.04%</td>
</tr>
</tbody>
</table>

**Background:** In 2008 City Council adopted a Long Term Property Tax Strategy which will shift taxes from the business and light industrial tax classes, to the residential tax class. The goal of this policy was to move the City’s tax rates and tax rate multiples to a competitive position within the Metro Vancouver Region, while maintaining principles of fairness and equity.

Adjusting down the ratio of the business tax rate to the residential rate (i.e. the tax multiple) continues to be a challenge based on the continued extraordinary growth in the residential sector.

**Policy:** The City will continue to review the distribution of property tax among the various property classes and consider other measures as a gauge of success.
(4) **Use of Permissive Tax Exemptions**

**Background:** Council currently allows permissive tax exemptions to organizations within the City, based on eligibility criteria as defined under the Community Charter. This includes religious institutions, not for profit societies, service organizations and providers of social housing whose services and programs align with the City’s goals and objectives.

**Policy:** The City has adopted a policy along with a set of criteria which are based on linking taxation exemptions to desired community outcomes for the services provided. All existing permissive tax exemptions are reviewed each year and staff will continue to work with all organizations who receive a Permissive Tax Exemption to ensure that their services align with the goals and objectives of the City.

Council will continue to carefully consider the total amount of permissive exemptions granted each year, when reviewing the annual Property Tax Exemption bylaw, giving consideration to the equity of shifting the exempted tax burden to other property owners in the City.
RECOMMENDATION:

PURSUANT to the report of the Planning Technician dated September 29, 2015, entitled "Active Design Guidelines":

THAT Council endorse the Active Design Guidelines attached to said report for use in reviewing development applications for Medium and High Density Residential, Mixed-Use, Commercial, Mixed Employment, School and Institutional land uses.

AND THAT "Zoning Bylaw, 1995 No. 6700, Amendment Bylaw 2014, No. 8441" (Changes to Support Active Lifestyles and Social Interaction) be considered and referred to a Public Hearing.

ATTACHMENTS:

1. The Vancouver Foundation – Connections and Engagement (#1314640)
2. Vancouver Coastal Health: City of North Vancouver Health Profile (#1291991)
3. City of North Vancouver Active Design Guidelines (#1310415)
PURPOSE:

The design of buildings can have a positive or negative affect on the health and quality of life of its residents or users. This report presents guidelines and Zoning Bylaw amendments intended to assist designers in incorporating features which enhance residents’ ability to incorporate healthy activity into their regular routines in new development.

DISCUSSION:

Current Zoning and Building Code standards indirectly result in building designs that discourage the use of stairs and social interaction.

The built environment exerts powerful influences on our health and well-being (BC Health Authority). As a result, the City has made significant effort to promote a complete, compact and connected community to increase opportunities for active transportation (e.g. walking and cycling), reduce trip times between destinations (e.g. compatible land uses that incorporate amenities, work and home in close proximity) and provide numerous recreational opportunities.

Physical Fitness

Although it is clear these efforts have a dramatic improvement on the physical health and well-being of residents, a recent Vancouver Coastal Health survey ‘My Health My Community’ (Attachment #1), has shown that obesity rates remain high in the City (21% in 2014; the Canadian average has increased from 14% to 23% between 1978 and 2004 as shown in the Canadian Community Health Survey). Research has also shown that building design – not just community design – has a significant influence on our physical health and well-being. This is not surprising as we spend the majority of our time indoors. Multi-family residential buildings in particular, present unique challenges to enabling physical activity and social opportunities amongst residents.

Social Connections

A recent Vancouver Foundation study, the ‘Connections and Engagement Survey’ (Attachment #2), found that social isolation was one of the most important issues facing Metro Vancouver residents. As outlined in this report, 15% of apartment dwellers never chat with a neighbour, compared to 7% of those living in ground-oriented homes never chat with a neighbour. This pattern of isolation has emerged in part through building designs that promote privacy and security over amenity areas that encourage social interaction. Furthermore, modern buildings have relied on the elevator to move people vertically and the stairs have increasingly been moved to uninviting parts of the building and designated as emergency-use only and not a primary means of travel.
Recognizing that the majority of City residents live in higher-density buildings and neighbourhoods and that physical activity and social interaction are key components of healthy lifestyles, further efforts are needed to encourage and enable healthy activity by ensuring that it is an accessible and attractive option for residents.

Proposed Active Design Guidelines

The proposed Active Design Guidelines (Attachment #3) would assist developers in improving the usability and livability of new development projects and enhance residents' ability to incorporate healthy activity into their regular routines, thereby improving community health. First introduced to Council as part of the 2014 Project Plan, the ‘Apartment Livability: Design Changes in Support of Active Lifestyles & Social Interaction’ were determined to be a one-time study that would be completed in 2015.

The proposed Active Design Guidelines are the product of that work and substantiate the Active Design focused land use objectives put forward in the 2014 Official Community Plan. The Guidelines are amongst the first of their kind in Canada, highlighting elements that encourage active lifestyles and social interaction. The Guidelines would be used by City staff when providing guidance to future development applicants and in the design of public realm improvement initiatives. If endorsed by Council, the proposed Active Design Guidelines would be consulted in evaluating larger development projects, including residential developments with greater than 10 units. The Guidelines would not impose any requirements on new developments, but would provide a series of options for consideration.

Specific items to reduce regulatory barriers to active design have been addressed in the proposed Zoning Bylaw Amendment (Attachment #4). The proposed guidelines also provide guidance to applicants on related building code and zoning implications.

The Guidelines are organized around a visual aid and an associated checklist that allows applicants to record elements included in their development proposal. The Guidelines are organized into six categories:

- Primary Stairs;
- Secondary Stairs;
- Outdoor Circulation;
- Indoor Amenity Areas;
- Outdoor Gardens; and
- Outdoor Recreational Areas.
Each element contains design criteria that promote opportunities for daily physical activity and social interaction in buildings. For example the guidelines include:

- Stair design elements that encourage every use;
- Indoor and outdoor common areas that encourage social interaction;
- Suggested minimums for indoor amenity rooms;
- Suggested garden space allotments.

The proposed Guidelines were developed in conjunction with the Sustainable Development Guidelines and were inspired by similar efforts including New York City’s pioneering ‘Active Design Guidelines: Promoting Physical Activity and Health in Design’. During the development of the Guidelines, a review of Canadian policy uncovered very few guidelines targeting Active Design at the building-level.

The Guidelines are intended to be used in conjunction with the Sustainable Development Guidelines, in which direct reference to the Active Design Guidelines is provided in the Human Potential Category. In response to the Active Design Guidelines:

- Applicants will provide clear evidence of design features that support daily physical activity and social interaction by responding directly to the Guidelines;
- The Guidelines will provide a record of project aspects which go beyond existing policy requirements while provided linkages to related policies in the Zoning Bylaw and Building Code.

This self-assessment tool for development applicants uses ‘yes’, ‘no’, and ‘not-applicable’ in a similar format as the Sustainable Development Guidelines. A numeric assessment is not used as the applicant’s response to the Guidelines is not meant to be an objective measurement of project performance, but rather is reviewed in consideration of the unique parameters of each project. The Guidelines are a communication tool that are intended to be easy to use by applicants, staff, advisory bodies and Council when assessing the physical activity and social interaction opportunities of a development application.

Proposed Zoning Bylaw changes

On October 27, 2014 Council adopted an amendment to the Zoning Bylaw, titled ‘Changes to Support Green Buildings’. This amendment included a Gross Floor Area exclusion to encourage the design of a primary staircase that incorporated Active Design principles. In addition, the Zoning Bylaw contains language that encourages the inclusion of common amenity rooms in buildings that can provide a variety of social activities for residents. With the proposed Active Design Guidelines now complete, additional Zoning Bylaw changes are suggested to facilitate increased physical activity and social interaction in buildings (Attachment #4).
1. Revising the Open Appendage Calculation

Open Appendages to a building, such as balconies and external corridors, can extend the outdoor opportunities available to building residents. These areas can also be designed to control solar gain, and when used as a corridor, can serve as a place for neighbours to meet naturally and look out onto other common areas.

Since 1995, the definition of an Open Appendage has been varied 18 times through rezoning processes. In the majority of these circumstances, a relaxation to allow increased exclusions for outdoor area has been approved by Council. To better accommodate a wider range of design options, it is proposed that the minimum amount of unenclosed space, based on the total of all side and overhead planes, be reduced from 40% to 25%. Common area corridors that open onto an interior courtyard are proposed to be added to the definition, with the maximum limit per building set to 10% of Gross Floor Area. These common areas provide added locations for neighbours to meet naturally and this change would incentivise the inclusion of the design elements in development proposals. Expanding the definition of Open Appendage to be more permissive will allow for greater design flexibility and will provide a strong incentive for designers to consider incorporating common exterior corridors and other features that can increase neighbour interactions.

Further clarification to aid designers has been added in the form of a diagram detailing the method of calculating Open Appendages.

2. Enhancing Stair Exclusions

Stair use is a simple method to incorporate physical activity into our daily routines. The location, design and visibility of the stairway influence whether people will naturally take the stairs and engage in physical activity or not. It is proposed that the Gross Floor Area exclusion currently applicable to one Primary Stairway per building is broadened to all stairs that are inviting. In particular, stairways that meet the following criteria would be excluded from floor area:

(a) the stairway is visible from the principal point of entry and no turns or obstacles prevent visibility of, or accessibility to, the qualifying staircase;

(b) signage is located at elevators and escalators to encourage stair use;

(c) the stairway is open to the surrounding floor area or includes transparent glazing at each floor level of at least 0.93 square meters (10 square feet);

3. Minimum Amenity Room Requirements

Amenity areas that are provided for the common use and enjoyment of residents offer residents an option for social interaction and can enable a sense of community within a building. Amenity areas may include gyms, gathering spaces, meeting rooms,
communal cooking and dining areas, among other uses. Since 2003, the City has provided a floor area exclusion for amenity rooms up to a maximum 5% of Gross Floor Area or 2,000 square foot provided they are held in common ownership. Since being introduced, several projects have amended the definition to include amenity rooms that exceed the maximum 2,000 square foot allotment (Figure 2). It is proposed that this floor area maximum be removed from the Zoning Bylaw while retaining the 5% of floor area maximum. In addition, a suggested minimum amenity room size of 2% of Gross Floor Area has been included in the Active Design Guidelines along with design considerations such as location and supporting facilities (e.g. washroom, kitchenette, storage).

**Figure 2. History of rezoning cases that have amended the Zoning Bylaw to exclude an amenity room from Gross Floor Area**

![Chart showing the history of rezoning cases.]

**ADVISORY BODIES**

The Advisory Planning Commission met on April 8, 2015 and reviewed the proposed Active Design Guidelines, providing the following resolution:

**THAT** the Advisory Planning Commission had reviewed the proposed Active Design Guidelines and supports their general direction. The Commission recommends further consideration of the following:

- Convenient internal/external access to bicycle storage facilities;
- A balance of security issues with openness and accessibility to stairs;
• Ensure ample interior lighting in lobby, stairs and communal space areas;
• Some level of quantitative measurement;
• Consideration of a similar format to the Sustainability Checklist for consistency; and,
• Ensure transparency between indoor and outdoor spaces, such as specifically limiting the use of frosted glass at the street level.

The Commission commends staff on the quality of the checklist and an excellent presentation.

The Active Design Guidelines were also reviewed by the Advisory Design Panel on May 20, 2015 and the Parks & Environment Advisory Committee on May 21, 2015.

The comments from all Advisory Bodies were taken into the consideration and incorporated into the Active Design Guidelines.

FINANCIAL IMPLICATIONS:

The Active Design Guidelines can be incorporated into the City's development review process without cost implications to the City. If consulted early in the design process, many of the suggestions in the Guidelines can be incorporated into developments with minimal cost.

INTER-DEPARTMENTAL IMPLICATIONS:

This report was reviewed and endorsed by the Civic Projects Team at the meeting held September 22, 2015.

SUSTAINABILITY COMMENTS:

Daily physical activity such as taking the stairs instead of the elevator, can reduce the use of fossil fuels and energy in buildings. Increasing opportunities for social interaction increases support networks and builds a more healthy and resilient community.
CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

The 2014 OCP identifies community well-being as a key policy area for the City. Active design is also specifically referenced in:

Land Use Objective 1.3.10: Encourage active, healthy lifestyles and the opportunity for more social connections through planning and active design principles that encourage physical activity and contribute to enhanced walkability and active streets, sidewalks, and public spaces; and

Land Use Objective 1.4.4: Incorporate active-design principles in new development that encourage physical movement and social interaction thereby contributing to a healthier community.

RESPECTFULLY SUBMITTED:

M. van der Laan
City Planner

MVL:ME:eb:skj
Connections and Engagement

A survey of metro Vancouver
June 2012

vancouver foundation
Learn more about community connections and engagement, get involved and share your ideas or stories at:

**Web:** vancouverfoundation.ca/connect-engage

**Email:** info@vancouverfoundation.ca

**Facebook:** VancouverFdn

**Twitter:** @VancouverFdn
This report is a result of a journey we began in the summer of 2011. We set out to learn what issue people in metro Vancouver care about the most. The intent was to help us decide where to focus additional energy and resources to have a greater impact in the community.

As a community foundation we fund across a broad range of issues. This is our strength. It is also our weakness in that it pulls us in many directions. While we wanted to remain a broad funder, we also knew it was time to dedicate more effort to tackling a specific, community-identified challenge.

In 2011 we polled 275 charitable organizations. We also talked to over 100 community leaders across metro Vancouver. What they told us was a surprise. We expected people would choose poverty or homelessness or any of the social ills that dominate the headlines. They did talk about these things, but none emerged as the most important.

What people said concerned them the most was a growing sense of isolation and disconnection. They said we live increasingly in silos, separated by ethnicity, culture, language, income, age and even geography. They lamented what they saw as a deepening civic malaise that has resulted in more people retreating from community activities. They said this corrosion of caring and social isolation hurts them personally and hurts their community.

And they asked us a hard question: How can we begin to tackle complex issues like poverty and homelessness if people are disconnected, isolated and indifferent? How can we make people care about community issues if their concern stops at their front yard?

In the end, the big question for our foundation was “what can we do to help build a more connected and engaged community in metro Vancouver?”

This survey is an important first step in our work. We invite you to read it and begin to look for ways that we can all help build a connected and engaged community.
Introduction

Before we could invest in building a more connected and engaged community, we needed to understand our starting point. We also wanted data on what areas of the community needed our investments the most.

We worked with Sentis Market Research to design a survey that would measure how connected and engaged residents are in metro Vancouver. The survey would also explore what prevents people from being more connected and engaged.

When we use the word “connections” we mean our relationships with others and the strength of those relationships. “Engagement” means our commitment to community and the willingness to take actions to solve problems or participate in activities that make our community better.

Connections and engagement are two sides of the same coin. It is only through strong relationships that we can care enough to work together to make our community a better place for everyone.
Methodology

In our survey we measured connections and engagement on three levels – from the micro to the macro level of our lives.

First, we explored the most intimate level of connection – people’s personal friendships.

We then moved on to ask about their connections to their neighbours and neighbourhood.

Lastly, we investigated people’s relationship with and attitudes toward the larger community of metro Vancouver.

We also inquired about residents’ participation in various aspects of community life, and explored what prevents them from being more connected and engaged.

In total, we surveyed 3,841 people across metro Vancouver. Sentis used a mixed mode method for gathering the data: 2,806 online surveys and 1,035 telephone interviews were collected in April and May, 2012. Over 80 ethnic groups were represented. Most interviews took place in English. When necessary, interviews were also conducted in Cantonese, Mandarin or Punjabi. The survey has a margin of error of +/- 1.6% at the 95% level of confidence.

For more on methodology and demographic information, please visit our website at: www.vancouverfoundation.ca/connect-engage
Key findings

As a community foundation, we care deeply about people and community. Part of our goal for this survey was to measure how residents are experiencing life in metro Vancouver right now. And there is much good news to report.

Of even more value to our foundation is an understanding of how we can strengthen our community. We are particularly interested in identifying the gaps; the areas where we can help improve people’s lives and help people connect and engage for the greater good of everyone in the community.

There are interesting patterns that emerge in the data, as you will see in the following pages. Certain groups of people are struggling more than others to feel connected and engaged. Ignoring their needs will cost our community.

This report is a high-level overview of the findings. Over the next few months we will delve deeper into the data to better understand how specific groups of residents are experiencing life in our region and we will release additional reports.

Most important however, is the way forward. This survey was not just an investigative exercise. It was designed to inform our work as a community foundation. In the final section of this report, entitled “Opportunities”, we share how we will begin to use this information to help build a better connected and engaged community in metro Vancouver.
These are the key gaps the survey identifies:

- **Metro Vancouver can be a hard place to make friends.** One-third of the people we surveyed say it is difficult to make new friends here. And one in four say they are alone more often than they would like to be. In both cases, people who experience this also report poorer health, lower trust and a hardening of attitudes toward other community members.

- **Our neighbourhood connections are cordial, but weak.** While most of us know the names of at least two of our neighbours, the connections typically stop there. Most of us do not do simple favours for our neighbours (like taking care of their mail when they are away) and fewer have visited a neighbour’s home or invited a neighbour over.

  The most often-cited reason for not knowing neighbours is that people seldom see each other. However, another significant reason seems to be indifference: we prefer to keep to ourselves, or have little interest in getting to know our neighbours.

  One-third of the people we surveyed do not know if their neighbours trust each other. And barely a majority thinks that the ties in their neighbourhood are growing stronger.

  We found that it isn’t enough to know your neighbour’s name and say hello. Instead, things like doing small favours for one another and inviting each other over lead to greater trust, greater commitment to community and the willingness to work together in the neighbourhood’s interests.

- **Many people in metro Vancouver are retreating from community life.** In the past year, most of us have not participated in neighbourhood and community activities.

  It isn’t a lack of time that stops people from getting involved. The most often-cited reason for not participating in neighbourhood and community life is a feeling that we have little to offer.

- **There are limits to how people see diversity as an opportunity to forge meaningful connections.** Over one-third of us have no close friends outside our own ethnic group. And we generally believe that people prefer to be with others of the same ethnicity.

  Many people believe all new immigrants and refugees, regardless of where they come from, would be welcome in their neighbourhood. However, some residents rank which groups they believe would be the most and the least welcome.

- **The affordability issue in metro Vancouver is affecting people’s attitudes and beliefs.** Most people believe Vancouver is becoming a resort town for the wealthy. These same people also tend to think that there is too much foreign ownership of real estate.
We start with our friends – our closest personal relationships. It’s our friends who listen to us when we are troubled, support us when we are hurting, grieve with us, care for us. They create safe places for us at the same time they open the world to us. It is often friends who inspire us through their own actions to get involved in causes.

As part of a benchmark survey, we wanted to do a simple count of the number of friends people have. We also wanted to separate that from the number of close friends people have.

But we also wanted to measure something that we often hear about our community – that it’s hard to make new friends here, and that people are alone more often than they would like. We found that one-third of all people across metro Vancouver say it is difficult to make new friends here. People who have lived in Canada or in their neighbourhood for fewer than five years find it the hardest to make friends. We might say that this just makes sense but these are precisely the people who are trying to make friends – who need to make friends – and who are finding it difficult.

Our survey also found what we consider to be a high level of loneliness in metro Vancouver. One in four people say they are alone more often than they would like. Young people aged 24 to 34 and people living in suites in houses (like basement apartments) report feeling alone more than others.

**Number of friends**

We asked people about their friendships, which we defined as people you know and like and socialize with but who are not relatives or family members.

**Question: How many people would you count among your friends?**
**Number of close friends**

Because it is human nature to count casual acquaintances among our friends — from work colleagues to the friendly, local shopkeeper — we decided to dig deeper. We asked people about their really close friends, which we defined as people you can confide in, tell your problems to, or call when you really need help.

People who have been in Canada for fewer than five years have smaller networks of close friends. 42% report a network of three or fewer close friends. This compares to those living here six years or longer (32%).

There are no differences between the number of close friends reported by men or women. But there is a difference across ages. 32% of young people aged 18 to 24 report they have four to five close friends, while only 22% of people over 65 report the same number.

**Close friends in the neighbourhood**

We were curious about whether people lived in the same neighbourhood as their close friends. We found that the majority have at least one close friend nearby.

South Asians are the least likely to say they had at least one close friend living in their neighbourhood (48%).

**Question: Of your really close friends, how many live in your neighbourhood?**

<table>
<thead>
<tr>
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<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
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</tr>
<tr>
<td>1-2</td>
<td>35%</td>
</tr>
<tr>
<td>3-5</td>
<td>19%</td>
</tr>
<tr>
<td>6-10</td>
<td>8%</td>
</tr>
<tr>
<td>Over 10</td>
<td>4%</td>
</tr>
</tbody>
</table>

**Close friends from a different ethnic group**

The majority of people who took our survey have one or more close friends from a different ethnic background. However, 35% of people polled had no close friends outside their ethnic group. This figure is even higher for seniors. 44% of seniors report no close friends from a different ethnic background.

People of South Asian descent are significantly more likely than other groups to have at least one close friend from a different ethnic group (89%).

**Question: Of your really close friends, how many are in a different ethnic group than your own?**

<table>
<thead>
<tr>
<th>Number of Friends</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>0</td>
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<tr>
<td>6-10</td>
<td>7%</td>
</tr>
<tr>
<td>Over 10</td>
<td>4%</td>
</tr>
</tbody>
</table>
Frequency of getting together with close friends

People who have lived in Canada for fewer than five years have a smaller network of close friends but they get together with them more frequently – 54% get together with close friends at least once a week. Compare this to people who have lived here six years or longer (38%).

The majority of people between the ages of 18 and 24 report seeing their close friends once a week or more. That frequency drops for people aged 25 to 54, suggesting that as you get older and have more obligations, time becomes an issue. After 65, time frees up, and so does your time to socialize.

Question: How often do you get together with your really close friends?

“People are polite but I wish they were more friendly.”

Vancouver survey respondent

*DK/Refuse is an abbreviation for ‘Don’t Know/Prefer Not to Answer’
Obstacles to seeing close friends

A slim majority of people usually socialize at one another’s home or apartment.

Despite the often-cited complaints about transportation in the region, it does not register as among the most important reasons for not getting together with friends. Work, school and family obligations represent the biggest barriers.

Of those who get together in a public space like a community centre or park, there is a large spike among people who have lived in Canada for fewer than five years. For that group, 64% use public spaces to get together, compared to 42% of longer-term Canadians.

When examined by ethnicity, the highest users of community centres or parks to get together with friends are South Asians at 50%, compared to Chinese at 39%.

**Question:** When you have problems getting together with your really close friends, which one of the following most often gets in the way of seeing them?

- Work or school obligations: 30%
- Family obligations: 20%
- Never have a problem getting together: 15%
- Being too far away: 15%
- Health issues: 6%
- Inadequate transportation: 3%
- None of these reasons: 8%
- DK/Refuse: 3%
**Difficulty making friends in metro Vancouver**

We often hear that Vancouver can be a difficult place to make friends. Newcomers describe people here as polite but distant. People who moved here years ago tell stories about feeling alone for a long time; not being invited over for dinner by new work colleagues, introduced to people or shown around their new city.

A simple count of friends does not get at this more elusive attitude toward how hard it can be to create a social network. We asked people if they agreed or disagreed with the statement “It is difficult to make new friends here.”

Our survey found that even though people report frequent get-togethers with their close friends, 31% still feel that metro Vancouver can be a challenging place to develop friendships.

Although there was a “don’t know” option, a significant number (27%) replied they neither agreed nor disagreed with the statement. It may be indifference to the question, or perhaps their experience making friends is mixed: sometimes it has been easy, and sometimes not easy.

51% of adults living with people who are not family members think that it’s hard to make friends here. People aged 24 to 34 find it harder to make friends than people younger or older than them. 50% of people who have lived in Canada for fewer than five years, and 44% of people who have lived in their neighbourhood for fewer than five years, say it is hard to make new friends.

And 43% of people who live in suites in houses, such as basement apartments, find it hard to make new friends.

**Statement: It is difficult to make new friends here.**

![Pie chart showing the distribution of responses to the statement: Strongly agree (7%), Agree (24%), Neither agree or disagree (27%), Disagree (33%), Strongly disagree (7%), DK/Refuse (2%).]
Feeling alone

We also asked if people agreed with the statement “I find myself alone more often than I would like to be.” One in four people (25%) agreed that this was true for their lives.

Fewer, but still a sizable portion (22%), said they neither agree nor disagree, leaving us again to wonder if their experience is mixed and they can’t make up their mind which is more true, or if they are indifferent toward the statement.

Men and women’s responses were about the same. And again, as with other questions about friendships, the 24 to 34 year-olds reported feeling more alone than people younger and older than them. People who have lived in Canada or in their neighbourhood for fewer than five years reported feeling alone more often than they would like. And 41% of people living in suites in houses experience these feelings, compared to 22% of people living in houses.

Statement: I find myself alone more often than I would like to be.

“I wish people would take more time out to connect with each other. Everyone is always so busy these days and concerned about their own lives without making real-life connections with people.”

North Vancouver survey respondent
As a community foundation, we are concerned that one-third of all the people we surveyed think that it is difficult to make new friends here, and that one in four people feel alone more often than they would like. We now know that newcomers to Canada, newcomers to neighbourhoods and young people between the ages of 25 and 34 feel this most acutely. And that these feelings seem to be affected by where people live – in a house or in a suite in a house, such as a basement apartment.

Our survey shows a link between loneliness and poor health. People who are alone are twice as likely to report fair or poor health as people who do not feel alone. Are they isolated because of their health problems or is their poor health a result of their loneliness? We don’t answer that question but our survey shows the connection.

Research shows that, over time, lonely and disconnected people can move to the fringes of social networks. Lonely people have fewer friends and their loneliness can lead them to lose the few ties they have left. It is important to recognize loneliness and help these residents connect with a social network.

Friendships are critical to our well-being. We need friends the way we need air and water and shelter. There are many long-term physical and emotional benefits of close friendships:

- Research shows that loneliness is associated with a variety of mental and physical diseases that can shorten life. In fact, being lonely has as much impact on your health as being morbidly obese or smoking three packs of cigarettes a day.
- People who are socially engaged and visit with friends throughout the week are happier as they age.
- Having close friends lessens grief and helps you cope with loss, while being socially alone tends to worsen depression associated with losing a loved one.

And while we are very connected through social media — a 2010 Angus Reid poll found that people in Vancouver are more connected through social media than other Canadians — it doesn’t satisfy all our needs. That same poll found that people in Vancouver are among the loneliest in the country. In the end, nothing beats face-to-face relationships.
Neighbourhood Connections
Next to our personal friendships, our neighbourhood plays an important role in our day-to-day lives. A neighbourhood is so much more than a geographically localized area. It is the place we call home, where our children play, and where we have the most invested financially and emotionally. If we care about any place in our community, it would normally be our immediate neighbourhood.

Despite the known benefits of strong neighbourhood connections, our survey found that neighbourhood relationships in metro Vancouver, while cordial, are not particularly deep.

Although there are always exceptions – certain blocks where people make an effort to really get to know one another – our neighbourhood connections are mostly at the surface. We say hello, we may know each other’s first names, but it generally doesn’t go much further than that.

Most of us have not had a neighbour over for a visit, or done a favour for a neighbour, like collecting their mail or newspapers while they are away. Not surprisingly, few residents report knowing where their neighbour’s spare key is located, something that requires a higher level of trust.

**Frequency of conversations with neighbours**

We asked people to think about their immediate neighbours — the three or four households closest to them — and tell us how often they have a conversation with any of these neighbours, meaning something more than just a casual hello.

**High-rise and apartment** life clearly affects people’s abilities to get to know their neighbours. Twice as many apartment dwellers (15%) as those living in townhomes or single detached homes (7%) never chat with a neighbour. Similarly, 26% of renters say they never chat with a neighbour or do so once a year or less, compared to 12% of homeowners.

**Question:** About how often do you have a conversation with any of these neighbours – something more than just a casual hello?
**Knowing your neighbours’ names**

We asked if people know the first names of at least two of their immediate neighbours.

Knowing neighbours’ names depends on who you are and how you live. Among renters, 39% do not know the first names of at least two of their neighbours, compared to 18% of homeowners. It’s worse for people in high-rises; 43% of them do not know at least two of their neighbours’ names.

Immigrants who have lived in Canada for under 20 years are somewhat less likely to know their neighbours’ names. And there is a difference among ethnic groups: 68% of Chinese residents report knowing their neighbours’ names compared to 74% of all the people we surveyed.

**Question:** Do you know the first names of at least two of your immediate neighbours?

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<thead>
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</thead>
<tbody>
<tr>
<td>Yes</td>
<td>74%</td>
</tr>
<tr>
<td>No</td>
<td>24%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>2%</td>
</tr>
</tbody>
</table>

**Getting together with neighbours**

It’s one thing to smile and wave at a neighbour; another to visit in each other’s homes. Socializing with neighbours is evidence of a much closer relationship.

We wanted to know if people had their neighbours over to their house, or if they were invited to their neighbour’s house.

Most people do not get together with their neighbours.

Again the same patterns emerge, with apartment dwellers and those living in suites in houses as well as Chinese residents being the least likely to socialize with their neighbours at home.

**Question:** In the past 12 months, have any of these neighbours had you over for dinner, a barbecue or some other kind of get-together?

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<tbody>
<tr>
<td>Yes</td>
<td>26%</td>
</tr>
<tr>
<td>No</td>
<td>72%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>2%</td>
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</tbody>
</table>

Newcomers — people who have been in their neighbourhood for under three years — are somewhat less likely to have their neighbours over (21% vs. 26% among all respondents).

**Question:** And in the past 12 months, have you had any of these neighbours over for dinner, a barbecue or some other kind of get-together?

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<tbody>
<tr>
<td>Yes</td>
<td>26%</td>
</tr>
<tr>
<td>No</td>
<td>73%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>1%</td>
</tr>
</tbody>
</table>
Obstacles to knowing people on your street or floor

We wanted to better understand what got in the way of people knowing their neighbours. In a day of electronic garage door openers, busy lives, and apartment or condo buildings designed to promote privacy and security, most people say they simply never see their neighbours. However, it is notable that the second biggest reason is what could be viewed as indifference: a wish to keep to ourselves, a feeling that we have little or nothing in common with the person next door, or a sense that our neighbours don’t want to know us, so why bother.

Question: What are the reasons for why you may not know some of these people very well?

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seldom see them</td>
<td>46%</td>
</tr>
<tr>
<td>Little interest in knowing each other</td>
<td>32%</td>
</tr>
<tr>
<td>Language barrier</td>
<td>5%</td>
</tr>
<tr>
<td>Know these people already</td>
<td>4%</td>
</tr>
<tr>
<td>Other reason</td>
<td>8%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>5%</td>
</tr>
</tbody>
</table>

Doing favours for your neighbours

Taking care of a neighbour’s mail or picking up their newspapers when they are out of town is a relatively easy favour. Yet the majority of people we surveyed have not done this during the past 12 months. That spikes to 77% among those who live in high rises.

Question: Have you taken care of the mail for one of these neighbours, or picked up their newspapers while they have been out of town?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>41%</td>
</tr>
<tr>
<td>No</td>
<td>57%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>2%</td>
</tr>
</tbody>
</table>

Knowing where a neighbour keeps their spare key requires a higher level of trust than picking up their mail. Homeowners (32%) are almost twice as likely as renters (17%) to know where a neighbour’s key is or to have been left with a spare key. By ethnicity, South Asians, Chinese and other Asians are the least likely to know where a neighbour’s key is located.

Question: Have any of these neighbours left you with a spare key for their home or told you where they keep a spare key in case of emergency?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>28%</td>
</tr>
<tr>
<td>No</td>
<td>70%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>2%</td>
</tr>
</tbody>
</table>
**Welcoming neighbourhoods**

It is important for us as a community foundation to understand the community we serve. That meant asking some difficult questions about how people really feel about different kinds of people moving into their neighbourhoods. Only by understanding these sentiments can we look for ways to build bridges between different types of residents.

We asked people about having a shelter or group home for homeless people move into their area. Residents who have lived in their neighbourhoods for over five years are slightly more uncomfortable (65%) with the idea of a shelter or group home than others. Aboriginal respondents report a lower discomfort rate at 54%; as do renters at 52%.

**Question: How comfortable do you think your neighbours would be if a shelter or group home for homeless people moved into your neighbourhood?**

- Comfortable: 9%
- Uncomfortable: 62%
- Neither comfortable nor uncomfortable: 17%
- DK/Refuse: 12%

There is even less comfort with the idea of a shelter or group home for people with alcohol or drug addiction moving into the neighbourhood. In particular, 73% of homeowners are uncomfortable with the idea, compared to 61% of renters. South Asian (82%) and Chinese (80%) respondents are the most uncomfortable. Again, residents of Aboriginal descent report the lowest rate of discomfort (59%).

**Question: How comfortable do you think your neighbours would be if a shelter or group home for people with alcohol or drug addiction moved into your neighbourhood?**

- Comfortable: 8%
- Uncomfortable: 70%
- Neither comfortable nor uncomfortable: 12%
- DK/Refuse: 10%
We went on to ask even more difficult questions about diversity. We wanted to know if recent immigrants or refugees from certain regions of the world moved into the area, which groups would be most welcome and least welcome by their neighbours.

Of those who answered the question, about four in 10 people feel all groups would be equally welcome. However, a significant number say they do not know or chose not to answer. This likely reflects a discomfort with the questions and/or a reluctance to rank how particular groups might be welcomed or not welcomed into the area. Or it could reflect a real lack of knowledge of their neighbours’ attitudes.

Of those who answered the questions, most people say that no groups would be unwelcome in their neighbourhoods. An equal number say they do not know or chose not to answer.

Still, a percentage of people do rank the newcomers, and people from the Middle East (meaning countries like Iraq, Syria, Lebanon, etc.) are identified as the least welcome. We don’t know what is driving this attitude and further study is required to better understand what underpins this feeling. However, as a community foundation it concerns us that this feeling is broadly shared across all demographic groups regardless of ethnic origin, age, gender, income, etc.
**Neighbourhood ties**

We presented a series of statements about life in neighbourhoods and asked people whether they agree or disagree.

We asked people if they think that the ties among people in their neighbourhood are growing stronger. 28% agree that they are, compared to 23% who disagree.

We found a link between attitudes about neighbourhood ties and certain interactions with neighbours. The people who do not know their neighbours’ names, do not do favours for them, and do not visit at each other’s homes are the same ones who disagree that neighbourhood ties are strengthening.

South Asians are significantly more likely than any other ethnic group to agree that ties are growing stronger (41%). Among the various municipalities, West Vancouver residents are also among the most optimistic about ties (44%).

---

**Statement: The ties among people in my neighbourhood are growing stronger.**

---

We asked about cooperation and problem solving in the neighbourhood.

33% disagree with the statement “If there were problems in my neighbourhood, it would be hard to get people to work together to solve them.” These are the fortunate residents who believe they live in a neighbourhood that can rally together to address issues of mutual concern. And again, there is a link between people’s attitudes about their neighbours’ willingness to cooperate, and their interactions with neighbours. The people who think their neighbours could work together also tend to be the same people who know their neighbours, do favours for them, and get together in each other’s homes.

---

**Statement: If there were problems in my neighbourhood, like cars driving too fast or people not taking care of their property, it would be hard to get people to work together to solve them.**
Most people say they feel welcome and that they belong in their neighbourhood. Homeowners feel this more strongly (76%) than renters (65%).

While most ethnicities feel welcome in their neighbourhood, Aboriginals are the one group more likely to disagree (15%) with the statement that they feel they belong in their neighbourhood.

As well, people aged 25 to 34 (63%) and those who have lived in their neighbourhood for two years or less (62%) tend to report lower than average feelings of being welcome.

Statement: I feel welcome in my neighbourhood and feel like I belong here.

![Pie chart showing responses to the statement: I feel welcome in my neighbourhood and feel like I belong here.]

<table>
<thead>
<tr>
<th>Rating</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly agree</td>
<td>23%</td>
</tr>
<tr>
<td>Agree</td>
<td>49%</td>
</tr>
<tr>
<td>Neither agree or disagree</td>
<td>19%</td>
</tr>
<tr>
<td>Disagree</td>
<td>5%</td>
</tr>
<tr>
<td>Strongly disagree</td>
<td>1%</td>
</tr>
<tr>
<td>DK/Refused</td>
<td>3%</td>
</tr>
</tbody>
</table>

In terms of trust, 52% feel that people in their neighbourhood trust each other. This trust factor increases over time from a low of 43% among those who have lived in a neighbourhood two years or less to a high of 60% among those who have lived in their neighbourhood 20 years or longer.

It is notable that one-third of the people we surveyed do not know if most people in their neighbourhood trust one another.

Question: Do you think most people in your neighbourhood trust each other?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>52%</td>
</tr>
<tr>
<td>No</td>
<td>15%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>32%</td>
</tr>
<tr>
<td>Prefer not to answer</td>
<td>1%</td>
</tr>
</tbody>
</table>

“It would be great to have neighbours reach out more to each other. I miss knowing more of them.”

Richmond survey respondent
Another way to get at the issue of trust is to ask a hypothetical question. We asked people to imagine losing a wallet or purse with 100 dollars inside. Did they think the wallet would be returned? Would it be more likely to be returned if it was found by a neighbour or a stranger?

People who have lived in their neighbourhood for more than 20 years are the most likely (72%) to expect to get their wallet back from a neighbour. Fewer Chinese respondents (52%) think the wallet would be returned by a neighbour. And people aged 25 to 34 are the least likely of any age group (55%) to expect they would get their money back if a neighbour found their wallet.

**Question: If you lost a wallet or purse containing 100 dollars, how likely do you think it would be returned to you, with the money inside, if it was found by:**

<table>
<thead>
<tr>
<th>Neighbours</th>
<th>Strangers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would be returned</td>
<td>63%</td>
</tr>
<tr>
<td>Might be returned</td>
<td>36%</td>
</tr>
<tr>
<td>Would not be returned</td>
<td>47%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>3%</td>
</tr>
</tbody>
</table>

“I wish there was more friendliness between neighbours.”

Pitt Meadows survey respondent
The neighbourhood is a critical place for community building. It also should be one of the easiest places to build connections since people have the most vested interest in what happens there.

We know from many studies that the safest and most resilient neighbourhoods are where people know each other’s names and where residents see each other and get together. These are the neighbourhoods where people are the most trusting and able to work together to tackle issues of concern.

In metro Vancouver, we found many of us have polite but somewhat indifferent relationships with our neighbours.

Our survey found that after three years in a neighbourhood the extent to which people connect with and trust their neighbours doesn’t change much, if at all.

In fact, whether a resident has been living in the neighbourhood for five years or more than 20 years, people are no more or less likely to say that people in their neighbourhood trust one another, or that they have neighbours over, or that they get invited to neighbours’ houses, or have regular conversations with them.

Part of the reason people claim they may not know their neighbours is that they seldom see one another. However, another significant reason is that they do not seem to want to be bothered to get to know one another.

We found that people who do more than just know their neighbours’ names, who do favours for each other and who go over to one another’s homes, also report that the ties in their neighbourhood are growing stronger.

This means that very simple actions can have a direct impact on our attitudes toward our neighbourhoods, leading to a greater commitment to community.

Bonds of trust between neighbours have power. When neighbours know and trust one another, they can work together to identify and solve local problems in ways that serve everyone’s interests and that help make their neighbourhood a better place to live.
Community Connections
Our findings

We may love our close circle of friends and care deeply about our neighbourhood but do these bonds extend to the larger community? Do we make an effort to understand the variety of cultures, histories, attitudes and values that make up our larger community?

It is in this larger arena where we have the greatest opportunity to feel part of something bigger and better; to develop connections with those who are not like us but with whom we share this place called metro Vancouver.

It’s these bonds — especially across barriers of difference such as ethnicity and culture; age and income — that create the caring and compassion we need to work together for the greater good.

There are many examples across metro Vancouver of people and groups collaborating and working hard to create a vibrant and healthy community.

But our survey found that too many people seem to have retreated from civic life and do not participate in the many neighbourhood or community activities that are available. We were surprised to learn that the most cited reason is that people think they have little to offer.

We also uncovered some nuanced attitudes towards the community-at-large.

We found that while people embrace diversity and value what it brings to our community, most think that people prefer to be with others from the same ethnic group as their own.

We also found that the financial stress people attribute to mortgage or rent payments has a direct and negative effect on how people view their community. More than half of the people we surveyed think that Vancouver is becoming a resort town for the wealthy. And many residents link Vancouver’s reputation as an exclusive place for the wealthy to foreign ownership of real estate.
Participation in community life

We measured participation across nine activities. Most people said they have not taken part in any of these activities during the past 12 months with the exception of two things — visiting the local library, community or recreation centre, and voting.

Libraries and community and recreation centres offer a wealth of programs, from book readings for children to ESL for adults to skills workshops and fitness classes. We are pleased to see these facilities being supported by their neighbourhoods.

As in all surveys, people overstate their voting habits. While 66% of the people we surveyed say they voted in the last municipal election, the actual voter turnout was just under 30%.

Question: Thinking about the past 12 months, have you:

- Visited your local library, community centre or recreation centre: 83%
- Voted in the last municipal election: 66%
- Signed a petition: 44%
- Attended a cultural or ethnic event put on by a cultural or ethnic group other than your own: 42%
- Attended a religious service: 42%
- Attended a neighbourhood or community meeting: 26%
- Participated in a neighbourhood or community project: 23%
- Attended a city council or school board meeting: 13%
- Attended a political rally or political meeting: 12%

“We have lost a fair amount of the community neighbourhood feeling we had 20 years ago. I’d like to have that back.”

Coquitlam survey respondent
Volunteering
Among the people we surveyed, 49% say they volunteer. That reflects what other surveys have found. The actual rate could be lower. Research shows that people who voluntarily take surveys like ours already have high rates of volunteerism.

We found that the longer people have been in Canada and the longer they live in their neighbourhood, the more likely they are to volunteer.

Homeowners are somewhat more likely (52%) to volunteer than renters (43%). People aged 18 to 24 report the highest volunteerism at 65%, and 25 to 34 year-olds report the lowest levels at 45%.

Question: In the past 12 months, have you done any volunteer work for any organization or group? How often do you do this volunteer work?

<table>
<thead>
<tr>
<th>Have not volunteered</th>
<th>49%</th>
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</thead>
<tbody>
<tr>
<td>Volunteered once a week or more</td>
<td>14%</td>
</tr>
<tr>
<td>Volunteered once a month</td>
<td>19%</td>
</tr>
<tr>
<td>Volunteered once or twice a year</td>
<td>16%</td>
</tr>
<tr>
<td>DK/Refuse</td>
<td>2%</td>
</tr>
</tbody>
</table>

Time pressures and financial stresses
Time spent looking after family does not appear to be hugely affected by where you live or how much money you make. It does however, depend on your age and to some extent on your ethnic background. People aged 25 to 44, peak child-rearing years, spend more hours on family obligations. And 36% of South Asians report looking after family members 20 hours a week or more, compared to 21% of all people surveyed.

Question: Approximately how many hours per week do you spend at work or at school, not counting your commute time?

<table>
<thead>
<tr>
<th>0 hours</th>
<th>1-10 hours</th>
<th>11-20 hours</th>
<th>21-40 hours</th>
<th>41 hours or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>26%</td>
<td>11%</td>
<td>7%</td>
<td>16%</td>
<td>29%</td>
</tr>
</tbody>
</table>

Question: Approximately how many hours per week do you spend looking after family members?

<table>
<thead>
<tr>
<th>0 hours</th>
<th>1-10 hours</th>
<th>11-20 hours</th>
<th>21-40 hours</th>
<th>41 hours or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>29%</td>
<td>33%</td>
<td>12%</td>
<td>12%</td>
<td>9%</td>
</tr>
</tbody>
</table>
Not surprisingly, Vancouver residents report shorter commute times, less car use and slightly more public transit and bicycle use. Among Richmond residents, 75% use their cars to get to work or school, compared to 49% of Vancouver residents.

Approximately how many hours per week do you spend commuting to work or school?

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And do you mainly commute by car, public transit, walking, cycling or some other way?

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“I no longer recognize my neighbourhood as the place I grew up in. I often feel like I am living in a different country.”

Delta survey respondent
Vancouver was recently ranked as the most expensive city in North America to live in. This comes as little surprise to the many metro Vancouver residents who want to build their futures here, buy homes and raise children.

Our survey found that 45% of residents say they are ‘just about getting by’ or ‘finding it difficult or very difficult.’ Seven in 10 attribute some or all of their financial stress to the size of their mortgage or rent payments. Clearly, housing affordability remains a critical issue for Vancouver and the region.

**Question: How well would you say you are managing financially these days?**

- Living very comfortably: 8%
- Living comfortably: 44%
- Just about getting by: 30%
- Finding it difficult: 9%
- Finding it very difficult: 6%
- DK/Refused: 3%

Among those who say they are ‘just about getting by’ or ‘finding it difficult or very difficult’, 71% say some, all or most of it is because of mortgage or rent payments.

**Question: How much of that is because of mortgage or rent payments you have to make?**

- All or most of it: 25%
- Some of it: 46%
- Very little or none of it: 25%
- DK/Refused: 4%
Obstacles to community engagement

We wanted to understand what prevents people from being more engaged in their community. So we presented them with a variety of reasons and asked if these were a major, a minor or no obstacle to being more active in civic life.

Despite the diversity of metro Vancouver, it is not language that presents the biggest barrier to participation. Instead, the most often cited ‘major barrier’ is the belief that they don’t have much to offer (27%) — essentially a barrier based on confidence. The next most often cited barrier is a physical or mental condition that make it difficult to get involved (19%) followed in third place by a time crunch (17%).

Those who are living in a suite in a house (34%), those who are under 44 years of age (35%), and those of Chinese descent (32%) are likely to say that they do not have much to offer.

The groups that most often identify language as a major barrier to participation are Chinese (16%) and residents from other Asian backgrounds (15%).

Question: Thinking about your own life, please tell me whether each of the following is a major obstacle, a minor obstacle or no obstacle at all to your participation in activities that could make your neighbourhood a better place to live.

<table>
<thead>
<tr>
<th>Obstacle</th>
<th>Major Obstacle</th>
<th>Minor Obstacle</th>
<th>No Obstacle at all</th>
</tr>
</thead>
<tbody>
<tr>
<td>A feeling that you do not have much to offer</td>
<td>27%</td>
<td>34%</td>
<td>35%</td>
</tr>
<tr>
<td>A physical or mental health condition that makes it difficult to get involved</td>
<td>19%</td>
<td>30%</td>
<td>47%</td>
</tr>
<tr>
<td>Not having enough time</td>
<td>17%</td>
<td>26%</td>
<td>52%</td>
</tr>
<tr>
<td>Feeling unwelcome</td>
<td>10%</td>
<td>17%</td>
<td>69%</td>
</tr>
<tr>
<td>A concern that you do not speak the language well enough</td>
<td>9%</td>
<td>29%</td>
<td>57%</td>
</tr>
<tr>
<td>Not having enough money</td>
<td>9%</td>
<td>20%</td>
<td>68%</td>
</tr>
</tbody>
</table>
People’s connections to the larger community

We explored people’s attitudes and experiences, not just in their neighbourhoods but in metro Vancouver as a whole. We did this by asking some difficult questions.

Many surveys that broach the subject of discrimination ask whether or not people have experienced prejudice at any point during a certain time period, for example, during the past 12 months. We wanted to measure the extent to which people experience discrimination in their day-to-day lives. While all instances of discrimination are harmful, experiencing prejudice in one’s day-to-day life is likely to have a particularly negative impact.

Given the nature of our survey question, it may not be surprising that 66% of respondents agree that they do not experience discrimination in their day-to-day lives. We are concerned however, that 17% of respondents do. The most likely to report discrimination are single parents (24%), people of Aboriginal ancestry (27%), and South Asians (28%), the ethnic group with the fastest-growing number of new immigrants.

Statement: I do not experience discrimination in my day-to-day life.

Past surveys show that people in the region are highly tolerant of diversity, and value the contributions that different ethnic groups make in our community. We wanted to know if people see diversity as an opportunity to forge meaningful connections, or if people still prefer to associate with those in their own ethnic group.

Fully 65% of those surveyed agree that while most people are tolerant of different ethnic groups, most prefer to be with people in the same group as their own. This means that as a community, we embrace the contributions that different ethnic groups make and the opportunities they afford to enrich our lives but most of us still see our own ethnic group as our “in-group.”

Statement: Most people are tolerant of different ethnic groups but most prefer to be with people in the same ethnic group as themselves.
Speaking the same language is a foundation for building meaningful relationships. We wanted to know if people think that those who do not speak English are not trying hard enough to be part of the community and build those relationships.

Our results indicate that people are conflicted on this point. While 28% do not view non-English speakers as disinterested in community participation, almost half (45%) do.

Statement: People who live here and do not speak English simply do not try hard enough to be part of the community.

By 2031 it is estimated that over 20% of people in metro Vancouver will be 65 or older. It will become even more important to foster meaningful connections between older and younger generations.

42% of metro Vancouver residents surveyed agree that younger and older generations do not make an effort to get to know one another and understand each other. Only 24% disagree.

Young people are most likely to feel that the two generations are not making enough of an effort to connect. 51% of those aged 18 to 34 agree that the two generations do not make an effort to get to know and understand each other. 30% of people over 65 agree with this statement.

Statement: The younger and older generations do not make an effort to get to know one another and understand each other.
It has been suggested by some that Vancouver is becoming a place for the wealthy, and that there is too much foreign ownership of real estate here. Irrespective of whether these statements are true or not, we wanted to quantify the extent to which our community actually holds these attitudes.

Just over half of residents agree that Vancouver is becoming a resort town for the wealthy (54%) and that there is too much foreign ownership of real estate here (52%).

Residents between the ages of 25 and 34 are the group most likely to agree with these statements (61%). Many of these young people are likely trying to start careers and families and are confronting the high-priced housing market as first-time buyers. The challenges they face may be negatively impacting their perceptions of Vancouver as a place where the ‘average person’ can afford to live and the role they believe foreign ownership has on driving up real estate prices.

It is important to note that these two attitudes are strongly related. Among those who agree that Vancouver is becoming a resort town for the wealthy, 68% also agree that there is too much foreign ownership of real estate. This means that many residents link Vancouver’s reputation as an exclusive place for the wealthy to foreign ownership of real estate.

Statement: Vancouver is becoming a resort town for the wealthy.

Statement: There is too much foreign ownership of real estate.
It’s notable that despite the challenges in the region, our thin neighbourhood connections, and low participation in community life, a strong majority (70%) feel welcome and feel like they belong here. Only a small percentage feel like they do not (8%).

People who have been living in Canada for less than 10 years are less likely than those who have been here longer to agree that they feel welcome and belong. However, these residents still have a relatively strong sense of belonging (64% for those in Canada 10 or fewer years; 73% for those in Canada more than 10 years).

Statement: I feel welcome in metro Vancouver and feel like I belong here.

“I wish that we could all speak one language, as we have trouble communicating. We still talk, but I know we would be closer if we could understand each other.”

Maple Ridge survey respondent
As a community foundation, we are concerned that only about one in four people took part in any kind of community or neighbourhood project, such as a neighbourhood clean up or community garden. We are concerned too that in a region as diverse as ours, only about one in four people attended an ethnic or cultural event put on by an ethnic or cultural group different than their own.

Our survey shows that people’s ethnic and cultural background has a dramatic impact on how they experience community. We will analyse this data thoroughly and will have more to say about diversity, and building bridges between different ethnic groups, in future reports.

Little happens when people stay home with their own kind, and aren’t interested or engaged in what happens beyond their own front yard. It’s getting out into the community and taking part in community activities that sparks engagement and creates the possibility of change.

It’s good for the entire community and it’s even good for us as individuals.

There is an astonishing finding that comes from work done in the U.S. into the benefits of connections and community engagement. Simply joining a club is as good for your health as quitting smoking, exercising or losing weight.

Despite evidence that getting involved in community activities benefits us personally, many of us are retreating from civic life. We vote less, give less, volunteer less and join less. This fraying of community leads to indifference, a corrosion of caring and compassion and a retreat from the very things that make our community a better place to live.

Our research tells us there is a link between negative attitudes toward the community and difficulty making friends. People who agree that it is difficult to make new friends here are much less trusting of others, are less connected to their neighbours and less optimistic about the prospect of people being able to forge meaningful connections.

We are also concerned about links between affordability and people’s attitudes toward the community. This is particularly true for younger adults. Their experiences appear to negatively affect their perceptions of Vancouver as a place where the ‘average family’ can afford to live and the role they perceive foreign ownership has on real estate prices.
Throughout our survey, we were surprised to see so many people unable or unwilling to take a position on certain questions. It seemed as though large numbers of people could neither agree nor disagree on some issues. For example, 41% of the people we surveyed say they ‘neither agree nor disagree’ with the statement “The ties among people in my neighbourhood are growing stronger.” And 32% of the respondents say they ‘do not know’ if most people in their neighbourhood trust each other.

We wondered about this, and we speculate in several places throughout the report why so many people might be unable or unwilling to say what they think or how they feel. The truth is that we will never know their reasons without going back and asking them. However, we could understand them better by looking at how they answered other questions in the survey. So we asked Sentis Market Research to do just that.

They found that the people who appear on the surface to be non-committal or undecided are in fact less trusting and more likely to have negative attitudes about neighbourhood and community.

Here’s an example: We took the question “Do you think that most people in your neighbourhood trust each other?” We looked at how the people who said ‘yes’ or ‘no’ answered other questions about their neighbours. Then we compared them to the answers from the ‘don’t know’ group.

It broke down like this:

- 79% of the people who said ‘yes’ to the trust question also think that a lost wallet would be returned by a neighbour with the money inside.
- 37% of the people who said ‘no’ to the trust question think the wallet would be returned.
- And 49% of the people who said they ‘don’t know’ if most neighbours trust each other think the wallet would be returned.

We can see from this that ‘don’t know’ is not a neutral response to the trust question. That group is less trusting that the wallet will be returned and more like the group that said ‘no.’

The comparison holds across other variables.
We compared how people answered the trust question to how they answered a question about whether they feel welcome in their neighbourhood:

- 89% of those who think that most people in their neighbourhood trust each other also feel welcome and feel that they belong in their neighbourhood.
- 49% of the people who said ‘no’ to the trust question feel a sense of belonging in their neighbourhood.
- And 59% of those who said they ‘don’t know’ if most people trust each other say they feel welcome and have a sense of belonging.

The analysis shows two important things: that perceptions of neighbourhood trust relate powerfully to how people interact with their neighbours and how they view the intentions of their neighbours. And that the large percentage who say they ‘don’t know’ if most people in the neighbourhood can trust each other, actually act and feel like those who said ‘no’ to the same question.

The early analysis holds true for the group that could ‘neither agree nor disagree’ with certain statements. Their answers to other questions in the survey indicate that they feel less connected and less engaged with the community, and that their attitudes to community are more negative.

For example:

- 45% of the people who ‘agree’ with the statement “The ties among the people in my neighbourhood are growing stronger” have had a neighbour over to their house during the past year.
- 14% of people who ‘disagree’ with the statement who have had a neighbour over.
- And 22% of the people who could ‘neither agree nor disagree’ with the statement have had a neighbour over.

We will continue to analyse and report on these responses. It is significant that the people who appear on the surface to be non-committal are in fact less trusting, feel less welcome in the neighbourhood and are less optimistic about the prospect of people being able to forge meaningful connections.
The results of our survey offer a mixed picture of our community.

But we see opportunity. We cannot fix what we don’t know is broken. We cannot create bridges if we don’t know there is a need for connection. Now that we know so much more about our community, we are eager to roll up our sleeves and further this work.

Even before we completed this survey, Vancouver Foundation took a hard look at everything we do and asked, “How can we better use our current resources to start building a more connected and engaged community?”

Every year we grant millions of dollars to hundreds of charities who do amazing community projects. We still want to support these great projects, but we will work with organizations to ensure that more projects – whether it’s a river conservation initiative or a new theatre production – include a dimension that builds bridges and brings together people who may not have had the opportunity to work together before.

The Foundation will use the results of this survey to focus on how we can help certain residents become more connected and engaged. We will also consider what initiatives we can work on with our community partners to enhance our residents’ experience of being part of a larger community. In some cases we may support further research to better understand some of the attitudes and barriers that we uncovered in this survey.

We will continue to expand our Neighbourhood Small Grants (NSG) program so that one day there will be a small grants program in every community in metro Vancouver. NSG helps residents connect and engage in their community by encouraging them to come up with ideas that strengthen their neighbourhoods. The program harnesses the existing skills of people by providing small grants of $50 to $1,000 for projects initiated and undertaken by local residents.

NSG stimulates creativity, encourages local solutions, builds connections between neighbours, and
engages people from all backgrounds and circumstances in the life of their community. It is an excellent tool for building bridges at the very local level.

In addition to funding projects, it is critical that we engage the general public in conversations about solutions. After all, we are all members of this community. The only way we can tackle big issues is if all community members, including business, participate in the solutions. To this end, we will be identifying ways to engage all sectors in our work.

Another first step is a collaboration with Simon Fraser University’s Public Square program to host a week-long series of dialogues and events in September 2012. The summit, entitled “Alone Together: Connecting in the Urban Environment,” is an opportunity to explore ideas that matter with many different audiences.

We also want to find new ways to engage current and future donors in this important work. Donors have an important role to play. They are the optimists who believe things can get better, and who demonstrate that belief by helping us invest in great ideas.

We recognize it won’t always be easy for people to appreciate this concept of building a connected and engaged community. It is less tangible than buying a MRI machine or paying for a shelter bed. However, this work is just as important in creating a healthy, vibrant and livable community.

As one young woman recently said to us, “Getting people connected and engaged to their community underpins everything. Without that sense of responsibility, vast numbers of people will sit on the sidelines and we will not be able to tackle the serious problems facing our community.”

We’re excited about these opportunities. We’re in this together.

Join us today.
About Vancouver Foundation

At Vancouver Foundation we are passionate about community. Everything we do is designed to help build more vibrant, healthy and resilient communities across B.C.

We accomplish our work by harnessing the gifts of energy, ideas, time, and money of caring residents to make meaningful and lasting impacts. We are Canada’s largest community foundation and we’ve been investing in our communities since 1943.

We take a very broad approach to our work, recognizing that communities are complex and that many things are needed to make them the best they can be. That’s why every year, with our donors, we fund hundreds of innovative projects – large and small – in areas such as arts and culture, education, children and youth issues, environment, animal welfare, community health, and social development.

Although Vancouver Foundation is a broad funder, we also have two specific areas where we are focusing additional effort and resources for the next few years.

We want to tackle the underlying causes of youth homelessness and improve how the community addresses the needs of at-risk youth, particularly those who are coming out of the foster care system.

As well, we are concentrating on initiatives that will help strengthen our residents’ connections and engagement in their community. As part of that, we want to explore ways to build bridges between the many different types of residents that call metro Vancouver home.

This survey is an important first step in this work to build a connected and engaged community.
Acknowledgments

Vancouver Foundation Board of Directors
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Connections and Engagement survey and report

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Sentis Market Research  Christine Faron Chan

Sentis Market Research is a market and public opinion research firm located in Vancouver, with associates in Calgary and Toronto. The company was established in 2011 and provides services at all stages of the research process, from data collection to the implementation of strategies and action plans. For more information visit sentisresearch.com

Sentis
measuring what matters
Learn more about community connections and engagement, get involved and share your ideas or stories at:

**Web:** vancouverfoundation.ca/connect-engage

**Email:** info@vancouverfoundation.ca

**Facebook:** VancouverFdn

**Twitter:** @VancouverFdn
This report provides an overview of health and wellness in the City of North Vancouver that will give residents, community agencies and local governments a better understanding of the factors influencing health in their community. Our hope is that this information will help spark community level dialogue on actions to create health promoting environments and reduce health inequities.

HIGHLIGHTS

• Overall general and mental health is comparable to health authority and regional average.

• The smoking prevalence and higher reporting of a chronic breathing condition indicate an area for improved health protection.

• A desirable built environment that includes well-maintained sidewalks and easy access to amenities and public transit.

• Higher levels of unemployment and food insecurity suggest a need for greater action on the social determinants of health.

• These community level data will contribute to the work of the North Shore Congress partnership and the City's official community plan.

COMMUNITY DEMOGRAPHICS

<table>
<thead>
<tr>
<th>GENDER</th>
<th></th>
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<tbody>
<tr>
<td>Female</td>
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<tr>
<td>Male</td>
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<table>
<thead>
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<th>AGE (YEARS)</th>
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<td>18-39</td>
<td>39%</td>
</tr>
<tr>
<td>40-64</td>
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<tr>
<td>65+</td>
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<table>
<thead>
<tr>
<th>BIRTH PLACE</th>
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<tr>
<td>Born in Canada</td>
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<table>
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<td>High school</td>
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<tr>
<td>Certificate or diploma</td>
<td>37%</td>
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<td>University degree</td>
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<tr>
<td>$40,000 to $79,999</td>
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<tr>
<td>$80,000 to $119,999</td>
<td>23%</td>
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<td>$120,000 &amp; above</td>
<td>18%</td>
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<table>
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<th>EMPLOYMENT</th>
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<tbody>
<tr>
<td>Employed</td>
<td>64%</td>
</tr>
<tr>
<td>Not in labour force</td>
<td>26%</td>
</tr>
<tr>
<td>Unemployed</td>
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<table>
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<tr>
<th>ETHNICITY</th>
<th></th>
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<tbody>
<tr>
<td>Aboriginal</td>
<td>10%</td>
</tr>
<tr>
<td>Caucasian</td>
<td>72%</td>
</tr>
<tr>
<td>Chinese</td>
<td>7%</td>
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<tr>
<td>South Asian</td>
<td>s</td>
</tr>
<tr>
<td>Other</td>
<td>10%</td>
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*S = suppressed

CITY OF NORTH VANCOUVER* POPULATION 18+ YEARS (CENSUS 2011) = 40,755

*Includes Mission 1, IRI
Survey and participant recruitment

The My Health My Community survey was conducted between June 2013 and July 2014. People who responded to the survey were 18 years of age or older and lived within the Vancouver Coastal or Fraser Health regions. The survey was available online, in both English and Chinese, and printed versions were also available in English, Chinese and Punjabi. To ensure that we reached all segments of our population, our field outreach team also administered the survey in person in community settings (e.g. community events, seniors groups, homeless shelters).

Overall, more females responded to the survey than males and more responses were received from some geographic areas and population groups than others. Due to the nature of survey responses, it is common practice to “weight” survey results using the most recent census data (2011) to account for these differences. After all of the surveys were completed, we used statistical “weighting” to balance the results so that they represent the population of the geographic region specified. For example, if the responses were 65% female and 35% male, after weighting the responses represent a population that is 51% female and 49% male – closer to the actual values based on census data.

The results in this profile may differ from other publicly reported surveys, e.g. Canadian Community Health Survey, National Household Survey etc., due to differences in methodology such as recruitment, collection and reporting.

More detailed information on the survey tool and questions, recruitment of participants and calculation of indicators can be found in the My Health My Community Technical Report at: www.myhealthmycommunity.org

How to read this profile

Unless otherwise indicated, this report summarizes results for the highlighted geographical area (e.g. municipality) specified on page 1. Results for each indicator on pages 3-7 are presented for the highlighted area overall, and where possible are split into gender (male and female) and three age groups (18-39 years, 40-64 years and 65+ years). In some cases, data for a particular indicator or sub-group have not been shown (have been suppressed) due to small sample size and this is indicated with an ‘S’.

Metro Vancouver averages for each indicator are represented by: %

Graphic bullets highlight socioeconomic differences for select indicators across the METRO VANCOUVER region. Immigration, education, income and ethnicity are represented by the following graphics:

Using the spine chart

The chart on page 8 summarizes results for select indicators of health and well-being (some of which you will find on pages 3-7). In the chart, the results for the highlighted geographic area are given in the first column, along with the results for the relevant larger region (Metro Vancouver, Fraser Valley or Coastal Rural) and the results for the relevant health authority (Vancouver Coastal or Fraser Health). The chart also shows the results for the “worst” and the “best” geographic areas within that health authority. The value for the highlighted geographic area is labeled better (●) or worse (●) if the 95% confidence interval around the municipal value does not overlap with the health authority average.

To provide feedback or for any additional information please contact: info@myhealthmycommunity.org
Healthy behaviours contribute to maintaining physical and mental health, and reducing the risk of chronic conditions such as heart disease, diabetes and stroke. Recommended lifestyle behaviours include (but are not limited to) consumption of 5 or more servings of fruits and vegetables per day, limiting harmful alcohol consumption, avoiding smoking, exercising moderately to vigorously for 150 or more minutes per week, and reducing screen time and other sedentary activities.

Healthy behaviours are shaped by individual choices, social and economic conditions and neighbourhood design. Community programs and policies can encourage and enable healthy behaviours and reduce the burden of chronic conditions in our communities.

Healthy behaviours were higher among people with annual household income $120,000+. They were 75% less likely to smoke, were 60% more likely to consume 5+ daily servings of fruits and vegetables and were 30% less likely to have 2+ hours of daily screen time compared to those with household income under $40,000.

Healthy behaviours were higher among university graduates compared to those with less than high school education. They were 80% less likely to smoke and 2 times more likely to consume 5+ daily servings of fruits and vegetables.

Healthy behaviours varied by ethnicity. Compared to the Metro Vancouver average, smoking was 3 times higher among Aboriginal people, consumption of 5+ daily servings of fruits and vegetables was 40% lower among South Asians, and weekly recommended physical activity was 25% lower among Chinese.

Canadian born were more likely to be physically active and eat 5+ daily servings of fruits and vegetables, but were 2 times more likely to be smokers compared to immigrants.

Across Metro Vancouver
The physical environment in which we live, work and play impacts our health. Physical components of a built environment include neighbourhood design, transportation networks, natural environment, healthy food systems and housing. Community design influences community connectedness, mental and physical health, and chronic disease outcomes by promoting healthy behaviours such as walking or cycling. Healthy built environments are a shared responsibility and require the combined efforts of community agencies, health and social services and various levels of government.

**COMMUTE MODE TO WORK OR SCHOOL**

- **Total**: 50% Car/Truck, 30% Transit, 14% Walk/Cycle

**AGE**
- 18 - 39: 44% Car/Truck, 36% Transit, 13% Walk/Cycle
- 40 - 64: 57% Car/Truck, 22% Transit, 17% Walk/Cycle
- 65+: 37% Car/Truck, 51% Transit, 13% Walk/Cycle

**GENDER**
- Female: 52% Car/Truck, 27% Transit, 15% Walk/Cycle
- Male: 48% Car/Truck, 33% Transit, 13% Walk/Cycle

**MEDIAN* COMMUTE TIME (ONE-WAY)** *Middle value

- Overall: 30 min Car/Truck: 20 min, 60 min Transit: 50 min, 15 min Walk/Cycle: 20 min

**WALK OR CYCLE FOR ERRANDS**

- 25% Walk/Cycle:
  - 18 - 39: 27%
  - 40 - 64: 25%
  - 65+: 19%

**GENDER**
- Female: 22%
- Male: 28%

**ACROSS METRO VANCOUVER**

- Compared to Canadian born, immigrants and especially recent **immigrants** were more likely to take **transit**. **Car use** among immigrants increases with length of time in Canada.

- Households with annual income under $40,000 were 3 times more likely to commute by transit, 2 times more likely to walk or cycle to run errands, and 2 times more likely to be exposed to **second hand smoke** in public places compared to household income of $120,000+.

- Commuting by transit was 50% higher among those with less than high school education compared to university graduates. Exposure to **second hand smoke** in public places was 40% lower among university graduates compared to those with less than high school education.

- Among all ethnicities, Caucasians and South Asians were most likely to drive to work or school. Aboriginal people and Chinese reported the highest likelihood of exposure to **second hand smoke** in public places.
Support from families, friends and communities is associated with better health as it helps people deal with challenges and overcome problems. Supportive communities provide environments in which people are able to make decisions to improve their health and engage in healthy behaviours.

### City of North Vancouver | Community Resiliency

Recent immigrants were less likely to report a strong sense of community belonging, and Canadian born were more likely to report having 4+ people they can confide in.

Those with annual household income of \( \$120,000+ \) were more likely to report a strong sense of community belonging and having 4+ people to confide in.

University graduates were more likely to report having 4+ people to confide in, but were less likely to report a strong sense of community belonging compared to those with less than high school education.

Compared to the Metro Vancouver average of all ethnicities, Caucasians were more likely to report having 4+ people to confide in, and South Asians were more likely to report having a strong sense of community belonging.
City of North Vancouver | Family Doctor

Having a family doctor plays an important role in maintaining health and preventing chronic illness. Regular contact with a health care provider ensures that recommended preventive services, like screening for early stages of disease, is timely and that chronic conditions are well-managed to prevent complications. Having a regular care provider also helps to maintain continuity of care.

**HAVE A FAMILY DOCTOR**

<table>
<thead>
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<th>AGE</th>
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<tbody>
<tr>
<td>18 - 39</td>
<td>73%</td>
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<tr>
<td>40 - 64</td>
<td>85%</td>
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<tr>
<td>65+</td>
<td>90%</td>
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<table>
<thead>
<tr>
<th>GENDER</th>
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</tr>
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<tbody>
<tr>
<td>Female</td>
<td>84%</td>
</tr>
<tr>
<td>Male</td>
<td>78%</td>
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</table>

81% City of North Vancouver

83% Metro Vancouver

**ACROSS METRO VANCOUVER**

Compared to the Metro Vancouver average, having a family doctor was 25% lower among recent immigrants.

Households with annual income of $120,000+ were 15% more likely to have a family doctor compared to those with household income under $40,000.

Among all ethnicities, Aboriginal people were least likely to report having a family doctor and South Asians were the most likely.

City of North Vancouver | Health Status

Our physical and mental health is influenced by lifestyle behaviours, access to health services, the built environment, and our social and economic situation. Self-rated health is considered to be a good measure of the general health status of a population.

**SELF-RATED GENERAL HEALTH**

- **55%** Excellent or very good
- **32%** Good
- **13%** Fair or poor

<table>
<thead>
<tr>
<th>AGE</th>
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<tbody>
<tr>
<td>18 - 39</td>
<td>61%</td>
</tr>
<tr>
<td>40 - 64</td>
<td>51%</td>
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<tr>
<td>65+</td>
<td>49%</td>
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<tr>
<th>GENDER</th>
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<tbody>
<tr>
<td>Female</td>
<td>56%</td>
</tr>
<tr>
<td>Male</td>
<td>54%</td>
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</table>

49% Metro Vancouver excellent or very good

**SELF-RATED MENTAL HEALTH**

- **59%** Excellent or very good
- **28%** Good
- **14%** Fair or poor

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<td>18 - 39</td>
<td>59%</td>
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<th>GENDER</th>
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<tr>
<td>Female</td>
<td>56%</td>
</tr>
<tr>
<td>Male</td>
<td>61%</td>
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</tbody>
</table>

57% Metro Vancouver excellent or very good

**ACROSS METRO VANCOUVER**

- University graduates were 2 times more likely to report excellent or very good general health and 60% more likely to report excellent or very good mental health compared to those with less than high school education.

- Households with annual income $120,000+ were 2 times more likely to report excellent or very good general health and 60% more likely to report excellent or very good mental health compared to households with income under $40,000.
City of North Vancouver | Obesity

**OBESITY (BODY MASS INDEX >=30.0)**

<table>
<thead>
<tr>
<th>AGE</th>
<th>18 - 39</th>
<th>40 - 64</th>
<th>65+</th>
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<td>GENDER</td>
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<tr>
<td>Male</td>
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</table>

21% Metro Vancouver

**ACROSS METRO VANCOUVER**

- Obesity was lowest among university graduates compared to all other educational levels.
- Compared to the Metro Vancouver average of all ethnicities, obesity was 60% lower among Chinese and 55% higher among Aboriginal people.

City of North Vancouver | Self-reported Chronic Conditions

Chronic conditions are a major burden on our health care system, individuals, families and communities. Strategies to prevent chronic conditions include the development of policies and programs, at a community level, which encourage and enable healthy behaviours in order to reduce risk factors for chronic conditions.

**DIABETES**

<table>
<thead>
<tr>
<th>AGE</th>
<th>18 - 39</th>
<th>40 - 64</th>
<th>65+</th>
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<td>Female</td>
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<tr>
<td>Male</td>
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7% Metro Vancouver

**HEART DISEASE**

<table>
<thead>
<tr>
<th>AGE</th>
<th>18 - 39</th>
<th>40 - 64</th>
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<tr>
<td>Male</td>
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</table>

3% Metro Vancouver

**MOOD OR ANXIETY DISORDER**

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<tr>
<th>AGE</th>
<th>18 - 39</th>
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<th>65+</th>
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</tr>
<tr>
<td>Male</td>
<td></td>
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20% Metro Vancouver

**HIGH BLOOD PRESSURE**

<table>
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<tr>
<th>AGE</th>
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<th>65+</th>
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<tr>
<td>Male</td>
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</table>

15% Metro Vancouver

**MULTIPLE CHRONIC ILLNESSES**

<table>
<thead>
<tr>
<th>AGE</th>
<th>18 - 39</th>
<th>40 - 64</th>
<th>65+</th>
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<tr>
<td>Male</td>
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8% Metro Vancouver

**ACROSS METRO VANCOUVER**

- Multiple chronic conditions were 4 times higher among those with less than high school education and 3 times higher among those with annual household income under $40,000 compared to those in the highest income and education groups.
- Self-reported chronic disease burden varied by ethnicity. South Asians were more likely to report diabetes, heart disease and multiple chronic diseases. Visible minorities were least likely to report mood or anxiety disorder.
City of North Vancouver | Community Health Indicators

The chart below summarizes select indicators of health and well-being. Results for the City of North Vancouver are compared to the Metro Vancouver region as well as Vancouver Coastal Health Authority.

### Compared to Vancouver Coastal Health

- **Better**
- **Similar**
- **Worse**
- **Metro Vancouver Average**

<table>
<thead>
<tr>
<th>DOMAIN</th>
<th>Indicator</th>
<th>City of North Vancouver (%)</th>
<th>Metro Vancouver (%)</th>
<th>Vancouver Coastal Health (%)</th>
<th>Summary Chart</th>
<th>Vancouver Coastal Health最好 (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ECONOMIC</strong></td>
<td>Household income under $40,000</td>
<td>35.3</td>
<td>31.7</td>
<td>35.6</td>
<td></td>
<td>40.4</td>
</tr>
<tr>
<td></td>
<td>Currently unemployed</td>
<td>9.5</td>
<td>6.4</td>
<td>6.6</td>
<td></td>
<td>9.5</td>
</tr>
<tr>
<td><strong>HEALTH STATUS</strong></td>
<td>General health (excellent/very good)</td>
<td>54.6</td>
<td>48.5</td>
<td>50.3</td>
<td></td>
<td>41.5</td>
</tr>
<tr>
<td></td>
<td>Mental health (excellent/very good)</td>
<td>58.7</td>
<td>56.5</td>
<td>54.9</td>
<td></td>
<td>52.2</td>
</tr>
<tr>
<td></td>
<td>Obesity (BMI 30+)</td>
<td>21.1</td>
<td>21.7</td>
<td>17.0</td>
<td></td>
<td>39.1</td>
</tr>
<tr>
<td></td>
<td>Diabetes</td>
<td>6.9</td>
<td>7.7</td>
<td>6.6</td>
<td></td>
<td>11.8</td>
</tr>
<tr>
<td></td>
<td>High blood pressure</td>
<td>15.3</td>
<td>17.9</td>
<td>16.4</td>
<td></td>
<td>30.8</td>
</tr>
<tr>
<td></td>
<td>Heart disease</td>
<td>3.5</td>
<td>4.7</td>
<td>4.1</td>
<td></td>
<td>12.0</td>
</tr>
<tr>
<td></td>
<td>Chronic breathing condition</td>
<td>10.2</td>
<td>7.2</td>
<td>7.3</td>
<td></td>
<td>10.2</td>
</tr>
<tr>
<td></td>
<td>Arthritis</td>
<td>13.2</td>
<td>13.1</td>
<td>12.4</td>
<td></td>
<td>21.6</td>
</tr>
<tr>
<td></td>
<td>Mood or anxiety disorder</td>
<td>19.9</td>
<td>16.3</td>
<td>16.4</td>
<td></td>
<td>19.9</td>
</tr>
<tr>
<td></td>
<td>Multiple chronic conditions</td>
<td>7.6</td>
<td>7.9</td>
<td>6.8</td>
<td></td>
<td>13.7</td>
</tr>
<tr>
<td></td>
<td>Cancer (lung, breast, prostate or colorectal)</td>
<td>3.0</td>
<td>2.9</td>
<td>2.9</td>
<td></td>
<td>7.8</td>
</tr>
<tr>
<td><strong>LIFESTYLE</strong></td>
<td>Binge drinking (1+ times/month)</td>
<td>26.1</td>
<td>20.7</td>
<td>23.4</td>
<td></td>
<td>48.3</td>
</tr>
<tr>
<td></td>
<td>Smoker (daily/occasional)</td>
<td>13.0</td>
<td>10.6</td>
<td>10.6</td>
<td></td>
<td>13.0</td>
</tr>
<tr>
<td></td>
<td>Physical activity (150+ minutes/week)</td>
<td>48.9</td>
<td>44.1</td>
<td>46.4</td>
<td></td>
<td>37.5</td>
</tr>
<tr>
<td></td>
<td>5+ servings of fruits and vegetables (/day)</td>
<td>28.3</td>
<td>24.9</td>
<td>27.2</td>
<td></td>
<td>20.9</td>
</tr>
<tr>
<td></td>
<td>Stress (extremely/quite stressed)</td>
<td>16.6</td>
<td>17.8</td>
<td>16.4</td>
<td></td>
<td>18.0</td>
</tr>
<tr>
<td></td>
<td>Screen time (2+ hours/day)</td>
<td>49.0</td>
<td>47.8</td>
<td>48.8</td>
<td></td>
<td>57.7</td>
</tr>
<tr>
<td></td>
<td>High physical wellness score (10-16)</td>
<td>38.6</td>
<td>37.7</td>
<td>40.9</td>
<td></td>
<td>29.3</td>
</tr>
<tr>
<td><strong>PRIMARY CARE ACCESS</strong></td>
<td>Have a family doctor</td>
<td>81.4</td>
<td>83.1</td>
<td>81.0</td>
<td></td>
<td>76.9</td>
</tr>
<tr>
<td></td>
<td>Visited health care professional (past 12 months)</td>
<td>83.2</td>
<td>80.4</td>
<td>81.5</td>
<td></td>
<td>76.0</td>
</tr>
<tr>
<td></td>
<td>Visited physician with appointment</td>
<td>70.6</td>
<td>75.0</td>
<td>73.6</td>
<td></td>
<td>69.6</td>
</tr>
<tr>
<td></td>
<td>Visited walk-in clinic without appointment</td>
<td>20.5</td>
<td>16.5</td>
<td>16.6</td>
<td></td>
<td>20.5</td>
</tr>
<tr>
<td><strong>BUILT ENVIRONMENT</strong></td>
<td>Commute - car</td>
<td>49.9</td>
<td>55.1</td>
<td>45.2</td>
<td></td>
<td>86.9</td>
</tr>
<tr>
<td></td>
<td>Commute - public transit</td>
<td>30.3</td>
<td>28.2</td>
<td>31.8</td>
<td></td>
<td>4.1</td>
</tr>
<tr>
<td></td>
<td>Commute - walk or cycle</td>
<td>14.2</td>
<td>13.7</td>
<td>20.2</td>
<td></td>
<td>8.2</td>
</tr>
<tr>
<td></td>
<td>Commute time (one way 30+ minutes)</td>
<td>55.4</td>
<td>56.0</td>
<td>50.5</td>
<td></td>
<td>56.0</td>
</tr>
<tr>
<td></td>
<td>Primary mode to run errands - walk or cycle</td>
<td>24.8</td>
<td>19.8</td>
<td>28.1</td>
<td></td>
<td>8.1</td>
</tr>
<tr>
<td></td>
<td>Second hand smoke exposure (public places)</td>
<td>27.1</td>
<td>26.6</td>
<td>27.6</td>
<td></td>
<td>32.1</td>
</tr>
<tr>
<td></td>
<td>Sidewalks well maintained (strongly/somewhat agree)</td>
<td>79.8</td>
<td>75.5</td>
<td>75.8</td>
<td></td>
<td>4.9</td>
</tr>
<tr>
<td></td>
<td>Amenities within walking/cycling distance (strongly/somewhat agree)</td>
<td>87.4</td>
<td>69.5</td>
<td>74.9</td>
<td></td>
<td>32.9</td>
</tr>
<tr>
<td></td>
<td>Transit stop (less than 5 minute walk)</td>
<td>93.4</td>
<td>84.0</td>
<td>88.0</td>
<td></td>
<td>68.7</td>
</tr>
<tr>
<td><strong>COMMUNITY RESILIENCY</strong></td>
<td>Emergency supplies (3+ days)</td>
<td>27.2</td>
<td>26.7</td>
<td>27.0</td>
<td></td>
<td>17.3</td>
</tr>
<tr>
<td></td>
<td>Food insecure (sometimes/often)</td>
<td>8.5</td>
<td>7.0</td>
<td>7.3</td>
<td></td>
<td>8.5</td>
</tr>
<tr>
<td></td>
<td>Community belonging (strong/somewhat strong)</td>
<td>63.7</td>
<td>55.9</td>
<td>57.8</td>
<td></td>
<td>53.8</td>
</tr>
<tr>
<td></td>
<td>4+ people to confide in/to turn to for help</td>
<td>43.7</td>
<td>45.0</td>
<td>48.1</td>
<td></td>
<td>41.4</td>
</tr>
</tbody>
</table>

S = suppressed

1. Reported diagnosis of two or more of the following: Diabetes, heart disease, stroke, high blood pressure or chronic breathing conditions.
2. Five or more drinks on one occasion for males and 4 or more drinks on one occasion for females.
3. Lifestyles characterised by eating 5+ servings of fruits or vegetables a day, 30+ minutes of walking a day, 150+ minutes of moderate or vigorous physical activity a week, and not smoking. Wellness scores ranged from 0 -16.
“Encourage active, healthy lifestyles and the opportunity for more social connections through planning and active design principles that encourage physical activity and contribute to enhanced walkability and active streets, sidewalks, and public spaces.”
Content

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2 SECONDARY STAIRS (Page 6)
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4 INDOOR AMENITY (Page 8)
5 OUTDOOR RECREATION (Page 9)
6 COMMUNITY GARDENS (Page 10)
Introduction

What is Active Design?

Active Design is an approach to the development of buildings that uses architecture and urban planning to make daily physical activity more inviting and to encourage social interaction in buildings.

How does Active Design impact me?

Changes to our physical and social environments have exerted powerful influences on people’s overall caloric intake, the composition of their diets, and the frequency and intensity of physical activity at work, school, at home and during leisure time.

A Vancouver Foundation Study revealed that the majority of residents living in apartments feel lonely. Recognizing that the majority of City residents live in higher-density buildings and neighbourhoods and that physical activity and social interaction are key components of healthy lifestyles, the City encourages and enables healthy activity through a variety of measures.

Current Building Code and Zoning regulations indirectly result in building designs that discourage the use of stairs and social interaction. These Guidelines include Architectural and Building Code suggestions to better encourage physical activity and social interaction in new developments.

Applicability

The Active Design Guidelines are used in the review of all rezoning applications for new developments with greater than 10 residential units and/or greater than 1,000 m2 of commercial, industrial or insitutational floor area and are intended to be consulted early in the design development process. Not all elements of the guidelines will be applicable to all projects.

Considerations for all Active Design elements

Universal Access

- The City's Active Design Guidelines are to be used in concert with the Adaptable Design Guidelines. Special attention should be made to maintain a highly accessible means of travel to/from and within the building for people with mobility limitations.

Cost

- Cost will determine the feasibility of design elements. Design teams should work collaboratively towards common project goals to optimize the Active Design elements in relation to the needs of existing and future residents.

Crime Prevention Through Environmental Design (CPTED)

- Employing CPTED principles, such as views onto common areas can limit the potential occurrence of undesirable activities. Furthermore, locating amenity areas centrally and nearby each other will increase the use and safety of the space.

Compatibility

- Consider existing neighbourhood resources, such as adjacent parks and recreation opportunities, to ensure amenities are in alignment with neighbourhood needs.
- Find synergies between Active Design elements and passive building design to ensure a more comfortable and durable building (e.g. thermally broken balconies/corridors, solar shading, and natural ventilation), when possible.
- The City's Active Design Guidelines are to be used in concert with the Sustainable Development Guidelines.
Primary Stairs

Encourage the everyday use of stairs at the building’s primary point of entry/exit.

Stair use is a simple method to incorporate physical activity into our daily routines. The location, design and visibility of the stairway influence whether people will naturally take the stairs and engage in physical activity or not. The Primary Stairs should be the most visible and inviting means of vertical travel while still maintaining elevator access for people with mobility limitations.

Guiding Principles

- Provide a clear visual path into and out of the stairs by leaving the stairs open to two or more floors;
- Locate the stairs in a prominent location near the building’s main entrance;
- Visually emphasize the stairs while maintaining elevator access for those with mobility limitations;
- Provide stairs that have daylight and views to/from common areas;
- Select high-quality, inviting, and visually appealing materials and finishes;
- Provide visible signage to encourage and direct stair use at the elevators; and,
- Design stair widths that can accommodate groups traveling in two directions.

To incentivize and better allow for active stairs, the City allows a Gross Floor Area exclusion for:

“(17) Stairways and landings where:
(a) the staircase is visible from the principal point of entry and no turns or obstacles prevent visibility of, or accessibility to, the qualifying staircase;
(b) signage is located at elevators and escalators to encourage stair use;
(c) the staircase is open to surrounding floor area or includes transparent glazing at each floor level of at least 0.93 square meters (10 square feet);”

Fire separations are typically required between exits and adjacent floor areas. However, an alternative solution approach to Code compliance may permit windows and other openings in these separations.

The BCBC permits an exit to discharge through an entry lobby in certain circumstances. Be mindful of these limitations.

The BCBC includes provisions for self-closing or hold-open devices on exit doors in certain circumstances.
Secondary Stairs

Encourage the everyday use of stairs at the building’s secondary entries/exits.

Stairs have increasingly been moved to uninviting parts of the building and designated as emergency-use only. This is especially true for additional stairs near the building perimeter required for fire-exiting. These Secondary Stairs can provide an additional alternative to the elevator when made inviting and safe to residents. Beyond the immediate benefits of increased physical activity, residents will also become more familiar with emergency exiting options.

Guiding Principles

- Provide a clear visual path into and out of the stairs by:
  - Leaving the stairs open to the environment while still providing overhead rain protection;
  - Enclosing the stairs within a fire-rated glass enclosure with interior views;
  - Enclosing the stairs within a fire-rated glass enclosure with exterior views;
  - Eliminating the locks between the stairs and surrounding floor area (e.g. hold-open devices);
- Provide stairs that have daylight and views to/from common areas;
- Select high-quality, inviting, and visually appealing materials and finishes; and,
- Provide visible signage to encourage and direct stair use at the elevators.

To incentivize and better allow for active stairs, the City allows a Gross Floor Area exclusion for:

“(17) Stairways and landings where:
(a) the staircase is visible from the principal point of entry and no turns or obstacles prevent visibility of, or accessibility to, the qualifying staircase;
(b) signage is located at elevators and escalators to encourage stair use;
(c) the staircase is open to surrounding floor area or includes transparent glazing at each floor level of at least 0.93 square meters (10 square feet);”

Fire separations are typically required between exits and adjacent floor areas. However, an alternative solution approach to Code compliance may permit windows and other openings in these separations.

Floor-to-floor fire separations must be maintained.

The BCBC includes provisions for self-closing or hold-open devices on exit doors in certain circumstances.
Outdoor Circulation

Encourage the use of Outdoor Circulation as a place to meet neighbours naturally.

External Corridors can extend the outdoor opportunities available to building residents. These areas can be used as a place for neighbours to meet naturally, look out onto other common areas, and aid in passive design goals (e.g. mitigate solar gain and facilitate natural ventilation).

Guiding Principles

- Provide a clear visual path into and out of the outdoor corridor by leaving the corridor open to the environment while still providing overhead rain protection;
- Providing the corridor with daylight and views to/from indoor and outdoor common areas;
- Select high-quality, inviting, and visually appealing materials and finishes;
- Visually highlight and articulate the dwelling entrances; and,
- Provide places to pause, look onto outdoor amenity areas and meet neighbours naturally.

City of North Vancouver Policy

To provide design flexibility and encourage external corridors, the City allows for a Gross Floor Area exclusion for:

“(10) Open Appendages, up to a maximum of 8% of Gross Floor Area, including:

(a) balconies, Porches, sun decks;
(b) corridors, stairways, and landings that provide required access to habitable rooms, and open onto an interior courtyard;

“Open Appendage” means an exterior space which is at least 25% unenclosed based on the total of all side and overhead planes as illustrated in Figure 2-2 of the Zoning Bylaw.

British Columbia Building Code

Exterior exit passageways are defined in the BCBC as a way to enhance life safety due to openness of exit corridors. Making corridors open to the environment may simplify Code compliance.

Fire separations may be required between common areas and corridors. However, an alternative solution approach to Code compliance may permit windows and other openings in these separations.
Indoor Amenity

Provide an indoor area that can support socializing, dining, and/or recreation.

A common room can offer residents a space for social gatherings and indoor physical activity. The room can be a meeting place for residents and enable a sense of community within a building.

Guiding Principles

- Provide an indoor amenity area that is held in common ownership with the following:
  - Provide at a minimum, the lesser of 1.4 sqm (15 sqft) per unit or 2% of Gross Floor Area;
  - A reduction to the minimum area required may be considered when an adjacent outdoor amenity is provided but at no time should the indoor amenity room size be less than 37 sqm (400 sqft);
  - Provide a universally accessible washroom, small kitchenette, and storage room nearby.
- Locate the area in a central, above grade location with universal access;
- Locate the amenity room nearby other common areas with views to/from these areas;
- Provide sufficient sound proofing between the area and adjacent residential units; and,
- Partner with community-based organizations that can offer programming support for the space.

Amenity areas are excluded from floor area calculations as follows:

“(14) non-commercial social, recreational and amenity area, provided for the common use and enjoyment of residents and held in common ownership, up to a maximum 5% of total Gross Floor Area;

Amenity areas may be required by the BCBC to be designed to be accessible for persons with disabilities, including egress doors, toilet rooms, and cooking facilities.

The BCBC requires a minimum Sound Transmission Class rating (STC) of 50 between dwelling units and the remainder of the building. Designers may choose to go beyond this minimum standard.
Outdoor Recreation

Provide an outdoor recreation area for the enjoyment of all ages and abilities.

Play allows us to try new things, test our boundaries, to learn from our mistakes and to have fun. It can also help us build strength and stamina, and improve our mobility and health. Outdoor recreational areas can also provide opportunities to create new friendships, have fun and get connected with the community.

Guiding Principles

- Provide an outdoor recreation area that is held in common ownership with the following considerations:
  - Include physical activity opportunities for multiple age groups;
  - Include activities that incorporate a range of movement types: Manipulative Movement (eg. bouncing, throwing, catching), Non-locomotor Movement (eg. balancing, bending, stretching), Locomotor Movement (eg. walking, running);
  - Incorporate natural and unstructured play areas for children;
  - Encourage the use of the area during winter months by providing protection from the rain, celebrating rain through design elements, and co-locating with other indoor/outdoor amenity areas;
- Locate the area in a central, sunny location with universal access;
- Locate the amenity nearby other common areas with views to/from these areas;
- Partner with a community-based organizations that can offer programming support for the space; and,
- Consideration will be given to designs that utilize adjacent city boulevards and engage the surrounding public realm.

City of North Vancouver Policy & Useful Links

Child, Youth + Family Friendly Strategy
http://www.cnv.org/~/media/F7215B6638CD46148D9BF6CBAD1D83CE.pdf

British Columbia Building Code

No significant impacts.
Outdoor Garden
Provide an outdoor garden area where residents can grow food, plants and socialize.

Outdoor garden areas provide residents access to locally-grown, affordable food. In addition to enhanced food security, gardening can also provide light physical activity for all ages and create a sense of community and connection to the environment.

Guiding Principles

- Provide a community garden area that is held in common ownership for building occupants.
  - Provide one garden plot 2.2 sqm (24 sq.ft.) for every four dwelling units;
  - Encourage the use of the space during winter months by providing protection from the rain, celebrating rain through design elements, and co-locating other indoor/outdoor amenity areas;
  - Provide a nearby hose bib, rodent-resistant compost bin and storage room/tool shed;
  - Provide a common area for the cooking, storage and processing of food; and,
  - Provide a nearby seating area for rest and socializing.
- Locate the area in a central, sunny location with universal access;
- Partner with a community-based organizations that can offer programming support for the space; and
- Consideration will be given to designs that utilize adjacent city boulevards and engage the surrounding public realm.

Urban Agriculture & Food Security in the City
http://www.cnv.org/Your-Government/Living-City/Local-Food
City of North Vancouver Food Strategy and Action Plan
http://www.cnv.org/~/media/071068018CE54660AD9290858E73184.ashx
Edible Garden Project
http://ediblegardenproject.com/

No significant impacts.
Checklist

Primary Stairs

- Provide a clear visual path into and out of the stairs by leaving the stairs open to two or more floors;  
- Locate the stairs in a prominent location near the building’s main entrance;  
- Visually emphasize the stairs while maintaining elevator access for those with mobility limitations;  
- Provide stairs that have daylight and views to/from common areas;  
- Select high-quality, inviting, and visually appealing materials and finishes;  
- Provide visible signage to encourage and direct stair use at the elevators; and,  
- Design stair widths that can accommodate groups traveling in two directions.

Secondary Stairs

- Provide a clear visual path into and out of the stairs by:
  - Leaving the stairs open to the environment while still providing overhead rain protection;  
  - Enclosing the stairs within a fire-rated glass enclosure with interior views;  
  - Enclosing the stairs within a fire-rated glass enclosure with exterior views;  
  - Eliminating the locks between the stairs and surrounding floor area (e.g. hold-open devices);  
- Provide stairs that have daylight and views to/from common areas;  
- Select high-quality, inviting, and visually appealing materials and finishes; and,  
- Provide visible signage to encourage and direct stair use at the elevators.

Outdoor Circulation

- Provide a clear visual path into and out of the outdoor corridor by leaving the corridor open to the environment while still providing overhead rain protection;  
- Providing the corridor with daylight and views to/from indoor and outdoor common areas;  
- Select high-quality, inviting, and visually appealing materials and finishes;  
- Visually highlight and articulate the dwelling entrances; and,  
- Provide places to pause, look onto outdoor amenity areas and meet neighbours naturally.

Indoor Amenity

- Provide an indoor amenity area that is held in common ownership with the following:
  - Provide at a minimum, the lesser of 1.4 sqm (15 sqft) per unit or 2% of Gross Floor Area;  
  - A reduction to the minimum area required may be considered when an adjacent outdoor amenity is provided but at no time should the indoor amenity room size be less than 37 sqm (400 sqft);  
  - Provide a universally accessible washroom, small kitchenette, and storage room nearby.  
- Locate the area in a central, above grade location with universal access;  
- Locate the amenity room nearby other common areas with views to/from these areas;  
- Provide sufficient sound proofing between the area and adjacent residential units; and,  
- Partner with a community-based organizations that can offer programming support for the space.
Outdoor Recreation

- Provide an outdoor recreation area that is held in common ownership with the following considerations:
  - Include physical activity opportunities for multiple age groups;
  - Incorporate natural and unstructured play areas for children;
  - Encourage the use of the area during winter months by providing protection from the rain, celebrating rain through design elements, and co-locating other indoor/outdoor amenity areas;
  - Locate the area in a central, sunny location with universal access;
  - Locate the amenity nearby other common areas with views to/from these areas;
  - Partner with a community-based organizations that can offer programming support for the space; and,
  - Consideration will be given to designs that utilize adjacent city boulevards and engage the surrounding public realm.

Outdoor Gardens

- Provide a community garden area that is held in common ownership for building occupants:
  - Provide one garden plot 2.2 sqm (24 sq.ft.) for every four dwelling units;
  - Encourage the use of the space during winter months by providing protection from the rain, celebrating rain through design elements, and co-locating other indoor/outdoor amenity areas;
  - Provide a nearby hose bib, rodent-resistant compost bin and storage room;
  - Provide a nearby seating area for rest and socializing.
  - Locate the area in a central, sunny location with universal access;
  - Partner with a community-based organizations that can offer programming support for the space; and,
  - Consideration will be given to designs that utilize adjacent city boulevards and engage the surrounding public realm.

Other Elements

- Enhanced bicycle facilities for commercial / office / institutional development:
  - Incorporate bicycle pump/repair stands, tools, air;
  - Include enhanced change facilities with clothes dryers, ironing tables and other features;
  - Consider prominent location of bicycle facilities and highlight these areas using signage and glazing;
  - Use automatic door openers, hold open doors, bicycle integrated stair ramps and other features to facilitate bicycle circulation.

Have a design element not captured in this document? We want to hear how it encourages daily physical activity or social interaction!
Public Hearing
Active Design Guidelines
Zoning Amendment Bylaw No. 8441

Presented by Mike van der Laan
November 16, 2015
Active Design Guidelines
Considered by Council on October 5, 2015
Public Meeting held on November 2, 2015
Feedback currently being incorporated

Today
Proposed Zoning Bylaw Amendment No. 8441
Public Hearing November 16, 2015

IN SUPPORT OF
Overview

Improve the health and well-being of residents by implementing policy, like the Provincial Health Authority’s Healthy Built Environment Toolkit, into guidelines that outline building attributes that make daily physical activity more inviting and encourage social interaction.
Proposed Changes

1. Revising the Open Appendage Calculation
2. Enhancing Stair Exclusions
3. Minimum Amenity Room Requirements
Outdoor Circulation

Encourage the use of Outdoor Circulation as a place to meet neighbours naturally.

- Clear visual path
- Daylight and views
- Inviting
- Individual entrances
- Connections

Since 1995, the ‘Open Appendage’ definition has been Varied 18 times through the Rezoning Process

Propose Changes to:
- Include common area corridors;
- Reduce minimum area enclosed to be 40% to 25%;
- Set maximum to 10% of Floor Area;
- Clarify calculation.
Secondary Stairs

Encourage the everyday use of stairs at the building's secondary entries/exits.

- Primary Stairs Introduced in 2014 in Bylaw No. 8391
- **Propose Changes to:**
  - Extend exclusion to Secondary Stairs that:
    - Are visible and easily accessible from the entry;
    - Include signage encouraging stair use;
    - Are open to the environment or include transparent glazing.
Indoor Amenity

Provide an indoor area that can support socializing, dining, and/or recreation.

- Amenity areas have been excluded from Floor Area since 2003
- Suggested 2% minimum size has been added to the guidelines along with design considerations
- **Propose Changes to:**
  - Remove 2,000 square foot maximum;
  - Retain 5% of Floor Area maximum.
THANK YOU
FOR YOUR ATTENTION
NOTICE OF PUBLIC HEARING

WHO: City of North Vancouver

WHAT: "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8441" Changes to Support Active Lifestyles and Social Interaction

WHEN: Monday, November 16, 2015 at 6:30 pm in Council Chamber

Notice is hereby given that Council will consider the above mentioned Zoning Amendment Bylaw that would encourage Active Design principles, including supporting social interaction and promoting physical activity in buildings. The proposed zoning changes would:

• Increase the maximum permitted amenity room size in some projects;
• Expand floor area exclusions for open stairwells to encourage greater use of the stairs;
• Exclude a greater number of semi-enclosed spaces, such as balconies and corridors.

All persons who believe they may be affected by the above proposal will be afforded an opportunity to be heard in person and/or by written submission. Written or email submissions should be sent to Jennifer Ficocelli, Deputy City Clerk, at jficocelli@cnv.org or by mail to City Hall.

Submissions must be received no later than 4:00 pm, Monday, November 16, 2015, to ensure their availability to Council at the Public Hearing. Once the Public Hearing has concluded, no further information or submissions can be considered by Council.

The proposed Zoning Amendment Bylaw, including background material, will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from November 4, 2015, and online at cnv.org/City-Services/Planning-and-Policies/Active-Design.

Please direct inquiries to Michael Epp, City Planner, at mepp@cnv.org or 604-982-3936.
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BY-LAW NO. 8441

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, 2015, No. 8441” (Changes to Support Active Lifestyles and Social Interaction).

2. Division I “Administration”, Part 2 “Interpretation”, is hereby amended as follows:

A. In the definition of “Gross Floor Area”, delete Section (10) in its entirety, and replace it with the following:

“(10) Open Appendages that are at least 25% unenclosed; up to a maximum of 10% of Gross Floor Area, including:

(a) balconies, Porches, sun decks;

(b) corridors, stairways, and landings that provide required access to habitable rooms, and open onto an interior courtyard;”

B. In the definition of “Gross Floor Area (Coach House, Accessory)”, delete Section (4) in its entirety, and replace it with the following:

“(4) balconies and Porches that are Open Appendages to the Accessory Coach House and are at least 40% unenclosed;”

C. In the definition of “Gross Floor Area (One-Unit Residential)”, delete Section (5) in its entirety, and replace it with the following:

“(5) balconies and Porches that are Open Appendages to the Principle Building and are at least 40% unenclosed;”

D. In the definition of “Gross Floor Area” delete section ‘(14)’ in its entirety, and replace it with the following:

“(14) non-commercial social, recreational and amenity area, provided for the common use and enjoyment of residents and held in common ownership, up to a maximum 5% of total Gross Floor Area;”
E. In the definition of “Gross Floor Area” delete section ‘(17)’ in its entirety, and replace it with the following:

“(17) stairways and landings where:

(a) the stairway is visible from the principal point of entry and no turns or obstacles prevent visibility of, or accessibility to, the qualifying staircase;

(b) signage is located at elevators and escalators to encourage stair use;

(c) the stairway is open to the surrounding floor area or includes transparent glazing at each floor level of at least 0.93 square meters (10 square feet);”

F. Delete the definition “Open Appendage” in its entirety, and replace it with the following:

“Open Appendage” means an exterior space that is left open to the environment. The percent open is calculated as illustrated in Figure 2-2;”
G. After the definition “Open Appendage”, add the following:

"Figure – 2-2 Open Appendage Calculation

This figure is a visual example of how to calculate the percent open.

READ a first time by the Council on the 5th day of October, 2015.

READ a second time by the Council on the <> day of <> , 2015.

READ a third time and passed by the Council on the <> day of <> , 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <> , 2015.

______________________________
MAYOR

______________________________
CITY CLERK
ATTACHMENTS:


PURPOSE:

The purpose of this report is to provide Council with further information with respect to proposed Business Licence Bylaw 2004, No. 7584 Amendment Bylaw, 2015, No. 8437 (Greenhouse Gas Emissions Labels for Gas Pumps). This Information Report provides background information for the Public Meeting scheduled for November 16, 2015. The purpose of the Public Meeting is to gather input from interested parties to help Council decide if they wish to adopt the Bylaw.

BACKGROUND:

On June 15, 2015, Council received a delegation from Emily Kelsall on behalf of the Our Horizon organization requesting that the City require warning labels on fuel pumps in the City. At that time, Council directed staff to bring forward a bylaw requirement that such labels be placed on all fuel pumps in the City.

On July 20, 2015, Council considered a new business licence bylaw amendment (Attachment #1) to require information labels on all gas station fuel pumps licensed in the City, and referred the bylaw amendment to a Public Meeting. At that time, some
concern was expressed regarding the potential impact of the approach (use of warning labels), in that it may simply induce feelings of fear or guilt rather than positively influencing behaviour. Council members asked staff to carefully consider an analysis of the potential impact in changing behaviour. Staff have completed this analysis, and have included information in this report in this regard.

It should be noted that staff are not asking Council to approve specific label designs as part of the Bylaw adoption process but rather provide comments with respect to the approach to the labels. If Council proceeds to adopt the Bylaw, staff will design the labels based on Council's general feedback from the Public Meeting.

Climate Action Initiatives

The City has a long history that dates back to the late 1990s of taking action to reduce greenhouse gas emissions to mitigate climate change. These efforts are documented in the City's achievement of the five milestones of the Federation of Canadian Municipalities' Partners for Climate Protection Program. The City was the 4th municipality in Canada to achieve this milestone for both community-wide and corporate initiatives.

Furthermore, as required under the Province's Bill 27, the Local Government (Green Communities) Statutes Amendment Act, the City adopted the following greenhouse gas emissions targets: (Official Community Plan Objective 4.1.1):

Reduce community greenhouse gas emissions (GHGs) by:
  a) 15 percent below 2007 levels by 2020; and
  b) 50 percent below 2007 levels by 2050
through proactive policies and programs to reduce energy use and emissions from building, infrastructure, transportation and solid and liquid waste.

The City continues to advance efforts to reduce greenhouse gas emissions through a number of different initiatives. Highlights are as follows:

- **Community Transportation Demand Management Program** - This program encourages people to walk, bike, use transit and rideshare, while discouraging single occupancy vehicle use and unnecessary trips. Key programs include promotion of Bike to Work and Bike to School weeks, cycling events, school cycling courses, and TravelSmart workshops with schools and businesses.

- **Greenway Development and AAA Bicycle Network Plan** – The City is developing key pedestrian and greenway connections including the North Shore Spirit Trail and the Green Necklace. The City has also developed an AAA (All Ages and Abilities) bicycle network plan and is continuously improving bike infrastructure throughout the City.
• **Carbon Fund** – The City has a dedicated fund with funds set aside on an annual basis specifically for funding emissions reduction projects.

• **Climate Action Tree Planting Program** – This program provides funding to plant and maintain new street trees along key corridors. These trees reduce greenhouse gas emissions and improve local air quality while also improving the pedestrian realm through shade provision and moderation of high temperatures in the summer. This project is considered both a mitigation and adaptation action – reducing greenhouse gas emissions but also preparing our community for the impacts expected from climate change (hotter summers, etc.).

• **Building Energy Efficiency Program** – This program includes an enhanced energy efficiency compliance process for energy provisions of the BC Building Code, Zoning Bylaw amendments to support the construction of greener buildings (e.g. incentives for thicker wall insulation), and other initiatives to support greener construction in the City.

• **Public Outreach and Engagement** – The City supports community engagement activities designed to encourage local residents and businesses to adopt more sustainable behaviours. These include partnerships with the BC Sustainable Energy Association’s Climate Change Showdown, Dreamweaver Theatre, ClimateSmart, BC Hydro PowerSmart, and others.

• **Green Can and Biweekly Garbage Collection** – Through implementation of the City's award-winning Green Can program, food waste in the garbage stream has been reduced significantly, thus reducing emissions associated with organics in the waste stream.

• **Lonsdale Energy Corporation** – Lonsdale Energy Corporation (LEC) provides highly efficient district heating to 3,800,000 square feet of institutional, commercial, and residential buildings, incorporating renewables such as solar hot water and geothermal. LEC is continuously working to incorporate additional sustainable energy sources such as sewer waste heat recovery.

Through these and other actions, the City has been a national leader and innovator in addressing climate change.

The use of labels on gas pumps in the City provides an innovative, low cost, and potentially complementary action to the City's existing initiatives, provided the labels are carefully designed to appeal to the target audience intended and that unintended consequences of specific messaging approaches are mitigated or avoided.

• **Bylaw 7584**, if adopted by Council, represents the first bylaw of its kind in North America, and indeed in the world: It is thus important to deploy labels that will be effective not only in raising awareness but in *motivating individual action* (specific behaviour changes) that result in lower greenhouse gas emissions.
DISCUSSION:

Climate change is a complex problem. It can seem overwhelming and distant to an individual person's everyday decisions. Solutions are not simple, and require complementary policies under local, provincial, national, and international jurisdictions.

Barriers to individual behaviour choices are influenced by a number of factors. These can include convenience and availability of transit service infrastructure (under Provincial/Federal government control), land use (local government controls), and a myriad of other barriers and incentives to action.

Climate Action Messaging

The City's climate action outreach programs are designed using an evidence-based Community Based Social Marketing approach (CBSM). CBSM considers both barriers and incentives to a given action, and focuses on removing barriers while creating incentives.

The approach emphasizes positive messaging around specific things people can do to reduce GHG emissions. The City works, for example, on improving pedestrian facilities to increase safety and accessibility in school zones (reducing barriers) while working directly with parents, teachers, and school board officials to encourage kids to walk to school (creating incentives).

The CBSM approach also includes a hierarchy of actions where initial, simple steps (e.g. turning off a vehicle while idling) can lead to greater steps in the future (e.g. taking the bus to work one day a week).

Warning vs Information Labels

There are a number of possible approaches that can be taken to determining the content of the messaging included in the gas pump greenhouse gas emissions labels.

One approach is to install a warning type label such as is being proposed by the Our Horizons organization similar to cigarette packaging labels (Council received examples of these in the presentation by Our Horizon and attached to a July 15, 2015 staff report).

Another approach is a more positive educational approach to install an information label that provides information about the link between burning fossil fuels and climate change while also highlighting possible "can-do" actions and choices available for people to reduce greenhouse gas emissions.
Potential Cautions of Negative Messaging Campaigns

Recent (2014) studies of behaviour modification have recommended caution in the use of negative, fear-based appeals. Negative appeals may work for some people, but not for others, and the effectiveness depends on individual characteristics of the audience.

Negative messaging that relies on fear or guilt may cause people to distance themselves from consideration of the issue and can generate other unintended consequences. Fear-based messaging can invoke the following reactions:

- Denial - If people believe that the harmful consequence is unlikely or impossible, they may discount or deny the information and the relevance of the message;
- Minimizing - Minimizing occurs when people think that the negative outcome is exaggerated and therefore don’t respond to the message; and
- Avoidance - People may avoid the message altogether. People don’t necessarily want their views challenged and may therefore avoid the messages—by flipping the page, changing the channel or simply tuning out.

Research suggests that a fear-based or negative campaign may well work well for certain segments of the population, but that it may have the opposite impact with other segments of the population.

Proposed Approach for Gas Pump Labels

The gas pump information label bylaw represents a very significant, timely, low-cost approach to deliver key messages or “prompts” as reminders of positive, can-do actions people can take to reduce GHG emissions. The approach directly complements existing climate action outreach programs and is aimed at a clear target audience (drivers who are refuelling vehicles).

Staff recommend gas pump information labels that, while providing a link between fuel consumption and climate change, also include positive messages to encourage drivers to take actions that will ultimately reduce greenhouse gas emissions. These labels could highlight the economic and convenience benefits of lower emissions behaviours, and could be tested using focus groups to determine effectiveness.

Sample messages could include:

- Electric vehicle incentives (e.g., “Get $5000 towards a purchase of a new electric car”);
- The BC Scrap-It program (e.g., “Trade in your clunker for a transit pass worth $1,360”);
- Fuel efficient driving tips (e.g., “Save fuel through properly inflating your tires”);
- Facts about vehicle idling (e.g., “Idling your vehicle for more than 10 seconds wastes more gas than restarting your engine”);
- Facts about the City’s emissions (e.g. “49% of GHG emissions in the City of North Vancouver are from transportation”);
- Facts about climate change (e.g. “Burning fossil fuel contributes to climate change”); and
- Highlighting co-benefits of active transportation (e.g. “Walking has zero GHG emissions and improves your health”); and

Research and practice demonstrates that highlighting other individual benefits (financial savings, improved health outcomes) increases the likelihood of motivating an individual to undertake a particular behaviour change.

**Implementation Approach**

If Council adopts the Business License Amendment Bylaw No 8437, labels will be designed to encourage drivers to make choices that reduce greenhouse gas emissions while increasing general awareness of climate change. Two sizes of labels will be available: one 3” x 3” to fit into nozzle toppers and a 4” x 5” size sticker to put on gas pumps where nozzle toppers don’t exist. Three of six City gas stations use nozzle toppers, but only two were using them at the time of a survey conducted in the summer.

Labels would be designed and installed for defined time periods. Messaging and approach would likely evolve over time as better research and information on label effectiveness becomes available.

Given the importance of the initiative and the City’s leadership in this area as the first municipality to require such labels, draft sample labels will be tested for effectiveness using a focus group approach with target audiences to ensure the most effective message is deployed.

Staff will provide regular updates to Council as the initiative is being implemented and will report back to Council with label designs.

**Consultation with Gas Station Owners**

Staff contacted all gas station owners in the City to meet with them to discuss this initiative but received no response.

**FINANCIAL IMPLICATIONS:**

Staff estimate the initial costs of the labels to be less than $3,000. Over the years staff will need to re-stock labels but don’t expect significant future costs. Some staff time will be required to deliver the labels and occasional inspections to make sure they are being used.
INTERDEPARTMENTAL IMPLICATIONS:

The approach recommended in this report was supported by the City’s Major Projects Committee at their November 10, 2015 meeting.

CONCLUSION:

The approach recommended by staff emphasizes the use of information labels that will encourage drivers to make choices that reduce greenhouse gas emissions while increasing general awareness of climate change. Labels will be designed and tested for effectiveness before being deployed.

Bylaw 7584, if adopted, will be the first bylaw of its kind in Canada, and the City would be the very first municipality in the country to demonstrate leadership in this area. The approach used by the City could be replicated by other municipalities, and staff recommend that information be shared with other municipalities interested in following the City’s lead in this regard.

RESPECTFULLY SUBMITTED:

Larry Orr
Manager, Business Services

Caroline Jackson
Section Manager,
Environmental Sustainability
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8437

A Bylaw to amend "Business Licence Bylaw, 2004, No. 7584"

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 "Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8437" (Greenhouse Gas Emissions Labels for Gas Pumps).

2. "Business Licence Bylaw, 2004, No. 7584", is hereby amended as follows:

A. In PART 3. INTERPRETATION, add the following:

"335A Gasoline Station

"Gasoline Station" means a premise where gasoline, diesel fuel or other motor fuels derived from petroleum are sold to the public.

335B Greenhouse Gas Emissions Labels for Gas Pumps

"Greenhouse Gas Emissions Labels for Gas Pumps" means a legible and conspicuous label affixed to each pump or pump nozzle used to dispense gasoline or other motor fuel to the public. The Greenhouse Gas Emissions Labels will contain a statement, approved by the Director, Community Development, to encourage the public to make choices that reduce greenhouse gas emissions and to increase general awareness of climate change."

B. In PART 3. INTERPRETATION, renumber as follows:

"335A Group Child Care Facility to 335C Group Child Care Facility"

C. In PART 5. GENERAL REGULATIONS, add the following:

"511.1 Greenhouse Gas Emissions Labels for Gas Pumps

Every operator of a Gasoline Station is required to post or cause to be posted on each pump or pump nozzle used to dispense gasoline or other motor fuel to the public, a legible and conspicuous Greenhouse Gas Emissions Label that has been approved by the Director, Community Development."
D. In PART 5. GENERAL REGULATIONS, renumber as follows:

"511.1 Group Child Care Facility to 511.2 Group Child Care Facility"

READ a first time by the Council on the 20th day of July, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

________________________
MAYOR

________________________
CITY CLERK
To: Mayor Darrell R. Mussatto and Members of Council

From: L. R. Orr, Manager, Business Services
      C. Jackson, Section Manager, Environmental Sustainability

SUBJECT: CLIMATE CHANGE – GREENHOUSE GAS EMISSION INFORMATION LABELS FOR GAS PUMPS (BUSINESS LICENCE BYLAW AMENDMENT CONSIDERATION)

Date: July 15, 2015

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

RECOMMENDATION:

PURSUANT to the report of the Manager, Business Services and Manager, Environmental Sustainability dated July 15, 2015, entitled "Climate Change: Greenhouse Gas Emissions Labels for Gas Pumps (Business Licence Bylaw Amendment Consideration)":

WHEREAS the City has greenhouse gas reduction targets, policies, and actions in its Official Community Plan as required under the provincial Local Government (Green Communities) Statutes Amendment Act (Bill 27, 2008);

WHEREAS the impacts of climate change are already apparent in the City of North Vancouver, with hotter, drier summers and more frequent storm and heavy precipitation events in the winter;

AND WHEREAS 49% of the City's community-wide greenhouse gas emissions are due to the transportation sector;

THEREFORE BE IT RESOLVED THAT Bylaw No. 8437, a Bylaw to amend the "Business Licence Bylaw, 2004, No. 7584 be considered and referred to a public meeting.
ATTACHMENTS:

1. Presentation from Emily Kelsall, June 15, 2015 (Doc#1299619)
2. #Face the Change: Changing Communities in a Changing Climate (Doc#1296865)
3. Bylaw No. 8437, a Bylaw to amend the “Business Licence Bylaw, 2004, No. 7584 (Doc#1299281)

PURPOSE:

To present a Business Licence Bylaw for Council’s consideration that would require information labels on gas station fuel pumps informing the public of the relationship between fossil fuel usage and the creation of Green House Gas Emissions and the impact on Climate Change. This Bylaw would apply to all gas stations licensed in the City.

INTRODUCTION:

At the June 15, 2015 regularly scheduled Council meeting, City Council received a delegation from Emily Kelsall requesting that the City require warning labels on gas pumps in the City. The purpose of such labelling would be to help consumers understand that their consumption of fossil fuels was directly contributing to Climate Change on the planet. This presentation was prepared in conjunction with Our Horizon. A copy of the presentation is included as Attachment #1.

The following resolution was adopted on June 25, 2015:

THAT the correspondence of Emily Kelsall, Our Horizon, dated April 17, 2015, regarding Warning Labels on Gas Pumps – Climate Change, be received and filed with thanks;

THAT the correspondence be referred to staff to bring forward a bylaw to include that warning labels be placed on all gas pumps within the City of North Vancouver, cautioning consumers about the effects of climate change;

AND THAT a copy of the resolution be forwarded to the Union of BC Municipalities.

This report responds to Council direction.

BACKGROUND:

As pointed out in Attachment #2, the Intergovernmental Panel on Climate Change (“IPCC”) is the global authority on climate science. In its 2007 report, the IPCC pointed out that global increases in CO2 concentrations are due primarily to fossil fuel use and
that carbon dioxide (CO2) is the most important anthropogenic [human] GHG. This report further notes that changes in atmospheric concentrations of greenhouse gases... alter the energy balance of the climate system and that the warming of the climate system is unequivocal.

The report recognizes that we are unlikely to successfully adapt to climate change and that we need to reduce our CO2 emissions. The IPCC observes that cities are at the forefront of climate change and further that cities both contribute to the problem and are vulnerable to its impacts and are thus important points for mitigation and adaptation. The IPCC also notes that information instruments and a wide variety of policies and instruments are available to governments to create the incentives for mitigation action.

The City has a long history of taking action to reduce greenhouse gas emissions to mitigate climate change that dates back to the late 1990s. These efforts are documented in the City's achievement of the five milestones of the Federation of Canadian Municipalities' Partners for Climate Protection Program. The City was the 4th municipality in Canada to achieve this milestone for both community-wide and corporate initiatives.

Furthermore as required under the Province's Bill 27, the Local Government (Green Communities) Statutes Amendment Act, the City adopted the following greenhouse gas emissions targets: (Official Community Plan Objective 4.1.1):

Reduce community greenhouse gas emissions (GHGs) by:
- a) 15 percent below 2007 levels by 2020; and
- b) 50 percent below 2007 levels by 2050
through proactive policies and programs to reduce energy use and emissions from building, infrastructure, transportation and solid and liquid waste.

CLIMATE ACTION INITIATIVES

Currently, the City continues to advance efforts to reduce emissions through a number of different initiatives. Highlights are as follows:

- Community Transportation Demand Management Program - this program encourages people to walk, bike, use transit and rideshare, while discouraging single occupancy vehicle use and unnecessary trips. Key programs include promotion of Bike to Work and Bike to School weeks, cycling events, school cycling courses, and TravelSmart workshops with schools and businesses.

- Greenway development and AAA Bicycle Network Plan - the City is developing key pedestrian and greenway connections including the North Shore Spirit Trail and the Green Necklace. The City has also developed an AAA (All Ages and Abilities) bicycle network plan and is continuously improving bike infrastructure throughout the City.
• **Carbon Fund** – the City has a dedicated fund with funds set aside on an annual basis specifically for funding emissions reduction projects.

• **Climate Action Tree Planting Program** – this program provides funding to plant and maintain new street trees along key corridors. These trees reduce greenhouse gas emissions and improve local air quality while also improving the pedestrian realm through shade provision and moderation of high temperatures in the summer. This project is considered both a mitigation and adaptation action – reducing greenhouse gas emissions but also preparing our community for the impacts expected from climate change (hotter summers, etc.).

• **Building Energy Efficiency Program** – this program includes enhanced energy efficiency compliance process for energy provisions of the BC Building Code, Zoning Bylaw amendments to support the construction of greener buildings (e.g. incentives for thicker wall insulation), and other initiatives to support greener construction in the City.

• **Public Outreach and Engagement** – the City supports community engagement activities designed to encourage local residents and businesses to adopt more sustainable behaviours. These include partnerships with the BC Sustainable Energy Association’s Climate Change Showdown, Dreamweaver Theatre, ClimateSmart, BC Hydro PowerSmart, and others.

• **Green Can and Biweekly Garbage Collection** – through implementation of the City's award-winning Green Can program, food waste in the garbage stream has been reduced significantly, thus reducing emissions associated with organics in the waste stream.

• **Lonsdale Energy Corporation** – LEC provides highly efficient district heating to 3,800,000 square feet of institutional, commercial, and residential buildings, incorporating renewables such as solar hot water and geothermal. LEC is continuously working to incorporate additional sustainable energy sources such as sewer waste heat recovery.

Through these and other actions, the City has been a national leader and innovator in addressing climate change. Unfortunately, emissions continue to increase with corresponding effects on the climate. Climate change is now being seen in our lifetime as we experience, on average, warmer temperature and more frequent extreme weather events. Approximately 49% of the City’s community-wide greenhouse gas emissions are due to fossil fuel usage in the transportation sector. Unlike buildings, the City has limited ability to directly achieve GHG reductions in the transportation sector. The City has therefore been seeking ways to help achieve such reductions.
GAS PUMP LABEL PROPOSAL

The request from Ms. Kelsall to label gas pumps is another potential innovation for the City to pioneer in its efforts to mitigate climate change. Public awareness and education is key to changing behavior. Labeling gas pumps to draw attention to the connection between the burning of fossil fuels and climate change has the potential to influence behavior. Ms. Kelsall’s presentation presents a strong argument for this.

The gas pump labelling initiative targets emissions reductions and falls within the definition of a “proactive policy” aimed at assisting members of the public in making the connection between the burning of fossil fuels and the contribution to greenhouse gases and climate change. The initiative is aimed to foster further thought and motivate action and support for alternatives to driving single occupant vehicles. Given that 49% of the City’s community-wide greenhouse gas emissions are due to the transportation sector it would seem that this would be a logical area to target public awareness and education.

PROPOSED BUSINESS LICENCE BYLAW AMENDMENT

After discussions with the City’s lawyers, staff has concluded that the best way to proceed with this would be an amendment to the City’s Business Licence Bylaw to require gas stations in the City to post information labels on gas hose nozzles and/or gas pumps in a conspicuous location under the City’s authority to regulate businesses. Attachment # 3 provides a proposed Business Licence Bylaw amendment in this regard for Council’s consideration. This bylaw amendment will apply to the six existing gas stations and all future stations in the City.

Staff has attempted to keep the wording of this bylaw as clear and concise as possible. In order to provide flexibility for the future, the bylaw delegates authority to the Director of Community Development to approve the wording and design of the labels. This approach will require a policy for Council approval to guide how the City will implement the bylaw including exact wording and design for the labels to ensure consistency and ease of application. Staff will report back to Council with a draft policy prior to the Public Hearing.

While labels have yet to be designed, input has been received from Our Horizon. It is expected that the labels would make reference to both GHG emissions and climate change. Staff will be reporting with more information on a Business Licence Gas Pump Label Policy, including labels, in September.
OTHER JURISDICTIONS:

To staff's knowledge there are no other municipalities in Canada that have undertaken a similar initiative. West Vancouver Council recently passed a motion "... that all vendors of petroleum products in Canada be legislated to provide warning labels on all pump handles ...". This resolution will go to the UBCM for their September 2015 annual conference. As of the date of this report, the cities of Berkeley and San Francisco California have draft ordinances (bylaws) on gas pump warning labels being considered by their Councils but not yet adopted.

FINANCIAL IMPLICATIONS:

There are no direct financial implications arising from this report. Should Council eventually adopt the bylaw staff will explore the suitability and feasibility of the City providing the information labels to gas stations in order to ensure consistent design and messaging. Staff estimate the initial cost for design and printing the labels and for pursuing a public meeting will be $5,000 or less. Should this be pursued, the cost for the information labels can be funded by the existing Community Development operating budget. Staff may need to seek legal advice before pursuing provision of the labels to private business.

INTER-DEPARTMENTAL IMPLICATIONS:

The recommendation in this report was supported by a joint meeting of the Civic Projects' Team and the Directors' Team at the July 14, 2015

SUSTAINABILITY COMMENTS:

This report recommendation is consistent with the City's Official Community Plan Objective 4.1.1 to reduce community greenhouse gas emissions through proactive policies and programs.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

As noted in this report this action is consistent with the City's Climate Action

Goal 4.3 of the City's Official Community Plan aims to engage the community to promote more sustainable behaviours, and Objective 4.1.1 in the City's OCP seeks greenhouse gas reductions through "proactive policies and programs" from the transportation sector.
Despite recent increases in cycling and transit use, personal vehicles currently remain the dominant form of travel and the transportation sector accounts for 49% of the City's CO2 emissions (OCP, pg. 46). It therefore important to target this sector for emissions reductions to meet the emissions reductions targets set out in the OCP.

RESPECTFULLY SUBMITTED:

L. R. Orr
Manager, Business Services

C. Jackson
Section Manager,
Environmental Sustainability
The Debate Is Over

• “Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level.”- IPCC Fourth Assessment Report, Summary for Policymakers (2007)

• "The scientific evidence is clear: global climate change caused by human activities is occurring now, and it is a growing threat to society.”- Global Climate Change and Human Health (2013)

• "The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth’s physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now.” – APS National Policy 07.1 Climate Change (2007)

• "Comprehensive scientific assessments of our current and potential future climates clearly indicate that climate change is real, largely attributable to emissions from human activities, and potentially a very serious problem.” —ACS Public Policy Statement: Climate Change (2010-2013)
WARNING

Use of this fuel product contributes to climate change which may put up to 30% of species at a likely risk of extinction.


WARNING

Use of this fuel product contributes to ocean acidification which puts much marine life at risk of extinction.

To learn more, go to WeCanDoBetter.Me


WARNING

Use of this fuel product contributes to smog which may cause asthma and other respiratory problems in children.

To learn more, go to WeCanDoBetter.Me

No Feedback
Builds Feedback

Diffusion of Responsibility

CAUSE

EFFECT

WARNING
Use of this fuel product contributes to climate change which may put up to 30% of species at a likely risk of extinction.

Enforced by Municipality of Carman by-law 2013-055.
No Feedback Builds Feedback

Diffusion of Responsibility Locates Responsibility
Use of this fuel product contributes to climate change which may cause drought and famine.

It can be done!

• The labels would be a new condition for a gasoline retailer to obtain, continue to hold or renew its business licence.

• The Community Charter provides the authority to require such labels through its powers to regulate in relation to business

• Further, in cooperation with the B.C. provincial government, a municipality may require the labels through its simultaneous jurisdiction to regulate in relation to Public Health (s.8(3)(i))

• Climate change is the exact sort of major environmental challenge that is contemplated by the Supreme Court of Canada in Spaytech v. Hudson. The issue is one that requires action by governments at all levels.
Support So Far

- The concept of climate change warning labels on gas pumps has been **endorsed by over 100 academics and leaders** in their field from universities across North America.
- Berkeley and San Fran **will pass it into law June 23**
- April 20, 2015: Council in the City of Moncton, New Brunswick **unanimously votes** for climate change labels on gas pumps.
- April 11, 2015: **The Association of Vancouver Island and Coastal Communities**, a regional body made up of 51 member municipalities voted to “**support, and will implement where possible**, legislation to require retailers of petroleum products to provide plastic sleeves (nozzle talkers) with warning labels on pump handles for all fossil based liquid fuels.”
- **Guelph committee recommends it council for adoption**. Council will likely adopt voluntary approach. There is already a retailer on board.
- It's being considered in **Oakville, London, Markham, Fredericton, Dieppe, and Halifax**.
The Sustainable City Framework

NATURAL SYSTEMS
The ability of natural systems, both global and local, to support life. Parks and green spaces help regulate the climate, clean and filter water and air, and provide recreational and aesthetic benefits.

SOCIAL CONNECTIONS
The ability of the community to support and celebrate culture, including a diversity of cultural backgrounds.

HUMAN POTENTIAL
The ability of the local community to support residents in their pursuit of individual and collective objectives including supporting education, healthy food, active transportation and affordable housing.

PHYSICAL STRUCTURES/INFRASTRUCTURE
The effective delivery of basic services, shelter and physical amenities required to sustain the health and well-being of the community.

LOCAL ECONOMY
The ability of the community to maintain and support local economic activity.
#FaceTheChange
Changing Communities in a Changing Climate

Report:
Climate Change & Air Pollution Warning Labels on Gas Pumps
Legal Backgrounder for Municipalities in British Columbia
“The medium is the message because it is the medium that shapes and controls the scale and form of human association and action.”

Marshall McLuhan
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Part I – INTRODUCTION AND SUMMARY

1.1 Executive Director’s Letter to Municipal Councillors and Staff

Dear Councillors and Staff,

We find ourselves in an unprecedented moment in human history. Our burning of fossil fuels has changed the basic chemistry of our planet. Our continued failure to act impacts the quality of life in our municipalities and jeopardizes the Earth’s capacity to support life. Ban Ki-moon, the Secretary-General of the United Nations, has called climate change our “only one truly existential threat” and “the greatest moral challenge of our generation.”

Negotiations on climate change at the international level have largely failed. Our federal and provincial levels of government have similarly failed to adequately address the greatest challenge of our time. It is up to local governments to lead.

We propose that municipalities take a simple first step, one that draws from experience with other harmful products; we propose that cities and towns require warning labels on gas pumps. The warning labels show the impacts of climate change and air pollution right in the palm of our hand. They are disruptive. They challenge the status quo and create space for alternatives. The labels will cause some individuals to reduce their emissions but, more importantly, they will result in a shift in our collective demand to facilitate meaningful action on the greatest challenge of our time.

Citizens from all over the world have contacted us to replicate this campaign in their own countries. With the pictorial warning labels already on cigarette packaging all over the world (an initiative that started in Canada), this idea has been primed to go global. Our hope is to set precedents in Canadian communities and then bring your examples of leadership to the United Nations Climate Change conference in Paris this December, 2015.

Since launching our project in early 2013, the concept has been endorsed by over 100 academics and leaders in their field from universities across North America. It is a simple, scalable, low-cost intervention to bring us closer to the impacts of fossil fuel use and create a social environment that is more open to reform. For those of you on the west coast who enjoy boating, you can think of the idea as a trim tab that will make it easier to swing our rudder around and move our ship in a more sustainable direction.

As an elected representative, you have the opportunity to make a historic contribution to the fight against climate change. Let us set an example of leadership for the world to follow.

With hope for a better world,

Rob Shirkey
Executive Director
Our Horizon
1.2 Environmental Law Club’s Letter to Municipal Councillors and Staff

Dear Councillors and Staff,

In May 2013, Rob Shirkey contacted the Environmental Law Club (ELC) at the University of Victoria. He was looking for volunteers in B.C. to help with his initiative to put warning labels on gas nozzles. Rob is an alumnus of UVic Law and, not surprisingly, he was a member of the ELC during his time as a student. We students at the ELC immediately put forth our support. Law can be rather theoretical at times, and this seemed like a great opportunity to get involved with something practical: an environmental initiative where we could put the law into action and hold the outcome in our hands. We wanted to be where the rubber hits the road (bicycle tire rubber, that is.)

Over the next few months we followed Our Horizon’s progress and watched the idea attract community and media attention across Ontario, Canada and beyond. In November 2013, we hosted Rob at UVic as part of Our Horizon’s promotional cross-Canada tour. We were finally able to experience first-hand his enthusiasm and energy as he proposed this simple, yet elegant, idea.

Fast forward to May 2014: Rob had just released his #FaceTheChange Report for municipalities in Ontario and had received positive feedback from a number of councillors across Canada. Then, Emily Kelsall, a grade 10 student from West Vancouver, delivered a brilliant presentation to the District of West Vancouver council about the need for these labels. We knew it was time to translate the #FaceTheChange Report into B.C. law to assist our municipalities to implement the warning labels here.

Under the guidance of Deborah Curran, Hakai Professor in Environmental Law and Sustainability at UVic, seven ELC students stepped up to get the job done. This is why:

Climate change threatens the beauty that surrounds us on Vancouver Island, and Our Horizon addresses its single largest contributor: the burning of fossil fuels – and in such a simple, common sense way. I also find the idea of local governments taking steps to combat climate change empowering, as action at the federal and provincial levels can seem out of reach for ordinary citizens. But anyone can go speak to city council with ideas on helping their community (like warning labels on gas nozzles)! - Erin Gray -

This idea was a no-brainer for me and I had to be a part of it. It’s not going to solve climate change tomorrow, but it will get more people talking, not only about the problem, but how they can be a part of the solution. That is what is so exciting, whether it’s riding a bike or demanding our politicians to do more, these labels will encourage people everywhere to do their part. That’s what climate change needs: collective action. - Matt Hulse -

This is a great initiative to get people engaged with climate change and environmental issues. These warning labels will hopefully plant a seed of interest in local residents, and push them to become more informed about greenhouse gas emissions. As this report advocates, change needs to come from all levels of government. This is a step that all municipalities should take, to take a stand in protecting our environment. - Gabriella Jamieson -
I'm an outdoorsy guy, but I acknowledge that we live in an increasingly urban world. And that's not all bad. Cities are where people can, as a group, best see the link between our daily choices and the outcome of those choices. The more clear that link is, the more sensible our choices will become. - Josh Nobleman -

I grew up in the car heaven that is Los Angeles and have witnessed both the negative environmental effects of automotive dependence and the positive effect of emissions regulations (the air in LA is much less smoggy than it used to be). I find the arguments for putting warning labels on gas pumps compelling and I am excited to be involved in this project advocating for their use in British Columbia. - James Parker -

I got involved with this project because I wanted to contribute to a pragmatic solution to climate change; one that holds people accountable for their actions every time they go for a fill up, and reminds them that they as individuals can take steps to stop climate change. - Mae Price -

Consumer education and information is simple, direct, and respects the opinion of all sides in a contentious issue such as the role of fuel consumption in climate change. I wanted to be involved in the project because I want to contribute to initiatives that seek to strike a common ground for all sides, in communities that want to build towards a sustainable future. - Dora Tsao -

Municipalities of British Columbia, it’s over to you. Show Canada the environmental leadership that it needs right now.

For our shared future,

Gabriella Jamieson  
Josh Nobleman  
Dora Tsao  
James Parker  
Erin Gray  
Mae Price  
Matt Hulse

The legal research in this document is not legal advice and is only applicable to municipalities in British Columbia. It does not apply to Regional Districts, nor does it address the Vancouver Charter (to which the City of Vancouver is subject). Our Horizon Society, its staff, board of directors and volunteer researchers assume no responsibility for reliance on the research contained herein. Municipalities are encouraged to consult their legal departments or seek independent legal advice before taking any action to pursue the proposed by-law amendment. This document should be considered as a starting point for your own analysis.
**1.3 Executive Summary**

Climate change has been described by Ban Ki-moon, the Secretary-General of the United Nations, as our “only one truly existential threat” and “the greatest moral challenge of our generation.” The *Intergovernmental Panel on Climate Change* has attributed climate change to emissions from our use of fossil fuels. Research shows that we must leave the vast majority of fossil fuel reserves undeveloped if we are to avoid catastrophic climate change.

The transportation sector accounts for approximately 40% of greenhouse gas emissions in British Columbia. These emissions also contribute to poor air quality that compromises the health and well-being of citizens in municipalities across the province. The sources and impacts of these emissions are both experienced locally.

To address these harms, we are proposing climate change and air pollution warning labels for gas pump nozzles. Research shows that similar labels used on tobacco products help to change attitudes and behaviour. Our warning labels become even more compelling when considered in the context of climate change and air pollution as they help to address some of the basic psychological and economic causes of these problems. The labels are disruptive of the status quo and have the potential to catalyze meaningful action on climate change and air pollution.

Municipalities in British Columbia can require gasoline retailers to place these labels on their gas pump nozzles. The warning labels would be a new condition for a gasoline retailer to obtain, continue to hold or renew its business licence. The *Community Charter* provides the authority to require such labels through its *Part II - Municipal Purposes and Powers*, which enable municipalities to regulate in relation to Business, Public Health, and the Protection for the Natural Environment. These powers are broad and the Supreme Court of Canada has recognized that municipal by-laws are to be given a broad and purposive interpretation. Given restrictions around areas of concurrent jurisdiction, it may also be prudent to request ministerial approval.

Climate change and air pollution is the exact sort of major environmental challenge that is contemplated by the Supreme Court of Canada in *Spraytech v. Hudson*. The reduction of emissions that contribute to these problems is an effort that needs to be undertaken by all levels of government. This view is consistent with provincial and federal messaging on climate change and long-standing practice in cities and towns across Canada. Unlike the recent shark fin ban decision in *Eng v. Toronto*, or that relating to targeted and discriminatory business practices in *Shell Canada v Vancouver*, our by-law amendment does not seek to “affect matters in another part of the world;” indeed, it addresses a matter that is both local in its causes and its impacts. The labels have the potential to yield numerous benefits to municipalities and they do not appear to conflict with any provincial or federal legislation.

Please contact us to arrange a presentation in your community.

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1.3 Highlights: Climate Change and Warning Labels (Parts II and III)

- **Climate change**: Our use of fossil fuels has increased CO$_2$ concentrations in our atmosphere and acidified our oceans. Unmitigated climate change would likely exceed our capacity to adapt. The United Nations observes that cities are important places for mitigation initiatives.

- **Unburnable carbon**: Governments have agreed to limit the increase in average global temperature to 2 degrees Celsius. This ceiling has effectively created a global carbon budget. The result is that humanity must now leave the vast majority of our fossil fuel reserves underground.

- **Fossil fuel use by automobiles**: The transportation sector in British Columbia accounts for 40% of our greenhouse gas emissions. Exhaust from automobiles contributes to poor air quality and has been associated with cardiovascular disease, stroke, lung cancer, leukemia, and other health concerns.

- **Municipal concerns**: Cities both contribute to and are impacted by air pollution and climate change. Globally, cities are responsible for approximately 70% of carbon emissions. Municipal government in Canada has control over close to half of our country’s greenhouse gas emissions. To date, cities across Canada have taken hundreds of initiatives to reduce their GHGs. Municipal action on climate change is well-established and is integral to addressing the issue.

- **The proposed by-law amendment**: We propose that municipalities require gasoline retailers to place climate change and air pollution warning labels on their gas pump nozzles.

- **Nozzle talkers**: The labels would be affixed to nozzle talkers. A nozzle talker is a sort of rubber sock that fits over standard gas nozzles and is equipped with a flat display for advertising purposes. The medium is recognized by advertisers to be highly effective.

- **Tobacco warning labels**: The most comprehensive meta-study on the effectiveness of tobacco warning labels concludes that they help to change consumer attitudes and behaviour. Tobacco companies have effectively acknowledged this by fighting labelling laws all over the world.

- **Warning label features**: The warning labels address some of the root problems of climate change and air pollution. First, they counteract cognitive biases by bringing faraway consequences into the here and now. Second, they address the problem of diffusion of responsibility by showing impacts right in the palm of our hand. Third, they capture and communicate negative externalities in a qualitative way.

- **Warning label impacts**: The labels take an act that has been normalized for several generations and problematize it. They disrupt the status quo, shake us out of our sense of complacency, and provide impetus for us to do better. They will cause some individual behavioural change but, more importantly, they will contribute to the creation of social conditions that favour meaningful action on climate change.
1.4 **Highlights: Legal Research (Part IV)**

- **Statutory authority**: The general municipal powers and the specific licensing powers in the *Community Charter* provide a municipality with the authority to pass the herein proposed by-law amendment. These provisions are interpreted broadly. The warning labels would be a new condition for a gasoline retailer to obtain, continue to hold, or renew its business licence.

- **Judicial deference**: Courts have established a deferential approach to decisions of municipal councils.

- **Tri-level regulation**: Climate change is the exact sort of major environmental challenge that is contemplated by the Supreme Court of Canada in *Spaytech v. Hudson*. The issue requires action by governments at all levels. This view is consistent with federal and provincial messaging and long standing practice in municipalities across Canada. Indeed, the B.C. provincial government has required municipalities to establish objectives and goals for the reduction of GHG emissions in their official community plans.

- **Consumer information labels**: Warning labels on tobacco packaging have been upheld by the Supreme Court of Canada. The Ontario Court of Appeal ruled in *ORHMA v. Toronto* that cities can use their licensing powers and their general powers to impose consumer advisories at restaurant entrances. Our warning labels draw on these precedents.

- **Shark fin bans distinguished**: The Ontario Superior Court of Justice found a shark fin ban to be outside the jurisdiction of the City of Toronto as it did not relate to a proper municipal purpose (note: the provisions in the *City of Toronto Act* are roughly equivalent to the *Community Charter*’s ss. 7(d), 8(3)(i) and (j)). The issue of finning sharks appears to have had no historic consideration by local government prior to becoming a cause célèbre in 2011; in comparison, municipal action on climate change is a long accepted practice in Canada. Moreover, the shark fin bans addressed a harm that occurred in distant oceans, whereas our by-law amendment addresses a harm that originates from within a municipality and whose impacts are experienced locally.

- **Identifiable benefits**: The warning labels foster the economic, social, and environmental well-being of communities, protect the natural environment, and advance public health.

- **Anti-idling by-laws**: The preamble from numerous municipal anti-idling by-laws reference greenhouse gas emissions, climate change, and local air quality. Implicit in these ubiquitous by-laws is an accepted recognition of vehicular emissions as a matter of local concern. The rationale behind our labelling by-law amendment is identical.
1.5 About Our Horizon

Our Horizon is a federally-incorporated not-for-profit organization that empowers people and communities across Canada to change the world. We think globally and act municipally.

Our name is a rejection of the system that made BP’s offshore drilling rig the Deepwater Horizon a reality. This rig drilled over 10 km deep in the Gulf of Mexico only to burst and spill 4.9 million barrels of crude oil into our oceans in the summer of 2010.

Our Executive Director recalls being stuck in traffic that summer while listening to radio pundits blame BP for the tragedy. As he sat there, he counted 14 lanes of barely-moving vehicles, all burning fossil fuel. There were thousands of vehicles idling within eyesight and millions more stuck in traffic at that very moment all over the world. While most seemed content to blame BP, he recognized that he was complicit; in fact, we were all responsible.

It is the decisions that we each make on a daily basis that shape our collective reality and make such tragedies possible. It is only when we first acknowledge our role in this unsustainable system that we will be able to take meaningful steps to create a much more desirable future. It’s time we #FaceTheChange.

This document is a primer in support of a municipal by-law amendment to require warning labels on gas pumps. We first explore the issue of climate change and air pollution. Next, we discuss our proposal and its intended effects. We then proceed to discuss the legal basis for the by-law amendment, and explain our view that it is impervious to legal challenge. Finally, the document outlines future steps we can take together to make this proposal a reality.

1.6 Our TEDx Talk

Rob Shirkey was invited to deliver a TEDx talk in Toronto in late 2013. The 10-minute video explores some of the psychology and economic theory of our proposal. Rob also shares some of his personal motivations for launching the campaign. The TEDx talk represents a brief introduction to our project and can be viewed online from our website at: http://ourhorizon.org/TEDx. A longer, more thorough lecture can be viewed at: http://ourhorizon.org/CIGI.
Part II – CLIMATE CHANGE & AIR POLLUTION

This section provides the global context for municipal action on climate change. It discusses research that concludes the vast majority of fossil fuels reserves must remain underground if we are to avoid catastrophic climate disruption. This section also explores climate change and air pollution as being local matters in both cause and impact.

2.1 Our Use of Fossil Fuels Causes Climate Change

The Intergovernmental Panel on Climate Change (“IPCC”) is the global authority on climate science. In its 2007 report, the IPCC was unequivocal that “global increases in CO₂ concentrations are due primarily to fossil fuel use” and that “carbon dioxide (CO₂) is the most important anthropogenic [human] GHG.” This report notes that “changes in atmospheric concentrations of greenhouse gases... alter the energy balance of the climate system” and that the “warming of the climate system is unequivocal.”

The report recognizes that we are unlikely to successfully adapt to climate change and that we need to reduce our CO₂ emissions: “Unmitigated climate change would, in the long term, be likely to exceed the capacity of natural, managed and human systems to adapt.” The IPCC observes that cities “are at the forefront of climate change.” Cities both contribute to the problem and are vulnerable to its impacts and are thus important points for mitigation and adaptation. With respect to mitigation – and of particular relevance to our proposal – the IPCC notes that “information instruments” and “a wide variety of policies and instruments are available to governments to create the incentives for mitigation action.”

Our warning labels are information instruments that bring IPCC research on the risks of fossil fuel consumption to a broader audience. They link cause with effect at the point of purchase and are consistent with the global authority’s recommendations to avoid exceeding “the capacity of natural, managed and human systems to adapt” to climate change.

2.2 A Global Carbon Budget

In 2009, national governments met at the United Nations Framework Convention on Climate Change conference in Copenhagen. The consensus achieved through these negotiations is to limit the increase in average global temperature to 2 degrees Celsius. While many scientists say this figure is dangerously...
high, it nevertheless remains our current political consensus.\textsuperscript{10} Researchers estimate that we can emit roughly 565 Gigatons (Gts) of CO\textsubscript{2} until we reach this 2°C threshold.\textsuperscript{11} By setting a ceiling on temperature increase, we have effectively created a global carbon budget.

Annual CO\textsubscript{2} emissions help to put this 565 Gts figure into perspective. In 2011, global emissions of CO\textsubscript{2} amounted to 31.6 Gts; this figure represents a 3% increase over the year before.\textsuperscript{12} At this rate, we have a little over a dozen years until we commit our planet to this 2°C increase in temperature.\textsuperscript{13} Fatih Birol, the International Energy Agency’s (“IEA”) chief economist, observes that “the door to a two-degree trajectory is about to close.”\textsuperscript{14}

\section{2.3 Unburnable Carbon}

In 2011, a group of financial analysts from the UK examined the annual reports of the world’s major fossil fuel companies to estimate our global “proven coal, oil, and gas reserves.”\textsuperscript{15} This calculation represents the total amount of fossil fuels that businesses plan to extract to bring to market for us to burn. The analysts’ research revealed that if we were to burn all of these fuels, we would emit 2,795 Gts of CO\textsubscript{2} – \textit{an amount five times greater than the amount that brings us to the 2°C upper limit.}\textsuperscript{16} The inescapable conclusion is that we must transition away from fossil fuels or we will commit to catastrophic climate disruption. With current technologies, if we are to remain below this 2°C limit, we will need to leave approximately 80% of our proven fossil fuel reserves undeveloped.\textsuperscript{17}

In the fall of 2013, the IPCC endorsed the concept of a “carbon budget” for humanity.\textsuperscript{18} In early 2014, the United Nations climate chief acknowledged that “there is no doubt that most of the fossil fuel reserves we have worldwide will have to stay in the ground.”\textsuperscript{19} The International Energy Agency has come to a similar conclusion.\textsuperscript{20} The World Bank and the International Monetary Fund are also calling for measures that would transition economies away from fossil fuels.\textsuperscript{21}

\textsuperscript{11} Carbon Tracker Initiative, “Unburnable Carbon - Are the world’s financial markets carrying a carbon bubble?” (2012), at 6, online: <http://www.carbontracker.org/report/carbon-bubble/> [Carbon Tracker].
\textsuperscript{12} “Global carbon-dioxide emissions increase by 1.0 Gt in 2011 to record high”, International Energy Agency (24 May 2012), online:<http://www.iea.org/newsroomandevents/news/2012/may/name,27216,en.html>.
\textsuperscript{13} If we assume annual CO\textsubscript{2} emissions of 31.6 Gigatons and a 3% rate of growth, it would take approximately 15 years to reach 565 Gigatons of cumulative CO\textsubscript{2} emissions. Since this calculation begins at year 2011, we have approximately a dozen years from 2014 until we reach this threshold. While estimates will vary, the point remains that we have a relatively short period of time to avoid catastrophic climate disruption.
\textsuperscript{15} Carbon Tracker, supra note 11.
\textsuperscript{16} Ibid.
\textsuperscript{17} Ibid.
Bank even appeared to encourage divestment from the fossil fuel sector. While it may seem inconceivable, we are witnessing the decline of the fossil fuel era and the beginning of a period of massive transition. Communities that acknowledge this reality sooner will have a head start at developing the solutions of tomorrow and will prosper in the long run.

2.4 Fossil Fuel Use by Automobiles in British Columbia

In the 2007 Speech from the Throne, the British Columbia government took one of its first major steps in addressing climate change by acknowledging that “[t]he science is clear. It leaves no room for procrastination. Global warming is real.” The Lieutenant Governor then proceeded to note the major contribution, “about 40 percent”, that the transportation sector makes to B.C.’s total greenhouse gas (“GHG”) emissions and outlined 20 promises to reduce the sector’s impact.

In the years that followed, though not all of these promises were fulfilled, B.C. has been active in addressing climate change and has encouraged municipal involvement on this issue though initiatives such as the Climate Action Charter and the Local Government (Green Communities) Statutes Amendment Act. Indeed, while the transportation sector has experienced a 24% overall increase in emissions in the past two decades, from 18.6 megatonnes (Mt) in 1990 to 23.1 Mt in 2011, there has been a slight downward trend since 2007.

However, as of 2012, the transportation sector still accounts for almost 40% of the province’s total GHG emissions. Within this sector, on-road transportation is the major polluter, producing 14.6 Mt of GHG emissions. That is, our cars and trucks produce the majority (63%) of emissions attributed to the transportation sector, or roughly a quarter (24%) of B.C.’s total emissions. In fact, emissions from on-road transportation have actually increased since 2007. This is because improvements in fuel efficiency have been offset by an increase in average vehicle size.

Beyond the climate impact, exhaust from automobiles also contributes to poor air quality. According to a 2013 report by Metro Vancouver, cars and light trucks are one of the main contributors to smog-forming pollutants (as well as GHG emissions) in the Lower Fraser Valley.

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24 Ibid.
28 Ibid., at 27.
29 Ibid., at 26.
31 BC GHG Inventory Report 2012, supra note 27.
Vehicle emissions have been associated with cardiovascular disease, stroke, lung cancer in adults, leukemia in children, reduced fertility in men, low birth weight, and other health concerns. In B.C. alone, air pollution was associated with 306 acute premature deaths and 1158 hospital admissions in 2008. The Canadian Medical Association estimates that the economic damages of air pollution in B.C. in 2008 were $91.5 million. This accounted for costs due to lost productivity, healthcare, effects on quality of life, and loss of life. These health costs are expected to continue rise in the coming years; it is estimated that between the year 2008 and 2031 there will be a total of 10,483 acute premature deaths, 37,204 hospital admissions, and a total cost of $30.1 billion due to air pollution in B.C. Nationally, about 10 million Canadians, 32% of the population, live in areas with high exposure to traffic-related air pollution and it has been suggested that 21,000 premature deaths can be attributed to air pollution in Canada each year.

2.5 Municipalities Contribute To and are Impacted By Climate Change

According to C40, a network of “megacities taking action to reduce greenhouse gas emissions,” cities are responsible for approximately 70% of global carbon emissions. In Canada, research from the Federation of Canadian Municipalities shows that “up to half of Canada’s greenhouse gas emissions are under the direct or indirect control or influence of municipal governments.” These figures mean that, without municipal activities to reduce GHGs, we are effectively unable to address climate change.

Cities and towns across Canada have responded to the threat of climate change by undertaking hundreds of initiatives that are explicitly directed at the reduction of GHG emissions. These activities are consistent with federal and provincial messaging that encourages municipalities to reduce GHGs. Indeed, municipal action aimed at the reduction of GHGs is a well-established practice in communities across Canada and around the world.

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35 ibid, at 31-32.
36 ibid, at 31-32.
38 “About C40”, C40 Cities, online: <www.c40.org/about>.
41 “Partners for Climate Protection, Demonstrating Results”, Federation of Canadian Municipalities, online: <www.fcm.ca/home/programs/partners-for-climate-protection/demonstrating-results.htm> [FCM Partners for Climate Protection].
42 An internet search reveals a variety of examples. For example, former Minister of the Environment John Baird’s spokesperson said: “We’ve said all along that all levels of government are going to have to work together to address climate change and to fight air pollution... Certainly it’s critical all three levels are on-board with this fight.” Source: Michael Oliveira, “Cities can fight climate change best: Report”, Toronto Star (23 May 2007), online: <http://www.thestar.com/news/2007/05/23/cities_can_fight_climate_change_best_report.html> [Fed and Prov support].
Communities across the country will be affected by climate change in a variety of ways.\textsuperscript{43} In B.C., climate change will place ecosystems that support the local economy and communities at risk, affect population health and safety, and lead to increased frequency and intensity of extreme weather events that will increase costs and insurance related to building and infrastructure.\textsuperscript{44} Examples of impacts to municipalities in B.C. include:

- Extreme weather events such as heavy rain and snow falls, heat waves, and drought which are linked to flooding, landslides, water shortages, forest fires, and reduced air quality.\textsuperscript{45} These events also have health implications; for example, heat waves are associated with heat stroke and an increase in respiratory illness.
- Decreased snow packs resulting in less runoff in summer and less water for agriculture, hydropower, industry, community, and fisheries.\textsuperscript{46}
- Increased risk of floods to coastal communities from precipitation, river flows, sea-level rise, and storm surges. “An estimated 3,000 to 12,000 B.C. homes near the coast could be at risk of flooding by mid-century.”\textsuperscript{47}
- Longer forest fire seasons resulting in the increased likelihood of forced evacuations from homes, air quality warnings, and loss of life.\textsuperscript{48}
- Continued infestation of the mountain pine beetle in our forests expanding northward, eastward and to higher elevations as warming in North America increases the range of suitable habitats for this destructive pest.\textsuperscript{49}

For a list of climate change and air pollution impacts in your community, please consult your local board of health.

\textsuperscript{44} BC Ministry of Environment, “Climate Change Impacts and Adaptation” (accessed January 2015). Online: <http://www2.gov.bc.ca/gov/topic.page?id=BE3D1E436EE14ADE8255FA0AD060659C&title=Climate%20Change%20%26%20Adaptation >.
\textsuperscript{45} Ibid.
\textsuperscript{46} Ibid.
\textsuperscript{47} Ibid.
\textsuperscript{48} Ibid.
Part III – WARNING LABELS ON GAS PUMPS

This section explores *Our Horizon’s* proposed by-law amendment, experience from tobacco labeling, our idea’s theoretical underpinnings, and anticipated positive results from our enacting plan.

### 3.1 The Proposed By-law Amendment

The by-law amendment would require gasoline retailers to place 3-inch by 3-inch climate change and air quality warning labels on gas pump nozzles as a condition of obtaining, continuing to hold, or renewing a business licence. Many gas pumps already come equipped with “nozzle talkers” that can be used for this purpose.

### 3.2 Nozzle Talkers

A “nozzle talker” is a sort of rubber sock that fits over standard gas nozzles and is equipped with a flat display area for advertising to face the consumer. Nozzle talkers retail for approximately $15. A sticker that fits on the 3-inch by 3-inch display area can be printed at nominal cost. The cost of implementing our proposal is small and can easily be covered by a gasoline retailer (see Part IV for more information).

Nozzle talkers were developed by M&M Displays in 1989. Their website describes the medium as “highly effective” and notes the power of the concept: “This unique merchandising tool literally puts your advertising right into the customers’ hand.”

Phoenix Outdoor, a company that specializes in such advertising, observes:

> [Nozzle Talkers] provide a unique and highly effective exposure for the advertiser. With the ability to reach millions of people on a monthly basis and with up to 4 minutes of direct interaction with the consumer, this medium guarantees a captive audience. They may be the smallest signs in the Phoenix network but they command 100% attention and deliver big. [They] provide the perfect opportunity to capture the consumer’s attention like no other medium... [and] have proven results in increasing brand awareness and product sales.

It is clear that the medium is a particularly effective means for communicating information to influence attitudes and behaviour.

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51 Ibid.
3.3 Warning Label Design

The warning labels designed by Our Horizon have a look and feel that is similar to those used on tobacco packages. The labels are designed to communicate the risks of burning gasoline. It is recommended that municipalities develop their own labels to reflect local impacts of air pollution and climate change as well as more global concerns (see Part IV for more information). Please visit our website for samples.

3.4 Successful Experience with Tobacco Warning Labels

In 2001, Canada became the first country in the world to require pictorial warning labels on tobacco packages.53 Our innovation has since spread all over the world. Now more than 60 countries have pictorial warning labels on their tobacco packages.54 In 2009, the European Union commissioned a meta-study that reviewed the scientific literature on the effectiveness of tobacco warning labels.55 The report included over 200 studies and is the most comprehensive analysis on the subject. The report concludes:

*There is clear evidence that tobacco package health warnings increase consumers’ knowledge about the health consequences of tobacco use and contribute to changing consumers’ attitudes towards tobacco use as well as changing consumers’ behaviour. They are also a critical element of an effective tobacco control policy.*56

56 Ibid.
Tobacco companies have acknowledged the impact of these labels by fighting labelling laws all over the world. More generally, there is an entire industry that employs psychologists and runs focus groups to tinker with the images, text, colours, fonts, shapes and textures of packaging – all with the explicit purpose of influencing consumer choices. Clearly, the way a product is presented impacts consumer attitudes and behaviours.

3.5 How the Warning Labels Uniquely Address Climate Change

While there is certainly an analogy to be made with tobacco warning labels, our labels are even more compelling when considered in the context of climate change.

1) The Labels Create Feedback

Climate change can be understood as a problem of no feedback. There is a delay between cause and effect: we burn fossil fuels today but do not get feedback from our actions to signal a need to change our behaviour. This lack of feedback is compounded by what psychologists call ‘hyperbolic discounting’ or the ‘current moment bias’. This is our tendency to prefer interests that are small and proximate in time relative to interests that are significant but experienced in the future.

Our warning labels compress time to counteract the effects of the current moment bias. They bring faraway consequences – property damage, extreme weather, and drought – into the here and now. In doing so, they introduce critically important feedback to help us respond to climate change and air pollution in a more adaptive way.

2) The Labels Locate Responsibility

Climate change can also be understood as a problem of diffusion of responsibility. As individuals, our contribution to the problem is small; collectively, our actions dangerously alter the chemistry of our planet. Social psychologists know that when responsibility for something is shared among many, we often fail to act. The antidote is intuitive: “the key” to addressing problems of diffusion of responsibility is “getting others to feel personally responsible for helping to solve problems they may not consider their own.”

So where responsibility for a problem is diffuse, one must simply locate responsibility. The placement of the warning label on a gas pump nozzle takes a problem of diffuse origins and locates responsibility right in the palm of your hand. Our idea is not another documentary or vague awareness campaign; there is absolutely nothing like it that connects us to the problems of climate change and air pollution in such a direct way. While our concept may be simple, it truly is a game-changer.

3) **The Labels Communicate Externalities in a Qualitative Way**

Climate change is also a problem of negative externalities. Externalities are costs or benefits that result from the use of a product but are not reflected in its price. In the context of fossil fuels, we often hear negative externalities expressed as “hidden costs”. Carbon taxes and cap-and-trade regimes seek to internalize these harms to convey the “true cost” of fossil fuels to the market.

While we are able to determine the costs of the concrete and rebar required to adapt our infrastructure to the impacts of climate change and reflect these costs in the price of fossil fuels, how do we capture externalities like the loss of a species or human suffering? While economists have actually developed models for pricing human life, we recognize that price is a deficient language for communicating these values to the marketplace. Our warning labels are simply a qualitative way of capturing and communicating externalities to the marketplace: what price seeks to convey in quantitative terms (using dollars and cents), our idea communicates in qualitative terms (using image and text). In the abstract, they both achieve the same thing. On the ground, our idea nurtures a focus that engages our sense of humanity in a way that a price signal never could.

Behavioural economists observe that pricing externalities can switch off moral cues that otherwise regulate human behaviour. Ban Ki-moon, the Secretary General of the United Nations has called climate change the “moral challenge of our generation.” If climate change truly is a moral challenge, why not treat it as such? Our warning labels convey important moral information to the marketplace to help transform communities. It is a market signal that can take us from complaining about the price of gas to demanding that governments and businesses do more to address climate change and air pollution.

As world-renowned communications theorist Marshall McLuhan observed, “The medium is the message.” The way in which people typically consume information on climate change is through media such as newspapers, internet, TV and film. While important vehicles for communication, these media, by virtue of their form, unavoidably present the problem as distant or separate and are consumed in a passive manner. By contrast, our form of communication links our consumption of fossil fuels to the impacts of climate change in an unparalleled manner; the medium (i.e. the gas pump nozzle) is the message. Our proposal engages the user in a manner that transitions them from passive observer to active participant to create a much stronger impetus for change.

For more information on the psychology, economics, and communications theory behind our proposal, please visit our website or read our writings at the Huffington Post.

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60 To paraphrase Oscar Wilde: we have come to know the price of everything and the value of nothing.
3.6 A Disruptive Tool to Broaden Engagement and Catalyze Action

We may worry about climate change, oil sands, pipelines, etc., but we rarely question the simple act of pumping gas. There is a complete disconnect. The act of going to a gas station and filling up a car has been normalized for several generations. The warning labels take this unexamined, automatic act and problematize it. In creating a sense of dissatisfaction with the prevailing mobility solution, they stimulate demand for alternatives. The labels disrupt the status quo, shake us out of our sense of complacency, and provide impetus for us to do better. They are a catalyst for change.

Discourse around climate change in Canada tends to overlook end-use in favour of focusing on oil companies, points of extraction (e.g. oil sands, offshore drilling) or means of transportation (e.g. pipelines, shipping). Unfortunately, the uncomfortable reality is that we all share in responsibility for this problem. Indeed, the vast majority of GHGs come from end-use; emissions from extraction and processing pale in comparison to emissions from vehicle combustion. While a diversity of approaches is important, there is a risk that in framing the issue as an exclusively upstream problem, we actually distance ourselves from it and perhaps unintentionally perpetuate the status quo through demand-side complacency. A complacent, disconnected marketplace is unlikely to affect change upstream; engaging consumer demand can help us to finally address these issues in a more meaningful way.

The warning labels are pro-market and non-prescriptive; they simply provide relevant information to the marketplace and rely on the market to respond. The labels will cause some individuals to reduce their emissions but, more importantly, they will result in a shift in our collective demand to facilitate meaningful action on climate change and air pollution. Politicians will have more support to pass climate legislation, invest in public transit, build bike lanes and develop complete communities. Businesses will also innovate to meet the needs of a shifting market. The labels can be thought of as a prerequisite for action on climate change and air pollution; they contribute to social conditions that favour reform. After all, if we can’t even honestly acknowledge our problem, what hope do we have in actually addressing it?

3.7 Identifiable Benefits to the Municipality

The examples below are just some of the ways in which our proposed warning labels benefit a municipality. It is not intended to be an exhaustive list.

1) Reduction in Vehicular Emissions

The reduction of air pollution and GHGs from vehicular emissions is in itself an identifiable benefit to a municipality. This awareness is already evidenced by anti-idling by-laws (discussed in Section 4.2.4) and by hundreds of municipal initiatives directed at reducing these harmful emissions.

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66 FCM Partners for Climate Protection, supra note 41.
The proposed by-law amendment is aimed at a sector that is a significant source of GHGs and air pollution and is rationally connected to the objective of reducing these harmful emissions. Our research suggests that the by-law amendment will help to change attitudes and behaviours. Changes in behaviour would result in a direct reduction of harmful emissions while shifts in attitude would facilitate further initiatives to enhance the environmental well-being of a community.

Cities are responsible for approximately 70% of global carbon emissions. In Canada, up to half of our GHG emissions are under the “control or influence of municipal governments.” If a court were to conclude that municipalities have no authority to reduce these emissions, it would effectively be consigning us to unmitigated climate disruption. Such a decision would fly in the face of federal and provincial calls for municipal action, delegitimize years’ worth of municipal GHG reduction efforts, and risk opening up existing municipal initiatives to judicial challenge. Such a ruling seems implausible.

2) Shifts in Attitude that Directly Benefit the Municipality

A June 2014 *Globe and Mail* article on the Lower Mainland’s 10-year transit plan captures an example of the political pressures of environmental action in our communities:

“All but one of the region’s 21 cities have agreed to a sweeping $7.5-billion plan to improve transit over the next 10 years... But the way to pay for it is still a murky mess. Within hours, [the] Transportation Minister shot down one of the main new sources of revenue mayors recommended – the carbon taxes that Lower Mainland residents pay. “I am certainly not going to be the person who goes out and says, ‘We’re going to jack up your income taxes.’

The vast majority of people in British Columbia commute by car. If a city like Vancouver implements our by-law amendment, hundreds of thousands of citizens would be exposed to the warning labels on a regular basis. Citizens would become less satisfied with existing mobility solutions and more interested in supporting alternatives, like the upcoming referendum on transit improvements. This shift in attitude gives an elected representative the political capital they need to fund public transit, increase bike lanes, and implement various sustainability initiatives. A councillor could rise and say, “Look, I’ve been getting your calls and I’ve seen these labels too. I’m just as frustrated and worried as you are. Let’s finally invest in public transit and more sustainable infrastructure.” The labels would advance core municipal subject matter to enhance the economic, social, and environmental well-being of a city.

3) Health, Safety and Well-Being of Persons

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68 *Act Locally*, supra note 40.
Climate change presents a myriad of health and safety concerns. Citizens in cities and towns will face an increased risk of contracting West Nile Virus, Lyme disease, and malaria; risks to water quality and supply; more extreme weather, heat waves, etc. Vehicle emissions have also been associated with cardiovascular disease, stroke, lung cancer in adults, leukemia in children, reduced fertility in men, low birth weight, and other health concerns. The World Health Organization has identified local air pollution as “the most important environmental carcinogen, more so than passive smoking.” The warning labels address these concerns by reducing harmful emissions and advance the health, safety and well-being of persons.

Impacts from extreme weather events have been related to higher rates of depression, anxiety, violence, and suicide. Mental health experts also observe that “at the deepest level, the debate about the consequences of climate change gives rise to profound questions about the long-term sustainability of human life and the Earth's environment.” Climate change as an existential threat causes many to “commonly [respond with] distress and anxiety. People may feel scared, sad, depressed, numb, helpless and hopeless, frustrated or angry.” Children and adolescents are among groups that appear particularly at risk to “experience more intense worry that causes distress and or interferes with normal day to day life.” Our use of fossil fuels is having a profound impact on the health and well-being of an entire generation.

The Community Charter refers to “well-being” in s. 7. The purpose of a municipality includes “fostering the economic, social and environmental well-being of its community”. Studies show that taking measures to address climate change can result in a variety of psychological benefits. Interestingly, these positive health outcomes “derive from actions that people believe address the climate problem – even if the actual effect on climate is minimal or nonexistent.” Thus, when it comes to health and well-being, it would appear that an identifiable benefit to a municipality exists in the very act of passing climate legislation, no matter how small the impact.

4) Economic, Social and Environmental Well-Being of the Municipality

The economic impact of congestion in large Canadian cities can cost billions of dollars in lost productivity. For example, Transport Canada conservatively estimates the total cost of congestion in the Lower Mainland at $1.5 billion annually. To the extent that the labels can help change commuter behaviour and shift attitudes to facilitate investment in public transit, they help to reduce this economic loss and

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71 Air Pollution Burden of Illness from Traffic, supra note 33.
73 Jessica Fritze et al., “Hope, despair and transformation: Climate change and the promotion of mental health and wellbeing” International Journal of Mental Health Systems 2:13 (17 September 2008), online: <www.ijmhs.com/content/pdf/1752-4458-2-13.pdf> [Climate Change and Mental Health].
74 Ibid, at 9.
75 Ibid, at 6.
76 Ibid, at 7.
77 Community Charter, SBC 2003, c.26, s.7(d) [Community Charter].
79 Ibid.
80 Jonathan Arnold, “Congested and Nowhere to Go: Congestion, Road Infrastructure and Road Pricing in Metro Vancouver” (October 2013), at 1 (Adobe PDF p. 7), online: <http://www.bcbb.com/content/1027/RoadPricingPaper_FINAL.pdf>.
provide a direct benefit to the community. The health costs of vehicular emissions are also significant: researchers at the University of British Columbia say that chronic exposure to air pollution causes almost nine times as many deaths as traffic crashes.\textsuperscript{81} And the health costs of exposure to air pollution cost Canada an estimated $8 billion per year.\textsuperscript{82} A reduction in vehicular emissions provides economic, social and environmental benefits to municipalities.

The B.C. fires of 2010 consumed 330,000 hectares of forest in the B.C. interior, with damages estimated at $220 million.\textsuperscript{83} As a result of fires, pests and diseases, all exacerbated by climate change, the timber supply in B.C. will decrease by 5-8\% by the 2050’s.\textsuperscript{84} Forest fires also affect our homes; the fires of 2003 destroyed more than 334 homes and many businesses with an estimated cost of $700 million.\textsuperscript{85} Flooding will also have a serious economic impact. Based on existing coastal flood protection measures, it is estimated that climate change would lead to damages from flooding of more than $2000 per British Columbian per year by the 2050.\textsuperscript{86}

Carbon pollution also contributes to heat waves, which can cause social unrest.\textsuperscript{87} Climate change will make extreme weather events more frequent and more severe. As explored in previous sections, a reduction in GHG emissions is directed at the root cause of extreme weather and is a legitimate exercise of municipal authority.

\textsuperscript{81} Air Pollution Burden of Illness from Traffic, supra note 33, at 31.
\textsuperscript{82} Scott Sutherland, “UBC researchers find one third of Canadians at risk from traffic pollution” (21 October 2013), online: <https://ca.news.yahoo.com/blogs/geekquinox/ubc-researchers-one-third-canadians-risk-traffic-pollution-011322071.html>, citing the Canadian Medical Journal.
\textsuperscript{84} Ibid.
\textsuperscript{85} Ibid.
\textsuperscript{86} Ibid.
\textsuperscript{87} Courtney Humphries, “Climate change may mean more crime”, Boston Globe (2 March 2014), online: <http://www.bostonglobe.com/ideas/2014/03/02/climate-change-may-mean-more-crime/dZCKg5nx7mUcj513lwAEyO/story.html>. 

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Part IV – LEGAL RESEARCH

This section explores the legal authority for a municipality in British Columbia to require gasoline retailers to place warning labels on gas pump nozzles advising consumers of the harms associated with the product they dispense. The Community Charter, SBC 2003, c 26 provides the authority to require such labels through the municipal authority to regulate business, and specific municipal powers to regulate, prohibit and make requirements concerning protection of the natural environment and public health. The warning labels would be a new licence condition for a gasoline retailer to obtain, continue to hold or renew its business licence.

The legal research in this document is not legal advice and is only applicable to municipalities in British Columbia. It does not apply to Regional Districts, nor does it address the Vancouver Charter (to which the City of Vancouver it subject). Our Horizon Society, its staff, board of directors, and volunteer researchers assume no responsibility for reliance on the research contained herein. Municipalities are encouraged to consult their legal departments or seek independent legal advice before taking any action to pursue the proposed by-law amendment. This document should be considered as a starting point for your own analysis.

4.1 Regulation of Emission, Air Quality and Climate Change in Canada

4.1.1 Tri-Level Regulation

We live in an era where senior levels of government appear to be functionally incapable of addressing climate change. To expect municipalities to suffer the impacts of climate change while at the same time depriving them of the opportunity to respond to its underlying causes would be patently unjust. In Spraytech v. Hudson, the Supreme Court of Canada acknowledged the importance of municipal efforts in addressing such global environmental challenges:

*The context of this appeal includes the realization that our common future, that of every Canadian community, depends on a healthy environment... This Court has recognized that “[e]veryone is aware that individually and collectively, we are responsible for preserving the natural environment . . . environmental protection [has] emerged as a fundamental value in Canadian society”...*

*The case arises in an era in which matters of governance are often examined through the lens of the principle of subsidiarity. This is the proposition that law-making and implementation are often best achieved at a level of government that is not only effective, but also closest to the citizens affected and thus most responsive to their needs, to local distinctiveness, and to population diversity. La Forest J. wrote for the majority in R. v. Hydro-Québec, 1997 CanLII 318 (SCC), [1997] 3 S.C.R. 213, at para. 127, that “the protection of the environment is a major challenge of our time. It is an international problem, one that requires action by governments at all levels” [emphasis in original]. His reasons in that case*

also quoted with approval a passage from Our Common Future, the report produced in 1987 by the United Nations’ World Commission on the Environment and Development. The so-called “Brundtland Commission” recommended that “local governments [should be] empowered to exceed, but not to lower, national norms” (p. 220) [emphasis in original].

Climate change is the exact sort of major environmental challenge that is contemplated by Spraytech. The reduction of GHG emissions is an effort that needs to be undertaken by all levels of government. This view is consistent with provincial and federal messaging on climate change and long-standing practice in cities and towns across Canada. The “validity of tri-level regulation” as noted by the Ontario Court of Appeal in Croplife Canada v. Toronto (City) has been “unambiguously endorsed by the Supreme Court of Canada... as the accepted model in our federal system.”

4.1.2 Federal, Provincial & Municipal: Relationships within the “Tri-Level Regime”

Municipalities are “creatures of statute” and can only exercise powers that have been delegated to them from the provincial government, such as through the provisions of the Community Charter or another Act. Further, municipalities cannot enact by-laws that are inconsistent with a Provincial enactment. To be inconsistent means that by complying with the municipal by-law a person would contravene the provincial enactment. The following sections explore some of the provincial legislative context that could impact our by-law. A review of federal legislation that addresses climate change, air pollution, vehicle emissions, and gasoline retailers does not reveal any areas of operational conflict with our proposed by-law.

4.1.4 The Precautionary Principle

The precautionary principle is “a principle of customary international law” that is “codified in several items of domestic legislation” and was quoted with approval by the majority in Spraytech v. Hudson:

In order to achieve sustainable development, policies must be based on the precautionary principle. Environmental measures must anticipate, prevent and attack the causes of environmental degradation. Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

While the science is unequivocal that our use of fossil fuels alters our atmosphere, affects our air quality, etc., it is useful to recall the precautionary principle when considering our by-law amendment. Lack of full scientific certainty should not hinder a municipality’s efforts to reduce its GHG emissions and improve its air quality.

90 Fed and Prov support, supra note 42.
91 FCM Partners for Climate Protection, supra note 41.
94 Community Charter, supra note 77, s. 10.
95 Community Charter, supra note 77, s. 10(2).
96 Spraytech v. Hudson, supra note 89, at paras. 31-32.
97 Ibid, at para. 31.
4.2 Regulation of Emissions, Air Quality and Climate Change in British Columbia

4.2.1 Climate Action in B.C.: A Shared Responsibility

In 2007, the Province of British Columbia, the Union of British Columbia Municipalities, and a number of local governments signed the British Columbia Climate Action Charter. 98 There are now 180 (of a possible 189) local governments across the province that have signed the Charter, including the Capital Regional District and all of its municipalities, and Metro Vancouver and the majority of its municipalities. 99 In signing the Charter, the Parties acknowledged the reality of anthropogenic climate change, their role in contributing to the issue, and their responsibility to address it. The Charter also outlined a set of common goals necessary to combat climate change. These goals include:

(a) fostering co-operative inter-governmental relations;
(b) aiming to reduce GHG emissions, including both their own and those created by others;
(c) removing legislative, regulatory, policy and other barriers to taking action on climate change;
(d) implementing programs, policies, or legislative actions within the respective jurisdictions that facilitate reduced GHG emissions, where appropriate;
(e) encouraging communities that are complete and compact and socially responsive; and
(f) encouraging infrastructure and a built environment that supports the economic and social needs of the community while minimizing its environmental impact. 100

While the Charter is not legally binding on the signatories, it nevertheless demonstrates the extensive commitment of provincial and local governments to work together to combat climate change and build a clean, healthy environment for present and future generations. It also carries with it potential benefits to its signatory local governments, including participation in the Climate Action Revenue Incentive Program (“CARIP”). CARIP is a conditional grant program that provides funding equivalent to 100 percent of the carbon taxes a local government pays directly – the conditions being: having signed on to the Climate Action Charter, committing to take actions and develop strategies to achieve three stated climate change goals, and reporting on their progress. 101 Implementing our proposed by-law amendment can contribute to a local government’s progress toward the climate change goals mandated by CARIP.

A British Columbia Ministry of Environment publication on air quality regulation notes that the “responsibility to protect air quality is a shared effort between local, regional, provincial, and federal jurisdictions in Canada. Local and regional governments influence air quality as a result of community planning and bylaw development with the authority granted under the Community Charter.” 102

4.2.2 Provincial Climate Change and Air Pollution Legislation

The province of B.C. has adopted a number of enactments to combat climate change and air pollution. These include:

- Greenhouse Gas Reduction Targets Act (GGRTA)
- Carbon Tax Act
- Greenhouse Gas Reduction (Cap and Trade) Act
- Greenhouse Gas Reduction (Emissions Standards) Statutes Amendment Act
- Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act
- Greenhouse Gas Reduction (Vehicle Emissions Standards) Act
- Local Government (Green Communities) Statutes Amendment Act
- Utilities Commission Amendment Act
- Environmental Management Act

The Province of BC has also enacted a number of regulations with specific provisions concerning gasoline retailers. These enactments include:

- Gasoline Vapour Control Regulation, BC Reg. 321/2004. Enacted under the Environmental Management Act (EMA), this regulation requires gasoline storage tanks to be equipped with vapour balancing systems.

- Petroleum Storage and Distribution Facilities Storm Water Regulation, B.C. Reg. 321/2004. Enacted under the EMA, this regulation exempts petroleum storage and distribution facilities that are part of a retail service station from regulations that permit and regulate the discharge of effluent from the facility.

- Renewable and Low Carbon Fuel Requirements Regulation B.C. Reg. 335/2012. Enacted under the Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act, this regulation provides requirements for the labelling of gasoline or diesel fuel that contain renewable fuels such as ethanol and biodiesel.

However, it would appear that none of these enactments regulate climate change, air pollution, vehicle emissions, or gasoline retailers in a manner that would cause the placement of warning labels on gas nozzles to be a contravention of provincial legislation.

4.2.3 Municipal Empowerment in B.C.: the Community Charter

103 For a list of "Climate Action Legislation", please visit the Ministry of Environment’s website: <http://www2.gov.bc.ca/gov/topic.page?id=60E1E7810BC145C6B6FC00EE31F41ECS&title=Climate%20Action%20Legislation>.
106 Renewable and Low Carbon Fuel Requirements Regulation B.C. Reg. 335/2012, s.7.3. Online: <http://www.bclaws.ca/civix/document/id/complete/statreg/394_2008/search/+CIVIX_DOCUMENT_ROOT:%22service%20station%22+CIVIX_DOCUMENT_ANCESTORS:statreg#section7.3>
When it was enacted in 2003, the Community Charter was hailed as “the most empowering local government statute in Canada. It goes further than any provincial legislation in recognizing municipalities as an order of government.” ¹⁰⁷ The Charter is an answer to “[l]ocal governments [who] have long spoken out about their common desire to have a real say about the present and future of their communities.” ¹⁰⁸ Section 3 of the Community Charter states that the purposes of the legislation include providing municipalities and their councils with:

...  

b) The authority and discretion to address existing and future community needs, and  
c) The flexibility to determine the public interest of their communities and to respond to the different needs and changing circumstances of their communities. ¹⁰⁹

4.2.4 Municipal Action on Climate Change and Air Quality: Anti-Idling By-laws

Local governments have long recognized that emissions from internal combustion vehicles negatively affect local air quality and contribute to climate change. Anti-idling by-laws are one of many ways by which municipalities have responded to the multiple harms of vehicular emissions. Approximately 25% of B.C. municipalities, which together account for over 50% of the B.C population, have anti-idling by-laws. ¹¹⁰ These include larger municipalities such as Vancouver, North and West Vancouver, and Victoria, and smaller municipalities such as Penticton, Merritt, and Whistler. ¹¹¹ A number of other municipalities have anti-idling policies and initiatives in place. Many of these municipalities are supported by initiatives such as Idle-Free BC. ¹¹² Implicit in these ubiquitous by-laws is an accepted recognition that exhaust from automobiles contributes to climate change and air pollution, both of which are matters of local concern.

While some of the anti-idling by-laws were created under the municipal power to regulate noise, some of the by-laws, such as that of the City of Victoria, ¹¹³ have been enacted under the s.8(3)(i) [public health] and the s.8(3)(j) [protection of the environment] powers. It is clear that municipalities regard vehicle emissions as a threat to public health and the environment.

Other municipalities, such as the Town of Gibsons, explicitly ground their anti-idling by-law under Community Charter s.8(3)(h) ¹¹⁴ and s.64(c). ¹¹⁵ The by-law notes that the pursuant to these provisions:

¹⁰⁸ British Columbia, Official Report of Debates of the Legislative Assembly (Hansard), vol 14, no. 10 (29 April 2003) at 6295 (Hon T. Nebbeling).
¹⁰⁹ Community Charter, supra note 77, s. 3.
¹¹² Ibid.
¹¹⁴ Community Charter, s. 8(3): “A council may, by bylaw, regulate, prohibit and impose requirements in relation to the following:... (h) the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 [nuisances, disturbances and other objectionable situations].”
¹¹⁵ Community Charter s. 64: “The authority of a council under section 8 (3) (h) [spheres of authority — nuisances disturbances and other objectionable situations] may be exercised in relation to the following:... (c) the emission of smoke, dust, gas, sparks, ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere”
“a municipality may, by bylaw, regulate prohibit and impose requirements with respect to the protection and enhancement of the well-being of its community in relation to the emission of smoke, fumes and other effluvia that is liable to foul or contaminate the atmosphere.”

Section 64(c) of the Community Charter specifically addresses the authority of municipalities to regulate air pollution. It is understandable that an anti-idling by-law would invoke this power to achieve its objective of reducing harmful vehicle emissions that contribute to a number of human health risks. Our gas labels seek to curb emissions for this very same reason.

However, our labels also seek to combat climate change, and s.64(c) seems to support this objective as well. This section states that a council may exercise their s.8(3)(h) authority to regulate in relation to “the emission of smoke, ...fumes or other effluvia that is liable to foul or contaminate the atmosphere”.

According to the Merriam-Webster Online Dictionary, “contaminate” means to “make something dangerous ...by adding something harmful or undesirable to it”. Vehicle emissions contaminate the atmosphere by adding harmful and undesirable CO₂ and other GHGs to it, thereby making it more dangerous for human (and other) life.

It is worth observing that, from a citizen’s perspective, the warning labels are much less restrictive than anti-idling by-laws. The anti-idling by-laws require citizens to stop running their engines after a prescribed period of time; they proscribe freedom. Our warning labels simply provide information; citizens are free to respond as they like or can ignore the message altogether. While the idea of warning labels on gas pumps is ‘new’ and sure to be challenging for many, it is actually much less restrictive than measures directed at the same harms that are already commonplace.

4.3 Municipal Authority in British Columbia to Regulate on Emissions, Air Quality & Climate Change

The authority for a municipality to implement warning labels on gas nozzles can be found in a number of sources of power within the Community Charter. While each municipality has the discretion to choose which power they will rely on, we envision the following possibilities:

- Under the s.8(6) power to regulate in relation to business;
- Under the s.15 business licensing power;
- Under the s.8(3) authority to regulate, prohibit and impose requirements in relation to:
  (h) the protection and enhancement of the well-being of the community in relation to nuisances and contaminating the atmosphere;
  (i) public health; and
  (j) protection of the natural environment.

Each of these possibilities could be implemented as a new regulation or, as an amendment to an existing by-law or business licence. We believe that an amendment to an existing by-law is the most simple and effective option, and for this reason we refer to our proposal as a “by-law amendment”.

We shall explore each of these possibilities in the sections below.

4.3.1 Power to Regulate Business

4.3.1.1 Regulating in Relation to Business

Section 8(6) of the *Community Charter* provides that a council “may by bylaw, regulate in relation to business”. 118 “Regulate” is defined in the *Community Charter* as follows:

"regulate" includes authorize, control, inspect, limit and restrict, including by establishing rules respecting what must or must not be done, in relation to the persons, properties, activities, things or other matters being regulated. 119

As discussed in *International Bio Research v Richmond (City)*, 120 a municipality’s power to regulate in relation to business is more restrictive that its other powers under *Community Charter* s. 8(3). However, the case suggests that a by-law regulating a business will be properly within the jurisdiction of the municipality if the by-law:

- Regulates, but does not prohibit, a business; 121
- Has a valid municipal purpose. This will be determined by reference to those purposes stated in the by-law as well as those stated in the enabling statute, s.7 of the *Community Charter*. Municipal by-laws are presumed to be enacted in good faith and for proper municipal purposes, and only one proper purpose is necessary, even if the council had other motivations; 122
- Is reasonable and is rationally connected to achieving its objective. However, as long as there is a valid municipal purpose, courts will not generally assess the effectiveness of the by-law; 123 and
- Does not impose a discriminatory distinction unless in accordance with s.12 of the *Community Charter* and there is regard to the public interest. 124

Requiring warning labels on gas nozzles would simply be a condition that a gas station must follow, either as a requirement under a by-law or (as discussed below) as a term or condition of holding a business licence. This would not result in a prohibition of their business. The stated purpose of the by-law is up to each individual municipality. However, given that our warning labels seek to address the drivers of climate change and air pollution, both which have serious consequences for municipalities everywhere, any prospective gas label by-law seems likely to have a valid purpose. Indeed, the purpose of such a by-law would seem to complement the municipal purposes stated in the *Community Charter*, most notably s.7(d): “fostering the economic, social and environmental well-being of its community”. Placing a warning label at the point of purchase of fossil fuels seems like a reasonable way to generate awareness of the harms arising from their use and help to foster community well-being. Any alleged discrimination is justified by the clear public interest in combating climate change and, as discussed in section 4.4.3 below,

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118 *Community Charter*, s. 8(6). However, before adopting a by-law under 8(6) of the *Community Charter*, s. 59(2) requires council to give notice of its intention to do so, and to provide an opportunity for persons who consider themselves to be affected by the by-law to make representation to council. This notice requirement permits council to determine the form and manner of notice that council considers reasonable. See section 4.6.3.
119 *Community Charter*, supra note 77, Schedule, s. 1.
120 *International Bio Research v. Richmond (City)*, 2011 BCSC 471 (CanLII).
121 Ibid, at para. 43.
122 Ibid, at paras. 45-47.
124 Ibid, at paras. 72-74.
under s.12 of the *Community Charter*.

As per s.59(2) of the *Community Charter*, before enacting the proposed by-law amendment under the s.8(6) business regulation power, a municipality must give notice of its intention to do so, and provide an opportunity for persons who consider they are affected by the by-law to make representations to council.\textsuperscript{125}

### 4.3.1.2 Business Licensing Powers

The business licensing power under s.15 of the *Community Charter* is one way that a municipality may exercise their s.8(6) power to regulate businesses. Under this power, a municipality may establish terms and conditions that must be met in order for a business to obtain, continue to hold, or renew a licence.\textsuperscript{126} A business must have a valid licence to operate.

There does not appear to be reported case law from British Columbia interpreting the s.15 licensing power, though as a form of business regulation, any licensing conditions must fall within the parameters of a valid regulation outlined in the section above.

In Ontario, however, courts have “grant[ed] wide authority to the City [of Toronto] to pass business licensing by-laws that advance the public interest and respond to the needs of the City.”\textsuperscript{127} They “attract an expansive and deferential interpretation.”\textsuperscript{128} Under Ontario’s *Municipal Act*, Ontario municipalities also have authority to pass by-laws regarding “business licensing”.\textsuperscript{129} The Ontario Court of Appeal held in *118143 Ontario Inc. v. Mississauga (City)* that a business licensing system includes “the ability to regulate business premises and the equipment and other personal property used or kept for hire in the business.”\textsuperscript{130}

Section 194 of the *Community Charter* permits municipalities to impose business licence fees that cover the cost of administering the regulatory scheme. The municipality must make available to the public, on request, a report explaining how the fee was determined. In the case of warning labels, the cost to implement may be passed on the gas station retailers, if the municipality chose to do so.

### 4.3.1.3 Current Municipal Regulation of Gas Stations

As noted, all businesses in B.C. are regulated by by-laws and can be required to obtain a licence before they can operate. Gas stations are no exception. From a survey of business regulation across B.C. municipalities, there is usually a single business licence by-law that outlines a general set of rules for all businesses in the district and fixes licence fees.\textsuperscript{131} This by-law generally requires that, as a condition of holding a licence, a business must comply with the municipality’s land use or zoning by-law and all other

\textsuperscript{125} *Community Charter*, supra note 77, s. 59(2).

\textsuperscript{126} *Community Charter*, supra note 77, s. 15(d).

\textsuperscript{127} *Toronto Livery Association v. Toronto (City)*, 2009 ONCA 535 (CanLII), at para. 28 (Note: the equivalent to s. 8(2) in the *City of Toronto Act* is s. 8(3) in the *Community Charter*).

\textsuperscript{128} Ibid, at para. 29.

\textsuperscript{129} *Municipal Act*, S.O. 2001, c 25, s. 10(2), 11(3).

\textsuperscript{130} *118143 Ontario Inc. v. Mississauga (City)*, [2004] O.J. No. 4143 (ONCA), at para 12.

applicable municipal by-laws.\textsuperscript{132} Zoning and land use by-laws not only indicate where in a community a gas station may be located, but provide additional regulations including the use of the gas station, building specifications, and parking.\textsuperscript{133} Other applicable by-laws may regulate such things as the installation and removal of gas pumps.\textsuperscript{134}

Working with this existing framework, a municipality might choose to implement out labels in one of the following ways:

- An amendment to the business licensing by-law, inserting a specific provision pertaining to warning labels on gas nozzles;
- An amendment to an existing by-law, inserting specific provision pertaining to warning labels on gas nozzles; or
- The enactment of a new by-law with a specific provision pertaining to warning labels on gas nozzles.\textsuperscript{135}

4.3.2 Fundamental Powers: Community Well-being, Public health & Environmental Protection

Section 8(3) of the Community Charter empowers a municipality to pass by-laws that “regulate, prohibit and impose requirements in relation to” a list of subject matters. These are considered to be the ‘fundamental powers’ of a municipality and, despite some defined limitations, these powers are to be given a “broad interpretation” so as to empower the municipality.\textsuperscript{136} The powers that would most likely support our proposed by-law amendment include:

(h) The protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 [nuisances, disturbances and other objectionable situations]
(i) Public health
(j) Protection of the natural environment

While these powers are broader than the s.8(6) power to regulate businesses, both s.8(3)(i) [public health] and (j) [protection of the natural environment] are subject to “concurrent jurisdiction” restrictions under s.9 of the Community Charter. This means that both the provincial government and the municipality have the ability to regulate in relation to them.\textsuperscript{137} The s.9 provisions are meant to ensure that municipal by-laws are consistent with provincial regulation.\textsuperscript{138} As such, when regulating in these areas, municipalities can only enact a by-law in accordance with relevant provincial regulations, or with the agreement or approval of the responsible cabinet minister.\textsuperscript{139} \textsuperscript{140} It may be prudent to request ministerial approval regardless of whether the by-law is in accordance with a regulation, as previously-enacted by-laws have been overturned in court

\begin{itemize}
\item \textsuperscript{132} Ibid at s. 4.1(i).
\item \textsuperscript{133} Township of Esquimalt, Zoning Bylaw 1992 No. 2050, s. 49. Online: <http://www.esquimalt.ca/files/PDF/Bylaws/Bylaw_2050_-_Zoning_Bylaw_Consolidated_2014.pdf>.
\item \textsuperscript{134} City of Victoria, Fuel Equipment and Storage Bylaw, 2007 No. 07-049. Online: <http://www.victoria.ca/assets/City~Hall/Bylaws/bylaw-07-049.pdf>
\item \textsuperscript{135} While we have referred to a “by-law amendment” throughout this report, we acknowledge that a new by-law may be enacted.
\item \textsuperscript{136} Community Charter, supra note 77, s. 4 and Interpretation Act, s. 8.
\item \textsuperscript{137} Community Charter, supra note 77, s. 9.
\item \textsuperscript{138} Inventory of Air Quality Bylaws in BC, supra note 110, at 13.
\item \textsuperscript{139} Community Charter, supra note 77, s. 9(3).
\item \textsuperscript{140} Community Charter, supra note 77, s. 9(3).
\end{itemize}
due to their lacking ministerial approval. This approval should be obtained after the by-law’s third reading by Council.

4.3.2.1 Public Health

Section 8(3)(j) of the Community Charter permits municipal by-laws that “regulate, prohibit and impose requirements in relation to… public health.”

This is an obvious source of jurisdiction for possible by-laws dealing with air pollution; however, it is subject to the “concurrent jurisdiction” of the provincial government. Again, this requires that the enacting municipality ensure that the by-law is (a) in accordance with a regulation; (b) in accordance with an agreement; or (c) approved by the Minister responsible.

The province has enacted the Public Health By-Law Regulation, B.C. Reg. 42/2004 in relation to this power. In order to pass a public health by-law, municipalities must adhere to the requirements of the regulation. Those that would apply to our proposed by-law amendment include:

- The by-law must concern the “the protection, promotion, or preservation of the health of individuals”; and
- The council must deposit a copy of the by-law with the Minister; and
- Before adopting the by-law, the council must consult with the regional health board or medical health officer responsible for public health matters within the municipality.

It appears that our proposed by-law amendment would meet these requirements. As discussed in 2.4 above, it is clear that air pollution has a direct impact on the health of B.C. citizens, and from 2.5, it is becoming increasingly evident that climate change has a similar effect. It is also unlikely that a local health board or health officer would have any serious objections to our initiative, and may even welcome it, given the health burden that vehicle emissions have. Notably, the health board or officer does not have a veto over by-laws, and is consulted for their views.

4.3.2.2 Protection of the Natural Environment

Section 8(3)(i) of the Community Charter permits municipal by-laws that “regulate, prohibit and impose requirements in relation to… the protection of the natural environment”.

This authority is also subject to the “concurrent jurisdiction” of the provincial government; municipalities

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141 See Peachland (District) v Peachland Self Storage Ltd., 2013 BCCA 273.
142 Community Charter, supra note 77, s. 135(4).
143 Community Charter, supra note 77, s. 8(3)(j).
144 Community Charter, supra note 77, s. 9(1)(a).
145 Community Charter, supra note 77, s. 9(3).
146 Public Health Bylaws Regulation, B.C. Reg. 2/2004, s. 2(1)(a) [Public Health Bylaws Reg].
147 Ibid, s. 2(2)(a).
148 Ibid, s. 2(2)(c).
150 Community Charter, supra note 77, s. 8(3)(i).
can only enact by-laws under this power in accordance with relevant provincial regulations, or with the agreement or approval of the responsible cabinet minister. The province has enacted the *Spheres of Concurrent Jurisdiction – Environmental and Wildlife Regulation*, BC Reg. 144/2004, however, this regulation does not provide for by-laws concerning air pollution or climate change. A municipality may still be able to pass a by-law requiring warning labels on gas pumps with the agreement or approval of the Minister of Environment. This would require convincing the Minister of the value of this initiative.

### 4.3.2.3 Community Well-Being

Lastly, s.8(3)(h) of the *Community Charter* permits municipal by-laws that “regulate, prohibit and impose requirements in relation to... the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 *[nuisances, disturbances and other objectionable situations]*.” Section 64 of the *Community Charter* provides a number of matters upon which the municipality can exercise their s.8(3)(h) power. The following two matters are relevant to our proposed by-law amendment:

\[(c) \text{ the emission of smoke, dust, gas, sparks ash, soot, cinders, fumes or other effluvia that is liable to foul or contaminate the atmosphere.}\]

Section 64(c) specifically provides for the authority of municipalities to regulate air pollution. It does not appear to have been judicially interpreted; however, as noted in 4.2.4 above, an analogy may be drawn with other valid municipal bylaws relating to vehicle emissions. The power provided by s.8(3)(h) and s.64(c) of the *Community Charter* serves to ground the anti-idling bylaw of The Town of Gibsons, B.C. Since gas labels have the same objective as anti-idling bylaws (the reduction of harmful vehicle emissions), this power may perhaps also be used to justify our proposed by-law amendment.

It is also important to note that this power may also be used to support our wider objective of combating climate change. As discussed in 4.2.4 above, vehicle emissions are “smoke, fumes or effluvia” and they contaminate the atmosphere by adding harmful and undesirable CO2 and other GHGs to it, thereby making it more dangerous for human (and other) life.

This power is not under the “concurrent jurisdiction” of the provincial government and therefore is not subject to any further provincial oversight.

### 4.3.3 Precedent for Municipalities’ Jurisdiction to Reduce Greenhouse Gas Emissions

Section 53 of the *Community Charter* provides explicit authority for municipalities to exercise their authority under s. 8(3)(l) in relation to buildings to reduce GHG emissions. The fact that this has been contemplated, and deemed to be a valid municipal action, at least in the context of regulating buildings,
bodes well for the authority to do so in relation to regulating business (or through another head of authority).

4.4 Treatment and Limitations of Municipal Decisions

The powers of a municipality are defined by the Community Charter (or other provincial legislation) as well as by the need to avoid inconsistencies with existing provincial legislation, as noted above. However, there are some additional rules regarding the interpretation and extent of municipal powers and the treatment of municipal decisions. These parameters have been set out by both legislation and case-law and relate to interpretation, deference, discrimination, and scope of application.

4.4.1 Broad Interpretation

Section 4(1) of the Community Charter provides that:

“the powers of a municipality and their councils under this Act or the Local Government Act must be interpreted broadly in accordance with the purposes of those Acts and in accordance with municipal purposes.”

As noted, the purposes of the Community Charter include the authority to address community needs, and to afford flexibility in the interpretation of municipal enabling statutes. Municipal purposes include good government, laws for community benefit, and fostering the economic, social and environmental well-being of the community.

The Supreme Court of Canada endorsed a “broad powers” approach to municipal regulation, after a group of Calgary taxi drivers challenged the jurisdiction of the city of Calgary to enact a by-law limiting the number of taxi plate licences available in the municipality. Mr. Justice Bastarache found that “modern municipalities... require greater flexibility in fulfilling their statutory purposes”. Further, a municipality need only have one proper purpose for the by-law to be valid, even if members of Council may have other motivations.

4.4.2 Judicial Deference to Decisions by Municipalities

Our courts have complemented this broad approach by adopting a high degree of deference in the judicial review of decisions of municipal councils. When a municipal decision to enact a by-law is challenged in court by a person affected by that by-law, a court may judicially review whether the decision was within the municipality's power to carry out, and whether the decision was reasonable.

The question of whether the decision was within the jurisdiction of the municipality to make, as described by statute, will be determined by the courts on a low standard of deference, known as “correctness”. In our case, the court might ask: does the Community Charter provide the municipality with the power to pass

158 Community Charter, supra note 77, s. 4(1).
159 Community Charter, supra note 77, s. 3.
160 Community Charter, supra note 77, s. 7.
161 United Taxi Drivers’ Fellowship of Southern Alberta v. Calgary (City), 2004 SCC 19, at para. 6.
162 International Bio Research v Richmond (City), 2011 BCSC 471, at para. 47.
163 Ibid at para 18.
a by-law amendment relating to vehicle emissions, air pollution, and climate change – yes or no?

If the Court finds that the action was within the municipality’s jurisdiction as it is prescribed by statute, the court will then consider whether the municipal action was reasonable. To continue our example, if the court answers “Yes” to the first question, they might then ask: is the gas label by-law amendment reasonable having regard to the process taken by the municipality and, does it fall within a range of possible, reasonable actions that the municipality could have taken to achieve the goal of the by-law?164

Recently, in the Supreme Court of Canada, in Catalyst Paper Corporation v. North Cowichan (District), a paper manufacturing company sought to judicially review the District of North Cowichan’s property taxation by-law that levied a tax rate that was 20 times higher for industrial properties than residential properties. The Court found that when enacting a by-law, a municipality must take into account social, economic, political and other non-legal considerations; as a result, the court will defer to the council’s responsibility to serve the people who elected them.165 Even though the tax rate was very high, due to the additional considerations at issue, the decision by the municipality to enact the by-law was not found to be unreasonable.166 Indeed, the court confirmed that finding unreasonableness in local government decisions will continue to be very difficult:

“I conclude that the power of the courts to set aside municipal bylaws is a narrow one, and cannot be exercised simply because a bylaw imposes a greater share of the tax burden on some ratepayers than on others.”167

This confirms the decision in Nanaimo (City) v. Rascal Trucking Ltd., in which the Supreme Court of Canada concluded that courts may review municipal actions that are made within the bounds of the enabling statute on a highly deferential standard:

“A by-law is not unreasonable merely because particular judges may think that it goes further than is prudent or necessary or convenient...

... Recent commentary suggests an emerging consensus that courts must respect the responsibility of elected municipal bodies to serve the people who elected them and exercise caution to avoid substituting their views of what is best for the citizens for those of municipal councils...”168

Furthermore, due to the global nature of climate change, one might question whether the use of warning labels to encourage a reduction of GHGs by a municipality is reasonable. That is, would the labels have any real impact on climate change? This question is implicit in the larger question of whether climate change can be understood as a municipal issue, a question we believe has already by answered in the affirmative.

165 Ibid, at para 19.
A stringent test of reasonableness would also require the court to measure the effectiveness of our proposed intervention. However, such a test, one that would require an intervention to ‘solve’ climate change to be reasonable, would be failed by any proposal at every level of government in Canada. Indeed, if the entire province – or even the entire country – stopped emitting GHGs tomorrow, we would still not ‘solve’ climate change. The proper test therefore is simply whether the measure helps to reduce GHG emissions; anything more than this creates an impossible standard for any level of government.\footnote{169} This is also the only possible standard that would make practicable federal and provincial calls for action on climate change by all levels of government.\footnote{170}

The warning labels meet this test. The fact that another level of government can implement climate change or air pollution initiatives with greater impact is irrelevant. Supreme Court of Canada Justice L’Heureux-Dubé, writing for the majority in \textit{Spraytech v. Hudson}, stated:

\begin{quote}
“As a general principle, the mere existence of provincial (or federal) legislation in a given field does not oust municipal prerogatives to regulate the subject matter.”\footnote{171}
\end{quote}

As noted in 4.1.1, L’Hereux-Dubé went on to describe the system of pesticide regulation as a “tri-level regulatory regime”.\footnote{172} There is no doubt that this description can be extended to other describe other areas of environmental regulation. Moreover, the local impacts of vehicular pollution on health and well-being are also serve to underscore the municipal jurisdiction in this area.

\subsection*{4.4.3 Power to Differentiate}

Section 12(1) of the \textit{Community Charter} provides that “by-laws may...:

\begin{quote}
b) establish different classes of persons, places, activities, property or things; and 
c) make different provisions, including exceptions, for different classes established under paragraph (b).”\footnote{173}
\end{quote}

The warning labels by-law amendment is non-discriminatory as it applies equally to all gasoline retailers within a municipality’s jurisdiction.\footnote{174} Notwithstanding this, climate change is an issue with multiple causes that no single proposal can entirely address. To the extent that our by-law amendment provides differential treatment between sectors that contribute to climate change (for example, the transportation sector rather than the industrial sector), a municipality has legitimate discretion to do so under the \textit{Community Charter}.

\footnote{169}{More broadly, fossil fuel extraction and infrastructure projects are routinely approved by regulatory bodies on the basis that their incremental environmental impacts are insignificant when compared against global carbon emissions. To suggest that initiatives that reduce GHG emissions must somehow achieve more than marginal reductions would be to hold mitigative initiatives to a double standard. Such a standard would create an unjust, asymmetric legal environment in which activities that increase emissions are explicitly favoured over activities that decrease emissions. The result would be an open endorsement of climate change and air pollution. Such a result strikes the author as absurd.}

\footnote{170}{Fed and Prov support, supra note 42.}

\footnote{171}{Spraytech v. Hudson, supra note 89, at para 39.}

\footnote{172}{Ibid.}

\footnote{173}{Community Charter, supra note 77, s. 12(1).}

\footnote{174}{This is unlike the situation in \textit{Shell Canada v. Vancouver}. In that case, the target of a resolution by the City of Vancouver was a particular gasoline company, not the sector as a whole.}
4.4.4 Limit on the Boundaries of the Municipality

Section 11(1) of the Community Charter states that, unless otherwise authorized by statute:

“a municipality and its council may only exercise or perform their powers, duties and functions with the boundaries of the municipality”\textsuperscript{175}

The Supreme Court of Canada endorsed this principle in Shell Canada Products Ltd. v Vancouver (City). The Court concluded that there is a territorial limit on the council’s jurisdiction and that the purpose of any action must be to provide a benefit to the citizens of the municipality.\textsuperscript{176}

Our proposed by-law amendment appears to fit these territorial limits. The gas labels would only be placed within the boundaries of the municipality that have legislated our proposed by-law amendment. Furthermore, municipalities across B.C are currently, and will continue to be, affected by climate change and air pollution. Not only are these issues caused, at least in part, by vehicle emissions from each and every B.C. municipality, but the benefits of combating these issues will be felt by the citizens of each and every B.C. municipality. Therefore, the purpose of the proposed by-law amendment would indeed serve to benefit the citizens of the municipality where it was enacted.

However, the court also noted that the council may make laws that “have regard for matters beyond its boundaries”.\textsuperscript{177} This ability of councils to consider extraterritorial matters in their deliberations is important in the context of climate change as the economic, social, environmental, and health issues of climate change are not limited by political borders. Therefore, while a municipality must consider the effects of air pollution and climate change with their boundaries, a council can consider the impacts of climate change across ecosystems.

4.5 Judicial Treatment of Similar Forms of Municipal Action

The placement of warning labels on gas nozzles as a means to combat an important issue such as climate change might seem to be a novel idea, but it is not without precedent in Canada. Neither is the use of municipal by-law power to effect change. The following section will describe a number of Canadian initiatives that serve as inspiration and precedent for our labels, and the municipal power to enact them.

4.5.1 Warning Labels on Tobacco and Compelled Speech

A possible challenge to this proposed by-law amendment will come from oil petroleum companies on the grounds that these labels amount to compelled speech and violate their constitutionally protected right to freedom of expression. This argument was encountered in the case of warning labels on tobacco packages.

In a majority decision in RJR-MacDonald Inc. v. Canada, the Supreme Court of Canada held that warning

\textsuperscript{175} Community Charter, supra note 77, s. 11(1).
\textsuperscript{176} Shell Canada Products Ltd. v. Vancouver (City), [1994] 1 SCR 231, at para 100 [Shell Canada v Vancouver (City)].
\textsuperscript{177} Ibid.
labels on tobacco packages violated manufacturers’ s.2(b) freedom of expression rights under the *Charter of Rights and Freedoms* since “freedom of expression necessarily entails the right to say nothing or the right not to say certain things.” The court added that the infringement could have been justified under s.1 of the *Charter* but that the proposed designs were not attributed to the government and could give rise to the inference that the warnings were from the manufacturers themselves. The majority held that the government was unable to justify this non-attribution and struck down the legislation.\(^{179}\)

The federal government responded by revising its legislation such that the warnings were attributed to the government; this is why cigarette packaging in Canada today includes the text “Health Canada”. The issue was revisited by the Supreme Court of Canada in *Canada v. JTI-Macdonald Corp.* and the labels were upheld.\(^{180}\) Our gas pump warning labels anticipate this s.2(b) challenge by including attributions in small print at the bottom of our mock-ups.\(^{181}\) While the tobacco warning labels were a federal initiative, the *Charter* analysis would likely remain the same in the municipal context.

### 4.5.2 Consumer Information Labels on Business Property

Our initiative differs from warnings on tobacco packages in that the proposed gas labels are located on the property of a business, not directly on the product itself. However, a City of Toronto program provides both a precedent for this concept as well as a good example of successful municipal action. While this example comes from a different jurisdiction, the decision by the Ontario Court of Appeal on the matter will provide some weight in courts here in British Columbia.

In 2001, the City of Toronto launched a program that required restaurant owners to place information notices on their entrances to communicate the results of their health inspections to customers. The City relied on its general health and welfare powers and its licensing powers to pass the by-law.\(^{182}\)

The by-law was challenged by the Ontario Restaurant Hotel & Motel Association (“ORHMA”) on several grounds. The Superior Court held that the City’s by-law did not clash with provincial health law.\(^{183}\) It also concluded that the notices did not infringe on licence holders’ s.2(b) freedom of expression rights, which, even if it did, was held to be justifiable given that the notices were “clearly attributed to the City of Toronto and not to the individual restaurant owner.”\(^{184}\)

The Superior Court further observed that the information labels do “not in any way prohibit a restaurant owner from disavowing whatever messages the notices contain. An owner is free to post any message the owner chooses in response to the inspection notice.”\(^{185}\) Similarly, gasoline retailers have much space on which to communicate their own messages in response to the labels proposed for their gas nozzles.

The Court of Appeal found that the by-law was rooted in “significant public health and consumer

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\(^{178}\) *RJR-MacDonald Inc. v. Canada (Attorney General)*, [1995] 3 SCR 199 at para 113 [*RJR-MacDonald*].

\(^{179}\) Interestingly, the minority held that the unattributed messages actually did not violate tobacco manufacturers’ freedom of expression. La Forest J. wrote that the expression in question was commercial in nature and far from “the ‘core’ of freedom of expression values” and “must then be accorded a very low degree of protection.”


\(^{181}\) A possible attribution might read: “Required by Municipality of ABC by-law 2014-058.”

\(^{182}\) *Ontario Restaurant Hotel & Motel Ass. v. Toronto (City)*, 2004 CanLII 34445 (ON SCDC) at para 15.


\(^{184}\) *Ibid,* at para 46.

\(^{185}\) *Ibid,* at para 47.
protection imperatives” and merely required the licence holder to disclose risks associated with the consumption of its product.\textsuperscript{186} It upheld the Superior Court’s decision and added that “the Charter does not prohibit governments from communicating messages that contradict commercial messages.”\textsuperscript{187} Our warning labels are similarly rooted in significant public health and consumer protection concerns.\textsuperscript{188} The labels merely disclose the risks associated with consumption of the licence holders’ product.

\textbf{4.5.3 Shark fin Bans}

Unsuccessful precedent case law can be as informative as successful case law. \textit{Eng v Toronto (City) 2012 ONSC 6818 (CanLII) and Shell Canada Products Ltd. v Vancouver (City) [1994] 1 SCR 231}, both of which concern municipal by-laws that were struck down by the courts, have been helpful in delineating the scope of the municipal law power in Canada. They are distinguishable from our proposed by-law in a number of ways.

The City of Toronto recently had its shark fin ban overturned in \textit{Eng v. Toronto (City)}. Part of Justice Spence’s reasoning was based on his finding that the ban would not “have any identifiable benefit for Toronto with respect to the environmental well-being of the City.”\textsuperscript{189} He held the city was seeking to affect matters outside the boundaries of Toronto, without benefiting inhabitants within the City itself.\textsuperscript{99}

In his judgment, Justice Spence referred to \textit{Shell Canada Products Ltd. v. Vancouver (City)}, a Supreme Court of Canada decision. The case addressed a resolution by the City of Vancouver not to do business with Shell Canada, a petroleum company, due to its investments in apartheid South Africa. The purpose of the resolution was to encourage Shell to withdraw from doing business in South Africa and express moral outrage against the apartheid regime.\textsuperscript{190} However, it was disputed whether the resolution fell within the powers of the City of Vancouver as provided by the \textit{Vancouver Charter}.\textsuperscript{191}

Section 189 of the \textit{Vancouver Charter} states that “Council may provide for the good rule and government of the city.”\textsuperscript{192} The court found this provision instructive, indicating that while there is a territorial limit on the Council’s jurisdiction, the council can make laws that “have regard for matters beyond its boundaries” though the purpose of these laws must be to benefit the citizens of the city.\textsuperscript{193} The court also found that the Resolution was discriminatory because it singled out Shell for doing business in South Africa, while taking no action against other corporations who were also doing business in South Africa at the time.\textsuperscript{194}

It should be noted that there was a very strong minority judgment in this case, written by Justice McLachlin (as she was at the time) who found the Resolution was within the powers of the Vancouver municipal government. Some of Justice McLachlin’s reasons concerning the interpretation of municipal legislation were subsequently adopted by the Supreme Court of Canada in \textit{Spraytech v. Hudson (City)} and \textit{Nanaimo

\textsuperscript{186} Ontario Restaurant Hotel & Motel Association \textit{v. Toronto (City), 2005 CanLII 36152 (ON CA) at para 14.}

\textsuperscript{187} Ibid, at para 11.


\textsuperscript{189} Ibid, at para 66.

\textsuperscript{190} Shell Canada \textit{v Vancouver (City), supra note 176, at para 74.}

\textsuperscript{191} Ibid, at para 75.

\textsuperscript{192} Vancouver Charter, SBC 1953, c 55, s.189.

\textsuperscript{193} Shell Canada \textit{v Vancouver (City), supra note 176, at para 100.}

\textsuperscript{194} Ibid, at para 105.
The shark fin decision and the Shell Canada decision can be distinguished from our proposed initiative on a number of grounds. Three grounds are of particular interest:

1) **The labels merely provide information, they are not a ban or prohibition**

*Eng v. Toronto (City)* concerns an outright ban on an otherwise legal product. Our labelling by-law amendment is not a ban; it is merely the provision of information to consumers. It is more akin to *RJR-MacDonald* and *Ontario Restaurant Hotel & Motel Association v. Toronto*. *Shell Canada v. Vancouver (City)* concerned a prohibition against doing business with a law-abiding company. Relative to the shark fin ban or the resolution against Shell Canada, our proposal is not restrictive at all; citizens would be free to consume gasoline exactly as they did in the absence of the labelling by-law amendment. The unobtrusive nature of our by-law amendment is made even more evident when considered against the “existential threat” that is climate change.

2) **Greenhouse gas reduction efforts by municipalities are customary**

The practice of finning sharks quickly became a cause célèbre in municipal circles in 2011. Prior to this period, the subject matter appears to have had no historic consideration by local governments in Canada. However, in 2011, the question of whether there existed a valid municipal purpose was very much a live issue. In the end, only a handful of municipalities actually passed bans on shark fin products.

The context for our labelling by-law amendment is entirely different. Municipalities across our country have undertaken hundreds of initiatives directed at the reduction of GHG emissions over the course of many years. Federal and provincial governments are explicit in their encouragement for all levels of government to act on climate change. The practice of municipal action to reduce GHG emissions is an accepted custom; it would seem highly unlikely for a court to rule to the contrary.

3) **Location of the act and location of the harm**

In *Eng v. Toronto (City)* and *Shell Canada v Vancouver (City)*, there was a weak nexus to matters of local concern. The act that caused the harm (eg. a person finning a shark) and the harm itself (eg. a shark being finned) occurred in distant oceans. As with the prohibition against Shell, the shark fin ban in *Eng* sought to “affect matters in another part of the world.” This distance was compounded by an intervention whose intended impact was mediated by abstract principles of supply and demand. In the context of our proposal, both the location of the act that causes the harm and the location where the harm is experienced occur entirely within a municipality’s borders. The connection is direct: as soon as I finish pumping gas and turn my key in the ignition, I am causing the harm. Indeed, our by-law amendment does not seek to “affect matters in another part of the world”; it addresses a matter that is happening

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195 References to Justice McLachlin’s judgment in *Shell Canada v Vancouver* can be found in *Spraytech v. Hudson*, at para 23, and *Naniamo v. Rascal Trucking*, at para 36.

196 “UN Secretary-General in Davos: Climate Change is “only one truly existential threat”, *International Institute for Sustainable Development* (29 January 2009), online: <http://climate-iisd.org/news/un-secretary-general-in-davos-climate-change-is-only-one-truly-existential-threat%E2%80%9D/>.

197 FCM Partners for Climate Protection, *supra* note 41.

198 Fed and Prov support, *supra* note 42.

199 *Eng v. Toronto (City)*, 2012 ONSC 6816 (CanLII), at para. 51 [Eng].

200 Ibid, at para. 43.
down the street.

The impacts of GHGs vary from place to place and engage communities as local entities.\textsuperscript{201} Recent examples from British Columbia are illustrative. In February 2014, twenty people were laid off from their jobs in Qualicum Beach on Vancouver Island when a local shellfish producer had to scale back their operations. The plant had to downsize considerably because 95% of its shellfish crop, about 10 million scallops, were lost to ocean acidification — another effect of rising atmospheric CO\textsubscript{2}.\textsuperscript{202}

Logging communities in B.C.’s interior are more concerned with the impacts to forests from the proliferation of the Mountain Pine Beetle due to warmer winters.\textsuperscript{203} The local distinctiveness of climate change impacts recalls the principle of subsidiarity from \textit{Spraytech}, and highlights the fact that it is actually the municipal level of government that is best situated to implement our warning labels. The local nexus for our by-law amendment is further strengthened by the fact that air pollution from vehicles impacts health and the environment on a very local level.\textsuperscript{204}

In short, the \textit{Eng} and \textit{Shell} decisions involved sets of facts that were fundamentally different from the herein proposed by-law amendment. However, \textit{Eng} and \textit{Shell} provide some guidance with respect to label design. The reasoning in these decisions that permits a council to “... have regard for matters beyond its boundaries in exercising its powers...”\textsuperscript{205} supports, by extension, the development of a series of warning labels that reflect local matters which are complemented by a series of label designs that reflect more global concerns.

\section*{4.6 Additional Implications of Gasoline Warning Labels}

\subsection*{4.6.1 Interference with Business}

The question of illegality due to interference in a licence holder’s business was explored by the Ontario Court of Appeal in \textit{Toronto Taxi Alliance Inc. v. Toronto (City)}. In this case, restrictions placed on the taxi cab industry were upheld. The court found that “the by-law was passed for a proper purpose” and the fact that it “interferes to some extent with the contractual and financial decision making of licence holders does not render the by-law invalid.”\textsuperscript{206} This is consistent with \textit{Re Christie Taxi Ltd. and Doran} where the court observed that a by-law that regulates a business “is valid even though it interferes with private contractual and civil rights.”\textsuperscript{207}

In considering warning labels on tobacco packages, La Forest J. wrote for the minority in \textit{RJR-MacDonald} that “[t]he warnings do nothing more than bring the dangerous nature of these products to the attention of the consumer... the only cost associated with the unattributed health warning requirement was a

\begin{thebibliography}{99}
\setlength{\itemsep}{0pt}
\item[201]“Caring for the Air,” Metro Vancouver (2014), online: \url{http://www.metrovancouver.org/services/air-quality/AirQualityPublications/Caring_for_the_Air-MV2014.pdf}.
\item[202]John Harding, “10 million scallops are dead; Qualicum company lays off staff”, \textit{The Parksville Qualicum Beach News} (25 February 2014), online: \url{http://www.pqbnews.com/news/247092381.html}.
\item[203]“Mountain pine beetle poised to ravage Eastern Canada”, \textit{CBC News} (4 April 2013), online: \url{http://www.cbc.ca/news/technology/mountain-pine-beetle-poised-to-ravage-eastern-canada-1.1339467}.
\item[204]\textit{Air Pollution Burden of Illness from Traffic}, supra note 33.
\item[205]\textit{Eng}, supra note 199, at para. 51.
\item[206]\textit{Toronto Taxi Alliance Inc. v. Toronto (City)}, 2005 CanLII 47232 (ONCA), at para. 53.
\item[207]\textit{Re Christie Taxi Ltd. and Doran}, 1975 CanLII 336 (ON CA), 1975 CarswellOnt 894, at para 30.
\end{thebibliography}
potential reduction in profits; manufacturers of dangerous products can reasonably be expected to bear this cost.”

The IPCC and various other organizations have concluded that we must leave the vast majority of fossil fuels underground or we jeopardize the viability of our planet for future generations. Vehicular emissions also have a direct impact on our health and result in significant economic costs. In this context, any interference with private contractual and civil rights and any reduction in profit can only reasonably be expected given the dangerous and costly nature of the product.

4.6.2 Gasoline Retailers Pay for Reasonable Licensing Cost

Section 8(8) of the Community Charter states that a municipality’s power to regulate, prohibit, and impose requirements include powers to:

(a) Provide that persons may engage in a regulated activity only in accordance with the rules established by bylaw;

(c) Require persons to do things with their property... [and] and to do things at their expense...

Section 194(1) of the Community Charter also permits a municipal council to impose a fee in respect of the exercise of the authority to regulate, prohibit, or impose requirements.

Therefore, costs incurred by the municipality in administering the warning labels by-law amendment can be recovered via licensing fees. In Surdell-Kennedy Taxi Ltd. v. Surrey (City), the City of Surrey implemented a by-law requiring an auction process for taxi licences, which included a fee. The B.C. Supreme Court stated:

[F]or the auction price to be properly characterized as a license fee the auction price must bear a direct relationship to Surrey's cost of administering the licensing service.

In Surdell-Kennedy, the auction fee was deemed to be an invalid form of taxation, as it was not directly related to the City's costs to administer the licensing service. The Court cited an Ontario Court of Appeal case, Urban Outdoor Trans Ad v Scarborough (City), which states that the fees must “bear a reasonable relation to the cost of providing the service” and are intended to “defray expenses, not to raise revenue”. Fortunately, and of particular interest to fiscally-minded councillors, if the cost for our initiative is passed on via licensing fees to gasoline retailers, it would likely be deemed reasonable as the cost for stickers and nozzle talkers is nominal.

4.6.3 Consultation

208 RJR-MacDonald, supra note 178.
209 Community Charter, supra note 77, s. 8(8)(a),(c).
210 Surdell-Kennedy Taxi Ltd. v. Surrey (City), 2001 BCSC 1265, at para. 36.
211 Ibid, citing Urban Outdoor Trans Ad v Scarborough (City), 2001 CanLII 24140 (ON CA), at para 31.
In the process of creating a by-law regulating businesses under s. 8(6) of the *Community Charter*, council must give notice of its intention and provide consultation opportunities for persons affected by the bylaw.\(^{212}\) The form, manner, time and frequency of the notice are decided as the Council considers reasonable.\(^{213}\) Such efforts help to address procedural concerns.

\(^{212}\) *Community Charter*, *supra* note 77, s. 59(2).

\(^{213}\) *Community Charter*, *supra* note 77, s. 59(3).
Part V – NEXT STEPS

5.1 Strategy

In November 2013, a delegate at the United Nations COP19 climate conference in Warsaw, Poland said upon seeing our gas nozzle: “I’ve been to all 19 COP meetings and I’ve never seen an idea so simple yet so powerful.” We believe that our idea has the potential to make a significant contribution in the fight against climate change and we are excited to be leading this groundbreaking effort in Canada.

Our strategy is to continue to meet with councillors to secure support for the by-law amendment in advance of actual votes taking place. We also plan on doing more outreach to grow public support for the by-law amendment so that city and town halls will be packed with citizens wishing to give deputations in support.

We have selected a few cities that we believe are receptive to our by-law amendment and are focusing our resources there. We plan on pushing for votes in these communities and then using these positive examples to empower councillors to support the by-law amendment in other communities.

We will be video recording deputations by youth and uploading them to YouTube so that their examples will inspire others to do the same. In fact, we have already been contacted by people and groups from all around the world about our campaign. Our idea has been primed to go global by the warning labels already on tobacco packaging in numerous countries. We want to bring positive examples of leadership from Canadian communities to the United Nations Climate Change Conference in Paris in December 2015 to share with delegates from all over the world.

Please contact us at communications@ourhorizon.org to learn more or to book Rob as a speaker for your organization or event.

5.2 Complimentary Presentation to your Council

The apparent simplicity of our idea is deceptive; there is a significant amount of research behind it that should be communicated to decision-makers to ensure the idea is given due consideration. If your community is actively considering this by-law amendment, we respectfully ask that our Executive Director be invited to offer a complimentary presentation. This will help to ensure that your council has access to full and relevant information during the course of its deliberations and is able to discharge its duties to your municipality in good faith. If we are unable to be there in person, we would be pleased to provide a presentation and answer questions via teleconference.
5.3 Funding

We are often asked about our sources of funding. Since launching in early 2013, we have successfully raised over $25,000 from more than 300 individual donors from all over the world. The rest of our campaign has been personally funded by our executive director; unfortunately, he is no longer financially able to do so. Securing funding in 2015 for a small team of dedicated advocates will be crucial to ensuring the success of our campaign. Know any wealthy philanthropists that want to support a grassroots effort at leading change? Send them our info!

As a not-for-profit whose advocacy work means we do not qualify for charitable status, it can be a challenge to fund our work. Your donations are appreciated. Please contact us at supporters@ourhorizon.org to learn how you can help.

5.4 Frequently Asked Questions (FAQs)

This document is intended as a starting point for municipal consideration of our warning labels by-law amendment. We omitted material in an attempt to keep the sections on climate change, the warning labels, and legal research as succinct as possible. Please visit our Frequently Asked Questions (FAQs) page at www.ourhorizon.org for more information and do not hesitate to contact us with questions.

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has.”

Margaret Mead
Greenhouse Gas Emissions Labels for Fuel Pumps – Public Meeting

Presented November 16, 2015
Larry Orr, Manager, Business Services
Caroline Jackson, Section Manager, Environmental Sustainability
Purpose of Public Meeting

- To provide an opportunity for interested parties to provide their comments on proposed Business Licence Amendment Bylaw No. 8437 requiring gas stations to post greenhouse gas emissions information labels on gas pumps
Union of BC Municipalities Resolution

THAT UBCM support, and that member local governments will implement where possible, legislation to require retailers of petroleum products to provide plastic sleeves (nozzle toppers) with warning labels on pump handles for all fossil based liquid fuels.
Council Direction

- Following a presentation from Our Horizon Society on June 25, 2015, Council directed staff to bring prepare a bylaw requiring warning labels to be placed on all gas pumps in the City cautioning consumers about the effects of climate change.

- Council considered a staff report on July 7, 2015 and gave first reading to Bylaw No. 8437, a Bylaw to amend the Business Licence Bylaw, 2004, No 7584 and referred the Bylaw to a Public Meeting.
Amendment Bylaw, 2015, No. 8437

- “Every operator of a gasoline station is required to post or cause to be posted on each pump or pump nozzle used to dispense gasoline or other motor fuel to the public, a legible and conspicuous Greenhouse Gas Emissions Label that has been approved by the Director of Community Development”

- Bylaw 8437 requires that the labels include a statement “to encourage the public to make choices that reduce greenhouse gas emissions and to increase general awareness of climate change.”
City of North Vancouver Climate Action Initiatives

• Transportation – All Ages and Abilities (AAA) Bicycle Network Plan, Safe and Active School Travel, Greenways
• Buildings – reducing energy use in new & existing buildings
• Lonsdale Energy Corporation – efficient heating & renewables
• Green Can, Zero waste
• Public engagement & outreach
Climate change is complex

- Can seem overwhelming and distant to everyday decisions
- Solutions require complementary programs and policies along with individual behaviour change
Climate action messaging

• City’s climate action initiatives designed using evidence-based Community Based Social Marketing (CBSM) approach
• Consider barriers & incentives:
  – remove barriers
  – create incentives
  – e.g. Safe & Active School Travel
Warning vs. information labels

- Warning labels – more negative
- Information labels – more positive, highlight “can-do” actions
Potential cautions of negative messaging

- May work for some people, but not for others
- Can cause people to distance themselves from considering the issue and can generate unintended consequences
Proposed approach

• Labels represent a significant, timely, low-cost approach
• Can provide a link between fuel consumption and climate change while also including positive messages encouraging drivers to take action to reduce their emissions
• Highlight other benefits (saving money, more convenient)
Sample messages

• Benefits of active transportation
  – “Walking has zero GHG emissions and improves your health”
• Electric vehicle incentives
  – “Get $5,000 towards a purchase of a new electric car”
• BC Scrap-It program
  – “Trade in your clunker for a transit pass worth $1,360”
• Facts about vehicle idling
  – “Idling your vehicle for more than 10 seconds wastes more gas than restarting your engine”
• Facts about climate change
  – “Burning fossil fuel contributes to climate change”
Implementation approach

- Two sizes: one size for the gas pump, one size for a sticker where gas pump toppers don’t exist
- Sample labels tested for effectiveness before being deployed
- Installed for defined time periods: messaging approach would evolve over time
Location of labels

- One size fits into a nozzle topper (3”x3”)
- One size as a sticker that can be placed on pumps (4”x5”) if nozzle toppers don’t exist
Next Steps

- Staff are seeking Council’s feedback on the general approach
- Should Council adopt the Bylaw, this initiative will be administered under the Business Licence Bylaw
- The Director of Community Development will have the authority to approve the label content
Conclusion

- Bylaw 8437, if adopted, will be the first bylaw of its kind in Canada.
- The approach used could be replicated by other municipalities, and staff recommend that information be shared with other municipalities interested in following the City’s lead in this regard.
- Staff will provide regular updates to Council on this initiative.
Thank you.
NOTICE OF PUBLIC MEETING

WHO: City of North Vancouver


WHEN: Monday, November 16, 2015 at 6:30 pm in Council Chamber

Notice is hereby given that Council will consider issuance of the above Business Licence Amendment Bylaw.

Business Licence Amendment Bylaw, 2015, No. 8437 would require that gas stations post greenhouse gas emissions information labels on all gas pumps in the City of North Vancouver.

All persons who believe they may be affected by the above proposal will be afforded an opportunity to be heard in person and/or by written submission. Written or email submissions should be sent to Jennifer Ficocelli, Deputy City Clerk, at jficocelli@cnv.org or by mail, and received no later than 4:00 pm on Monday, November 16, 2015.

The proposed Business Licence Amendment Bylaw and background material will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from November 4, 2015, and online at www.cnv.org/publicmeetings.

Please direct inquiries to Larry Orr, Manager, Business Services, at lorr@cnv.org or 604-982-3913.
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8437

A Bylaw to amend “Business Licence Bylaw, 2004, No. 7584”

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 “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2015, No. 8437” (Greenhouse Gas Emissions Labels for Gas Pumps).

2. “Business Licence Bylaw, 2004, No. 7584”, is hereby amended as follows:

   A. In PART 3. INTERPRETATION, add the following:

   “335A Gasoline Station

   “Gasoline Station” means a premise where gasoline, diesel fuel or other motor fuels derived from petroleum are sold to the public.

   335B Greenhouse Gas Emissions Labels for Gas Pumps

   “Greenhouse Gas Emissions Labels for Gas Pumps” means a legible and conspicuous label affixed to each pump or pump nozzle used to dispense gasoline or other motor fuel to the public. The Greenhouse Gas Emissions Labels will contain a statement, approved by the Director, Community Development, to encourage the public to make choices that reduce greenhouse gas emissions and to increase general awareness of climate change.”

   B. In PART 3. INTERPRETATION, renumber as follows:

   “335A Group Child Care Facility to 335C Group Child Care Facility”

   C. In PART 5. GENERAL REGULATIONS, add the following:

   “511.1 Greenhouse Gas Emissions Labels for Gas Pumps

   Every operator of a Gasoline Station is required to post or cause to be posted on each pump or pump nozzle used to dispense gasoline or other motor fuel to the public, a legible and conspicuous Greenhouse Gas Emissions Label that has been approved by the Director, Community Development.”
D. In PART 5. GENERAL REGULATIONS, renumber as follows:

“511.1 Group Child Care Facility to 511.2 Group Child Care Facility”

READ a first time by the Council on the 20th day of July, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

____________________________
MAYOR

____________________________
CITY CLERK
The following is a suggested recommendation only. Please refer to Council Minutes for adopted resolution.

RECOMMENDATION:

PURSUANT to the report of the Planner 2, dated October 21, 2015, entitled “Rezoning Application: 253 and 255 East 6th Street (Cobblestone Homes Ltd.)”:

THAT Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2015, No. 8447 (Cobblestone Homes Ltd. / Jka Architecture Planning Interior Design, 253 and 255 East 6th Street, CD-667) be considered and referred to Public Hearing;

AND THAT additional offsite works and community amenities listed in the October 21, 2015 report in the section “Community Amenities/Infrastructure Contributions” be secured, through agreements at the applicant’s expense and to the satisfaction of staff, as conditions of rezoning.

ATTACHMENTS:

1. Context Map (#1323259)
2. Project Fact Sheet (#1323296)
3. Development Plans, including Design Rationale (#1329584)
4. Community Consultation Summary (#1329366)
5. EnerGuide Commitment (#1330716)
6. Zoning Amendment Bylaw No. 8447 (#1323455)
PURPOSE:

The purpose of this report is to present for Council's consideration a rezoning application at 253 and 255 East 6th Street to allow the development for a four unit townhouse complex, comprised of two separate duplex buildings, with an attached garage on a site that currently contains a duplex building.

DISCUSSION:

Site Context

The subject property is located along the south side of the 200 Block of East 6th Street (Attachment #1), which has seen some recent redevelopments from single detached to a mixture of two unit duplexes and townhouses. The north side contains some larger lots that accommodate stacked townhouses. The size of the subject property is 649.3 m² (6,989 ft²) in area with dimensions of 15.23 m (49.97 ft) wide by 43.63 m (139.86 ft) deep. The properties immediately surrounding the subject property are as follows:

<table>
<thead>
<tr>
<th>Address</th>
<th>Zoning</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>288 East 6th Street / 257 East Keith Road and 246 - 254 East 6th Street</td>
<td>CD- 251 and CD - 640 respectively</td>
</tr>
<tr>
<td>South</td>
<td>252 East 5th Street</td>
<td>CD-624</td>
</tr>
<tr>
<td>East</td>
<td>257 East 6th Street</td>
<td>CD-346</td>
</tr>
<tr>
<td>West</td>
<td>247 East 6th Street</td>
<td>CD-266</td>
</tr>
</tbody>
</table>

Proposal

The application proposes the replacement of an existing duplex with a four unit townhouse development consisting of two separate duplex buildings, with one fronting East 6th Street and the second duplex located behind the street-front unit (Attachment 3). A four car garage is attached to the rear duplex building which provides vehicle access and secured bicycle storage off of the rear lane. Separating the two duplex buildings is open common space to encourage neighbour interaction. The height of the proposed duplex buildings is two and one-half storeys, which includes a projected rooftop stairwell to provide access to rooftop decks for each dwelling unit.
Grading on the site presents a challenge with a front-to-back slope average of just over 14 feet (approximately 10.2%), with side grading averaging a difference of only half a foot. The result is the front building sitting higher on the site than the rear to adhere to the slope adaptive building height requirements.

Vehicle access to the site to support off-street parking is off of the rear lane to an attached garage to the rear duplex building. One vehicle parking space and two secured bicycle parking spaces per unit are proposed for each dwelling unit. Pedestrian access to the centre two garages is provided directly to the cellar of the rear dwelling units, with side door access to the two outer garages for the front units accessed along the walkway running down the side of the site.

Pedestrian access is primarily off of East 6th Street with two walkways connecting the front sidewalk to provide additional landscaping opportunities before splitting to provide separate access to each dwelling unit. Access to the rear units runs along the side property lines, identified on the street by the unit number on separate signs facing the street for easy identification.

The recycling and garbage holding area is located at the south west corner of the site, with easy access to the rear lane.

The choice of façade materials and colour scheme meet the intent of the Garden Apartment Guidelines with the use of Hardie Plank Panels being the dominant material with horizontal wood siding as the secondary form, used to highlight separate the dwelling units and help identify the main entrance doors and accent the second floor projections.

The applicant has provided a landscape plan (Attachment 3), proposing a rain garden in the front yard, a tiered planter separating the patio of the front dwelling units to the common amenity area and hanging planters on the rear patio of the back dwelling units to soften the laneway appearance.

**PLANNING ANALYSIS:**

**Supporting Documents**

2014 Official Community Plan

The land designation of the subject site is Residential Level 4A, which supports the development of townhouses with a density of up to 1.0 FSR. The proposed density for this application is 0.97 FSR with allowable exceptions to exclude the cellar in accordance with the City's energy policy.

No amendment to the OCP is required.
Garden Apartment Guidelines

The Garden Apartment Guidelines are used to provide applicants with direction on size and massing of their projects to suit the area. Staff is satisfied with the proposal in accordance with these Guidelines.

Zoning Bylaw 1995, No. 6700

The proposal is in conformance with the Zoning Bylaw, with the exceptions laid out in Amendment Bylaw 8447 (Attachment 6):

- Requirement to achieve EnerGuide rating of 83 to achieve a density of 0.97 FSR (Attachment 5);
- Maximum Lot Coverage of 53% for all buildings; and
- Building setback from East 6th Street to be 10 feet. This is consistent with recent redevelopments in the area.
- Staff have reviewed the development proposal, including a requested variance to the number of off-street parking stalls servicing the site. Staff supports the requested variance for the total number of proposed off-street parking stalls from five to four given the proximity of the site to public transit routes, and Lonsdale Avenue.

The site is currently stratified for the current duplex building. To clear the property of unnecessary encumbrances, the strata will need to be dissolved prior to rezoning adoption.

Community Amenities/Infrastructure Contributions

In addition to the standard works required with the Subdivision and Development Control Bylaw, a Community Amenity Contribution in the amount of $20,000 is proposed for transportation improvements.

Staff seek Council's endorsement that the item listed below be completed prior to rezoning adoption:

- Contributing to the Community Amenity Reserve Fund in the amount of $20,000 for transportation improvements.

This application was in-stream when the Density Bonus and Community Amenity Policy was adopted in May 2015. As the property's OCP designation did not change with the adoption of the 2014 OCP, a $20,000 contribution is suggested in accordance with past practice. All new development applications will be evaluated in accordance with the Density Bonus and Community Amenity Policy.
ADVISORY BODY INPUT:

The application was brought forward to Advisory Design Panel on two separate occasions. The first presentation was held on July 15, 2015 where the Panel provided the following motion:

“THAT the Advisory Design Panel has reviewed the Rezoning Application for 253-255 East 6th Street and although supporting the site development concept, feels the following details have not been adequately resolved and would like to see the project return for further review:

- Improving curb appeal with more articulation to the overall massing, the appearance of the street entry including the narrow roof element, simplification of the fenestration expression and a review of the materials treatment and colour palette;
- The planting plan, clearer resolution of the rain garden and the lawn in the central courtyard, better development of the front yards with more planting and a contiguous lawn area;
- The pavers along the lane do not contribute to the overall design;
- Drainage to be more clearly depicted, including the rain water leaders handled;
- The site grading to be more clearly shown;
- The Hardie Panel design to be better developed;
- A review of the parking garage in terms of function, bike storage and layout; and
- The rear unit entries to be clearly identified from the street.

The applicant addressed these issues and brought the application back for a second presentation on September 16, 2015, where the Panel approved the project with the following motion:

“THAT the Advisory Design Panel has reviewed the Rezoning Application for 253-255 East 6th Street and recommends approval of the project. The Panel commends the applicant for the quality of the proposal and their presentation.”

PUBLIC CONSULTATION:

The applicant held a Development Information Session (DIS) on May 14, 2015, where a total of three people attended (Attachment 5). No written comments were submitted. The notification procedures to the public of the time and place of the DIS were satisfied. No other comments were submitted to the City during the review of this application.

FINANCIAL IMPLICATIONS:

None.
INTER DEPARTMENTAL IMPLICATIONS:

The Civic Projects Team reviewed and endorsed this application on October 20, 2015.

SUSTAINABILITY COMMENTS:

In addition to achieving an EnerGuide rating of 83, the applicant is proposing additional sustainable features to their development plans (specified in Attachment 3), such as rain gardens to manage on-site storm water, low-flow toilets and water-saving faucets. Construction materials will be locally sourced and construction waste will be recycled.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

The application and permits are in keeping with the goals and objectives of the 2014 Official Community Plan:

1.1.1 Plan for growth in the City's population, dwelling units and employment in keeping with the projections in Metro Vancouver's Regional Growth Strategy;

1.1.2 Align growth with the development of community amenities and infrastructure;

1.2.2 Improve, record and encourage public disclosure of the energy efficiency of new and existing residential, commercial industrial and institutional buildings in the City:
   b) Reduce energy demand per building by pursuing and implementing increasingly aggressive energy standards for all new building types over time;

1.3.1 Ensure that new development is compatible with the established urban form of the City, reflecting the primacy of the Lonsdale Regional City Centre and the transition through mid-and low-rise buildings to lower-density residential developments;

1.3.5 Encourage design excellence in developments through carefully considered, high quality architecture and landscaping, with varied designs, which are interesting, sensitive and reflective of their surroundings;

RESPECTFULLY SUBMITTED:

David Johnson
Planner 2

Attachments

DJ:eb
### PROJECT SUMMARY SHEET

#### REZONING APPLICATION
253-255 East 6th Street

### SITE CHARACTERISTICS

<table>
<thead>
<tr>
<th>Site Area (sq. ft.)</th>
<th>6,989</th>
</tr>
</thead>
<tbody>
<tr>
<td>OCP Designation</td>
<td>Residential Level 4-A: Ground Oriented (Medium Density)</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>RT-1 (Two-Unit Residential Zone)</td>
</tr>
<tr>
<td>Proposed Zoning</td>
<td>CD–667 (Comprehensive Development 667) Zone</td>
</tr>
</tbody>
</table>

### FLOOR AREA AND HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size (sq. ft.)</td>
<td>6,000</td>
<td>6,988</td>
</tr>
<tr>
<td>Number of Principal Buildings</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Floor Space Ratio (FSR)</td>
<td>0.49</td>
<td>0.97</td>
</tr>
<tr>
<td>Total Gross Floor Area (sq. ft.)</td>
<td>3,450 max.</td>
<td>6,790</td>
</tr>
<tr>
<td>Total Lot Coverage (Percent)</td>
<td>35 max.</td>
<td>53</td>
</tr>
<tr>
<td>Northern Building Height (ft.)</td>
<td>15 max. (Top of Plate)</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>30 max. (Ridge)</td>
<td>35</td>
</tr>
<tr>
<td>Southern Infill Building Height (ft.)</td>
<td>N/A (Top of Plate)</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15 max. (Garage Ridge)</td>
<td>35</td>
</tr>
</tbody>
</table>

| Parking Stalls (per unit) | 1 | 1 |

Calculations base on sheets revised September 24, 2015

### PARKING

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Vehicle Parking Stalls</td>
<td>5 min.</td>
<td>4</td>
</tr>
<tr>
<td>Secure Bicycle Spaces</td>
<td>6 min.</td>
<td>8</td>
</tr>
</tbody>
</table>

### PRINCIPAL BUILDING SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Building - Front Yard Setback (ft.)</td>
<td>25 min.</td>
<td>10</td>
</tr>
<tr>
<td>West Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>5.5</td>
</tr>
<tr>
<td>East Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>5.6</td>
</tr>
<tr>
<td>Southern Building - Rear Yard Setback (ft.)</td>
<td>49 min.</td>
<td>4.1</td>
</tr>
<tr>
<td>East Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>3.9</td>
</tr>
<tr>
<td>West Interior Side Yard (ft.)</td>
<td>5 min.</td>
<td>6.0</td>
</tr>
</tbody>
</table>

Doc#: 1298606-v1
City Homes
253 + 255 East 6th Street, North Vancouver, BC

REZONING RESUBMISSION
September 8, 2015
1. PROJECT SUMMARY SHEET

4 Unit Townhouse Developments

**Address** - 253/255 E 6th St, North Vancouver

**Legal Description**: Strata Plan VR 479, D.L. 274, Group 1, New West District

**OCP Designation**: Medium Density – Level 4 (FSR 1.0)

**Existing Zoning**: RT1 (Duplex)

**Proposed Zoning**: CD (Level 4)

<table>
<thead>
<tr>
<th>Proposed Garden Apartment Guidelines</th>
<th>Recommended Based on RT1 Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Area: 8,998 sq. ft. (49.97x139.86)</td>
<td>6,000 sq. ft. – 7,500 sq. ft.</td>
</tr>
<tr>
<td>Lot Coverage: 47.15% (3295.4 sq. ft.)</td>
<td>N/A</td>
</tr>
<tr>
<td>Height: 24 ft. and angled up to 36 ft.</td>
<td>24 ft. and angled up to 36 ft.</td>
</tr>
<tr>
<td>Gross Floor Area: 6,451.2 sq. ft. (0.92 FSR) (excluding 2406 sq. ft. cellar)</td>
<td>7,267 sq. ft. (1.04 FSR OCP max.)</td>
</tr>
<tr>
<td>Vehicle Parking: 4 stalls</td>
<td>From 6 to 5 stalls (due to 8 bicycle stalls being provided)</td>
</tr>
<tr>
<td>Secure Bicycle Parking: 8 stalls</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front yard: Rear building: 10 ft. (similar to neighbours) 79 ft.</td>
</tr>
<tr>
<td>Rear Yard: Rear building: 4.2’ garage / 27.61’ 93.36’</td>
</tr>
<tr>
<td>East Interior Side: Rear building: 5.0’</td>
</tr>
<tr>
<td>West Interior Side: Rear building: 5.0’</td>
</tr>
<tr>
<td>Building Separation: 31.0</td>
</tr>
</tbody>
</table>
City Homes
253 + 255 East 6th Street, North Vancouver, BC

Context street scape along 6th street

Subject property

Context aerial Map

Context photos

Side view to east neighboring property

Rear view from lane

Front yard

Front yard

Front yard

Front yard

Front view
2. DESIGN RATIONALE

2.1 INTRODUCTION AND DESIGN INTENT

This Rezoning and Development Application is submitted by Jordan Kutev Architect Inc. (JKA).

When initiating the design process, the design and development team came to the realization that a major residential shift to North Vancouver’s peripheral areas is inevitable and that there is a great demand for private homes that are both of high quality while being reasonably priced. For this reason, the underlying philosophy behind the design concept is based on the idea that a more efficient site and a better building design can offer higher quality homes with smaller floor areas and at more affordable prices. Furthermore, in an ongoing effort to optimize the effectiveness of each square foot, we have incorporated up to date suite design layouts that allow for plenty of open space.

With the current submission, we are proposing four city homes development consisting of 2 duplexes, one at the front and the other at the rear; 2 1/2 levels + cellar, each approximately 2,100 sq.ft. Each unit is provided with a 1 car enclosed garage for enhanced security, with a private access for the 2 rear units and an access from the side for the 2 front units. Each also has 2 bicycle parkings.

We are seeking the following approvals:

1. Rezoning:
   - from single family RT1 duplex zone to Comprehensive Development Zone consisting of 2 duplexes (level 4 O.C.P.) (see project statistics).
2. Proposed relaxations
   - front setback – from 25'-0" to 10'-0" (average),
   - parking relaxation - from 5 (due to 8 bicycle stalls) to 4,
   - rear setback from 14’ to 4’ to garages (27.61’ to rear units).
   - Number of storeys from 2 to 2 ½.
   - Reducing garage / recycling storage floor from 118.4 sq. ft. to 40 sq. ft.

A new Official Community Plan (OCP 2002) is guiding the development of our community. This plan includes the following broad vision for the City of North Vancouver:

**Community Vision:**

To be a vibrant, diverse and highly livable community that strives to balance the social, economic and environmental needs of our community locally.

Achieving this vision will involve becoming a more sustainable community. Sustainability is therefore a central theme within the OCP 2002. This includes economic, environmental and social concerns.

Developments are an essential part of our future. They create our urban environment and influence our social well-being, economic strength and environmental conditions. As a result, developers and their consultants are important partners in helping us achieve our vision.

These Sustainable Development Guidelines are intended to co-ordinate the wide range of interests involved in achieving a more sustainable project. They have been created to help developers and their consultants prepare development applications. All major rezoning applications will be reviewed against these Guidelines. Applicants will continue to work with other guideline packages related to specific aspects of their development (i.e. design guidelines).

Generally speaking, the City is encouraging new developments to make meaningful yet practical contributions towards sustainability. The Guidelines have been written to encourage developers to consider what can be included in their projects. They are not intended to be prescriptive Sustainable practices not included in these Guidelines will also be considered and are greatly encouraged.

2.2 SITE DESIGN AND BUILDING DESIGN

The fundamental design concept of this project was coordination and integration of the new site layouts and buildings design with the adjacent site design already approved by Council, taking in consideration the natural flow of public spaces to semi private porches and patios to private living areas. The proposed layout allowed us to create sufficient amount of private green inner yards, providing fully landscaped outdoor space as well as additional patios / gardens for each unit on the main level. This proposed orientation optimizes the natural daylight in the courtyard and provides privacy for all units and adjacent units and at the same time complements the natural flow of the green space and courtyards from adjacent properties.

Usually a tight, restricted site presents challenge in integrating green building principles and natural landscaping with a demanding program. Although the program requires large amount paved surface for access, we have successfully incorporated sufficient areas of green and a significant amount of soft landscaping. As the site landscaping is designed to provide a live-able and aesthetically pleasing environment for the residents, the overall landscape character is informal with low level lighting and a combination of deciduous and evergreen plantings. Plants and shrubs are introduced and placed in the courtyard to mitigate overlooking and provide privacy.

All car garages are at rear lane with main car access from the lane. Garbage enclosures will be screened.

The four units’ layout is simple and efficient. We have provided two different suite layouts creating utility for the customer looking for a home that is not identical to his neighbors’. Each house contains three distinctive levels + a loft (approximately 1,500 sq. ft each).

- cellar level is mainly utilities / services + recreational room + guest room,
- main level – living, dining, kitchen and family areas with services and main entry,
- upper level – 3 BDR with master en-suite and shared bathroom,
- loft level.

Despite the limited square footage of the units they all have 3 bedrooms including master bedroom, en-suite and ample closets and 2 bedrooms with shared bathroom, allowing for maximum flexibility for the potential owners. The space robbing hallways have been reduced to the minimum and glass panels will replace the regular stud walls. The majority of the kitchens open into the family area.

Each unit has a private ground level garden patio accessible directly through its respective recreation room and connected to the court yard. All four of them have an entry porch as well. The proposed orientation optimizes the natural lighting and ventilation of the units, allowing for ample daylight from the courtyard while not compromising the privacy of individual units and spaces.

Proposed architectural expression has some references to the neighboring developments, however, the materials and their use & appearance is simpler and more contemporary / urban. The overall building facades are purposely kept uncomplicated with larger glazed areas facing East 6th Street and the courtyards and reduced amount of glazing facing the neighboring properties - therefore providing sufficient privacy. The materials are limited to very few – hardie panels and boards and glazing in metal clad frames same as the color palettes. The loft level area is strategically added to enhance the “livability” of additional outdoor space along the roof decks and make it more “inviting” to use all year round.

Taken as a whole, the proposed building massing is purposely kept simple as well.
MATERIALS AND FINISHES

The proposed exterior and interior finishing materials are up to date, simple and durable. Their selection is based mainly on the most current sustainable building envelope principles.

The proposed Hardie Panel / Plank exterior finishes are all rain screen assemblies, all window frames are thermally broken and exterior walls and roofs are with higher than average R-values. The finishes are as follows:

1. Asphalt shingles roof.
2. Horizontal pattern Hardie siding.
3. Horizontal pattern wood siding.
4. Hardie plank panels.
6. Wood/ Fiberglass entry exterior door.
7. Aluminum/ Glass guardrail.
9. Concrete stairs.
10. Concrete/ Allan block retaining wall.
11. Metal garage door w/ window along top.
12. Natural wood stairs-ground to main porch at all units at sidewalks and to courtyard.

Address: 253 + 255 E 6th Street, North Vancouver
Architect: Jordan Kutev Architect Inc.
Developer: Cobblestone Homes Ltd.
3. SUSTAINABILITY

Sustainable principles are not just a set of processes that reduce environmental impact but they also require rethinking the relationship between humans and nature. It is a holistic approach that incorporates environmental concerns into the design process from the beginning. For the planet, sustainable building offers the promise of significantly decreased air pollution, improved surface water quality and the preservation of habitat and natural resources for future generations. For people, incorporating sustainable building strategies fosters low energy consumption, minimizes building impact on the natural environment, maximizes sustainable and renewable materials use and provides significant direct financial returns.

Unit layouts are similar to maximize the use of modular elements to shorten construction schedules and substantially reduce material construction waste.

3.1 ENVIRONMENTAL SUSTAINABILITY

The environment sustains our community. Individual buildings can have significant direct and indirect effects on the environment. Fish habitat quality, greenhouse gas emissions, landfills, water consumption, energy consumption, etc. are all related to how we design, build and use our buildings. Achieving a more environmentally friendly development requires an integrated approach. All major participants involved in the design and construction of the building should collaborate in the preparation of the Environmental considerations of the Sustainability Strategy. This includes the client / developer, architect, landscape architect, general contractor, civil, mechanical, electrical, energy and other related / required engineers. The early involvement of any of these professionals can contribute to the most successful and cost-effective solutions.

The project has been and will continue to be designed according to solid sustainable design principles, including integrated design, with a goal to use technologies which are practical and readily transferable to all development projects.

The key principles of sustainability that have been considered and incorporated in our current design are:

1. Energy preservation - reduced energy consumption based on:  
   - use of energy efficient EnergyStar appliances - could allow for up to 22% savings on energy cost,
   - use of programmable thermostat timers - could allow for up to 33% savings on energy cost,
   - use of dimmers on the lighting systems - could allow for up to 18% savings on energy cost,
   - use of motion sensors for all exterior lighting,
   - enhanced thermal building envelope performance.
2. Storm water management - including on-site retention strategies as native plants and rain gardens.
3. Water preservation - reduced water consumption based on low flow plumbing fixtures.  
   - Use of low flow toilet and shower head could save up to 52,000 litres of water per year.
4. The envelope will be designed as a rain screen, durable assembly, with a high performance glazing system for maximum durability in the West Coast climate.
5. The mechanical system will work in conjunction with the envelope delivering energy conservation, comfort and a high degree of personal control.
6. Majority of the construction materials would be locally sourced which would reduce exhaust emissions, fuel consumption and transportation costs.
7. Indoor / outdoor integration - each main living space has provisions for outdoor access in the form of either a garden, patio or deck.
8. Natural lighting - there is no room / floor area without natural lighting
9. Natural ventilation - each room / living space has operable windows or doors which can generate adequate cross ventilation.
10. Low VOC for exterior and interior finishes / materials.
11. Tankless, high efficient water systems.

3.2 SOCIAL SUSTAINABILITY

The primary purpose of a city is to provide for the well-being of its residents, labor force and visitors as well as to develop a healthy, safe and inclusive community where the diverse needs of people are met. Since people spend the majority of their time in or around buildings, developments can make a significant contribution to the social well-being, livability and hence the sustainability of our community.

The following are examples of social sustainability items considered / implemented in our design:

- Housing Diversity - housing is a key factor for any new developments. Therefore natural lighting, indoor / outdoor living, use of programmable thermostat timers - could allow for up to 33% savings on energy cost, use of motion sensors for all exterior lighting,
- Affordable Housing – smaller size units would be more affordable for first time buyers
- Location (proximity to Social Services such as schools, recreation, transit, shopping, health services, etc.)
- Neighborhood - the “fit” into the local context, streetscape, human scale, street furnishings, lighting glare, Good Neighbor Program during construction
- Increase Public Safety - Growth can make neighborhoods safer through more active streets and public spaces, quality designs that prevent crime, and a civic commitment to deal with annoyances, nuisances and other activities that detract from the quality of neighborhood life.

This neighborhood is a key area for future redevelopment and revitalization in North Vancouver. Its proximity to shopping, transit, schools and commercial areas make this area very attractive for new sustainable developments.

There are already several redevelopment projects in progress in the area including a mixed use, higher density multifamily development as well as several potential rezoning prospects along the street that would keep jobs and tax dollars in the community.

3.3 ECONOMIC SUSTAINABILITY

A healthy economy is essential to support the quality of life in our community. Increased densities will serve to broaden the tax base, and will relieve pressure on both residential and business property taxes. Tax shifting away from income and property and toward sprawl, waste and pollution will enhance our long-term sustainability.

Each City hopes to maintain a balance between the number of jobs in the City and the resident labour force. Commercial, industrial and institutional developments create opportunities for employment. Such developments are, therefore, significant contributors to sustainability. In addition to the absolute number of jobs created, income levels are an important consideration.

3.4 AFFORDABILITY PRINCIPLES

Following the abovementioned City guidelines for Affordable housing as another strategic goal we have addressed and incorporated the following Affordability principles in our development:

a. Housing Diversity - increases the housing supply; increased density to affordability programs; introduces new housing types, sizes, tenures and locations, which is particular important for young families and the elderly who wish to stay in their neighborhoods. We have provisions for more diverse unit sizes and typologies. The number of houses and layoffs are maximized to share the land cost component of the development thereby meeting the project affordability.

b. Adaptable Housing - when units are built with the changing demographics in mind and accessible provisions are properly allocated during the design phase, then they could be easily transformed into different types of user / occupant later on without any major renovations or expenses. The scale, grading topography and orientation of this proposal does not cater to the development of an adaptable residence, however, despite the difficulty of developing an adaptable plan for residents, sit planning does facilitate the ability for accessible building and site access with wider walkways + open patios.

c. Suitable location: proximity to Lonsdale, the Quay, parks, and transit availability such as bus/sea bus, makes transit accessible to more people and allows more people to walk or cycle to work and recreation, easy access to services, shopping, recreation and leisure activities, reducing the need for cars; enables better use of existing infrastructure and provides an opportunity for new green solutions.

d. Enhance the Livability and Beauty of Neighborhoods - High quality developments will help to increase the livability, quality and beauty of our neighborhoods, ensuring the highest standards of architecture and urban design, creating interesting and lively public places, and expanding community amenities.
4. SUSTAINABILITY CHECKLIST

This project endeavors to establish a high standard of development for the area and will provide necessary affordable housing within the community. The building site respects the established pattern of development along East 6th Street and the lane. Landscaping and outdoor living spaces enhances livability and creates a new development that fits into the neighborhoods and the City.

<table>
<thead>
<tr>
<th>Economic Consideration</th>
<th>Incl.</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Direct Employment</td>
<td>x</td>
<td>Maintains job growth with retail and commercial spin-offs.</td>
</tr>
<tr>
<td>a) During Construction</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Ongoing Employment by Sector, Type and Income Range</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Indirect Economic Benefits (Spin-off business, employment, etc.)</td>
<td>x</td>
<td>Maintains job growth with retail and commercial spin-offs.</td>
</tr>
<tr>
<td>3. Impact on, or Support for Existing Commercial Uses</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Social Considerations</th>
<th>Incl.</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Livability (overall livability for intended residents / users)</td>
<td>x</td>
<td>See 2.4: a &amp; d</td>
</tr>
<tr>
<td>2. Statement of Affordability (see “Statement of Affordability Guidelines”)</td>
<td>x</td>
<td>See 2.4: a &amp; d</td>
</tr>
<tr>
<td>3. Rental Housing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Housing Diversity (i.e. building forms, unit mix, unit sizes, tenure)</td>
<td>x</td>
<td>See 1.1 and 1.2</td>
</tr>
<tr>
<td>5. Adaptable Housing (See Adaptable Design Guidelines levels 1, 2 and 3)</td>
<td>x</td>
<td>See 2.4-b</td>
</tr>
<tr>
<td>6. Design Features for People with Disabilities (hearing, vision, mobility - see Pedestrian Access Guidelines)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Child Care and / or children Play Space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Crime Prevention Through Environmental Design (see CPTED Guidelines)</td>
<td>Required</td>
<td>See 2.5</td>
</tr>
<tr>
<td>9. Heritage Conservation (see Heritage Inventory)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Amenities (public or private)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Location (i.e. proximity to Social Services such as schools, recreation, transit, shopping, health services, etc.)</td>
<td>x</td>
<td>See 2.4-c</td>
</tr>
<tr>
<td>12. Neighbourliness (i.e. the “fit” into the local context, streetscape, human scale, street furnishings, lighting glare, Good Neighbour Program during construction)</td>
<td>x</td>
<td>See 3.</td>
</tr>
<tr>
<td>13. Noise Mitigation and Attenuation (i.e. noise from traffic, railways, industry, commercial uses, patrons, etc.)</td>
<td>Required</td>
<td>Windows:  - Double Glazed, - Argon filled, - Low “E”, - Insulated Doors.</td>
</tr>
<tr>
<td>14. Public Art (see Public Art guidelines)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) During Construction (i.e. hoarding)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Permanent (On-site or Off-site)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Environmental Considerations</th>
<th>Incl.</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Site Planning</td>
<td>x</td>
<td>N/A – Established residential neighbourhood</td>
</tr>
<tr>
<td>a) Is the site located in an identified Environmentally Sensitive Area (ESA)? (see OCO Schedule “E”)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Sediment &amp; Erosion Control (see City handout)</td>
<td>x</td>
<td>Per.C.N.V. guidelines</td>
</tr>
<tr>
<td>c) Soil stability (load bearing capacity, liquefiable soils, slope risks, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Alternative Transportation (Proximity to services/transit, bicycle storage, change rooms, Transportation Demand Management Plan, etc.)</td>
<td>x</td>
<td>See 1.1 and 2.4-c</td>
</tr>
<tr>
<td>e) Reduces Site Disturbance</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>f) Stormwater Management (impervious surface reduction, green roof treatment, peak flow mitigation, groundwater recharge, aquatic habitat protection, filtration, etc.)</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>g) Light Pollution (uncontrolled up-lighting and off-site glare to be avoided)</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>h) Composting Facilities</td>
<td>x</td>
<td>Screened</td>
</tr>
<tr>
<td>i) Recycling Facilities</td>
<td>x</td>
<td>Screened</td>
</tr>
<tr>
<td>j) Noise Mitigation and Attenuation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Water Efficiency</td>
<td>x</td>
<td>Native plants + no irrigation</td>
</tr>
<tr>
<td>a) Water Efficient Landscaping (naturescape, use of non-potable water, high efficiency irrigation, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Innovative Use of Wastewater (constructed willands, solar aquatics, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Water Use Reduction (low consumption fixtures, grey water systems, use of stormwater, etc.)</td>
<td>x</td>
<td>Low consumption fixtures and Instantaneous hot water heater, 0.95 energy factor.</td>
</tr>
<tr>
<td>3. Energy and Atmosphere</td>
<td>x</td>
<td>Ener-guide 83 rating*</td>
</tr>
<tr>
<td>a) Energy Efficiency (high performance envelopes, passive solar gain, solar shading, natural ventilation, ground heating/cooling, thermal mass, energy budgeting, high efficiency fixtures, systems commissioning)</td>
<td>x</td>
<td>Built Green® Silver certified homes*</td>
</tr>
<tr>
<td>b) Use of Renewable Energy (or connection to LL Community Energy Heating System)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) CFC Reduction in HVAC &amp; R Equipment</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>4. Materials &amp; Resources</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>a) Construction Waste Management (GVRD 3R’s - reduce, reuse, recycle)</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>b) Building Reuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Recycled Content</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Environmentally Friendly Materials (fly-ash concrete, non-toxic materials, naturescape, etc.)</td>
<td>x</td>
<td>Fibre-cement Cladding Systems.</td>
</tr>
<tr>
<td>e) Durability (wall systems, roof materials, etc.)</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>5. Indoor Environmental Quality</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>a) Air quality (low emitting materials, non-smoking policy, ventilation, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Daylight &amp; Views</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Other</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Both will be confirmed by Stan Jang, NRCan Certified Energy Advisor, Building Balance Consulting Inc.
5. COMMUNITY IMPACT STUDIES

CRIME PREVENTION - CPTED / TERRITORIALITY

- We are using different paving materials to differentiate between common and private outdoor space. The proposed landscaping in the yard areas are high enough to create a comfortable sense of enclosure, without blocking sightlines. The planting is made up of low growing grasses, shrubs and ground covers that allow for views through the site and reduce concealment opportunities. Majority of the rooms look and open into the courtyard and street or lane scape to encourage residents’ use and to provide view opportunities.

- Detached infill unit at rear provides “eyes on the street” for rear lane uninvited gatherings, more private inner courtyard and separation between lane and yard.

- The pathways follow natural desire lines to create the easiest and most direct route through the site. The courtyard and walkway is defined with garden landscaping to identify private and semi-private use.

- Lighting sources will be of compact fluorescent, pathway area lighting will be controlled by photocell/motion.

- Garage interior area will be painted white doors to have glazing to enhance lighting levels. Adequate lighting levels will be incorporated around all sides of the buildings and pedestrian pathways.

- The garbage disposal is enclosed.
6. SHADOW STUDY
7. DRAWINGS AND STUDIES

7.1 ARCHITECTURAL PLANS
- Context plan
- Survey plan
- Site Plan
- Floor Plans: Main level, cellar level, Upper level, Loft / Roof level
- Roof Plan
- Building Elevations
- Building Sections
- Finish Materials and Durability (i.e., roofing)
- 3D rendering and massing models

7.2 LANDSCAPE PLANS (WITH CONTEXT)
- Soft and Hard Landscaping
- Plant List
- Lighting Plan
City Homes
255 E6th, North Vancouver, British Columbia

ARCHITECTURAL
Jordan Kutev Architect Inc.
180 - 2230 Boundary Road,
Burnaby, British Columbia
V5E 0S1
Tel: 604 295 3222
Fax: 604 295 3220
www.jka.ca

A000 COVER PAGE/ DRAWING LEGEND
A100 FIRE AND SMOKE SEPARATION
    PROJECT DATA
A151 SURVEY PLAN
A152 SITE PLAN
A201 CELLAR LEVEL
A211 GROUND FLOOR PLAN
A212 UPPER FLOOR PLAN
A251 ROOF PLAN
A401 BUILDING ELEVATIONS UNIT 1&2
A402 BUILDING ELEVATIONS UNIT 3&4
A451 BUILDING SECTIONS

OWNER
Cobblestone Homes Ltd.
7821 Meadowbrook Dr.,
Burnaby, BC, V5E 1L6
Tel: 604 781 3853
Email: cobblestonehomes11@gmail.com

SURVEY
Ken K. Wong and Associates
7824 2nd Ave., Burnaby, BC, V5B 1V6
Tel: 604 294 9999
Fax: 604 294 9999

LANDSCAPE
Harry Haggard
Landscaping Architect
202 Banks Ave., East Vancouver, BC, V5T 1K5
Tel: 604 881 0127

ENERGY CONSULTANT
Stan Jang
Building Balance Consulting Inc.
4550 James Street
Vancouver, BC V5V 3J3
Tel: 604 311 5555
e-mail: stan@buildingsbalance.ca
WRITTEN SPECIFICATIONS

1. ALL WORK INSTALLATION MATERIALS ETC TO BE
   PER B.C.C.L.A. AND B.C.N.T.A. STANDARDS & SPECIFICATIONS.
2. ADD GOOD PRUNING TOPS, MAXIMUM 48" CLAY AND
   Maximum 48" PEAT/PEAT
   TO GROUND AS LISTED: LAWNS: GROUND COVER=12"h
   SHRUBS=8"h
   TREES=24"h OF DEPTH
   3. ALL TREES AND SHRUBS ON MOUND SLOPE TO HAVE
      A 6" HIGH EARTH WATERING DISH.
4. POSITIVE DRAINAGE THROUGHOUT THE SITE TO BE
   PROVIDE BY A LANDSCAPE CONTRACTOR AFTET PLANTING
   LANDSCAPING (ALL EXISTING TREES LEFT AT NATURAL
   GRADE WITH POSITIVE DRAINAGE)
5. AFTER ALL PLANTING AND MIN 2" FOR BARK MULCH (SALT FREE)
   THROUGHOUT AND ROAD FINISH GRADES.
6. FINISH GRADES THROUGHOUT TO BE 1" BELOW TOP OF ASPHALT AND ROAD FINISH GRADES

7. PLANT INSPECTIONS UPON REQUEST BY LANDSCAPE CONTRACTOR
   TO INCLUDE AS A MIN. OF THREE TO SEE:
   A) PLANT INSPECTION AT TIME OF PLANT ARRIVAL
   B) INTERIM SITE INSPECTION
   C) FINAL SITE INSPECTION AFTER LAST PLANT IN PLACE AND
      FOR BARK MULCH IN PLACE.
8. ONE-YEAR PLANT GUARANTEE TO BEGIN AFTER LAST PLANT IN PLACE
   AND THE FINAL INSPECTION HAS BEEN CARRIED OUT AND REPORTED BY
   LETTER BY THIS OFFICE.
9. A THIRTY (30) DAY MAINTENANCE OF PLANTS TO INCLUDE PRUNING,
   HEDGING, ETC. (A 30-DAY MAINTENANCE TO BEGIN AFTER ITEM 7-C
   ABOVE).
10. THE WRITTEN SPECIFICATIONS (8), A 12" FOR AN INTEGRAL PART OF THESE DRAWINGS.
11. ALL DIMENSIONS, LOCATIONS, GRADES, ETC. ARE APPROXIMATE AND ARE TO BE
     HANDLED ON-SITE PRIOR TO BEING BY THE RESPECTIVE CONTRACTORS.
12. THE GREATER NUMBER OF PLANT QUANTITIES WHETHER ON THE PLAN OR ON THE
     PLANT LIST IS THE NUMBER FOR WHICH THE LANDSCAPE CONTRACTOR IS
     RESPONSIBLE FOR.

LANDSCAPE GRADING AND LIGHTING PLAN

SCALE : 1/5" = 1'-0"

LEGEND/LANDSCAPE ITEMS

- DENOTES LIT CONCRETE WALKWAYS
- DENOTES LIT CONCRETE WALKWAYS

2"X2" CONCRETE GRAY PATIO SLABS
- STORM DRAIN DETENTION TANK
- AREA DRAIN

STORM DRAIN TO BE 3'-0" ABOVE SURVEYED GRADE OR SAME GRADE

(SEE DETAIL SHEET LA-4 FOR THIS SET)
### Soft Landscaping Items

**PLAN Legend**

<table>
<thead>
<tr>
<th>Item</th>
<th>Symbol</th>
<th>Quantity</th>
<th>Specific Planting Needs</th>
<th>Size</th>
<th>Color</th>
<th>Spacing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>L</td>
<td>10</td>
<td>Perennials</td>
<td>4'</td>
<td>Green</td>
<td>2/Foot</td>
</tr>
<tr>
<td>2</td>
<td>L</td>
<td>5</td>
<td>Annuals</td>
<td>2'</td>
<td>Pink</td>
<td>4/Foot</td>
</tr>
<tr>
<td>3</td>
<td>L</td>
<td>1</td>
<td>Shrubs</td>
<td>10'</td>
<td>Red</td>
<td>1/Foot</td>
</tr>
<tr>
<td>4</td>
<td>L</td>
<td>2</td>
<td>Ferns</td>
<td>18''</td>
<td>Green</td>
<td>3/Foot</td>
</tr>
</tbody>
</table>

**Detailed Diagram**

- **Rain Garden Section**
  - Exterior Rain Garden: Uses topsoil (300 lbs) per item in written specifications.
  - Note: Supplied soil and fill soil on side slopes only.
  - Rain Garden to be constructed with suitable fill material as needed and per item in written specifications.
  - Area drain 6' above finish grade to an open channel to pipe.

- **Ingredients**
  - Layer of gravel/rock
  - 5' Max depth of cover plant: Tocoh, Lomandra, or equal.

**Landscape Details and Notes**
7. PLANT INSPECTIONS UPON REQUEST BY LANDSCAPE CONTRACTOR
   TO INCLUDE AS A MIN. OF THREE TO BE:
   a) PLANT INSPECTION AT TIME OF PLANT ARRIVAL
   b) INTERIM SITE INSPECTION
   c) FINAL SITE INSPECTION AFTER LAST PLANT IN PLACE AND
      FOR BARK MULCH IN PLACE

8. ONE-YEAR PLANT GUARANTEE TO BE IN EFFECT AFTER LAST PLANT IN PLACE
   AND THE FINAL INSPECTION HAS BEEN CARRIED OUT AND REPORTED BY
   LETTER FROM THIS OFFICE.

9. A THIRTY (30) DAY MAINTENANCE OF PLANTS TO INCLUDE PRUNING,
   FERTILIZING AND WATERING TO BE IN EFFECT AFTER ITEM 7-A ABOVE.

10. THE WRITTEN SPECIFICATIONS (8, 9, 12) FORM AN INTEGRAL PART OF THESE DRAWINGS.

11. ALL DIMENSIONS, LOCATIONS, LEVELS, ETC. ARE APPROXIMATE AND ARE TO BE
    VERIFIED ON-SITE PRIOR TO BEGINNING BY THE RESPECTIVE CONTRACTORS.

12. THE GREATER NUMBER OF PLANT QUANTITIES WHETHER ON THE PLAN OR ON
    THE PLANT LIST IS THE NUMBER FOR WHICH THE LANDSCAPE CONTRACTOR IS
    RESPONSIBLE FOR.

LANDSCAPE PLANTING PLAN (SEE PLANT LIST ON
     SHEET L-2 OF 8)

NOTE: ALL PLANTS ON THIS PLANTING ARE
      SHOWN AT FIVE TO SIX YEARS GROWTH AFTER
      ORIGINAL ON SITE SPECIFICATIONS FOR TWO SHEET
      AND PLANT SIZE AND EXHIBITION AS SHOWN ON LA C-6 OF THIS SET

LA-3
Public Information Meeting

Date: Thursday May 14, 2015

Time: 6:00 – 8:00 p.m.
Presentation and Q&A

Location: St. Andrew’s United Church – 1044 St. George’s Ave. North Vancouver V7L 3H6

<table>
<thead>
<tr>
<th>City of North Vancouver Contact</th>
<th>Applicant Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Johnson</td>
<td>D. laquinta</td>
</tr>
<tr>
<td>Planner 2, Community Development</td>
<td>Cobblestone Homes Ltd.</td>
</tr>
<tr>
<td>Community Development Department</td>
<td>7825 Meadowood Dr. Burnaby BC V5A 4E4</td>
</tr>
<tr>
<td>141 W 14th St, North Vancouver BC V7M 1H9</td>
<td>Tel: (604) 781-9893</td>
</tr>
<tr>
<td>Tel: (604) 990-4219</td>
<td><a href="mailto:cobbledstonehomesltd@gmail.com">cobbledstonehomesltd@gmail.com</a></td>
</tr>
<tr>
<td><a href="mailto:djohnson@cnv.ca">djohnson@cnv.ca</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Telephone / email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sue Smith</td>
<td>#1 276 6TH ST, NORTH VAN.</td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td>255 East 6th</td>
<td></td>
</tr>
<tr>
<td>D. HAKI SI</td>
<td>207 + 209 ESB</td>
<td></td>
</tr>
</tbody>
</table>
Dave Iaquinta  
Cobblestone Homes Ltd  
7825 Meadowood Dr  
Burnaby, BC V5A 4E4  
604 781 9893  
cobblestonehomesltd@gmail.com

Re: EGNH Plan Evaluation - 253 East 6th St – Worst case unit (Unit 2), North Vancouver

Plans for the above mentioned house(s) have been reviewed using EnerGuide for New Houses (EGNH) evaluation procedures.

The base construction characteristics are the current building code minimum requirements and common building practices:

<table>
<thead>
<tr>
<th>Base Specifications</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Location (weather file)</td>
<td>Metro Vancouver, BC</td>
</tr>
<tr>
<td>Ceiling</td>
<td>Trusses @ 24” o/c, R-40 insulation</td>
</tr>
<tr>
<td>Cathedral/Flat Ceiling</td>
<td>2x10 @ 24” o/c, R-28 insulation</td>
</tr>
<tr>
<td>Exterior walls above grade</td>
<td>2x6 @ 16” o/c, R-20</td>
</tr>
<tr>
<td>Windows</td>
<td>Energy Star equivalent windows</td>
</tr>
<tr>
<td>Doors</td>
<td>Steel with foam core (Front: solid wood)</td>
</tr>
<tr>
<td>Exposed Floors</td>
<td>2x10 @ 16” o/c, R-28 insulation</td>
</tr>
<tr>
<td>Foundation Walls</td>
<td>R-14 full height</td>
</tr>
<tr>
<td>Cellar Floor</td>
<td>None</td>
</tr>
<tr>
<td>Airtightness</td>
<td>Conservative airtightness level (6.5 ACH @ 50 Pa with default ELA)</td>
</tr>
<tr>
<td>Heating</td>
<td>High efficiency gas boiler</td>
</tr>
<tr>
<td>Domestic Hot Water</td>
<td>Indirect-fired tank</td>
</tr>
<tr>
<td>Ventilation</td>
<td>None</td>
</tr>
<tr>
<td>Gas Fireplaces</td>
<td>Direct-vented, electronic ignition</td>
</tr>
</tbody>
</table>

Construction Upgrades

The following items should be upgraded from the base specifications to achieve the EGNH rating below:

<table>
<thead>
<tr>
<th>Upgraded Specifications</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Heating</td>
<td>92% AFUE furnace + air source heat pump (6.0 HSPF)</td>
</tr>
</tbody>
</table>
Hot Water | Instantaneous hot water heater, 0.95 energy factor
--- | ---
Airtightness | 6.5 ACH – Conservative airtightness
Windows | DG, low-e coating, argon filled
Front door | Fiberglass, insulated core

### Upgrade Case Results

**EGNH Rating: 83**

Design Heat Loss @ -9 °C: 8214 Watts (28026 BTU/h)

The specifications in this document must be followed precisely in order to reach the resulting Energuide rating. Even minor changes such as the door type or window opening can lower the rating.

Care must be taken when installing the air barrier (6 mil poly) to ensure that it is continuous throughout the building envelope. The actual airtightness will not be known until after the final air leakage test when it is too late to improve a poor result that has lowered your Energuide rating. Contact me prior to drywall installation if you would like me to conduct a pre-drywall blower door test to check for leaks in the air barrier.

The graph below shows a breakdown of the heat loss of the house with the given upgrades:

Please contact me if you have any questions.

Stan Jang, BSc, MSc
NRCan Certified Energy Advisor (ID: 5116/7903)
Building Balance Consulting Inc
Public Hearing
253-255 E 6th Street
Zoning Amendment Bylaw 8447

Staff Presentation
November 16, 2015
Community Development
Land Use & Zoning

OCP Designation: Residential Level-4A (1.0 FSR)
Existing Zoning: RT-1
Proposed Development
Proposed Development
# Development Summary

<table>
<thead>
<tr>
<th></th>
<th>Two-Unit Residential (RT-1)</th>
<th>Proposed CD-667</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of Units</strong></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td><strong>Number of Buildings</strong></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td><strong>Gross Floor Area (sq. ft.)</strong></td>
<td>3,450 (max.)</td>
<td>6,790</td>
</tr>
<tr>
<td><strong>Floor Space Ratio (FSR)</strong></td>
<td>0.49</td>
<td>0.97</td>
</tr>
<tr>
<td><strong>Lot Coverage</strong></td>
<td>35% (max.)</td>
<td>53%</td>
</tr>
<tr>
<td><strong>Height (ft.)</strong></td>
<td>15 top of plate (max.)</td>
<td>20 top of plate 35 ridge</td>
</tr>
<tr>
<td></td>
<td>30 ridge (max.)</td>
<td></td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>2 vehicles</td>
<td>4 vehicles</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8 secured bike stalls</td>
</tr>
<tr>
<td><strong>Setbacks (ft.)</strong></td>
<td>25 front (min.)</td>
<td>10 front (min.)</td>
</tr>
<tr>
<td></td>
<td>49 rear (min.)</td>
<td>4.1 rear (min.)</td>
</tr>
</tbody>
</table>
Thank you.
Development Context

The proposed development is for two duplex buildings, one at the front facing E 6th Street and the second at the rear, being separated by the rear patio space of the front units. The garages are located at the back with access to the rear lane.
Development Context

North Vancouver, BC
Building Design

- Revised garage layout and bike storage
- Improved functionality in the garage space
Building Design

- Revised garage layout and bike storage
- Improved functionality in the garage space
Building Design

Elevations
Landscape Design
The fundamental design concept of this project is coordination and integration of the site layouts and building designs with the adjacent properties. The basic design features for both building and landscape have been improved from the above original design to the new design through:

- Asphalt Shingles roof
- Horizontal pattern Hardie siding
- Horizontal pattern wood siding
- Hardie plank panels
- Double glazed low-e vinyl doors & windows
- Wood/fiberglass exterior door
- Aluminum /glass guardrail
- Exposed concrete/sealed base
- Concrete stairs
- Concrete /Allan block retaining wall
- Metal garage door with window along top
- Defining pathways to all 4 units
Building and Landscape Design

The fundamental design concept of this project is coordination and integration of the site layouts and building designs with the adjacent properties. The basic design features for both building and landscape have been improved from the above original design to the new design through:

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- Horizontal pattern Hardie siding
- Horizontal pattern wood siding
- Hardie plank panels
- Double glazed low-e vinyl doors & windows
- Wood/fiberglass exterior door
- Aluminum /glass guardrail
- Exposed concrete/sealed base
- Concrete stairs
- Concrete /Allan block retaining wall
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- Double glazed low-e vinyl doors & windows
- Wood/fiberglass exterior door
- Aluminum/glass guardrail
- Exposed concrete/sealed base
- Concrete stairs
- Concrete/Allan block retaining wall
- Metal garage door with window along top
- Defining pathways to all 4 units
Thank you!
Jennifer Ficocelli

Subject: FW: 253 to 255 east 6th street

From: Joyce Davies
Sent: Thursday, November 12, 2015 6:47 PM
To: Jennifer Ficocelli
Subject: 253 to 255 east 6th street

Dear Jennifer,

I purchased my condo 2 years ago at 314 – 288 East 6th St N Van., right across the street from your proposed 4 unit townhouses. Needless to say I paid a good price for my condo which of course included the view, now the city proposes to take the view away from me.

If you go ahead with this proposal I will expect to receive compensation on my taxes as I do not approve of townhouses being built on those lots. Please give this consideration.

Thank you
Evelyn Joyce Davies
NOTICE OF PUBLIC HEARING

WHO: Cobblestone Homes Ltd. / JKA Architect Inc.


WHERE: 253 to 255 East 6th Street, CD-667, legally described as: PID 004-121-252, Strata Lot 1, and PID 004-121-279, Strata Lot 2, DL 274, Strata Plan VR 479, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1

WHEN: Monday, November 16, 2015 at 7:00 pm in Council Chamber

Notice is hereby given that Council will consider the following application:

Zoning Amendment Bylaw, 2015, No. 8447

to reclassify the said properties from Two-Unit Residential (RT-1) to Comprehensive Development 667 (CD-667) to permit the construction of a Four-Unit Townhouse. A total of 4 parking stalls are proposed, with vehicle access from the rear lane.

All persons who believe they may be affected by the above proposal will be afforded an opportunity to be heard in person and/or by written submission. Written or email submissions should be forwarded to Jennifer Ficocelli, Deputy City Clerk, at jficocelli@cnv.org or by mail to City Hall.

Submissions must be received no later than 4:00 pm, Monday, November 16, 2015, to ensure their availability to Council at the Public Hearing. Once the Public Hearing has concluded, no further information or submissions can be considered by Council.

The proposed Zoning Amendment Bylaw, including background material, will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from November 4, 2015, and online at www.cnv.org/publichearings.

Please direct all inquiries to David Johnson Planner at djohnson@cnv.org or 604-990-4219
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8447

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, 2015, No. 8447” (Dave Iaquinta / Cobblestone Homes Ltd., 253-255 East 6th Street, CD-667).

2. Division VI: Zoning Map of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-667 (Comprehensive Development 667 Zone):

<table>
<thead>
<tr>
<th>Lot</th>
<th>D.L.</th>
<th>Strata Plan</th>
<th>from RT-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>274</td>
<td>VR. 479</td>
<td>RT-1</td>
</tr>
<tr>
<td>2</td>
<td>274</td>
<td>VR. 479</td>
<td>RT-1</td>
</tr>
</tbody>
</table>

3. Part 11 of Division V: Comprehensive Development Regulations of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by:

   A. Adding the following section to Section 1100, thereof, after the designation “CD-666 Comprehensive Development 666 Zone”:

   “CD-667 Comprehensive Development 667 Zone”

   B. Adding the following to Section 1101, thereof, after the “CD-666 Comprehensive Development 666 Zone”:

   “CD-667 Comprehensive Development 667 Zone

   In the CD-667 Zone, permitted Uses, regulations for permitted Uses, regulations for the size, shape and siting of Buildings and Structures and required Off-Street Parking shall be as in the RT-1 (Two-Unit Residential 1) Zone as amended from time to time, except that:

   (1) Two Principle Buildings shall be permitted on the Lot;

   (2) A maximum of two Dwelling Units shall be permitted per Principal Building;

   (3) The maximum total combined Gross Floor Area (Two-Unit Residential) shall not exceed 0.97 times the Lot Area; provided that:

   (a) Cellars may be excluded from Gross Floor Area (Two-Unit Residential) calculation as a community amenity to assist the City in achieving its OCP energy and emissions reduction targets through the provision of all of the following:
i. attaining a minimum of EnerGuide 83 Energy Standard;

ii. providing a copy of the energy audit;

iii. providing a letter from the Certified Energy Advisor, stating that the project has complied with the EnerGuide Energy Standard;

iv. providing a letter of credit for 1% of construction costs, prior to the issuance of a building permit, to be returned upon successful provision of all of the above to the satisfaction of the Chief Building Inspector;

(4) The maximum total combined Lot Coverage shall not exceed 53%;

(5) The Height of the northernmost Building shall not exceed a Height Envelope of 6.1 metres (20 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 10.67 metres (35 feet);

(6) The Heights of the southernmost Building shall not exceed a Height Envelope of 6.4 metres (21 feet) which may increase at an inward angle of 45 degrees to the horizontal to be higher than the geodetic height of the top of plate of any Storey, to reach a maximum of 10.67 metres (35 feet);

(7) The northernmost Principal Building shall be sited not less than:

(a) 10 feet from the Front Lot Line;

The southernmost Principal Building shall be sited not less than:

(a) 4.1 feet from the Rear Lot Line;

(b) 3.9 feet from the East Interior Side Lot Line;

(9) The minimum number of accessory off-street Parking Spaces provided shall in no case be less than 4 Parking Spaces;

(10) Part 10A02 (2) (b), Vertical Bicycle Parking Spaces be counted towards 100% of the required Secure Bicycle Parking Spaces;

(11) Recycling and Garbage Storage Facility Requirements as listed in Section 417 shall apply, except that the Minimum Required Floor Area shall be reduced to 45 square feet;

(12) Refuse storage containers shall be readily accessible for pick-up and for users and shall be screened on all sides and shall not be located in required manoeuvring aisles, driveways, loading or Parking Spaces;
(13) All exterior finishes, design and landscaping shall be approved by the Advisory Design Panel.”

READ a first time by the Council on the 26th day of October, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

____________________________________
MAYOR

____________________________________
CITY CLERK
The Corporation of THE CITY OF NORTH VANCOUVER
COMMUNITY DEVELOPMENT DEPARTMENT

REPORT

To: Mayor Darrell R. Mussatto and Members of Council
From: Tessa Forrest, Planning Analyst
SUBJECT: ZONING AMENDMENTS TO REDUCE PARKING REQUIREMENTS FOR EXISTING LIQUOR PRIMARY ESTABLISHMENTS
Date: October 20, 2015

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

RECOMMENDATION:

PURSUANT to the report of the Planning Analyst dated October 20, 2015, entitled "Zoning Amendments to Reduce Parking Requirements for Existing Liquor Primary Establishments":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8450" (Liquor Primary Parking Requirement Reductions, CD-52, CD-120, CD-124) be considered and referred to a public hearing.

ATTACHMENTS:

PURPOSE:

To present Zoning Bylaw Amendments to reduce the parking requirements for three existing liquor primary establishments to align the zoning for these parcels with recent changes to parking requirements.
DISCUSSION:

On June 23, 2015, Council adopted Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8421" (Parking Requirement Reductions for Liquor Primary and Licensee Retail Stores) to reduce the parking requirements for Liquor Primary Establishments and Licensee Retail Stores from one space per 11.62 sq. m. (125 sq. ft.) of licensed gross floor area plus one space per 46.45 sq. m. (500 sq. ft.) for remaining gross floor area, to one space per 46.45 sq. m. (500 sq. ft.) of total gross floor area. This change was intended to result in a similar parking requirement for liquor primary and licensee retail stores as for other types of businesses.

The City's Zoning Bylaw establishes site-specific Comprehensive Development (CD) Zones for liquor primary uses; these zones include individual parking requirements prescribed on a case by case basis. There are four existing Liquor Primary businesses in the City, three of which have associated Licensee Retail Stores for a total of seven establishments. In order to realize the parking reductions permitted through the recent amendment to parking requirements, these businesses would have to make a rezoning application to amend the Zoning Bylaw in order to change the terms of their site-specific zones.

During the Public Hearing for Zoning Amendment Bylaw, 2015, No. 8421 (Parking Requirement Reductions for Liquor Primary and Licensee Retail Stores), Council members and members of the public expressed concern about the cost and time required to implement these amendments for existing establishments. As a result, staff has prepared amendments to bring existing establishments into alignment with the recently adopted bylaw changes, without the need for individual rezoning applications.

Staff has reviewed the parking requirements for existing Liquor Primary establishments, determining that four establishments have parking requirements already below the amended requirement of one space per 46.45 sq. m. (500 sq. ft.) of total gross floor area. Therefore, no change is required for these parcels. Zoning Bylaw Amendments (Attachment #1) have been prepared for the three remaining businesses and result in the following reductions to parking space requirements:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Address</th>
<th>Establishment</th>
<th>Existing Parking Requirement (spaces)</th>
<th>Proposed Parking Requirement (spaces)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD-120</td>
<td>2601 Westview Dr</td>
<td>Two Lions Pub</td>
<td>30</td>
<td>12</td>
</tr>
<tr>
<td>CD-124</td>
<td>1433 Lonsdale Ave</td>
<td>Jack Lonsdale Pub</td>
<td>14</td>
<td>8</td>
</tr>
<tr>
<td>CD-52</td>
<td>175 East 1st St</td>
<td>The Gull Pub</td>
<td>16</td>
<td>7</td>
</tr>
</tbody>
</table>

*Table 1 – Existing and Proposed Parking Requirements.*

These changes would bring the parking requirements for Comprehensive Development Zones 52, 120, and 124 into alignment with the zoning bylaw standard for liquor primary uses. Based on observed and reported use, and the accessible location of existing facilities, the reduced requirements are not anticipated to result in adverse impacts.

REPORT: Zoning Amendments to Reduce Parking Requirements for Existing Liquor Primary Establishments

Date: October 20, 2015
FINANCIAL IMPLICATIONS:
None.

INTER-DEPARTMENTAL IMPLICATIONS:
This report was prepared in coordination with the Engineering Parks and Environment Department and the recommendations in this report were reviewed and endorsed by the Civic Projects Team at their meeting on October 13, 2015.

SUSTAINABILITY COMMENTS:
Reducing the vehicle parking requirement for licensed buildings is aligned with a cultural shift away from drinking and driving and may incentivize transit and active transportation over private vehicle use. In addition, reducing commercial parking space requirements will reduce development costs and may reduce the cost of commercial space for purchase or rental.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:
Objective 2.2.2 of the 2014 Official Community Plan supports alternative forms of transportation:

Strategically manage on-street and off-street transportation facilities to prioritize more sustainable forms of transportation through a variety of measures...

And Objective 7.2.10 supports the provision of adequate parking for commercial uses:

... providing adequate and appropriate parking to support local businesses.

RESPECTFULLY SUBMITTED:

Tessa Forrest
Planning Analyst

TF:eb:skj
Public Hearing
Reduced Parking Requirements for Existing Liquor Establishments

Presented November 16, 2015
Community Development Department
# Background

<table>
<thead>
<tr>
<th>Previous Bylaw Requirement</th>
<th>1 space per 11.62 sq. m. (125 sq. ft.) of licensed gross floor area and 1 space per 46.45 sq. m. (500 sq. ft.) for remaining gross floor area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Bylaw Requirement</td>
<td>1 space per 46.45 sq. m. (500 sq. ft.) for total gross floor area</td>
</tr>
</tbody>
</table>
Background

- 4 existing Liquor Primary Establishments
- 3 existing Retail Licensee Stores
- Parking requirements regulated by CD-zones
## Proposed Changes

<table>
<thead>
<tr>
<th>Zone</th>
<th>Address</th>
<th>Establishment</th>
<th>Existing Parking Requirement (spaces)</th>
<th>Proposed Parking Requirement (spaces)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CD-120</td>
<td>2601 Westview Dr</td>
<td>Two Lions Pub</td>
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<td>12</td>
</tr>
<tr>
<td>CD-124</td>
<td>1433 Lonsdale Ave</td>
<td>Jack Lonsdale’s Pub</td>
<td>14</td>
<td>8</td>
</tr>
<tr>
<td>CD-52</td>
<td>175 East 1st St</td>
<td>The Gull Pub</td>
<td>16</td>
<td>7</td>
</tr>
</tbody>
</table>
Thank you.
NOTICE OF PUBLIC HEARING

WHO: City of North Vancouver


WHERE: 175 East 1st Street, CD-52, Business/Owner: The Rusty Gull Neighbourhood Pub Ltd., Inc. No. 264315, legally described as: PID 015-088-251, Lot 30, Block 166, DL 274, Plan 878

2601 Westview Drive, CD-120, Business/Owner: Two Lions Public House, 372333 BC Ltd., Inc. No. 372333, legally described as: PID 008-497-311, Lot F, Block 256, DL 544, Plan 21427

1433 Lonsdale Avenue, CD-124, Business/Owner: Jack Lonsdale’s Public House, Delta Blue Construction, Inc. No. 0733979, legally described as: PID 011-724-021, Strata Lot 2, DL 548 and DL 549, Strata Plan VR2192, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lots Shown on Form 1

WHEN: Monday, November 16, 2015 at 7:00 pm in Council Chamber

Notice is hereby given that Council will consider the following application:

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2015, No. 8450" to reduce the parking requirement for Liquor Primary use as follows:

- 175 East 1st Street from 16 parking spaces to 7 parking spaces
- 2601 Westview Drive from 30 parking spaces to 12 parking spaces
- 1433 Lonsdale Avenue from 14 parking spaces to 8 parking spaces

and to align the parking standard for this use with the 1 parking space per 500 sq. ft. requirement in Division 9 of the Zoning Bylaw.

All persons who believe they may be affected by the above proposals will be afforded an opportunity to be heard in person and/or by written submission. Written or email submissions should be sent to Jennifer Ficocelli, Deputy City Clerk, at jficocelli@cnv.org or by mail to City Hall.

Submissions must be received no later than 4:00 pm, Monday, November 16, 2015, to ensure their availability to Council at the Public Hearing. Once the Public Hearing has concluded, no further information or submissions can be considered by Council.

The proposed Zoning Amendment Bylaw, including background material, will be available for viewing at City Hall between 8:30 am and 5:00 pm, Monday to Friday, except Statutory Holidays, from November 4, 2015, and online at www.cnv.org/publichearings. Please direct inquiries to Tessa Forrest, Planning Analyst, at tforrest@cnv.org or 604-982-3946.
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8450

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, 2015, No. 8450” (Parking Requirement Reductions, CD-52, CD-120, CD-124).

2. Division V: Comprehensive Development Zones of Document “A” of “Zoning Bylaw, 1995, No. 6700” is hereby amended by the following changes to the CD-52 (Comprehensive Development 52 Zone), CD-120 (Comprehensive Development Zone 120), CD-124 (Comprehensive Development Zone 124):

   A. CD-52 (The Rusty Gull Neighbourhood Pub Ltd. Inc. No. 264315, 175 East 1st Street, North Vancouver, BC, PID: 015-088-251, Lot 30, Block 166, DL 274, Plan 878) is amended by:

      (1) Deleting Section 6 in its entirety and replacing it with the following:

              “off-street parking provision for a building licensed by the Liquor Control and licensing Branch of British Columbia shall be as specified in Part 9 of this bylaw.”

   B. CD-120 (Two Lions Public House, 372333 British Columbia Ltd., Inc. No. 372333, 2601 Westview Drive, North Vancouver, BC, PID: 008-497-311, Lot F, Block 256, DL 544, Plan 21427) is amended by:

      (1) Adding the following paragraph directly after section [II](9) and reorder sequentially:

              “off-street parking provision for a building licensed by the Liquor Control and licensing Branch of British Columbia shall be as specified in Part 9 of this bylaw.”

   C. CD-124 (Jack Lonsdale’s Public House, Delta Blue Construction Inc., No. 0733979, 1433 Lonsdale Avenue, North Vancouver, BC, PID: 011-724-021, Strata Lot 2, DL 548 and 549, Strata Plan VR 2192, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1) is amended by:

      (1) Deleting Section (8)(a) in its entirety and replacing it with the following:

              “off-street parking provision for a building licensed by the Liquor Control and licensing Branch of British Columbia shall be as specified in Part 9 of this bylaw.”
(2) Deleting Section (8)(c) in its entirety and replacing it with the following:

“for a Licensee Retail Store License one space per 27.87 square metres (300 square feet) of public licensed area.”

(3) Deleting the last sentence in Section (8) in its entirety.

2. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

READ a first time by the Council on the 2nd day of November, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

RECEIVED APPROVAL FROM THE MINISTRY OF TRANSPORTATION ON THE <> DAY OF <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

______________________________
MAYOR

______________________________
CITY CLERK
The following is a suggested recommendation only. Please refer to Council Minutes for adopted resolution

RECOMMENDATIONS:

PURSUANT to the report entitled "Amendments to the Proposed Arts and Culture Grants Policy" dated November 6, 2015:

1. THAT Council approve the Arts and Culture Grants Policy (Attachment 1) as amended after consultation with key organizations;

2. THAT upon adoption of the new policy, the City's existing "Arts Assistance Grants" and "Special Events & Festivals Grants" policies be rescinded;


ATTACHMENTS:

1) Arts and Culture Grants Policy

REASON FOR REPORT:

To present the finalized Arts and Culture Grants Policy for Council's consideration and approval.

SUMMARY:

Following consultation with arts and culture organizations, staff has amended the draft policy to remove the restriction on the number of grants for which eligible groups are permitted to apply and clarified the wording regarding ineligibility.

BACKGROUND:

At its regular meeting of November 2, 2015 Council postponed consideration of a recommendation from North Vancouver Recreation & Culture Commission staff to adopt the new Arts and Culture Grants Policy and directed staff to consult with key stakeholders in the arts community before bringing the policy back for consideration.

DISCUSSION:

Further to Council's direction, staff met with representatives from six key arts and culture groups on November 5, 2015 and has received input via email and phone from three other groups. The notable comments from stakeholders are outlined below:

1. **Number of Grants**

A concern was raised about Section 1.4 - Number of Grants in the draft policy which outlined a restriction on the number of grants for which groups may be permitted to apply. The organizations were not aware that Operating Group applicants would be encouraged to incorporate projects into their operating grant submission, but still agreed that removal of the restriction will enable the disbursement of grant funds to the best programs, projects and services.

Staff concurs with the position of the stakeholder groups and has amended the policy to remove the restriction.

2. **Ineligibility Restrictions**

There was a suggestion that the wording in the Ineligibility section of the policy was not clear enough. Staff has revised the language to be clearer on intent.

There were also some suggestions on the administration and communication processes which staff will consider as those processes are finalized.
ANALYSIS:

Timing/Approval Process:
In order to implement the changes for the 2016 grant program, adoption of policy in direction is required by early November.

Concurrence:
The policy also requires adoption by District of North Vancouver Council and is scheduled for the November 16 meeting of District Council.

Financial Impacts:
Adoption of the new Arts and Culture Grants Policy has no budget implications. Grants funding will be part of the annual budget submission from the North Vancouver Recreation & Culture Commission to both Councils.

Respectfully submitted,

[Signature]

John Rice, Cultural Services Officer
North Vancouver Recreation & Culture Commission
City of North Vancouver
COUNCIL POLICY

Policy Name: ARTS AND CULTURE GRANTS
Policy Number:

POLICY

This policy is in accordance with the Local Government Act and outlines the purpose, eligibility and evaluation criteria for review and allocation of Arts and Culture grants.

REASON FOR POLICY

This policy provides a framework for administration of a joint City of North Vancouver and District of North Vancouver Arts and Culture Grants Program.

AUTHORITY TO ACT

City of North Vancouver Council delegates authority to allocate funding in accordance with this policy to the North Vancouver Recreation & Culture Commission. The Commission will inform Council annually of the organizations funded, the services supported, the amount of funding approved and any other information deemed appropriate.

The Commission will establish and appoint a Grants Review Committee, an advisory body comprised of impartial and qualified individuals with appropriate experience and expertise in the arts as well as cultural and community-based practices. The Grants Review Committee will review all applications and provide recommendations to the North Vancouver Recreation & Culture Commission.

Changes to the policy require Council approval.

PURPOSE OF GRANTS

The City' Official Community Plan recognizes the value of arts and cultural organizations and activities in adding to the vibrancy of community life and celebrating North Vancouver's unique identity.
The City recognizes that financial investment in the arts and culture sectors through grants enables the production of quality arts and culture experiences, supports events and festivals and leverages additional funding from other sources.

GRANT ELIGIBILITY AND EVALUATION CRITERIA

1.0 Operating Assistance

Operating Assistance funding will be provided to support the operations, services and initiatives of eligible organizations with an established record for delivering quality arts and cultural programs and services. Funding is subject to the applicant maintaining a proven record of accountability; demonstrating the need for financial support to sustain the service; and to the availability of grant funds.

1.1 Eligibility

Organizations eligible to apply for Operating Assistance must:

- Be a registered not-for-profit or charitable organization whose primary purpose is to provide arts and cultural experiences in North Vancouver;
- Be located in North Vancouver, have a history of arts activity in North Vancouver for at least two (2) years prior to the application and conduct the majority of their work in North Vancouver; and
- Employ paid staff (full or part-time) through professional arts practices, exhibit sound and independent management structures, provide strong leadership, and offer either a year-round program or a full-season of arts programming.

1.2 Criteria

Applications for Operating Assistance will be assessed using the following criteria:

- Demonstrated need for and intended outcomes of services
- Alignment with Official Community Plans of the District and City of North Vancouver
- Artistic merit
- Leadership within the arts community
- Level of service, including number of people served
- Quality of organizational management
- Evidence of financial need
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)
1.3 Multi-Year Funding

On the recommendation of the Grants Review Committee, the Commission may approve grant awards of up to three (3) years.

2.0 Program and Project Assistance

Program and Project Assistance funding will be provided to assist eligible arts and culture organizations in serving North Vancouver residents through approved programs or projects subject to availability of grant funds.

2.1. Eligibility

In order to be eligible to apply for a Program and Project Assistance grant, organizations must:

- Be a registered not-for-profit or charitable organization whose primary purpose is to provide arts and cultural experiences;
- Have an established track record of delivering quality arts and cultural programs and services for a period of at least one (1) year prior to the application; and
- Conduct the programs or projects for which they are seeking support in North Vancouver, or must clearly demonstrate benefit of the proposed programs or projects to North Vancouver residents.

2.2 Criteria

Applications for Program and Project Assistance will be assessed using the following criteria:

- Demonstrated need for and intended outcomes of program/project
- Uniqueness of program (may complement but should not duplicate existing services)
- Artistic merit
- Creativity and innovation
- Alignment with Official Community Plans of the City and District of North Vancouver
- Level of service, including number of people served
- Ability to deliver the program or project
- Evidence of financial need
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)
Priority will be given to:

- Programs or projects that foster the development of emerging arts and cultural practices, and
- Programs or projects targeted at underserved sections of the population.

2.3 Term Restrictions

As a general rule, groups seeking a Program and Project Assistance grant will be eligible to apply on an annual basis for the same program or project for a maximum of five (5) years.

On the recommendation of the Grants Review Committee, the Commission shall have the right to extend or terminate a program or project grant.

3.0 Community Public Art Assistance

Community Public Art Assistance grants are available to arts organizations and eligible community groups seeking to collaborate with an artist, or artists to engage the public in the creation of small to medium sized, permanent or temporary public art projects in North Vancouver.

3.1 Eligibility

Organizations eligible for Community Public Art Assistance include:

- Registered not for profit arts and culture organizations
- Charitable organizations
- Community service groups
- Community associations
- Business associations or business improvement associations
- Multi-cultural societies and ethno-cultural community groups
- Heritage associations and local historic societies
- Parent advisory councils
- Recognized community groups

3.2 Criteria

Applications for Community Public Art Assistance will be assessed using the following criteria:

- Proven experience of artist(s) with community art projects
- Quality of the proposed public art, including quality of materials and technical requirements
- Suitability of artistic practice to involve community participants
• Innovation and creativity
• Support from the broader community and/or target populations
• Demonstrated implementation plan, including budget and timeline

4.0 Celebrations & Events Assistance

Celebrations & Events Assistance grants support both small and large scale community events that foster community connectivity and contribute to North Vancouver residents' sense of belonging, identity and place.

4.1 Major Celebrations

Eligibility

Applicants for Major Celebrations Assistance must be a registered not-for-profit organization that has an established history of celebration/festival programming in North Vancouver for a period of at least one (1) year prior to submitting the application.

Criteria

Applications for Major Celebrations Assistance will be assessed using the following criteria:

- Quality of work presented or performed
- Programming innovation
- Past/projected attendance
- Demonstrated/projected outcomes
- Cultural tourism impact
- Alignment with Official Community Plans of the District and City of North Vancouver
- Ability to deliver the program or project
- Evidence of financial need
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)
- Public accessibility

Multi-Year Funding

Returning applicants seeking support for a Major Celebration may be considered for multi-year funding.
4.2 Events Assistance

Eligibility

Applicants for Events Assistance grants must be based in North Vancouver and include:

- Registered not-for-profit arts and culture organizations
- Charitable organizations
- Community service organizations
- Community associations
- Business associations or business improvement associations
- Multi-cultural and ethno-cultural organizations
- Recognized community groups

Criteria

Applicants will be assessed based on the following criteria:

- Evidence of program mix
- Demonstrated need for event
- Demonstrated/projected outcomes
- Level of service, including number of people served
- Public accessibility
- Capacity to deliver the program or project
- Evidence of financial need for the grant
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)
INELIGIBILITY

The Arts and Culture Grants Program does not fund:

- Municipal agencies, other branches of local government or activities that are directly supported by the municipality through other means;
- Individuals, businesses, commercial enterprises, political parties or political events;
- Schools, school boards, and post-secondary educational institutions, churches or religious organizations, events or activities;
- Fundraising projects or programs;
- Competitions or award ceremonies, parties, private or closed events;
- An organization for the purpose of funding other organizations;
- Endowment funds or capital costs (excluding public art);
- Debt retirement or retroactive funding.

ACKNOWLEDGEMENT OF SUPPORT

Grant recipients must publicly acknowledge assistance from the City of North Vancouver and District of North Vancouver on all promotional materials.

ACCOUNTABILITY AND REPORTING

- All grant recipients must provide all required information by the stated deadline in order for an application to be considered;
- All grant recipients, including organizations in receipt of multi-year funding, will be required to submit an annual or post-program report. Annual and post-program reports must meet stated deadlines, be complete and will be utilized in review of future applications;
- In the event that the funds are not used as described in the application, the full amount of the financial assistance may be required to be returned.
- When applying for funding assistance, or upon request, the applicant must supply a financial statement for the most recent fiscal year. Where financial statements are not available, the applicant will supply operating statements and budget reports that have been verified as correct by two (2) signing officers from the organization.
To: Mayor Darrell R. Mussatto and Members of Council

From: John Rice, Cultural Services Officer
North Vancouver Recreation & Culture Commission

SUBJECT: NEW ARTS AND CULTURE GRANTS POLICY

Date: October 23, 2015

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

RECOMMENDATIONS:

PURSUANT to the report entitled “New Arts and Culture Grants Policy” dated October 23, 2015:

THAT Council adopt the new ‘Arts and Culture Grants’ policy with the following funding categories: Operating Assistance, Program & Project Assistance, Community Public Art Assistance, and Events & Celebrations Assistance, as attached;

THAT this new policy replace the City’s existing ‘Arts Assistance Grants’ and ‘Special Events & Festivals Grants’ policies;

THAT the City’s ‘Core Funding Policy for Social and Cultural Services’ be amended as required to reflect the inclusion of “core-funded” arts and cultural service groups in the new policy;

AND THAT Bylaws 8380 and 8381 be amended to delegate granting authority to the North Vancouver Recreation & Culture Commission.

REASON FOR REPORT

The new Arts & Culture Grants policy requires approval and adoption by both City of North Vancouver and District of North Vancouver Councils.
EXISTING POLICIES

- Arts Assistance Grants Program
- Special Events & Festivals Grant Program
- Core Funding Policy for Social and Cultural Services

ATTACHMENT

1. 'Arts and Culture Grants' draft City policy.

BACKGROUND

In 2008, the North Vancouver Office of Culture Affairs (the Arts Office) was mandated by the City and District of North Vancouver to administer all arts and culture grants. In June 2014, through the consolidation of the Arts Office and the Recreation Commission, the North Vancouver Recreation & Culture Commission (NVRC) assumed responsibility for arts and culture grants.

In 2013, a review of these grant programs was initiated to address a number of challenges. Ference, Weicker & Company was contracted to conduct a “Municipal Grants Policy and Program Review.” The grants review included stakeholder input, a best-practices review and discussions between the Consultants and applicable staff. The Consultants presented early findings to both City and District Councils in April 2014. Their final report was submitted to staff in December 2014.

Staff undertook a detailed review of the Consultants’ findings in the context of the two municipal Official Community Plans as well as the NVRC’s mandate and direction. The recommended policy reflects best practices and is relevant to the local context of arts and culture in North Vancouver.

DISCUSSION

Municipal arts and culture grants support the impact that arts and culture organizations and initiatives have on the vibrancy of community life and preservation of North Vancouver’s unique identity. Both City and District Official Community Plans include recognition of the role of arts and culture in creating the kind of communities in which residents wish to work, live and play.

The City and District of North Vancouver have been providing arts and culture grants since 1982, with grant funds added in the early 2000s for events and festivals. While these grant programs have been relatively successful in achieving intended benefits, a number of issues were identified through the review process and the following recommendations developed to address them:
1. Replace the existing policies with one policy for arts and culture grants, approved by both Councils and administered by the Commission. Policy language and grant criteria should be aligned with the relevant portions of the two Official Community Plans and the mandate of the NVRC.

Rationale: There are currently five policies guiding the arts and culture grant program. These policies contain conflicting statements and create confusion for applicants and also for staff. There is a need for one policy that ties funding to City and District objectives and provides clear direction for decision-making and priority setting.

2. Delegate authority to approve grants in accordance with Council approved policies to the NVRC. The NVRC would receive advice from a Commission appointed Grants Review Committee and inform Councils annually on the allocation of grant funding.

Rationale: At present, each Council considers and approves the grants separately as recommended by a grants jury. The delegation of authority to the Commission will eliminate administrative duplication, create efficiencies for grants clients, and exclude the risk that the two Councils could differ in their decisions regarding funding for a single group or event.

There are several precedents where municipal Councils working in a bi-municipal context have successfully delegated grant decision-making authority to committees or commissions in order to ensure decisions are based on policy and to create some arms-length distance between the Councils and granting decisions. The NVRC, an entity of the City and District and comprised of Council and citizen appointees from both municipalities plus a School Trustee, has proven to be a successful vehicle for the two municipalities to collaborate.

As an arms-length, peer approach to grants review is the preferred and standard approach in most municipalities, the Commission would establish and appoint representatives to a Grants Review Committee to provide advice on grant allocations. The Grants Review Committee would be advisory to the Commission, comprised of impartial and qualified individuals with experience and expertise in appropriate areas of arts, cultural and community-based practices.

3. Revise the grant categories as follows:

a. Operating Assistance:
   This category is for not-for-profit arts and culture organizations that have an ongoing year-round presence in North Vancouver and have a proven track record for delivering quality arts and culture programs and services. Eligible organizations further the interests of artists, creators and/or arts organizations in North Vancouver.

b. Program & Project Assistance:
   This category is to support the delivery of arts and culture programs and projects in North Vancouver or for the benefit of North Vancouver residents. Applicants must be not-for-profit arts and culture organizations that operate on a project or
program basis or that do not qualify for operating assistance. Applicants will be expected to seek other revenue sources over time so as to not depend upon municipal funding for their program or project and to encourage new applications to the grant program.

c. Community Public Art Assistance:
Community Public Art Assistance is available to community organizations collaborating with artists to engage the public in the creation of small to medium sized public art projects. This component of the public art program will be moved from Public Art to the Arts and Culture Grants Program in order to consolidate all arts related grant programs.

d. Events & Celebrations Assistance:
This category has two components: events and celebrations. The celebrations portion is to support major celebrations and festivals that have an arts and culture focus and have a significant impact on North Vancouver residents. The events portion is to support neighborhood and community events that foster community connections and may or may not have an arts and culture focus.

4. Support the provision of multi-year funding where feasible to increase efficiency for grant recipients, staff, the Grants Review Committee and the Commission.

Rationale: Multi-year funding (up to a maximum of three years), as provided through the existing core funding policies of both the City and the District, would provide stability to organizations eligible for Operating Assistance and for established Celebrations. Organizations in receipt of multi-year funding would be required to report annually and would, if required, be subject to a change in their approved grant within the multi-year funding period.

An additional recommendation proposed by the Consultants and supported by staff for implementation is that the application and follow-up reporting requirements be simplified. Staff will revise the requirements in an effort to reduce duplication of information while still ensuring accountability for funding. Best practices from other grant providers have been identified through the review and will be implemented where possible.

Timing/Approval Process:

In order to implement program changes in time for the 2016 grant year, adoption of the policy is required by mid November, 2015.

Concurrence:

The North Vancouver Recreation & Culture Commission endorsed these recommendations at a Commission meeting on September 17, 2015.

The policy must be approved by City and District of North Vancouver Councils.
Financial Impacts:

Adoption of the new Arts and Culture Grants policy has no budget implications. The 2015 NVRC operating budget included $781,430 for arts and culture grants; $390,715 from the City and $390,715 from the District (consistent with the funding formula outlined in the relevant Bylaws). The annual budgets for Community Public Art grants (approximately $15,000 for the City and $7,500 for the District) reside in the capital programs of the City and District and would likely be incorporated into the NVRC budget.

Additional municipal support to arts and culture groups comes in two forms; approximately $130,000 in facility grants in lieu of rent of municipal facilities (City portion $110,000) and $105,000 in permissive tax exemptions (City portion $61,500).

STRATEGIC PLAN IMPLICATIONS:

The OCP identifies the City as: "a creative community, building from the diversity of its people, landscape and history to inspire innovation and reinforce sense of place;" and recognizes that: "by providing opportunities to participate in creative or cultural activities, the City promotes a positive environment for community members to interact [and to] contribute to sense of place and quality of life".

6.1.2 "Support the production and delivery of a wide range of arts and cultural activities, community celebrations, signature events and festivals that are enjoyed by residents and visitors."

6.3.1 "Recognize the role that the creative sector plays in the municipal environment with respect to cultural tourism, economic development, social inclusion, diversity initiatives and quality of life."

North Shore arts organizations are diverse, ranging from small community-based groups to major professional organizations. Arts and cultural events, in particular special events and festivals, feature in the economic development and tourism strategies of both the City and District, forming an integral part of both communities' goals for a more vibrant, diverse and liveable community.

Respectfully submitted,

John Rice, Cultural Services Officer
North Vancouver Recreation & Culture Commission
City of North Vancouver
COUNCIL POLICY

Policy Name: ARTS AND CULTURE GRANTS
Policy Number:

POLICY

This policy is in accordance with the Local Government Act and outlines the purpose, eligibility and evaluation criteria for review and allocation of Arts and Culture grants.

REASON FOR POLICY

This policy provides a framework for administration of a joint City of North Vancouver and District of North Vancouver Arts and Culture Grants Program.

AUTHORITY TO ACT

City of North Vancouver Council delegates authority to allocate funding in accordance with this policy to the North Vancouver Recreation & Culture Commission. The Commission will inform Council annually of the organizations funded, the services supported, the amount of funding approved and any other information deemed appropriate.

The Commission will establish and appoint a Grants Review Committee, an advisory body comprised of impartial and qualified individuals with appropriate experience and expertise in the arts as well as cultural and community-based practices. The Grants Review Committee will review all applications and provide recommendations to the North Vancouver Recreation & Culture Commission.

Changes to the policy require Council approval.

PURPOSE OF GRANTS

The City's Official Community Plan recognizes the value of arts and cultural organizations and activities in adding to the vibrancy of community life and celebrating North Vancouver's unique identity.

The City recognizes that financial investment in the arts and culture sectors through grants enables the production of quality arts and culture experiences, supports events and festivals and leverages additional funding from other sources.
GRANT ELIGIBILITY AND EVALUATION CRITERIA

1.0 Operating Assistance

Operating Assistance funding will be provided to eligible organizations with an established record for delivering quality arts and cultural programs and services. Funding is subject to the applicant maintaining a proven record of accountability; demonstrating the need for financial support to sustain the service; and to the availability of grant funds.

1.1 Eligibility

Organizations eligible to apply for Operating Assistance must:

- Be a registered not-for-profit or charitable organization whose primary purpose is to provide arts and cultural experiences in North Vancouver;

- Be located in North Vancouver, have a history of arts activity in North Vancouver for at least two (2) years prior to the application and conduct the majority of their work in North Vancouver; and

- Employ paid staff (full or part-time) through professional arts practices, exhibit sound and independent management structures, provide strong leadership, and offer either a year-round program or a full-season of arts programming.

1.2 Criteria

Applications for Operating Assistance will be assessed using the following criteria:

- Demonstrated need for and intended outcomes of services
- Alignment with Official Community Plans of the City and District of North Vancouver
- Artistic merit
- Leadership within the arts community
- Level of service, including number of people served
- Quality of organizational management
- Evidence of financial need
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)

1.3 Multi-Year Funding

On the recommendation of the Grants Review Committee, the Commission may approve grant awards of up to three (3) years.
1.4 **Number of Grants**

Applicants receiving an Operating Assistance Grant may also request a maximum of one (1) grant per calendar year through either the “Program and Project Assistance” or “Community Public Art Assistance” categories, provided that the program or projects are outside the normal scope or capacity of the applicant’s operations.

2.0 **Program and Project Assistance**

Program and Project Assistance funding will be provided to assist eligible arts and culture organizations in serving North Vancouver residents through approved programs or projects subject to availability of grant funds.

2.1 **Eligibility**

In order to be eligible to apply for a Program and Project Assistance grant, organizations must:

- Be a registered not-for-profit or charitable organization whose primary purpose is to provide arts and cultural experiences;
- Have an established track record of delivering quality arts and cultural programs and services for a period of at least one (1) year prior to the application; and
- Conduct the programs or projects for which they are seeking support in North Vancouver, or must clearly demonstrate benefit of the proposed programs or projects to North Vancouver residents.

2.2 **Criteria**

Applications for Program and Project Assistance will be assessed using the following criteria:

- Demonstrated need for and intended outcomes of program/project
- Uniqueness of program (may complement but should not duplicate existing services)
- Artistic merit
- Creativity and innovation
- Alignment with Official Community Plans of the City and District of North Vancouver
- Level of service, including number of people served
- Ability to deliver the program or project
- Evidence of financial need
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)
Priority will be given to:

- Programs or projects that foster the development of emerging arts and cultural practices, and
- Programs or projects targeted at underserved sections of the population.

2.3 Term Restrictions

As a general rule, groups seeking a Program and Project Assistance grant will be eligible to apply on an annual basis for the same program or project for a maximum of five (5) years.

On the recommendation of the Grants Review Committee, the Commission shall have the right to extend or terminate a program or project grant.

3.0 Community Public Art Assistance

Community Public Art Assistance grants are available to arts organizations and eligible community groups seeking to collaborate with an artist, or artists to engage the public in the creation of small to medium sized, permanent or temporary public art projects in North Vancouver.

3.1 Eligibility

Organizations eligible for Community Public Art Assistance include:

- Registered not for profit arts and culture organizations
- Charitable organizations
- Community service groups
- Community associations
- Business associations or business improvement associations
- Multi-cultural societies and ethno-cultural community groups
- Heritage associations and local historic societies
- Parent advisory councils
- Recognized community groups

3.2 Criteria

Applications for Community Public Art Assistance will be assessed using the following criteria:

- Proven experience of artist(s) with community art projects
- Quality of the proposed public art, including quality of materials and technical requirements
- Suitability of artistic practice to involve community participants
• Innovation and creativity
• Support from the broader community and/or target populations
• Demonstrated implementation plan, including budget and timeline

4.0 Celebrations & Events Assistance

Celebrations & Events Assistance grants support both small and large scale community events that foster community connectivity and contribute to North Vancouver residents’ sense of belonging, identity and place.

4.1 Major Celebrations

Eligibility

Applicants for Major Celebrations Assistance must be a registered not-for-profit organization that has an established history of celebration/festival programming in North Vancouver for a period of at least one (1) year prior to submitting the application.

Criteria

Applications for Major Celebrations Assistance will be assessed using the following criteria:

• Quality of work presented or performed
• Programming innovation
• Past/projected attendance
• Demonstrated/projected outcomes
• Cultural tourism impact
• Alignment with Official Community Plans of the City and District of North Vancouver
• Ability to deliver the program or project
• Evidence of financial need
• Evidence of funding from other sources
• Level of volunteer involvement
• Evidence of community partners and support (financial or in kind)
• Public accessibility

Multi-Year Funding

Returning applicants seeking support for a Major Celebration may be considered for multi-year funding.
4.2 Events Assistance

Eligibility

Applicants for Events Assistance grants must be based in North Vancouver and include:

- Registered not-for-profit arts and culture organizations
- Charitable organizations
- Community service organizations
- Community associations
- Business associations or business improvement associations
- Multi-cultural and ethno-cultural organizations
- Recognized community groups

Criteria

Applicants will be assessed based on the following criteria:

- Evidence of program mix
- Demonstrated need for event
- Demonstrated/projected outcomes
- Level of service, including number of people served
- Public accessibility
- Capacity to deliver the program or project
- Evidence of financial need for the grant
- Evidence of funding from other sources
- Level of volunteer involvement
- Evidence of community partners and support (financial or in kind)

INELIGIBILITY

The Arts and Culture Grants Program does not fund:

- Municipal agencies, other branches of local government or the activities of not-for-profit organizations that are supported by the municipality through other means;
- Individuals, businesses, commercial enterprises, political parties or political events;
- Educational organizations, churches or religious organizations, events or activities;
- Fundraising projects or programs;
- Competitions or award ceremonies, parties, private or closed events;
- Agencies that are funding other organizations;
- Endowment funds or capital costs (excluding public art);
- Debt retirement or retroactive funding.
ACKNOWLEDGEMENT OF SUPPORT

Grant recipients must publicly acknowledge assistance from the City of North Vancouver and District of North Vancouver on all promotional materials.

ACCOUNTABILITY AND REPORTING

- All grant recipients must provide all required information by the stated deadline in order for an application to be considered;

- All grant recipients, including organizations in receipt of multi-year funding, will be required to submit an annual or post-program report. Annual and post-program reports must meet stated deadlines, be complete and will be utilized in review of future applications;

- In the event that the funds are not used as described in the application, the full amount of the financial assistance may be required to be returned.

- When applying for funding assistance, or upon request, the applicant must supply a financial statement for the most recent fiscal year. Where financial statements are not available, the applicant will supply operating statements and budget reports that have been verified as correct by two (2) signing officers from the organization.

Approval date: ___________________________ Approved by: ___________________________
RECOMMENDATION:

PURSUANT to the report of the Manager, Bylaw Services, dated November 3, 2015, entitled "Amendments to the Bylaw Notice Enforcement Bylaw":

THAT "Bylaw Notice Enforcement Bylaw, 2005, No 7675, Amendment Bylaw, 2015, 8430" (Fines, Screening Procedures and Housekeeping) be given Introduction and Three Readings;

THAT the letter included as Attachment #2 be sent to the Honourable Suzanne Anton, Attorney General for the Province of British Columbia requesting Provincial Government amendments to the "Local Government Bylaw Notice Enforcement Act" to increase the maximum penalty amount from $500.00 to $1000.00 to match the current maximum fine for the Municipal Ticket Information fine process;

AND THAT Council instructs staff to submit to the 2016 UBCM resolution committee a resolution requesting the Provincial Government amendments to the "Local Government Bylaw Notice Enforcement Act" to increase the maximum penalty amount from $500.00 to $1000.00, citing the reasons provided in the report of the Manager, Bylaw Services, dated October 26, 2015, entitled "Amendments to the Bylaw Notice Enforcement Bylaw".
ATTACHMENTS:

2. Draft letter to the Honourable Suzanne Anton, Attorney General for the Province of British Columbia from Mayor Mussatto. (#1320159)

PURPOSE:

This report proposes to simplify the process for appointing Screening Officers for the Adjudication process; updates the staff titles to reflect current titles; adjusts a variety of fines to improve the deterrence effect for certain offences or decrease the fine amounts to be consistent with Provincial legislation; and provides background information regarding the maximum fine amounts in the enabling legislation. These would all be addressed through amendments to Bylaw Notice Enforcement Bylaw, 2005, No 7675.

DISCUSSION:

Screening Officer Appointment

The proposed amendment will streamline the Screening Officer appointment process from one which designates a class of positions that “may” be appointed as screening officers by Council, or Council may appoint others by name of office or otherwise, to a process that confirms a position by name of office as being appointed as a Screening Officer in the bylaw without a further approval by Council. The proposed bylaw amendment retains Council’s ability to exercise its discretion to appoint another individual or position.

The list of positions included in the amendment reflects current screening officers in the City and also reflects the current titles associated with those positions.

House Keeping Amendments

The most significant housekeeping amendment concerns the maximum penalties currently contained in the bylaw ($600 for the fine amount plus the amount of the Late Payment Penalty). The enabling provincial legislation (Local Government Bylaw Notice Enforcement Act [SBC 2003] CHAPTER 60) sets an absolute maximum penalty of $500; as such, the maximum penalties (i.e. fine amount plus the late-payment penalty amount) contained in our existing bylaw are not compliant with the Provincial Act and Regulations. Staff suggest that adjusting the total fine amount to be consistent with the intent of the legislation will eliminate any potential legal challenge in the future. The proposed penalties in the bylaw will bring the bylaw fully into compliance with the intent and substance of the Act and Regulations.
The other housekeeping change involves deleting ticket offences that are no longer relevant (i.e. ticket offences related to a bylaw that has been repealed or a section in a bylaw that has been repealed).

**Increasing Penalty Amounts for Some Offences**

The proposed bylaw amendments will increase the penalties for six offences. Five of these offences relate to tickets that would typically be issued for violations related to construction activities occurring adjacent to or in close proximity to a construction site. The specific offences and change in each respective penalty are as follows:

Table 1 – Comparison of Existing Fines versus Proposed Increases

<table>
<thead>
<tr>
<th>Bylaw &amp; Offence Description [Section #]</th>
<th>Penalty Existing</th>
<th>Proposed</th>
<th>Early Payment Penalty Existing</th>
<th>Proposed</th>
<th>Late Payment Penalty Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Regulation Bylaw - “Occupying Street Without Permit” [Section 5.18]</td>
<td>$150</td>
<td>$450</td>
<td>$100</td>
<td>$400</td>
<td>$200</td>
<td>$500</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw - “Deposit Waste Matter on Street” [Section 802]</td>
<td>$100</td>
<td>$450</td>
<td>$90</td>
<td>$400</td>
<td>$130</td>
<td>$500</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw - “Spill Substance on Street” [Section 803]</td>
<td>$100</td>
<td>$450</td>
<td>$90</td>
<td>$400</td>
<td>$130</td>
<td>$500</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw - “Barricade Street Work” [Section 811]</td>
<td>$100</td>
<td>$450</td>
<td>$90</td>
<td>$400</td>
<td>$130</td>
<td>$500</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw - “Street Obstructions” [Section 813]</td>
<td>$100</td>
<td>$450</td>
<td>$90</td>
<td>$400</td>
<td>$130</td>
<td>$500</td>
</tr>
<tr>
<td>Stream &amp; Drainage System Protection Bylaw No. 7571 - “Discharge of Prohibited Substance” [Section 4]</td>
<td>$250</td>
<td>$450</td>
<td>$200</td>
<td>$400</td>
<td>$300</td>
<td>$500</td>
</tr>
<tr>
<td>Nuisance Abatement No. 5659 - “Fail to Comply with Order” [Section 9(a)(iv)]</td>
<td>$200</td>
<td>$300</td>
<td>$150</td>
<td>$200</td>
<td>$250</td>
<td>$400</td>
</tr>
</tbody>
</table>

Increasing the above penalties should provide a greater deterrent to minimizing the types of activities associated with construction sites that typically create higher levels of...
animosity in the neighbourhoods surrounding the construction site. Staff do not expect the increased penalties to adversely affect the developers and contractors with well-run projects, but the higher fees will assist Bylaw Services staff in adding to the ‘cost of doing business’ for the construction sites that are resistant or having difficulty changing their operations to reduce these avoidable, disruptive activities.

The remaining penalty increase concerns the offence in the Nuisance Abatement Bylaw for failing to comply with an order. The Nuisance Abatement Bylaw primarily regulates untidy, overgrown properties and staff correspondence and orders with the property owners is a primary method to document and resolve these problems for a majority of the complaints regarding messy, untidy properties. The penalty changes are provided in the table above. The increased penalty should provide greater encouragement for property owners to comply with instructions provided by Bylaw Services staff. In addition, once a ticket is issued at the higher amount, Bylaw Enforcement staff will be able to leverage cancellation of the ticket as a tool to get the property brought into compliance.

Revision to Watering Restriction Contraventions

The 2015 drought exposed limitations within the City’s bylaws with respect to the “Water Shortage Response Bylaw” and the “Water Utility Bylaw”. This involved the lack of ticketing provisions in the Water Shortage Response Bylaw and the minimal ticketing (Bylaw Enforcement Notice a.k.a. “BEN”) provision for the Water Utility Bylaw (currently the contravention penalty is set at $70 (Penalty), $50 (Early Payment Penalty), and $90 (Late Payment Penalty)). In addition, there was no ticketing offence for Section 601 of the Water Utility Bylaw for “Willfully Wasting Water”.

A graduated increasing penalty tied to the level of watering restriction enacted at the time of the offence is proposed. The fine amounts do not match the fine amounts stated in the Water Shortage Response Bylaw that apply upon a summary conviction in BC Provincial Court because of the limitations on the maximum penalty amount contained in the enabling provincial legislation (Local Government Bylaw Notice Enforcement Act, SBC 2003, c 60) which caps the penalty at $500.

Creation of the Bylaw Enforcement Notice fine structure does not preclude the City from initiating a provincial charge under the “Water Shortage Response Bylaw, 2004, 7648” for a chronic, problem offender should conditions warrant a more significant enforcement response. Should the City choose to prosecute a resident through the Provincial Court system the fines imposed by the Court, upon a successful conviction, could be up to $10,000 per offence. Staff suggest that retaining this enforcement tool is in the City’s best interest by maintaining a range of enforcement options.

The new ticket-able offence (“Willfully Wasting Water”) is recommended to be set at the maximum penalty value: $450 (Penalty), $400 (Early Payment Penalty), and $500 (Late Payment Penalty). This penalty value reflects the seriousness of the issue (water
conservation) and the carelessness of the individual's actions. The proposed new offences and related penalties are provided in the table below:

Table 2: Proposed New Watering Restriction Offences & related penalties

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Utility No. 6417</td>
<td>Willfully wasting water</td>
<td>601</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions - Stage 1</td>
<td>604</td>
<td>No</td>
<td>$100</td>
<td>$50</td>
<td>$150</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions - Stage 2</td>
<td>604</td>
<td>No</td>
<td>$200</td>
<td>$150</td>
<td>$250</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions - Stage 3</td>
<td>604</td>
<td>No</td>
<td>$300</td>
<td>$250</td>
<td>$350</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions - Stage 4 or higher</td>
<td>604</td>
<td>No</td>
<td>$400</td>
<td>$350</td>
<td>$500</td>
<td>N/A</td>
</tr>
</tbody>
</table>

The above penalty structure is comparable with the District of West Vancouver, changes that are being considered (via discussions with District staff) at the District of North Vancouver, and recommendations being considered by MetroVancouver (see table below). The City of North Vancouver recommended fine structure is consistent with the regional suggestions under consideration by MetroVancouver. The rationale for this variance is based on the premise that Stage 4 restrictions would only be invoked in the event of an extreme water shortage potentially related to a disaster (which has a low probability but the greatest need for compliance). The City’s proposed fine structure is harmonized with the anticipated general consensus in the Lower Mainland and imposes the maximum penalty ($500) for violations that are paid late during a Stage 4 crisis.

Table 3: Comparison of Water Restriction Fines on North Shore & MetroVan.

<table>
<thead>
<tr>
<th>Description</th>
<th>City of North Vancouver (proposed)</th>
<th>District of West Vancouver</th>
<th>District of North Vancouver</th>
<th>MetroVancouver (under consideration)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fail to Follow Water Use Restrictions - Stage 1</td>
<td>$100</td>
<td>$100</td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>Fail to Follow Water Use Restrictions - Stage 2</td>
<td>$200</td>
<td>$200</td>
<td>$200</td>
<td>$200</td>
</tr>
<tr>
<td>Fail to Follow Water Use Restrictions - Stage 3</td>
<td>$300</td>
<td>$400</td>
<td>$300</td>
<td>$300</td>
</tr>
<tr>
<td>Fail to Follow Water Use Restrictions - Stage 4 or higher</td>
<td>$400</td>
<td>$500</td>
<td>$400</td>
<td>$400</td>
</tr>
</tbody>
</table>

Rationale for Provincial Increase to the Maximum Penalty Amount Bylaw Enforcement Notices (a.k.a. tickets)

The Local Government Bylaw Notice Enforcement Act, SBC 2003, c 60 received royal ascent on October 23, 2003. The associated Regulations were effective May 3, 2004. This legislation sets the maximum bylaw enforcement notice ('ticket') penalty at $500. The maximum has remained unchanged since the legislation was enacted and became effective.
Reasons for increasing the maximum penalty for Bylaw Enforcement Notices (tickets) are provided below.

- **No Adjustment for Inflation**

  No allowance for the effect of inflation during this 11 year period (adjustments for CPI inflation during this period would set the value at approximately $600).

- **Limited Use of the Municipal Ticketing Information ("MTI") ticketing enforcement system**

  The Bylaw Enforcement Notice and Adjudication process has virtually eliminated the use of the Municipal Ticketing Information ("MTI") ticketing enforcement system for many BC municipalities and thus, the use of the MTI ticketing system maximum penalty of $1,000.00 per offence.

- **Success of the Bylaw Enforcement Notice System (BEN)**

  The Bylaw Enforcement Notice is a successful bylaw enforcement tool for local governments and a successful program for the Provincial Government which helped to divert many disputed municipal bylaw enforcement matters from the provincial court system to the Bylaw Enforcement Notice Adjudication process (the latter of which is managed and paid for by local governments). Some key successes for the City are the ability to mail or leave on a vehicle the Bylaw Enforcement Notice (ticket) versus personally serving the ticket (as required under the MTI process), the relative speed by which a disputed ticket can be resolved at a Hearing, and the informal nature of the Adjudication Hearing process.

- **Evolution in the Use of the Bylaw Enforcement Notice System (BEN)**

  The success of the BEN system has resulted in a natural progression of more serious bylaw enforcement matters being addressed and resolved through this system. Municipalities over the years have expanded the types of bylaw infractions that are enforceable through the BEN system. The existing $500 maximum penalty for this system does not coincide with the seriousness of the issue being regulated in these situations. It is appropriate for these types of offences to be resolved through the BEN process because of the timeliness of the dispute process. Most disputes can be heard within a few months versus 12 to 18 months for a Provincial Court Hearing.

- **Penalty Amount as a Form of Deterrent**

  There are a number of factors that can influence an individual's decision to not comply with a bylaw regulation: belief in the validity of the regulation, personality, and the real or potential cost of complying, as well as the perceived or real benefits of not complying. The latter two factors can be influenced by a municipality and this influence can be a powerful motivator. Individuals will, consciously or
unconsciously, undertake a cost-benefit analysis when considering compliance with various regulations.

- **Multiple Tickets as a form of Deterrent**

Creating an effective cost deterrent through the issuance of multiple tickets to repeat or prolific offenders, appears to be a simple and easy solution. The reality is that this is quite difficult and costly to achieve. For municipalities, like the City of North Vancouver, our Bylaw Enforcement services are resourced to respond to the city’s standard volume of bylaw enforcement issues on a complaint basis. The type of monitoring and investigation to issue multiple tickets for a bylaw compliance issue (e.g. watering restriction violations) often requires a more proactive approach to enforcement. Issuing multiple tickets for violations is challenging and may not be a reliable deterrent as it is necessary for the officer to be ‘in the right place at the right time’. Such coverage is logistically challenging, particularly for municipalities with large geographical footprints.

- **The Maximum Penalty Has Not Kept Up with the Cost of Doing Business**

Many of the issues that cause significant disruption in a neighbourhood or concerns for residents are related to property development and construction activity. Construction noise, untidy construction sites, partial and full street closures are just some of the activities that can create tension and disrupt the day-to-day activities of residents in the neighbourhoods surrounding construction sites. Housing costs on the North Shore have risen dramatically since 2004, as much as 89% for single family detached houses (see table 4 below). As a result, holding and construction costs have increased as well.

<table>
<thead>
<tr>
<th>Year</th>
<th>Detached House</th>
<th>Townhouse</th>
<th>Apartment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>$628,200</td>
<td>$417,800</td>
<td>$245,700</td>
</tr>
<tr>
<td>2015 (Aug)</td>
<td>$1,188,500</td>
<td>$655,500</td>
<td>$365,400</td>
</tr>
<tr>
<td>Totals</td>
<td>$560,300</td>
<td>$237,700</td>
<td>$119,700</td>
</tr>
<tr>
<td>Percent</td>
<td>89.2%</td>
<td>56.9%</td>
<td>48.7%</td>
</tr>
</tbody>
</table>

The scale and total costs related to a new development make a ticket or even multiple tickets insignificant if the operational change to become compliant with a bylaw delays the construction/completion of the building.

Staff are recommending that the City request a Provincial increase for maximum municipal tickets from $500 to $1,000. Staff are also recommending that this be brought forward to the UBCM for 2016 to support this request for a Provincial change.
FINANCIAL IMPLICATIONS:

The direct financial implication for the bylaw amendment is minimal. However, there may be indirect benefits through efficiencies gained in the enforcement process by having a more appropriate penalty structure which can increase voluntary compliance by the portion of the population that is susceptible to the deterrent of large fines.

Staff do not anticipate any additional costs associated with the proposed bylaw amendments. Adjusting the total fine amounts for some offences eliminates the possibility of future liability associated with fines that had a fine amount plus a late-payment penalty amount that exceeded the maximum penalty allowed under the legislation.

INTER-DEPARTMENTAL IMPLICATIONS:

The proposed bylaw amendments will allow Bylaw Services staff to better serve the bylaw enforcement needs of the Inspections Division and Engineering Operations with respect to issues related to construction sites, street blockages and watering restrictions, as well as provide greater clarity about which staff have the authority and ability to screen Bylaw Enforcement Notice tickets.

This report was endorsed by the Civic Projects Team on September 22th, 2015.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

Nil.

STRATEGIC PLAN IMPLICATIONS:

Nil.

RESPECTFULLY SUBMITTED:

Guy Gusdal
Bylaw Services, Manager
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8430

A Bylaw to amend “Bylaw Notice Enforcement Bylaw, 2005, No. 7675”

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

1. This Bylaw shall be known and cited for all purposes as “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2015, No. 8430” (Fines, Screening Procedures and Housekeeping).

2. Delete Part 11 in its entirety and replace with:

“The following are designated classes of persons that are appointed as Screening Officers:

(a) Manager, Bylaw Services;
(b) The immediate Manager of a Division or Department whose staff are authorized to issue Bylaw Notices;
(c) Bylaw Enforcement Supervisor;
(d) Bylaw Ticket Screening Clerk;
(e) Bylaw Enforcement Officer as per Part 15 of this Bylaw;

and Council may appoint additional screening officers from other classes of persons by name of office or otherwise.”

3. Delete Part 15 (d) in its entirety and replace with:

“Manager Bylaw Services, bylaw enforcement supervisor, bylaw enforcement officer, licensing inspectors, building officials, animal control officers, fire prevention officers, public health inspectors, environmental health officers, or other persons acting in another capacity on behalf of the City properly delegated by council for the purpose of enforcement of one or more of the bylaws of the City.”

4. Delete the specific contraventions as noted below in their entirety in Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions, and replace them with:

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Regulation Bylaw, 2003, No. 7390</td>
<td>Occupying Street Without Permit</td>
<td>5.18</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire Bylaw, 2005, No. 7709</td>
<td>Hindering member in execution of duty</td>
<td>501</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire Bylaw, 2005, No. 7709</td>
<td>Disposal of material – unsafe manner</td>
<td>601(1)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire Bylaw, 2005, No. 7709</td>
<td>Disposal of material – without written permission</td>
<td>601(2)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire Bylaw, 2005, No. 7709</td>
<td>Fire Alarm – operable at all times</td>
<td>710(1)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Bylaw</td>
<td>Description</td>
<td>Section</td>
<td>A1 Compliance Agreement Available</td>
<td>A2 Penalty</td>
<td>A3 Early Payment Penalty</td>
<td>A4 Late Payment Penalty</td>
<td>A5 Compliance Agreement Discount</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>--------------------------------------------------</td>
<td>---------</td>
<td>-----------------------------------</td>
<td>------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>No Business License</td>
<td>3(b)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>Selling Fireworks</td>
<td>4</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>No written permission</td>
<td>8(a)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>No Business License</td>
<td>8(b)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>Selling without written permission</td>
<td>8(c)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>Discharging firecrackers</td>
<td>9</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Life Safety Upgrade Bylaw No. 8290</td>
<td>Maintain Fire Alarm</td>
<td>304</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Life Safety Upgrade Bylaw No. 8290</td>
<td>Failure to apply for permit by January 1, 2014</td>
<td>404</td>
<td>Yes</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Life Safety Upgrade Bylaw No. 8290</td>
<td>Failure to finalize permit</td>
<td>404</td>
<td>Yes</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Life Safety Upgrade Bylaw No. 8290</td>
<td>Hindering member in execution of duty</td>
<td>505</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Noise Control Bylaw, 1987, No. 5819</td>
<td>Construction Noise</td>
<td>302.3</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Noise Control Bylaw, 1987, No. 5819</td>
<td>Collection of Refuse at Night</td>
<td>310</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Noise Control Bylaw, 1987, No. 5819</td>
<td>Refusal to Allow Bylaw Officer</td>
<td>315</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Nuisance Abatement No. 5659</td>
<td>Fail to Comply with Order</td>
<td>9(a)(iv)</td>
<td>No</td>
<td>$300</td>
<td>$200</td>
<td>$400</td>
<td>N/A</td>
</tr>
<tr>
<td>Stream &amp; Drainage System Protection Bylaw No. 7571</td>
<td>‘Discharge of Prohibited Substance’</td>
<td>4</td>
<td>Yes</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>$100</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Deposit Waste Matter on Street</td>
<td>802</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Spill Substance on Street</td>
<td>803</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Barricade Street Work</td>
<td>811</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Street Obstructions</td>
<td>813.1</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Street Trees</td>
<td>818.1(c)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Unauthorized Street Closure</td>
<td>404.2</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Building Zones [effective November 1, 2005]</td>
<td>509.10</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Contravene Street Use Permit Conditions</td>
<td>1501</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Wharf Reg. No. 7665</td>
<td>Moor Vessel with Dangerous Goods</td>
<td>901(a)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Wharf Reg. No. 7665</td>
<td>Dispose of Hazardous/ Dangerous Goods at Wharf</td>
<td>901(b)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
</tbody>
</table>
5. Delete the specific contraventions as noted below in their entirety from Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions:

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cat Reg. No. 7105</td>
<td>Unsterilized Cat at Large</td>
<td>3</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
</tr>
<tr>
<td>Cat Reg. No. 7105</td>
<td>No Cat Identification</td>
<td>6</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
</tr>
<tr>
<td>Cat Reg. No. 7105</td>
<td>Removal of Cat identification</td>
<td>7</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
</tr>
<tr>
<td>Cat Reg. No. 7105</td>
<td>No Cat Breeding Permit</td>
<td>3(a)</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Construction Site</td>
<td>501.11</td>
<td>No</td>
<td>$50</td>
<td>$40</td>
<td>$80</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions</td>
<td>604</td>
<td>No</td>
<td>$70</td>
<td>$50</td>
<td>$90</td>
<td>N/A</td>
</tr>
</tbody>
</table>
6. Add the specific contraventions as noted below into the appropriate section of the table in Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions:

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Utility No. 6417</td>
<td>Willfully wasting water</td>
<td>601</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 1</td>
<td>604</td>
<td>No</td>
<td>$100</td>
<td>$50</td>
<td>$150</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 2</td>
<td>604</td>
<td>No</td>
<td>$200</td>
<td>$150</td>
<td>$250</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 3</td>
<td>604</td>
<td>No</td>
<td>$300</td>
<td>$250</td>
<td>$400</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 4 or higher</td>
<td>604</td>
<td>No</td>
<td>$400</td>
<td>$350</td>
<td>$500</td>
<td>N/A</td>
</tr>
</tbody>
</table>

READ a first time by the Council on the <> day of <>, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

______________________________
MAYOR

______________________________
CITY CLERK
September 29, 2015

Honourable Suzanne Anton  
Minister of Justice and Attorney General  
Province of British Columbia  
PO Box 9044 STN PROV GOVT  
Victoria, BC V8W 9E2

Dear Minister Anton:

Further to North Vancouver City Council’s resolution on September 28, 2015 (attached), I am writing to request that the Province of British Columbia amend the Local Government Bylaw Notice Enforcement Act [SBC 2003] CHAPTER 60 (the Act) to increase the maximum allowable penalty for a Bylaw Enforcement Notice (BEN) to $1000 per offence from the current maximum of $500 per offence.

Since the Act was given royal assent in 2003, the maximum allowable penalty has not been increased nor has it been adjusted for inflation. Meanwhile, the BEN system has continued to evolve, taking on and resolving increasingly serious and repeat bylaw enforcement matters for which the existing $500 maximum penalty has become inadequate. An increase to the maximum allowable penalty under the Act will enhance the effectiveness of bylaw enforcement in matters arising regularly for municipalities, such as dog attacks, construction noise, road closures and blockages, and in the case of this past summer, watering restrictions.

The recent extreme and unprecedented shortage of water this summer in Metro Vancouver and areas throughout BC is an important example of the need for increasing the maximum allowable BEN penalty under the Act. While we were pleased that so many of our residents appreciated and responded to the need for watering restrictions, others chose to ignore these restrictions, frustrating neighbors and contributing to the extreme water shortage that eventually necessitated the implementation of Stage 3 restrictions. The City of North Vancouver’s experience this summer indicates that a $500 maximum penalty would not be sufficient to encourage a change of behaviour among some non-compliant households. Given a graduated penalty structure that escalates in accordance with the four stages of watering restrictions, the smaller penalties within a $500 framework are less effective in the earlier but crucial stages. Achieving a higher rate of compliance during these early stages will, depending on the severity of the drought, delay and possibly eliminate the need to enact further restrictions. Unfortunately, a plan to issue multiple BEN notices to non-compliant households is not practical in this case given the difficulty of enforcing watering restrictions when offences can occur at irregular times, at night or for short periods of time.
Honourable Suzanne Anton  
September 29, 2015

The City’s approach to bylaw enforcement emphasizes education. Our request for the Province of BC to increase the maximum allowable penalty under the Local Government Bylaw Notice Enforcement Act, to match the maximum fine amount for the Municipal Ticket Information fine process, is intended to make enforcement more effective when education is not working. Therefore, on behalf of North Vancouver City Council I thank you for your attention to this matter, and we would be pleased to discuss this with you further or provide additional information. Please be aware that the City will also be submitting this request as a resolution for consideration at the Union of British Columbia Municipalities 2016 Annual Convention.

Yours sincerely,

Darrell Mussatto  
Mayor

Encl.

cc: Honourable Naomi Yamamoto, MLA, North Vancouver – Lonsdale  
North Vancouver City Council
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8430

A Bylaw to amend “Bylaw Notice Enforcement Bylaw, 2005, No. 7675”

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

1. This Bylaw shall be known and cited for all purposes as “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2015, No. 8430” (Fines, Screening Procedures and Housekeeping).

2. Delete Part 11 in its entirety and replace with:

“The following are designated classes of persons that are appointed as Screening Officers:

(a) Manager, Bylaw Services;
(b) The immediate Manager of a Division or Department whose staff are authorized to issue Bylaw Notices;
(c) Bylaw Enforcement Supervisor;
(d) Bylaw Ticket Screening Clerk;
(e) Bylaw Enforcement Officer as per Part 15 of this Bylaw;

and Council may appoint additional screening officers from other classes of persons by name of office or otherwise.”

3. Delete Part 15 (d) in its entirety and replace with:

“Manager Bylaw Services, bylaw enforcement supervisor, bylaw enforcement officer, licensing inspectors, building officials, animal control officers, fire prevention officers, public health inspectors, environmental health officers, or other persons acting in another capacity on behalf of the City properly delegated by council for the purpose of enforcement of one or more of the bylaws of the City.”

4. Delete the specific contraventions as noted below in their entirety in Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions, and replace them with:

<table>
<thead>
<tr>
<th>Bylaw Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupying Street Without Permit</td>
<td>5.18</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Hindering member in execution of duty</td>
<td>501</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Disposal of material – unsafe manner</td>
<td>601(1)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Disposal of material – without written permission</td>
<td>601(2)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire Alarm – operable at all times</td>
<td>710(1)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Bylaw Description</td>
<td>Section</td>
<td>A1 Compliance Agreement Available</td>
<td>A2 Penalty</td>
<td>A3 Early Payment Penalty</td>
<td>A4 Late Payment Penalty</td>
<td>A5 Compliance Agreement Discount</td>
</tr>
<tr>
<td>-------------------</td>
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<td>----------------------------------</td>
<td>------------</td>
<td>--------------------------</td>
<td>-------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
<td>3(b)</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<td>$400</td>
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<tr>
<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
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<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
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<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
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<td>Fireworks Regulation Bylaw, 2005, No. 7677</td>
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<td>No</td>
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<td>Life Safety Upgrade Bylaw No. 6290</td>
<td>304</td>
<td>No</td>
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<td>Yes</td>
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<td>$400</td>
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<td>Life Safety Upgrade Bylaw No. 6290</td>
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<td>Life Safety Upgrade Bylaw No. 6290</td>
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<tr>
<td>Noise Control Bylaw, 1987, No. 5819</td>
<td>302.3</td>
<td>No</td>
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<td>N/A</td>
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<tr>
<td>Noise Control Bylaw, 1987, No. 5819</td>
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<td>Nuisance Abatement No. 5659</td>
<td>9(a)(iv)</td>
<td>No</td>
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<td>Stream &amp; Drainage System Protection Bylaw No. 7571</td>
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<td>$100</td>
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<td>Street &amp; Traffic Bylaw No. 6234</td>
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<td>$500</td>
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<td>Street &amp; Traffic Bylaw No. 6234</td>
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<td>$500</td>
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<td>Street &amp; Traffic Bylaw No. 6234</td>
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<td>Street &amp; Traffic Bylaw No. 6234</td>
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<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>1501</td>
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<td>$500</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>901(a)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>901(b)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### Bylaw Description Section

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wharf Reg. No. 7665</td>
<td>Unauthorized Anchor of Vessel in Waterlot</td>
<td>904</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Toxic Materials on Wharf</td>
<td>905(b)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Impeding the Use of the Wharf</td>
<td>905(c)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Flush Vessel Heads at Wharf</td>
<td>905(e)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Mooring while Obstructing other Vessels</td>
<td>905(g)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<td>Wharf Reg. No. 7665</td>
<td>Unauthorized Construction on Wharf</td>
<td>906</td>
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<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Fail to Vacate Loading Zone in Emergency</td>
<td>913(b)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
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<tr>
<td>Wharf Reg. No. 7665</td>
<td>Contravene an Order to Leave the Wharf</td>
<td>1001(b)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Wharf Reg. No. 7665</td>
<td>Obstruction of Authorized Personnel</td>
<td>1001(c)</td>
<td>N/A</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Cat Reg No. 7105</td>
<td>Unsterilized Cat at Large</td>
<td>3</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
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<td>Cat Reg No. 7105</td>
<td>No Cat Identification</td>
<td>6</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
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<td>Cat Reg No. 7105</td>
<td>Removal of Cat Identification</td>
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<td>No</td>
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<td>$50</td>
<td>$75</td>
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<tr>
<td>Cat Reg No. 7105</td>
<td>No Cat Breeding Permit</td>
<td>3(a)</td>
<td>No</td>
<td>$60</td>
<td>$50</td>
<td>$75</td>
<td>N/A</td>
</tr>
<tr>
<td>Street &amp; Traffic Bylaw No. 6234</td>
<td>Construction Site</td>
<td>501.11</td>
<td>No</td>
<td>$50</td>
<td>$40</td>
<td>$80</td>
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<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions</td>
<td>604</td>
<td>No</td>
<td>$70</td>
<td>$50</td>
<td>$90</td>
<td>N/A</td>
</tr>
</tbody>
</table>

5. Delete the specific contraventions as noted below in their entirety from Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions:
6. Add the specific contraventions as noted below into the appropriate section of the table in Schedule A, Designated Bylaw Contraventions and Penalties for Bylaw Contraventions:

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Description</th>
<th>Section</th>
<th>A1 Compliance Agreement Available</th>
<th>A2 Penalty</th>
<th>A3 Early Payment Penalty</th>
<th>A4 Late Payment Penalty</th>
<th>A5 Compliance Agreement Discount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Utility No. 6417</td>
<td>Willfully wasting water</td>
<td>601</td>
<td>No</td>
<td>$450</td>
<td>$400</td>
<td>$500</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 1</td>
<td>604</td>
<td>No</td>
<td>$100</td>
<td>$50</td>
<td>$150</td>
<td>N/A</td>
</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 2</td>
<td>604</td>
<td>No</td>
<td>$200</td>
<td>$150</td>
<td>$250</td>
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</tr>
<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 3</td>
<td>604</td>
<td>No</td>
<td>$300</td>
<td>$250</td>
<td>$400</td>
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<tr>
<td>Water Utility No. 6417</td>
<td>Fail to Follow Water Use Restrictions – Stage 4 or higher</td>
<td>604</td>
<td>No</td>
<td>$400</td>
<td>$350</td>
<td>$500</td>
<td>N/A</td>
</tr>
</tbody>
</table>

READ a first time by the Council on the <> day of <>, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

______________________________
MAYOR

______________________________
CITY CLERK
To: Mayor Darrell R. Mussatto and Members of Council  
From: Guy Gusdal, Manager, Bylaw Services  
SUBJECT: ROAD CLOSURE AMENDMENTS TO THE STREET & TRAFFIC BYLAW  
Date: November 4, 2015  

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

RECOMMENDATION:  

PURSUANT to the report of the Manager, Bylaw Services, dated November 4, 2015, entitled "Road Closure Amendments to the Street & Traffic Bylaw":  


ATTACHMENTS:  

2. Relevant Excerpts of Street and Traffic Bylaw 1991, No. 6234 (Document #1333346)

PURPOSE:  

The purpose of this report is to improve the ticket enforceability of the Street and Traffic Bylaw with regards to unapproved partial and full blockages of city streets and sidewalks.
DISCUSSION:

Existing Bylaw Regulation Status

The existing Street & Traffic Bylaw is enforceable with respect to partial or full unauthorized street closures but with limitations. This is because the bylaw lacks clarity with regards to the connection of the definition of a “street” to the specific “obstructions - removal” regulations in Section 813. “Street” is defined in the bylaw by referring to the definition of “highway” in the Community Charter. The Community Charter definition of “highway” does not make specific reference to sidewalks and boulevards. This ambiguity is further complicated by the lack of a definition of “Traffic” in the bylaw.

Furthermore, the definition of “highway” in the Street & Traffic Bylaw refers to the definition of “highway” provided in the Motor Vehicle Act (MVA). The MVA definition also lacks a specific reference to sidewalks and boulevards. The reason for raising this point will become clear when the solution is discussed below.

As such, it is difficult for staff to clearly explain and demonstrate how someone’s actions are violating the bylaw by fully or partially obstructing or impeding the flow of traffic on a city street, or, particularly, on a sidewalk.

Why the Bylaw Amendments are Needed

Partial and full street or sidewalk closures are a significant source of frustration for area residents, businesses and people travelling within or through the city. In recognition of this potential negative impact, Engineering staff have a process for reviewing and approving street and sidewalk closures (Street Occupancy Permits) that minimizes the negative impacts on a neighbourhood. That process also deals with liability. Contractors and developers are a primary applicant for street and sidewalk closure permits, as construction activity regularly interrupts traffic flows adjacent to construction sites. Most contractors appreciate the service and recognize the value in working collaboratively with neighbouring businesses and residents of their construction sites.

Unfortunately, some contractors, sub-contractors or suppliers to construction sites choose to ignore the approval process and risk potential fines as the cost of doing business. These unauthorized street closures can range from mildly disruptive to severely disruptive depending on the location and can also act as a ‘lightning rod’ for complaints about all the problems associated with construction sites and development in general.

Currently, the ticketing enforcement tool used by Bylaw Enforcement staff in these situations is Section 5.18 of the Construction Regulation Bylaw (never obtained a Street Occupancy Permit) because the regulation is broad enough to encompass streets, sidewalks and boulevards). While this method is technically sound, enforcement through the Street & Traffic is more appropriate for partial or full closures of city streets, sidewalks or boulevards.

Proposed Solution

The proposed Street & Traffic Bylaw amendments expand the definition of “Highway” to clearly include streets, sidewalks and boulevards without the need to reference other
legislation; add a definition of “Traffic” and change Section 813.1 to refer to “Highway” and “Traffic”. These changes will have minimal effect on the remainder of the bylaw but will allow Bylaw Enforcement Officers to write enforceable tickets for partial and full closures of city streets and sidewalks. The changes will also allow Bylaw Enforcement Officers and Screening Officers to clearly and easily explain how an individual’s actions have contravened the Street & Traffic Bylaw.

The proposed definitions are consistent with definitions in other Lower Mainland municipalities’ Street & Traffic/Highway regulation bylaws. The District of North Vancouver and the District of West Vancouver each use definitions of “highway” that reference use by vehicles and people.

*Housekeeping*

In addition to the above the definition of a Peace Officer is also being updated to reflect the changes in position titles.

**FINANCIAL IMPLICATIONS:**

There are no direct financial implications from the bylaw amendments. The amendments would make enforcement more efficient. Less staff time may be required to conduct ticket disputes or to explain the bylaw regulation.

**INTER-DEPARTMENTAL IMPLICATIONS:**

Approval of the proposed bylaw amendments will allow Bylaw Services to respond to requests for service from Operations or Building Inspections staff to resolve unapproved street closures in an efficient and tangible manner. A majority of these requests for assistance are related to activities associated with construction sites (of all sizes). The report and bylaw amendment was reviewed by the MPC on November 3, 2015.

**CORPORATE PLAN AND/OR POLICY IMPLICATIONS:**

Nil.

**STRATEGIC PLAN IMPLICATIONS:**

Nil.

**RESPECTFULLY SUBMITTED:**

Guy Gusdal  
Manager, Bylaw Services

Attachments

GG:eb
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8436

A Bylaw to amend "Street and Traffic Bylaw, 1991, No. 6234" to increase the Enforcement of Unapproved Highway Closures

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

1. This Bylaw shall be known and cited for all purposes as "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2015, No. 8436" (Enforcement of Unapproved Highway Closures).

2. Delete the content of Part 302.17 in its entirety and replace with:

"Highway" includes:

(a) highways as defined in the Motor Vehicle Act;
(b) highways as defined in the Community Charter; and
(c) every Street, Roadway, Boulevard, Lane, Alley, Sidewalk, walkway, pathway, bridge, viaduct, tunnel, bicycle path, or any other way used by or intended for use by the public.

3. Delete the content of Part 302.35 in its entirety and replace with:

"Peace Officer" means any person defined as a peace officer by the Interpretation Act, R.S.B.C. 1979, c 206 and includes the person or persons appointed as Manager, Bylaw Services, Bylaw Enforcement Supervisor, Bylaw Enforcement Officer 1 & 2, and Parking Bylaw Enforcement Officer.

4. Insert after 302.51, the following:

"302.51.1 Traffic" includes pedestrians, vehicles, Cycles, and other conveyances, ridden or herded animals, either singly or together, while using a Highway to travel.

5. Delete the content of Part 404.1 in its entirety and replace with:

“When for any reason any Highway or section thereof is unsafe or unsuitable for Traffic, or it is deemed advisable that Traffic should be restricted thereon as to speed, volume or classification, or diverted therefrom, the City Engineer, Fire Chief, Police Chief, or any person duly authorized by the City Engineer, may order such Highway or section thereof closed, or order that the Traffic thereon or therefrom be restricted or diverted, and for that purpose may erect or place Traffic Control Devices upon such Highway or section thereof; and no person shall enter upon or travel upon such Highway or section thereof so closed as aforesaid, or enter upon or travel thereon contrary to the restrictions placed upon the Highway thereon as aforesaid, or interfere in any way with any Traffic Control Device so placed as aforesaid."
6. Delete the content of Part 404.2 in its entirety and replace with:

“No person shall for any reason close any Highway or section thereof or restrict or divert Traffic thereon except with the written permission of the City Engineer.”

7. Delete the content of Part 813.1 in its entirety and replace with:

“No person shall place, maintain or permit to remain any goods, chattels or other things upon any Highway which will obstruct or impede Traffic thereon, or deface or injure any such Highway, or which may be an inconvenience to the free and lawful use thereof, or which may unlawfully encroach thereon.”

READ a first time by the Council on the <> day of <>, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

__________________________
MAYOR

__________________________
CITY CLERK
Excerpts of portions of the Current Street & Traffic Bylaw that are under consideration for amendment:

- 302.17 "Highway" means a highway as defined in the Motor Vehicle Act.

- 302.35 "Peace Officer" means any person defined as a peace officer by the Interpretation Act, R.S.B.C. 1979, c 206 and includes a Bylaw Enforcement Officer or a Parking Enforcement Officer appointed by Council.

- 302.51 "through street" means a street or part of a street designated by Council or the City Engineer at the entrances to which stop signs are erected.

- 404 Closing Streets
  .1 When for any reason any street or section thereof is unsafe or unsuitable for traffic, or it is deemed advisable that traffic should be restricted thereon as to speed, volume or classification, or diverted therefrom, the City Engineer, Fire Chief, Police Chief, or any person duly authorized by the City Engineer, may order such street or section thereof closed, or order that the traffic thereon or therefrom be restricted or diverted, and for that purpose may erect or place traffic control devices upon such street or section thereof; and no person shall enter upon or travel upon such street or section thereof so closed as aforesaid, or enter upon or travel thereon contrary to the restrictions placed upon the street thereon as aforesaid, or interfere in any way with any traffic control device so placed as aforesaid.
  .2 No person shall for any reason close any street or section thereof or restrict or divert traffic thereon except with the written permission of the City Engineer.

- 813 Obstructions – Removal
  .1 Notwithstanding anything herein contained, no person shall place, maintain or permit to remain any goods, chattels or other things upon any street which will obstruct or impede traffic thereon, or deface or injure any such street, or which may be an inconvenience to the free and lawful use thereof, or which may unlawfully encroach thereon.
THE CORPORATION OF THE CITY OF NORTH VANCOUVER

BYLAW NO. 8436

A Bylaw to amend "Street and Traffic Bylaw, 1991, No. 6234” to increase the Enforcement of Unapproved Highway Closures

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

1. This Bylaw shall be known and cited for all purposes as "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2015, No. 8436" (Enforcement of Unapproved Highway Closures).

2. Delete the content of Part 302.17 in its entirety and replace with:

   "Highway" includes:
   
   (a) highways as defined in the Motor Vehicle Act;
   (b) highways as defined in the Community Charter; and
   (c) every Street, Roadway, Boulevard, Lane, Alley, Sidewalk, walkway, pathway, bridge, viaduct, tunnel, bicycle path, or any other way used by or intended for use by the public."

3. Delete the content of Part 302.35 in its entirety and replace with:

   "Peace Officer" means any person defined as a peace officer by the Interpretation Act, R.S.B.C. 1979, c 206 and includes the person or persons appointed as Manager, Bylaw Services, Bylaw Enforcement Supervisor, Bylaw Enforcement Officer 1 & 2, and Parking Bylaw Enforcement Officer."

4. Insert after 302.51, the following:

   "302.51.1 “Traffic” includes pedestrians, vehicles, Cycles, and other conveyances, ridden or herded animals, either singly or together, while using a Highway to travel.”

5. Delete the content of Part 404.1 in its entirety and replace with:

   “When for any reason any Highway or section thereof is unsafe or unsuitable for Traffic, or it is deemed advisable that Traffic should be restricted thereon as to speed, volume or classification, or diverted therefrom, the City Engineer, Fire Chief, Police Chief, or any person duly authorized by the City Engineer, may order such Highway or section thereof closed, or order that the Traffic thereon or therefrom be restricted or diverted, and for that purpose may erect or place Traffic Control Devices upon such Highway or section thereof; and no person shall enter upon or travel upon such Highway or section thereof so closed as aforesaid, or enter upon or travel thereon contrary to the restrictions placed upon the Highway thereon as aforesaid, or interfere in any way with any Traffic Control Device so placed as aforesaid.”
6. Delete the content of Part 404.2 in its entirety and replace with:

“No person shall for any reason close any Highway or section thereof or restrict or divert Traffic thereon except with the written permission of the City Engineer.”

7. Delete the content of Part 813.1 in its entirety and replace with:

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READ a first time by the Council on the <> day of <>, 2015.

READ a second time by the Council on the <> day of <>, 2015.

READ a third time and passed by the Council on the <> day of <>, 2015.

ADOPTED by the Council, signed by the Mayor and City Clerk and affixed with the Corporate Seal on the <> day of <>, 2015.

________________________________________
MAYOR

________________________________________
CITY CLERK
Re: Appropriation for Permits, Licensing and Ticketing Software Replacement

File No: 1340-01/2015

November 10, 2015

To: Mayor Darrell R. Mussatto and Members of Council
From: Kristin Wilkes, Manager of Information Technology

SUBJECT: Appropriation for Permits, Licensing and Ticketing Software Replacement

DATE: November 10, 2015

RECOMMENDATION:

Pursuant to the report of the Manager of Information Technology, dated November 10, 2015, entitled "Appropriation for Permits, Licensing and Ticketing Software Replacement":

That (Funding Appropriation No. 1526) an amount of $400,000 be appropriated from the General Reserve for the purpose of funding the Permits, Licensing and Ticketing Software Replacement;

And that should any of the above amount remain unexpended after December 31, 2018, the unexpended balance shall be returned to the credit of the said Reserve Fund.

ATTACHMENTS:

1. Permits, Licensing and Ticketing Software Replacement Project Sheet

PURPOSE:

The purpose of this report is to seek Council's approval to appropriate funds to continue the process of selecting a replacement software package for Tidemark Advantage and the Parking Ticket system, both of which are outdated and end of life.

BACKGROUND:

At the Finance Committee meeting on March 30, 2015, Council approved the Final 2015 Project Budget. This budget included the new project "Permits, Licensing and Ticketing Software Replacement" in the amount of $500,000.

Date: November 10, 2015

Document: 1332544
DISCUSSION:

A core function of the City is to process permits and business licenses in an efficient manner. Since its implementation in 1995, the Tidemark Advantage business system has been a critical business system used to manage, process and record permits, business licenses, rezoning/subdivision applications and, alongside Autolssue, to manage bylaw cases and parking tickets. Both of these enterprise applications are now outdated and this has begun to affect both efficiency and customer service.

The Oracle database that the current application is built upon has been end of life since July 2007, meaning that routine support issues raised with the vendor are often not resolved and a more serious support issue is unlikely to get any response, representing a risk that will increase if no action is taken.

The City's business needs continue to evolve and this has required development of complex technical solutions to deliver new functionality. The key internal business users, as well as our public customers, require new functionality that is not available in our existing software, and there has been an increase in both risk and expense to maintain and support this system. Permits, Licensing, and Ticketing software is very industry specific, highly specialized and used pervasively throughout the organization.

This project will be completed in a phased approach, with phase one being the selection of replacement software through a series of internal needs analysis workshops followed by a Request for Information and Request for Proposal process. The funds being appropriated will be used in support of this phase, specifically for staff training in business process modelling methodologies and tools, consultation and guidance in developing the RFI and subsequent RFP and evaluation methodology, and consultation and guidance through vendor evaluation and negotiation.

FINANCIAL IMPLICATIONS:

The Final 2015 Project Budget approved by Council on March 30, 2015 includes an amount of $500,000 for the Permits, Licensing, and Ticketing Software Replacement. $100,000 was appropriated on June 7, 2015. The proposed appropriation falls within the remaining budgeted amount with funding provided from the General Reserve. The overall cost of this project is estimated to be $2.5 million with $1.5 million budgeted for 2016 and a further $500,000 budgeted for 2017.

INTER-DEPARTMENTAL IMPLICATIONS:

This report was reviewed and supported by Major Projects Teams on November 10, 2015.

RESPECTFULLY SUBMITTED:

Kristin Wilkes
Manager of Information Technology

REPORT: Appropriation for Permits and Licensing Software Replacement
Date: November 10, 2015
RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated October 28, 2015, entitled “Residential Tenant Displacement Policy”:

THAT the Residential Tenant Displacement Policy, a policy for the protection of renters who are displaced by redevelopment of existing purpose-built rental apartments, dated September 2015 and attached to said report be endorsed.

ATTACHMENT:

1. Council endorsed “Option #1” from staff report, “Enhanced Notice and Assistance Options for Tenant Displacement” dated April 22, 2015 (Doc#1325209)
2. Residential Tenant Displacement Policy – September 2015 (Doc#1322978)
3. Resolutions from APC, SPAC and ACDI (Doc#1332434)
5. Density Bonus and Community Benefits Policy – May 2015 (Doc#1268321)
PURPOSE:

To seek Council's endorsement for a Residential Tenant Displacement Policy to aid in the protection of renters who are displaced by the redevelopment of purpose-built rental apartments.

BACKGROUND:

Current market conditions, including low interest rates, low vacancy rates, high ownership prices and increasing demand for quality rental options, along with City efforts, have renewed interest in market rental housing development in recent years. While new rental units are needed to renew the City's aging rental stock, the demolition or major retrofit of older rental buildings and the subsequent displacement of rental tenants have prompted concerns for residents who may not be able to find or afford suitable alternate accommodations in the City. Council's concern for the protection of displaced rental tenants resulted in the endorsement of the following resolution on February 23rd, 2015:

WHEREAS the availability of reasonably priced rental units is being reduced as a result of redevelopment of existing, older rental three and four storey apartment buildings; and

WHEREAS this is particularly challenging for residents facing displacement and requiring lower priced accommodation, who are often faced with the prospect of uprooting families, and possibly having to leave their familiar neighbourhoods, or even move from the City of North Vancouver; and

WHEREAS the Provincial Government has limited the ability of municipalities to impose requirements on rental apartment owners serving tenants with eviction notices; and

WHEREAS the City will be preparing a Housing Action Plan in accordance with the Metro Regional Growth Strategy;

THEREFORE BE IT RESOLVED THAT City staff report on possible options available to the City for enhancing notice and assistance to tenants being displaced as a result of redevelopment of existing rental apartments;

AND FURTHER THAT City staff include a Council workshop on the Housing Action Plan and how this Plan will help address the affordability of housing alternatives in the future.
In response, staff explored options to enhance notice and assistance to renters who are displaced through the redevelopment of existing purpose-built rental buildings. In British Columbia, residential tenancy requirements and tenant-landlord relations are governed by the provincial government through the Residential Tenancy Act (RTA). As such, the City has no authority to require additional notice or assistance beyond the RTA, unless a property owner is seeking Council approval through the development application process (e.g. Rezoning, Development Variance Permit, OCP Amendment, etc.) and agrees to additional measures as a voluntary commitment. If no development application is required (i.e. complies with the Zoning Bylaw), the RTA stipulates that a landlord must provide tenants with two months’ notice and one month’s rent compensation. With this knowledge, the following three options were proposed by staff to Council:

Option #1 **Required Enhanced Notice and Assistance for Existing Tenants (Recommended)**

Property owners are required to provide enhanced notice and assistance to existing tenants for any redevelopment that requires Council approval, including the following:
- Current Occupancy Summary;
- Three Months’ Notice;
- Tenant Communication Plan;
- Three Month’s rent;
- Tenant Relocation Coordinator; and,
- First Right of Refusal.

Option #2 **Negotiated Enhanced Notice and Assistance**

Current City practice where voluntary tenant relocation measures are negotiated at rezoning.

Option #3 **Optional Assistance**

Property owners are required to uphold the requirements in the British Columbia Residential Tenancy Act, with request that property owners provide additional assistance to existing tenants on a voluntary basis.

Of the three options, Council unanimously endorsed Option #1, on April 27th, 2015 and directed staff to further explore this option with stakeholders (Attachment #1).

Since that time, staff have consulted with various City advisory bodies, housing advocates, and local rental building owners and property managers on the measures supported by Council. The feedback and suggestions obtained have been considered and incorporated into a formal Residential Tenant Displacement Policy for the City of North Vancouver (Attachment #2).
DISCUSSION:

Consultation and Feedback

Staff presented the draft measures outlined in Attachment #1 to the following stakeholder groups between April and July 2015:

- Advisory Planning Commission (APC);
- Social Planning Advisory Committee (SPAC);
- Advisory Committee on Disability Issues - Development and Inclusion Subcommittee (ACDI);
- Community Housing Action Committee (CHAC);
- Lionsview Seniors' Planning Society - Seniors Action Table (SAT);
- Local rental building owners and property managers; and,
- Chief Executive Officer of LandlordBC, a professional industry association for landlords in British Columbia.

The overall feedback was positive, with all stakeholders acknowledging the importance of protecting renters, particularly vulnerable renters, such as seniors and individuals with limited or fixed incomes. Some of the individuals consulted were renters and provided valuable insights into the challenges of finding suitable and affordable rental accommodations in the City. Rental building owners, property managers, and a representative from LandlordBC provided perspectives from the rental industry and shared their comments and concerns regarding the impact of this policy on the financial performance of new rental projects. The rental industry understood the need to protect tenants, but requested that the City explore additional policies and measures to assist rental building owners and operators, many of whom struggle to maintain their aging buildings. Measures to retain, rehabilitate and enhance the City's rental stock will be addressed through the Housing Action Plan, which is currently underway.

The advisory bodies that reviewed the draft measures, including APC, SPAC and ACDI, were supportive of the policy (Attachment #3). The Community Housing Action Committee, a local housing advocacy group, also supported the direction of this policy (Attachment #4).

Residential Tenant Displacement Policy Elements

The primary elements of the proposed Residential Tenant Displacement Policy are stated in italics below, supplemented with information from the stakeholder consultation sessions, when applicable.

a) Current Occupancy Summary

At the time of development application, the applicant will submit a Current Occupancy Summary that provides the following information:

- Number of occupied and vacant units;
- Type of tenancy for each tenant (e.g. periodic or fixed-term);
- Start date and end date (if applicable) of tenancy for each tenant;
- Rent for each unit;
- Size of each unit;
- Number of bedrooms in each unit; and,
- Mobility or accessibility requirements and/or other housing supports required by a tenant.

The inclusion of mobility or accessibility requirements in the Current Occupancy Summary was suggested by members of ACDI in recognition that some individuals may require housing that provide additional housing supports, such as a wheelchair ramp or a grab bar in the bathroom. If a tenant notes a mobility or accessibility requirement, the Tenant Relocation Coordinator will take this information into account when finding alternate rental units for the tenant.

b) Notice
A property owner will provide each tenant with two months’ notice as per the RTA. The two-month notice period will commence once a Demolition Permit is issued by the City.

In discussions with rental building owners and property managers, the original requirement to provide three months’ notice and three months’ rent was said to have a negative financial impact on rental redevelopment projects. One argument presented was the loss of income for building owners if most tenants move out prior to the end of the three-month notice period, in addition to the cost of holding the property without being able to start construction. Upon further consideration, staff support reducing the notice period to two months, as per the RTA, given that the development application process takes approximately six to eight months, and that tenants will be engaged throughout the application process via a Tenant Communication Plan and assisted in finding alternate accommodations through the Tenant Relocation Coordinator.

c) Tenant Communication Plan
The applicant will submit a Tenant Communication Plan at the time of development application that outlines when and how tenants will be contacted throughout the application process. The Tenant Communication Plan is to be proactive in its engagement and notification of tenants, and should include information on resources available to tenants. To ensure the delivery of the Tenant Communication Plan, development applicants will be required to submit a copy of all written correspondence and notification provided to tenants to City staff. This correspondence will be included as part of the staff report for Council review and consideration.

d) Financial Assistance
A property owner will compensate each tenant with a periodic tenancy (e.g. a month-to-month tenancy) an amount equivalent to three months’ rent to assist
tenants in finding new accommodations and to compensate for moving expenses. Tenants with fixed-term tenancies are not eligible for financial assistance under the proposed Residential Tenant Displacement Policy, and are instead protected by the RTA, which specifies how fixed-term tenancies may be terminated prior to the specified end date.

The original policy requested compensation in the amount of three months’ rent for tenants who have resided in the building for a minimum of one year. Through discussions with stakeholders, it was deemed that the one year residency period was quite arbitrary and that the stress and inconvenience of moving and finding new accommodations would impact all renters, no matter how long they have resided in a given location. Furthermore, the RTA requirements for fixed-term tenancies, or tenancies set for a specific period of time, has necessitated reconsideration of eligibility for financial assistance under the proposed Residential Tenant Displacement Policy. As the RTA does not permit fixed-term tenancies to end earlier than the date specified unless both parties agree in writing or are ordered by an arbitrator, fixed-term tenants may be able to negotiate for compensation if a landlord wants to end the tenancy prematurely. As such, the City does not want to hinder negotiations between a landlord and tenant, especially if a tenant may potentially achieve greater compensation than suggested under this Policy. In the case where a fixed-term tenancy does not specify what happens at the end of the term, the RTA states that the tenancy will automatically become a month-to-month tenancy, at which point the tenant will be eligible for financial compensation as per the proposed Policy.

e) **Tenant Relocation Coordinator**

The applicant will designate a Tenant Relocation Coordinator to aid tenants in finding up to three comparable rental units in the City of North Vancouver. The maximum rent for the new units found by the Coordinator should not exceed 10 percent above the average rent by unit size (as measured by the number of bedrooms) in the City of North Vancouver as established in the Canada Mortgage and Housing Corporation (CMHC) Rental Market Report (see Table 1 for a sample calculation). If the existing rent amount of a tenant exceeds the average rent levels in the City as recorded by CMHC, the Coordinator will find alternate units with rents no more than 10 percent above the tenant’s current rent amount.

Tenants may change the criteria of the units to be found by the Coordinator, or opt out of this service, by providing written notice to the City via the Coordinator.

The role of the Tenant Relocation Coordinator was discussed extensively during consultations with stakeholders. The Tenant Relocation Coordinator was originally required to find up to three comparable rental units in the City at rents no more than 10 percent above existing rents for each tenant. All stakeholders thought this criteria was unfeasible considering the City’s low vacancy rates and high rent levels. Instead, it was suggested that the City set the rate using a more
achievable rent level, such as average rents in the City. The CMHC Rental Market Report, an annual summary of market rental information for Canadian municipalities, including the City of North Vancouver, provides information on average rental rates and local rental market conditions. Using this information source, sample calculations have been established to determine the maximum rents that may be charged for the alternate units found by a Tenant Relocation Coordinator using the latest data available for 2014 (Table #1). An additional benefit to using the Rental Market Report is the ability to update this policy annually to reflect current market conditions.

Table 1: Sample Calculations of Maximum Rent Amounts, by Number of Bedrooms, for Alternate Units Found by Tenant Relocation Coordinator

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Average Rent (2014 CMHC Rental Market Report)</th>
<th>Maximum Rent (Avg. Rent + 10%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor/Studio</td>
<td>$876</td>
<td>$963.60</td>
</tr>
<tr>
<td>One-Bedroom</td>
<td>$1,024</td>
<td>$1,126.40</td>
</tr>
<tr>
<td>Two-Bedroom</td>
<td>$1,279</td>
<td>$1,406.90</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>$1,586</td>
<td>$1,744.60</td>
</tr>
</tbody>
</table>

The stakeholders consulted also questioned who should serve in the role of Tenant Relocation Coordinator. Various stakeholders firmly believed that the Coordinator should not be associated with the property owner or development applicant. Instead, they thought that the Coordinator should be an independent third-party agency, such as a local not-for-profit organization, to ensure the highest level of support for displaced tenants. The suggestion of City staff serving in this role was also expressed by different stakeholder groups, including the rental industry, to provide a single point of contact. Staff have explored both suggestions at a preliminary level. For example, a local non-profit agency could provide a fee-based tenant relocation service, which could be retained by a development applicant to fulfill the role of the Tenant Relocation Coordinator. However, staffing and coordinating this role may be a challenge as the number of development applications that require a Tenant Relocation Coordinator cannot be predicted year to year. In addition, it may be a challenge to find non-profit agencies with the mandate and capacity to fulfill this function. As for the suggestion of City staff performing this role, the City does not currently have the staffing resources to fulfill this function. In addition, it is not considered appropriate for City staff to become so directly involved in landlord-tenant relationships. At this time, a property owner or development applicant may hire any individual to serve as the Tenant Relocation Coordinator, with City staff providing oversight of this role.

f) First Right of Refusal

The applicant will provide all displaced tenants the first right of refusal to live in the new building. The particulars of the unit, including rent amount, unit size and
number of bedrooms, will be negotiated between the property owner and individual tenants. If the new building has units that are rented at below-market rents, it is the City’s preference that these units are leased to tenants who were displaced from the original building.

Local housing advocacy group, CHAC, commented on this provision and proposed that rents for a limited number of new units be set at a below-market rate and offered to lower-income tenants who were originally displaced. While the proposed Residential Tenant Displacement Policy does not contemplate a below-market rental component, the City’s Density Bonusing and Community Benefits Policy requires a percentage of new rental units be set at below-market rents for rental projects receiving bonus density (Attachment #5). The percentage of below-market rental units to be provided, as well as the amount of subsidy, is currently being determined through the Housing Action Plan. With the majority of new rental developments in the City achieved through density bonusing, it is anticipated that requiring below-market rents through the Density Bonusing and Community Benefits Policy will allow the City to secure a greater number of below-market units. The City recommends that rental building owners prioritize displaced tenants in the below-market rental units; however, it remains within the purview of rental building owners to decide which individuals will reside in their building as tenants.

Implementation

Should Council endorse the attached Residential Tenant Displacement Policy, this Policy would guide any development requiring Council approval that involves the displacement of renters from purpose-built rental buildings. The measures outlined in this Policy would be negotiated as a requirement of Council approval and Council would maintain the discretion to approve or deny development applications.

This policy is applicable only to purpose-built rental properties designated Level Four or higher in the Official Community Plan (OCP). Properties with a lower designation (e.g. Level One, Two and Three) in the OCP are exempt. Rental tenants that are displaced from secondary suites, coach houses, market condos and other non-secure rental units are not covered by this Policy, but are instead protected by the RTA. Outright developments that comply with the Zoning Bylaw do not have to comply with this Policy.

NEXT STEPS:

The Housing Action Plan, which is currently underway, will provide strategic direction on current and emerging housing issues, including market rental housing. In particular, the City will be exploring ways to aid in the retention and rehabilitation of older rental buildings. The Housing Action Plan will also determine the optimal percentage of below-market rental unit and the amount of subsidy required as per the Density Bonusing and
Community Benefits Policy, while ensuring the density bonus for market rental housing remains viable in incentivizing new rental developments.

A workshop with Council on the Housing Action Plan is scheduled for Monday, November 2nd, 2015 as part of the regularly scheduled Council Meeting. Information about current and emerging housing trends and the main housing gaps in the City were identified in the Housing Profile sent to Council on September 25th, 2015 as part of the Information Package.

FINANCIAL IMPLICATIONS:
Nil.

INTER-DEPARTMENTAL IMPLICATIONS:
This report was reviewed and endorsed by the Civic Projects Team and Directors Team on September 29th, 2015.

SUSTAINABILITY COMMENTS:
The protection of City renters through a Residential Tenant Displacement Policy supports the City’s commitment to social sustainability. The City has historically had more renters than homeowners, and while this has changed with increased strata residential development, renters still account for 46 percent of all City households. Renters are an important part of the City’s social fabric and policies to support renters in properties with proposed developments will better allow these individuals to remain in the City. Renters are also an important part of the City’s workforce and having individuals live and work in close proximity further fulfills the City’s economic and environmental sustainability goals.

CORPORATE PLAN AND/OR POLICY IMPLICATIONS:
A guiding principle of the 2014 Official Community Plan is Community Supporting Community, which means the City will continue to be a compassionate community recognizing that all individuals and/or their families will require support at some point in their lives.

RESPECTFULLY SUBMITTED:

Wendy Tse
Planner 1

Attachments
WT/eb
RECOMMENDATION ENDORSED BY COUNCIL ON APRIL 27, 2015

PURSUANT to the report of the Planner 1, dated April 22, 2015, entitled "Enhanced Notice and Assistance Options for Tenant Displacement":

THAT Council direct staff to further explore enhanced notice and assistance for rental tenants who are displaced as a result of redevelopment of existing rental buildings that require Council approval (e.g. rezonings) as outlined in Option #1;

THAT staff be directed to consult rental housing stakeholder groups in the City of North Vancouver to obtain feedback on the selected option;

AND THAT staff incorporate stakeholder feedback into an updated policy and report back to Council.

OPTION #1 - Require Enhanced Notice and Assistance for Existing Tenants
(RECOMMENDED)
This option recognizes that many vulnerable City residents live in older purpose-built rental buildings and would require property owners to provide enhanced notice and assistance to existing tenants, including the following:

a) Current Occupancy Summary
Property owners must provide a Current Occupancy Summary at time of rezoning application that includes the following information:
- Number of occupied and vacant units;
- Start of tenancy for each tenant;
- Rent for each unit;
- Size of each unit; and
- Number of bedrooms in each unit.

b) Three Months' Notice
Property owners must provide tenants with three months' notice, as opposed to two months' notice as per the RTA, once all required permits and approvals are obtained.

c) Tenant Communication Plan
Property owners must submit a Tenant Communication Plan at rezoning, which outlines when and how tenants will be contacted throughout the development application process. The Tenant Communication Plan requires proactive engagement and notification to tenants, including monthly update reports, written notification of input opportunities, notifications posted in conspicuous places in the building, and information on resources available to tenants (e.g. Tenant Resource & Advisory Centre).
d) Three Months’ Rent
Property owners must provide all tenants residing in the building for a minimum of one year (based on the start of a tenancy to the date of the rezoning application) a total of three months’ rent. The additional two months’ rent above the RTA requirement will assist tenants in finding alternate accommodations, as well as compensate for moving expenses.

e) Tenant Relocation Coordinator
Property owners must designate a Tenant Relocation Coordinator to aid tenants in finding suitable alternate accommodations. The Coordinator is required to find up to three comparable rental units in the City at rents no more than 10 percent above existing rents for each tenant, unless the terms are changed by the tenant in writing. The Coordinator must keep track of all units found and provide a status report to the City prior to issuance of a Demolition Permit.

f) First Right of Refusal
Property owners must offer the first right of refusal in the new building to tenants who were displaced. The particulars of the unit, including rent amount, unit size and number of bedrooms, will be negotiated between the property owner and individual tenants. The Tenant Relocation Coordinator will have to submit a report to the City identifying the tenants who want to return to the building prior to issuance of a Certificate of Occupancy.
City of North Vancouver
COUNCIL POLICY

Policy Name: Residential Tenant Displacement Policy
Policy Number: To be assigned after Council adoption

POLICY

General Policy

The Council recognizes that renters account for a significant portion of the City’s population and are an important part of the City’s social fabric. With the redevelopment of older purpose-built rental buildings, renters are challenged to find affordable accommodations in the City. As such, Council supports the protection of renters who are displaced through the redevelopment of purpose-built rental apartments by requiring developers to provide enhanced notice and assistance to these affected individuals.

The goals and objectives that will be supported through the provision of this policy are those contained in the City’s Official Community Plan (OCP) and Social Plan, and include:

1. Community Supporting Community – the City will continue to be a compassionate community recognizing that all individuals and/or their families will require support at some point in their lives.


3. Housing - ensuring availability of a range of housing types and tenure throughout the City which address a variety of housing needs.

Applicability

This policy is applicable to all development applications seeking Council approval to redevelop or demolish an existing purpose-built rental buildings on properties designated Level Four and higher in the Official Community Plan. The measures outlined in this Policy represent a voluntary commitment by the development applicant to provide additional measures to support City renters.
Exemptions

This policy does not apply to developments that are permitted outright under the Zoning Bylaw, properties that are designated Level One, Two or Three in the Official Community Plan, nor tenants displaced from non-secure rental units, such as secondary suites, coach houses and market condo units. Tenants that are displaced from non-dedicated rental units should understand their rights under the British Columbia Residential Tenancy Act. Additional tenant resources may also be found at the Tenant Resource & Advisory Centre (www.tenants.bc.ca).

Authority to Act

Administration of this policy is delegated to the Community Development Department.

PROVISIONS AND PROCEDURES

The following elements are requested of the development applicant as a voluntary commitment. Adherence to this Policy does not guarantee development approval from Council.

Application Process

A. Development Application

The applicant should submit the following documents at time of Development Application:

1. Current Occupancy Summary with the following information:
   i. Number of occupied and vacant units;
   ii. Type of tenancy for each tenant (e.g. periodic or fixed-term);
   iii. Start and end of tenancy for each tenant;
   iv. Rent for each unit;
   v. Size of each unit;
   vi. Number of bedrooms in each unit; and,
   vii. Mobility or accessibility requirements and/or other housing supports required by a tenant.
Policy Name: Residential Tenant Displacement Policy

Policy Number: To be assigned after Council adoption

2. Tenant Communication Plan that outlines how tenants will be proactively engaged and notified of input opportunities throughout the development application process. Tenant resources, such as those offered through the Tenant Resource & Advisory Centre, should be widely advertised to tenants, including on notifications posted in conspicuous places within the building. The applicant is responsible for submitting a copy of all written correspondence and notification to tenants to City staff. This correspondence will be included as part of the report to Council for Council review and consideration.

B. Development Review Process

3. The applicant should designate a Tenant Relocation Coordinator to aid tenants in finding up to three comparable rental units in the City of North Vancouver. The maximum rent for the new units found by the Tenant Relocation Coordinator should not exceed 10 percent above the average rent, by the number of bedrooms, in the City of North Vancouver as established in the Rental Market Report released by Canada Mortgage and Housing Corporation (CMHC). Please refer to Table 1 for a sample calculation. If the existing rent amount of a tenant exceeds the average rent levels in the City as recorded by CHMC, the Tenant Relocation Coordinator will find alternate units with rents no more than 10 percent above the tenant’s current rent amount.

Table 1: Sample Calculation for Maximum Rent Amount by Number of Bedrooms for Alternate Units Found by Tenant Relocation Coordinator

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Average Rent (2014 CMHC Rental Market Report)</th>
<th>Maximum Rent (Avg. Rent + 10%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor/Studio</td>
<td>$876</td>
<td>$963.60</td>
</tr>
<tr>
<td>One-Bedroom</td>
<td>$1,024</td>
<td>$1,126.40</td>
</tr>
<tr>
<td>Two-Bedroom</td>
<td>$1,279</td>
<td>$1,406.90</td>
</tr>
<tr>
<td>Three-Bedroom</td>
<td>$1,586</td>
<td>$1,744.60</td>
</tr>
</tbody>
</table>

The Tenant Relocation Coordinator is responsible for tracking the units found for each tenant and submitting a status report to the City prior to the issuance of a Demolition Permit. Tenants may opt out of this service by providing written notice to the Tenant Relocation Coordinator, who will then submit it to the City. Tenants may also change the criteria of the alternate
rental units with written notice. It is recommended that the Tenant Relocation Coordinator engage with tenants early in the development process to develop rapport.

4. The applicant should compensate all tenants on a periodic tenancy (e.g. month-to-month tenancy) with three months’ rent to assist tenants in securing alternate accommodations, as well as to compensate for moving expenses. For tenants with fixed-term tenancies, the RTA stipulates how to end a fixed-term tenancy at an earlier date than specified, although the City recommends that the applicant provide a minimum of three months’ rent compensation to fixed-term tenants as well.

C. Development Application Approval

If the development application is approved by Council, the following provisions are applicable:

5. The applicant will provide all tenants with two months’ notice, as per the RTA, only after a Demolition Permit is issued by the City.

6. The applicant should provide all displaced tenants the first right of refusal to live in the new building. The particulars of the unit, including rent amount, unit size and number of bedrooms, will be negotiated between the property owner and individual tenants. If the new building has units that are rented at below-market rents, it is the City’s preference that these units are leased to tenants who were displaced from the original building. The Tenant Relocation Coordinator must document all tenants who want to return to the new building and the status of their tenancy prior to the issuance of an Occupancy Permit.

<table>
<thead>
<tr>
<th>Approval date:</th>
<th>Approved by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective date:</td>
<td>Revision date:</td>
</tr>
</tbody>
</table>
Memo

To: Wendy Tse
From: Susan Kimm-Jones
Date: September 22nd, 2015
Re: Advisory Planning Commission Resolution of April 8th, 2015 on the Draft Tenant Relocation Policy

Wendy,

At their meeting on April 8th, 2015 the Advisory Planning Commission reviewed the draft Tenant Relocation Policy and endorsed the following resolution:

"THAT the Advisory Planning Commission has reviewed the proposed Tenant Relocation Policy and is supportive of the general direction of the policy. The Commission recommends further consideration of the following:

- The length of tenancy required in order to qualify for benefits under the policy;
- Further consideration of the role of the third party Tenant Relocation Coordinator.

In addition, the Commission suggests the consideration of policies to support the retention of existing rental buildings versus demolition.

The Commission commends staff on an excellent presentation."

Susan Kimm-Jones
Committee Clerk

Cc: Karla Graham, City Clerk
Memo

To: Wendy Tse
From: Edytha Barker
Date: September 22nd, 2015
Re: Social Planning Advisory Committee Resolution of May 27th, 2015 on the Draft Tenant Relocation Policy

Wendy,

At their meeting on May 27th, 2015 the Social Planning Advisory Committee reviewed the draft Tenant Relocation Policy and endorsed the following resolution:

"THAT, the Social Planning Advisory Committee, having received the presentation entitled "Enhanced Notification & Assistance for Displaced Tenants" from W. Tse, Planner 1, City of North Vancouver, supports this policy in principle.

FURTHER, SPAC wishes to note the following suggestions:
• The Tenant Relocation Coordinator should be a third party, or a City employee to ensure the best service possible;
• A portfolio of all rental stock in the City should be developed and maintained;
• The City should set a rate for "market value" rent for various unit sizes.
• The emotional impact of tenant displacement needs to be taken into consideration and included in the policy."

Edytha Barker
Committee Clerk

Cc: Karla Graham, City Clerk
Project title: Tenant Displacement Policy

Staff names: Wendy Tse – CNV Planner

Motion: TO support the CNV’s Tenant Displacement Policy as written with the addition of the recommendations outlined in the Development and Inclusion subcommittee report submitted May 28, 2015.

<table>
<thead>
<tr>
<th>Specific Recommendation</th>
<th>Reason for Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use an organization like North Shore Resource Society – to hire and provide the Tenant coordinators. It should be a 3rd party hire with no direct connection to the landlord or the tenant.</td>
<td>This makes the process as transparent as possible. You can also ensure that such a coordinator has actually been hired. There will also be a way of keeping records over long periods of time and to be able to track if the policy is being followed and is working.</td>
</tr>
<tr>
<td>A clause in the policy that gives extra consideration or additional financial coverage for a person with a disability that is being displaced – this person would be required to apply for this separately.</td>
<td>It is hard to find a unit when you are a person with a disability. Seniors/renters with vision loss will be extremely comfortable in their current environment and moving means a new neighborhood and new streets to learn etc. Additional compensation of time, resources or money seems appropriate if a person with a disability is displaced and applies for this additional coverage.</td>
</tr>
<tr>
<td>Continue to entice owners and developers to create rental buildings through a density bonus.</td>
<td></td>
</tr>
<tr>
<td>Create a way to require a new rental building to have some units available at a lower rental rate.</td>
<td>To help keep rents low for people on low or fixed incomes.</td>
</tr>
</tbody>
</table>
Ms. Wendy Tse  
Community Planner  
City of North Vancouver  
141 west 14th St.  
North Vancouver, BC  
V7M 1H9

June 25, 2015

Re: Proposed Policy: Enhanced Notice and Assistance Options for Tenant Displacement

Dear Ms. Tse:

As you know, the Community Housing Action Committee has reviewed this policy at some length, and endorses its aim: to protect renters who are facing possible eviction and displacement through the redevelopment of existing purpose-built rental buildings as a result of rezoning. CHAC has, for many years, grown increasingly concerned with the loss of rental stock and with it the loss of affordability and sense of community.

Whenever this displacement happens, the impacts on neighborhoods are significant. As people are forced to leave they take with them deep personal histories: family and work histories, loss of school friends, social attachments, and various other community connections. Seniors and people with disabilities face an additional blow: namely, the loss of their supportive connections with doctors, specialists, and outpatient treatments, and daycare, not to mention changes in health regions and finding doctors willing to take on new, complex challenges. Imagine a family with a child with a disability and siblings at school facing eviction.

And, with the vacancy rate at barely half a percent, there is the likelihood that these displaced citizens will have to move off the North Shore. Of course, residential tenancy requirements in BC are governed by the provincial government through the RTA, leaving local government with few tools to ameliorate the difficulties faced by renters.

Therefore, CHAC supports any and all attempts to retain rental affordability in our municipalities and so applauds this proposal by the City of North Vancouver. In your report, you describe other strategies by some Metro municipalities (Vancouver, New Westminster, City of Coquitlam) to protect renters from some of the harsh realities of eviction and its impacts. Some of these are reflected in this CNV policy: Current
Occupancy Summary; Three months’ Notice; Tenant Communication Plan; Provision of Three Months’ Rent; First Right to Refuse/Return; and Tenant Relocation Coordinator—all of which we support. The last, however, will be most challenging because as we know there simply are very few vacant units—even fewer at comparable rents.

Ms. Tse, with respect to the “First Refusal” provision, CHAC proposes a housing agreement of some kind, one which would require that new rents for a limited number of tenants be offered to lower-income returnees (income-tested)—at no more than say, 20% of their current rents, for perhaps three years. Or, one which requires rents pegged at the median of current CNV income. Or, some combination of measures, such as these and others aimed at retaining affordability, and therefore at least some of the current residents.

We at CHAC applaud the efforts of the City of North Vancouver in its search for effective strategies to dampen the increases in housing costs and to lessen the other significant impacts on its most vulnerable citizens.

CHAC remains available to assist such efforts in any way we can.

Respectfully,

Don Peters
Chair, Community Housing Action Committee
Density Bonus and Community Benefits Policy

Endorsed: May 25, 2015
1. Introduction

This document serves as a guide for the consideration of density bonuses within the framework of the Official Community Plan (OCP) and Local Government Act. This document should be read in conjunction with the OCP and, in particular, Section 2.2 Density Bonusing, Section 2.3 Density Transfer, and the Schedule 'A' Land Use Map.

This guide is intended to provide a greater degree of certainty regarding the purpose and value of community benefit contributions that may occur in conjunction with development applications. Contributions of this nature help ensure that the City is able to provide amenities to meet the needs of our growing community.

Owners and applicants are reminded that OCP and rezoning applications are at Council’s absolute discretion. While these guidelines provide a framework for determining community benefits related to rezoning applications, Council may reduce, increase or reject any application.

2. Bonus Categories

The graphic to the right describes two types of density bonuses. Community Benefit options applicable to each of these bonus categories are outlined in Section 3 of this policy.
### 3. Community Benefit Categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Bonus</th>
<th>Amenity Fund Contribution</th>
<th>Secured Rental Housing</th>
<th>Employment Generating Use</th>
<th>Heritage Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Bonus</td>
<td>$20 or Negotiated Contribution</td>
<td>No Amenity Fund Contribution is suggested for Secured Rental Housing projects</td>
<td>Additional Commercial Floor Area 1 sq. ft. Bonus for every 1 sq. ft. of Commercial Floor Area provided beyond 1.0 FSR</td>
<td>Bonus for Restoration and Preservation Determined through Rezoning</td>
</tr>
<tr>
<td>B</td>
<td>Bonus</td>
<td>Lonsdale Regional City Centre - $140 Other Locations - $110 ($ per sq. ft. of residential floor area increase beyond existing zoning) See Schedule 1 Conditions: • Sites with existing rental units are not eligible for a bonus except for Secured Rental Housing • Amenity Fund Contributions may be negotiated only in unique circumstances</td>
<td>A) 100% Rental Housing Conditions: • A portion of the rental units must be rented at below market rates • Below market req. to be determined through Housing Action Plan (HAP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>B) Non-Market Rental Housing 30% of Bonus Amount Provided As Non-Market Rental Housing Conditions: • Must be secured in perpetuity • Not applicable for existing rental sites</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>C) Rental Retention Maintaining Existing Rental Building with Bonus Density Transfer to Another Site Conditions: • A recipient site for the density transfer must be determined in advance at the City’s discretion • A business plan must outline how the existing building on the donor site will be repaired and upgraded</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>OUTRIGHT ZONING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. Applying the Guidelines

These guidelines should be read in conjunction with other City policies. Please note that:

– The Community Benefit options outlined in Section 3 are intended as guidelines and alternatives may be considered by Council in unique circumstances. This could include the provision of on-site community amenities rather than a contribution to an amenity fund, for example. On-site community amenities would be determined based on community needs and must match the value of the bonus density.

– Infrastructure upgrades needed to accommodate a development or mitigate development impacts may be required in addition to public benefits or amenity fund contributions.

– All development applications must provide bylaw-required infrastructure upgrades and contributions, Development Cost Charges, and other applicable fees.

– Community Benefits for OCP amendments are negotiated on a case by case basis considering the nature and extent of the change and community needs.

– Any application which involves the displacement of existing tenants must be accompanied by a Tenant Relocation Strategy;

– The guidelines are not applicable for properties designated Residential Level 1 or Residential Level 2 in the Official Community Plan.

5. Allocating Cash Community Benefit Contributions

Cash contributions for Community Benefits are to be applied to the Community Amenity Reserve Fund and Affordable Housing Reserve Fund. These funds are used to ensure a high quality of life as the community grows. These Funds specifically provide for the following Community Benefits:

**Community Amenity Reserve Fund**

Contributions to this fund will be used to provide City-serving amenities. This includes, but is not limited to:

– Harry Jerome Community Recreation Centre;
– Waterfront Amenity Spaces;
– Park and public open space improvement;
– Child Care Facilities;
– Museum;
– Other Civic Amenities.

**Affordable Housing Reserve Fund**

– Providing new non-market and special needs housing units.
Community Benefit Cash Contributions shall generally be allocated as indicated in the table below. These funds shall be spent at Council's discretion as per the terms of the Bylaws establishing these funds, as amended from time to time. These funds shall be allocated to future projects based on identified community needs.

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Public Benefits</th>
<th>Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>Civic Facilities / Community Amenity Space</td>
<td>Community Amenity Reserve Fund</td>
</tr>
<tr>
<td>20%</td>
<td>Affordable and Rental Housing</td>
<td>Affordable Housing Reserve Fund</td>
</tr>
</tbody>
</table>

6. Monitoring

The *Amenity Fund Contribution* amounts shall be updated periodically to reflect community needs and changing market conditions. The allocation of Amenity Fund Contribution amounts to individual reserve funds will be reviewed annually in conjunction with the City's Financial Plan in order to ensure alignment with Council priorities.

A summary of *Amenity Fund Contributions* received will be prepared and presented annually.
Schedule 1: Category B Bonus Area / Lonsdale Regional City Centre Boundary
Appendix 1: Definitions

Amenity Fund Contribution means a cash or in-kind contribution toward Community Benefits provided in return for a rezoning or OCP Amendment.

Community Amenity is a defined physical space that provides direct or indirect Community Benefits to the community and includes, but is not limited to, recreation facilities, child care facilities, museum, library, offices for non-profit organizations, cultural facilities, heritage conservation, civic and institutional uses, district heating utility, community meeting space and employment-generating offices.

Community Benefits are the wide range of benefits achieved in the public interest to support the Goals and Objectives of the OCP and realized in part through Amenity Fund Contributions and Community Amenities achieved through rezoning or density bonusing.

Density is the Floor Space Ratio that can be achieved on a parcel, as a calculation of Gross Floor Area over site area.

Density Bonus is additional density provided in return for Community Benefits.

Floor Space Ratio (FSR) is a method of calculating density and controlling the size of building that can be built on a property. The FSR multiplied by the lot area determines the maximum size of building.

Land Use Designation means the permitted uses and densities as outlined in Schedule ‘A’ of the Official Community Plan.

OCP Maximum Bonus means the highest Floor Space Ratio increase that can be achieved on a site through a Category ‘B’ Bonus, as per the OCP (excludes density transfers). All such density bonuses are subject to a rezoning and enhanced public process.

OCP Schedule ‘A’ Density means the density permitted for a given Land Use Designation in the OCP, under the Schedule A Land Use Map.

Outright Zoning means the maximum Floor Space Ratio that can be realized on a site under existing zoning through a Building Permit without any density bonus.
To: Mayor Darrell R. Mussatto and Members of Council  
From: Michael Epp, City Planner  
SUBJECT: PRELIMINARY DEVELOPMENT APPLICATION: 1301 – 1333 LONSDALE (HOLLYBURN PROPERTIES LTD. / FRANCL ARCHITECTURE)  
Date: November 10, 2015  

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

RECOMMENDATION:

PURSUANT to the report of the City Planner, dated November 10, 2015, entitled “Preliminary Development Application: 1301 – 1333 Lonsdale (Hollyburn Properties Ltd. / Francl Architecture)”:  

THAT staff process the OCP Amendment and Zoning Amendment application for 1301-1333 Lonsdale Avenue as per said report.

ATTACHMENTS:

1. Subject Properties (Doc #1331149)  
2. Fact Sheet (Doc #1334948)  
3. Preliminary Application Package dated September 24th, 2015 (Doc #1331061)

PURPOSE:

This report seeks Council direction to process a combined Official Community Plan amendment and rezoning application for 1301-1333 Lonsdale Avenue.

BACKGROUND:
On July 18, 2014, prior to the adoption of the 2014 Official Community Plan (OCP), Hollyburn Properties Ltd. requested Council consider a change in the height potential of the west side of the 1300 block of Lonsdale Avenue. On February 5, 2015 the City received a formal application to amend the maximum permitted height in the OCP at 1301-1333 Lonsdale Avenue. A staff report dated February 15th, 2015 entitled “OCP Amendment for Height – 1301-1333 Lonsdale” outlined the nature of the OCP amendment request and indicated that a subsequent staff report would be prepared seeking direction to proceed. In response to Hollyburn’s request, Council designated the west side of the 1300 block of Lonsdale as a “Special Study Area” in the OCP, with the following description:

“This site’s location at the southern extent of the Central Lonsdale City Centre core makes it visually important in defining the City Centre. This study would consider the possibility of an increased maximum building height at this location.”

Staff are now in receipt of a preliminary application package (Attachment #3) which, if directed by Council to proceed with processing the application, the application review process would be considered the Special Study for the site.

DISCUSSION:

Proposed Development

The applicant has now proposed an 18 storey mixed-use development which includes a residential tower with 144 rental housing units (104,038 square feet) and 14,118 square feet of commercial floor area in a two storey podium. The proposed development’s Floor Space Ratio (FSR) is approximately 4.86, which includes a requested density transfer of 0.86 FSR as outlined below.

At 191 feet, the project exceeds the OCP maximum height limit of 120 feet (36.6m) on this site—this is discussed in greater detail below. The project includes a number of unique elements:

- 100 percent rental units;
- Enhancements to the lane to the south of the project, providing an enhanced pedestrian connection to the Civic Plaza;
- A range of unit sizes, including one three-bedroom unit on each floor, adding to the City’s small stock of larger rental units;
- “Drive-in” bicycle storage and other active design features.

The site’s location at the southern extent of the Central Lonsdale Town Centre makes it visually important in defining the city centre and provides an opportunity to enhance the connection and relationship between the adjoining Civic Plaza, the ‘Centreview’
development currently under construction and the recently completed Prescott building at the opposite corner of Lonsdale Avenue and 13th Street.

**Height Increase / Special Study**

The 2014 OCP maintained a height limit of 120 feet (36.6m) along most of Lonsdale in the core portion of Central Lonsdale (13th St to 17th St). This is consistent with the height limit previously included in the 2002 OCP. At the time of the initial submission, the applicant put forward two options for consideration by Council – 1) establishing a new maximum of 180 feet (54.9 meters) or, 2) establishing a maximum of 223 feet (68 meters). Since this time, the applicant has limited the request to a maximum height of 180 feet (54.9 meters), with an 11 foot partial 19th floor amenity room, for a total of 191 feet as outlined in the applicant's submission (Attachment #3). This requested height is approximately equal to the 18 storey height permitted for the westernmost tower in the 'Centreview' development at 1308 Lonsdale. Other areas in the City Centre located off of Lonsdale Avenue have height limits in the OCP ranging from 68 metres (223 ft.) to 74 metres (243 ft.).

The applicant's submission includes an analysis of the impact of the proposed height increase and compares the 191 foot development to a project with similar density with a 120 foot height limit, as permitted under the OCP. Generally, the analysis indicates that though the requested height increase would impact some neighbouring properties, the more slender massing would benefit others when compared with a 120 foot form (assuming the same 4.86 FSR density). If directed to proceed, staff would request additional information and prepare an analysis for Council's review.

**Density Bonus and Transfer**

The OCP allows for a Density Bonus up to a maximum of 1.0 FSR in the Mixed Use Level 4B Designation for a total maximum density of 4.0 FSR. The City's Density Bonus and Community Benefits Policy provides a number of options to applicants seeking a bonus. These options include providing new rental housing. As the proposed development would be 100 percent rental, a bonus of up to 1.0 FSR is consistent with the policy. For rental housing projects, the City's policy is not to request additional cash amenity contributions.

The project is proposed at 4.86 FSR. The OCP allows for density transfers above the maximum densities, subject to Council approval and rezoning of both the site where the density is being transferred from and the 'recipient' site. The applicant has indicated a desire to explore options for potential sites with available density for the 0.86 FSR (23,720 sq. ft.) of transfer density which is proposed as part of the development. If directed by Council to process an application, staff would work with the applicant to identify a suitable site for this transfer density.
OPTIONS

Option 1: Direct staff to process the development application with a Density Bonus and Transfer (Recommended)

Should Council direct staff to proceed, the application would be reviewed and refined with additional analysis of:

- building design, including maintaining the fine-grained retail character on Lonsdale;
- potential for shadow impacts on the Civic Plaza and LEC solar panels
- view impacts;
- traffic and circulation, including impacts on the function of the 13th and Lonsdale intersection;
- sustainability and energy efficiency measures;
- the proposed source of transfer density.

The application would also be subject to input from both the public and the City Advisory bodies. Both a Developer Information Session and a Town Hall meeting would be required.

Option 2: Request the applicant make specific modifications to the proposal

The application involves an OCP height increase, density bonus and density transfer. Council may wish to direct the applicant to make modifications to the development proposal prior to processing. Should Council wish to do so, the following could be used:

THAT the applicant be directed to modify the development proposal as follows:

a) <to be determined through Council discussion>;

b) <to be determined through Council discussion>.

FINANCIAL IMPLICATIONS:

Financial implications will be explored in greater detail should Council support the processing of this application.

INTER-DEPARTMENTAL IMPLICATIONS:

This report was reviewed by the Major Projects Committee at their November 3, 2015 meeting. The MPC expressed some concerns over the height, density, parking and design, but supported the processing of the application at this time. If directed to proceed, the project would be further reviewed through the City’s development review process, which would include additional input from Engineering, Parks, Fire, LEC, Lands and Building. A variety of changes could be expected through that process.
CORPORATE PLAN AND/OR POLICY IMPLICATIONS:

The 2014 Official Community Plan goals are supported through this project:

1.4.4 - Incorporate active-design principles in new development that encourage physical movement and social interaction thereby contributing to a healthier community;

1.5.1 – Provide opportunities for a range of housing densities, diversified in type, size and location;

1.5.4 - Prioritize the development and revitalization of affordable rental housing and use density bonusing and density transfers to incentivize the retention, renewal and/or replacement of rental units as a public benefit;

2.1 – Prioritize walking, cycling, transit and goods movement over single-occupant vehicles; and objective,

2.2.1 – Invest in cycling and pedestrian networks and facilities to make these activities more attractive, safer, and convenient transportation choices for all ages abilities with an aim to increase these ways of travelling over single-occupant uses.

The application is consistent with the recently adopted Density Bonus and Community Benefits Policy.

RESPECTFULLY SUBMITTED:  

Michael D. Epp, RPP, MCIP  
City Planner

Attachments

ME:eb
### SITE CHARACTERISTICS

<table>
<thead>
<tr>
<th>Site Area (sq. ft.)</th>
<th>Existing Zoning</th>
<th>OCP Designation</th>
<th>Proposed OCP Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>27,582</td>
<td>C-1A (Central Lonsdale Mixed Use A) Zone</td>
<td>Mixed-Use Level 4B (High Density)</td>
<td>70.33 ft. height increase</td>
</tr>
</tbody>
</table>

### FLOOR AREA AND HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning (C-1A)</th>
<th>Official Community Plan (OCP)</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Lots</td>
<td>2</td>
<td>n/a</td>
<td>1</td>
</tr>
<tr>
<td>Floor Space Ratio (FSR)</td>
<td>2.6</td>
<td>4 (3 + 1 bonus)</td>
<td>4.86 (0.86 transfer)</td>
</tr>
<tr>
<td>Total Gross Floor Area (sq. ft.)</td>
<td>71,713 max.</td>
<td>110,328 max.</td>
<td>134,049 max.</td>
</tr>
<tr>
<td>Total Lot Coverage (Percent)</td>
<td>90 reduced to 35 above 2nd storey</td>
<td>n/a</td>
<td>67 reduced to 26 above 2nd storey</td>
</tr>
<tr>
<td>Principal Building Height (ft.)</td>
<td>80 max.</td>
<td>121 max.</td>
<td>191 excluding elevator shafts and mechanical rooms</td>
</tr>
</tbody>
</table>

### PARKING

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>n/a</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Rental Parking Stalls (per unit)</td>
<td>0.75</td>
<td>n/a</td>
<td>0.75</td>
</tr>
<tr>
<td>Commercial Parking Stalls (sq ft.)</td>
<td>1 per 750</td>
<td>n/a</td>
<td>1 per 750</td>
</tr>
</tbody>
</table>

Total Vehicle Parking Stalls 139

Numbers are based on submission package dated September 24, 2015
PROJECCT NAME
Hollyburn Marlborough 3

PROJECCT AT ADDRESSESS
1301-1333 Lonsdale Avenue, North Vancouver

LEGAL DESCRIPTION
Lot 1, Plan 14011, P.I.D. 007-958-688
Lot 3, Plan 14958, P.I.D. 007-948-395
Both of Block 62, District Lots 548 and 549

EXISTING ZONING
RS-1 / C-1 / C-1

PROPOSED ZONING
CD-1

SITE AREA
27,582 sf

DENSITY
4.96

PROJECT TEAM

CLIENT
Hollyburn Properties Limited
300- 1650 Alberni Street
Vancouver BC V6G 1B1
T: 604 682 7345
F: 604 682 7355

ARCHITECT
Franc Architecture
1684 West 2nd Avenue
Vancouver BC V6J 1H4
T: 604 688 3252
F: 604 688 5995

LANDSCAPE ARCHITECT
Durante Kreuk Ltd.
102 - 1637 West 5th Avenue
Vancouver BC V6J 1N5
T: 604 688 6111
F: 604 688 6112

SITE CONTEXT & BACKGROUND

1.1 Site Photos
1.2 Streetscape
1.3 Planning Rationale
1.4 Existing Site Aerial

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2.2 Design Concept
2.3 Aerial Axonometric
2.4 Project Statistics

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1.1 SITE PHOTOS

*Supplementary photo boards also available.
1.3 PLANNING RATIONALE

1.1 The Site
The site is located on the north-west corner of Lonsdale Avenue and West 13th Street, separated by a commercial lane from the City of North Vancouver’s City Hall within the Metro Vancouver recognized Lonsdale Regional City Centre. The site consolidates two commercial properties currently occupied by one storey 30 to 70 years old buildings. In addition to the newly expanded City Hall to the west, there is a substantial Bank of Nova Scotia to the north and the new Omni CentreView project across Lonsdale to the east. Both Lonsdale and 13th Street are highly walkable and attract many shopping and service visitors daily. Provisions have been made for cyclists on adjoining streets and excellent transit service is available immediately for north/ south commuters and within two short city blocks for east/west transit movements.

The most prominent feature in the neighborhood is the City Hall complex including the City Library, both design award winners. Not imposing from a vertical perspective, the civic uses are expansive and generally surrounded by extremely attractive public open spaces and forecourts all of which serves to provide an inviting urban oasis in the centre of the City. The site is relatively flat for the City Centre area and slopes gradually from north/east to south/west about one parking level. There is little mature landscaping on the site given its age and commercial nature. The Vista Place condominium development to the west and two rental towers, one still under construction on Block 62 and the 40 year old Marlborough Towers north of City Hall contain this area and help to give the space its urban character, in form and through the activities of residents, workers, and shoppers animating the public spaces beyond business hours and creating a safe, popular and truly accessible mixed use neighborhood.

1.2 City and Regional Planning Context
The recently adopted 2014 OCP contains a detailed Metro Vancouver approved Context Statement for the development of the City of North Vancouver in the context of the continuing growth and ongoing sustainability of the larger Metro area. In these new planning documents, the City sees and Metro agrees that the Lonsdale Regional City Centre should continue to be the urban focus of the North Shore, providing the highest concentration of jobs, services, amenities to serve the North Shore and the highest level of transit service to serve local needs and attract others from farther afield.

The City’s Regional Context Statement goes on for 33 pages. It takes that long to show how often and in how many different ways the City’s planning policies support Metro goals and policies. In this regard, the Civic Centre, Block 62 and the current proposal are in the middle of the Lonsdale Regional City Centre and the mixed use, transit oriented, high density land use proposed for this site, especially with market rental housing included, are completely in keeping with the Metro’s aspirations for this part of the City.

1.3 Project Background
Hollyburn Properties Ltd., the applicant, owns the two rental towers referenced above. Hollyburn is a 40-year-old Company that began on the North Shore and the referenced Marlborough Towers on West 14th Street was one of Hollyburn’s first major rental property acquisitions. Indeed, some 30 years later, Hollyburn was investigating improvements to the Marlborough property and worked with the City to create the preferred site for the City Library that now graces a former open yard that was part of the original Marlborough Tower property. The site for the Hollyburn’s second rental tower, now under construction, was owned by the City and exchanged for the City Library site.

More recently, Hollyburn acquired the 1301 Lonsdale site part of the subject site, on the south east corner of Block 62, with a view to hold the commercial property and eventually to build a mixed use project consistent with the City’s plans for the area. When an application to develop the corner site was first discussed with City Staff, Hollyburn was encouraged to purchase the property to the north bordering the fully developed Bank of Nova Scotia property. Hollyburn recognized the practicality of that advice, nevertheless, that purchase took some time.

1.4 Site Planning Context and Land Use Issues

Height
During the site acquisition process as well, the City recognized the practicality of some higher buildings in the core area and the CentreView and Prescott towers were approved on adjacent corners of the Lonsdale and 13th intersection. In addition, the CityShaping process recommended and obtained general community support for some buildings in central Lonsdale up to 68 metres (223 feet).

Hollyburn began a process to investigate if a larger building could be supported on the expanded site to support their preferred rental tenure form of development. In the same CityShaping planning process, Hollyburn requested consideration of a height variance to allow a more affordable building form on the subject site in turn enabling an attractive and affordable addition to the City. No change was made to the OCP as a result of these submissions; however, Staff recommended a Special Study Area designation for the subject site and Council passed a minor addition to the OCP to allow this study to proceed.

Rental Housing
Both City and Regional planning policies recognize that market rental housing, always in short supply on the North Shore, will need to be encouraged since the economics and business models associated with condominium construction are generally much more attractive. Hollyburn is one of the few longstanding rental housing companies in the Metro area currently building new rental housing. This site is particularly desirable since no existing rental housing needs to be demolished and no rental housing tenants need to be displaced to make way for this proposal. In addition, the new housing will be built in the centre of a very walkable and attractive neighborhood and it will likely encourage both local renters and owners to move into this premium location leaving existing housing for others.

Commercial Tenant Displacement
Some commercial tenant displacement will be necessary. A variety of commercial space is currently available in the neighborhood and CentreView currently is delivering the largest retail project in the City Centre. This proposal if approved will eventually provide over 27,000 square feet of retail and office space, approximately 7,000 square feet more than at present, consistent with the City’s aspirations for more retail and office development in the Town Centre.

Site Density
Now that Hollyburn has acquired the larger 1301-1331 Lonsdale site, an efficient tower floor plate of more than 6,000 square feet (maximizing rentable area) is possible and a very attractive repeating form for the tower floors is also possible making a taller building more efficient as well. The new 2014 OCP allows density transfer in situations like the current application and the applicant believes that a transfer, as long as it is affordable, may make for a better project. Hollyburn is proposing to transfer density onto the site to enable an efficient taller building in keeping with both the existing neighborhood and its emerging City Centre urban quality as well. The City, the neighborhood and Hollyburn all are familiar with this approach since a similar density transfer was allowed from the original Marlborough site to facilitate the ongoing construction of the new rental building at West 14th and Chesterfield.

A proposal has been made to the City in this regard since additional density is still owned by the City on Block 62, left unused when the City Hall was expanded. Other public agencies also have heritage density available. The applicant hopes to confirm this site development opportunity in the near future to allow the consequences for the donor property to be considered as part of this application.
2.1 DESIGN RATIONALE

1.1 Project Description
The project is an all rental 19-storey and roof amenity mixed-use development with an approximate gross area of 143,360 SQ FT.

The first two floors are a commercial podium topped with 17 residential floors and a roof amenity space. The podium’s ground floor (L1) has 6 retail units along Lonsdale Avenue and turning the corner into 13th Street. Loading and necessary service facilities will be facing the lane. It also has the commercial lobby to the North on Lonsdale and the residential lobby facing West towards southern part of the lane (City Hall). The podium’s second floor (L2) has 7 office units with the respective service facilities and an exterior leisure deck.

On top of the podium (L3) there is a residential floor that takes advantage of enlarged exterior patios in the units and a recreational roof. The rest of the tower develops on typical floors with a recreational roof at the very top that houses amenities such as lounge areas and gymnasium.

1.2 Target Market
Hollyburn is a well established local company that began in the North Shore and is celebrating its 40th year. In North Vancouver City Hall’s immediate vicinity, Hollyburn owns a significant rental tower known as Malborough 1 (M1). Construction of a second tower is underway. The current application is looking complete their rental portfolio with a signature tower that celebrates a very prominent location in the intersection of 13th Street and Lonsdale Avenue, next to City hall. The proposed tower (M3) will complement existing unit mix and sizes to offer the condo rental market a complete range of possibilities from single occupants up to small families.

1.3 Design Origin and Description
Two main elements harmoniously combined are the essence of the design. The podium and the tower. The horizontal and the vertical. They both aspire to respond to the context and the human experience by complimenting each other and present themselves as a balanced composition. The two building components are interlocked but they maintain their individuality that responds differently to the context. The podium defines the experience and the scale towards Lonsdale and the tower defines the experience towards City Hall. They both come together as a combined expression in the corner of 13th Street and Lonsdale. The composition becomes expressive and attractive. It draws from the cantilevered expression of the City Hall. It establishes a reference and a dialogue in scale and urban expression. The tower anchored in the ground supports the floating box that pierces out in a cantilever. The tower’s curvilinear skin extends underneath the box to draw the pedestrian underneath the architecture towards the City Hall’s precinct, creating a dynamic corner experience. There is a flow that integrates the activities on Lonsdale connecting them to the civic realm of City Hall and the surrounding open spaces.

1.4 Massing
As previously described the main components are a horizontal podium and a vertical tower. How they come together is what makes this project an innovative proposal. There is a duality between the East and the West side. It combines together on the south where the architecture delivers a strong message. The slant line “floating box” anchors the project to the orthogonal grid. This is the vocabulary responding to the East on Lonsdale. The softness of a strategically placed curve generates an urban from that invites the corner into the public complex of buildings and open spaces. The experience towards those is a redefined edge that produces an enriched cityscape.

1.5 Contextual Relationships
The project is located in a very important urban location with access to facilities such as Hospital, School, Library, City Hall and a variety of commercial activities along the Lonsdale corridor. The presence of the City Hall and its surroundings immediate to the West is viewed as an opportunity to treat the "back of house" lane as a new front. The proximity of City Hall and its attractive grounds has encouraged us to respond with a far more pedestrian oriented and attractive space on what is currently a service lane. The building will act as a connector to produce a new link, a redefined edge on the public space that will complete the existing environment. The context gives this site an urban significance that requires a proper building that proposes something integrative and something new. We believe our proposal will create a more pleasant eastern edge for City Hall and a much more inviting pedestrian corridor.

1.6 Amenities Open Space Uses And Landscape Treatment
We are proposing amenity spaces at various levels in the project. These spaces will provide an environment for human interaction. The first space will be on the ground floor. You can say that it is an extension of the public space. When you are drawn from the corner intersection into the civic realm, we are proposing a water feature next to a stone landscape that serves as a sitting area to contemplate the view and the park in front of City Hall. Curving back the building line gives this space life and offers possibilities for gathering immediate adjacent to the sidewalk. The second amenity space will be on L2. As you arrive on the office floor a large glazed wall opens into an open terrace. This is a space with a strong green presence that serves as an exterior gathering space for all commercial uses. Lunch outside, reading a book or simply taking some fresh air is possible because of it. We propose an amenity roof on L3. The large canvas over the podium offers extensive areas for recreation as well as urban agriculture. It is also a space where the commercial and residential tenants could interact. Last and certainly not least is the rooftop of the tower. A combination of enclosed and open spaces take advantage of the breath taking views and offer numerous leisure and recreational possibilities. Lounge rooms, gymnasium and exterior BBQ area are some of the amenities proposed with direct access to the spectacular roof terrace.

1.7 Design Principles

Civic Realm
The diagram to the right illustrates the flow of people to and through civic spaces in block 62. This block has a unique quality of permeability from the open space into the civic buildings that creates a quality urban experience for the pedestrian. There is a clear opportunity to enhance the experience of the existing civic realm by redefining the lane as a pedestrian oriented mews. A new frontage can animate the access to the civic spaces.

Open Space
The outlined area of exterior space interacts significantly with the existing public realm. We see this space as a major opportunity to consolidate the entire block into a more cohesive civic center.

Building Lines
Pushing the building edges away from and inside the property line yields significant openness, benefiting the pedestrian experience. These building lines acknowledge the presence of the City Hall and highlight the approaching perspectives.

Green Space
The green space in front of City Hall is viewed as an element park that attracts people and spreads the soft landscape into the various walkways around the block. We recognize the importance of the existing public space as one of the most consolidated and celebrated urban environments on the North Shore. The proposed site has the potential to enhance the existing green and open spaces as well as redefining the character of the lane as a pedestrian mews, greatly improving the public realm.
Potential Central Lonsdale Future Towers in Yellow (at OCP heights)
LEGAL DESCRIPTION
1301 & 1323 LONSDALE AVENUE, CITY OF NORTH VANCOUVER
PLAN OF LOT 1, PLAN 14011 AND LOT 3, PLAN 14958, BOTH OF BLOCK 62, DISTRICT LOTS 548 AND 549

OCP DESIGNATION
SPECIAL STUDY AREA

LOT COVERAGE
FOOTPRINT 18005.3
LOT SIZE 27582.2

FOOTPRINT ABOVE 2 FLOOR
26%

SETBACKS
10 FT FROM 13TH STREET
T.O.F. 180 FT

SITE AREA
27,582
2,562

PROPOSED FSR AREA
134,006
12,450

FSR
4.86

PROJECT STATISTICS

PARKING

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PARKING SPACES RATIOS (North Vancouver Zoning Bylaw)

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BICYCLE PARKING SPACES RATIOS (North Vancouver Zoning Bylaw)

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UNIT TYPE

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UNIT AREA

| TYPE 9       | 16         | 2         | 547              |

PROJECT STATISTICS

2015.09.24

11
3.1.1 SHADOW STUDY
3.2.2 STREET VIEW

13TH STREET W       LOOKING EAST

MASSING OF EQUIVALENT DENSITY AT 120' HEIGHT
POTENTIAL DEVELOPMENT BASED ON 2014 OCP
STREET VIEW  3.2.5

LONSDALE AVENUE    LOOKING NORTH

2015.09.24
3.2.6 KEY MAP: BUILDING VIEW ANALYSIS

1. 125 17TH ST E  SW VIEW
   INFLUENCE: 25% of UNITS

2. 140 14TH ST E  SW VIEW
   INFLUENCE: 12% of UNITS

3. 1230 LONSDALE AVE  NW VIEW
   INFLUENCE: 35% of UNITS

4. 1400 LONSDALE AVE  SW VIEW
   INFLUENCE: 5% of UNITS

5. 140 14TH ST E  SW VIEW
   INFLUENCE: 12% of UNITS

6. 160 13TH ST E  SW VIEW
   INFLUENCE: 30% of UNITS

7. 1230 LONSDALE AVE  NW VIEW
   INFLUENCE: 35% of UNITS

8. 140 14TH ST E  SW VIEW
   INFLUENCE: 12% of UNITS

9. 1230 LONSDALE AVE  NW VIEW
   INFLUENCE: 35% of UNITS
3.2.10 BUILDING VIEW

MASSING OF EQUIVALENT DENSITY AT 120' HEIGHT

POTENTIAL DEVELOPMENT BASED ON 2014 OCP
4.1.1 RENDERING
4.2.3 FLOOR PLAN- L2

COMMERCIAL LOBBY

WC M

WC W

OFFICE SPACE 1389 SF
EL 320'

OFFICE SPACE 1828.3 SF
EL 320'

OFFICE SPACE 2054 SF
EL 320'

OFFICE SPACE 1986.6 SF
EL 320'

OFFICE SPACE 1830 SF
EL 320'

OFFICE SPACE 1452.4 SF
EL 320'

OFFICE SPACE 1461.8 SF
EL 320'

LANDSCAPED ROOF

16 risers
6.93" / 11"

16 risers
6.93" / 11"

16 risers
6.93" / 11"

16 risers
6.93" / 11"

UP DN

UP DN

CANOPY

ACCESSORY

END DESTINATION

FACILITY

320'

320'

13TH ST W

LONSDALE AVE

NORTH VANCOUVER

CITY HALL
4.4.1 ELEVATION- EAST
4.5.1 RENDERING