



August 30, 2013
File: 3060-20/05.08
Case: PLN2008-00005

Mr. Bob Heaslip
Development Planning Strategies
#1103 - 170 West 1st Street
North Vancouver, B.C. V7M 3P2

Dear Bob:

Re: 3707-3739 DOLLARTON HIGHWAY - SUBDIVISION CONDITIONS LETTER

At your request, we have prepared this letter to clearly establish the outstanding requirements to, ultimately, enable the Approving Officer to sign the subdivision plans. This letter is a follow up to the previous subdivision conditions letter dated August, 2011 and our discussions of the last several weeks.

This letter addresses:

- the requirements to enable the resubdivision of the 3 existing legal lots into 3 new lots: Lot A - a fee simple lot for the existing home at 3707 Dollarton Highway; Lot B - to be subsequently resubdivided into 6 bare land strata lots; and, Lot C - the waterfront lot C to be conveyed to the District;
- the requirements to enable Lot B to be subdivided into the 6 bare land strata lots;
- Development Permit requirements related to the issue of building permits for the bare land strata lots; and
- Comments on the proposed dock.

1. Subdivision Creating Lots A, B and C

Prior to the Approving Officer signing a subdivision plan, the following items must be addressed:

a) Retention of home at 3707 Dollarton Highway

As noted in our letter of July 21, 2011, '...All buildings and structures to be retained must conform to the zoning as it relates to the new lot dimensions and size. A RS3 zoning analysis is required to verify that all buildings and structures on the proposed lot conform to the maximum building coverage, floor space ratio (FSR) and maximum principal building size of the RS3 Zone along with location certificates (certificates of non-encroachment), prepared by a registered Land Surveyor, must be submitted for any building or structure which is being retained. Location certificates must show the

location of all buildings and structures in relation to the lot lines of the proposed lots on which they are situated. Prior to final approval of the subdivision plans, the applicant must provide a code report demonstrating that buildings and structures being retained conform to the BC Building Code with respect to the impacts of proposed new lot lines including, but not limited to, limiting distances and unprotected openings.

Based on the location certificate dated August 24, 2013 prepared by Hobbs Winter & MacDonald, (Attachment 1), we confirm that the existing home at 3707 Dollarton Highway satisfies the current single family setback regulations.

While we have information in our file which indicates that the house is approximately 2460sq.ft. in area, this needs to be confirmed to ensure that the existing building does not exceed the allowable floor space permitted on the new fee simple Lot A based on an FSR calculation. This assessment must also include a review of the other applicable single family regulations including the carport (accessory building) regulations.

We acknowledge that Bill Curtis has undertaken an assessment of the east elevation of the existing building with respect to unprotected openings and limiting distances. Based on the plan which you provided (Attachment 2), **we understand that the unprotected openings do exceed that permitted under the Building Code.** With this information, augmented by the location certificate, you indicated that the approach will be to adjust the lot line separating Lot A from Strata Lot 1 by about 14" to address the Code requirement.

b) Demolition of the existing house at 3715 Dollarton Highway

The applicant is to provide confirmation that the Metro Vancouver sanitary main has been capped under the supervision of a Metro Vancouver inspector and that all other municipal services have been capped.

Prior to issuance of a demolition permit, the applicant is required to pay:

- \$94.75 (remainder of permit fee)
- \$1000 (building security)

c) Engineering Services Agreement

The Engineering Services Agreement is to be signed by the owners and returned to my attention and I will arrange for execution by the District.

d) Fees and Securities

The following fees and securities are to be submitted:

- | | |
|----------------------------------|--------------|
| ▪ Subdivision plan signing fee | \$900.00 |
| ▪ Recovery of legal fees | \$8398.00 |
| ▪ PST (on legal fees) | \$587.86 |
| ▪ GST (on legal fees) | \$419.90 |
| ▪ Engineering Services Agreement | \$605.00 |
| ▪ On-Site Services Security | \$279,790.38 |

▪ Engineering Administration Fees	\$23,804.49
▪ Tree Protection/Landscape Security	<u>\$29,371.81</u>
TOTAL	<u>\$343,877.44</u>

e) Legal Documents

The legal agreements previously sent to the applicant's solicitor must be signed by the owners and any other necessary parties and returned to my attention for execution by Mayor and Clerk.

An application to deposit a subdivision plan is to be signed by owners and financial institutions as necessary and forwarded to DNV for authorization by the Approving Officer.

A Letter of Undertaking from lawyer to register documents concurrently with deposit of plan is required and must accompany the return of the signed legal documents. Refer to the form of that letter included as Attachment 3)

f) Payment of Taxes

We acknowledge that all taxes owing have been paid.

g) Public Art

This will confirm that the Public Art Advisory Committee (PAAC) accepted a public art plan prepared by Forma Design on March 11, 2009.

As presented to the PAAC, we understand that Bill Harrison will act as the public art consultant and Liz Calvin will be the artist, however, we understand that Mr. Harrison's involvement may be altered.

We acknowledge that the applicant provided public art security in the amount of \$10,500 as required, prior to adoption of the rezoning bylaw.

2. Before Resubdivision of Lot B into 6 Bare Land Strata Lots

Prior to signing a subdivision plan to enable Lot B to be resubdivided into 6 bare land strata lots, the following are required:

- a) submission and acceptance of Final Engineering and Landscape drawings based on the requirements previously provided by our Supervisor-Engineering Administration, Nelly Francois.

b) payment of DCCs and GVS&DD fees:

Pursuant to Development Cost Charge Bylaw 715, the applicable DCCs are illustrated in the following table. Please note that where more than one lot is included in the residential type categories, the amounts shown are for the total number of lots of that type.

CLASS OF LAND USE	ROADS	SANITARY SEWERS	WATER WORKS	DRAINAGE	PARKS	DCCs OWING
1 RESIDENTIAL SINGLE FAMILY TYPE 1 LOT (STRATA LOT 6)	\$3,559	\$120	\$1,401	\$508	\$12,914	\$18,502
4 RESIDENTIAL SINGLE FAMILY TYPE 2 LOTS (LOT A AND STRATA LOTS 1,2 AND 3)	\$13,524	\$420	\$4,904	\$1,356	\$45,200	\$65,404
2 RESIDENTIAL SINGLE FAMILY TYPE 3 LOTS (STRATA LOTS 4 AND 5)	\$6,584	\$192	\$2,242	\$610	\$20,662	\$30,290
TOTAL DCCs LEVIED						\$114,196

The total credit owing to this application (3 Type 1 lots), is \$55,506 which results in a net DCC charge owing of \$58,690.

Please be advised that the total Development Cost Charge as noted above is payable at the rate in effect on the date of final subdivision plan approval. However, the District adopted new DCC rates effective November 1, 2013 (Bylaw 7135) and if the subdivision plan is not signed by November 1, 2014, the new rates will apply and the above charge will be adjusted accordingly.

In addition to municipal Development Cost Charges, the Greater Vancouver Sewerage and Drainage District also imposes a Development Cost Charge of \$1,291 for each new lot, less a credit of \$1,291 for each of the three original lots which results in a net charge of \$5,164.

c) Demolition of 3739 Dollarton Highway

Prior to subdivision, the owner must demolish the existing dwelling at 3739 Dollarton Highway which will entail submission of a demolition permit application and require the capping of all services. Note that if this involves capping of a connection to the Metro

Vancouver sanitary sewer, this must be undertaken under the inspection of a Metro Vancouver inspector in the same manner as with the demolition of 3715 Dollarton Highway.

As noted in our previous July 21, 2011 letter, due to the age of the dwellings, there is a possibility that residential underground oil storage tanks may exist on this lot. We acknowledge that Residential Underground Storage Tank reports for all 3 of the original homes were provided in September 2011 indicating that no tanks existed.

- d) Completion of any outstanding legal documents and registration in the Land Title Office.
- e) Submission of a subdivision plan and application to deposit plan (signed by owners and financial institutions) for execution by Approving Officer
- f) Confirmation from BC Hydro and Fortis that the proposed homes can be serviced without trespass.

If the civil engineer has already obtained that confirmation, please provide that confirmation. Otherwise, the District will contact the utility companies.

3. Development Permit Requirements Before Building Permit Issuance

As illustrated in Schedule B of the District's Official Community Plan, the south end of the existing lots are partially covered by a Development Permit Area designation for slope hazard. As a result, prior to the issuance of any building permits for Strata Lots 3-6, the District may be required to issue development permits for each lot. In that event, we will require an updated report as an addendum to the Puar Engineering report dated October 20, 2008. This report must address the applicable Development Permit Guidelines, the District's adopted Risk Tolerance Criteria and include a statement that the properties are safe for use the use intended.

The existing lot at 3707 Dollarton Highway is designated as a Development Permit Area for Wildfire Hazard. As a result, prior to the issuance of any building permit for proposed Strata Lot 6, the applicant will need to obtain a development permit for that purpose taking into account the guidelines included in Schedule B of the OCP.

For reference, the Slope Hazard and Wildfire Hazard Development Permit Area guidelines are included as Attachments 4 and 5.

4. Proposed Dock Facility

This will confirm that the issuance of any permit for the proposed moorage dock will be by Port Metro Vancouver in accordance with their requirements.

With the future conveyance of Lot C to the District, the Port will require that the District consent to the issuance of any permit for the dock structure.

If you have any questions or comments on this letter, please let me know.

Yours truly,



Doug Allan, MCIP, RPP
Community Planner
da/
attach.

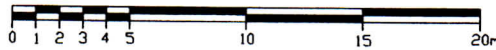
BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

LOT 'A', BLOCK 'K',

DISTRICT LOT 230, PLAN EPP20059

(NOTE - PLAN NOT REGISTERED THIS DATE)

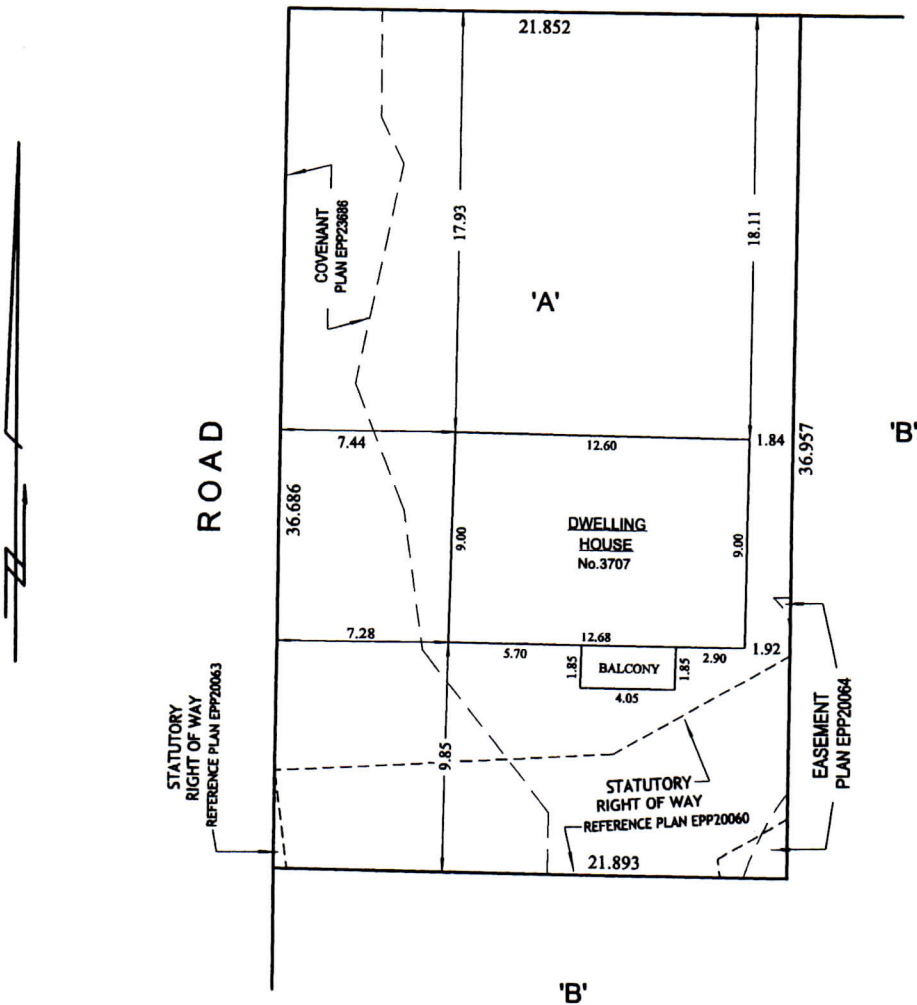
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ALL DISTANCES ARE IN METRES

ATTACHMENT /

DOLLARTON HIGHWAY



CLIENT
DOLLARTON ESTATES

I HEREBY CERTIFY THAT THIS SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND THE RELATIVE LOCATION OF THE BUILDINGS THEREON.

26 AUGUST 2013

PCM

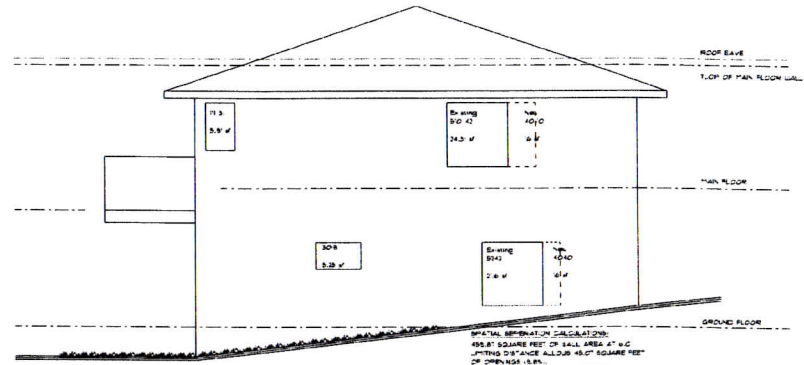
B.C.L.S.

FB.2059 p.19-51 M 3094-32-A NVD

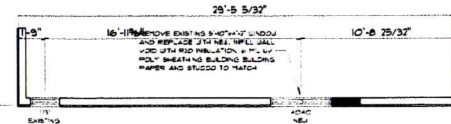
**THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.**

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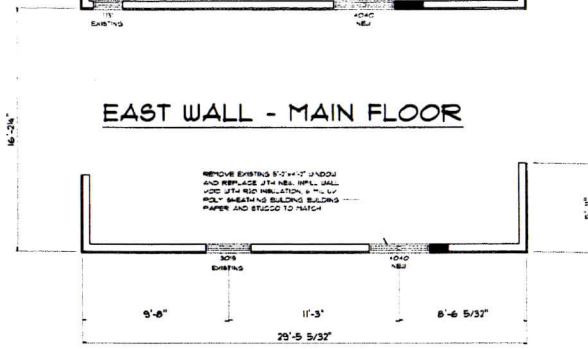
**HOBBS, WINTER & MacDONALD
B.C. LAND SURVEYORS
113-828 HARBOURSIDE DRIVE,
NORTH VANCOUVER, B.C. V7P 3R9
TEL 604-986-1371 FAX 604-986-5204
EMAIL: admin@hwmbsurveyors.com**



EAST ELEVATION



EAST WALL - MAIN FLOOR



EAST ELEVATION - GROUND FLOOR

Construction Notes

These drawings and concepts are intended for informational use only and may not be reproduced in whole or in part without the written consent of the designer.

General Conditions:

- 1. The general contractor shall check all dimensions and conditions before proceeding with any work. Any discrepancies shall be reported to the designer before proceeding with any work.
- 2. All materials and workmanship shall be confirmed by a registered British Columbia Land Surveyor.
- 3. All other drawings and specifications shall be as indicated. See other sheets for details. All work shall be done in accordance with the latest codes.
- 4. The designer shall not be responsible for any delays caused by the general contractor due to errors or omissions in these drawings. A building permit has been issued for this project.

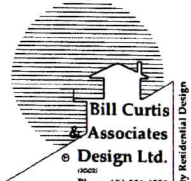
Construction shall comply with
The British Columbia Building Code 2012

- 1. All work shall be done in accordance with the British Columbia Building Code 2012.
- 2. All work shall be done in accordance with the British Columbia Building Code 2012.
- 3. All work shall be done in accordance with the British Columbia Building Code 2012.

SITE PLAN

ATTACHMENT 2

THESE PLANS AND CONCEPTS ARE PROVIDED BY "CONFORM" AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.



Phone 604-986-4550
Fax 604-986-4555
billcurtisdesign@shaw.ca
1551 James Avenue
North Vancouver, BC V7M 3L9

SPATIAL SEP. CONFORMITY
Drawn By: B.C. Date: AUG. 2015
Scale:
Project: EBRAHIM SUBDIVISION AT 3701 DOLLARTON HWY. NORTH VANCOUVER

11 of

Quality Residential Design

Template for Letters of Undertaking (Subdivision)

Letters of undertaking are a condition of subdivision and must reflect the following information:

Re: Subdivision Application for _____ (civic address and legal description)

We confirm that we are the solicitors for _____ (owner's name), the registered owner of the subject property. In this regard, once we are in receipt of the necessary plans and documents we hereby undertake to do the following:

1. Deposit for registration at the Lower Mainland Land Title Office, concurrently and in priority to all financial charges and encumbrances, as a complete package, the following items:
 - (a) Subdivision Plan;
 - (b) S. 219 Restrictive Covenant to protect and maintain the storm water system;
 - (c) S. 219 Restrictive Covenant with respect to commitments for green building;
 - (d)
2. Forthwith upon registration at the Land Title Office, deliver copies of all documents and plans to the District with registration particulars noted thereon.
3. If any of the plans and documents are not registered within 30 days of delivery to our offices, to return all documents to you upon demand.
4. If any of the plans or documents deposited are declined for registration by the Registrar, to immediately notify you and, if applicable, to forward a copy of the Registrar's "Notice Declining to Register", and upon the request of the District either make such minor non-substantive changes as may be necessary to achieve registration or apply to withdraw all of the documents and plans from the registration process and upon receipt of same, deliver all copies to you.
5. To provide you with a copy of the registered plans and documents bearing the Land Title Registration Numbers and enclosing a State of Title Certificate.



1 Wildfire Hazard

“The *District's* intention is to ensure new *development* is resilient to natural hazards and climate change.”

ATTACHMENT 4

A. Objectives

The *Wildfire Hazard DPA* and corresponding development approval information area are established to:

1. ensure that *development* within the *Wildfire Hazard DPA* is managed in a way that:
 - a) minimizes the *risk* to property and people from wildfire hazards;
 - b) promotes activities to reduce wildfire hazards while still addressing environmental issues; and
 - c) minimizes the *risk* of fire to the *District's* forests;
2. proactively manage conditions affecting potential fire behaviour, thereby increasing the probability of successful fire suppression and containment, and thereby minimizing adverse impacts;
3. conserve the visual and ecological assets of the forest for the benefit of present and future generations; and
4. reduce the *risk* of post-fire landslides, *debris flows* and erosion.

B. Exemptions

All *development* is exempt from the requirement to obtain a wildfire hazard development permit other than the construction and installation of a *new building or structure* for which a building permit is required pursuant to the *District's Building Regulation Bylaw*.

C. Guidelines

The following guidelines apply within the *Wildfire Hazard DPA*:

1. Applicants may be required to provide a *preliminary assessment* report and *detailed assessment* report prepared by a *qualified professional*.
2. *New buildings or structures* and associated *accessory* buildings and structures should be located as far away from any *wildfire risk areas* as is reasonably possible or feasible and in any event, as far away from any *wildfire risk areas* as existing *permanent structures*, if any, on the parcel.
3. For parcels that are located entirely within a wildfire risk area, guideline number 2 does not apply, but new buildings or structures and associated *accessory* buildings and structures should be located as far away from any contiguous undeveloped forested areas or areas containing hazardous forest fuel types or accumulations as is reasonably possible or feasible.
4. The following fire resistive materials and construction practices should be required for all subject *development* in the Wildfire Hazard DPA:
 - a) *fire retardant roofing* materials should be used, and asphalt or metal roofing should be given preference;
 - b) decks, porches and balconies should be sheathed with *fire resistive materials*;
 - c) all eaves, attics, roof vents and openings under floors should be screened to prevent the accumulation of combustible material, using 3mm, non combustible wire mesh, and vent assemblies should use fire shutters or baffles;
 - d) exterior walls should be sheathed with *fire resistive materials*;
 - e) fire-resistive decking materials, such as solid composite decking materials or *fire-resistive* treated wood, should be used;
 - f) all windows should be tempered or double-glazed to reduce heat and protect against wind and debris that can break windows and allow fire to enter the *new building or structure*;
 - g) all chimneys and wood-burning appliances should have approved spark arrestors; and
 - h) building design and construction should generally be consistent with the highest current wildfire protection standards published by the National Fire Protection Association or any similar, successor or replacement body that may exist from time to time.

5. All new hydro servicing that is in, or within 10 metres of, a *wildfire risk area* should be underground, or where this is not feasible, poles of non-combustible materials should be used (concrete).
6. The following landscape and service conditions should be required in respect of subject *development* in, or within 10 metres of, a *wildfire risk area*:
 - a) firebreaks should be designed and installed, which may be in the form of cleared parkland, roads, or utility right-of-ways;
 - b) *wildfire risk mitigation* and landscaping should be designed and installed to protect, conserve and enhance natural features of the site and adjacent ecosystems in accordance with *District* bylaws;
 - c) if removal of trees or vegetation is deemed necessary by the *qualified professional* for the purpose of reducing *wildfire risk*, *District* approval is required and replacement trees or vegetation may be required by the *District*; and
 - d) if deemed necessary by the *qualified professional* for the purpose of reducing *wildfire risk*, a *defensible space* of at least 10 metres should be managed around buildings and structures with the goal of eliminating *fuel* and combustible debris, reducing *risks* from approaching wildfire and reducing the potential for building fires to spread to the forest, and the required *defensible space* may be larger in areas of sloping ground where fire behaviour creates greater *risk*.
7. Building design and construction should generally be consistent with the highest current wildfire protection standards published by the National Fire Protection Association or any similar, successor or replacement body that may exist from time to time.
8. All wood, vegetation and construction debris identified in the *qualified professional's* report should be removed within three months of permit issuance, or immediately during high fire risk seasons, and the *District* may require security in connection with such removal.
9. Applicants may be required to submit a tree assessment and retention/restoration plan completed by a *qualified professional* in accordance with current standards and *District* report requirements.



Fire Interface Area: homes in Grousewoods (left) and Braemar/Demsey (right) back on to the forest.

3 Slope Hazard

“The *District's* intention is to reduce slope hazards and landslide *risk* to people and property by carefully managing *development* and construction practices on or near steeply sloped lands.”

A. Objectives

ATTACHMENT 5

The *Slope Hazard DPA* and corresponding development approval information area are established to address the following objectives:

1. minimize the *risk* to people and property from slope hazard;
2. develop safely and minimize the impacts on or near steeply sloped lands, including the potential run out area below *steep slopes*;
3. reduce slope hazards and landslide *risk* to people and property by carefully managing *development* and construction practices on or near steeply sloped lands;
4. avoid alteration of steeply sloped lands that may cause increased instability of the land or adjacent areas;
5. encourage professional design of structures and mitigative works and to ensure field review during construction and post-construction certification; and
6. encourage ongoing maintenance and monitoring of steeply sloped lands.

B. Exemptions

The following activities are exempt from the requirement to obtain a development permit:

1. public works and services and maintenance activities carried out by, or on behalf of, the *District*, and approved by the *director*;
2. non-structural repairs or renovations (including roof repairs or replacement) to a *permanent structure* provided that there is no expansion of the building footprint, including no cantilevered or projecting portions of the *permanent structure*, and provided that such repairs or renovations do not increase the *gross floor area* of the *permanent structure*;
3. replacement or repair of an existing deck, provided that the location and dimensions do not change;
4. construction of an *accessory* building of less than 25 square metres permitted by the *Zoning Bylaw* provided that the *accessory* building is located outside any *potential slope hazard area* and at least 10 metres away from the crest of any *steep slope*, and provided that no removal of trees or placement of fill will be required;
5. routine maintenance of existing landscaping and lawn areas;
6. habitat creation, *streamside* restoration or similar habitat enhancement works in accordance with *District* bylaws and a plan approved by the *director*; or
7. planting of vegetation, except for the planting of trees within 10 metres of the top of a *steep slope*.

C. Guidelines

The following guidelines apply in the *Slope Hazard DPA*:

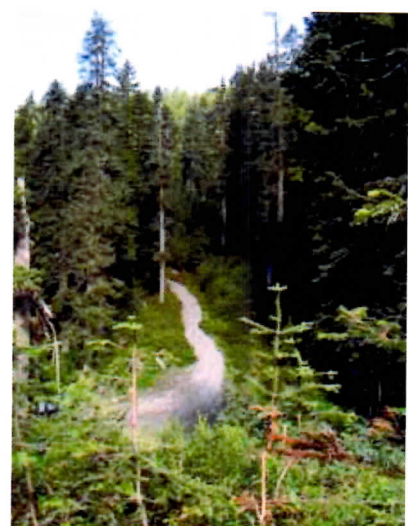
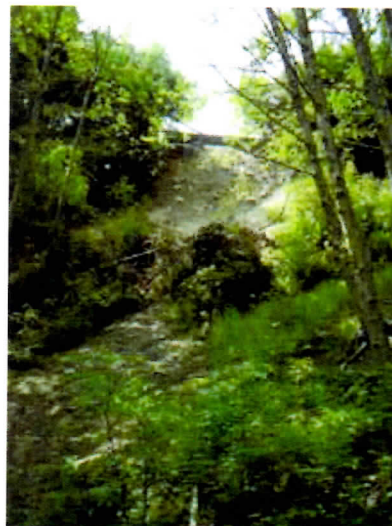
1. Applicants may be required to provide a preliminary assessment report and detailed assessment report prepared by a *qualified professional*.
2. Background information on potential slope hazards in some areas is available through the *District's* Natural Hazard Management Program, and the information in these reports should be referenced as part of any development permit application. Such information is available for Berkley, Lynn Valley/Westlynn, Pemberton Heights, Capilano River East, Mosquito Creek, Mount Fromme East, Riverside West and Deep Cove/Cove Cliff, among others.
3. *Development* should minimize any alterations to *steep slopes*, and the *development* should be designed to reflect the site rather than altering the site to reflect the *development*.
4. Terracing of land should be avoided or minimized and landscaping should follow the natural contours of the land.
5. Buildings and structures and landscaping should be located as far as reasonably possible from *steep slopes* or channel discharge/runoff points at the base of slopes.

6. *Potential slope hazard areas* should remain free of *development*, or, if that is not possible, then:
- a) mitigation should be undertaken to reduce *risk* to an acceptable level (*risk* for both the subject property and any adjacent or nearby lands should be addressed); and
 - b) conditions (for example conditions relating to the permitted uses, density or scale of building) should be imposed as necessary to reduce potential hazard to acceptable levels,
- both as determined by a *qualified professional* in a *preliminary assessment* or *detailed assessment* report.
7. Stepped and articulated building forms that integrate and reflect the natural site contours and slope conditions should be used, and large unbroken building masses that are unsuitable for sloped conditions should be avoided.
8. The construction of structures, pathways/trails, driveways, utilities, drainage facilities, septic fields, swimming pools, hot tubs, ponds, landscaping or other uses at or near the top or base of *steep slopes* should be avoided. A minimum ten metre *buffer area* from the top or base of any *steep slope* should be maintained free of *development* except as otherwise recommended by a *qualified professional*. On very *steep slopes*, this *buffer area* should be increased.
9. Vegetation should be maintained and/or reinstated on the slopes and within any *buffer zone* above the slopes in order to filter and absorb water and minimize erosion.
10. No fill, including yard clippings, excavated material, sand or soil, should be placed within ten metres of the top of slopes or along pre-existing drainage channels.
11. The base of slopes should not be undercut for building, landscaping or other purposes except in accordance with the recommendations of a *qualified professional* and a permit issued under this section.
12. For homes at the base of slopes, it is preferable for bedrooms to be constructed on the downslope side of the home.



Berkley Landslide (right and left)

13. Designs should avoid the need for retaining walls, particularly to minimize cutting of the uphill slope. Large single plane retaining walls should be avoided. Where retaining walls are necessary, smaller sections of retaining wall should be used. Any retaining structures in steeply sloped areas must be designed by a *qualified professional*.
14. Disturbed slopes should be reinforced and revegetated, especially where gullied or where bare soil is exposed. Planting should be done in accordance with the recommendations of a Landscape Architect or Registered Professional Forester, and a permit issued by the *District*.
15. Native species, including trees, shrubs and other plants, should be used for any new planting.
16. Any structural mitigation measures must be designed by a *qualified professional*.
17. Water should be diverted away from slopes, yards and structures in a controlled manner and ponding should be avoided near slopes.
18. Flow should be contained by capturing roof and pavement drainage.
19. Property, roof drainage and landscaping should be designed and maintained to shed water away from slopes (especially *steep slopes*).
20. Buildings should be connected to the storm drainage system or alternative methods approved by the *District*.
21. Concentrated water (such as roof drainage) should be discharged toward storm drains or street gutters and not over sloped lands.
22. The extent of paved or hard-surfaced areas should be limited, and absorbent or permeable surfaces should be used instead to encourage infiltration where appropriate and reduce runoff.
23. Lots should be graded so water is directed toward the street and away from slopes.



Lynn Valley Headwaters, park road (left); Slope failure on slope next to Mosquito Creek (centre); Landslide (right).