

***COUNCIL WORKSHOP AGENDA
March 6, 2018
6:00 p.m.
Blaney Room, 1st Floor, City Hall***

The purpose of the Council Workshop is to review and discuss policies and other items of interest to Council. Although resolutions may be passed at this meeting, the intent is to make a consensus decision to send an item to Council for debate and vote or refer the item back to staff for more information or clarification. The meeting is live streamed and recorded by the City of Maple Ridge.

REMINDERS

March 6, 2018

Audit & Finance Committee Meeting

5:00 p.m.

1. ***ADOPTION OF THE AGENDA***
2. ***ADOPTION OF MINUTES – N/A***
3. ***PRESENTATIONS AT THE REQUEST OF COUNCIL***
4. ***MAYOR AND COUNCILLORS' REPORTS***
5. ***UNFINISHED AND NEW BUSINESS***
 - 5.1 **Fraser Basin Council Presentation**
 - Steve Litke, Senior Program Manager, Watersheds and Water Resources & Sustainability Indicators
 - 5.2 **Management Plan for Katzie-Kwantlen First Nations Woodlot License ("FNWL") Presentation**
 - Chris Gruenwald, RPF, Principal, Cascadia Environmental Services Ltd.

5.3 Community Amenity Contribution Allocations to Community Housing

Staff report dated March 6, 2018 recommending that Policy No. 6.31 be adopted as amended.

5.4 Rental Housing Program: Tenant Relocation Assistance Policy

Staff report dated March 6, 2018 recommending that a Legislative Policy Tenant Relocation Assistance Policy be adopted as a component of developing a Rental Housing Program and that Policy No. 6.27 Modular Home Park Redevelopment Assistance Policy be adopted as amended.

5.5 Access to Waterways in Maple Ridge

Staff report dated March 6, 2018 providing information on boating infrastructure in Maple Ridge.

5.6 Scheduling of Council Workshop Meetings

Discussion of current start time of Council Workshop Meetings

6. *CORRESPONDENCE*

The following correspondence has been received and requires a response. Staff is seeking direction from Council on each item. Options that Council may consider include:

- a) Acknowledge receipt of correspondence and advise that no further action will be taken.*
- b) Direct staff to prepare a report and recommendation regarding the subject matter.*
- c) Forward the correspondence to a regular Council meeting for further discussion.*
- d) Other.*

Once direction is given the appropriate response will be sent.

6.1 Metro Vancouver – New Amending Bylaw to Amend the Service Area to Remove Abbotsford as a Participant in the Regional Parks Function

Letter dated February 26, 2018 from Chris Plagnol, Corporate Officer, requesting Council's approval of adoption of Metro Vancouver Regional District Regional Parks Service Amending Bylaw No.1260, 2018.

6.2 Upcoming Events

March 13, 2018 9:00 am	Basic Income Guarantee Discussion, Vancouver Public Library, 350 W. Georgia Street, Vancouver, BC Organizer: BC Alliance for Healthy Living
March 15, 2018 5:15 pm	Life Without Limits Gala, Sheraton Vancouver Wall Centre, 1088 Burrard Street, Vancouver, BC Organizer: Cerebral Palsy Association of BC
March 23, 2018 6:30 pm	Maple Ridge Festival of BC Film, The ACT Arts Centre, Maple Ridge, BC Organizer: City of Maple Ridge
March 24, 2018 6:30 pm	Spring Fling, Maple Ridge Legion, 12101 224 Street, Maple Ridge, BC Organizer: Kiwanis Club of Golden Ears

7. ***BRIEFING ON OTHER ITEMS OF INTEREST/QUESTIONS FROM COUNCIL***

Links to member associations:

- Union of British Columbia Municipalities (“UBCM”) Newsletter *The Compass*
 - <http://www.ubcm.ca/EN/main/resources/past-issues-compass/2016-archive.html>
- Lower Mainland Local Government Association (“LMLGA”)
 - <http://www.lmlga.ca/>
- Federation of Canadian Municipalities (“FCM”)
 - <https://www.fcm.ca/>

8. ***MATTERS DEEMED EXPEDIENT***

9. ***ADJOURNMENT***

Checked by: _____
Date: _____

City of Maple Ridge

TO: Her Worship Mayor Nicole Read
and Members of Council

MEETING DATE: March 6, 2018

FROM: Chief Administrative Officer

MEETING: Council Workshop

SUBJECT: Community Amenity Contribution Allocations to Affordable Housing

EXECUTIVE SUMMARY:

The creation of affordable, rental and special needs housing options in Maple Ridge is a key policy interest, as set out in our Official Community Plan and the City's Housing Action Plan. Based on a February 6, 2018 Council Workshop discussion that explored options to further utilise the City's existing Community Amenity Contribution (CAC) program to help foster affordable housing in the City, this report presents for Council's approval amendments to Council Policy No. 6.31 entitled Community Amenity Contribution Program. The proposed amendments reflect Council's direction to allocate community amenity contributions received from the previously exempted Town Centre area towards future affordable housing, up to a maximum of 20% of all CACs collected City-wide.

RECOMMENDATION:

That Council Policy No. 6.31 entitled "Community Amenity Contribution Program", as amended to allocate all CAC funds collected from the previously exempted Town Centre area to affordable housing until funding reaches a maximum of 20% of total CAC's collected City-wide, be adopted.

BACKGROUND:

On September 14, 2015 Council endorsed the Housing Action Plan (HAP) Implementation Framework. The HAP Implementation Framework builds from the key strategies recommended in the Housing Action Plan. Strategy #11 of the HAP encourages the use of community amenity contribution funding for affordable housing.

On December 12, 2017 following a discussion related to Community Amenity Contribution and affordable housing, Council expressed interest in receiving a report outlining options to facilitate the development of rental housing in the Maple Ridge.

On February 6, 2018, Council moved that, as a component of developing a Rental Housing Program, staff should bring forward an additional report outlining a Density Bonus approach that would optionally require, in exchange for bonus density, the provision of secured rental units, secured affordable rental units, and/or a cash-in-lieu contribution.

On February 6, 2018, Council also directed staff to amend Council Policy #6.31 - Community Amenity Contribution Program - in order to ensure that all CAC funds collected from the Town Centre area be allocated to affordable housing until such funding reaches a maximum of 20% of the total CAC's collected City-wide.

Specifically, R/2018-084 reads:

That, as a component of developing a Rental Housing Program, staff bring forward a report outlining a Community Amenity Contribution (CAC) approach that would maintain existing CAC contribution rates and allocate all CAC funds collected from the previously exempted Town Centre area to affordable housing until funding reaches a maximum of 20% of total CAC's collected city-wide.

DISCUSSION:

Based on Council's direction stemming from their February 6, 2018 workshop discussion, staff from the Planning and Finance Departments have prepared an amended Community Amenity Contribution Program Policy No. 6.31 to clarify how the City-Wide CAC program will support the creation of affordable, rental and special needs housing in the community.

Specifically, the policy as amended now requires that all CACs collected from rezonings in the Town Centre area be allocated towards the creation of future affordable housing. The extent to which such Town Centre generated CACs would be allocated to this goal is fixed; not to exceed 20% of the total of all CAC's collected. It is acknowledged that this resulting threshold figure, being derived from a percentage of all CACs collected, will increase with each new development application and its ensuing amenity contribution. To compensate for this variability, staff suggests that the contributions reserved for affordable housing be calculated annually, based on both the total contributions received City-wide and those specifically from the Town Centre area.

In summary, the proposed approach becomes a variable but continuing method to utilise CAC funding to support the future creation of affordable housing in the community. Going forward, constant affordable housing allocations will be dependent on both there being capacity within the maximum 20% threshold and that a portion of the total CAC collected is generated from the Town Centre.

An amended version of the Community Amenity Contribution Program Policy No. 6.31, establishing the above described arrangements, is attached in Appendix A.

ALTERNATIVE RECOMMENDATION:

Noting the Council discussion of February 6, 2018, staff also present two optional recommendations for Council's consideration should it wish to revisit previous recommendations proposed or offered as alternatives.

In assessing how the above described use of CAC funding for affordable housing would be implemented, staff has identified that such an approach is dependant on Town Centre redevelopment activity. Directly relating the allocation of affordable housing funding to development in the Town Centre will be beneficial as it is anticipated that the majority of future affordable, rental and special needs housing will be constructed in the Town Centre area.

Staff notes though that the Town Centre Area Plan also identifies the need for future investments in civic facilities, parks and open space, and other amenities beyond affordable housing units. Staff also acknowledges that development in the Town Centre is increasing in scale and number of new dwelling units, and that the ensuing future residents from such development could raise the need for additional amenities in the Town Centre that would not otherwise be attainable through Development Cost Charges, and would need to rely on municipal taxes in lieu of amenity program funding.

As a result, alternative recommendation #1 is presented as an option whereby 20% of all CAC funds collected would be allocated towards affordable housing, without requiring that such contributions be limited to only those collected from Town Centre rezonings.

Alternative recommendation #2 is raised as staff also recall from the December 12th, 2017 Council discussion an interest in moving away from establishing a fixed percentage of CAC funds that would be allocated to affordable housing and instead directing that CAC contribution rates be increased to create additional contributions for future affordable housing.

1. That Council Policy No. 6.31 entitled “Community Amenity Contribution Program” be amended to maintain existing CAC contribution rates, but allocate 20% of all CAC funds received towards affordable housing.

OR

2. That staff be directed to report back on amendments to Council Policy No. 6.31 entitled “Community Amenity Contribution Program”, to increase existing Community Amenity Contribution (CAC) rates in order to create a new Affordable, Rental and Special Needs Housing CAC.

FINANCIAL IMPLICATIONS:

The Local Government Act requires a Reserve Fund to be established for contributions from amenity zoning or community amenity contributions. Through the past CAC and Albion Density Bonus work, Council established a City-Wide CAC Reserve Fund and an Albion Area Reserve Fund.

To ensure that the CAC funding and its allocations to affordable housing is appropriately tracked, Finance staff suggest maintaining the City’s existing City-Wide CAC Reserve Fund, without requiring the creation of a new Reserve Funds or the amendment to the existing Reserve Fund Bylaw.

INTERDEPARTMENTAL IMPLICATIONS:

The Planning and Finance Department collaborated in the development and assessment of the above described approaches to allocate CAC collected funds towards affordable housing. Going forward, and if the proposed amendments to Council Policy No. 6.31 are approved, Finance Department staff will monitor the City-wide CAC Reserve Fund and calculate the 20% allocation to be specifically reserved for future investments in affordable, rental or special needs housing. Interdepartmental discussions on future affordable, rental or special needs housing opportunities will be ongoing with future Council direction required prior to the spending of any such allocated affordable housing funds.

CONCLUSION:

As a further step towards the implementation of the City's Housing Action Plan, and based on Council direction from February 2018, staff has outlined amendments to the City's Community Amenity Contribution Policy No. 6.31 to allocate a portion of those amenity contributions raised through rezonings in the Town Centre directly towards an affordable, rental and special needs housing. Such allocations would provide the City with future funding that may foster additional investments in affordable housing in our community. Should Council wish to revisit its previous direction, alternative recommendations are also outlined.

"Original signed by Brent Elliott"

Prepared by: Brent Elliott, MCIP, RPP,
Manager of Community Planning

"Original signed by Trevor Thompson"

Prepared by: Trevor Thompson, CPA, CGA
Director of Finance - Interim

"Original signed by Christine Carter"

Approved by: Christine Carter, MPL, MCIP, RPP
Director of Planning

"Original signed by Frank Quinn"

Approved by: Frank Quinn, MBA, P. Eng.
General Manager, Public Works and
Development Services

"Original signed by Frank Quinn" for

Approved by: Paul Gill, CPA, CGA
Chief Administrative Officer

Attachment:

Appendix A: Amended Council Policy No. 6.31 – Community Amenity Contribution Program



POLICY MANUAL

Title: Community Amenity Contribution Program	Policy No: 6.31 Supersedes: AMENDED <u>March 6, 2018</u>
Authority: <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Operational Approval: <input checked="" type="checkbox"/> Council <input type="checkbox"/> CMT <input type="checkbox"/> General Manager	Effective Date: <u>TBD</u> <hr/> Review Date: <u>TBD</u>
Policy Statement: <p>The City of Maple Ridge is committed to providing a variety of amenities throughout the municipality, including the provision of affordable and special needs housing, in a financially sustainable manner.</p> <p>The Community Amenity Contribution Program (CAC Program) is comprised of the following components:</p> <ol style="list-style-type: none"> 1. The CAC Program will apply city-wide. 2. Each CAC will be based on a contribution rate as follows: <ol style="list-style-type: none"> a) \$5100 per single family lot created; b) \$4100 per townhouse or other attached ground-oriented dwelling unit; c) \$3100 per apartment dwelling unit. 3. The CAC Program applies to the development of all residential dwellings, including those that are included in a mixed-use development (such as commercial and residential) with the following exceptions: <ol style="list-style-type: none"> a) Affordable and special needs housing that are secured through a Housing Agreement as established in Section 483 of the <i>Local Government Act</i>; b) Rental housing units that are secured through a Housing Agreement established under Section 483 of the <i>Local Government Act</i> will also be subject to a covenant enacted under Section 219 of the <i>Land Titles Act</i>; c) Single family residential subdivisions proposing fewer than 3 lots – only the original lot is exempt, after which the CAC program applies to each additional lot; d) Accessory dwelling units, such as a secondary suite or detached garden suite; e) Duplex, triplex and fourplex dwelling units, where only one building is being constructed - only the first dwelling unit is exempt, after which the CAC program applies to each additional dwelling unit; 	

- f) Courtyard dwelling units, located on a single property – only the first dwelling unit is exempt, after which the CAC program applies to each additional dwelling unit.
- 4. The Density Bonus Framework established in the Albion Area Plan will continue to apply, in addition to the city-wide CAC Program.
 - a) For developments that take advantage of the density bonus provisions included in the Maple Ridge Zoning Bylaw for the Albion Area Plan, the amenity contribution rate will be:
 - i) \$5100 per single family lot created;
 - ii) \$4100 per townhouse or other attached ground-oriented dwelling unit;
 - iii) \$3100 per apartment dwelling unit;in addition to the \$3100 density bonus rate.
 - b) For developments that do not take advantage of the density bonus provisions included in the Maple Ridge Zoning Bylaw, the CAC rate will be the rate established in Section 2 of this policy.
- 5. The Official Community Plan may also establish additional or alternative community amenity contribution policies, guidelines and density bonus provisions for each Area Plan.
- 6. Development applications that are in process (in-stream) at the time of enactment of the CAC Program Council Policy, will:
 - a) be subject to the provisions of this Policy unless the applicable Official Community Plan or Zoning Bylaw amending bylaw has received Third Reading; OR
 - b) be subject to the provisions of this Policy if a condition for the Policy to apply was included in the first or second reading report of the applicable Official Community Plan or Zoning Bylaw amending bylaw.
- 7. All development applications that are seeking an extension under Development Procedures Bylaw No. 5879-1999 (as amended), may be subject to the city-wide community amenity contribution program at the discretion of Council.
- 8. Council will establish one or more Reserve Funds and identify those amenities that may benefit from the community amenity contributions.
- 9. Community Amenity Contribution funds received will contribute to any of the following eligible amenities:
 - a) Civic facility;
 - b) Public art;
 - c) Acquisition of land for the provision of:
 - o Affordable or special needs housing;
 - o Parks
 - o Trails
 - o Significant ecological features
 - d) Park or trail construction and/or maintenance;
 - e) Affordable, rental or special needs housing;
 - f) Heritage conservation; or
 - g) Conservation of significant ecological features.

10. Notwithstanding Section 9 above, Community Amenity Contribution funds collected from those properties within the Town Centre Area Plan boundaries will be contributed only to affordable, rental, or special needs housing until such funding reaches a maximum of 20% of the total Community Amenity Contribution funds collected City-wide.

11. The provision of a specific amenity, rather than a cash-in-lieu contribution may also be considered by Maple Ridge Council. If Council determines that the provision of an amenity is more desirable, the following list is to be used as a general guide for determining the type of community amenity:

- a) Public art;
- b) Heritage conservation;
- c) Land for the provision of:
 - Affordable or special needs housing;
 - Parks
 - Trails
 - Significant ecological features
- d) Affordable or special needs housing units; or
- e) Park or trail construction or improvements.

Purpose:

To provide direction on the implementation of a city-wide community amenity contribution (CAC) program, including the process to determine the contribution amount.

Definitions:

“Community Amenity” means any public amenity that provides a benefit to the residents of the city or a specific neighbourhood as the result of increased residential density.

City of Maple Ridge

TO: Her Worship Mayor Nicole Read and Members of Council **MEETING DATE:** March 6, 2018
FROM: Chief Administrative Officer **MEETING:** Council Workshop
SUBJECT: Rental Housing Program: Tenant Relocation Assistance Policy

EXECUTIVE SUMMARY:

Following Council's direction, staff has prepared a new Council Policy entitled Tenant Relocation Assistance Policy, in a proactive effort to minimise impacts to local renters that may result from the redevelopment of an existing rental building in Maple Ridge. More specifically, the proposed policy would establish a set of requirements for future applicants proposing to redevelop existing purpose-built rental housing to provide assistance to any displaced tenants through their rezoning application, heritage revitalisation agreement, an application for the strata conversion of a previously occupied building, or where a Housing Agreement is already in place. The draft policy has been informed by research undertaken by staff and CitySpaces Consulting, which examined the rate at which past instances of "demoviction" (where existing rental buildings were demolished and redeveloped) have occurred in the City. The research also examined municipal policy examples from around the Metro Region. Staff also concurrently reviewed the City's existing Modular Home Park Redevelopment Tenant Assistance Policy No. 6.27 to ensure consistency between it and the proposed new Tenant Relocation Assistance Policy. The intent of this report is to bring forward the background research (see Appendix A) and to present both the draft Tenant Relocation Assistance Policy (see Appendix B) and the amended Policy No. 6.27 (see Appendix C) for Council's adoption.

RECOMMENDATION:

1. That, as a component of developing a Rental Housing Program, the Tenant Relocation Assistance Policy attached to the report entitled "Rental Housing Program: Tenant Relocation Assistance Policy", dated March 6, 2018 be adopted;
2. That Council Policy No. 6.27, entitled "Modular Home Park Redevelopment Assistance Policy", as amended, be adopted.

BACKGROUND:

On September 14, 2015 Council endorsed the Housing Action Plan (HAP) Implementation Framework. The HAP Implementation Framework builds from the key strategies recommended in the Housing Action Plan. Strategy #4 of the HAP is to Create New Rental Housing Opportunities, while Strategy #8 specifically includes the following actions:

- Review the City's Modular Home Park Redevelopment Tenant Assistance Policy and identify opportunities to further strengthen the policy as needed.
- Limit the demolition or strata conversion of existing rental units and identify opportunities to further strengthen this policy as needed.

On January 24, 2017 Council directed that as part of the granting rezoning application 2016-052-RZ (22260 and 22292 122 Avenue, 12159 and 12167 223 Street) second reading, staff were to prepare a tenant relocation assistance policy that would establish policy guidance for reviewing rezoning applications in order to limit impacts to existing affordable rental housing and tenants.

DISCUSSION:

The displacement of rental tenants due to demolition and redevelopment has been an issue across the Metro Vancouver region in recent years. Coined by the media as “demovictions”, the issue presents a further challenge to the preservation of suitable and affordable rental housing stock in an already tight rental market where affordable rental options can be difficult to find for any displaced tenants.

Based on Council’s direction from January 2017, staff engaged CitySpaces Consulting, the original consultant that developed the City’s Housing Action Plan, to prepare a research report and provide recommendations to inform the development of a Council Policy to be used in the review of rezoning applications where an existing rental building was proposed for demolition (see Appendix A for the attached report).

Consistent with the policy direction outlined in the Housing Action Plan, staff also concurrently reviewed the City’s existing Modular Home Park Redevelopment Tenant Assistance Policy No. 6.27 and has outlined possible minor amendments to enhance the policy.

a) Tenant Relocation Assistance Policy

With the redevelopment of existing rental housing occurring regionally, staff and the consultant investigated any past local instances where existing dwelling units have been demolished as part of a development application. From building permit data spanning between 2007 and 2017, it was determined that 380 new dwelling units were created in that time. As part of such new development, 71 units were demolished. It is acknowledged that not all of the 71 units were rental housing, but of note are the 15 units that made up the former Northumberland Court (11701, 11715, 11723 Fraser Street) that were demolished in 2011 and the 54 units that comprised the Sunrise rental apartment building (formerly 22292 122 Avenue) which was damaged by a fire and later demolished in 2016. This latter property, along with two other properties, formed part of rezoning application 2016-052-RZ that fostered Council’s interest in preparing a tenant relocation assistance policy.

From this analysis, staff has concluded that instances of “demoviction” in Maple Ridge have historically been low. However, the tightening rental market along with rising land values in our community, are creating market conditions that may place additional redevelopment pressures on the City’s existing rental housing stock. As a result, and to understand the tools available to municipalities, CitySpaces completed an assessment of the policy initiatives being undertaken by other municipalities in the Region.

While such tenant relocation policies are evident in many Metro communities, the CitySpaces report details the practices from the Cities of Vancouver, New Westminster and North Vancouver. The practices of these case-studied communities is described further in the attached report in Appendix A, but in general it appears that these communities are targeting their policies specifically towards purpose-built rental buildings of a certain size that may be proposed for redevelopment (i.e. rental buildings with medium density above 1.0 FSR or rental buildings that contain more than 6 rental units). As well, with the exception of Vancouver which has different legislative authority, the other municipalities are requiring compliance with their respective policies through their rezoning processes or heritage revitalisation agreements, with the policies becoming voluntary when only development permit or demolition permit approvals are being sought.

Based on the policy recommendations set out in the consultant's report, staff has prepared a new draft Council Policy entitled Tenant Relocation Assistance Policy for Council's consideration (attached in Appendix B), in a proactive effort to minimise impacts to local renters that may result from the rezoning and redevelopment of an existing rental building in the City.

In summary, the policy identifies the following requirements for future applicants proposing the redevelopment of properties with purpose-built rental housing through either a rezoning application, heritage revitalisation agreement, an application for a strata conversion of a previously occupied building, or where a Housing Agreement is already in place:

- a) Provision of proof of tenant notification that the applicant intends to redevelop the property;
- b) Provision of a Relocation Assistance Plan which includes:
 - i. A list of each current tenant, the current unit type (1 bedroom, 2 bedroom, etc.), the size of the current unit, the unit number currently rented by the tenant, the length of current occupancy, and the rent the tenant currently pays;
 - ii. A right of first refusal for current tenants to live in the new building (if it's a rental building), at rents that are at least 10% below the average rents for the City of Maple Ridge as per the CMHC Rental Market Report for the previous year. If the current rent is at or higher than the proposed 10% below average rent, then the right of first refusal may be provided at the current rental rate;
 - iii. A commitment to identify at least three (3) alternative rental options for each current tenant that are comparable in unit type and are in Maple Ridge, with at least one in the same neighbourhood. In the case where the tenant's current rent is below the CMHC average rents for the City of Maple Ridge, then the alternative rental options should be within 10% of the current rent. If the current rent is at or higher than average rents, then the alternative rental options may be provided at the current rental rate. Where it can be satisfactorily demonstrated that comparable alternative rental options are not available, rental units that are outside of the preferred location and/or have a higher rent may be considered, provided that such rents are within 10% of the average rents for the City of Maple Ridge. As well, all alternative rental options should be tailored to the tenant (pet friendly, mobility considerations, etc.);
- c) Provision of financial compensation allocated to each current tenant to assist in their relocation, to be provided on or before the move-out date, based on the equivalent of at least 2 months current rent.
- d) Provision of a minimum of two months notice to end the tenancies, with such notice to be served only after the date of Final Approval by Council.

b) Modular Home Park Redevelopment Tenant Assistance Policy

In preparing the proposed Tenant Relocation Assistance Policy, staff also undertook a review of the City's existing Modular Home Park Redevelopment Tenant Assistance Policy No. 6.27, especially in light of the recent rezoning application 2017-113-RZ which proposes to redevelop an existing modular home park and replace it with neighbourhood commercial and child care uses. As outlined in Appendix C, staff has revised Policy No. 6.27 by adding new language that will clarify that the obligations of the applicant to notify and work with existing modular home tenants need to be undertaken prior to the application being brought forward for first reading.

In addition, staff notes that Policy No. 6.27 only applies to those tenants that own their mobile home, and have therefore included cross-referencing language that the provisions of the proposed Tenant Relocation Assistance Policy would apply should there be any displaced tenants that may be renting a mobile home within a park that is the subject of a rezoning application.

c) Tenant Displacement Through Renovations

The proposed Tenant Relocation Assistance Policy and the City's existing Modular Home Park Redevelopment Tenant Assistance Policy No. 6.27 can only be applied at times of a rezoning, heritage revitalisation agreement, strata conversion of a previously occupied building, or where changes are proposed to rental units secured through an already in place Housing Agreement. Applications for the redevelopment and/or renovation of an existing purpose-built rental building that is already zoned for the land use would not trigger the above discussed Council policies, as again the underlying use is permitted outright. While staff notes that such applicants may voluntarily agree to follow the discussed Council policies, there is no legal mechanism to require adherence to the policies. In considering this issue of "renovictions" staff note the value of Housing Agreements as a regulatory tool to secure future purpose-built rental housing units in the City, noting that amending a condition in a Housing Agreement requires Council approval.

CONCLUSION:

Through our Official Community Plan and the Housing Action Plan, rental housing has been identified as a key priority, as has the protection of exiting rental units noting their contribution towards offering affordable housing choices in the City. Building upon the City's existing Modular Home Park Redevelopment Tenant Assistance Policy No. 6.27 and the CitySpaces Consulting research report, staff has prepared a draft Tenant Relocation Assistance Policy for Council's adoption. As well, staff is proposing minor amendments to the City's existing Modular Home Park Redevelopment Tenant Assistance Policy to ensure effective coordination between it and the draft Council Policy being presented.

"Original signed by Brent Elliott"

Prepared by: Brent Elliott, MCIP, RPP,
Manager of Community Planning

"Original signed by Christine Carter"

Approved by: Christine Carter, MPL, MCIP, RPP
Director of Planning

"Original signed by Frank Quinn"

Approved by: Frank Quinn, MBA, P. Eng.
General Manager, Public Works and
Development Services

"Original signed by Frank Quinn" for

Approved by: Paul Gill, CPA, CGA
Chief Administrative Officer

Attachments:

- a) Appendix A: CitySpaces Consulting, Research Brief - Tenant Relocation Assistance Policy, Feb 28, 2018.
- b) Appendix B: Proposed Tenant Relocation Assistance Policy
- c) Appendix C: Amended Council Policy No. 6.27 – Manufactured Home Park Redevelopment Tenant Assistance Policy

RESEARCH BRIEF

Housing Action Plan Implementation: Tenant Relocation Assistance Policy

Prepared for the City of Maple Ridge | February 26th, 2018



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Introduction

The City of Maple Ridge prepared its second Housing Action Plan in 2014. The Plan outlines priority issues including the need for market and affordable rental housing, recognizing that the existing rental housing stock in Maple Ridge is aging and the demand for rental housing is increasing. The Plan's Strategies #7 and #8 to *Maintain Rental Housing Standards and Minimize Loss of Existing Rental Housing* indicates that the City is aware of the challenges of maintaining older rental stock and the possibility of tenant displacement through redevelopment. The City also recognizes that the Housing Action Plan's policies are broad and should be implemented through more targeted policy to address potential tenant displacement.

Since the endorsement of the Housing Action Plan in 2015, there have been considerable changes to the market and, on the whole, there are more pressures and demand for rental housing, including market rental and affordable rental units. This pressure is found throughout Metro Vancouver, which in turn affects the affordability and availability of rental units in Maple Ridge.

Out of a concern for retaining purpose-built market rental housing, Council has expressed interest in developing a policy to ensure tenants in rental buildings impacted by demolition and redevelopment are adequately notified, compensated, and assisted in finding housing.

In January 2017, City staff were directed to prepare a tenant relocation assistance policy for rezoning applications in order to reduce the impact of rental redevelopment on current tenants, where applicable. This research brief examines the existing regional pressures on rental housing redevelopment and the impact on populations at risk of displacement. This brief also outlines a select number of case studies from other municipalities in the region that have municipal policy to support tenant relocation, with considerations for potential application in the City of Maple Ridge.

Context

Provincial Context

Housing across the Province is aging, with approximately 44% of all units in 2016 built 35 years previously or earlier. Only 7% of units were built since 2011¹. The Provincial average of dwelling units in need of major repair (repairs comprising the dwelling structure or the major systems of the dwelling - heating, plumbing, electrical) is 6.4%. In Maple Ridge, 4.9% of the housing stock is in need of major repair.

Many purpose-built rental housing buildings that are aging are also reaching the end of their economic life and are facing significant capital expenditures to maintain. Typical major repairs of older rental buildings can include building envelope/rainscreen replacement, parking garage repair, and repairs to windows, plumbing, elevators, and perimeter drainage. Maintenance or major renovations may be more costly than demolishing and constructing a new project, especially on sites that are underutilized and could achieve higher density if redeveloped.

In many regions and especially in Metro Vancouver, municipalities may have increased the allowable density on a parcel since a building was originally developed. In exceptional situations, density allowances may have tripled or quadrupled compared to the density achieved in the current project. Redevelopment could result in an increase to the overall number of units on a site.

The aging housing stock, combined with opportunities for increased density, has created an environment in many regions across the Province where older rental housing stock is being replaced with new and more densified housing projects.

Where rental housing projects are slated for demolition and redevelopment, the renter household tenants that occupy units in the building can become displaced as well as potentially face challenges with maintaining housing affordability.

In BC, legislation that addresses tenant displacement is outlined within the *Residential Tenancy Act* (RTA) and the *Manufactured Home Park Tenancy Act*. These acts outline the rights and responsibilities of tenants and landlords, including minimum notification and compensation requirements. The Residential Tenancy Branch (RTB) is the Provincial Government body tasked with overseeing and implementing the RTA, providing both tenants and landlords with information and dispute resolution services. In the event of demolition and redevelopment of an existing rental housing project or in the event of major renovations to a unit, the RTA requires:

¹ Census, Statistics Canada (2016)

- Two month notice to end tenancy, provided by the landlord to the tenant. The landlord must have all required government permits and approvals before issuing a notice to the tenant.
- A tenant who receives a notice to end tenancy is entitled to receive from the landlord an amount that is equivalent of one month's rent payable under the tenancy agreement.

Although the rules and regulations outlined in the RTA have mechanisms in place to support renter tenants experiencing evictions as a result of demolition and redevelopment or major renovations, these mechanisms are limited and can fall short in supporting tenants with finding alternative rental accommodation.

- In Victoria, tenants from a 15 unit rental building were given the required minimum 2 months notice in early 2017 to find new temporary accommodation while the building undergoes significant renovations². Tenants who were interviewed indicated that they were challenged to find alternative housing given the low vacancy rate, and also were unable to find evidence of permits for the renovations.
- Also in 2017, tenants of another Victoria apartment were given the required minimum 2 months notice with one month's rent in addition to \$250 to cover moving costs for temporary displacement during a major renovation³. However, tenants were challenged to find accommodation for the 6 month period of construction and expressed concern regarding the affordability of their unit with the proposed increased rents when the renovations were completed.

Given the limitations of the RTA, many municipalities have resorted to preparing municipal tenant relocation policies that build off the minimum requirements outlined in the RTA with greater expectations to support tenants with the hardship experienced during these unforeseen circumstances, including finding alternative rental accommodation in expensive housing markets with low vacancy rates.

From time to time, the Province implements changes to the RTA in response to a growing number of challenges and disputes. In October 2017, the Province announced proposed changes to fixed term lease vacate clauses to ensure that landlords cannot increase rents for the same tenant higher than the maximum allowable increase.⁴ In December 2017, the Province eliminated the geographic increase clause of both the RTA and Manufactured Home Park Tenancy Act⁵, which allowed landlords to apply for an exemption to rental increase limits when rents charged are lower than similar units nearby.

Continuous amendments to the RTA have not alleviated concerns over rental housing tenant security and stability from "renovictions" or "demovictions". These are terms used in local media for circumstances where a

² *Tenants disappointed by renovation*, Victoria News, August 11, 2017

³ *Three tenants battle renovation at Cook Street apartment building* Times Colonist, March 12, 2017

⁴ *Province of British Columbia News Release, "Province fixes loophole threatening renters"*, October 26, 2017

⁵ *"Province snips tenancy rule loopholes allowing double digit rent increases"*, Global News, December 9, 2017

tenant is evicted from a unit as a result of major renovations or redevelopment projects. While Provincial changes to the RTA have increased protections for renters, tenant displacement due to renovations or redevelopment is an ongoing challenge in areas across the Province.

Regional Context

Tenant displacement due to renovations or demolition and redevelopment has been an issue across the Metro Vancouver region in recent years. Many municipalities are challenged by maintaining suitable rental housing stock, while tenants find it difficult to find affordable alternative units^{6,7}. Additionally, the Province's RTB finds itself "overwhelmed" with the demand for tenant support⁸.

- In New Westminster, tenants who recently received eviction notices for major renovations to their building have only been able to find alternative units that either charge much higher rents, have long wait lists, or are reported to have poor management^{9,10}. Tenants in another New Westminster apartment also experiencing evictions, found alternative apartment units double their current rental rate¹¹.
- In Vancouver, some tenants are seeing rent increases of more than 50% after major renovations to rental units they once occupied¹².
- In the District of North Vancouver, recently evicted long term tenants noted the significant challenge of finding suitable units in an affordable price range. Some have found alternative housing, but with significantly less

- ▶ **Renoviction:** a colloquial term used to describe the eviction of a tenant on the grounds of major construction to a building or unit. The RTA requires landlords to have the required permits and approvals prior to issuing a notice to end tenancy.
- ▶ **Demoviction:** a colloquial term used to describe the eviction of a tenant on the grounds of demolishing a rental unit. The RTA requires landlords to have the required permits and approvals prior to issuing a notice to end tenancy.
- ▶ **Tenant Relocation Assistance Policy:** means a municipal policy with provisions to ensure tenants in rental buildings that are impacted by demolition and redevelopment are notified, compensated, and assisted in finding new suitable housing, beyond the requirements of the RTA.
- ▶ **First Right of Refusal:** for housing, means a contractual right that gives the holder (renter) the option to enter into a lease with the owner of a unit prior to any third party.

⁶ "New West tenant calls for actions on renovations", *New Westminster Record*, October 4, 2017

⁷ "What will happen to me? Vancouver tenants gather at union convention", *CBC*, November 26, 2017

⁸ "With B.C.'s renter aid agency 'overwhelmed,' non-profits step up", *Vancouver Sun*, September 11, 2017

⁹ "Fighting for future renters in the city", *New Westminster Record*, June 23, 2017

¹⁰ "New Westminster renovictions leave low-income renters feeling desperate" *CBC*, June 14, 2017

¹¹ "New West tenant calls for actions on renovations", *New Westminster Record*, October 4, 2017

¹² "Vancouver's 'renovictions' driven in large part by vacate clause: advocate" *Business In Vancouver*, August 28, 2017

floor space and limited amenities.¹³ Tenants also noted the lack of pet-friendly buildings, making it more difficult to relocate.

- In Burnaby, the City experienced major protests¹⁴ due to the Metrotown Downtown Plan implementation. This document outlined a plan to accommodate expected newcomers to the City of Burnaby by increasing the density of areas near the frequent transit network and amenities. However, those areas are currently home to 42% rental housing and over half of residents in this area earn less than \$40,000 per year.¹⁵ These residents are particularly susceptible to displacement due to demolition and redevelopment and a lack of alternative affordable housing. Although the City of Burnaby has a limited Tenant Assistance Policy, the absence of an inclusionary housing policy exacerbates the issue of demolition and redevelopment.

METRO VANCOUVER AFFORDABLE HOUSING STRATEGY

In response to the regional growth pressures and housing affordability issues, and to advance its' complete community goals of *Metro 2040 Strategy*, Metro Vancouver prepared an update to its' *Regional Affordable Housing Strategy* in 2016. While the main focus of the document is encouraging the development of rental housing, there are also strategies to preserve existing rental housing stock and support existing tenants. The key strategy is ensuring that tenant relocations are responsive to tenant needs.

To implement this strategy, Metro Vancouver indicates, through its Regional Planning role, that it will research and identify best practices in tenant relocation policies and strategies. They also propose that the Provincial Government should review the RTA provisions for relocating tenants in redevelopment situations and mitigate the impact of relocation through provisions that enable tenants to find suitable alternative accommodation.

Specific considerations in the Regional Affordable Housing Strategy for municipalities to implement include:

- Requiring tenant relocation plans as a condition of approving the redevelopment of existing rental housing.
- Ensuring that developers notify tenants impacted by redevelopment of their rights under the RTA.

Local Context

Maple Ridge has experienced significant change and development in recent years. It has grown from a suburban community to a city with urban amenities. With growth comes challenges to manage change, including housing affordability, pressures on the local housing stock including homeownership, market rental and non-market housing, as well as induced demand for more units. New development and redevelopment of

¹³ "Demovicted Mountain Court tenants move out", *North Shore News*, April 6, 2017

¹⁴ "Burnaby approves Metrotown downtown plan after raucous council meeting", *CBC*, July 25, 2017

¹⁵ "Metrotown Downtown Plan raises fears of affordability, demovictions", *Vancouver Sun*, February 22, 2017

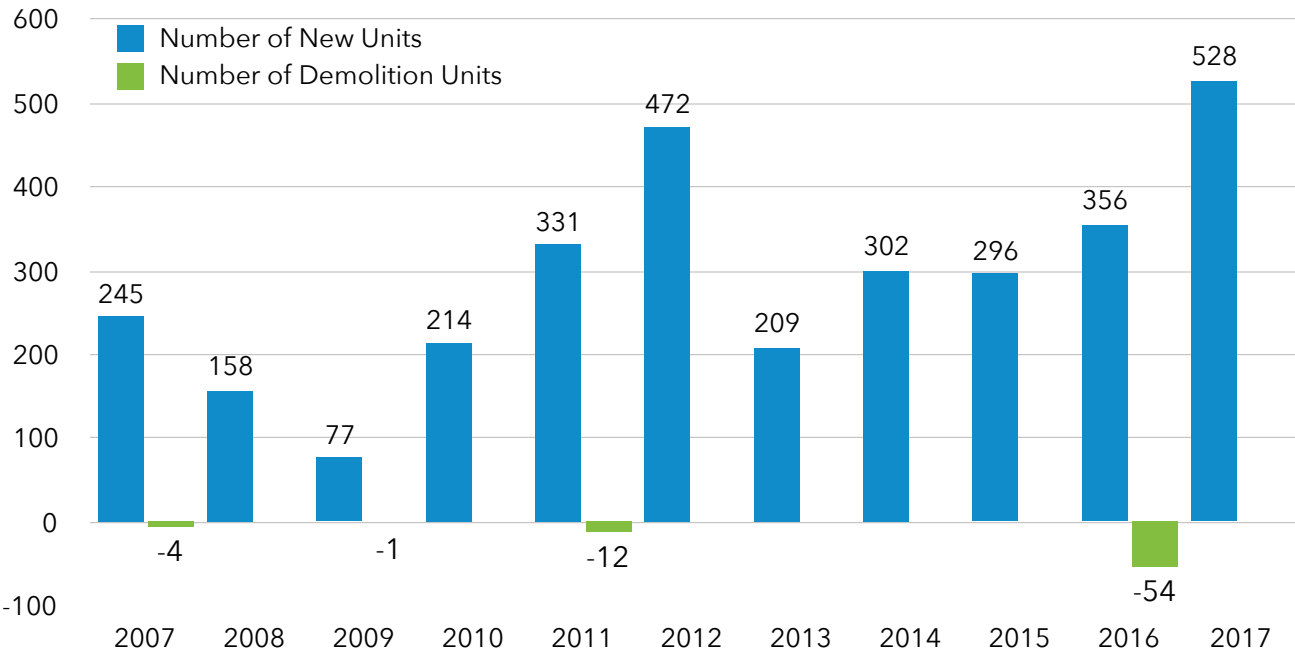
housing in Maple Ridge, in a short amount of time, can be observed as significant change by community groups and the general public.

► **Rate of Change:** refers to the amount of development or redevelopment activity from year to year, and from decade to decade.

The rate of change of housing is a good indicator of neighbourhood stability or instability. The increasing number of redevelopment projects, including the net gain or net loss of dwelling units, can help identify if a neighbourhood is redeveloping quickly, or at a slow to moderate pace. For example, if there are an increasing number of rental dwelling units being converted to condominiums faster than the rental units can be replaced, then the rate of change is high and the market has less time to respond. This can lead to less availability of rental units to residents in need of this particular form of housing.

Over the past decade, a total of 3,188 housing units (both ownership and rental) have been added to the housing market in Maple Ridge. The rate of construction has varied from a low of 4 developments containing 77 units in 2009, to a high of 22 developments containing 528 units in 2017. Within the same timeframe, the City has experienced the loss of 71 units to demolition, of which 54 units were in the Sunrise rental building that experienced fire damage in 2016.

Figure 1: Rate of Change in Total Unit Count, Maple Ridge (2007-2017)¹⁶



Based on the City of Maple Ridge’s Building Permit Data, the ratio of new units to demolished units does not appear to significantly impact existing rental buildings and tenants at this time. However, anticipated growth,

¹⁶ Building Permit Data, City of Maple Ridge, 2017

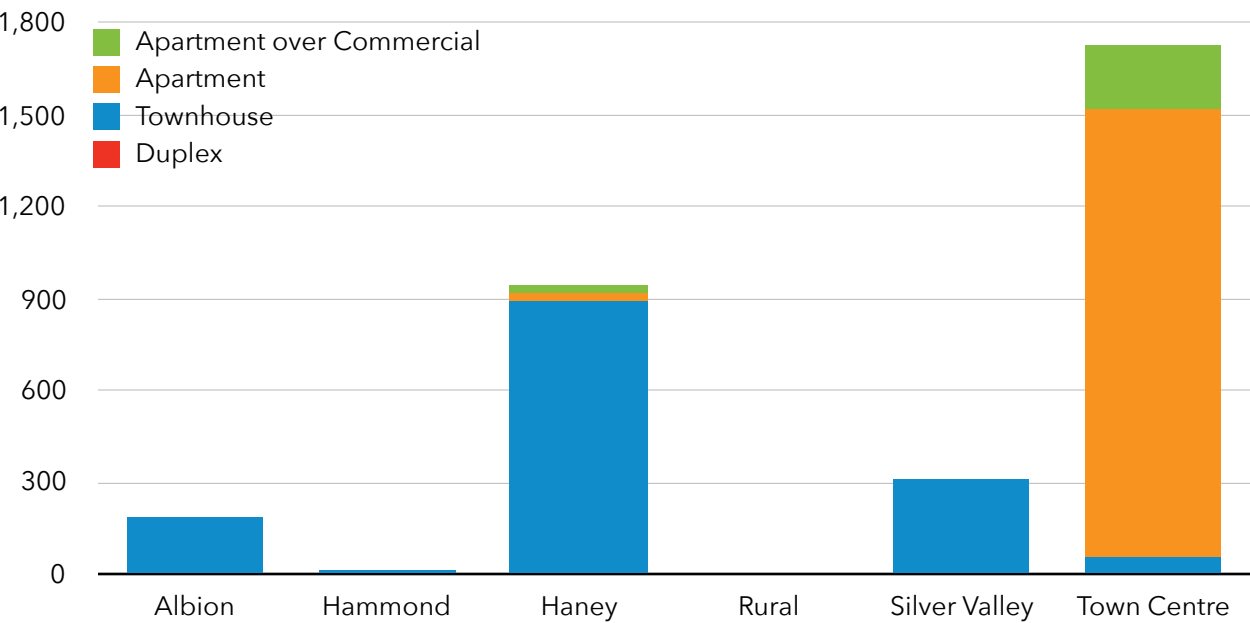
combined with limited greenfield sites, and an aging rental housing stock could result in future impacts to tenants.

Metro Vancouver’s Affordable Housing Update (2016) noted that purpose-built market rental supply is growing, due to changing market conditions and municipal incentive programs. However development has not been able to catch up to the significant demand. Between 2011 and 2014, new rental supply fell short of rental demand in the region by 1,600 units, most significantly for those households earning less than \$50,000 per year¹⁷. The regional demand for rental units puts pressure on aging rental stock where there is underutilized density available. Also, the regional demand for rental units for lower-income households is a broader indication of future potential challenges for tenants in Maple Ridge.

In the 2017 Fall Market Rental Survey released by CMHC, Maple Ridge contains 1,304 purpose built rental units. As per Census Canada data, this means that approximately 65-70 purpose built rental units in Maple Ridge are potentially in need of major repairs.

Provided the low demolition rate, relative to the construction of new units, it can be inferred that those units lost have been replaced and there has been an overall significant net gain of units in Maple Ridge. However, the rental and purchase price point at which new units entering the market are likely higher than those lost in the older housing stock if not secured through an inclusionary affordable housing policy.

Figure 2: New Units, by Structural Type and by Area, Maple Ridge (2007-2017)¹⁸



Townhouses are the most common form of new development in Maple Ridge, observed in all areas with the exception of the Town Centre. Notably, Haney (the infill area within the Urban Area Boundary that is not

¹⁷ Metro Vancouver Regional Affordable Housing Strategy Update, 2016

¹⁸ Building Permit Data, City of Maple Ridge, 2017

included in separate area plans) has undergone the greatest amount of construction over the past decade with a total of 214 new buildings containing 942 units.

In contrast, the Town Centre has experienced the greatest number of added units through the development of apartments and apartments over commercial retail space. These total an additional 1,732 units, or 54% of all units in Maple Ridge. These apartment buildings average approximately 50 units, with one outlier on 223 Street that contains 288 units, approved in 2017.

- **Note:** For residents of a mature neighbourhood who have lived in the same home for many years, and have witnessed very little change over this time, the “rate of change” associated with the demolition of a few homes to become a townhouse project, or the demolition of a low-rise apartment into a high-rise, may be perceived as too fast

In late 2016, the City reviewed a development proposal for 291 rental housing units in two buildings on sites with two existing multi-unit buildings, one of which was damaged in a fire in 2015 (see blue sidebox for further information regarding tenant assistance in disaster situations). The proposed development was to be undertaken in phases, as to accommodate current tenants in the existing building, and then later, in the first of the two new buildings. At the December 5, 2016 meeting of Council, the application was deferred pending an applicant submission of a property management plan and a rental transition plan.

In January 2017, the applicant submitted a letter and attachments in response to Council’s request for further information. The applicant indicated commitments to provide first right of refusal to current tenants in good standing, and alternative options for displaced tenants. This application initiated a conversation about a formalized tenant relocation assistance policy in Maple Ridge, beyond the City’s modular home park redevelopment assistance policy.

► **Tenant Relocation Assistance Policies and Disasters**

- Existing Tenant Relocation Policies in the region do not include reference to disaster situations such as significant fire or earthquake damage which render the unit uninhabitable.
- If there is no fault, this is a Frustrated Tenancy Agreement, under the Residential Tenancy Act. The landlord is not required to pay moving costs or replacement of items. If there is evidence of negligence, the RTB has a dispute resolution process for compensation.

Over the summer of 2017, the conversation about tenant assistance and relocation elevated in Maple Ridge with the proposed redevelopment of Esme Manor, a multi-unit rental building near downtown. According to media coverage, tenants were being evicted for major renovations (in this case, new windows, doors, bathrooms, roof, and updated mechanical systems¹⁹) and would be able to return, if they had the ability to pay

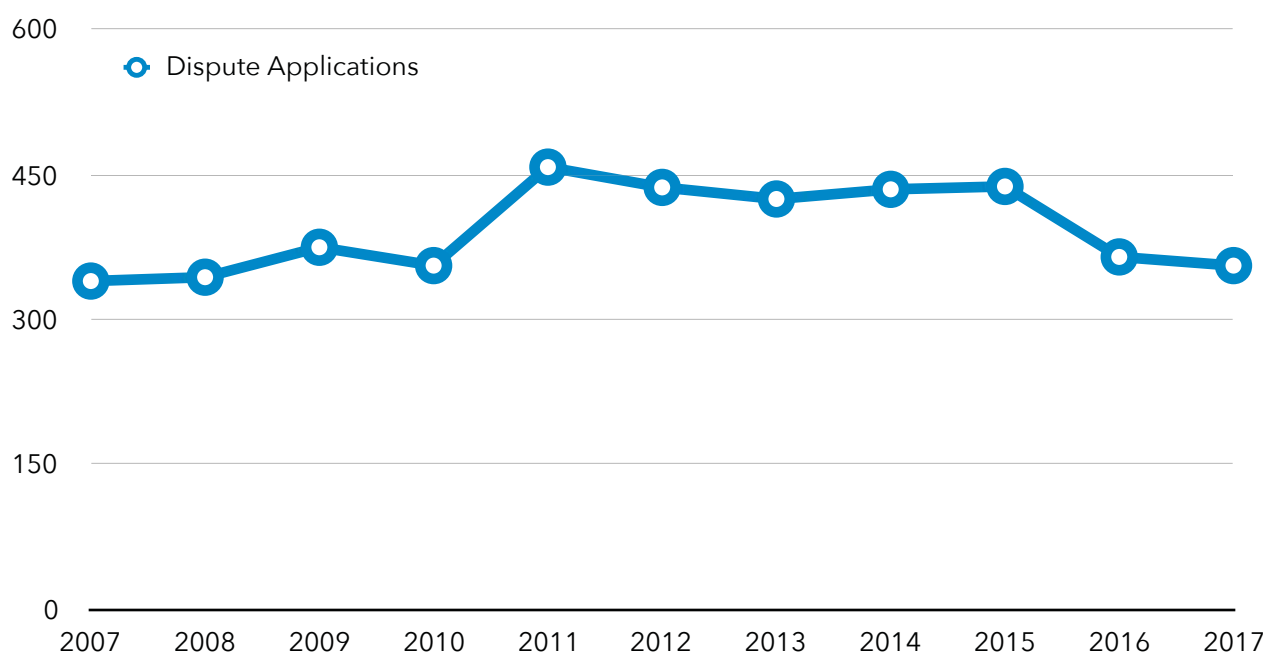
¹⁹ “Landlord counters renovations claim”, *Maple Ridge-Pitt Meadows News*, August 3, 2017

the increased rental rates.²⁰ The owner indicated that rental rates would increase from \$750 for a one bedroom to \$1000 or more, depending on market prices²¹ - an increase of 33%. According to media coverage, there did not appear to be any formal tenant assistance package, however the owner of the property indicated that the landlords worked to support moving costs and returned damage deposits regardless of the condition of the unit²².

In light of these issues, research was undertaken to explore if there was any correlation between the rate of change in the City with the number of landlord-tenant disputes. The RTB tracks the number of dispute applications made on behalf of landlords and tenants. After a review of the data from 2007 to 2017 in Maple Ridge, it appears that while the rate of change is increasing, the number of dispute applications over the same period have remained relatively constant.

Dispute applications to the RTB come up when a landlord and tenant cannot resolve a dispute related to a tenancy. This includes disputes related to an eviction. What is unknown, at this time, is whether the relative stability of the number of dispute applications in Maple Ridge may be an indication that the local development community is adhering to the RTA when evicting tenants, or if it is an indication that tenants do not know their rights when evicted for renovations or redevelopment.

Figure 3: Number of RTB Dispute Applications, Maple Ridge (2007-2017)²³



²⁰ "Renovictions' come to Maple Ridge", Maple Ridge-Pitt Meadows News, July 31, 2017

²¹ "Landlord counters renovictions claim", Maple Ridge-Pitt Meadows News, August 3, 2017

²² "Rents jump at Maple Ridge 'renoviction' apartments", Maple Ridge - Pitt Meadows News, October 10, 2017

²³ Residential Tenancy Branch Dispute Applications, Province of BC, 2017

Case Studies

There are a limited number of member municipalities in the region that have tenant relocation policies for multi-unit rental buildings, whether voluntary or mandatory. Through a review of Metro municipalities, the following have a some form of Tenant Relocation Policy for multi-unit rental buildings: City of North Vancouver, District of North Vancouver, City of Vancouver, City of Richmond, City of Burnaby, and the City of New Westminister.

The following section summarizes a selection of multi-unit rental tenant relocation policies in three selected Metro Vancouver municipalities. The three selected (City of North Vancouver, City of Vancouver, and City of New Westminister), present a range of possible policy options for Maple Ridge to consider.

City of North Vancouver

The City of North Vancouver (CNV) prepared their Residential Tenant Displacement Policy in 2015. The policy is a voluntary commitment for the applicant. Below is a summary of the policy.

RESIDENTIAL TENANT DISPLACEMENT POLICY

The policy applies to all rezoning applications (referred to as "development applications" in CNV) seeking Council approval to redevelop or demolish an existing purpose-built rental building designated Level Four and higher in the Official Community Plan. Level Four Residential means properties that are designated "Medium Density" (townhouses, rowhouses) or an FSR of 1.0. The policy does not apply to developments that are permitted outright under the Zoning Bylaw, or for tenants displaced from non-secure rental units (secondary suites, coach houses, market condos).

If the applicant voluntarily commits to providing tenant assistance, the following is expected to be submitted at the beginning of the rezoning process:

- Current Occupant Summary: including number of units, types of tenancies (e.g. periodic or fixed term), rent rates, unit sizes, and accessibility requirements or other supports required by tenants.
- Tenant Communication Plan: outlining the proactive engagement and input opportunities through the development application process.

During the application review process, the applicant is expected to designate a Tenant Relocation Coordinator to support tenants in finding up to three comparable rental units in the City of North Vancouver. Rents in these unit options cannot exceed 10% above the average rent established in the CMHC Rental Market Report. Tenants may opt-out of this service. The applicant is expected to compensate all tenants on a periodic tenancy, with three months rent to assist with finding alternative accommodations. Tenants on fixed-term tenancy follow the process outlined in the RTA, but applicants are encouraged by the City to compensate tenants with an amount that is at least three months rent equivalent.

Once the rezoning has been approved, the applicant is expected to provide two months notice to the tenants after the demolition permit is issued. Finally, the City expects that the applicant provides displaced tenants with a first right of refusal to live in the new building. New rent amounts are to be negotiated between the owner and the tenant.

City of Vancouver

The City of Vancouver (CoV) prepared their Tenant Relocation and Protection Policy in 2015. Noting that the City has different powers under the *Vancouver Charter*, the policy is mandatory for rezoning or development permit applications for existing residential rental buildings.

TENANT RELOCATION AND PROTECTION POLICY

The City requires a Tenant Relocation Plan or Tenant Impact Statement when tenants in an existing residential rental unit are displaced or impacted as a result of redevelopment or major renovations. The policy is applied to all zones except single detached, industrial and agricultural zones and targets the City's "primary" rental stock which includes purpose-built market rental housing, non-market or social housing, buildings with rental units above commercial space, and large multiple conversion dwellings with six or more units.

When an applicant seeks rezoning or a development permit within the applied zones involving primary rental stock, they are required to provide a Tenant Relocation Plan when tenants occupying existing units will be displaced as a result of the application or permit. The Relocation Plan must include:

- Financial compensation based on length of tenancy (2 months' rent: 4 year tenancies, 3 months' rent: 5-9 year tenancies, 4 months' rent: 10+ year tenancies, 6 months' rent: 20+ year tenancies);
- A minimum of 2 month's notice to end tenancies after all permits are issued;
- Assistance for tenants who request help finding new accommodations including the provisions of three options in Vancouver, and no more than the CMHC average rent for the area;
- Arrangements for an insured moving company or a flat payout rate for moving expenses;
- First right of refusal for existing tenants to return to the new building with a 20% discount off starting market rents for projects with replacement secured market rental housing or projects with new social housing; and,
- Additional support for special circumstances (i.e. persons with disabilities, vulnerable households) including:
 - Additional financial compensation, support by partnering with health organizations or other non-profit services; and,
 - Additional support by identifying at least one alternate accommodation option within 10% of the tenant's current rent for those tenants with low income and paying significantly lower than the CMHC average rent for the area.

In cases where tenants will not be permanently displaced as a result of rezoning or redevelopment (i.e. they are able to remain in the building while work is ongoing), applicants are required to provide a Tenant Impact Statement - a notarized declaration that tenancies will not be impacted by the proposed work. If, at any time during the work it becomes necessary to displace the tenants, applicants will be requested to provide a permanent tenant relocation plan as described above.

City of New Westminster

The City of New Westminster prepared their Tenant Relocation Policy in 2016. The policy is mandatory for rezoning applications and heritage alteration permits and is applied on a voluntary basis for development permits and demolition permits. Below is a summary of the policy.

TENANT RELOCATION POLICY

The policy applies to rezoning applications and heritage revitalization agreements which involve the demolition of six or more purpose-built market rental units within a multi-unit building. It is applied on a voluntary basis for development or demolition Permits which involve the demolition of six or more purpose-built market rental housing units within a multi-unit building.

In the case of rezoning applications or heritage revitalization agreements, applicants are required to include a Tenant Assistance Plan with the application to the City's Land Use and Planning Committee, submit evidence that the Tenant Assistance Plan has been communicated to the tenants prior to First Reading, and demonstrate that the tasks in the Tenant Assistance Plan have been completed prior to receiving a demolition permit.

A Tenant Assistance Plan includes:

- A commitment to provide a minimum of three months' notice prior to eviction;
- Compensation equal or greater to the equivalent of three months' rent;
- Documentation of units including unit types, rental rates and vacancy rates in the building;
- A strategy for assisting tenants in finding appropriate housing; and,
- A communications plan for the applicant and tenants, including notice of all consultation events or activities related to the application.

Whether the applicant is in the mandatory stream (rezoning, heritage alteration permits) or the voluntary stream (development permit, demolition permit), prior to the issuance of a Development Permit for the property to be redeveloped, the applicant must provide the City with a letter indicating all of the Tenant Assistance Plan commitments have been met.

Summary of Comparable Municipalities

Below is a high-level summary of tenant relocation assistance policies in new development projects in other communities.

Table 2: Summary of Comparable Municipalities

	City of North Vancouver	City of Vancouver	City of New Westminster
Approach	Voluntary	Mandatory	Mandatory - Rezoning/ Heritage Alteration Voluntary - Development or Demolition Permits
Unit Types	Purpose-built rental buildings of medium density or higher (FSR 1.0+ - townhouses/ rowhouses).	Purpose built market rental, non-market or social housing, buildings with rental units above commercial, and multiple conversion (6+ units)	Demolition of 6+ purpose-built market rental housing units
Trigger	Rezoning, Development Permit Variance Application	Rezoning/Development Permit	Rezoning/Heritage Alteration/Development or Demolition Permit
Submissions	<ul style="list-style-type: none"> • Current Occupancy Summary (application stage) • Tenant Communication Plan (application stage) • Tenant Relocation Coordinator status report and documentation (application review prior to occupancy) 	<ul style="list-style-type: none"> • Tenant Relocation Application Form • Tenant Relocation Plan (application stage) • Tenant Relocation Report (prior to occupancy) • Tenant Impact Statement (tenants not permanently displaced) 	<ul style="list-style-type: none"> • Tenant Assistance Plan (application stage) • Evidence of communications (prior to 1st reading) • Letter of commitments met (prior to issuing permits)

Compensation	3 months rent	Based on tenancy length: <ul style="list-style-type: none"> • 2 months' rent: 4 year tenancies • 3 months' rent: 5-9 year tenancies • 4 months' rent: 10+ year tenancies • 6 months' rent: 20+ year tenancies 	Greater than or equal to 3-months' rent
Assistance in Securing Housing	<ul style="list-style-type: none"> • Find up to 3 comparable rental units in the City of North Vancouver. • Maximum rents 10% above the CMHC average rent for the area. 	<ul style="list-style-type: none"> • 3 compatible options in the City of Vancouver, at least 1 in same neighbourhood. • Maximum rents should be no more than CMHC average rents for 1 area • Arrangement of moving company or payout for moving expenses. 	<ul style="list-style-type: none"> • Assistance in securing housing will be reviewed by City staff and the Land Use and Planning Committee as part of the preliminary report. The Committee can refer to Council. • No specific requirements for the assistance strategy.
Notice	2 months' notice after permits issued	2 months' notice after permits issued	3 months' notice prior to eviction
First Right of Refusal For New Units	Yes. To be negotiated between property owner and tenant	Yes. Required 20% discount off starting market rents for replacement rental /new social housing	Not required

Key Considerations for the City of Maple Ridge

Research from comparable municipalities indicate that there are a range of options for Tenant Relocation Assistance for multi-unit rental buildings. Based on this research, preliminary considerations for the City of Maple Ridge are outlined as follows:

#1 Mandatory Approach for Rezoning Applications

- For the purpose of ensuring that existing rental tenants are not displaced by redevelopment associated with a rezoning application, Maple Ridge may consider applying a Tenant Relocation Assistance Policy to all purpose built rental building rezoning applications. This would not include buildings subdivided by a strata plan, and secondary market rentals such as secondary suites, market rental condominium units, or other investor-owned houses/units.
- Consider applying a voluntary Tenant Relocation Assistance program for Development Permit applications or Demolition Permit applications where rental tenants will be displaced.

#2 Relocation Assistance Plan

- Consider the following components for a Tenant Relocation Assistance Plan to be provided by an applicant at time of rezoning application:
 - A summary of the existing building occupants, unit types, rental rates, and length of tenancies.
 - A tenant communications strategy to inform residents of the rezoning and redevelopment application. Consider mandatory notification timelines prior to eviction. For example, requiring 2 months notice after issuance of a permit, which is consistent with the Residential Tenancy Act.
 - A commitment to identifying a minimum of three alternative accommodation options for each tenant in a comparable unit type in Maple Ridge, with at least one in the same neighbourhood.
 - Consider requiring alternative accommodation options to be at rates no more than CMHC's average rents for the area, or within 10% of the current rental rate. Also consider special circumstances for individual tenants such as pet-friendly buildings and accessibility.
 - Consider requiring the applicant to provide documentation of the implemented plan and timely communication to tenants prior to first reading and updates prior to receiving final approval.

#3 Financial Compensation and Moving Expenses

- Consider requiring a financial compensation allocation to each current tenant to support their relocation at an amount that is equivalent of three month's rent payable.

- In addition to financial compensation, consider requiring arrangements for an insured moving company, or equivalent flat rate payout, for tenant moving expenses.

#4 First Right of Refusal

- Consider requiring the provision of a first right of refusal to current tenants to live in the new building upon completion.
- For current tenants who choose to live in the new building, consider requiring a discounted rental rate - for example, a 20% discount below anticipated market rental rates. If the current rental rate is higher than the proposed discount below market rental rates, then the rent would be provided at the current rental rate.





585 – 1111 West Hastings Street, Vancouver BC V6E 2J3 | 604.687.2281

101-848 Courtney Street, Victoria BC V8W 1C4 | 250.383.0304

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POLICY MANUAL

Title: Tenant Relocation Assistance Policy	Policy No: Supersedes: New
Authority: <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Operational Approval: <input checked="" type="checkbox"/> Council <input type="checkbox"/> CMT <input type="checkbox"/> General Manager	Effective Date: TBD
<p>Policy Statement:</p> <p>All development applications for properties, which currently contain five or more purpose-built rental housing units, that propose a:</p> <ul style="list-style-type: none"> • Rezoning; • Adoption of a heritage revitalisation agreement; • Strata conversions of previously occupied buildings; or • Change to rental units secured through an existing Housing Agreement with the City; <p>shall provide the following measures:</p> <ol style="list-style-type: none"> 1. Proof of early and ongoing tenant communication that: <ol style="list-style-type: none"> a. Notifies tenants of the intent to redevelop the property (the notices to end current tenancies are not to be issued at this early stage); b. Provides information on the development application process and timelines involved and identifies opportunities where tenants can provide input to the City; c. Outlines the Relocation Assistance Plan; d. Identifies other information and resources, including all rights and obligations as outlined under the British Columbia Residential Tenancy Act; e. Includes a consultation meeting with existing tenants held as early in the development application process as possible with opportunities for tenants to voice comments about the development application. 2. A Relocation Assistance Plan which shall include: <ol style="list-style-type: none"> a. A list setting out the name of each current tenant, the current unit type (1 bedroom, 2 bedroom, etc.), the size of each current unit, the unit number currently rented by the tenant, the length of current occupancy, and the rent the tenant currently pays; b. Provision of a right of first refusal to current tenants to rent a unit in the new building if the proposed building is to be a purpose-built rental building or contain secured rental units, with rents that are at least 10% below the average rents for the City of Maple Ridge as per the CMHC Rental Market Report for the previous year. If the current rents are higher than the proposed 10% below average rent, then the right of first refusal may be provided at the current rental rate; 	

- c. A commitment to identify at least three alternative rental options for each current tenant that are comparable in unit type and are in Maple Ridge, with at least one in the same neighbourhood:
 - i. In the case where the current rents are below the average rents for the City of Maple Ridge as per the CMHC Rental Market Report for the previous year, then the alternative rental options should be within 10% of the current rent;
 - ii. In the case where the current rents are at or above the average rents for the City of Maple Ridge as per the CMHC Rental Market Report for the previous year, then the alternative rental options may be provided at the current rental rate;
 - iii. All alternative rental options should be comparable in unit type, unless otherwise agreed to, and be tailored to the tenant (pet friendly, mobility considerations, etc.).
 - iv. Where it can be demonstrated that comparable alternative rental options are not available, rental units outside of the preferred location may be considered, provided that such rents are within 10% of the average rents for the City of Maple Ridge as per the CMHC Rental Market Report for the previous year.
- d. Financial compensation equivalent to two months current rent allocated to each current tenant to assist in their relocation and in compensation for moving expenses, to be provided on or before the move-out date. Such compensation can take the form of free rent, a lump sum payment, or a combination of both as agreed to with the tenant.
- e. A commitment that each tenant will be given a minimum of two months notice to end the current tenancies, and that such notice will be served only after the date of Final Approval by Council.

Prior to proceeding forward to Council, the First Council Report must include:

1. Copies of all early and ongoing tenant communication, including minutes and an attendance list of the applicant-led consultation meeting;
2. A commitment by the applicant to uphold and implement the Relocation Assistance Plan.

Prior to receiving Final Approval:

1. Regular updates on the progress of the Relocation Assistance Plan must be provided to the City at each stage of the application process as the application progresses.
2. A final report must be provided to the City which outlines the names of current tenants; whether the tenant was accommodated in the new building; whether the tenant was accommodated in an alternate rental option; if accommodated in an alternative rental option, the location, unit type and rent of the alternative rental option, as compared to the tenant's previous unit type and rent; the total financial compensation provided per tenant; and copies of all communication provided to the tenants.

Following Final Approval:

1. Provision of two month notice, only after the date of Final Approval by Council.

Purpose:

To ensure that existing rental tenants are not impacted or displaced as a result of proposals to redevelop properties with purpose-built rental housing, through a rezoning application, heritage revitalisation agreement, strata conversion of a previously occupied building, or change to rental units secured through an existing Housing Agreement with the City.

This Policy Statement applies to all existing purpose-built rental buildings, or a collection of buildings, with a total of five or more purpose-built rental housing units, excluding those secondary rental market units that were not originally purpose-built to be rental units (such as condominiums) or other buildings, structures or uses that comprise fewer than five dwelling units (such as duplexes, triplexes, fourplexes, secondary suites, detached garden suites, temporary residential uses, or accessory employee residential uses). This policy does not apply to developments that are permitted outright under the Zoning Bylaw.

Definitions:

Purpose-built rental means a residential building that is not subdivided by strata plan, and in which all or a portion of the dwelling units have been purposely built and/or secured through a Housing Agreement to be rented or leased under a tenancy agreement for either periodic or fixed-term tenancies as defined under the Residential Tenancy Act.

Key Areas of Responsibility:**Action to Take**

To require applicants proposing a rezoning, heritage revitalisation agreement, or strata conversion of a previously occupied building that would redevelop properties with purpose built rental housing of five or more units to provide the measures outlined in this Policy Statement.

Responsibility

Planning Department



Deep Roots
Greater Heights

POLICY STATEMENT

District of Maple Ridge

Title: Modular Manufactured Home Park Redevelopment Tenant Assistance Policy	Policy No : 6.27 Supersedes: <u>April 22, 2008</u>
Authority: <u>Council</u> Approval: <u>TBD</u>	Effective Date: <u>TBD</u>
<p>Policy Statement:</p> <p>Rezoning applications that propose the redevelopment of properties used as mobile home parks should include the following measures:</p> <ol style="list-style-type: none"> 1. A Rezoning Application must include: <ol style="list-style-type: none"> a. Proof of <u>early and ongoing</u> tenant notification of plans to redevelop the property, <u>including a consultation meeting with existing tenants early in the process with opportunities for tenants to voice comments about the rezoning application.</u> a-b. A Relocation Assistance Plan that includes; <ol style="list-style-type: none"> i. a professional appraisal of the site's housing stock and its feasibility for relocation to a new site, ii. a qualitative survey of residential housing preferences, an assessment of the ability of tenants to secure accommodation in the proposed new development, and, iii. where residential development is proposed, affordable housing options on the subject site with opportunities for tenants to continue their tenancy there. b-c. A commitment to hire a qualified professional to assist tenants <u>impacted by the rezoning application by;</u> <ol style="list-style-type: none"> i. identifying <u>at least three satisfactory and comparable alternative housing options for each current tenant that are preferably in Maple Ridge,</u> ii. advocating on behalf of tenants in accessing available subsidies and programs, iii. liaising with appropriate agencies, and iv. providing updates to the municipality on the progress of the Relocation Assistance Plan. 2. <u>Prior to proceeding forward to First Reading, the</u> First Reading Report must include: <ol style="list-style-type: none"> a. <u>Proof of all early and ongoing tenant communication, including minutes and tenant comment forms from the applicant-led consultation meeting;</u> 	

~~a-b.~~ Where a tenant owns the housing unit, a commitment to provide compensation measures which will include but are not limited to:

- i. the applicant assuming responsibility for the disposal of structures considered to be at the end of their useful life, or where the tenant chooses a different housing tenure;
- ii. compensation payments based on the greater of professionally appraised values, assessed values, or \$10,000.
- iii. the right of first refusal for tenants wishing to purchase a unit in the proposed new development, with the compensatory amount being applied as a down payment to the fair market value on a new unit.

iv. two years eviction notice, effective from the date of Final Approval for the Rezoning Application.

~~b-c.~~ Where a tenant rents or leases the housing unit, a commitment that the measures established by Council Policy No. [] – Tenant Relocation Assistance Policy – will be satisfied.

3. Prior to Receiving Final Approval:

- a. Regular updates on the progress of the Tenant Relocation Assistance Plan are to be provided as the application progresses. Staff will evaluate the tenant assistance plan for compliance and its merits in meeting tenant needs, and will include this measure as part of the criteria for a favourable recommendation for Council's consideration.
- b. Prior to receiving Final Reading, the applicant must:
 - i. demonstrate compliance with the conditions of the tenant relocation plan (have either completed these requirements or submitted securities in the amount of the required compensation measures to ensure honouring these commitments).
 - ii. register on title a restrictive covenant giving tenants two years eviction notice effective from the date of Final Approval.
 - iii. Demonstrate acceptance from tenants with regard to relocation packages.

Purpose:

The ~~Manufactured Modular~~ Home Park Redevelopment Tenant Assistance Policy is intended to supplement Provincial regulations (the Manufactured Home Park Tenancy Act) in providing assistance to tenants at risk of displacement due to the potential redevelopment of mobile home parks within the City of Maple Ridge. Compensatory measures outlined in this policy pertain to tenancy agreements where the mobile home pad is rented but the dwelling itself is owned by the tenant. In instances where tenancy includes the rental of the housing unit, Council Policy No. [] – Tenant Relocation Assistance Policy – will apply. This policy will be triggered by a rezoning application for the subject property.

Definitions:

Mobile Homes, Mobile Home Parks, and Mobile Home Plots are defined in the Maple Ridge Zoning Bylaw.

City of Maple Ridge

TO: Her Worship Mayor Nicole Read
and Members of Council
FROM: Chief Administrative Officer
SUBJECT: Access to Waterways in Maple Ridge

MEETING DATE: March 6, 2018
MEETING: Workshop

EXECUTIVE SUMMARY:

As a result of a recent loss to regional boating infrastructure and increasing land value pressure on remaining boat launch opportunities, Boating BC Association has requested that the City inventory its existing boating infrastructure and protect public boat launches located within our community. They have also asked the City to commission a study of existing private access points in Maple Ridge with the intent to include these in the City's long-term plans. In response to these requests, Council asked staff to provide them with information on boating infrastructure in our community.

Existing boat launches within our municipal boundary include a motorized launch at Alouette Lake in Golden Ears Provincial Park, canoe/kayak launches at both Whonnock Lake Park and Kanaka Creek Regional Park (KCRP), and private boat launches and wharves along the River Road industrial lands which support businesses located in that area.

Long term community plans to support boating infrastructure already exist through City policy contained in the Official Community Plan (OCP) and the Parks, Recreation and Culture (PRC) Master Plan, as well as through regional policy contained in the Experience the Fraser (ETF) Plan. City policy looks to partner with Metro Vancouver to enhance boat launch opportunities and support tourism through additional or enhanced waterfront access. The regional ETF initiative articulates a plan for water access along the Fraser River and creates a vision for a Canyon to Coast Trail and Recreational Blueway as a partnership involving Metro Vancouver, the Fraser Valley Regional District, the Province of BC and the sixteen municipalities along the Fraser River.

RECOMMENDATION:

Receive for information [no resolution].

DISCUSSION:

a) Background Context:

On November 14, 2017, Council received correspondence from Boating BC outlining its concern regarding an ongoing decline of boating access infrastructure in BC. The letter (Attachment 1) indicates that recreational boating accounts for nearly \$1.3 billion of the

Province's GDP and that 17,000 jobs are supported by recreational boating province-wide. In consideration of this, Boating BC requests that the City:

1. Inventory existing boating infrastructure within our community;
2. Pass a motion to protect remaining public boat launches in Maple Ridge; and
3. Commission a study of existing private access points within our community and incorporate them into our long-term community plans.

An inventory of boating infrastructure on lakes and rivers within the City of Maple Ridge's municipal boundaries includes the following access points:

1. Alouette Lake Boat Launch: a public motorized boat launch located within Golden Ears Provincial Park at the south end of Alouette Lake.
2. Kanaka Creek Regional Park (KCRP) Boat Launch: a public canoe/kayak boat launch located at the Fraser River foreshore area of this regional park.
3. Whonnock Lake Boat Launch: a public canoe/kayak launch located at the south end of the lake on municipal parkland.
4. River Road Industrial Area (KCRP to 240 Street): several private boat launches or wharves exist along the riverfront in this area. For example, a private boat launch which supports a commercial marine sales and service business is located at the south end of McKay Avenue.

There are also several informal canoe/kayak/inflatable water access points along the Alouette River which have become increasingly popular. Other boating infrastructure of note includes mooring opportunities at Port Haney Wharf, maintained by the City of Maple Ridge, and the Albion Ferry terminal site that was in operation until the service was discontinued in 2009 with the opening of the Golden Ears Bridge.

The ETF Concept Plan sets a standard for adequate river access, and offers a unique vision to connect communities, parks, natural features, historic and cultural sites and experiences along the Lower Fraser River. The ETF Implementation Plan (September 2012) includes a Recreational Blueway strategy to build a new – or enhance an existing – boat launch at eight locations between the Alex Fraser Bridge and Hope to ensure adequate river access at a minimum of every fifteen kilometres along the river. Immediate plans identify the Mission Bridge/Matsqui Trail area for an improved boat launch, a feasibility study for the relocation of the motorized boat launch out of Bedford Channel in the Township of Langley and the improvement of water access and canoe launch opportunities at KCRP in Maple Ridge. The ETF highlights the Port Haney Wharf and the riverfront at KCRP for potential Blueway nodes to support boating activities along the Fraser River.

While the City of Maple Ridge looks to Metro Vancouver and the Province to provide boating access to the Fraser River and Alouette Lake, the City has identified potential partnership opportunities for boating infrastructure and water access through the OCP and PRC Master Plan. The Vancouver Fraser Port Authority has jurisdiction over the Fraser River foreshore rights, and any enhancements to an existing facility or the establishment of a new boat launch would require the Authority's approval as well as a Provincial and Federal environmental review.

b) Desired Outcome:

The desired outcome is to provide Council with this background information in advance of the delegation from Boating BC on March 13, 2018.

c) Strategic Alignment:

The City currently provides access to waterways and boating infrastructure support through policy guidance in the City's OCP and PRC Master Plan. The OCP supports additional or enhanced waterfront access for industry, recreation and tourism. The PRC Master Plan includes a strategic objective to support tourism by working with Metro Vancouver to improve boat launch facilities as well as a recommendation to work with Metro Vancouver to acquire the Albion Ferry dock site and other potential staging areas for boaters along the Fraser River.

d) Citizen/Customer Implications:

In order to meet the needs of the boating community, a greater understanding of recreational water destinations important to boaters across the region would assist in developing policies and actions that support existing infrastructure while potentially identifying new boat launch opportunities.

e) Interdepartmental Implications:

The City's draft Tourism Strategy supports enhancing facilities for boating such as boat launch maintenance, boat storage and the development of a waterfront hub.

f) Business Plan/Financial Implications:

The financial implications of securing additional boat access to the Fraser River require funding for feasibility studies, land acquisition, development, as well as operating and maintenance costs associated with a boat launch facility. Any lands considered for this purpose would need an area large enough to accommodate vehicle and trailer parking. Further detailed investigation would be needed to determine the magnitude of costs associated.

CONCLUSIONS:

This report is intended to provide Council with information on existing boating infrastructure in the City of Maple Ridge, clarifying the provincial, regional and municipal roles in providing access to waterways, and confirming the City's current policies that support boating infrastructure. Boating infrastructure on lakes and rivers in Maple Ridge already enjoys a level of protection due to public ownership by the Province, Metro Vancouver and the City. The City plays a role in the maintenance and enhancement of existing facilities at both Whonnock Lake and the Port Haney Wharf, and partners with Metro Vancouver for the provision of new infrastructure as supported within the Experience the Fraser Concept Plan. Council will have an opportunity to hear from Boating BC representatives and gain further information from them at the March 13, 2018 Council meeting.

"Original signed by Valoree Richmond"

Prepared by: Valoree Richmond, Manager of Parks Planning & Operations

"Original signed by David Boag"

Reviewed by: David Boag, Director of Parks & Facilities

"Original signed by Danielle Pope for"

Approved by: Kelly Swift, MBA, BGS
General Manager: Parks, Recreation & Culture

"Original signed by Paul Gill"

Concurrence: Paul Gill, CPA, CGA
Chief Administrative Officer

Attachments:

- (1) Correspondence from Boating BC dated October 26, 2017



BOATINGBC
ASSOCIATION™

October 26, 2017

Mayor Nicole Read
11995 Haney Place
Maple Ridge, BC
V2X 6A9

Re: Access to waterways in British Columbia

Dear Mayor Read,

On behalf of Boating BC, I am writing to share information and request your support to protect what is left of access points to waterways across British Columbia. Boating BC has been the voice of recreational boating in B.C. since 1957 and is comprised of over 300 member businesses from all sectors of our industry. Our mandate is to provide information and remove barriers for boaters and businesses while ensuring our waterways are both safe and accessible.

In British Columbia, recreational boating accounts for nearly \$1.3 billion of the province's GDP and supports nearly 17,000 jobs provincially. Across Canada, recreational boating contributes about \$5.6 billion to Canada's GDP. With 27,000 km of coastline and thousands of lakes and rivers, British Columbia is most definitively a maritime destination, and recreational boating remains an important part of the culture and economy in many communities including Victoria, Nanaimo, Kelowna and West Vancouver, just to name a few.

Over the past 10 years, as waterfront property prices have risen exponentially, we have seen an ongoing decline of boating access infrastructure. Marinas and public boat launches are being removed to make way for real estate developments and other community amenities, and where there are existing marinas, lease rates are increasing at nearly the same rate as land values. As a result, there are fewer and fewer safe public access points for domestic and visiting boaters to access waterways. The net effect of this trend is a decline in economic spin-off opportunities for local communities and, in some cases, an increase in safety risks as boaters are forced to travel longer distances to reach boat launches and go through dangerous waterways to reach their boating destination.

By way of example, the District of West Vancouver closed the Ambleside Boat launch in October, 2016 without explanation or an alternative access point. Since that time, boaters have been forced to launch in alternative communities – as far away as Sunset Marina, Cates Park or Vanier Park – and travel, unnecessarily, across shipping lanes or the more dangerous waters of Point Atkinson in order to enjoy the waters and fishing off of Ambleside.

In Nanaimo, the Nanaimo Port Authority, which manages leases on behalf of the federal government, has applied methodology resulting in foreshore lease rate increases between 60 and 125 per cent along Newcastle Channel. Such substantial increases would be extremely difficult for any business to absorb, and pose a significant threat to the affected marina operators.

These are just two of the many examples in relation to a concerning trend being played out across our province.

We are writing today to formally request that Council direct staff to do an inventory of existing boating infrastructure within your municipal boundaries, pass a motion that protects the remaining public boat launches in your community and to commission a study of existing private access points within your jurisdiction and incorporate those into your long-term community plans.

Because BC is better on a boat!™

901

Unlike many other boating destinations in Canada and around the world, boating in B.C. is a year-round activity. Countless numbers of jobs are directly and indirectly related to the marine industry and there exists a strong connection between the tourism sector and ours.

Ensuring British Columbians and visitors have easy access to our waterways is critical for B.C. in order to prevent erosion of the industry, to continue to maintain recreational boating as a strong economic staple, and to uphold our maritime culture and boating lifestyle, which is central to who we are.

I would be happy to discuss this issue personally at any time or meet with you at your convenience. I can be reached at 250.893.0055 - I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Don Prittie', with a stylized, cursive script.

Don Prittie
President
Boating BC Association

Because BC is better on a boat!™

FEB 26 2018

File: CR-12-01
Ref: RDP 2018 Feb 23

Laura Benson, Corporate Officer
City of Maple Ridge
11995 Haney Place
Maple Ridge, BC V2X 6A9

Dear Ms. Benson:

Re: Consent to Metro Vancouver Regional Parks Service Amendment Bylaw No. 1260

At its February 23, 2018 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) gave three readings to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; directed staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function; and following that, forward the Bylaw to the Inspector of Municipalities for approval.

Section 346 of the *Local Government Act* applies to municipal participating area approval and therefore a council may give participating area approval by consenting on behalf of the electors to the adoption of the Bylaw.

I respectfully ask that this matter be included on Council agenda. A sample resolution is set out below for your convenience:

"The Council of _____ approves adoption of *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* by providing consent on behalf of the electors."

A response, including Council resolution, to my attention by March 9, 2018 is appreciated. Should you have questions or need clarification, I can be reached at 604.432.6338 or by email at chris.plagnol@metrovanancouver.org.

Yours truly,



Chris Plagnol
Corporate Officer

CP/kh

Encl: Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018
Regional Parks Service Amendment Bylaw No 1260, dated February 19, 2018

24614992

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

A Bylaw to Amend Greater Vancouver Regional District
Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005

BACKGROUND:

- A. By Division V of Letters Patent issued January 13, 1972, as amended by further Supplementary Letters Patent, Metro Vancouver Regional District was granted the function of regional parks (the “**Regional Parks Service**”), and the participating areas for the Regional Parks Service were deemed to include not only Metro Vancouver Regional District member municipalities, but also member municipalities of the former Vancouver-Fraser Park District;
- B. One of the member municipalities of the former Vancouver-Fraser Park District was the former District of Matsqui, which was not within the boundaries of the MVRD;
- C. On January 1, 1995, the former District of Matsqui and the former District of Abbotsford were incorporated as the City of Abbotsford;
- D. On July 25, 2005, the Board of Directors of the Metro Vancouver Regional District adopted “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, a bylaw to convert the Regional Parks Service and to amend the participating areas to include the area within the boundaries of the former District of Abbotsford, such that the whole of the City of Abbotsford became a municipal participating area for the Regional Parks Service;
- E. The City of Abbotsford has consented to an amendment to the “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, to remove the City of Abbotsford as a participating area from the Regional Parks Service;
- F. The Board of Directors of the Metro Vancouver Regional District wishes to amend “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”;
- G. Two-thirds of the participants in the Regional Parks Service have consented to the adoption of this Bylaw to amend the “Greater Vancouver Regional District Parks Service Conversion and Amendment Bylaw No. 1024, 2005”.

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District, in open meeting assembled, enacts as follows:

1. The Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005 (the "**Bylaw**") is hereby amended as follows:
 - a) By deleting section 2 of the Bylaw; and
 - b) In section 3 of the Bylaw, by striking the phrase "City of Abbotsford" in its entirety.
2. This bylaw may be cited as "Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018".

READ A FIRST TIME THIS 23 day of February, 2018.

READ A SECOND TIME THIS 23 day of February, 2018.

READ A THIRD TIME THIS 23 day of February, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer

To: MVRD Board

From: Chris Plagnol, Corporate Officer

Date: February 19, 2018

Meeting Date: February 23, 2018

Subject: **Regional Parks Service Amendment Bylaw No. 1260**

RECOMMENDATION

That the MVRD Board:

- a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
-

PURPOSE

To consider first, second and third reading of the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* that will initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function, and to direct staff to seek consent of at least 2/3 of the participants in the regional parks function in relation to the withdrawal of the City of Abbotsford as a participant.

BACKGROUND

On January 26, 2018, the MVRD Board furthered the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service by giving second and third reading to the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1255, 2017*, and by directing staff to seek consent of the participants for the Amending Bylaw.

This Amending Bylaw had been previously provided to the Ministry of Municipal Affairs and Housing for its preliminary consideration and to highlight any areas of concern given the complexity of the matter.

On February 15, 2018, the Ministry informed Metro Vancouver that after further investigation, the Amending Bylaw 1255 could not be approved by the Inspector of Municipalities. The Bylaw contained a reference to an Order-in-Council which the Ministry reasoned could not override the statutory requirements for operating a park outside the boundaries of the regional district. On that basis, the Inspector of Municipalities has indicated that the Amending Bylaw cannot be approved, but has recommended a new Amending Bylaw be prepared.

This report brings forward a new Amending Bylaw to initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function.

MVRD REGIONAL PARKS AMENDING BYLAW

The adoption of a bylaw to amend the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* is required to facilitate the withdrawal of the City of Abbotsford from the Metro Vancouver Regional Parks function. If approved, the Amending Bylaw will amend the participants in the service area by removing the City of Abbotsford as a participant under section 2 and section 3 of Conversion Bylaw 1024.

The proposed Amending Bylaw 1260 is substantially similar to the former Amending Bylaw 1255 (which will be abandoned) except it no longer contains a clause intended to continue park operations outside the boundaries of the regional district. A complete background on various elements of Abbotsford's withdrawal from the service was provided in the report dated January 26, 2018, titled "Regional Parks Service Amendment Bylaw No. 1255".

The new Amending Bylaw is before the Board for first, second and third reading. Once third reading is given, the Amending Bylaw will be circulated to all service area participants (which includes the City of Abbotsford) to obtain their consent to the adoption of the Bylaw. Two-thirds consent of participants is required before the Amending Bylaw can be considered for adoption by the Board. Once consent is obtained, the Amending Bylaw will be forwarded to the Inspector of Municipalities for approval.

ALTERNATIVES

1. That the MVRD Board:
 - a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
2. That the MVRD Board receive for information the report dated February 19, 2018, titled "Regional Parks Service Amendment Bylaw No. 1260" and provide alternate direction.

FINANCIAL IMPLICATIONS

If the Board approves alternative one, the financial implications include an adjustment to Metro Vancouver's 2018 Annual Budget and Financial Plan (which will be brought forward in March), a reimbursement from the Fraser Valley Regional District on the City of Abbotsford's behalf for its allocated costs of participating in the MVRD regional parks function for the months from January to March 2018, and a one-time payment by Metro Vancouver to the City of Abbotsford representing the proportional return of Park Reserve Fund contributions and transitional costs.

The Fraser Valley Regional District is in the process of establishing a new sub-regional parks function with the City of Abbotsford as a participant beginning in 2018. The transferred regional parks will form part of the new FVRD regional parks function.

If the Board does not approve the Amending Bylaw, the City of Abbotsford will remain as a participant in the MVRD Regional Parks function. The approval of this alternative will require a review of the terms and conditions agreed upon by Metro Vancouver and the City of Abbotsford with respect to its withdrawal from the function and the disposition of parkland.

SUMMARY / CONCLUSION

The MVRD Board approved the terms for the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service. This change to the service area requires an amendment to the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* to amend service area participants. This report brings forward the associated Amending Bylaw to facilitate this service withdrawal for consideration by the Board. Staff recommend Alternative One.

Attachments:

1. *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*

24599727

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

A Bylaw to Amend Greater Vancouver Regional District
Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005

BACKGROUND:

- A. By Division V of Letters Patent issued January 13, 1972, as amended by further Supplementary Letters Patent, Metro Vancouver Regional District was granted the function of regional parks (the “**Regional Parks Service**”), and the participating areas for the Regional Parks Service were deemed to include not only Metro Vancouver Regional District member municipalities, but also member municipalities of the former Vancouver-Fraser Park District;
- B. One of the member municipalities of the former Vancouver-Fraser Park District was the former District of Matsqui, which was not within the boundaries of the MVRD;
- C. On January 1, 1995, the former District of Matsqui and the former District of Abbotsford were incorporated as the City of Abbotsford;
- D. On July 25, 2005, the Board of Directors of the Metro Vancouver Regional District adopted “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, a bylaw to convert the Regional Parks Service and to amend the participating areas to include the area within the boundaries of the former District of Abbotsford, such that the whole of the City of Abbotsford became a municipal participating area for the Regional Parks Service;
- E. The City of Abbotsford has consented to an amendment to the “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, to remove the City of Abbotsford as a participating area from the Regional Parks Service;
- F. The Board of Directors of the Metro Vancouver Regional District wishes to amend “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”;
- G. Two-thirds of the participants in the Regional Parks Service have consented to the adoption of this Bylaw to amend the “Greater Vancouver Regional District Parks Service Conversion and Amendment Bylaw No. 1024, 2005”.

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District, in open meeting assembled, enacts as follows:

1. The Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005 (the “**Bylaw**”) is hereby amended as follows:
 - a) By deleting section 2 of the Bylaw; and
 - b) In section 3 of the Bylaw, by striking the phrase “City of Abbotsford” in its entirety.
2. This bylaw may be cited as “Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018”.

READ A FIRST TIME THIS _____ day of _____, 2018.

READ A SECOND TIME THIS _____ day of _____, 2018.

READ A THIRD TIME THIS _____ day of _____, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer

FEB 26 2018

File: CR-12-01
Ref: RDP 2018 Feb 23

Laura Benson, Corporate Officer
City of Maple Ridge
11995 Haney Place
Maple Ridge, BC V2X 6A9

Dear Ms. Benson:

Re: Consent to Metro Vancouver Regional Parks Service Amendment Bylaw No. 1260

At its February 23, 2018 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) gave three readings to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; directed staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function; and following that, forward the Bylaw to the Inspector of Municipalities for approval.

Section 346 of the *Local Government Act* applies to municipal participating area approval and therefore a council may give participating area approval by consenting on behalf of the electors to the adoption of the Bylaw.

I respectfully ask that this matter be included on Council agenda. A sample resolution is set out below for your convenience:

"The Council of _____ approves adoption of *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* by providing consent on behalf of the electors."

A response, including Council resolution, to my attention by March 9, 2018 is appreciated. Should you have questions or need clarification, I can be reached at 604.432.6338 or by email at chris.plagnol@metrovanancouver.org.

Yours truly,



Chris Plagnol
Corporate Officer

CP/kh

Encl: Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018
Regional Parks Service Amendment Bylaw No 1260, dated February 19, 2018

24614992

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

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APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer

To: MVRD Board

From: Chris Plagnol, Corporate Officer

Date: February 19, 2018

Meeting Date: February 23, 2018

Subject: **Regional Parks Service Amendment Bylaw No. 1260**

RECOMMENDATION

That the MVRD Board:

- a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
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PURPOSE

To consider first, second and third reading of the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* that will initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function, and to direct staff to seek consent of at least 2/3 of the participants in the regional parks function in relation to the withdrawal of the City of Abbotsford as a participant.

BACKGROUND

On January 26, 2018, the MVRD Board furthered the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service by giving second and third reading to the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1255, 2017*, and by directing staff to seek consent of the participants for the Amending Bylaw.

This Amending Bylaw had been previously provided to the Ministry of Municipal Affairs and Housing for its preliminary consideration and to highlight any areas of concern given the complexity of the matter.

On February 15, 2018, the Ministry informed Metro Vancouver that after further investigation, the Amending Bylaw 1255 could not be approved by the Inspector of Municipalities. The Bylaw contained a reference to an Order-in-Council which the Ministry reasoned could not override the statutory requirements for operating a park outside the boundaries of the regional district. On that basis, the Inspector of Municipalities has indicated that the Amending Bylaw cannot be approved, but has recommended a new Amending Bylaw be prepared.

This report brings forward a new Amending Bylaw to initiate the withdrawal of the City of Abbotsford as a participant in the regional parks function.

MVRD REGIONAL PARKS AMENDING BYLAW

The adoption of a bylaw to amend the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* is required to facilitate the withdrawal of the City of Abbotsford from the Metro Vancouver Regional Parks function. If approved, the Amending Bylaw will amend the participants in the service area by removing the City of Abbotsford as a participant under section 2 and section 3 of Conversion Bylaw 1024.

The proposed Amending Bylaw 1260 is substantially similar to the former Amending Bylaw 1255 (which will be abandoned) except it no longer contains a clause intended to continue park operations outside the boundaries of the regional district. A complete background on various elements of Abbotsford's withdrawal from the service was provided in the report dated January 26, 2018, titled "Regional Parks Service Amendment Bylaw No. 1255".

The new Amending Bylaw is before the Board for first, second and third reading. Once third reading is given, the Amending Bylaw will be circulated to all service area participants (which includes the City of Abbotsford) to obtain their consent to the adoption of the Bylaw. Two-thirds consent of participants is required before the Amending Bylaw can be considered for adoption by the Board. Once consent is obtained, the Amending Bylaw will be forwarded to the Inspector of Municipalities for approval.

ALTERNATIVES

1. That the MVRD Board:
 - a) give first, second and third reading to *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*; and
 - b) direct staff to seek consent of at least 2/3 of the participants to amend the service area to remove Abbotsford as a participant in the regional park function, and following that, forward the *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018* to the Inspector of Municipalities for approval.
2. That the MVRD Board receive for information the report dated February 19, 2018, titled "Regional Parks Service Amendment Bylaw No. 1260" and provide alternate direction.

FINANCIAL IMPLICATIONS

If the Board approves alternative one, the financial implications include an adjustment to Metro Vancouver's 2018 Annual Budget and Financial Plan (which will be brought forward in March), a reimbursement from the Fraser Valley Regional District on the City of Abbotsford's behalf for its allocated costs of participating in the MVRD regional parks function for the months from January to March 2018, and a one-time payment by Metro Vancouver to the City of Abbotsford representing the proportional return of Park Reserve Fund contributions and transitional costs.

The Fraser Valley Regional District is in the process of establishing a new sub-regional parks function with the City of Abbotsford as a participant beginning in 2018. The transferred regional parks will form part of the new FVRD regional parks function.

If the Board does not approve the Amending Bylaw, the City of Abbotsford will remain as a participant in the MVRD Regional Parks function. The approval of this alternative will require a review of the terms and conditions agreed upon by Metro Vancouver and the City of Abbotsford with respect to its withdrawal from the function and the disposition of parkland.

SUMMARY / CONCLUSION

The MVRD Board approved the terms for the withdrawal of the City of Abbotsford as a participant in the MVRD Regional Parks Service. This change to the service area requires an amendment to the *Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005* to amend service area participants. This report brings forward the associated Amending Bylaw to facilitate this service withdrawal for consideration by the Board. Staff recommend Alternative One.

Attachments:

1. *Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018*

24599727

**METRO VANCOUVER REGIONAL DISTRICT
BYLAW NO. 1260, 2018**

A Bylaw to Amend Greater Vancouver Regional District
Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005

BACKGROUND:

- A. By Division V of Letters Patent issued January 13, 1972, as amended by further Supplementary Letters Patent, Metro Vancouver Regional District was granted the function of regional parks (the “**Regional Parks Service**”), and the participating areas for the Regional Parks Service were deemed to include not only Metro Vancouver Regional District member municipalities, but also member municipalities of the former Vancouver-Fraser Park District;
- B. One of the member municipalities of the former Vancouver-Fraser Park District was the former District of Matsqui, which was not within the boundaries of the MVRD;
- C. On January 1, 1995, the former District of Matsqui and the former District of Abbotsford were incorporated as the City of Abbotsford;
- D. On July 25, 2005, the Board of Directors of the Metro Vancouver Regional District adopted “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, a bylaw to convert the Regional Parks Service and to amend the participating areas to include the area within the boundaries of the former District of Abbotsford, such that the whole of the City of Abbotsford became a municipal participating area for the Regional Parks Service;
- E. The City of Abbotsford has consented to an amendment to the “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”, to remove the City of Abbotsford as a participating area from the Regional Parks Service;
- F. The Board of Directors of the Metro Vancouver Regional District wishes to amend “Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005”;
- G. Two-thirds of the participants in the Regional Parks Service have consented to the adoption of this Bylaw to amend the “Greater Vancouver Regional District Parks Service Conversion and Amendment Bylaw No. 1024, 2005”.

NOW THEREFORE the Board of Directors of the Metro Vancouver Regional District, in open meeting assembled, enacts as follows:

1. The Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005 (the “**Bylaw**”) is hereby amended as follows:
 - a) By deleting section 2 of the Bylaw; and
 - b) In section 3 of the Bylaw, by striking the phrase “City of Abbotsford” in its entirety.
2. This bylaw may be cited as “Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018”.

READ A FIRST TIME THIS _____ day of _____, 2018.

READ A SECOND TIME THIS _____ day of _____, 2018.

READ A THIRD TIME THIS _____ day of _____, 2018.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES THIS _____ day of _____, 2018.

PASSED AND FINALLY ADOPTED THIS _____ day of _____, 2018.

Greg Moore, Chair

Chris Plagnol, Corporate Officer