



**AGENDA FOR THE REGULAR MEETING OF COUNCIL TO
COMMENCE AT 6:00 PM, IN THE COUNCIL CHAMBER, CITY
HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON
MONDAY, APRIL 16, 2018.**

**MONDAY, APRIL 16, 2018
COUNCIL MEETING – 6:00 PM**

“LIVE” BROADCAST VIA CITY WEB SITE www.cnv.org

CALL TO ORDER

ADOPTION OF AGENDA

1. Regular Council Meeting Agenda, April 16, 2018.

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, April 9, 2018.

PUBLIC INPUT PERIOD

The Public Input Period is addressed in sections 12.20 to 12.28 of “Council Procedure Bylaw, 2015, No. 8500.”

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

To make a submission to Council during the Public Input Period, a person must complete the paper Public Input Period sign-up form at City Hall prior to the Regular Council Meeting. A person who fails to complete, or only partially completes, the Public Input Period sign-up form will not be permitted to make submissions to Council during the Public Input Period. The sign-up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 pm until 5:55 pm on the night of the Council meeting.

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

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

Speakers must comply with the General Rules of Conduct set out in section 5.1 of “Council Procedure Bylaw, 2015, No. 8500” and may not speak with respect to items as set out in section 12.25(2).

Speakers are requested not to address matters that refer to items from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings and Committee meetings when those matters are scheduled on the same evening’s agenda and an opportunity for public input is provided when the particular item comes forward for discussion.

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

CONSENT AGENDA

The following Items ***3, *4, and *5** are listed in the Consent Agenda and may be considered separately or in one motion:

RECOMMENDATION:

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

START OF CONSENT AGENDA

BYLAWS – ADOPTION

- *3. “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8623” (2018 Project Plan Funding)**

RECOMMENDATION:

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8623” (2018 Project Plan Funding) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *4. “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8625” (Moodyville Neighbourhood Transportation Improvements)**

RECOMMENDATION:

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8625” (Moodyville Neighbourhood Transportation Improvements) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *5. “Development Cost Charge (Parks) Reserve Fund Bylaw, 2018, No. 8626” (Spirit Trail – Heywood Street)**

RECOMMENDATION:

THAT “Development Cost Charge (Parks) Reserve Fund Bylaw, 2018, No. 8626” (Spirit Trail – Heywood Street) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

END OF CONSENT AGENDA

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

6. Preliminary Report – 705 West 3rd Street Rezoning Application (Lotus Capital Corporation / Ankenman Marchand Architects) – File: 08-3360-20-0436/1

Report: Planner 1, April 11, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated April 11, 2018, entitled “Preliminary Report – 705 West 3rd Street Rezoning Application (Lotus Capital Corporation / Ankenman Marchand Architects)”:

THAT staff be directed to continue processing the rezoning application and to negotiate an on-site community benefit contribution, substantially as outlined in the report of the Planner 1, dated April 11, 2018.

**7. Proposed Drinking Water Conservation Plan Bylaw
– File: 11-5240-01-0001/2018**

Report: Manager, Engineering Planning and Design, April 11, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Engineering Planning and Design, dated April 11, 2018, entitled “Proposed Drinking Water Conservation Plan Bylaw”:

THAT the following bylaws be considered:

- “Drinking Water Conservation Plan Bylaw, 2018, No. 8627”;
- “Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2018, No. 8628” (Text Amendment);
- “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8629” (Schedule A – Addition of Drinking Water Conservation Plan Bylaw);
- “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2018, No. 8630” (Lawn Watering Permit); and
- “Water Shortage Response Bylaw, 2004, No. 7648, Repeal Bylaw, 2018, No. 8631”.

BYLAWS – FIRST, SECOND AND THIRD READINGS

8. “Drinking Water Conservation Plan Bylaw, 2018, No. 8627”

RECOMMENDATION:

THAT “Drinking Water Conservation Plan Bylaw, 2018, No. 8627” be given first, second and third readings.

**9. “Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2018, No. 8628”
(Text Amendment)**

RECOMMENDATION:

THAT “Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2018, No. 8628” (Text Amendment) be given first, second and third readings.

**10. “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw,
2018, No. 8629” (Schedule A – Addition of Drinking Water Conservation
Plan Bylaw)**

RECOMMENDATION:

THAT “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8629” (Schedule A – Addition of Drinking Water Conservation Plan Bylaw) be given first, second and third readings.

**11. “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2018,
No. 8630” (Lawn Watering Permit)**

RECOMMENDATION:

THAT “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2018, No. 8630” (Lawn Watering Permit) be given first, second and third readings.

**12. “Water Shortage Response Bylaw, 2004, No. 7648, Repeal Bylaw, 2018,
No. 8631”**

RECOMMENDATION:

THAT “Water Shortage Response Bylaw, 2004, No. 7648, Repeal Bylaw, 2018, No. 8631” be given first, second and third readings.

FINANCE COMMITTEE MEETING – 6:30 PM

Re: 2018 Property Tax Rate Distribution Options – File: 01-1610-01-0001/2018

Chair: Mayor Darrell Mussatto

Purpose: The purpose of the Finance Committee Meeting is to consider the City of North Vancouver’s 2018 Property Tax Rate Distribution Options.

AGENDA

1. Opening Comments Director, Finance
2. Public Comments 3 minutes per speaker

Members of the community were provided the opportunity to submit comments regarding the documents making up the 2018 Property Tax Rate Distribution Options until 4:00 pm on Monday, April 16, 2018. The public may also provide comments in person at the Finance Committee Meeting.

3. Comments / Questions Finance Committee

4. **RECOMMENDATION:**

PURSUANT to the report of the Deputy Director, Finance, dated April 11, 2018, entitled “2018 Property Tax Increase Distribution Options”:

THAT 2018 Property Tax Increase Distribution Option 1 (1.5% tax rate increase across the board) be endorsed;

AND THAT staff bring forward a Tax Rate Bylaw (2018) that must be adopted before May 15, 2018, in accordance with the *Community Charter*.

5. Adjourn

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**13. 2018 Property Tax Increase Distribution Options
– File: 05-1610-01-0001/2018**

Report: Deputy Director, Finance, April 11, 2018

RECOMMENDATION:

PURSUANT to the report of the Deputy Director, Finance, dated April 11, 2018, entitled “2018 Property Tax Increase Distribution Options”:

THAT 2018 Property Tax Increase Distribution Option 1 (1.5% tax rate increase across the board) be endorsed;

AND THAT staff bring forward a Tax Rate Bylaw (2018) that must be adopted before May 15, 2018, in accordance with the *Community Charter*.

PUBLIC HEARING – Cannabis Regulation – 7:00 PM

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8609” (a Bylaw to Regulate Cannabis) would define and prohibit the sale and production of non-medical retail cannabis in all zones. Following the adoption of additional regulations and policy, Council may consider rezoning applications on a case by case basis.

“Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2018, No. 8616” (a Bylaw to Regulate Cannabis) would define and prohibit the sale and production of non-medical retail cannabis in the City and revisions to relevant sections of the bylaw to clarify authority and conditions for licences.

Bylaw Nos. 8609 and 8616 to be considered under Items 14 and 15.

AGENDA

Chair: Mayor Darrell Mussatto

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

BYLAWS – THIRD READING

14. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8609” (a Bylaw to Regulate Cannabis)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8609” (A Bylaw to Regulate Cannabis) be given third reading.

15. **“Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2018, No. 8616” (a Bylaw to Regulate Cannabis)**

RECOMMENDATION:

THAT “Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2018, No. 8616” (A Bylaw to Regulate Cannabis) be given third reading.

PUBLIC HEARING – 2601 Lonsdale Avenue – Following Item 14

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697) and “Housing Agreement Bylaw, 2018, No. 8608” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments) would rezone the subject property from a Medium Density Apartment Residential 1 (RM-1) Zone to a Comprehensive Development 697 (CD-697) Zone to permit the development of a 6-storey apartment building, containing 16 strata units and 28 rental units, over one level of underground parking to support 36 vehicles. The proposed density is 2.06 times the lot area with a maximum building height of 72.51 feet. The proposal includes a road parcel on West 26th Street between 2545 and 2601 Lonsdale Avenue.

See Information report of the Transportation Planner and the Transportation Demand Management Coordinator, dated April 11, 2018.

Bylaw Nos. 8607 and 8608 to be considered under Items 16 and 17.

AGENDA

Chair: Mayor Darrell Mussatto

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

BYLAWS – THIRD READING

- 16. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697) be given third reading.

- 17. “Housing Agreement Bylaw, 2018, No. 8608” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments)**

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8608” (Pezzente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments) be given third reading.

PUBLIC CLARIFICATION PERIOD

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

INQUIRIES

NEW ITEMS OF BUSINESS

NOTICES OF MOTION

CITY CLERK'S RECOMMENDATION:

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

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

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

ADJOURN



COMMUNITY CHARTER

DIVISION 3 – OPEN MEETINGS

General rule that meetings must be open to the public

- 89** (1) A meeting of a council must be open to the public, except as provided in this Division.
- (2) A council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

Meetings that may or must be closed to the public

- 90** (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
 - (c) labour relations or other employee relations;
 - (d) the security of the property of the municipality;
 - (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - (g) litigation or potential litigation affecting the municipality;
 - (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
 - (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Continued...



COMMUNITY CHARTER

DIVISION 3 – OPEN MEETINGS

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

- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*];
 - (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
 - (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
 - (o) the consideration of whether the authority under section 91 [*other persons attending closed meetings*] should be exercised in relation to a council meeting.
- (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
 - (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
 - (c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 [*ombudsman to notify authority*] of that Act;
 - (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- (3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

Requirements before meeting is closed

- 92** Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting:
- (a) the fact that the meeting or part is to be closed; and
 - (b) the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

PUBLIC HEARING GUIDELINES

Public Hearings are generally held on the third Monday of the month and are included as part of a Regular Council agenda. Public Hearings are governed by the provisions of the *Local Government Act*.

A Public Hearing is held for the purpose of allowing the public an opportunity to make representations to Council – in person at the Public Hearing or by written submission – on a proposed amendment to the City's Official Community Plan and/or Zoning Bylaw. All persons who believe their interest in property is affected by a proposed bylaw(s) are afforded a reasonable opportunity to be heard, voice concerns or present written submissions regarding matters contained in the bylaw(s).

All written submissions and representations made at the Public Hearing form part of the official public record. Minutes of the Public Hearing and a video recording of the proceedings are posted on the City's website at cnv.org.

A sign-up sheet is located outside of the Council Chamber 1.5 hours prior to the start time of the Public Hearing and members of the public may sign the sheet if they wish to speak at the Public Hearing. The sign-up sheet remains available until the commencement of the Public Hearing and is restricted to "In Person" sign-up only. Other persons are not permitted to sign the sheet on another speaker's behalf. Speakers cannot pre-register.

Speakers are requested to provide their name and address for the record and are provided up to 5 minutes to present their comments. After all people listed on the sign-up sheet and anyone else in the gallery has spoken a first time, speakers may come forward to speak a second time if they have any new information to provide. The Chair (Mayor) may restrict the speaking time to a defined number of minutes and other regulations may also be imposed. Procedural rules for the conduct of the Public Hearing are set at the call of the Chair.

If a large turnout for the Public Hearing is anticipated, separate sign-up sheets may be provided for speakers – in support and in opposition/with concerns. The sign-up sheets are monitored by City staff. The Chair will call up speakers by name alternating between the sign-up sheets.

A document camera is available should a member of the public wish to display hardcopy material/information on the monitors in the Council Chamber. The document camera can also display information from an iPad or tablet. If a member of the public wishes to provide written material to Mayor and Council, it must be handed to the City Clerk for distribution to Council.

Questions from members of the public and Council must be addressed through the Chair.

Once the Public Hearing concludes, Council moves a motion to adjourn. No further information or submissions can be considered by Council once the Public Hearing is closed.

Following adjournment of the Public Hearing, the Regular meeting reconvenes and the Zoning and/or Official Community Plan bylaw amendment(s) are discussed and debated by Council. Consideration and discussion of the bylaw(s) usually takes place at the same meeting as the Public Hearing, but may occur at a subsequent meeting.

If there is insufficient time for the Public Hearing to be conducted in one evening (i.e. to accommodate a large number of speakers), Council may recess the Public Hearing to a specified date, place and time.

Council considers final adoption of the bylaw(s) after third reading and once all covenants and legal agreements are in place. Adoption usually occurs at a subsequent meeting of Council; however, a Zoning Bylaw amendment or Official Community Plan Bylaw amendment may be adopted at the same meeting as the Public Hearing if all legal requirements have been satisfied.