



**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, MAY 14, 2018.**

**MONDAY, MAY 14, 2018
COUNCIL MEETING – 6:00 PM**

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

CALL TO ORDER

APPROVAL OF AGENDA

1. Regular Council Meeting Agenda, May 14, 2018.

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, May 7, 2018.

PROCLAMATION

International Day Against Homophobia, Transphobia and Biphobia – May 17, 2018

National Missing Children’s Day – May 25, 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**, ***5** and ***6** 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. “Election Sign Bylaw, 2018, No. 8643”**

RECOMMENDATION:

THAT “Election Sign Bylaw, 2018, No. 8643” be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

***4. “Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2018, No. 8644” (Election Signs)**

RECOMMENDATION:

THAT “Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2018, No. 8644” (Election Signs) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

***5. “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2018, No. 8645” (Election Signs)**

RECOMMENDATION:

THAT “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2018, No. 8645” (Election Signs) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

***6. “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8646” (Election Signs)**

RECOMMENDATION:

THAT “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2018, No. 8646” (Election Signs) 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

7. Rezoning Application: 1005 West 23rd Street (T.J. McGuire and C.T. Mollard / Studio 531 Architects Inc., CD-704) – File: 08-3360-20-0445/1

Report: Planner 1, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated May 9, 2018, entitled “Rezoning Application: 1005 West 23rd Street (T.J. McGuire and C.T. Mollard / Studio 531 Architects Inc., CD-704)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8638” (T.J. McGuire and C.T. Mollard / Studio 531 Architects Inc., 1005 West 23rd Street, CD-704), be considered;

THAT the Public Hearing be waived;

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

AND THAT the community benefits listed in the report in the section “Density Bonus and Community Benefits” be secured, through agreements at the applicant’s expense and to the satisfaction of the Director of Planning.

Item 8 refers.

BYLAW – FIRST AND SECOND READINGS

8. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8638” (T.J. McGuire and C.T. Mollard, Studio 531 Architects Inc., 1005 West 23rd Street, CD-704)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8638” (T.J. McGuire and C.T. Mollard, Studio 531 Architects Inc., 1005 West 23rd Street, CD-704) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**9. Rezoning Application: 523 East 5th Street (Vernacular Design Inc.)
– File: 08-3360-20-0407/1**

Report: Planner 1, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated May 9, 2018, entitled
“Rezoning Application: 523 East 5th Street (Vernacular Design Inc.)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8639”
(Mehrdad Rahbar / Vernacular Design Inc., 523 East 5th Street, CD-705) be
considered and referred to a Public Hearing;

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

Item 10 refers.

BYLAW – FIRST AND SECOND READINGS

**10. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8639”
(Mehrdad Rahbar / Vernacular Design Inc., 523 East 5th Street, CD-705)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8639”
(Mehrdad Rahbar / Vernacular Design Inc., 523 East 5th Street, CD-705) be
given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**11. Rezoning Application: 352 West 14th Street (James Fox / Halex Architecture)
– File: 08-3360-20-0428/1**

Report: Planner 1, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated May 9, 2018, entitled
“Rezoning Application: 352 West 14th Street (James Fox / Halex Architecture)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8647”
(James Fox / Halex Architecture, 352 West 14th Street, CD-706) be considered;

THAT the Public Hearing be waived;

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

Item 12 refers.

BYLAW – FIRST AND SECOND READINGS

**12. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8647”
(James Fox / Halex Architecture, 352 West 14th Street, CD-706)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8647”
(James Fox / Halex Architecture, 352 West 14th Street, CD-706) be given first
and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**13. Finance Committee Meeting – Comments and Questions on City Tax Rates
– File: 05-1610-01-0001/2018**

Report: Director, Finance, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Finance, dated May 9, 2018, entitled
“Finance Committee Meeting – Comments and Questions on City Tax Rates”:

THAT the report be received for information.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

14. Rezoning Application: Update on 2601 Lonsdale Avenue (Pezente Holdings Inc. / GBL Architects) – File: 08-3360-20-0408/1

Report: Development Planner, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Development Planner, dated May 9, 2018, entitled “Rezoning Application: Update on 2601 Lonsdale Avenue (Pezente Holdings Inc. / GBL Architects)”:

THAT second and third readings of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697) and “Housing Agreement Bylaw, 2018, No. 8608” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments) be rescinded;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697) and “Housing Agreement Bylaw, 2018, No. 8608” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments) be given second and third readings, as amended.

Items 15, 16, 17, and 18 refer.

BYLAWS – RESCIND SECOND AND THIRD READINGS

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

RECOMMENDATION:

THAT second and third readings of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8607” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697) be rescinded.

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

RECOMMENDATION:

THAT second and third readings of “Housing Agreement Bylaw, 2018, No. 8608” (Pezente Holdings Inc. / GBL Architects, 2601 Lonsdale Avenue, CD-697, Rental Housing Commitments) be rescinded.

BYLAWS – SECOND AND THIRD READINGS, AS AMENDED

17. **“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 second and third readings, as amended.

18. **“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 second and third readings, as amended.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. **Amalgamation Study – Options on Next Steps – File: 01-0620-01-0001/2018**

Report: Director, Community Services, May 9, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Community Services, dated May 9,
2018, entitled “Amalgamation Study – Options on Next Steps”:

THAT staff be directed to pursue Option ____ as described in the report;

AND THAT staff continue to work closely with the Integrated North Shore
Transportation Planning Projects Committee; evaluate what can be further
improved with regard to land use and transportation planning across the North
Shore; and report back on the possibility of negotiating a Memorandum of
Understanding.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

**20. Gaming and Cannabis Revenues – Options for Consideration
– File: 13-6750-01-0001/2018**

Report: Director, Planning, May 2, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Planning, dated May 2, 2018, entitled “Gaming and Cannabis Revenues – Options for Consideration”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8624” (A Bylaw to Clarify Casino Gaming, Commercial Bingo and Video Lottery Terminal Use Restrictions) be considered and referred to a Public Hearing;

AND THAT a letter be written to the Union of BC Municipalities (UBCM) and the Province supporting cannabis revenue sharing with municipalities in accordance with the principles outlined by UBCM.

Item 21 refers.

BYLAW – FIRST AND SECOND READINGS

**21. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8624”
(A Bylaw to Clarify Casino Gaming, Commercial Bingo and Video Lottery
Terminal Use Restrictions)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8624” (A Bylaw to Clarify Casino Gaming, Commercial Bingo and Video Lottery Terminal Use Restrictions) be given first and second readings.

PUBLIC HEARING – 365 East 2nd Street – 6:30 PM

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8612” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699) and “Housing Agreement Bylaw, 2018, No. 8613” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699, Rental Housing Commitments) would rezone the subject property from a Comprehensive Development 391 (CD-391) Zone to a Comprehensive Development 699 (CD-699) Zone to permit the development of a 6-storey, 42-unit rental apartment building, over 2 levels of underground parking, with a proposed density of 2.6 times the lot area (FSR).

Bylaw Nos. 8612 and 8613 to be considered under Items 22 and 23.

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

- 22. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8612” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8612” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699) be given third reading.

- 23. “Housing Agreement Bylaw, 2018, No. 8613” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699, Rental Housing Commitments)**

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8613” (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699, Rental Housing Commitments) be given third reading.

BYLAWS – THIRD READING

The following bylaws are being brought back for reconsideration by Mayor Mussatto, in accordance with Section 131 of the *Community Charter* and Section 8.35 of “Council Procedure Bylaw, 2015, No. 8500”:

24. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618”
(Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8618” (Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702) be given third reading.

25. **“Housing Agreement Bylaw, 2018, No. 8622” (Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing Commitments)**

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8622” (Urban Systems / IMH 151 E Keith Apartments Ltd., 151 East Keith Road, CD-702, Rental Housing Commitments) be given third reading.

Public Hearing held – April 23, 2018.

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), (f) and (i) 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.