



**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, JUNE 11, 2018.**

**MONDAY, JUNE 11, 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, June 11, 2018.

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, May 28, 2018.

PROCLAMATIONS

World Elder Abuse Awareness Day – June 15, 2018

North Shore Folkfest Day – June 17, 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.”

PRESENTATIONS

Mayor Darrell Mussatto and Manon Gartside, Environmental Educator, British Columbia Sustainable Energy Association – File: 11-5280-15-0001/2018

Re: 2018 Cool It! Challenge Winners

See Information Report of the Manager, Environmental Sustainability, dated June 6, 2018.

Mayor Darrell Mussatto and Ray Vesely, Chair, Advisory Planning Commission – File: 01-0290-20-0005/2018

Re: 2018 Living City Award Recipients

See Information Report of the Manager, Environmental Sustainability, dated June 6, 2018.

Carson Graham Secondary School Students – File: 01-0400-80-0001/2018

Re: Student Video Contest: Safe Routes to Schools

CONSENT AGENDA

The following Items ***3 and *4** (see Agenda pages 2 and 3) 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

CORRESPONDENCE

***3. Board in Brief, Greater Vancouver Regional District, Metro Vancouver May 25, 2018 – File: 01-0400-60-0006/2018**

Re: Metro Vancouver – Board in Brief

RECOMMENDATION:

THAT the correspondence of Metro Vancouver, dated May 25, 2018, regarding the “Metro Vancouver – Board in Brief”, be received and filed.

CONSENT AGENDA – Continued

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***4. 2018 Living City Grants – File: 05-1850-20-0008/2018**

Report: Manager, Environmental Sustainability, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Environmental Sustainability, dated June 6, 2018, entitled “2018 Living City Grants”:

THAT 2018 Living City grants totalling \$15,000 be awarded as follows:

Name of Applicant	Grant Recommendation
Boundary Elementary School	\$700
Gerry’s Garden Society	\$4,000
Ridgeway Parent Advisory Council	\$5,000
North Shore Community Garden Society	\$2,400
Holy Trinity School	\$300
Larson School Parents Association	\$2,600
TOTAL	\$15,000

AND THAT Ripple Coast Society and North Shore Mountain Bike Association be thanked for their applications and advised that their applications have been denied at this time.

END OF CONSENT AGENDA

BYLAWS – ADOPTION

**5. “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 adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

BYLAWS – ADOPTION – Continued

6. **“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 adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

7. **“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 adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

8. **City Plazas Events Policy and Amendment to the Community Events in Parks and Public Open Spaces Policy – File: 01-0340-50-0005/1**

Report: Film and Shipyards Liaison, June 5, 2018

RECOMMENDATION:

PURSUANT to the report of the Film and Shipyards Liaison, dated June 5, 2018, entitled “City Plazas Events Policy and Amendment to the Community Events in Parks and Public Open Spaces Policy”:

THAT the “City Plazas Events Policy” be adopted;

AND THAT proposed amendments to the Policy for Community Events in Parks and Public Open Spaces #C57C be approved.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

9. Spirit Trail Mosquito Creek Marina: Improved Trail Access Control Funding Appropriation – File: 12-6240-20-0031/1

Report: Section Manager, Project Delivery, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Section Manager, Project Delivery, dated June 6, 2018, entitled “Spirit Trail Mosquito Creek Marina: Improved Trail Access Control Funding Appropriation”:

THAT staff be directed to proceed with improved security and access control measures for the Spirit Trail through Mission Reserve, by appropriating \$325,000 to the project;

THAT (Funding Appropriation #1822) an amount of \$325,000 be appropriated from the Civic Amenity Reserve Fund, specifically from the Harry Jerome Project provision, for the purpose of funding Spirit Trail Mosquito Creek Marina additional security and access control work;

THAT staff include in the Fall 2018 Revised Budget a plan to promptly replenish the amount of \$325,000 appropriated from the funds budgeted for the Harry Jerome Project as described in the report;

AND THAT should any of the above amount remain unexpended at December 31, 2021, the unexpended balance shall be returned to the credit of the Civic Amenity Reserve Fund.

See Information Report of the Section Manager, Project Delivery, dated June 6, 2018.

10. Development Variance Permit Application: 2536 Chesterfield Avenue (Smallworks Studios Laneway Housing Inc.) – File: 08-3090-20-0240/1

Report: Planning Technician 2, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Planning Technician 2, dated June 6, 2018, entitled “Development Variance Permit Application: 2536 Chesterfield Avenue (Smallworks Studios Laneway Housing Inc.)”:

THAT Development Variance Permit No. DVP2018-00002 be considered for issuance under Section 498 of the *Local Government Act*;

THAT notification be circulated in accordance with Section 499 of the *Local Government Act*;

AND THAT the Public Meeting be waived.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

11. Rezoning Application: 117, 121 and 125 West 23rd Street (Michael Fournogerakis / Raymond Letkeman Architects Inc.) – File: 08-3360-20-0398/1

Report: Community Planner, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Community Planner, dated June 6, 2018, entitled “Rezoning Application: 117, 121 and 125 West 23rd Street (Michael Fournogerakis / Raymond Letkeman Architects Inc.)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636” (Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-704) be considered and referred to a Public Hearing;

THAT the Mayor and City Clerk be authorized to execute all necessary covenants and legal agreements required to secure the commitments outlined in the report;

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;

THAT subject to successful rezoning of 117, 121 and 125 West 23rd Street and the adjacent closed lane LMP26968, the Mayor and City Clerk be authorized to execute a Transfer Agreement for the transfer of a portion of the closed portion of the lane adjacent to 117, 121 and 125 West 23rd Street, subject to consolidation with the property at 117, 121 and 125 West 23rd Street and on the condition that the purchaser grant, at no cost to the City, any statutory rights-of-way that are required for municipal purposes;

AND THAT notice of the disposition be given in accordance with the *Community Charter*.

Item 12 refers.

BYLAW – FIRST AND SECOND READINGS

12. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636” (Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-704)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8636” (Michael Fournogerakis / Raymond Letkeman Architects Inc., 117-125 West 23rd Street, CD-704) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. Rezoning Application 236-254 East 3rd Street (InnoVision Development Corp. / DA Architects and Planners, CD-708) – File: 08-3360-20-0421/1

Report: Planner, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner, dated June 6, 2018, entitled “Rezoning Application 236-254 East 3rd Street (InnoVision Development Corp. / DA Architects and Planners, CD-708)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8649” (InnoVision Development Corp. / DA Architects and Planners, 236-254 East 3rd Street, CD-708) be considered and referred to a Public Hearing;

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 14 refers.

BYLAW – FIRST AND SECOND READINGS

14. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8649” (InnoVision Development Corp. / DA Architects and Planners, 236-254 East 3rd Street, CD-708)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8649” (InnoVision Development Corp. / DA Architects and Planners, 236-254 East 3rd Street, CD-708) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

15. Rezoning Application: 127-129 East 12th Street (Birmingham and Wood Architects and Planners / 1106251 B.C. Ltd.) – File: 08-3360-20-0422/1

Report: Development Planner, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Development Planner, dated June 6, 2018, entitled “Rezoning Application: 127-129 East 12th Street (Birmingham and Wood Architects and Planners / 1106251 B.C. Ltd.)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8651” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709) be considered and referred to a Public Hearing;

THAT “Housing Agreement Bylaw, 2018, No. 8652” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709, Rental Housing Commitments) be considered and referred to a Public Hearing;

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;

AND THAT the Mayor and City Clerk be authorized to sign all necessary documentation to give effect to the motion.

Items 16 and 17 refer.

BYLAWS – FIRST AND SECOND READINGS

16. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8651” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8651” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709) be given first and second readings.

17. “Housing Agreement Bylaw, 2018, No. 8652” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709, Rental Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8652” (1106251 B.C. Ltd. / Birmingham and Wood Architects and Planners, 127-129 East 12th Street, CD-709, Rental Housing Commitments) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

18. Rezoning Application – 173 and 177 West 6th Street (Hassan Moayeri / Rafii Architects Inc.) – File: 08-3360-20-0440/1

Report: Planner 1, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated June 6, 2018, entitled “Rezoning Application – 173 and 177 West 6th Street (Hassan Moayeri / Rafii Architects Inc.)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8653” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710) be considered and referred to a Public Hearing;

THAT “Housing Agreement Bylaw, 2018, No. 8654” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710, Rental Housing Commitments) be considered and referred to a Public Hearing;

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.

Items 19 and 20 refer.

BYLAWS – FIRST AND SECOND READINGS

19. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8653” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8653” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710) be given first and second readings.

20. “Housing Agreement Bylaw, 2018, No. 8654” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710, Rental Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8654” (Hassan Moayeri / Rafii Architects Inc., 173-177 West 6th Street, CD-710, Rental Housing Commitments) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

21. Rezoning Application – 2121, 2129 and 2137 Chesterfield Avenue (Driftwood Village Cohousing Ltd. / Cornerstone Architecture) – File: 08-3360-20-0416/1

Report: Planner 1, June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 1, dated June 6, 2018, entitled “Rezoning Application – 2121, 2129 and 2137 Chesterfield Avenue (Driftwood Village Cohousing Ltd. / Cornerstone Architecture)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8641” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707) be considered and referred to a Public Hearing;

THAT “Housing Agreement Bylaw, 2018, No. 8648” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707, Housing Commitments) be considered and referred to a Public Hearing;

THAT staff be directed to issue the applicant a Streamside Protection and Enhancement Development Permit, as generally described in the report and to the satisfaction of the Director of Planning;

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.

Items 22 and 23 refer.

BYLAWS – FIRST AND SECOND READINGS

22. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8641” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707)

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8641” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707) be given first and second readings.

23. “Housing Agreement Bylaw, 2018, No. 8648” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707, Housing Commitments)

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8648” (Odete Pinho / Cornerstone Architecture, 2121, 2129 and 2137 Chesterfield Avenue, CD-707, Housing Commitments) be given first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**24. Funding for All-Candidates Meetings – 2018 General Local Election
– File: 09-4200-20-0052/1**

Report: Director, Finance, June 5, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Finance, dated June 5, 2018, entitled “Funding for All-Candidates Meetings – 2018 General Local Election”:

THAT organizations and associations included on the list of Community Groups and Business Associations on file with the City of North Vancouver be notified of the availability of funding of \$500 maximum per organization, for all-candidates meetings and invited to submit an application for funding;

THAT funding for all-candidates meetings be made available to any non-partisan, non-profit organization that submits an application, excluding individuals, political parties, candidates and for-profit ventures;

THAT all-candidates meetings regarding the 2018 General Local Election must be held between September 25, 2018 (following the declaration of voting, made at 4:00 pm on September 24, 2018) and October 19, 2018;

AND THAT funding be provided only for all-candidates meetings held within the boundaries of the City of North Vancouver.

**25. Lonsdale Energy Corp. – 2018 Rate Review and Bylaw Amendment
– File: 11-5500-06-0001/1**

Report: Director, Lonsdale Energy Corp., June 6, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Lonsdale Energy Corp., dated June 6, 2018, entitled “Lonsdale Energy Corp. – 2018 Rate Review and Bylaw Amendment”:

THAT a copy of this report and proposed “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2018, No. 8656” be forwarded to LEC customers for information and comment;

AND THAT “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2018, No. 8656” be considered and referred to a Public Meeting.

Item 26 refers.

BYLAW – FIRST AND SECOND READINGS

26. **“City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2018, No. 8656”**

RECOMMENDATION:

THAT “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2018, No. 8656” be given first and second readings.

PUBLIC HEARING – 523 East 5th Street – 7:00 PM

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8639” (Mehrdad Rahbar / Vernacular Design Inc., 523 East 5th Street, CD-705) would rezone the subject property from a One-Unit Residential 1 (RS-1) Zone to a Comprehensive Development 705 (CD-705) Zone to permit the development of 2 single-family dwellings and 2 secondary suites. The proposed density is 0.5 times the lot area (FSR) and the proposed maximum height of the 2-storey structures is 7.62 metres (25 feet). Each proposed single-family dwelling includes 2 parking stalls.

Bylaw No. 8639 to be considered under Item 27.

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

27. **“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 third reading.

BYLAWS – THIRD READING – Continued

28. **“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 third reading.

Public Hearing waived.

29. **“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 third
reading.

Public Hearing waived.

PRESENTATION

**John Forsdick, Principal, Context Research Ltd., and Brian Mills, Principal,
Brian Mills and Associates – File: 16-8350-20-0027/1**

Re: Integrated North Shore Transportation Planning Project (INSTPP)

*See Information Report of the Director, Planning, and City Engineer, dated June
6, 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 Sections 90(1)(e), (i), (k) and 90(2)(d) 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.