



**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, OCTOBER 1, 2018.**

**MONDAY, OCTOBER 1, 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, October 1, 2018.

ADOPTION OF MINUTES

2. Regular Council Meeting Minutes, September 24, 2018.

PROCLAMATIONS

Breastfeeding Week – October 1 to 7, 2018

Homelessness Action Week – October 7 to 13, 2018

World Mental Health Day – October 10, 2018

Feral Cat Day – October 16, 2018

World Polio Day – October 24, 2018

Pulmonary Hypertension Awareness Month – November 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, *6 and *7** (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

BYLAWS – ADOPTION

- *3. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8662”
(Peter Hildebrand / Iredale Architecture, 2052 Chesterfield Avenue, CD-714)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8662” (Peter Hildebrand / Iredale Architecture, 2052 Chesterfield Avenue, CD-714) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *4. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8673”
(1 Lonsdale Avenue Ltd. / John Hemsworth, 1 Lonsdale Avenue, CD-377
Text Amendment)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8673” (1 Lonsdale Avenue Ltd. / John Hemsworth, 1 Lonsdale Avenue, CD-377 Text Amendment) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *5. “Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679”**

RECOMMENDATION:

THAT “Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679” be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

CONSENT AGENDA – Continued

BYLAWS – ADOPTION – Continued

- *6. **“Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680” (Revised Financial Plan)**

RECOMMENDATION:

THAT “Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680” (Revised Financial Plan) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

- *7. **“Obsolete Bylaw Repeal Bylaw, 2018, No. 8684”**

RECOMMENDATION:

THAT “Obsolete Bylaw Repeal Bylaw, 2018, No. 8684” be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

END OF CONSENT AGENDA

CORRESPONDENCE

8. **Tom Sigurdson, Representative, Community Benefits Coalition of BC, September 21, 2018 – File: 01-0230-01-0001/2018**

Re: Coalition Partnership

BYLAWS – ADOPTION

9. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2017, No. 8588” (Josh MacLean / North Van Apartments Ltd., 1730 Chesterfield Avenue, CD-694)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2017, No. 8588” (Josh MacLean / North Van Apartments Ltd., 1730 Chesterfield Avenue, CD-694) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

See Information Report of the Development Planner, dated September 26, 2018.

BYLAWS – ADOPTION – Continued

10. **“Housing Agreement Bylaw, 2017, No. 8589” (Josh MacLean / North Van Apartments Ltd., 1730 Chesterfield Avenue, CD-694, Rental Housing Commitments)**

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2017, No. 8589” (Josh MacLean / North Van Apartments Ltd., 1730 Chesterfield Avenue, CD-694, Rental Housing Commitments) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

11. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8650” (Cascadia Green Developments Ltd., Vivid Green Architecture Inc., 1705 Larson Road, CD-711)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8650” (Cascadia Green Developments Ltd., Vivid Green Architecture Inc., 1705 Larson Road, CD-711) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

See Information Report of the Planner 1, dated September 19, 2018.

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

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

BYLAWS – ADOPTION – Continued

14. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8671”
(Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8671” (Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

15. **“Housing Agreement Bylaw, 2018, No. 8672” (Laco Holdings / Studio B
Architecture Inc., 309-311 West 1st Street, CD-716, Rental Housing Commitments)**

RECOMMENDATION:

THAT “Housing Agreement Bylaw, 2018, No. 8672” (Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716, Rental Housing Commitments) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

16. **“Official Community Plan Bylaw, 2014, No. 8400, Amendment Bylaw, 2018,
No. 8676” (Millennium Northmount Properties Ltd. / Chris Dikeakos
Architects Inc., 123-127 and 145 East 13th Street, Height Limit Increase)**

RECOMMENDATION:

THAT “Official Community Plan Bylaw, 2014, No. 8400, Amendment Bylaw, 2018, No. 8676” (Millennium Northmount Properties Ltd. / Chris Dikeakos Architects Inc., 123-127 and 145 East 13th Street, Height Limit Increase) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

17. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8677”
(Millennium Northmount Properties Ltd. / Chris Dikeakos Architects Inc.,
123-127 and 145 East 13th Street, CD-004 Text Amendment)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8677” (Millennium Northmount Properties Ltd. / Chris Dikeakos Architects Inc., 123-127 and 145 East 13th Street, CD-004 Text Amendment) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

18. **“Land Use Contract Repeal Bylaw, 2018, No. 8674” (Millennium Northmount
Properties Ltd. / Chris Dikeakos Architects Inc., 123-127 and 145 East 13th
Street)**

RECOMMENDATION:

THAT “Land Use Contract Repeal Bylaw, 2018, No. 8674” (Millennium Northmount Properties Ltd. / Chris Dikeakos Architects Inc., 123-127 and 145 East 13th Street) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. Highway Closing Bylaw, 2018, No. 8678 – A Bylaw to Stop Up and Close and Remove the Highway Dedication off the 100 Block East 22nd Street – File: 08-3010-01-0001/2018

Report: Property Valuator-Negotiator, September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Property Valuator-Negotiator, dated September 26, 2018, entitled “Highway Closing Bylaw, 2018, No. 8678 – A Bylaw to Stop Up and Close and Remove the Highway Dedication off the 100 Block East 22nd Street”:

THAT “Highway Closing Bylaw, 2018, No. 8678” (Closing and removal of highway dedication of portions of Eastern Avenue and laneway off the 100 Block East 22nd Street) be considered;

THAT the notification of “Highway Closing Bylaw, 2018, No. 8678” (Closing and removal of highway dedication of portions of Eastern Avenue and laneway off the 100 Block East 22nd Street) be provided in accordance with the *Community Charter*;

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

BYLAW – FIRST, SECOND AND THIRD READINGS

20. “Highway Closing Bylaw, 2018, No. 8678” (Closing and removal of highway dedication of portions of Eastern Avenue and laneway off the 100 Block East 22nd Street)

RECOMMENDATION:

THAT “Highway Closing Bylaw, 2018, No. 8678” (Closing and removal of highway dedication of portions of Eastern Avenue and laneway off the 100 Block East 22nd Street) be given first, second and third readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**21. Highway Closing and Disposition Bylaw, 2018, No. 8664
– File: 08-3010-01-0001/2018**

Report: Property Services Coordinator, September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Property Services Coordinator, dated September 26, 2018, entitled “Highway Closing and Disposition Bylaw, 2018, No. 8664”:

THAT “Highway Closing and Disposition Bylaw, 2018, No. 8664” (Closing and removal of highway dedication on portions of road between 2545 and 2601 Lonsdale Avenue and disposition of proposed parcel #1) be considered;

THAT the notification of “Highway Closing and Disposition Bylaw, 2018, No. 8664” (Closing and removal of highway dedication on portions of road between 2545 and 2601 Lonsdale Avenue and disposition of proposed parcel #1) be provided in accordance with the *Community Charter*;

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

BYLAW – FIRST, SECOND AND THIRD READINGS

22. “Highway Closing and Disposition Bylaw, 2018, No. 8664” (Closing and removal of highway dedication on portions of road between 2545 and 2601 Lonsdale Avenue and disposition of proposed parcel #1)

RECOMMENDATION:

THAT “Highway Closing and Disposition Bylaw, 2018, No. 8664” (Closing and removal of highway dedication on portions of road between 2545 and 2601 Lonsdale Avenue and disposition of proposed parcel #1) be given first, second and third readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

23. 2018 Fall Appropriations – Appropriations 1827-1829 – File: 05-1705-30-0002/2018

Report: Manager, Financial Planning, September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Financial Planning, dated September 26, 2018, entitled “2018 Fall Appropriations – Appropriations 1827-1829”:

THAT (Funding Appropriation #1827) an amount of \$350,000 be appropriated from the Tax Sale Land – Interest Reserve Fund for the purpose of funding the 2018 Project Plan;

THAT (Funding Appropriation #1828) an amount of \$100,000 be appropriated from the General Equipment Reserve Fund for the purpose of funding the 2018 Project Plan;

THAT (Funding Appropriation #1829) an amount of \$15,000 be appropriated from the General Reserve Fund for the purpose of funding the 2018 Project Plan;

AND THAT should any of the above amounts remain unexpended at December 31, 2021, the unexpended balances shall be returned to the credit of the respective fund.

24. New Museum for NVMA – Funding Appropriation – 2018-2027 Plan – Revised – File: 02-0800-30-0001/1

Report: Project Manager, Strategic Initiatives and Services,
September 25, 2018

RECOMMENDATION:

PURSUANT to the report of the Project Manager, Strategic Initiatives and Services, dated September 25, 2018, entitled “New Museum for NVMA – Funding Appropriation – 2018-2027 Plan – Revised”:

THAT (Funding Appropriation #1830) an amount of \$487,972 be appropriated from the Civic Amenity Reserve to fund the New Museum for the North Vancouver Museum and Archives (NVMA) project;

THAT (Funding Appropriation #1831) an amount of \$62,028 be appropriated from the Lower Lonsdale Amenity Reserve to fund the New Museum for the NVMA project;

AND THAT should any of the above amounts remain unexpended at December 31, 2021, the unexpended balances shall be returned to the credit of the respective fund.

See Information Report of the Director, North Vancouver Museum and Archives, dated September 26, 2018.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

**25. Harry Jerome Community Recreation Centre – Appropriation
– File: 02-0800-30-0002/1**

Report: Deputy Director, Strategic Initiatives and Services, September 25, 2018

RECOMMENDATION:

PURSUANT to the report of the Deputy Director, Strategic Initiatives and Services, dated September 25, 2018, entitled “Harry Jerome Community Recreation Centre – Appropriation”:

THAT (Funding Appropriation #1832) an amount of \$6,125,000 be appropriated from Civic Amenity Reserve Fund for the purpose of funding the Harry Jerome Community Recreation Centre project oversight, detailed design and construction;

AND THAT should any of the above amount remain unexpended at December 31, 2024, the unexpended balance shall be returned to the credit of the Civic Amenity Reserve Fund.

**26. Marine Drive over Mosquito Creek Bridge Replacement – 2018 Funding
Appropriation – File: 11-5400-30-0006/1**

Report: Manager, Engineering Planning and Design, September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Engineering Planning and Design, dated September 26, 2018, entitled “Marine Drive over Mosquito Creek Bridge Replacement – 2018 Funding Appropriation”:

THAT (Funding Appropriation #1833) an amount of \$584,708 be appropriated from the General Reserve to fund the Marine Drive over Mosquito Creek Bridge Replacement;

THAT (Funding Appropriation #1834) an amount of \$159,420 be appropriated from the Marine Drive Amenity Fund to fund the Marine Drive over Mosquito Creek Bridge Replacement;

THAT (Funding Appropriation #1835) an amount of \$38,117 be appropriated from the Sustainable Transportation Fund to fund the Marine Drive over Mosquito Creek Bridge Replacement;

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8689” (Marine Drive over Mosquito Creek Bridge Replacement), a bylaw to appropriate an amount of \$766,755 from Development Cost Charge (Transportation) Reserve Fund to fund the Marine Drive over Mosquito Creek Bridge Replacement, be considered;

Continued...

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

26. Marine Drive over Mosquito Creek Bridge Replacement – 2018 Funding Appropriation – File: 11-5400-30-0006/1 – Continued

AND THAT should any of the above amounts remain unexpended at December 31, 2021, the unexpended balances shall be returned to the credit of the respective fund.

Item 27 refers.

BYLAW – FIRST, SECOND AND THIRD READINGS

27. “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8689” (Marine Drive over Mosquito Creek Bridge Replacement)

RECOMMENDATION:

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8689” (Marine Drive over Mosquito Creek Bridge Replacement) be given first, second and third readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

28. Moodyville Park Master Plan Implementation – Funding Appropriation – File: 12-6240-20-0056/1

Report: Parks and Greenways Planner, September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Parks and Greenways Planner, dated September 26, 2018, entitled “Moodyville Park Master Plan Implementation – Funding Appropriation”:

THAT (Funding Appropriation #1836) an amount of \$631,250 be appropriated from the Civic Amenity Reserve Fund to fund the Moodyville Park Master Plan Implementation;

THAT “Development Cost Charge (Parks) Reserve Fund Bylaw, 2018, No. 8688” (Moodyville Park Master Plan Implementation), a bylaw to appropriate an amount of \$618,750 from the Development Cost Charge (Parks) Reserve Fund for the purpose of funding the Moodyville Park Master Plan Implementation, be considered;

AND THAT should any of the above amounts remain unexpended at December 31, 2021, the unexpended balances shall be returned to the credit of the respective fund.

Item 29 refers.

BYLAW – FIRST, SECOND AND THIRD READINGS

29. **“Development Cost Charge (Parks) Reserve Fund Bylaw, 2018, No. 8688”
(Moodyville Park Master Plan Implementation)**

RECOMMENDATION:

THAT “Development Cost Charge (Parks) Reserve Fund Bylaw, 2018, No. 8688” (Moodyville Park Master Plan Implementation) be given first, second and third readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

30. **Marine-Main Corridor: Queensbury to Heywood – 2018 Funding Appropriation
– File: 16-8330-10-0001/1**

Report: Deputy Director, Engineering, Parks and Environment,
September 26, 2018

RECOMMENDATION:

PURSUANT to the report of the Deputy Director, Engineering, Parks and Environment, dated September 26, 2018, entitled “Marine-Main Corridor: Queensbury to Heywood – 2018 Funding Appropriation”:

THAT (Funding Appropriation #1837) an amount of \$1,010,000 be appropriated from the General Reserve Fund to fund the Marine-Main Corridor: Queensbury to Heywood;

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8690” (Marine-Main Corridor: Queensbury to Heywood), a bylaw to appropriate an amount of \$990,000 from the Development Cost Charge (Transportation) Reserve Fund to fund the Marine-Main Corridor: Queensbury to Heywood, be considered;

AND THAT should any of the above amounts remain unexpended at December 31, 2021, the unexpended balances shall be returned to the credit of the respective fund.

Item 31 refers.

BYLAW – FIRST, SECOND AND THIRD READINGS

31. **“Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018,
No. 8690” (Marine-Main Corridor: Queensbury to Heywood)**

RECOMMENDATION:

THAT “Development Cost Charge (Transportation) Reserve Fund Bylaw, 2018, No. 8690” (Marine-Main Corridor: Queensbury to Heywood) be given first, second and third readings.

BYLAW – THIRD READING

32. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8681”
(George Geatros / Peter K. Chu Architecture Inc., 115 Carrie Cates Court,
CD-057 Text Amendment)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8681”
(George Geatros / Peter K. Chu Architecture Inc., 115 Carrie Cates Court,
CD-057 Text Amendment) be given third reading.

Public Hearing waived.

BYLAW – THIRD READING AND FINAL ADOPTION

33. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8682”
(GWL Realty Advisors, 38 Fell Avenue and 788 Harbourside Drive, CD-412
Text Amendment)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8682”
(GWL Realty Advisors, 38 Fell Avenue and 788 Harbourside Drive, CD-412 Text
Amendment) be given third reading;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8682”
(GWL Realty Advisors, 38 Fell Avenue and 788 Harbourside Drive, CD-412 Text
Amendment) be adopted, signed by the Mayor and City Clerk and affixed with
the corporate seal.

Public Hearing waived.

NOTICE OF MOTION

34. **Maximum Rental Increase – File: 10-5040-08-0001/2018**

Submitted by: Councillor Clark

RECOMMENDATION:

BE IT RESOLVED THAT Council for the City of North Vancouver endorse the
recommendation of the BC Rental Housing Task Force that the maximum rental
increase be cut from inflation plus 2% to inflation only, and that the automatic 2%
increase be eliminated.

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)(j) and (k) 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.