



**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, MARCH 5, 2018.**

**MONDAY, MARCH 5, 2018
COUNCIL MEETING – 6:00 PM**

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

CALL TO ORDER

ADOPTION OF MINUTES

1. Regular Council Meeting Minutes, February 26, 2018.

PROCLAMATION

**Stop the Sexual Exploitation of Children and Youth Awareness Week
– March 5 to 11, 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 *2, *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

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

***2. Smoking Prohibition Expansion and Enforceability – File: 09-4000-01-0001/2018**

Report: Manager, Bylaw Services, February 14, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Bylaw Services, dated February 14, 2018, entitled “Smoking Prohibition Expansion and Enforceability”:

THAT Council deny the enactment of a blanket prohibition on smoking on all public lands;

AND THAT the report of the Manager, Bylaw Services, dated February 14, 2018, entitled “Smoking Prohibition Expansion and Enforceability”, remain in the Closed session.

***3. Labour Matter – File: 07-2510-01-0001/2018**

Report: Mayor Mussatto, February 26, 2018

RECOMMENDATION:

PURSUANT to the verbal report of Mayor Mussatto, dated February 26, 2018, regarding a labour matter:

THAT the action taken by the Committee of the Whole, Closed session, be ratified;

AND THAT the wording of the recommendation and verbal report of Mayor Mussatto, dated February 26, 2018, remain in the Closed session.

CONSENT AGENDA – Continued

CORRESPONDENCE

- *4. **Board in Brief, Greater Vancouver Regional District, Metro Vancouver
February 23, 2018 – File: 01-0400-60-0006/2018**

Re: Metro Vancouver – Board in Brief

RECOMMENDATION:

THAT the correspondence of Metro Vancouver, dated February 23, 2018, regarding the “Metro Vancouver – Board in Brief”, be received and filed.

END OF CONSENT AGENDA

PRESENTATION

**Geoff Cross, Vice President, Planning and Policy, TransLink
– File: 16-8500-01-0001/2018**

Re: TransLink B-Line

See Information Report of the Transportation Engineer, dated February 28, 2018.

PRESENTATION

Transportation Planner – File: 16-8330-09-0001/1

Re: Walk CNV – Pedestrian Plan

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

5. **Walk CNV – Pedestrian Plan – File: 16-8330-09-0001/1**

Report: Transportation Planner, February 28, 2018

RECOMMENDATION:

PURSUANT to the report of the Transportation Planner, dated February 28, 2018, entitled “Walk CNV – Pedestrian Plan”:

THAT staff prepare a draft Pedestrian Plan for Council consideration.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

6. Proposed Cannabis Dispensary Enforcement – File: 09-3900-02-0001/2018

Report: Manager, Business Services, and Manager, Bylaw Services,
February 21, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Business Services, and Manager, Bylaw Services, dated February 21, 2018, entitled “Proposed Cannabis Dispensary Enforcement”:

THAT Council approve the enforcement strategy to initiate civil court injunctions against the medical marijuana dispensaries currently operating in the City;

AND THAT the report of the Manager, Business Services, and Manager, Bylaw Services, dated February 21, 2018, entitled “Proposed Cannabis Dispensary Enforcement”, remain in the Closed session.

7. Land Matter – File: 02-0800-30-0002/1

Report: Director, Finance, February 21, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Finance, dated February 21, 2018, regarding a land matter:

THAT the action taken by the Committee of the Whole, Closed session, be ratified;

AND THAT the wording of the recommendation and the report of the Director, Finance, dated February 21, 2018, remain in the Closed session.

8. Land Matter – File: 02-0800-30-0002/1

Report: Director, Strategic Initiatives and Services, and Deputy Director,
Strategic Initiatives and Services, February 21, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Strategic Initiatives and Services, and Deputy Director, Strategic Initiatives and Services, dated February 21, 2018, regarding a land matter:

THAT the action taken by the Committee of the Whole, Closed session, be ratified;

AND THAT the wording of the recommendation and the report of the Director, Strategic Initiatives and Services, and Deputy Director, Strategic Initiatives and Services, dated February 21, 2018, remain in the Closed session.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION) – Continued

9. Land Matter – File: 13-6520-20-0021/1

Report: Director, Planning, February 21, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Planning, dated February 21, 2018, regarding a land matter:

THAT the action taken by the Committee of the Whole, Closed session, be ratified;

AND THAT the wording of the recommendation and the report of the Director, Planning, dated February 21, 2018, remain in the Closed session.

CORRESPONDENCE

**10. Chris Plagnol, Corporate Officer, Metro Vancouver, February 26, 2018
– File: 01-0400-60-0006/2018**

Re: Consent to Metro Vancouver Regional Parks Service Amendment Bylaw No. 1260, 2018

RECOMMENDATION:

THAT Council of the City of North Vancouver approve the adoption of “Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1260, 2018”, by providing consent on behalf of the electors.

BYLAW – ADOPTION

**11. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8610”
(232-234 West 5th Street, CD-692, Text Amendment)**

RECOMMENDATION:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8610” (232-234 West 5th Street, CD-692, Text Amendment) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

12. Draft 2018-2027 Financial Plan – File: 05-1715-20-0001/2018

Report: Director, Finance, February 28, 2018

RECOMMENDATION:

PURSUANT to the report of the Director, Finance, dated February 28, 2018, entitled “Draft 2018-2027 Financial Plan”:

THAT Council provide input on the Draft 2018 Program Plan that reflects an overall tax rate increase of 1.5%;

THAT the 2018-2027 Final Project Plan for the City of North Vancouver be endorsed;

AND THAT the resolutions or bylaws to appropriate funding for the projects included in the 2018 Project Budget be brought forward in a timely manner.

**13. Cannabis Regulation: Zoning and Business Bylaw Amendments
– File: 09-3900-02-0001/2018**

Report: Manager, Business Services, and Planner 2, February 28, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Business Services, and Planner 2, dated February 28, 2018, entitled “Cannabis Regulation: Zoning and Business Bylaw Amendments”:

THAT the following amendment bylaws to prohibit non-medicinal Cannabis Production and Sales in the City be considered and referred to a Public Hearing:

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8609”
(A Bylaw to Regulate Cannabis); and

“Business Licence Bylaw, 2004, No. 7584, Amendment Bylaw, 2018,
No. 8616” (A Bylaw to Regulate Cannabis);

AND THAT no applications requesting cannabis retail sales and production be processed until policies and/or bylaws are adopted to regulate such activities.

Items 14 and 15 refer.

BYLAWS – FIRST AND SECOND READINGS

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 first and second readings.

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 first and second readings.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

16. **Duplex Special Study: Results and Direction – File: 13-6520-01-0002/2018**

Report: Planner 2, February 28, 2018

RECOMMENDATION:

PURSUANT to the report of the Planner 2, dated February 28, 2018, entitled
“Duplex Special Study: Results and Direction”:

THAT the results of the Duplex Special Study be received and community
members thanked for their input;

AND THAT the study be concluded and staff be directed to return with draft
bylaws and process for implementation.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF – Continued

17. Development Application: 125 and 145 East 13th Street (Millenium Northmount Properties Ltd. / Chris Dikeakos Architects Inc.) – File: 08-3360-20-0447/1

Report: Manager, Planning, February 28, 2018

RECOMMENDATION:

PURSUANT to the report of the Manager, Planning, dated February 28, 2018, entitled “Development Application: 125 and 145 East 13th Street (Millennium Northmount Properties Ltd. / Chris Dikeakos Architects Inc.)”:

THAT staff be directed to process a rezoning application and an amendment of the Official Community Plan to increase the maximum permitted height, as described in the report;

AND THAT staff be directed to negotiate a sale of transferrable density from an existing City-owned site with residual density.

NOTICE OF MOTION

18. 50 Metre Pool at Harry Jerome – File: 06-2240-02-0001/1

Submitted by: Councillor Clark

RECOMMENDATION:

WHEREAS the City and District of North Vancouver have an agreement that either municipality choosing to build a facility in that municipality, to be operated by the jointly funded North Vancouver Recreation and Culture Commission, will assume full responsibility for the capital costs of any such new facility or expansion of an existing recreation facility;

WHEREAS the City and District of North Vancouver have an agreement that the net operating costs of operating the recreation facilities in either municipality, operated by the North Vancouver Recreation and Culture Commission, be shared by the City and District of North Vancouver according to a formula based on estimated public usage statistics;

WHEREAS the District of North Vancouver has recently built and capital-funded a new Delbrook Community Centre and indicated plans for a new recreation facility in Lower Capilano, the operating costs for which would be shared according to the existing recreation facilities’ operating cost-sharing agreement;

Continued...

NOTICE OF MOTION – Continued

18. 50 Metre Pool at Harry Jerome – File: 06-2240-02-0001/1 – Continued

AND WHEREAS in December 2012, Council of the District of North Vancouver indicated an unwillingness to cost-share according to the existing formula the operating costs of a 50 metre pool should the City choose to include this size of public pool in the planned new Harry Jerome Recreation Centre located in the City of North Vancouver;

THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer and staff be directed to initiate and/or continue discussions with staff at the District of North Vancouver to secure their Council's agreement to cost-share the operating costs for the new Harry Jerome Recreation Centre, including a 50 metre pool, consistent with the North Vancouver Recreation and Culture Commission's current operating cost-sharing formula, which applies to existing recreation facilities;

AND BE IT FURTHER RESOLVED THAT the North Vancouver Recreation and Culture Commission be advised of this motion.

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)(c) 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.