

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, BC, ON MONDAY, SEPTEMBER 24, 2018.

PRESENT

COUNCIL MEMBERS

Mayor D. Mussatto Councillor H. Back Councillor D. Bell Councillor P. Bookham

Councillor L. Buchanan

Councillor R. Clark

Councillor C. Keating (joined

the meeting at 6:07 pm)

STAFF MEMBERS

- L. McCarthy, CAO
- K. Graham, City Clerk
- J. Peters, Assistant City Clerk
- T. Huckell, Committee Clerk
- B. Pearce, Director, Strategic Initiatives and Services
- H. Reinhold, Deputy Director, Strategic Initiatives and Services
- G. Munro, Manager, Information Technology
- D. Foldi, Project Manager
- S. Antoniali, Section Manager, Real Estate
- N. Chand, Deputy Director, Finance
- L. Garber, Manager, Financial Planning
- B. Johnson, Revenue Accountant
- G. Penway, Acting Director, Community Services
- L. Orr, Manager, Business Services
- G. Gusdal, Manager, Bylaw Services
- M. Epp, Director, Planning
- S. Galloway, Manager, Planning
- D. Johnson, Development Planner
- W. Tse, Planner 2
- B. Hurley, Planner 1
- M. Friesen, Planner 1
- A. Yu. Planning Technician 2
- D. Pope, City Engineer
- K. Magnusson, Deputy Director, Engineering
- M. Hunter, Manager, Parks and Environment
- N. Kirkpatrick, Director, North Vancouver Museum and Archives

The meeting was called to order at 6:00 pm.

APPROVAL OF AGENDA

Moved by Councillor Clark, seconded by Councillor Bell

1. Regular Council Meeting Agenda, September 24, 2018.

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Bell

2. Regular Council Meeting Minutes, September 17, 2018.

CARRIED UNANIMOUSLY

Document Number: 1702990 V1

PROCLAMATIONS

Mayor Mussatto declared the following proclamations:

North Shore Culture Days – September 28 to 30, 2018 International Day of Older Persons – October 1, 2018

PUBLIC INPUT PERIOD

- Darlene Kent, 107-252 West Esplanade, North Vancouver, spoke regarding a permissive tax exemption for the Girl Guides of Canada.
- Brian Riedlinger, Sailor Hagar's Pub, 2583 Swinburne Avenue, North Vancouver, spoke regarding the Recreational Cannabis Retail Policy.
- Jon Bevan, Hagar's Liquor Store, 2583 Swinburne Avenue, North Vancouver, spoke regarding the application process for the Recreational Cannabis Retail Policy.
- Ray Nikiel, 309-608 Belmont Street, New Westminster, spoke regarding the application process for the Recreational Cannabis Retail Policy.

Councillor Keating joined the meeting at 6:07 pm.

CONSENT AGENDA

Moved by Councillor Bell, seconded by Councillor Keating

THAT the recommendations listed within the "Consent Agenda", be approved.

CARRIED UNANIMOUSLY

START OF CONSENT AGENDA

BYLAWS – ADOPTION

*3. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8611" (Cascadia Green Development / Vivid Green Architecture, 230-232 East 8th Street, CD-698)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8611" (Cascadia Green Development / Vivid Green Architecture, 230-232 East 8th Street, CD-698) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

*4. "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494, Amendment Bylaw, 2018, No. 8655" (Text Amendments)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Lower Lonsdale Business Improvement Area Service Bylaw, 2016, No. 8494, Amendment Bylaw, 2018, No. 8655" (Text Amendments) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

CONSENT AGENDA – Continued

BYLAWS - ADOPTION - Continued

*5. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8667" (Anthem Properties Group Ltd. / dys Architecture, 143 East 17th Street and 1600-1640 Eastern Avenue, CD-403 Text Amendment)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8667" (Anthem Properties Group Ltd. / dys Architecture, 143 East 17th Street and 1600-1640 Eastern Avenue, CD-403 Text Amendment) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

*6. "Housing Agreement Bylaw, 2018, No. 8668" (Anthem Properties Group Ltd. / dys Architecture, 143 East 17th Street and 1600-1640 Eastern Avenue, CD-403, Rental Housing Commitments)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Housing Agreement Bylaw, 2018, No. 8668" (Anthem Properties Group Ltd. / dys Architecture, 143 East 17th Street and 1600-1640 Eastern Avenue, CD-403, Rental Housing Commitments) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

*7. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8669" (Darrell Epp, 1225 East Keith Road, CD-168 Text Amendment)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8669" (Darrell Epp, 1225 East Keith Road, CD-168 Text Amendment) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

*8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8670" (Bill Curtis / Bill Curtis & Associates Design Ltd., 218 East 22nd Street)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8670" (Bill Curtis / Bill Curtis & Associates Design Ltd., 218 East 22nd Street) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

CONSENT AGENDA – Continued

BYLAWS - ADOPTION - Continued

*9. "Bylaw Notice Enforcement Bylaw, 2018, No. 8675"

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Bylaw Notice Enforcement Bylaw, 2018, No. 8675" be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

*10. "Business Licence Bylaw, 2018, No. 8640, Amendment Bylaw, 2018, No. 8683" (Fees for Liquor Primary Pubs)

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Business Licence Bylaw, 2018, No. 8640, Amendment Bylaw, 2018, No. 8683" (Fees for Liquor Primary Pubs) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

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

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8612" (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

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

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Housing Agreement Bylaw, 2018, No. 8613" (Hossein Safari / Rafii Architects Inc., 365 East 2nd Street, CD-699, Rental Housing Commitments) be adopted, signed by the Mayor and City Clerk and affixed with the corporate seal.

CONSENT AGENDA – Continued

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

*13. All-Candidates Meetings – Funding of Moderators – File: 09-4200-01-0001/2018

Report: Director, Finance, September 19, 2018

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Director, Finance, dated September 19, 2018, entitled "All-Candidates Meetings – Funding of Moderators":

THAT the City provide \$300 to the Grand Boulevard Residents Association and \$300 to the Courthouse Area Residents Association to fund honorariums for the hiring of moderators to host all-candidates meetings;

AND THAT both associations be requested to return to the City any unused funding.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA

DELEGATION

Reid Shier, Executive Director, The Polygon Gallery – File: 15-7780-20-0002/2018

Re: Project Summary and Funding Update

Reid Shier, Executive Director, and Kevin Pike, Past Board Member, The Polygon Gallery, provided a PowerPoint presentation regarding "The Polygon Gallery, Project Summary and Funding Update" and responded to questions of Council.

CORRESPONDENCE

14. Reid Shier, Executive Director, The Polygon Gallery, September 12, 2018 – File: 15-7780-20-0002/2018

Re: Project Summary and Funding Update

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the correspondence from Reid Shier, Executive Director, The Polygon Gallery, dated September 12, 2018, regarding "The Polygon Gallery, Project Summary and Funding Update", be received;

THAT Council support a \$225,000 increase in the municipal contribution to the Polygon Gallery for the 2018 budget;

AND THAT The Polygon Gallery be brought forward as part of the 2019 budget.

Continued...

CORRESPONDENCE – Continued

14. Reid Shier, Executive Director, The Polygon Gallery, September 12, 2018 – File: 15-7780-20-0002/2018 – Continued

Moved by Councillor Bookham, seconded by Council Clark

THAT the motion be deferred to the future Council.

A recorded vote was taken on the amendment motion

In Favour: Councillor Back

Councillor Bell

Councillor Bookham Councillor Clark

Opposed: Councillor Buchanan

Councillor Keating Mayor Mussatto

The motion to defer was **CARRIED** by a vote of 4 to 3.

Moved by Councillor Clark, seconded by Councillor Back

THAT the meeting recess to the Public Hearing regarding "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8671" (Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716) and "Housing Agreement Bylaw, 2018, No. 8672" (Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716, Rental Housing Commitments).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 7:07 pm and reconvened at 7:22 pm.

BYLAWS - THIRD READING

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

Moved by Councillor Keating, seconded by Councillor Clark

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 given third reading.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

BYLAWS – THIRD READING – Continued

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

Moved by Councillor Keating, seconded by Councillor Clark

THAT "Housing Agreement Bylaw, 2018, No. 8672" (Laco Holdings / Studio B Architecture Inc., 309-311 West 1st Street, CD-716, Rental Housing Commitments) be given third reading.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

27. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8662" (Peter Hildebrand / Iredale Architecture, 2052 Chesterfield Avenue, CD-714)

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2018, No. 8662" (Peter Hildebrand / Iredale Architecture, 2052 Chesterfield Avenue, CD-714) be given third reading.

CARRIED UNANIMOUSLY

CORRESPONDENCE

15. Mag Kozlowska, Director, Park and Tilford Garden, September 13, 2018 – File: 05-1850-01-0001/2018

Re: Funding Request – 50th Anniversary of Park and Tilford Garden

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the correspondence from Mag Kozlowska, Director, Park and Tilford Garden, dated September 13, 2018, regarding the "Funding Request – 50th Anniversary of Park and Tilford Garden", be received;

AND THAT Council support Park and Tilford Garden with funding in the amount of \$1,000, to be allocated from the Council Contingency Fund, for the 50th Anniversary of Park and Tilford Garden.

CORRESPONDENCE – Continued

16. Marie Dayton, Chair, St. Edmund's Church Musical Fundraiser, September 11, 2018 – File: 05-1850-01-0001/2018

Re: Funding Request – St. Edmund's Church Musical Fundraiser

The vote on the motion was taken separately as follows:

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the correspondence of Marie Dayton, Chair, St. Edmund's Church Musical Fundraiser, dated September 11, 2018, regarding "Funding Request – St. Edmund's Church Musical Fundraiser", be received;

THAT staff work with the North Vancouver Recreation and Culture Commission to conduct a thorough review of the rental fee structure for the use of Centennial Theatre and consider a lesser rental rate for not-for-profit and community groups;

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Buchanan

AND THAT Council support the St. Edmund's Church Musical Fundraiser with funding in the amount of \$4,075, to be allocated from the Council Contingency Fund, for the rental expense at Centennial Theatre.

CARRIED

Councillor Back, Councillor Bell and Councillor Bookham are recorded as voting contrary to the motion.

PRESENTATION

Recreational Cannabis Retail Policy - File: 13-6410-01-0001/2018

Re: Recreational Cannabis Retail Policy

The Planner 2 provided a PowerPoint presentation regarding the "Recreational Cannabis Retail Policy" and responded to questions of Council.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

17. Recreational Cannabis Retail Policy – File: 13-6410-01-0001/2018

Report: Planner 2, September 19, 2018

Moved by Councillor Keating, seconded by Councillor Bookham

PURSUANT to the report of the Planner 2, dated September 19, 2018, entitled "Recreational Cannabis Retail Policy":

THAT, as per Option #1, the Recreational Cannabis Retail Policy dated September 2018 be endorsed, with the deletion of the following words under "Locational Criteria, Section 2 – Recreational cannabis retail businesses may not be located within a 100-metre radii of the following sensitive uses (see Schedule 2)":

- "Foundry (Youth Services Centre)";
- "North Vancouver City Library";
- "or Private" elementary and secondary schools;

THAT no rezoning applications requesting recreational cannabis retail stores be processed outside of the timeframe and procedures outlined in the Recreational Cannabis Retail Policy;

AND THAT staff reassess the Recreational Cannabis Retail Policy after a 2-year period to determine if amendments are warranted and/or if additional recreational cannabis retail stores should be considered in the City.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

18. 2019 Permissive Tax Exemptions – File: 05-1970-07-0001/2018

Report: Revenue Accountant, September 19, 2018

Moved by Councillor Bell, seconded by Councillor Buchanan

PURSUANT to the report of the Revenue Accountant, dated September 19, 2018, entitled "2019 Permissive Tax Exemptions":

THAT Option 2 of "Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679", to include the Marineview Housing Society and Girl Guides of Canada, be considered.

BYLAW - FIRST, SECOND AND THIRD READINGS

19. "Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679"

Moved by Councillor Bell, seconded by Councillor Buchanan

THAT "Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679" be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Buchanan

THAT "Taxation Exemption Bylaw, 2015, No. 8443, Amendment Bylaw, 2018, No. 8679" be given third reading.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

20. 2018-2027 Revised Financial Plan - File: 05-1720-20-0020/2018

Report: Manager, Financial Planning, September 19, 2018

Moved by Councillor Bell, seconded by Councillor Clark

PURSUANT to the report of the Manager, Financial Planning, dated September 19, 2018, entitled "2018-2027 Revised Financial Plan":

THAT "Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680" (Revised Financial Plan) be considered.

CARRIED UNANIMOUSLY

BYLAW – FIRST, SECOND AND THIRD READINGS

21. "Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680" (Revised Financial Plan)

Moved by Councillor Bell, seconded by Councillor Clark

THAT "Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680" (Revised Financial Plan) be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Clark

THAT "Financial Plan for the Years 2018 to 2027 Bylaw, 2018, No. 8620, Amendment Bylaw, 2018, No. 8680" (Revised Financial Plan) be given third reading.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

22. Preliminary Direction for Rezoning: 266 East Esplanade – File: 08-3360-20-0437/1

Report: Planner 1, September 19, 2018

Moved by Councillor Keating, seconded by Councillor Bookham

PURSUANT to the report of the Planner 1, dated September 19, 2018, entitled "Preliminary Direction for Rezoning: 266 East Esplanade":

THAT staff be directed to consider and prepare a Zoning Bylaw amendment that would permit accessory lounge uses in conjunction with a liquor manufacturing use in the existing M-4 Industrial Commercial Zone;

AND THAT staff continue to work with the applicant to process their application and prepare a Zoning Bylaw amendment for 266 East Esplanade.

Moved by Councillor Keating, seconded by Councillor Bookham

THAT consideration of the motion be deferred until Council has held a Policy Committee meeting on the location of lounges in the City.

CARRIED

Councillor Clark is recorded as voting contrary to the amendment motion.

23. Repeal of Obsolete Bylaws - File: 06-3900-03-0001/1

Report: City Clerk, September 17, 2018

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the City Clerk, dated September 17, 2018, entitled "Repeal of Obsolete Bylaws":

THAT "Obsolete Bylaw Repeal Bylaw, 2018, No. 8684" be considered.

CARRIED UNANIMOUSLY

BYLAW - FIRST, SECOND AND THIRD READINGS

24. "Obsolete Bylaw Repeal Bylaw, 2018, No. 8684"

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Obsolete Bylaw Repeal Bylaw, 2018, No. 8684" be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Keating

THAT "Obsolete Bylaw Repeal Bylaw, 2018, No. 8684" be given third reading.

PUBLIC CLARIFICATION PERIOD

Mayor Mussatto declared a recess at 8:25 pm for the Public Clarification Period and reconvened the meeting immediately after.

INQUIRIES

Nil.

NEW ITEMS OF BUSINESS

Nil.

NOTICES OF MOTION

Nil.

CITY CLERK'S RECOMMENDATION:

Moved by Councillor Keating, seconded by Councillor Clark

THAT Council recess to the Committee of the Whole, Closed session, pursuant to Sections 90(1)(g) and (i) of the *Community Charter*.

CARRIED UNANIMOUSLY

The meeting recessed to the Committee of the Whole, Closed session, at 8:26 pm and reconvened at 8:34 pm.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

28. Update on Cannabis Dispensary Enforcement – File: 09-4000-01-0001/2018

Report: Manager, Bylaw Services, and Manager, Business Services

September 17, 2018

Moved by Councillor Keating, seconded by Councillor Bell

PURSUANT to the report of the Manager, Bylaw Services, and Manager, Business Services, dated September 17, 2018, entitled "Update on Cannabis Dispensary Enforcement":

THAT Council, having considered the continued non-compliance of the business licence and land use regulations of the remaining Medical Cannabis Dispensaries operating in the City, instruct staff to advise the City's solicitor to continue with the initiated legal proceedings (civil injunction petitions) against all remaining unauthorized Cannabis Dispensaries operating in the City to the fullest extent required to compel the closure of these businesses:

Continued...

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

28. Update on Cannabis Dispensary Enforcement – File: 09-4000-01-0001/2018 – Continued

THAT Council instruct staff to advise the City's solicitor to pursue full cost recovery of all legal costs associated with the application, execution and enforcement of the civil injunctions as determined by the Court;

AND THAT the report of the Manager, Bylaw Services, and Manager, Business Services, dated September 17, 2018, entitled "Update on Cannabis Dispensary Enforcement", remain in the Closed session.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

<u>ADJOURN</u>

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:35 pm.

"Certified Correct by the City Clerk"

CITY CLERK