

# AGENDA

## *COUNCIL WORKSHOP*

**Monday, June 24, 2019**

**5:00 p.m.**

**Committee Room, Municipal Hall**

**355 West Queens Road,**

**North Vancouver, BC**

**Council Members:**

Mayor Mike Little

Councillor Jordan Back

Councillor Mathew Bond

Councillor Megan Curren

Councillor Betty Forbes

Councillor Jim Hanson

Councillor Lisa Muri



NORTH VANCOUVER  
DISTRICT

[www.dnv.org](http://www.dnv.org)

THIS PAGE LEFT BLANK INTENTIONALLY

## **COUNCIL WORKSHOP**

**5:00 p.m.**  
**Monday, June 24, 2019**  
**Committee Room, Municipal Hall,**  
**355 West Queens Road, North Vancouver**

### **AGENDA**

#### **1. ADOPTION OF THE AGENDA**

##### **1.1. June 24, 2019 Council Workshop Agenda**

*Recommendation:*

THAT the agenda for the June 24, 2019 Council Workshop is adopted as circulated, including the addition of any items listed in the agenda addendum.

#### **2. ADOPTION OF MINUTES**

##### **2.1. April 8, 2019 Council Workshop p. 7-12**

*Recommendation:*

THAT the minutes of the April 8, 2019 Council Workshop are adopted.

##### **2.2. April 29, 2019 Council Workshop p. 13-18**

*Recommendation:*

THAT the minutes of the April 29, 2019 Council Workshop are adopted.

##### **2.3. May 13, 2019 Council Workshop p. 19-28**

*Recommendation:*

THAT the minutes of the May 13, 2019 Council Workshop are adopted.

#### **3. REPORTS FROM COUNCIL OR STAFF**

##### **3.1. Council Procedure Bylaw Review – Part 2 p. 31-68** File No. 01.0115.30/002.000

Report: Municipal Clerk, May 16, 2019

Attachment 1: Council Procedure Bylaw 7414

Attachment 2: Staff Report Dated April 9, 2019

*Recommendation:*

THAT staff are directed to prepare, for Council's consideration, an amendment to Council Procedure Bylaw 7414 reflecting the direction provided by Council at the May 13, 2019 and June 24, 2019 workshops.

**3.2. Erosion & Sediment Control For Single Family Development**  
File No. 13.6770/Sediment & Erosion Control/File

**p. 69-82**

Report: Councillor Lisa Muri

Appendix A: Excerpt From Single Family New Construction Master Requirement  
GEN 110 Pages 1 to 3 Mandatory ESC Inspection

Appendix B: Sediment and Erosion Control and Tree Protection

*Recommendation:*

THAT staff report back with options to improve erosion and sediment control practices during development and construction on single family home sites particularly regarding:

- Watercourse and habitat protection;
- Storm sewer, street and infrastructure protection;
- Nuisance from dust and debris;
- Education of property owners, and development industry participants about impacts and mitigation;
- Communication with neighbours about vigilance and reporting options if issues arise;
- Consistency across the North Shore; and,
- Regulation and enforcement.

AND THAT the options be referred to a Council Workshop for discussion so that improvements can be implemented before the fall 2019 wet season.

**4. PUBLIC INPUT**

(maximum of ten minutes total)

**5. ADJOURNMENT**

*Recommendation:*

THAT the June 24, 2019 Council Workshop is adjourned.

## MINUTES

THIS PAGE LEFT BLANK INTENTIONALLY

## DISTRICT OF NORTH VANCOUVER COUNCIL WORKSHOP

Minutes of the Council Workshop for the District of North Vancouver held at 6:12 p.m. on Monday, April 8, 2019 in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor M. Little  
Councillor J. Back  
Councillor M. Bond  
Councillor M. Curren  
Councillor B. Forbes  
Councillor J. Hanson  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Ms. C. Grant, General Manager – Corporate Services  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. D. Milburn, General Manager – Planning, Properties & Permits  
Mr. A. Wardell, General Manager – General Manager – Finance/CFO  
Mr. R. Danyluk, Manager – Financial Planning  
Mr. B. Dwyer, Manager – Development Services  
Mr. J. Gordon, Manager – Administrative Services  
Ms. J. Paton, Manager – Development Planning  
Ms. A. Reiher, Confidential Council Clerk

**Also in**

**Attendance:** Mr. Brian Bydwell, B. Bydwell Consulting Services

### 1. ADOPTION OF THE AGENDA

#### 1.1. April 8, 2019 Council Workshop Agenda

**MOVED by Councillor MURI**

**SECONDED by Councillor BACK**

THAT the agenda for the April 8, 2019 Council Workshop is adopted as circulated.

**CARRIED**

### 2. ADOPTION OF MINUTES

Nil

### 3. REPORTS FROM COUNCIL OR STAFF

#### 3.1. Budget Discussion

File No.

Mr. Rick Danyluk, Manager – Financial Planning, provided an overview of the five-year financial plan and advised that the plan is adopted annually. He provided an

overview of the guiding principles of the financial planning process, the long-term financial plan, priorities and suggested plan amendments.

Mr. Danyluk spoke about the principles of the financial plan, including sustainable service delivery, capital renewal funding levels, fairness in taxation and user fees, growth management and maintaining a long-term rolling plan to support decision making. He reviewed the funding models and the revenue required for amenities such as parks, transportation, utilities, development services and recreation. He noted that financial strategies are in place to guide fairness between customer classes and reported that utility rates, tax rates and user fees are adjusted annually to keep pace with inflation. The District tax rate has remained at 3% every year since 2009, ensuring a stable and predictable rate.

Mr. Danyluk spoke about growth management, housing reserves and the long-term financial planning process. He discussed collaboration with the Province on housing, tax matters and grant opportunities and transportation improvements, including the Lower Lynn Interchange and the B-line service along Main Street and Marine Drive. He provided an overview of new community amenities including the community recreation centres, upgraded parks, artificial turf fields and public safety improvements.

Mr. Danyluk reported that the five-year capital plan is valued at approximately \$70 million per year and that the combined utility rate increase is under 4% and expected to continue at approximately 4% for the next 10 years. He advised that Council can amend the Financial Plan at any time before the tax rate is approved.

In response to a question from Council, staff advised that any unused capital funds are returned to reserves each year.

In response to a question from Council, staff advised that the total amount for the Trail Maintenance Agreement is \$300,000.

In response to a question from Council, staff advised that a plan is being developed for the trails in Seymour in addition to the Fromme Mountain trails. Staff noted that an overall budget is not available for the Seymour area trails work as multiple stakeholders are involved.

In response to a question from Council, staff advised that funding to the North Shore Mountain Biking Association (NSMBA) includes staff, supplies and volunteers.

In response to a question from Council, staff advised that a priority is to create a long-term financial plan and options, and reported that a discussion on the allocation of Community Amenity Contribution's (CAC's) will be brought back to Council.

In response to a question from Council, staff advised that the funding allocated in the budget for Fromme Mountain is \$50,000 which is often supplemented by grants. Staff advised that a work plan is created annually.



In response to a question from Council, staff advised that there is a certain amount of money that can be allocated from CAC's for affordable housing projects.

In response to a question from Council, staff advised that a strategic plan encompasses high level items, whereas the Financial Plan provides greater detail and may be amended at any time.

In response to a question from Council, staff advised that the projects that are DCC or CAC funded have reference to a particular plan that has been previously accepted by Council and are Council driven.

In response to a question from Council, staff advised that the contracts identified will not be awarded on projects discussed without prior information to Council.

Council discussion ensued and the following comments and concerns were noted;

- Requested a budget and capital projects discussion and that plans for the capital projects be provided to Council;
- Expressed support for NSMBA and trail maintenance program volunteers as long as the work is carried out equally across all District trails;
- Commented about the funding model for the NSMBA and queried if the core principle of the work is as a trail building organization or mountain biking association;
- Commented about the protected bike network project and requested further information on the plans;
- Commented about the implementation of playgrounds and expressed concern about the playground at Panorama Park;
- Commented about transit priorities and needs on the North Shore;
- Requested further information on work plans and funding for parks;
- Expressed concern about the Lynn Canyon park resurfacing project and the Lynn Creek Recreation Centre;
- Expressed concern about the lack of lighting and sidewalks on Riverside Drive; and,
- Requested that Community Energy and Emissions Plan be incorporated into future plans.

Public Input:

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Expressed concern about staff reports being made available to the public;
- Requested information regarding the cost to run a municipality each year; and,
- Expressed concern about the perceived lack of engagement with community associations.

Mr. David Cesar, Valley Road:

- Expressed concern about municipal costs and Council wishes and requested that the Council be strict with the use of tax payer funds.

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Commented about capital maintenance and inquired regarding street-level imaging.

A District Resident:

- Requested that the staff presentation be made available to the public.

Mr. Cooper Quinn:

- Commented on the work of NSMBA;
- Advised that NSMBA will work with District staff to provide clarity on how the operating agreement activities on Fromme Mountain and in the Seymour area are tracked; and,
- Spoke to the importance of transparency during these projects.

Council recessed at 7:25 p.m. and reconvened at 7:32 p.m.

### **3.2. Design Guidelines, Process and Vision**

File No. 08.3030.01/000.000

Mr. Brian Bydwell, B. Bydwell Consulting Services, provided an overview of design principles, tools, process and implementation and advised that the characteristics of good design is influenced by good architecture. He commented about buildings and how they shape places and communities. He discussed the challenges and opportunities this presents and the broad characteristics required for these types of neighbourhoods and the wide range of services and key design principles they require. He spoke about urban design principles and the need for buildings to be visually cohesive.

Mr. Bydwell noted that tools and processes available to Council include Development Permits (DP) and rezoning. The Province attaches limitations to municipal powers on DP's to focus on the general character of the development and not the particulars of the landscaping or the exterior design and finish of buildings and other structures. He provided an overview of the Village and Town Centre design guidelines.

In response to a question from Council, staff advised that the consolidation of lots can be obtained by the land owner.

In response to a question from Council, staff advised that parking can be further explored for Marine Drive and that there is the ability to provide a cash payment towards transportation demand management in lieu of parking.

In response to a question from Council, Mr. Bydwell advised that design lessons can be learned from Marine Drive and that further ways to facilitate small businesses can be researched.

Council discussion ensued and the following comments and concerns were noted:

- Commented about Marine Drive design and the lack of pedestrian traffic and vibrancy;
- Spoke about Mountain Highway and opined it is important to review building designs;
- Spoke about the research by Mr. Charles Montgomery with respect to Happy Cities;
- Commented about parking restrictions and accommodations;

- Commented about the need to measure green house gas emissions;
- Spoke about small businesses, land use and transportation priorities to make retail spaces more viable;
- Commented about the Burnaby Heights area, its walkability and accessible parking lots;
- Commented about Ambleside and it's design which supports local businesses;
- Commented about the Advisory Design Panel and issues and thoughts identified by Council for solutions;
- Asked about the tools available by the District to retain and recruit locally operated businesses;
- Commented about the Business Improvement Area (BIA) along Lonsdale; and,
- Commented about the need to review where applications are for future developments ahead of a review of other town centres.

Mr. Millburn advised that a direct benefit cannot be given to an individual business; however, local governments can support business with a progressive regulatory environment and with the creation of BIA's.

#### Public Input:

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Commented about function over form and expressed that businesses need to be viable;
- Spoke about his experience as an employee of a locally-owned business on Marine Drive; and,
- Expressed concern about the effects of increased density on traffic.

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Expressed that food dispensaries need to be a part of design features; and,
- Spoke about Edgemont Village and the future parking spaces.

Mr. Cooper Quinn:

- Commented on the importance of improving transit on Marine Drive;
- Suggested lowering parking requirements to encourage smaller lot developments; and,
- Commented that lowering parking requirements may create more vibrant communities.

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Requested that Council be mindful to attract businesses.

**4. ADJOURNMENT**

**MOVED by Councillor MURI**

**SECONDED by Councillor BACK**

THAT the April 8, 2019 Council Workshop is adjourned.

**CARRIED**  
(8:50 p.m.)

---

Mayor

---

Municipal Clerk

## **DISTRICT OF NORTH VANCOUVER COUNCIL WORKSHOP**

Minutes of the Council Workshop for the District of North Vancouver held at 7:00 p.m. on Monday, April 29, 2019 in the Council Chambers of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Acting Mayor J. Hanson  
Councillor J. Back  
Councillor M. Bond  
Councillor M. Curren  
Councillor B. Forbes

**Absent:** Mayor M. Little  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. R. Danyluk, Manager – Financial Planning  
Mr. J. Gordon, Manager – Administrative Services  
Ms. S. Rogers, Manager – Parks  
Mr. S. Carney, Section Manager - Transportation  
Ms. C. Drugge, Section Manager – Infrastructure Planning  
Ms. A. Reiher, Confidential Council Clerk  
Ms. I. Weisenbach, Transportation Planner

### **1. ADOPTION OF THE AGENDA**

#### **1.1. April 29, 2019 Council Workshop Agenda**

**MOVED by Councillor FORBES**

**SECONDED by Councillor CURREN**

THAT the agenda for the April 29, 2019 Council Workshop is adopted as circulated.

**CARRIED**

### **2. ADOPTION OF MINUTES**

#### **2.1. April 1, 2019 Council Workshop**

**MOVED by Councillor FORBES**

**SECONDED by Councillor CURREN**

THAT the minutes of the April 1, 2019 Council Workshop are adopted.

**CARRIED**

### **3. REPORTS FROM COUNCIL OR STAFF**

#### **3.1. Response to Questions on Major and New Capital Projects**

File No.

Ms. Caroline Drugge, Section Manager – Infrastructure Planning, provided an overview of selected new and major capital projects for the District. She discussed the Lynn Canyon Park central area upgrade and advised that this area has not been upgraded since the 1960's and the roads and parking lot are no longer up to standard. The park receives approximately 800,000 visitors per year. In addition to the roads and parking lot, utilities will also be updated. The cost is approximately \$1.6 million and has been previously identified in several park and asset management plans throughout the years. She advised that public consultation was held with the community in 2018. Construction is expected to be completed by 2020. A delay in the project would have an impact on safety.

Ms. Drugge spoke about the history of the Inter River Park artificial turf field, the park design which was approved in 2018 and the public consultation process. She advised that alternatives to crumb rubber infill will be evaluated based on safety, performance and maintenance requirements during the detailed design phase of the project. The cost is approximately \$6.2 million for the construction of all the amenities which is supported by \$1.79 of Development Cost Charge (DCC) funding and is expected to be completed by 2020.

Ms. Drugge reported that the Bridgman Park multi-use play structure upgrade cost is approximately \$250,000 which includes \$150,000 of Community Amenity Contribution (CAC) funding. The proposed play structure has been reviewed by local childcare facilities, schools and North Vancouver Recreation and Culture Commission (NVRCC) and construction is expected to be completed by fall of 2019. A delay to the project would result in the twenty-six year-old structure being removed without being replaced.

Ms. Drugge noted that the Seylynn Park Master Plan was approved by Council in 2015 and the park is expected to be upgraded in two phases. She reported that the first phase includes the multi-purpose field, Spirit Trail and entry plaza. She provided an overview of the consultation process with the community. The project is expected to go to tender in the spring of 2019 and construction of phase one is expected to commence in the fall of 2019.

Ms. Drugge reported that the Belle Isle Park renovation was identified as part of the 2013 Lions Gate Town Centre Implementation Plan and the upgrade cost is approximately \$2.9 million. She provided an overview of the public consultation process. The existing park will be used by neighbouring developments as part of their construction staging to reduce traffic impacts on residents. Park construction is not expected to commence until 2022. A delay in the project would result in the site remaining undeveloped.

Ms. Drugge provided an overview of the Lynn Creek Community Recreation Centre and the many amenities it will provide. She noted the centre is 24,000 square feet and will provide a full size gymnasium, express library, community spaces and daycare. She advised that the District will own the centre, but will be operated by

NVRCC. The project cost is approximately \$16.2 million and is funded by two-thirds CAC's and one-third District renewal reserve funds. Construction is expected to be completed by 2023. A delay in the opening of the centre may have financial impacts with respect to operating an empty building.

Ms. Drugge spoke about the Spirit Trail/Hunter Street Bridge and advised that it is part of a priority route in the North Shore cycling network. She reported that the estimated cost of design is approximately \$1.2 million and the cost of the bridge is approximately \$3.8 million, with funding of \$1.5 million in DCC's and \$2.8 million in TransLink grants. The construction is scheduled to commence by 2020. A delay to the project could jeopardize TransLink grant funding.

In response to a question from Council, staff advised that the Lynn Canyon Park central area upgrade is driven by safety and not to accommodate additional parking spaces.

In response to a question from Council in regard to pedestrian upgrades for Lynn Canyon Park central area, staff advised there will be a sidewalk that connects to the Ecology Centre and picnic area and that safety concerns in the gravel parking lot have been addressed.

In response to a question from Council, staff advised that Lynn Canyon Park central area design accommodates rescue vehicles.

In response to a question from Council, staff advised that the Inter River Park artificial turf field was historically a landfill for North Shore municipalities.

In response to a question from Council, staff advised that there was a transportation study for Inter River Park artificial turf field and that the main entry is on an arterial road, with improvements to the circulation.

In response to a question from Council regarding the Bridgman Park multi-use play structure, staff advised that metal playgrounds last longer than wood playgrounds. Plastic playgrounds work well for the shape of slides, however, the construction materials used for playgrounds constantly changes.

In response to a question from Council regarding Belle Isle Park renovation, staff advised that the park will be constructed after its use as a construction staging site by the neighbouring development and that the park renovation is projected to commence in 2022.

In response to a question from Council, staff advised that the Lynn Creek Community Recreation Centre interior is expected to be completed by 2023 and that staff is currently working on the interior design.

In response to a question from Council regarding the Lynn Creek Community Recreation Centre daycare, staff advised that a concept sketch will be provided to Council as well as comparison information with current daycares in the area.

Public Input:

Ms. Katherine Fagerlund, 1800 Block Deep Cove Road:

- Inquired about the cost of Belle Isle Park renovation.

Mr. Peter Teevan 1900 Block Indian River Crescent:

- Expressed concern that areas that are not considered high density may not receive the same investment;
- Queried if TransLink grants are funded by cuts in transit services;
- Commented about Provincial parks and infrastructure for bike networks; and,
- Provided suggestions for daycare services.

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Queried about the lease rate for Belle Isle Park; and,
- Suggested that four to eight acres are required for local park capacity.

Ms. Kelly Bond, A District Resident:

- Queried about the Bridgman Park multi-use play structure cost.

Council discussion ensued and the following comments and concerns were noted:

- The need for further cycling and transit infrastructure;
- The need for shuttle buses to District parks with high visitor traffic;
- Community spaces are very important and the need to look at the use of CACs;
- The Spirit Trail/Hunter Street Bridge and the need to widen the paths for improved connectivity for trail users;
- The master plan of the Spirit Trail/Hunter Street Bridge;
- TransLink funding received in past years; and,
- Council be notified about projects going to tender.

### **3.2. Bike Share Program on North Shore - Update**

File No. 16.8450.01/004.000

Mr. Steve Carney, Section Manager – Transportation, provided an overview of the e-bike share pilot program proposal, a joint effort by the three North Shore municipalities. He advised that the Integrated North Shore Transportation Planning Project highlighted the need to provide transportation alternative options for residents and to decrease the barriers to cycling. Third-party operators are able to provide a bike share system with limited risk to the municipalities.

Mr. Carney noted that the program goals and benefits include improved mobility choices, topography challenges being address through e-bikes, a growing cycling mode sharing system, enhanced tourism opportunities and reduced parking pressures.

Mr. Carney commented about the launch timelines and advised that proposals are currently being reviewed. He advised that key Request for Proposal (RFP) considerations include public space management, enhanced mobility, safety, equity, data and evaluation.



He reported that the anticipated service areas for the District would be town centres and large portions of the Spirit Trail. The target fleet would be approximately 200 bikes with a target usage of two trips per day per bike. The bikes would be electric-assist, dockless bikes and would be returned to painted 'havens'. The havens are intended to be low-cost to install and exact locations are still being reviewed.

In response to a question from Council, staff advised that Kelowna, Victoria and Richmond use dockless systems and that over 140 cities in North America have a bike share program. He advised that a dockless system is adaptable and low-cost. The operator would ensure bike batteries are charged and redistribute bikes as necessary. The operator is required to provide helmets with messaging to encourage helmet use.

In response to a question from Council, staff advised that the havens would be located around key destinations that are yet to be determined. For the initial launch, all havens would be in the public realm and not on private property.

In response to a question from Council, staff advised that proposals are currently being evaluated and that the pilot is expected to launch by summer 2019.

In response to a question from Council, staff advised that more information will be provided on the details of the e-bikes which is dependant on the selected third-party vendor.

In response to a question from Council, staff advised that fee structures vary by operator and that more information will be brought back to Council.

#### Public Input:

Mr. Juan Palacio, 200 Block West Kings Road:

- Queried if e-bikes would be trail efficient and if there would be any restrictions on where they could be used.

Mr. Peter Teevan 1900 Block Indian River Crescent:

- Asked if the Seymour area would be included in the e-bike share program; and,
- Suggested there be public consultation ahead of an RFP.

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Inquired regarding bike security, potential damage and bicycle baskets.

Council discussion ensued and the following comments and concerns were noted:

- Public realm management for bikes; and,
- Support for the e-bike pilot project and queried if infrastructure will be improved for bike lanes.

**MOVED by Councillor CURREN**  
**SECONDED by Councillor BOND**

THAT the April 17, 2019 report of the Section Manager – Transportation entitled Bike Share Program on North Shore – Update is received for information.

**CARRIED**

**4. ADJOURNMENT**

**MOVED by Councillor CURREN**  
**SECONDED by Councillor FORBES**

THAT the April 29, 2019 Council Workshop is adjourned.

**CARRIED**  
(8:45 p.m.)

---

Mayor

---

Municipal Clerk

## DISTRICT OF NORTH VANCOUVER COUNCIL WORKSHOP

Minutes of the Council Workshop for the District of North Vancouver held at 5:00 p.m. on Monday, May 13, 2019 in the Committee Room of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

**Present:** Mayor M. Little  
Councillor B. Forbes  
Councillor J. Back (5:01 p.m.)  
Councillor M. Bond (5:16 p.m.)  
Councillor M. Curren  
Councillor J. Hanson  
Councillor L. Muri

**Staff:** Mr. D. Stuart, Chief Administrative Officer  
Ms. C. Grant, General Manager – Corporate Services  
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities  
Mr. D. Milburn, General Manager – Planning, Properties & Permits  
Mr. A. Wardell, General Manager – Finance & Technology  
Mr. B. Dwyer, Manager – Development Services  
Mr. J. Gordon, Manager – Administrative Services  
Ms. M. Welman, Manager – Strategic Communications & Community Relations  
Ms. N. Letchford, Senior Planner  
Ms. E. Moxon, Project Manager – Project Delivery  
Ms. A. Reiher, Confidential Council Clerk

**Also in**

**Attendance:** Mr. Jay Porter, Senior Project Manager, Ministry of Transportation & Infrastructure  
Mr. Bryan Bydwell, B. Bydwell Consulting Services

### 1. ADOPTION OF THE AGENDA

#### 1.1. May 13, 2019 Council Workshop Agenda

**MOVED by Councillor FORBES**

**SECONDED by Councillor MURI**

THAT the agenda for the May 13, 2019 Council Workshop is adopted as circulated.

**CARRIED**

Absent for Vote: Councillors BACK and BOND

### 2. ADOPTION OF MINUTES

#### 2.1. April 8, 2019 Council Workshop

This item was withdrawn from the agenda.

Councillor BACK arrived at this point in the proceedings. (5:01 p.m.)

## **2.2. April 16, 2019 Council Workshop**

**MOVED by Councillor**

**SECONDED by Councillor**

THAT the minutes of the April 16, 2019 Council Workshop are adopted.

**CARRIED**

Absent for Vote: Councillor BOND

## **3. REPORTS FROM COUNCIL OR STAFF**

### **3.1. MOTI Lower Lynn Improvements Project – Phases 1, 2, 3 and 4 Update**

File No. 11.5250.20/092.000

Mr. Jay Porter, Senior Project Manager, Ministry of Transportation and Infrastructure (MoTI), provided an overview of the Lower Lynn improvement project. He presented a map highlighting the project and various phases of work. He reported that the completion of the Mountain Highway Interchange is projected for the summer of 2019 and the Keith Road/Mt. Seymour Parkway Interchange construction completion is projected for fall 2021.

Mr. Porter spoke about expected impacts during construction including traffic changes, tree removal and night-time work. He advised that environmental enhancements include the planting of 7,400 trees and 31,000 shrubs after the completion of the Lynn Creek Connectivity Improvement Project.

Mr. Porter provided an overview of traffic pattern changes over the next three years and discussed the closure of Highway 1 exit 22A. He spoke about the upcoming Highway 1 detour onto the new Lynn Creek north bridge to allow the existing Lynn Creek Bridge to be rehabilitated. He spoke about improved sightlines for westbound highway traffic from the removal of the old Mountain Highway Overpass, the new eastbound Mountain Highway off-ramp that will open summer 2019, and the elimination of the eastbound Highway 1 Dollarton merge as part of the next phase of construction.

Councillor BOND arrived at this point in the proceedings. (5:16 p.m.)

Mr. Porter spoke about communication initiatives including residential notices, social media, web updates, advertisements, stakeholder meetings and community outreach. He presented a graph showing projected benefits for reduced travel time during peak hours for eastbound and westbound traffic. Mr. Porter provided an overview of the adaptive signal system proposed for Main Street/Dollarton Highway Interchange and transit queue jumper for buses from Phibbs Exchange.

Mr. Porter reported that Keith Creek will be relocated further from the highway and that benefits include opportunities for additional spawning habitat, improved water quality and fish-passable culverts under Highway 1 and Mountain Highway. He discussed the enhancements to trails, including environmental fencing along a four metre wide gravel trail and the removal of invasive species. He noted that there will be a one kilometre retaining wall along the highway which will mitigate sound.

He also provided an overview of cycling and pedestrian connectivity improvements through sidewalks, multi-use pathways and bike paths.

Mr. Porter advised that underground utility improvements include the replacement and upgrade of the District water main at the intersection of Highway 1 and Mountain Highway. He reported that Metro Vancouver's sanitary sewer lines underneath Highway 1 have been replaced and upgraded. The District's fibre optic network has been upgraded as well as third-party utilities including Telus, BC Hydro, Shaw and Fortis.

In response to questions from Council, Mr. Porter advised that:

- The transit queue jumper is a new feature on the Dollarton on-ramp;
- Keith Road eastbound will have a left turn storage reutilized for through traffic until the final lane configuration is in place in 2020;
- The Keith Road reconfiguration from two lanes westbound to one lane will provide a safe space for cyclists;
- Once all lights are synchronized and working together, traffic flow is expected to improve;
- Riverside Drive is part of a future phase and traffic patterns are expected to change within the next year; and,
- Tree replacement ratio in the Keith Creek area is 4:1 and the replacement trees will be native species.

Council discussion ensued and the following comments and concerns were noted:

- Commented about the need to understand the peak hour traffic benefits and to ensure that signals at all key intersections are synchronized;
- Suggested that the project model be extended to include the downstream effects and that the model is revisited at project completion in 2021 and again in 2031 to determine if predictions were achieved;
- Commented about trip and travel time data for given travel pattern changes;
- Commented about the Dollarton on-ramp transit queue jumper and the impact of the adaptive ramp signals to Main Street and Dollarton Highway traffic;
- Requested that cyclist and pedestrian safety be considered; and,
- Expressed concern regarding cyclist and pedestrian safety along Riverside Drive.

Public Input:

Ms. Katherine Fagerlund, 1800 Block Deep Cove Road:

- Commented favourably about the Main Street on-ramp and queried if there will be a barrier.

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Expressed concern about traffic going off of Mount Seymour Parkway, Mountain Highway and the location of off-ramps; and,
- Suggested that Community Associations be seen as stakeholders.

**MOVED by Councillor MURI**  
**SECONDED by Councillor BACK**

THAT the May 3, 2019 report of the Project Engineer entitled MOTI Lower Lynn Improvements Project – Phase 1,2,3 and 4 Update is received for information.

**CARRIED**

**3.2. Official Community Plan (OCP) Targeted Review – Scope, Timeline and Budget**

File No. 13.6480.30/002.002

Mr. Bryan Bydwell, B. Bydwell Consulting Services, provided an overview of the scope, timeline and budget of the targeted review approach for the Official Community Plan (OCP). He advised that the targeted approach reviews the existing vision and goals, strategic direction and policies as well as emerging issues since implementation of the OCP in 2011. The review will include white papers on housing, transportation, climate change and economy and employment lands, in conjunction with an action plan. These will provide short and mid-term direction and identify potential areas for revision, such as new policy or updates to current targets and identify challenges and opportunities.

Mayor LITTLE left the meeting at this point in the proceedings and Acting Mayor HANSON assumed the Chair. (6:15 p.m.)

Mr. Bydwell advised that the white paper on housing will explore housing diversity with an emphasis on social housing. It will also explore strategies to achieve housing goals outlined in the OCP, such as:

- Rental only zoning;
- Affordability correlation to alternate transportation choices;
- Infill options;
- Density bonus; and,
- Alternative ownership models.

Mr. Bydwell noted that the transportation white paper will address transportation constraints, road congestion challenges, bike share programs and autonomous vehicles. He spoke about transportation and its link to housing affordability and economic vibrancy. Mr. Bydwell advised that the white paper will also explore the recommendations of the Integrated North Shore Transportation Planning Project (INSTPP), including:

- B-lines and transit priority measures;
- Pedestrian and cycling networks;
- Transit infrastructure at bridgeheads and key corridors;
- Integrating land use and transportation planning; and,
- Implementing an inter-regional transit service between Squamish and Metro Vancouver.

Mr. Bydwell provided an overview of the climate change white paper and noted the District's transformational goal to achieve net zero green house gas emissions by 2050. He advised that the white paper will identify strategies to achieve the 2050 target including a reduction of energy consumption and actions for climate change

mitigation such as zero emission buildings, zero emission vehicles and adaptation to sea level rise.

Mr. Bydwell discussed the economy and employment lands white paper and noted that a vibrant local business economy is interconnected with diverse and affordable housing options and accessible transportation. The white paper will identify strategies to mitigate impacts of escalating assessments, land values and the displacement of small businesses. It will explore land use policies, opportunities to grow local businesses, commercial, industrial and retail land use designations and the goals to achieve liveable town centres.

Mr. Bydwell provided an overview of the timeline, public engagement and Council check-in's at milestone phases of the OCP review and advised that it is estimated to take approximately twelve to fourteen months.

Mayor LITTLE returned to the meeting at 6:21 p.m and assumed the Chair.

He advised that the estimated budget ranges from \$360,000 to \$396,000 and includes the recruitment of subject matter experts, publication and communication costs.

In response to questions from Council, staff advised that;

- The budget for the original OCP was \$1 million;
- Some of the OCP work is specialty-type work and that recruiting has commenced for the hiring of consultants;
- Staff will be involved in the OCP work along with consultant support, however, the Planning Department is recruiting to fill vacancies;
- CAC expenditures will be reported to Council before summer of 2019;
- Council will be consulted about the questions for public engagement and the results of the survey will be presented to Council;
- Although there are many parallels with the Community Energy and Emission Plan (CEEP) and OCP review white papers, action items will be addressed in the climate change white paper;
- Policy direction will continue to be sought from Council for housing and environmental applications; and,
- Long-term goals can be implemented as part of the OCP review.

Council discussion ensued and the following comments and concerns were noted:

- Commented about the affordable housing models and the definition of affordability;
- Commented about the role of the Housing Task Force and the different social groups they represent in the District;
- Expressed support of the OCP targeted review proposal, choice of topics and budget;
- Commented about the proposed public engagement, suggested that public opinion can be gauged by feedback heard during the general election in 2018 and suggested that care be taken to ensure accurate results;
- Spoke about the climate emergency and the desire to see action items in the white paper;

- Commented about CEEP and its targets and suggested that every bylaw and policy be reviewed for targeted actions;
- Expressed concern about the estimated budget and the commitment by the Council to support areas that will be identified by the white papers;
- Stated that there is not a moratorium on development in the District;
- Suggested that a long-term OCP be created to be aligned with Metro Vancouver and TransLink long-term plans;
- Suggested that public engagement include those that did not vote in the recent general election so that their opinions may be heard;
- Requested holidays and summer breaks be respected in terms of OCP work and communication with residents;

Council recessed at 6:59 p.m. and reconvened at 7:09 p.m.

- Commented about the need to provide residents with regular updates on the District website and social media;
- Suggested that the District Council represents different groups in the community and the need to include their thoughts in the OCP review;
- Suggested that there is a struggle for affordability and housing in all age categories;
- Commented about the practise in the United States to reclaim land in order to provide future support for the environment as part of a climate crisis initiative;
- Commented about transportation alternatives in San Francisco and comparisons to Metro Vancouver and where lessons can be learned; and,
- Commented about corporate emissions and suggested that measures need to become more specific.

There was a consensus of Council that:

- The May 2, 2019 report from the Senior Community Planner entitled Official Community Plan (OCP) Targeted Review – Scope, Timeline, and Budget is received for information;
- The scope, timeline and budget outlined in the May 2, 2019 report from the Senior Community Planner entitled Official Community Plan (OCP) Targeted Review – Scope, Timeline, and Budget is endorsed; and,
- Staff present this at the next regular meeting of council for formal approval.

Public Input:

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Commented about INSTPP findings and queried if the transportation white paper will include District transportation priorities; and,
- Spoke about underrepresented demographics and the former residents of Emery Place.

Ms. Linda Melville, 2200 Block Old Dollarton Road:

- Thanked Council for their approach to Council meetings and public input;
- Queried if a sub-category for growth in the District is included in the OCP review and suggested a workshop on this topic;
- Queried about the sub-categories of the economy and employment lands white paper; and,



- Suggested that Maplewood lands should be visited by Council, spoke about the importance of research and for public understanding of the OCP.

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Commented about rental-only zoning in the OCP and suggested that this was recently authorized by the Province; and,
- Commented about long-term planning.

### **3.3. Council Procedure Bylaw Review**

File No. 01.0115.30/002.000

Mr. James Gordon, Municipal Clerk, provided an overview of the Council Procedure Bylaw, including potential areas for change and discussed housekeeping items for Council review. He commented about the frequency of Regular Council meetings and advised that the bylaw specifies a minimum number of meetings. The schedule is approved annually by Council and if additional meetings are required, they may be added at any point in the year on a discretionary basis; appropriate notice for the addition of meetings is then provided to the public.

Mr. Gordon spoke regarding electronic meeting participation and the need to ensure a presiding officer and quorum are present in the room. He discussed the proposal of the addition of section 8(e) as an emergency provision to allow the waiver of a twenty-four hour notice requirement for urgent circumstances to accommodate all of Council participating by telephone.

Mr. Gordon discussed public input procedures and queried if Council wishes to prioritize agenda items versus non-agenda items. He spoke regarding Council speaking times and advised that speaking time allotments are four minutes for a first opportunity and two minutes for a second opportunity. If a Councillor poses a question to staff, it is proposed that the timer is paused to allow staff to respond.

Mr. Gordon commented about bylaw readings and probed Council's desire to debate bylaws at first, second, third reading and adoption. He proposed that the subsection be amended to provide further clarity on debate opportunities. Mr. Gordon commented about tie votes and suggested that if a motion is defeated on a tie vote, a provision be provided for Council to reconsider the defeated resolution.

Mr. Gordon discussed Committee of the Whole meetings and suggested that the meeting structure remain as is. He provided an overview of Public Hearings and the statutory requirements and proposed that clarity be brought to the order of business, questions from speakers and questions from Councillors. He proposed that answers to questions from speakers be sought through the Chair. It is also proposed that questions from Councillors be submitted to staff in writing with responses provided periodically at the Mayor's discretion. He further suggested that a time limit for presentations by staff and the applicant be limited to fifteen minutes.

In response to a question from Council, staff advised that the Clerk will receive suggestions for any other amendments by email.

In response to a question from Council, staff advised that there are no restrictions in the *Community Charter* as to whether a Councillor may participate in a meeting electronically and that it is at the discretion of Council.

Councillor MURI left the meeting at 7:58 p.m. and returned at 8:00 p.m.

In response to a question from Council, staff advised that delegations are provided five minutes for their presentation after which Council may ask questions.

Council directed that the bylaw be amended to include restrictions that delegations cannot make requests for funding or rezoning.

In response to a question from Council, staff advised that there are thirty minutes allocated for public input at Regular Council meetings. The Chair may use discretion regarding the speakers list and the list has never been restricted to local residents and businesses only.

In response to a question from Council, staff advised that a copy of the speakers list may be provided to Council at the start of the meeting.

In response to a question from Council, staff advised that staff reports are required to be submitted ten days prior to agenda compilation deadline.

In response to a question from Council, staff advised Public Hearings minutes, as per the *Local Government Act* are a report summarizing a meeting and that a similar process is used for Council Meetings. Minutes are not verbatim and comments are captured in point form. If there is a complaint about the minutes, there is an independent review process where the minutes are listened to by a Clerk that did not take the original set of minutes. Depending on the results of the independent review, the minutes may be revised.

In response to a question from Council, staff advised that if a report is provided at a Public Hearing, it will be referenced in the minutes, but not included as an attachment.

In response to a question from Council, staff advised that if a Councillor did not attend a Public Hearing, they may still vote on the bylaw if they were provided the Public Hearing minutes. When a bylaw returns for second and third readings, the minutes are attached to the staff report.

In response to a question from Council, staff advised that members of the public may speak subsequent times at a Public Hearing as long as they are not repeating themselves and contribute new information. If there are many individuals speaking to the same point, this is permissible.

In response to a question from Council, staff advised that there is no requirement to provide a name or address to speak at a Public Hearing.

Council discussion ensued and the following comments and concerns were noted:

- That there be no debate or amendment to a bylaw at adoption;

- Commented that Council procedures can be varied by Council, whereas statutory procedures cannot be varied;
- Suggested that individual Councillors use judgment when considering participating in a meeting electronically;
- Suggested that the Chair not advise of the reason for a Councillors absence, unless specifically requested by the absent Councillor;
- Suggested that one proclamation per meeting is suitable and that there is a place for them;
- Commented about delegations, their time requirement in a Regular Council meeting and suggested that there be one delegation per meeting;
- Commented that public input be restricted to regular reports and not delegations;
- Suggested that public input speaking time be reduced to two minutes from three minutes to increase the number able to speak;
- Suggested that public input be at the beginning of a meeting and that priority be given to agenda items;
- Suggested that non-agenda items should be facilitated to listen to community concerns;
- Suggested that those who attend Council Workshops should have a way to sign up to speak at a Regular Council meeting;
- Expressed support for three minutes of public input;
- Suggested that electronic public input may be a way to include public input at a meeting;
- Suggested that the end of a Council meeting may not be a conducive time to listen to public input;
- Suggested that reports and agendas be produced earlier, possibly a Monday rather than a Wednesday;
- Commented about the need for Councillors to be sensitive to Council report requests to staff;
- Commented about the way in which Councillors request a workshop;
- Expressed concern about the timeliness to answers to Council questions and that the information is necessary for informed decisions;
- Suggested that bylaws be debated on first, second and third reading and not at adoption;
- Suggested that many of the presentations at Committee of the Whole could be presented at Regular Council meetings;
- Suggested that the appropriate place for Council reports are at Regular Council meetings;
- Suggested there needs to be a majority of Council to request a workshop on a particular topic;
- Commented about the formality of the Public Hearing and requested that it not be treated as an informal meeting;
- Expressed concern that staff presentations and presentation by a developer at Public Hearings are usually similar and suggested that the staff presentation provide the pros and cons of the project and that ten minutes for both presentations is sufficient;
- Queried if questions should be emailed to staff to retain a record;
- Commented about hyperlinks on Council agendas; and,

Councillor MURI left the meeting at this point in the proceedings. (9:57 p.m.)

- Suggested that Public Hearings not be held on subsequent nights.

Public Input:

Mr. Corrie Kost, 2800 Block Colwood Drive:

- Commented about his enjoyment at attending Council meetings; and,

Councillor MURI returned to the meeting at 10:00 p.m.

- Commented about the difficulties in obtaining a hardcopy version of the *Local Government Act* and advised that the Act will soon be accessible on the NVCAN website.

Mr. Peter Teevan, 1900 Block Indian River Crescent:

- Spoke about proclamations and suggested these be promoted on social media platforms;
- Commented about public input sign-up and suggested that a delegation agenda item not be provided with public input opportunities during sign-up;
- Expressed concern regarding the Regular Council agenda distribution;
- Suggested that public input times be respected so that individuals may plan to speak for a certain period of time; and,
- Expressed concern about the line-up for public input and suggested that a token system determine the public input order and that chairs be provided.

#### 4. ADJOURNMENT

**MOVED by Councillor MURI**

**SECONDED by Councillor FORBES**

THAT the May 13, 2019 Council Workshop is adjourned.

**CARRIED**  
(10:12 p.m.)

---

Mayor

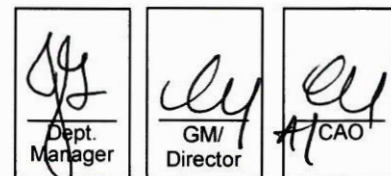
---

Municipal Clerk

## REPORTS

THIS PAGE LEFT BLANK INTENTIONALLY

AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input checked="" type="checkbox"/> Other: <i>workshop</i>	Date: <i>June 24, 2019</i>



## The District of North Vancouver REPORT TO COUNCIL

May 16, 2019  
File: 01.0115.30/002.000

**AUTHOR:** Jim Gordon, Municipal Clerk

**SUBJECT:** Council Procedure Bylaw Review - Part 2

### RECOMMENDATION:

THAT staff are directed to prepare, for Council's consideration, an amendment to Council Procedure Bylaw 7414 reflecting the direction provided by Council at the May 13 and June 24, 2019 workshops.

### REASON FOR REPORT:

This report is a follow-up to the May 13, 2019 workshop where Council provided input on the topics listed in Part A of the April 9, 2019 staff report. The reason for this report is to confirm Council's direction on those items discussed on May 13 and to review the proposed housekeeping amendments listed in Part B of the April 9 staff report.

### BACKGROUND:

The following is a summary of the direction provide on Part A topics at the May 13 workshop:

#### A. Potential Areas of Change

1. Day and time of regular Council meetings – sections 5(a) and 27

#### Currently

First and third Monday of each month starting at 7:00 pm and ending at 10:30 pm

To continue after 10:30 pm requires a majority vote of Councillors present while continuing after 11:00 pm requires a unanimous vote of Councillors present.

#### Agreed

Leave as is.

2. Electronic meetings – section 8

Currently

- (a) a special meeting may be conducted by means of electronic or other communication facilities;
- (b) a member of Council or a Council committee who is unable to attend a council meeting or a council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.

Agreed

Delete and replace with:

- (a) Provided that the conditions set forth in the *Community Charter* regulating electronic meetings are met, as well as subsections (b), (c) and (d) also being met, a member of Council or a member of a Council committee who is unable to attend at a Council meeting or Council committee meeting may participate in the meeting by electronic means, and are deemed to be present at the meeting and counted towards being in attendance.
- (b) A quorum must not participate by electronic means.
- (c) The presiding member shall not participate by electronic means.
- (d) In instances where both the Mayor or Acting Mayor, or the Chair of a Council committee as the case may be, will participate in a meeting of the Council or committee by electronic means, the Council or committee will elect from among the members physically present, a member to preside for that meeting.
- (e) A special meeting of Council where notice is waived due to urgent circumstances is exempt from 8(b), (c) and (d).

3. Proclamations – new section

Currently

Proclamations are listed in the Order of Business but has no corresponding section to explain its use.

Agreed

Corporately, the District will not entertain proclamations at all so Proclamations will be removed from the Order of Business on regular council meeting agenda.



4. Delegations – section 21

Currently

A maximum of two delegations per meeting and five minutes each.

Agreed

This will change to one delegation per regular meeting but keeping the five minute speaking time limit. Also, subsections will be added stating that:

- delegation requests will not be accepted if they are requesting financial assistance of any kind or are in relation to any potential or current District development approval application; and,
- under extraordinary circumstances, the Mayor, at his/her discretion, may permit more than one delegation at a regular council meeting (**option here could leave this clause out and suspend the rule limiting delegations to one**).

5. Public Input – section 22

Currently

A thirty minute time slot at the beginning of regular Council meetings with ten speakers taking three minutes each. Speakers may address both agenda and non-agenda items.

Also, one speaker for and one speaker against (also three minutes each) is permitted at each agenda item.

Agreed

- keep three minute speaking time limit
- keep thirty minute window for public input at its present place in the order of business
- no longer require speakers to state their address when they come to the microphone
- the sign-up sheet with speaker's address will be circulated to all members of council
- retain one speaker for / one speaker against an item at the item
- change wording of section from "agenda item" to "reports from council or staff" (to restrict public input on agenda items to reports only)
- differentiate the sign-up between agenda items (staff reports) and non-agenda items
- priority to be given to agenda items over non-agenda items
- speaker sign-up to remain first come, first served with fixed time of 6:30pm to 6:55pm
- staff will sign-up more than the minimum of ten speakers (over both categories – reports and non-agenda items) to allow the Mayor to fill the full thirty minutes.

6. Councillor speaking time limits and time for answers to questions to staff – section 23(d)

Currently

Speaking time is four minutes for the first time and two minutes for the second time. Two additional minutes are permitted to speak to an amendment.

Also, the time required for staff to respond to questions from Council members is included in the speaking time limit (means the timer keeps running).

Agreed

Leave the speaking time limits as they are but delete the clause requiring staff answers to questions from Council members to be included in the speaking time limit.

7. Bylaw readings, adoption and debate – sections 24(c)(ii), 31(d) and 31(h)

Currently

24(c)(ii) [A motion] to give a bylaw second reading, third reading, or all three readings at once, or to amend the bylaw at adoption [is debatable...]

31(d) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

31(h) A proposed bylaw may be amended while being considered for adoption except that a zoning bylaw may be amended only to the extent permitted by section 470(1)(b) of the *Local Government Act*.

These sections collectively mean that a bylaw is both debatable and amendable at first, second and third readings and adoption. Clarity is required.

Agreed

Staff will clean up these various subsections to make it clear that Council is free to debate and amend bylaws at any stage of the bylaw adoption process except at the adoption stage (subject to the various miscellaneous restrictions of the *Community Charter* and *Local Government Act*).

8. Reconsideration by a Council member – section 26(a)

Currently

26(a) Subject to subsection 26(d) a member who voted with the majority either for or against a motion may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding, including the defeat of a motion.

This creates a problem of no majority where a motion is defeated on a tie vote, thereby preventing reconsideration of the matter by a Councillor.

Agreed

Change the word "majority" to "prevailing side".

9. Committee of the Whole – Part 7 (sections 35 to 41)

Currently

This is a complete and comprehensive Part that permits Council to use the relaxed rules of the Committee of the Whole process for less formal discussion and education sessions.

Agreed

Leave as is.

10. Public Hearings – Part 9 (sections 46 to 49)

Currently

46 Reports - A motion to request a report from staff on a matter raised in a public hearing is in order at the public hearing, and may be amended.

47 Referral - When the public has been heard, the bylaw shall be referred without debate from the public hearing to the next specified meeting of Council.

48 Closing public hearing - When the presiding member considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, and the appropriate resolutions have been passed by Council, the presiding member closes the public hearing.

49 No submissions after closure of public hearing - No further submissions from the public, including any applicant concerned with the bylaw, may be received by



Council between the close of the hearing and adoption, defeat or abandonment of the bylaw for which the public hearing was held.

**Agreed**

- will produce hyperlink version of public hearing agenda along with the standard version of the agenda
- if a second night is required it will be the following Tuesday, 7 pm
- there will be no participation by members of council by electronic means

The following new section will be added between sections 45 and 46 while sections 46 to 49 would also be retained:

- X** Without limiting the discretion of a public hearing Chair to establish rules of procedure for the conduct of a hearing, the following procedural practices are established to guide Council:
- (a) Order of business – The order of business for a public hearing may be as follows: Chair introduces procedural rules, Clerk introduces the bylaw, presentation from staff, presentation from applicant, public input, questions from Council, motion with respect to closing the hearing and referral of the bylaw.
  - (b) District staff and the applicant for the OCP/Zoning Bylaw amendment (or their agent) are each permitted a maximum of fifteen minutes for their presentations.
  - (c) Questions from speakers – If a speaker asks a question during their allotted time, they will be permitted to finish speaking before staff or the applicant answers the question.
  - (d) Questions from Councillors – Councillors will provide any questions they may have to staff in writing. Periodically, at the Chair's discretion, the Chair may pause the list of speakers to allow for staff to respond to questions submitted by Councillors.

The following is Part B of the April 9 staff report, proposed housekeeping amendments, that were not reviewed at the May 13 workshop:

**B. Other Housekeeping Items**

**1. Definitions - section 2**

A definition of *District of North Vancouver Website* will be added.

2. Meetings and hearings outside the municipality – new section

A new section will be added at the beginning of Part 2 *Council Meetings* to permit meetings, hearings and other proceedings to be held outside the municipal boundaries (useful when entire Council is at FCM).

3. Expelling person from a meeting – section 11(d)

Wording will be improved to make the authority of the Chair to expel a person from a meeting consistent with wording in the *Community Charter*.

4. Minute taking standards – new subsection to section 12

A new subsection to section 12 will clarify that minutes are not verbatim but a reasonable summary of what was discussed, they record action items and provide context as needed, and include no personal attribution.

5. Recording of mover and seconder – new subsection to section 12

A new subsection will be added to clarify the requirement in the minutes to record the mover and seconder of all motions.

6. Suspending procedural rules – new subsection to section 12

A new subsection will be added stating the suspension of a procedural rule must not conflict with legislation.

7. Distribution of Council meeting agenda – section 15(b)

This section will be cleaned up to state that Council meeting agenda are distributed to members of council the Monday (and Tuesday to the public) prior to a meeting, posted on the District's webpage, and copies made available in the District Hall lobby and at libraries.

8. Any Other Business – sections 15(c) and 19

Delete section 19 (and remove from the Order of Business) as it is never used and is not the proper way to introduce a new item to the agenda.

Amend section 15(c) to read:

Council must not consider any matters not listed on the Agenda unless a new matter for consideration is proposed during Approval of the Agenda at the commencement of the meeting.

9. Requirement for a motion to be on the floor before debate – new subsection to section 23 *Conduct and Debate*

A new subsection with wording such as “A properly constituted motion must first be on the floor prior to an agenda item being discussed or debated” will be added.

10. Primary and secondary amendments – section 25

Wording will be added to section 25 to clarify that a main motion may be subject to only one amendment at any one time, that an amendment to a main motion is subject to only one amendment at any one time and that the respective amendments must be addressed first and in proper order.

The April 9 staff report had listed an eleventh item, *Bylaws deemed abandoned after two years*, but upon further review it was withdrawn given that the current informal practice allows the necessary flexibility.

Staff are also open to suggestion from Council with respect to possible amendments to the Procedure Bylaw not captured under Parts A and B.

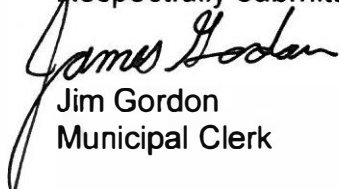
**TIMING/APPROVAL PROCESS:**

As noted in the previous report, public notice must be provided before Council adopts an amendment to the Council Procedure Bylaw. Staff will do this in conjunction with bringing forward the amending bylaw.

**OPTIONS:**

Council may further discuss these and other potential amendments to the Procedure Bylaw. Once concluded, direction to staff to prepare the amending bylaw is required.

Respectfully submitted,



Jim Gordon  
Municipal Clerk

Attachments:      1. Council Procedure Bylaw 7414  
                             2. Staff report dated April 9, 2019

<b>REVIEWED WITH:</b>					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		

THIS PAGE LEFT BLANK INTENTIONALLY





# **THE DISTRICT OF NORTH VANCOUVER**

## **COUNCIL PROCEDURE BYLAW**

### **BYLAW 7414**

Effective Date – April 19, 2004

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

#### **Original Bylaw**

Bylaw 7414

#### **Date of Adoption**

April 19, 2004

#### **Amending Bylaw**

Bylaw 7485

Bylaw 7533

Bylaw 7905

Bylaw 7980

Bylaw 8108

#### **Date of Adoption**

September 13, 2004

April 5, 2005

November 7, 2011

April 15, 2013

February 5, 2018

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Council Procedure Bylaw – Bylaw 7414). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

# **THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER**

## **BYLAW 7414**

### **COUNCIL PROCEDURE BYLAW 2004**

#### **Table of Contents**

	<b><u>Page</u></b>
<b>PART 1 – INTRODUCTION</b>	<b>1</b>
1. <i>Title</i>	<i>1</i>
2. <i>Definitions</i>	<i>1</i>
3. <i>Application of rules of procedure</i>	<i>1</i>
<b>PART 2 – COUNCIL MEETINGS</b>	<b>2</b>
4. <i>Inaugural meeting</i>	<i>2</i>
5. <i>Time and location of meetings</i>	<i>2</i>
6. <i>Notice of Council meetings</i>	<i>2</i>
7. <i>Notice of special meetings</i>	<i>3</i>
8. <i>Electronic Meetings</i>	<i>3</i>
<b>PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR</b>	<b>3</b>
9. <i>Designation of a member to act in place of Mayor</i>	<i>3</i>
<b>PART 4 – COUNCIL PROCEEDINGS</b>	<b>4</b>
10. <i>Deleted</i>	<i>4</i>
11. <i>Attendance of public at meetings</i>	<i>4</i>
12. <i>Minutes of Council and committee meetings to be maintained and available to public</i>	<i>4</i>
13. <i>Calling meeting to order</i>	<i>4</i>
14. <i>Adjourning meeting where no quorum</i>	<i>5</i>
15. <i>Agenda</i>	<i>5</i>
16. <i>Reports from Council Members</i>	<i>5</i>
17. <i>Order of proceedings and business</i>	<i>5</i>
18. <i>Consent Agenda Items</i>	<i>6</i>
19. <i>Any Other Business</i>	<i>6</i>
20. <i>Voting at meetings</i>	<i>7</i>
21. <i>Delegations</i>	<i>7</i>
22. <i>Public input</i>	<i>7</i>
23. <i>Conduct and debate</i>	<i>8</i>
24. <i>Motions generally</i>	<i>9</i>
25. <i>Amendments generally</i>	<i>10</i>

26.	<i>Reconsideration by a Council member</i>	10
27.	<i>Adjournment</i>	10
<b>PART 5 – BYLAWS</b>		<b>11</b>
28.	<i>Copies of proposed bylaws to Council members</i>	11
29.	<i>Form of bylaws</i>	11
30.	<i>Bylaws to be considered separately or jointly</i>	11
31.	<i>Reading and adopting bylaws</i>	11
32.	<i>Bylaws must be signed</i>	12
<b>PART 6 - RESOLUTIONS</b>		<b>12</b>
33.	<i>Resolutions</i>	12
34.	<i>Introducing resolutions</i>	12
<b>PART 7 – COMMITTEE OF THE WHOLE</b>		<b>12</b>
35.	<i>Meeting date and time</i>	12
36.	<i>No delegated decision making authority</i>	13
37.	<i>Mayor to preside</i>	13
38.	<i>Rising</i>	13
39.	<i>Quorum, motions, debate, and voting</i>	13
40.	<i>Agenda, agenda items, and order of business</i>	14
41.	<i>Public input</i>	15
<b>PART 8 – COMMITTEES</b>		<b>15</b>
42.	<i>Creating select or standing committees of Council</i>	15
43.	<i>Committee meeting procedures</i>	15
44.	<i>Reporting to Council by Committees</i>	15
45.	<i>Mayor a member of All Committees</i>	15
<b>PART 9 - PUBLIC HEARINGS</b>		<b>15</b>
46.	<i>Reports</i>	15
47.	<i>Referral</i>	15
48.	<i>Closing public hearing</i>	16
49.	<i>No submissions after closure of public hearing</i>	16
<b>PART 10 – GENERAL</b>		<b>16</b>

**CONSOLIDATION OF BYLAW 7414 AS OF FEBRUARY 5, 2018  
UP TO AND INCLUDING BYLAW 8108**

**THE DISTRICT OF NORTH VANCOUVER**

**BYLAW 7414**

**COUNCIL PROCEDURE BYLAW 2004**

A bylaw establishing rules of procedure for the Council and its committees pursuant to the *Community Charter SBC 2003 c.26*

---

The Council for the Corporation of the District of North Vancouver enacts the following:

**PART 1 – INTRODUCTION**

**1. Title**

This Bylaw may be cited as the **"COUNCIL PROCEDURE BYLAW 2004"**.

**2. Definitions**

In this Bylaw,

**"District"** means the Corporation of the District of North Vancouver;

**"Municipal Hall"** means the District of North Vancouver Municipal Hall located at 355 West Queens Road, North Vancouver, British Columbia, V7N 4N5;

**"Clerk "** means the officer assigned responsibility for corporate administration for the District under section 148 of the *Community Charter*;

**"Committee"** means a standing or select committee of Council constituted as provided in the *Community Charter*.

**"Committee of the Whole"** means a committee comprised of all members of Council and no other persons.

**"Council"** means the Council of the District of North Vancouver;

**"Mayor"** means the Mayor of the District of North Vancouver;

**"Member"** in the case of Council means the Mayor or a Councillor, and in the case of a committee, means a person appointed as a member of that committee.

**"Public Notice Posting Place"** means the notice board at the main entrance of the Municipal Hall.

**(7980)**

**3. Application of rules of procedure**

- (a) The Council Procedure Bylaw in place from time to time, as amended, applies to proceedings of Council, Committee of the Whole, and all committees of Council.

- (b) Following the *Community Charter* and Council Procedure Bylaw, the current edition of Robert's Rules of Order shall be the parliamentary authority insofar as it may apply without conflicting with the aforementioned statute and bylaw.

(7980)

## PART 2 – COUNCIL MEETINGS

### 4. Inaugural meeting

- (a) Following a general local election, the first Council meeting must be held on the first Monday in November in the year of the election.

(8108)

- (b) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection 4(a) the first Council meeting must be called by the Clerk and held as soon as reasonably possible after a quorum has taken office.

### 5. Time and location of meetings

All Council meetings must take place within the Municipal Hall except when Council resolves to hold meetings elsewhere.

- (a) Council must meet regularly

- (i) on the first and third Mondays of each month, unless the Monday falls on a statutory holiday or unless otherwise resolved; and,
- (ii) commence at 7:00 p.m.; and,
- (iii) be adjourned at 10:30 p.m. on the day scheduled for the meeting unless Council resolves to proceed beyond that time in accordance with section 27,
- (iv) and at other times in accordance with the notice of a meeting as may be set out in:
  - (i) a resolution passed at a meeting of the Council that a meeting will be held at a place and at a time specified in the resolution; or,
  - (ii) a notice made pursuant to section 126 of the *Community Charter* that a meeting is to be held at the place and at the time specified in the notice.

- (b) Regular Council meetings may

- (i) be cancelled by the Mayor or by a resolution of Council; and
- (ii) be postponed to a different day, time and place by the Mayor.

(7980)

### 6. Notice of Council meetings

- (a) In accordance with section 127 of the *Community Charter*, Council must prepare annually on or before January 1, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place.

- (b) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before December 1 of the time and duration that the schedule of regular Council meetings will be available beginning on January 1.
- (c) Where revisions are necessary to the annual schedule of regular Council meetings, the Clerk must, as soon as possible, post a notice at the Public Notice Posting Place, which indicates any revisions to the date, time and place or cancellation of a regular Council meeting.

**7. Notice of special meetings**

- (a) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter*, a notice of the date, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
  - (i) posting a copy of the notice in the Council Chamber at Municipal Hall;
  - (ii) posting a copy of the notice at the Public Notice Posting Place; and
  - (iii) delivering a copy of the notice to each Council member at the place which the Council member has directed notices to be sent.
- (b) The notice under subsection (a) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Clerk.

**8. Electronic Meetings**

Subject to the *Community Charter*

- (a) a special meeting may be conducted by means of electronic or other communication facilities;
- (b) a member of Council or a council committee who is unable to attend a council meeting or a council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.

(7485)

**PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

**9. Designation of a member to act in place of Mayor**

- (a) Annually, Council must from amongst its members designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (b) Each Councillor designated under section 9(a) must fulfill the responsibilities of the Mayor in his or her absence.
- (c) If both the Mayor and the member designated under section 9(a) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (d) The member designated under section 9(a) or chosen under section 9(c) has the same powers and duties as the Mayor in relation to the applicable matter.

## PART 4 – COUNCIL PROCEEDINGS

### 10. Deleted

(7905)

### 11. Attendance of public at meetings

- (a) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- (b) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
- (c) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*.
- (d) Despite section 11(a), the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 23(j).

### 12. Minutes of Council and committee meetings to be maintained and available to public

- (a) Minutes of the proceedings of Council and Council committees must be
  - (i) legibly recorded;
  - (ii) certified as correct by the Clerk; and
  - (iii) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (b) Subject to subsection 12(c) and in accordance with the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at Municipal Hall during its regular office hours.
- (c) Subsection 12(b) does not apply to minutes of a Council or Committee meeting or that part of a Council or Committee meeting from which persons were excluded under section 90 of the *Community Charter*.
- (d) When an item dealt with at a closed meeting is no longer confidential, in the opinion of the Mayor or as resolved by Council, the minutes for that item shall be received without debate in a Council meeting.
- (e) The Clerk shall record in the minutes the time when a member withdraws from and returns to a meeting of Council.
- (f) The minutes of a previous meeting may be corrected, but not debated or reflected upon, at the time they are considered for adoption.

### 13. Calling meeting to order

- (a) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.

- (b) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the Mayor under section 9 does not attend within 30 minutes of the scheduled time for a Council meeting:
  - (i) the Clerk must call to order the members present; and
  - (ii) the members present must choose a member to preside at the meeting.

**14. Adjourning meeting where no quorum**

- (a) If there is no quorum of Council present within 30 minutes of the scheduled time for a Council meeting, the Clerk must
  - (i) record the names of the members present, and those absent; and
  - (ii) adjourn the meeting until the next scheduled meeting.

**15. Agenda**

- (a) The Clerk and the Chief Administrative Officer, in consultation with the Mayor, shall prepare an Agenda setting out all the items for consideration at that meeting.
- (b) At least three clear days before the day of the meeting, the Clerk shall give public notice of the time, place and date of the meeting by:
  - (i) delivering a copy of the agenda to each member at the place to which the member has directed notices to be sent;
  - (ii) posting a copy of the agenda on the Public Notice Posting Place at Municipal Hall ;
  - (iii) delivering copies of the agenda to the public libraries in the municipality; and
  - (iv) leaving copies of the agenda at the reception counter at Municipal Hall for the purpose of making them available for the public.
- (c) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as an item pursuant to section 19, Any Other Business.

**16. Reports from Council Members**

A Council member may submit, in the proper "Report to Council" format, a report on an item to be included on a future Council meeting agenda. Such reports shall be submitted to the Clerk who will place the item on the next agenda. The report shall contain relevant explanatory information and background, and shall make a clear recommendation for Council action.

**(7905)**

**17. Order of proceedings and business**

- (a) The usual order of business at a regular Council meeting is as follows:
  - (i) Approval of the Agenda;
  - (ii) Public Input;
  - (iii) Proclamations;



- (iv) Recognitions;
- (v) Delegations;
- (vi) Adoption of Minutes;
- (vii) Release of Closed Meeting Decisions;
- (viii) Committee of the Whole Report;
- (ix) Consent Agenda;
- (x) Reports from Council or Staff;
- (xi) Committee Reports;
- (xii) Other Business; and,
- (xiii) Adjournment.

(7980)

- (b) All items standing on the agenda are taken up in the order in which they appear on the agenda, except that, when necessary for the better conduct of business, an item may be taken out of its order by the presiding member or by Council resolution.

(7533 7905)

#### **18. Consent Agenda Items**

- (a) The matters listed on the consent agenda are taken up in order, unless objected to, in which case they are restored to the ordinary process by which they are placed in line for consideration on the regular agenda. The special rule of order establishing a consent agenda may provide that, when the matters on the consent agenda are called up, they may be considered in total and without debate or amendment.
- (b) Within that Section of the Consent Agenda will list those items that, in the opinion of the Chief Administrative Officer and the Municipal Clerk in consultation with the Mayor, require little or no discussion.
- (c) Should any member of Council wish to debate any issue listed within the Consent Agenda, a simple request to have the item excluded would be in order. The item so excluded would be considered along with all the other items on the Regular Council agenda.

In similar fashion, any member of Council may request that an item be included on the Consent Agenda and if no one objects, it will be so listed and considered.

(7533)

#### **19. Any Other Business**

A member wishing to add an item to the agenda may raise the matter under Any Other Business by making the appropriate motion and, if requested to do so, briefly explaining the matter; and if the motion to add the item to the agenda is adopted and the member's motion respecting the matter is seconded, the item is immediately debated.

**20. Voting at meetings**

The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council.
- (b) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.
- (c) the Clerk shall record the vote in the minutes of the meeting.

**21. Delegations**

- (a) A maximum of two delegations will be permitted at any regular meeting of Council.
- (b) Delegations must represent an organized group, society, institution, corporation, etc. Individuals may not appear as a delegation.
- (c) Delegations must apply in writing to the Municipal Clerk who will schedule delegations on a regular Council meeting agenda in accordance with this bylaw. Delegations will be scheduled on a first come, first served basis subject to direction from the Mayor, Council, or Chief Administrative Officer where a delegation appearance is deemed to be a priority. The Municipal Clerk may seek direction from the Mayor or Chief Administrative Officer where a delegation application appears to be suspect, regards an offensive subject, or is vexatious. The Mayor or Chief Administrative Officer may reject a delegation application. Delegation applications will be printed in the agenda to provide basic information on the nature of the delegation and their purpose.
- (d) The maximum time permitted for any one delegation is five minutes. Upon the consent of Council a delegation may be permitted a longer time.
- (e) Council members shall not respond to requests or questions from a delegation nor engage in debate except to ask clarifying questions or to correct incorrect information.
- (f) Following the delegation Council may refer the issue to staff for a report or refer the issue to a committee.

**(7980)**

**22. Public input**

- (a) A period of thirty minutes will be made available on each regular Council meeting agenda for public input.
- (b) An individual shall not speak more than once at the meeting or for a period longer than three minutes. No person shall speak on a bylaw that is subject of a closed public hearing and which has not yet been adopted. No person shall speak on an item that is, or has been the subject of a public participation process.
- (c) Speakers shall sign up in advance through the Municipal Clerk by providing their name, approximate residential location, and the subject they wish to speak on. The speakers list shall be on a first come, first served basis. Individuals must sign up in person. Speaking slots will not be reserved nor can someone sign up on behalf of another. Where the speakers list has not filled the allotted thirty minutes and those signed up have already spoken, the Mayor may ask for speakers from the gallery on a first come, first served basis to fill any remaining time under the same rules of this section.

- (d) Speakers wishing to speak on an agenda item may sign up to speak during the thirty minute public input period or during the meeting at the time when the agenda item is on the floor. Speakers speaking at the time when the agenda item is on the floor shall be limited to one in support of the item and one opposed. Speakers wishing to speak on an item not on the agenda shall do so only during the thirty minute public input period.
- (e) Council members shall not respond to public input nor engage in debate except to ask clarifying questions or to correct incorrect information.
- (f) Following a speaker Council may refer an issue to staff for a report or refer the issue to a committee.

(7980)

### 23. Conduct and debate

- (a) Councillors desiring to speak shall be recognized by the presiding member in the order in which the members indicate their request, preference being given to the mover and to the seconder should either or both wish to speak.
- (b) When the presiding member desires to speak any member of Council desiring to speak at the same time shall cede to the presiding member.
- (c) Members are addressed, as appropriate, in the following manner: the Mayor as Your Worship, or as Mr. Mayor or Madam Mayor, and referred to as His Worship or Her Worship or the Mayor; a presiding member who is not the Mayor as Mr. Chair or Madam Chair; and a Councillor as Councillor (here use the surname).
- (d) A member wishing to speak for the purpose of
  - (i) speaking directly and concisely on the matter under debate, may do so after being recognized by the presiding member:
    - 1) the first time on the matter for up to 4 minutes;
    - 2) for up to 2 minutes the second time; and
    - 3) for up to an additional two minutes to speak to any amendment,

with the time required for staff to respond to questions from Council members included in the speaking time, however, the presiding member may extend the speaking time where deemed necessary, or council may do so by motion;
  - (ii) requesting the presiding member to consider and decide on any of the following matters may do so without recognition and, if necessary, by interrupting a member who is speaking:
    - 1) a violation of a specific rule or a particular mistake, omission, or error in procedure (point of order); or,
    - 2) a matter of the comfort, convenience or privilege of the Council or of the member (question of privilege),

but a member must cease speaking when called to order and while the point of order is being stated, after which the member may explain.
- (e) No member or other person attending the meeting may interrupt a member who is speaking, except that a member may raise a point of order or a question of privilege.

- (f) No member or other person attending the meeting may cause a disturbance, disrupt or delay the conduct of business.
- (g) No member or other person permitted or invited to speak by the presiding member on any matter during the meeting may speak disrespectfully of any other person or use any rude or offensive language or make a statement or allegation which impugns the character of any person.
- (h) A member, other than the presiding member, who wishes to ask staff questions during a meeting may do so only during the member's allocated speaking time, so as not to disrupt the meeting.
- (i) Improper Conduct includes conduct of any member or other person attending a meeting which, in the opinion of the presiding member or by resolution of Council, is contrary to subsections 23(e) to 23(h) of this Bylaw.
- (j) Improper Conduct will be dealt with by the presiding member, including options available under the *Community Charter* or by resolution of Council.

#### **24. Motions generally**

- (a) Council may debate and vote on a motion only if it is first made by one member and then seconded by another.
- (b) A member wishing to make a motion
  - (i) may do so after being recognized by the presiding member; and
  - (ii) shall immediately state the motion in the form "I move that"
- (c) A motion
  - (i) to deal with a report;
  - (ii) to give a bylaw second reading, third reading, or all three readings at once, or to amend the bylaw at adoption;
  - (iii) to issue a permit;
  - (iv) to refer a report for inquiry, comment, further study, or recommendation;
  - (v) to amend a motion that is debatable;
  - (vi) to postpone to a certain day or
  - (vii) to deal with routine proceedings including the appointment and conduct of the officers of the Council, and the correctness of the records of the Council

is debatable, after it has been seconded, and all other business is decided without debate or amendment, or as otherwise provided in these rules.
- (d) When the motion under consideration contains distinct propositions, and a member so requests, the vote shall be taken upon each proposition separately.
- (e) A member may require the motion under discussion to be read.

- (f) When a matter is under debate, no motion is in order unless to withdraw, to amend, to refer to a committee or for report, or to postpone further debate to a certain day, and the several motions have precedence in the order named.
- (g) Whenever the presiding member is of the opinion that a motion offered to the Council is contrary to the rules of the Council, or relates to matters outside the competence of the Council, he or she informs the Council immediately, giving reasons, and refuses to accept the motion.

**25. Amendments generally**

- (a) A member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (b) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (c) A proposed amendment must be decided upon before the main question is put to a vote.
- (d) An amendment shall be put in writing upon the request of the presiding member.
- (e) An amendment may be amended once only.

**26. Reconsideration by a Council member**

- (a) Subject to subsection 26(d), a member who voted with the majority either for or against a motion may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding, including the defeat of a motion.
- (b) Council must not discuss the main matter referred to in subsection 26(a) unless a motion to reconsider that matter is adopted by an affirmative vote of Council.
- (c) A vote to reconsider must not be reconsidered.
- (d) Council may only reconsider a matter that has not
  - (i) had the approval or assent of the electors and been adopted;
  - (ii) been reconsidered under subsection (1) of section 131 of the *Community Charter*;
  - (iii) been acted on by an officer, employee or agent of the District.
- (e) A motion under subsection 26(a) must be introduced in compliance with section 16.
- (f) If a motion to reconsider is defeated, the subject matter of the resolution or proceeding may not be open for consideration by the Council within 6 months except by way of a new and substantively different motion.

**27. Adjournment**

- (a) A Council may continue a Council meeting
  - (i) after 10:30 p.m. only by an affirmative of the members present; and,
  - (ii) after 11:00 p.m. only by a unanimous vote of the members present.

- (b) A motion to adjourn is always in order, but no second motion to the same effect may be made without dealing with another matter or within 10 minutes, whichever is the lesser.

## **PART 5 – BYLAWS**

### **28. Copies of proposed bylaws to Council members**

A proposed bylaw may be introduced at a Council meeting only if a copy of it has been provided to each Council member.

### **29. Form of bylaws**

A bylaw introduced at a Council meeting must:

- (i) be printed;
- (ii) have a distinguishing name;
- (iii) have a distinguishing number;
- (iv) contain an introductory statement of purpose; and,
- (v) be divided into sections.

### **30. Bylaws to be considered separately or jointly**

Council must consider a proposed bylaw at a Council meeting either:

- (i) separately when directed by the presiding member or requested by another Council member, or,
- (ii) jointly with other proposed bylaws in the sequence determined by the presiding member.

### **31. Reading and adopting bylaws**

- (a) The presiding member of a Council meeting may
  - (i) have the Clerk read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (ii) request a motion that the proposed bylaw or group of bylaws be read.
- (b) The readings of the bylaw may be given by stating its title and object.
- (c) A bylaw requiring a public hearing is referred to a public hearing immediately after first reading, and may be amended before the public hearing at second reading, if time permits.
- (d) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (e) Subject to section 477 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the members present.

**(8108)**

- (f) In accordance with the *Community Charter*, Council may give two or three readings to a proposed bylaw at the same Council meeting.
- (g) Despite section 135(3) of the *Community Charter*, and in accordance with section 477(6) of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.  
(8108)
- (h) A proposed bylaw may be amended while being considered for adoption except that a zoning bylaw may be amended only to the extent permitted by section 470(1)(b) of the *Local Government Act*.  
(8108)
- (i) If a bylaw fails to receive a mover and seconder at any reading or at adoption and no outstanding matter applies to it, the bylaw is deemed to have been abandoned.

**32. Bylaws must be signed**

- (a) After a bylaw is adopted, and signed by the Clerk and the presiding member of the Council meeting at which it was adopted, the Clerk must have it placed in the District's records for safekeeping and endorse upon it:
  - (i) the District's corporate seal,
  - (ii) the dates of its readings and adoption; and,
  - (iii) the date of Ministerial approval or approval of the electorate if applicable.

## PART 6 - RESOLUTIONS

**33. Resolutions**

A resolution shall be dealt with on a motion put by a member and seconded by another member.

**34. Introducing resolutions**

The presiding member of a Council meeting may:

- (i) have the Clerk read the resolution; and
- (ii) request a motion that the resolution be introduced.

## PART 7 – COMMITTEE OF THE WHOLE

**35. Meeting date and time**

- (a) The Committee of the Whole shall hold regular meetings at 7:00 p.m. in the committee room of the District Hall on the second and fourth Monday of each month, except August, unless otherwise resolved by Council.
- (b) Annually Council must make available to the public a schedule of the dates, times, and places of regular Committee of the Whole meetings in the same manner as is required for regular council meetings. The Committee of the Whole meeting schedule

may be combined and made available with the annual notice of regular Council meetings.

- (c) A special meeting of the Committee of the Whole may be called in the same manner as for a special council meeting as provided for in the *Community Charter* and notice for this special committee meeting must be given in the same manner as for a special council meeting.
- (d) At any time during a regular or special Council meeting for which proper notice has been given Council may resolve to go into Committee of the Whole without further notice. Upon the Committee of the Whole rising and reporting, the regular or special Council meeting resumes with the first order of business thereafter being Council considering the report of the Committee of the Whole.

**36. No delegated decision making authority**

- (a) For certainty, the Committee of the Whole is not delegated any decision making authority.
- (b) The Committee of the Whole shall be for the detailed debate of Council matters in a more informal manner. The Committee makes recommendations to Council who may then accept, amend, or reject them.

**37. Mayor to preside**

- (a) The Mayor shall preside as Chair of the Committee of the Whole.
- (b) In the absence of the Mayor the Acting Mayor shall preside.
- (c) In the absence of the Mayor or Acting Mayor and quorum is present the Municipal Clerk shall call the meeting to order and the first order of business shall be the election of a Chair *pro tempore*.

**38. Rising**

- (a) At the conclusion of a Committee of the Whole meeting held under 35(a) or (c), the Committee may rise and report where it has a recommendation to make, or important information to convey, to Council. Where there is no recommendation to make or information to pass to Council the Committee may rise without reporting.
- (b) At the conclusion of a Committee of the Whole meeting held under 35(d), the Committee must rise and report to Council. Rising without reporting is not in order.
- (c) A motion to rise and report is not debatable. The Chair shall rule as out of order motions to rise and report that the Chair determines are vexatious.
- (d) A motion to rise without reporting under (a) above shall be debatable but no member shall speak more than once on the matter.
- (e) The Municipal Clerk must put any Committee recommendations and/or reports on the agenda for the next regularly scheduled council meeting.

(8108)

**39. Quorum, motions, debate, and voting**

- (a) The quorum for Committee of the Whole shall be the same as for a council meeting.
- (b) The following motions are the only ones in order in Committee of the Whole:



- (i) to adopt;
- (ii) to amend;
- (iii) to appeal from decision of the Chair;
- (iv) a point of order;
- (v) a parliamentary inquiry;
- (vi) a question of privilege;
- (vii) division calling for vote by secret ballot;
- (viii) to temporarily recess;
- (ix) to rise and report; and,
- (x) to rise without Reporting (only available in a meeting under 35(a)).

For certainty, the Committee may not adjourn, refer matters to committees, create subcommittees, lay items on the table, or postpone items.

- (c) Motions shall be moved and seconded.
- (d) The Chair must preserve order and, subject to an appeal, decide points of order that may arise.
- (e) In keeping with the purpose of a Committee of the Whole there shall be no limit on the number of times or length of time a member may speak on an agenda item although the Chair shall use discretion to ensure that each member has a fair opportunity to speak.
- (f) Debate shall be limited to only those items on the approved agenda for that meeting.
- (g) All votes in Committee of the Whole shall be by show of hands and decided by a majority. The Chair must declare the results of voting. A member may call for division only to request a secret ballot.

**40. Agenda, agenda items, and order of business**

- (a) The availability of agenda for Committee of the Whole meetings under 35(a) shall be the same as for regular council meetings.
- (b) Agenda items shall be determined by the Mayor and Chief Administrative Officer with direction provided to the Municipal Clerk to assemble and provide the agenda as so ordered. The number and complexity of items on any one agenda shall be closely monitored so as to provide an achievable workload for that meeting.
- (c) The order of business for a Committee of the Whole meeting shall be as follows:
  - (i) call to order;
  - (ii) approval of the agenda;
  - (iii) approval of minutes;
  - (iv) reports from Council or staff;

- (v) public input; and,
- (vi) rise and report.

**41. Public input**

- (a) Members of the public will have a total of ten minutes to make a statement or pose a question to the Committee related to an agenda item at that particular meeting. The Chair shall ensure that a fair opportunity to be heard is made available to as many members of the public as the limited time permits.
- (b) As a courtesy, speakers will be requested to state their name and approximate residential location.
- (c) Committee members shall not respond to public input nor engage in debate except to ask clarifying questions or to correct incorrect information. **(7980)**

**PART 8 – COMMITTEES**

**42. Creating select or standing committees of Council**

Council may create select committees and the Mayor may appoint standing committees as set out in the *Community Charter*.

**43. Committee meeting procedures**

Council meeting procedures stipulated by this bylaw apply to every select or standing committee of Council.

**44. Reporting to Council by Committees**

A committee:

- (a) may report to Council at any Regular meeting of Council; and,
- (b) must report to the Council when directed by resolution of Council.

**45. Mayor a member of All Committees**

The Mayor is an ex-officio member of all committees and is a voting member to the committees of which the Mayor is appointed.

**(7980)**

**PART 9 - PUBLIC HEARINGS**

**46. Reports**

A motion to request a report from staff on a matter raised in a public hearing is in order at the public hearing, and may be amended.

**47. Referral**

When the public has been heard, the bylaw shall be referred without debate from the public hearing to the next specified meeting of Council.

**48. Closing public hearing**

When the presiding member considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, and the appropriate resolutions have been passed by Council, the presiding member closes the public hearing.

**49. No submissions after closure of public hearing**

No further submissions from the public, including any applicant concerned with the bylaw, may be received by Council between the close of the hearing and adoption, defeat or abandonment of the bylaw for which the public hearing was held.

**PART 10 – GENERAL**

**50.** If any section, subsection or clause of this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

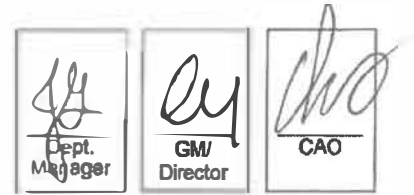
**51.** This Bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance the Community Charter.

**52.** District of North Vancouver Procedure Bylaw No. 6959 is repealed.

**Amended by: 7485 7533 7905 7980 8108**

THIS PAGE LEFT BLANK INTENTIONALLY

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Council Workshop	Date: <u>May 13, 2019</u>
<input type="checkbox"/> Finance & Audit	Date: _____
<input type="checkbox"/> Advisory Oversight	Date: _____
<input type="checkbox"/> Other:	Date: _____



## The District of North Vancouver REPORT TO COMMITTEE

April 9, 2019  
File: 01.0115.30/002.000

**AUTHOR:** James Gordon, Municipal Clerk

**SUBJECT:** Council Procedure Bylaw Review

### RECOMMENDATION:

THAT staff are directed to prepare, for Council's consideration, an amendment to Council Procedure Bylaw 7414 reflecting the direction provided by Council at the May 13, 2019 workshop.

### BACKGROUND:

Council has expressed a desire to review the Council Procedure Bylaw. In absence of any specific direction, staff have identified areas it believes Council may want to discuss. This is section A – *Potential Areas of Change*. This is followed by section B – *Other Housekeeping Items* which are miscellaneous amendments staff feel are required to improve the document but may not necessarily be of interest to Council.

#### A. Potential Areas of Change

##### 1. Day and time of regular Council meetings – sections 5(a) and 27

#### Currently

First and third Monday of each month starting at 7:00 pm and ending at 10:30 pm

To continue after 10:30 pm requires a majority vote of Councillors present while continuing after 11:00 pm requires a unanimous vote of Councillors present.

#### Proposal

Leave as is.

**2. Electronic meetings – section 8**

**Currently**

- (a) a special meeting may be conducted by means of electronic or other communication facilities;
- (b) a member of Council or a Council committee who is unable to attend a council meeting or a council committee meeting, as applicable, may participate in the meeting by means of electronic or other communication facilities.

**Proposal**

Delete and replace with:

- (a) Provided that the conditions set forth in the *Community Charter* regulating electronic meetings are met, as well as subsections (b), (c) and (d) also being met, a member of Council or a member of a Council committee who is unable to attend at a Council meeting or Council committee meeting may participate in the meeting by electronic or other communications means, and are deemed to be present at the meeting and counted towards quorum.
- (b) A quorum must not participate by electronic or other communications means.
- (c) The presiding member shall not participate by electronic or other communications means.
- (d) In instances where both the Mayor or Acting Mayor, or the Chair of a Council committee as the case may be, will participate in a meeting of the Council or committee by electronic or other communications means, the Council or committee will elect from among the members physically present, a member to preside for that meeting.
- (e) A special meeting of Council where notice is waived due to urgent circumstances is exempt from 8(b), (c) and (d).

**3. Proclamations – new section**

**Currently**

Proclamations are listed in the Order of Business but has no corresponding section to explain its use.

**Proposal**

Council must determine if they want to make proclamations at regular Council meetings.

If no, then Proclamations will be removed from the Order of Business.

If yes, Council must determine how many proclamations per meeting are acceptable and then a new section will be added between sections 20 and 21 as follows:

**Proclamations**

A maximum of X proclamations will be permitted at any regular meeting of Council.

**4. Delegations – section 21**

**Currently**

A maximum of two delegations per meeting and five minutes each.

**Proposal**

Council may want to consider limiting this to one per meeting and/or changing the permitted time.

**5. Public Input – section 22**

**Currently**

A thirty minute time slot at the beginning of regular Council meetings with ten speakers taking three minutes each. Speakers may address both agenda and non-agenda items.

Also, one speaker for and one speaker against (also three minutes each) is permitted at each agenda item.

**Proposal**

Council may want to consider:

- the length of individual speaking time (two or three minutes)
- the length of the speaking period (twenty or thirty minutes)
- when public input occurs (beginning or end of the regular meeting)
- if speakers at agenda items is still desirable
- if priority in the main public input period should be given to agenda items over non-agenda items

6. Councillor speaking time limits and time for answers to questions to staff – section 23(d)

**Currently**

Speaking time is four minutes for the first time and two minutes for the second time. Two additional minutes are permitted to speak to an amendment.

Also, the time required for staff to respond to questions from Council members is included in the speaking time limit (means the timer keeps running).

**Proposal**

Leave the speaking time limits as they are but delete the clause requiring staff answers to questions from Council members to be included in the speaking time limit (meaning the clock will stop while an answer is given – which is our current practice).

7. Bylaw readings, adoption and debate – sections 24(c)(ii), 31(d) and 31(h)

**Currently**

24(c)(ii) [A motion] to give a bylaw second reading, third reading, or all three readings at once, or to amend the bylaw at adoption [is debatable...]

31(d) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

31(h) A proposed bylaw may be amended while being considered for adoption except that a zoning bylaw may be amended only to the extent permitted by section 470(1)(b) of the *Local Government Act*.

These sections collectively mean that a bylaw is both debatable and amendable at first, second and third readings and adoption. Clarity is required.

**Proposal**

Staff will clean up these various subsections to make it clear that Council is free to debate and amend bylaws at any stage of the bylaw adoption process, of course subject to the various miscellaneous restrictions of the *Community Charter* and *Local Government Act* – such as OCP and zoning bylaws, bylaws subject to Ministerial approval or approval of the electors, etc.



**8. Reconsideration by a Council member – section 26(a)**

**Currently**

**26(a)** Subject to subsection 26(d) a member who voted with the majority either for or against a motion may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding, including the defeat of a motion.

This creates a problem of no majority where a motion is defeated on a tie vote, thereby preventing reconsideration of the matter by a Councillor.

**Proposal**

Add a new subsection to section 26 as follows:

**26(?)** In case of a tie vote yielding defeat of a motion, any member of Council that was present and voted may, at any time within one month of the vote, introduce a motion to reconsider the resolution, motion or proceeding.

**9. Committee of the Whole – Part 7 (sections 35 to 41)**

**Currently**

This is a complete and comprehensive Part that permits Council to use the relaxed rules of the Committee of the Whole process for less formal discussion and education sessions.

**Proposal**

Leave as is.

**10. Public Hearings – Part 9 (sections 46 to 49)**

**Currently**

**46** Reports - A motion to request a report from staff on a matter raised in a public hearing is in order at the public hearing, and may be amended.

**47** Referral - When the public has been heard, the bylaw shall be referred without debate from the public hearing to the next specified meeting of Council.

**48** Closing public hearing - When the presiding member considers that a reasonable opportunity has been provided for all who wished to make submissions and be heard, and the appropriate resolutions have been passed by Council, the presiding member closes the public hearing.

- 49 No submissions after closure of public hearing - No further submissions from the public, including any applicant concerned with the bylaw, may be received by Council between the close of the hearing and adoption, defeat or abandonment of the bylaw for which the public hearing was held.

### Proposal

Based on issues raised at the last public hearing, and recognizing the public hearing Chair's authority to establish procedural rules for the conduct of the hearing, Council may want to agree upon some general practices for the conduct of hearings.

Council may also want to consider whether or not Councillors are permitted to participate in a public hearing by electronic means (default would be it is not permitted if the wording of the proposed section on electronic participation is accepted – limits electronic participation to "meetings" which does not include "hearings").

As a suggestion, the following new section could be added between sections 45 and 46 while sections 46 to 49 would also be retained:

- X Without limiting the discretion of a public hearing Chair to establish rules of procedure for the conduct of a hearing, the following procedural practices are established to guide Council:
- (a) Order of business – The order of business for a public hearing may be as follows: Chair introduces procedural rules, Clerk introduces the bylaw, presentation from staff, presentation from applicant, public input, questions from Council, motion with respect to closing the hearing and referral of the bylaw.
  - (b) Questions from speakers – If a speaker asks a question during their allotted time, they will be permitted to finish speaking before staff or the applicant answers the question.
  - (c) Questions from Councillors – Councillors will provide any questions they may have to staff in writing. Periodically, at the Chair's discretion, the Chair may pause the list of speakers to allow for staff to respond to questions submitted by Councillors.

## B. Other Housekeeping Items

### 1. Definitions - section 2

A definition of *District of North Vancouver Website* will be added.

2. Meetings and hearings outside the municipality – new section

A new section will be added at the beginning of Part 2 *Council Meetings* to permit meetings, hearings and other proceedings to be held outside the municipal boundaries (useful when entire Council is at FCM).

3. Expelling person from a meeting – section 11(d)

Wording will be improved to make the authority of the Chair to expel a person from a meeting consistent with wording in the *Community Charter*.

4. Minute taking standards – new subsection to section 12

A new subsection to section 12 will clarify that minutes are not verbatim but a reasonable summary of what was discussed, they record action items and provide context as needed, and include no personal attribution.

5. Recording of mover and seconder – new subsection to section 12

A new subsection will be added to clarify the requirement in the minutes to record the mover and seconder of all motions.

6. Suspending procedural rules – new subsection to section 12

A new subsection will be added stating the suspension of a procedural rule must not conflict with legislation.

7. Distribution of Council meeting agenda – section 15(b)

This section will be cleaned up by ensuring Council meeting agenda are distributed the Wednesday (to Council) and Thursday (to the public) prior to a meeting to members of Council, posted on the District's webpage, and copies made available in the District Hall lobby and at libraries.

8. Any Other Business – sections 15(c) and 19

Delete section 19 (and remove from the Order of Business) as it is never used and is not the proper way to introduce a new item to the agenda.

Amend section 15(c) to read:

Council must not consider any matters not listed on the Agenda unless a new matter for consideration is proposed during Approval of the Agenda at the commencement of the meeting.

**9. Requirement for a motion to be on the floor before debate – new subsection to section 23 *Conduct and Debate***

A new subsection with wording such as “A properly constituted motion must first be on the floor prior to an agenda item being discussed or debated” will be added.

**10. Primary and secondary amendments – section 25**

Wording will be added to section 25 to clarify that a main motion may be subject to only one amendment at any one time, that an amendment to a main motion is subject to only one amendment at any one time and that the respective amendments must be addressed first and in proper order.

**11. Bylaws deemed abandoned after two years – new subsection to section 31**

A new subsection will be added to section 31 to clarify that bylaws not advanced to the next reading within two years are deemed to have been abandoned. This is necessary to effectively manage bylaws by concluding matters that otherwise would remain outstanding indefinitely.

**TIMING/APPROVAL PROCESS:**

Public notice must be provided before Council adopts an amendment to the Council Procedure Bylaw.

**OPTIONS:**

Council may review the observations and suggestions of staff noted above and accept, modify or reject any combination thereof. If Council determines that amendments to the bylaw are required, clear direction to staff would assist in preparing the necessary amending bylaw.

Respectfully submitted,

  
James Gordon  
Municipal Clerk

Attachment: Council Procedure Bylaw 7414

AGENDA INFORMATION	
<input checked="" type="checkbox"/> Regular Meeting	Date: <u>May 27 2019</u>
<input type="checkbox"/> Other:	Date: <u>0</u>

Dept. Manager	GM/ Director	CAO
------------------	-----------------	-----

## The District of North Vancouver REPORT TO COUNCIL

March 25, 2019

File: 13.6770/Sediment & Erosion Control/File

**AUTHOR:** Lisa Muri, Councillor

**SUBJECT:** Erosion & Sediment Control For Single Family Development

### RECOMMENDATION:

THAT staff report back with options to improve erosion and sediment control practices during development and construction on single family home sites particularly regarding:

- Watercourse and habitat protection;
- Storm sewer, street and infrastructure protection;
- Nuisance from dust and debris;
- Education of property owners, and development industry participants about impacts and mitigation;
- Communication with neighbours about vigilance and reporting options if issues arise;
- Consistency across the North Shore; and,
- Regulation and enforcement.

AND THAT the options be referred to a Council Workshop for discussion so that improvements can be implemented before the fall 2019 wet season.

### REASON FOR REPORT:

This report identifies possible areas for improvement of erosion and sediment control (ESC) related to construction activity on single family (SF) properties, and recommends a process for Council to consider options, benefits and implications of improvement for implementation in time for the 2019 wet season.

### SUMMARY:

Development and construction activity including major renovation on SF properties in the District has escalated in recent years. Unmitigated erosion and sediment runoff from the construction activity causes environmental damage to watercourses and fish habitat. It can also damage storm drainage infrastructure, and mud, silt and dust can be a nuisance on streets, sidewalks and boulevards.

Following a 2016 delegation to Council by a District resident advocating for improved ESC practices for SF construction sites, District staff researched ESC practices in Coquitlam and

Surrey which were specifically referenced by the delegation. Staff found that the District's process for ESC for large multi-unit development is similar to Coquitlam and Surrey. Similarities include the requirement for a qualified professional (QP) to prepare an ESC plan, and monitor its performance.

Staff also found that SF development in the District differs from the other municipalities because it is mostly infill, redevelopment or renovation of SF homes rather than multi-lot subdivisions. Therefore, for construction on SF properties, the District has more stringent ESC requirements than the other municipalities.

Since 2016, some improvements were made to the District ESC process for SF development, but there are still more opportunities for improvement. Some examples are in the areas of information, communication, education, and outreach to property owners, developers, builders and the public. Other opportunities are technical such as using rainfall trigger thresholds for ESC inspection and response actions as done in Coquitlam. This report recommends the District explore further opportunities for improvement of ESC practices for SF construction.

**BACKGROUND:**

In 2016, a District of North Vancouver resident appeared as a delegation at Council to advocate for improved (ESC) practices on SF construction sites. The District has a long history of environmental protection, but a high volume of SF construction and renovation up to 2016, and the District's reactive enforcement practices, meant addressing ESC issues for SF construction was challenging within available resources. Since 2016, improvements have been made, but further improvements are possible.

Staff researched ESC bylaws and practices in Surrey and Coquitlam and found that they had similar practices to the District for larger developments. Also, like the District, ESC enforcement for SF construction was primarily reactive based on complaint. Specifically, based on 2016 research:

**Surrey:**

- Did not require ESC permits or plans for lots less than 2000 m<sup>2</sup> (for reference, a typical 20m by 40m SF lot has an area of 800 m<sup>2</sup>);
- Surrey was in the process of re-writing their ESC bylaw to require that building permit applicants provide perimeter control (silt fencing, straw wattles, compost berms etc) on SF construction sites;
- No ESC plan required for SF development, but they have mandatory Best Management Practices (BMP) for stormwater drainage;
- They do not conduct any ESC inspections on SF lots. They do respond to complaints and both bylaw enforcement officers, and two full time Environment techs respond to ESC complaints; and,
- The two full time Environment technicians do the majority of their work dealing with large development sites, not SF.

**Coquitlam:**

- No ESC plan is required for SF but storm drainage BMPs must be followed;
- When applying for a building permit (demo, new etc.) applicant must fill out an ESC submission form;
- No ESC inspections are carried out on SF sites but staff respond to complaints;
- ESC staff: two full time positions and one part time position for 6 months of the year (winter);
- Anything bigger than a SF or duplex lot needs a Qualified Professional (QP) retained by the applicant as an ESC Supervisor – QP signs off on the plans, monitors and sends in reports to the municipality. ESC Supervisor is not required for SF, or duplex development; and,
- The municipality can stop people from excavating during large rain event as defined in their bylaw – penalties are \$500 ticket for tracking any debris offsite, and site shut down. They use rain gauge data to determine large rain events.

Since 2016, the District implemented improvements to the SF construction ESC process including an updated Construction Bylaw, and automation of proactive, mandatory acceptable ESC inspections prior to allowing building permit inspections (see Appendix A). Automation was made possible because of the District's newly upgraded Energov building permit processing computer system. This proactive requirement significantly reduced reactive complaint based ESC enforcement.

The pro-active requirement for satisfactory ESC inspection of SF construction sites prior to allowing Building Permit inspections is unique and more stringent than other municipalities because others do not have this requirement for SF construction.

**EXISTING POLICY:**

**Environmental Protection and Preservation Bylaw 6515** – prohibits fouling of streams; prohibits discharge of water containing suspended solids in excess of District/Ministry of Environment suspended solids (turbidity) criteria to streams.

**Construction Bylaw 8271** – requires erosion and sediment control plans, implementation, and security deposits.

**Development Servicing Bylaw 8145** – requires erosion and sediment control plans for development.

**Sewer Bylaw 6656** – permits only stormwater or clear water waste to be discharged to the storm sewer system.

**Street & Traffic Bylaw 7125** – prohibits dropping or deposit of materials on highways.

**ANALYSIS:**

Since 2016, the District has made several improvements to ESC processes for SF construction. Due to the prevalence of infill, renovation and renewal on SF sites rather than

large subdivisions in the District, ESC practices for SF construction have been tailored to proactively leverage the building permit process and are more stringent than other municipalities (see Appendix B).

Further improvements in ESC for SF construction are still possible specifically in areas such as:

- Education of property owners, and development industry participants about erosion and sediment discharge impacts from SF construction, and mitigation measures;
- SF builder communication with neighbours using tools such as site signage and good neighbour meetings to raise awareness of good ESC practices, and means for reporting of issues;
- Working with the City of North Vancouver and District of West Vancouver to improve consistency of ESC practices for SF construction across the North Shore;
- Raising of public awareness of the need for ESC for SF construction and the need for vigilance through various media such as web videos, property tax bulletin, business license mail-outs, etc.;
- The use of rainfall intensity thresholds to trigger ESC activities for SF construction including inspection, and/or construction stoppage; and,
- The use of private sector QPs in ESC to assist with regulation and enforcement of ESC measure for SF construction.

Staff should explore these areas for improvement of ESC for SF Construction and report back with options that will result in improved watershed health in the most resource-efficient way possible. The options should include recommended bylaw changes, and discussion of environmental, financial, resource and affordability implications.

**Timing/Approval Process:**

ESC is important at any time of year, but is very important prior to the onset of the wet season in the fall following the drier summer construction season. Therefore ESC process changes should be considered and implemented by Council prior to the fall.

**Concurrence:**

Engineering and Environment concur with the recommendations in this report.

**Financial Impacts:**

There are no immediate financial impacts due to the recommendations in this report. If improvements are made to the ESC process, there may be a net positive impact financially because operational impacts of erosion and sedimentation such as blockage of storm drains is prevented. Most of the possible improvements in ESC process such as improved communications, outreach practices, site signage etc. can be adapted into current processes, and absorbed within current budgets.

**Liability/Risk:**

Blockage of storm drains can lead to overland flooding. Sedimentation of water courses can damage habitat.



**Social Policy Implications:**

Damage to habitat is detrimental to the community as a whole, and the nuisance caused by sediment deposition due to poor ESC can result in dusty, muddy streets, sidewalks, pathways and boulevards.

**Environmental Impact:**

Poor ESC practices can cause environmental damage, especially for fish habitat.

**Public Input:**

A delegation from a member of the public in 2016 prompted the latest improvements in ESC practices for construction on single family properties in the District. The recommendation is to further the discussion through referral to a Council Workshop as an opportunity for further input from interested stakeholders.

**Conclusion:**

ESC for construction on single family properties is important for mitigation of potential damage to the environment. The District has implemented several improvements in ESC for SF construction but there are still additional improvement opportunities.

**Options:**

1. (Recommended)

THAT staff report back with options to improve erosion and sediment control practices during development and construction on single family home sites particularly regarding:

- Watercourse and habitat protection;
- Storm sewer, street and infrastructure protection;
- Nuisance from dust and debris;
- Education of the property owners, and development industry participants about impacts and mitigation;
- Communication with neighbours and the public about vigilance and reporting options if issues arise;
- Consistency across the North Shore; and,
- Regulation and enforcement.

AND THAT the options be referred to a Council Workshop for discussion so that improvements can be implemented before the fall 2019 wet season.

2. Other direction provided by Council.

Respectfully submitted,



Lisa Muri  
Councillor

REVIEWED WITH:					
<input type="checkbox"/> Community Planning	_____	<input type="checkbox"/> Clerk's Office	_____	External Agencies:	
<input type="checkbox"/> Development Planning	_____	<input type="checkbox"/> Communications	_____	<input type="checkbox"/> Library Board	_____
<input type="checkbox"/> Development Engineering	_____	<input type="checkbox"/> Finance	_____	<input type="checkbox"/> NS Health	_____
<input type="checkbox"/> Utilities	_____	<input type="checkbox"/> Fire Services	_____	<input type="checkbox"/> RCMP	_____
<input type="checkbox"/> Engineering Operations	_____	<input type="checkbox"/> ITS	_____	<input type="checkbox"/> NVRC	_____
<input type="checkbox"/> Parks	_____	<input type="checkbox"/> Solicitor	_____	<input type="checkbox"/> Museum & Arch.	_____
<input type="checkbox"/> Environment	_____	<input type="checkbox"/> GIS	_____	<input type="checkbox"/> Other:	_____
<input type="checkbox"/> Facilities	_____	<input type="checkbox"/> Real Estate	_____		
<input type="checkbox"/> Human Resources	_____	<input type="checkbox"/> Bylaw Services	_____		

**APPENDIX A**

**Excerpt From  
Single Family New Construction  
Master Requirement GEN 110  
Pages 1 to 3  
Mandatory ESC Inspection**



355 West Queens Road  
North Vancouver BC  
V7N 4N5  
[www.dnv.org](http://www.dnv.org)  
(604) 990-2311

## Single Family New Construction Required Inspection Stages Master Requirement GEN 110

Building Department: 604-990-2480, [building@dnv.org](mailto:building@dnv.org), fax: 604-984-9683

### Purpose

The following procedure is meant as a guideline to aid Homeowners, Builders, and Contractors in the proper preparation of requesting inspections. Inspections help to ensure that renovation or construction work complies with the appropriate Bylaws and matches the work authorized by the Building Permit.

### Notice

- This document is provided as an advisory only, and may be revised as needed. In no way does it relieve any person from complying with all other relevant Bylaws, regulatory acts, requirement of the permit, order or licence
- The following list of inspections and required documents outline the minimal inspection requirements and are intended to help you prepare for and schedule your inspections
- At every inspection stage, the Inspector may not enter the site if it is deemed unsafe and Work Safe BC may attend the site

### Re-Inspection Fee Policy

Owners and contractors have the responsibility to carry out the work as per approved plans and call for inspections at the required stages, as well as to resolve any deficiencies noted by the Inspector(s)

A re-inspection fee may be applied for the following reasons:

- Failure to correct previously noted deficiencies
- Contractor or owner requesting an inspection when the site is not ready,
- If required documentation or representative is not on site as required by the Inspector,
- Any other reason similar to above as determined by the Building Official.

### How to Book Inspections

- Building and mechanical inspections are booked online at [www.dnv.org/inspection](http://www.dnv.org/inspection)
- Electrical inspections are requested by submission of the *Electrical Contractor's Authorization and Declaration of Compliance*, either by email to [electricaldept@dnv.org](mailto:electricaldept@dnv.org), by fax, or in person

Inspection requests submitted by 2:30pm will be scheduled for the following business day unless otherwise requested.

Document Number: 3450676

Page 1 of 8



355 West Queens Road  
North Vancouver BC  
V7N 4N5  
[www.dnv.org](http://www.dnv.org)  
(604) 990-2311

#### **PRE-CONSTRUCTION INSPECTION (Good Neighbour Meeting)**

**This inspection is required prior to the issuance of the demolition permit, and is attended by the building official(s), the constructor, and the owner.**

**Attn: Owner, General Contractor and drainage permit contractor:**

If a storm water pump is required to convey storm water drainage to the municipal storm system or an alternate approved discharge location, the Owner must grant to the District a covenant under section 219 of the Land Title Act.

The final inspection and Occupancy Permit will not proceed when a storm water pump covenant is required but not registered on title. Refer to [www.dnv.org/storm-pump](http://www.dnv.org/storm-pump) for more details.

- Review of good neighbour guidelines: communication, construction signage and contact information, damage to public property and encroachment, permitted construction hours
- Review of street use permits and temporary building zone permits, construction parking and traffic
- Waste containers and removal, sanitary facilities
- Provision of site water and temporary power
- Requirement for storm pump covenant
- Review BC OneCall 'Call Before You Dig' guidelines

#### **\*Temporary Power Construction Service**

***This inspection is generally done prior to demolition, and conducted by the Electrical Inspector***

- Power pole **must** be installed a minimum 3.3m (10ft) from any District services and within 3.3m(10ft) from the property line
- Provide grounding at a minimum of 0.6m (2ft) depth
- Adequate bracing support (minimum 2 braces at 90°)
- Proper clearances across roads, alleys, and sidewalks
- Meter height to be 1.5m – 1.7m (4.5ft -5.1ft) as per BC Hydro meter requirements)

#### **Required documents to be provided prior to inspection and available on site:**

- ✓ Hazardous material disposal clearance letter

#### EROSION AND SEDIMENT CONTROL (ESC) INSPECTION

**This inspection is the first inspection to be booked after demolition and completion of form work but prior to placement of any concrete. The ESC inspection must be passed before the footings and forms inspection can be booked.**

##### Sediment and erosion control

- Measures in place as per the District's Development Servicing Bylaw 8145 and Environmental Protection and Preservation Bylaw 6515:
  - ✓ Compliance with all on-site sediment and erosion control
  - ✓ On-site grading, building elevation, storm drainage and management
  - ✓ Catch basins have appropriately-fitted sediment traps/filter cloths which must be maintained and replaced as needed to allow proper drainage
- Construction fencing, tree barriers
- Meets WCB guidelines or an excavation letter provided by a professional engineer

#### FOOTINGS AND FORMS INSPECTION

##### Footings & Forms

- Location of forms meets approved plans
- Minimum frost protection of 18" in all areas
- Depth and width of foundation form matches approved plans
- Foundation wall height to match approved grades
- If footings are placed prior to forms, then separate inspections will be required for both

##### Required documents to be provided prior to inspection and available on site:

- ✓ Non-encroachment certificate
- ✓ Site Survey
- ✓ Excavation letter (if applicable)
- ✓ Approved plans, field reports and professional engineer field memos
- ✓ Professional engineer compaction test report for any fill in excess of 1ft

**APPENDIX B**

**Sediment and Erosion Control and Tree Protection**

**Residential Construction**



**Sediment and Erosion Control and Tree Protection - Residential**

District of North Vancouver

Environment Department - 355 West Queens Rd, North Vancouver, BC V7N 4N5

Phone: 604-990-2480 email: [building@dnv.org](mailto:building@dnv.org) Fax: 604-984-9683

**Sediment and Erosion Control and Tree Protection  
Residential Construction.**

Environmental Protection and Preservation Bylaw – 6515

Tree Protection Bylaw 7671

The District of North Vancouver requires Sediment and Erosion control for all construction projects that involve excavation or soil disturbance. Sediment and Erosion Control is required to protect creeks and other sensitive aquatic areas from the impacts of sediment and sediment laden construction water. Simple Sediment and Erosion control plans have 4 main components seen below.

**1. Exposed soil and soil stockpiles must be covered or managed**



Soil stockpiles and exposed soil must be covered with plastic or other suitable erosion control products (vegetation, bio-degradable fabric, etc). This protects exposed soil on slopes or boulevards from wind and water erosion. The Soil is also protected from becoming saturated with water making it difficult and more expensive to handle. Vegetation covers such as grass, wildflower seed mix or shrubs can also be applied to provide longer term protection.

**2. Keep sediment on your site not on the road.**

- Retain and use an existing driveway for construction access to prevent dirt from sticking to truck tires and getting on to the road or;
- Use coarse gravel or broken concrete/asphalt to make a construction access pad.

Document: 969287



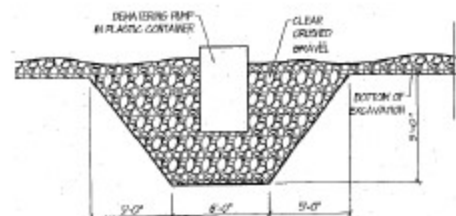
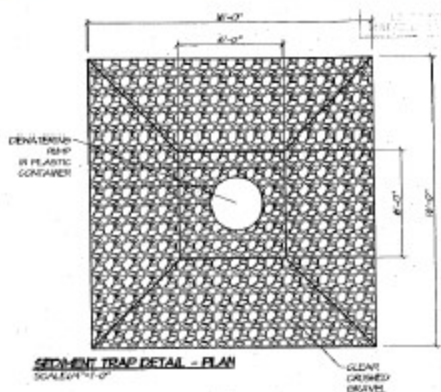


By installing a proper access pad, vehicles will not track soil onto the road. This is important because once soil is on the road it ends up in the storm sewer and then into a creek or the ocean. Once construction sediment enters the natural environment it creates a number of impacts.

### 3. Proper management of water during construction.

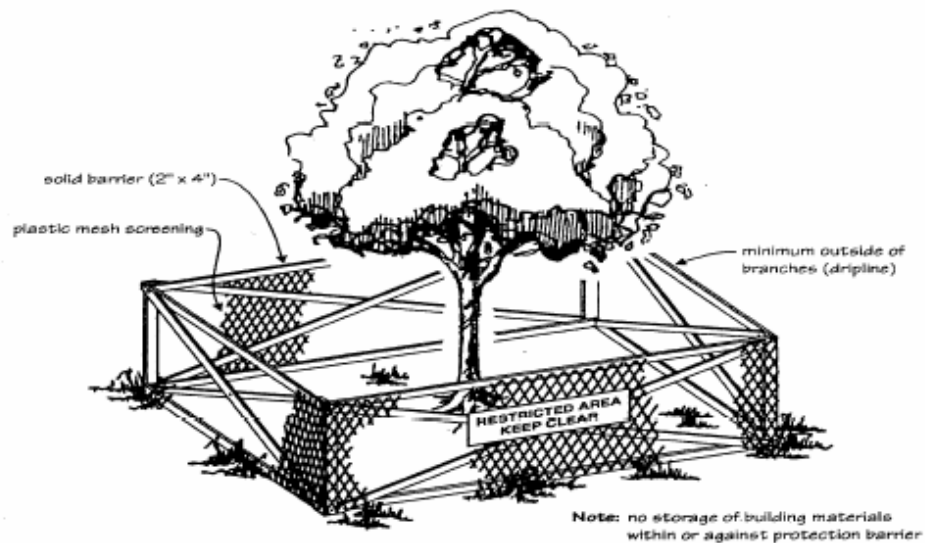


A sediment trap or sump is a collection area where sediment laden water is temporarily stored, allowing sediment to settle out before the water is discharged. Line the outside of the sump with clean gravel and then wrap the concrete sump with a heavy geotextile fabric.



### 4. Protect roadside catch basins with a silt control device designed specifically for catch basins.

\*note: The DNV no longer accepts simple geotextile fabric as catch basin protection.



meter			Minimum Protection Required Around Trees (Distance from Trunk)
(cm)	(in)	(ft)	
20	8	0.6	1.2 metres
25	10	0.8	1.5 metres
30	12	1.0	1.8 metres
35	14	1.2	2.1 metres
40	16	1.3	2.4 metres
45	18	1.5	2.7 metres
50	20	1.7	3.0 metres
55	22	1.8	3.3 metres
60	24	2.0	3.6 metres
75	30	2.5	4.5 metres
90	36	3.0	5.0 metres
100	40	3.3	6.0 metres