

## REGULAR MEETING OF COUNCIL

7:00 p.m.  
Monday, February 24, 2020  
Council Chamber, Municipal Hall,  
355 West Queens Road, North Vancouver

### AGENDA

#### BROADCAST OF MEETING

- Online at <http://app.dnv.org/councillive/>

#### CLOSED PUBLIC HEARING ITEMS NOT AVAILABLE FOR DISCUSSION

- Bylaw 8262 – OCP Amendment 1923 Purcell Way
- Bylaw 8263 – Rezoning 1923, 1935, 1947 and 1959 Purcell Way

#### 1. ADOPTION OF THE AGENDA

##### 1.1. February 24, 2020 Regular Meeting Agenda

*Recommendation:*

THAT the agenda for the February 24, 2020 Regular Meeting of Council for the District of North Vancouver is adopted as circulated, including the addition of any items listed in the agenda addendum.

#### 2. PUBLIC INPUT

(limit of three minutes per speaker to a maximum of thirty minutes total)

#### 3. RECOGNITIONS

#### 4. DELEGATIONS

##### 4.1. [Hollyburn Family Services Society](#)

[Application Form](#)

[Attachment 1: PowerPoint Presentation](#)

#### 5. ADOPTION OF MINUTES

##### 5.1. [January 20, 2020 Regular Council Meeting](#)

*Recommendation:*

THAT the minutes of the January 20, 2020 Regular Council Meeting are adopted.

**5.2. [February 3, 2020 Regular Council Meeting](#)**

*Recommendation:*

THAT the minutes of the February 3, 2020 Regular Council Meeting are adopted.

**6. RELEASE OF CLOSED MEETING DECISIONS**

**7. COUNCIL WORKSHOP REPORT**

**8. REPORTS FROM COUNCIL OR STAFF**

With the consent of Council, any member may request an item be added to the Consent Agenda to be approved without debate.

If a member of the public signs up to speak to an item, it shall be excluded from the Consent Agenda.

*Recommendation:*

THAT items \_\_\_\_\_ are included in the Consent Agenda and be approved without debate.

**8.1. [Text Amendment to add “Cannabis Retail Store” at 1074 Marine Drive \(Bylaw 8421\)](#)**

File No. 08.3060.20/046.19

[Report: Planning Assistant, February 5, 2020](#)

[Attachment 1: Bylaw 8421](#)

[Attachment 2: Non-medical Retail Cannabis Policy](#)

[Attachment 3: Public Input](#)

*Recommendation:*

THAT “District of North Vancouver Rezoning Bylaw 1394 (Bylaw 8421)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1394 (Bylaw 8421)” is referred to a Public Hearing.

**8.2. [Text Amendment to add “Cannabis Retail Store” at 1629 Marine Drive \(Bylaw 8428\)](#)**

File No. 08.3060.20/060.19

[Report: Planning Assistant, February 6, 2020](#)

[Attachment 1: Bylaw 8428](#)

[Attachment 2: Non-medical Retail Cannabis Policy](#)

[Attachment 3: Public Input](#)

*Recommendation:*

THAT the application by Lightbox Enterprises Ltd. for a Cannabis retail store at 1629 Marine Drive is rejected;

AND THAT the Liquor and Cannabis Regulation Branch is informed of this decision.

**8.3. [Text Amendment to add “Cannabis Retail Store” at 1199 Marine Drive \(Bylaw 8427\)](#)**

File No. 08.3060.20/056.19

[Report: Planning Assistant, February 6, 2020](#)

[Attachment 1: Bylaw 8427](#)

[Attachment 2: Non-medical Retail Cannabis Policy](#)

[Attachment 3: Public Input](#)

*Recommendation:*

THAT “District of North Vancouver Rezoning Bylaw 1397 (Bylaw 8427)” is given FIRST Reading;

AND THAT “District of North Vancouver Rezoning Bylaw 1397 (Bylaw 8427)” is referred to a Public Hearing.

**8.4. [Street Naming Bylaw 8376, 2019 - Emery Court](#)**

File No. 01.0380.20/074.000

[Report: Community Planner, February 10, 2020](#)

[Attachment 1: Naming Selection Criteria and Procedures Policy](#)

[Attachment 2: Bylaw 8376](#)

*Recommendation:*

THAT “Emery Court, Street Naming Bylaw 8376, 2019” is given FIRST, SECOND, and THIRD Readings.

**8.5. [Bylaw 8429: Housekeeping Amendments to the Bylaw Notice Enforcement Bylaw](#)**

File No. 09.3900.20/000.000

[Report: Municipal Clerk, February 4, 2020](#)

[Attachment 1: Bylaw 8429](#)

[Attachment 2: Staff report dated January 21, 2020](#)

*Recommendation:*

THAT “Bylaw Notice Enforcement Bylaw 7458, 2004, Amendment Bylaw 8429, 2020 (Amendment 50)” is ADOPTED.

**8.6. [Grant Funding Application - Lynn Valley Road Active Transportation Improvement Project](#)**

File No. 16.8620.20/059.002.000

[Report: Section Manager – Transportation, February 7, 2020](#)

*Recommendation:*

THAT the Lynn Valley Road Active Transportation Improvement Project (Mountain Highway – Dempsey Road) and the application for grant funding through the *BC Active Transportation Infrastructure Grants Program* are supported;

AND THAT the District of North Vancouver commits to its share (\$820,000) of the total project cost of \$1.32M to be funded through the Transportation and Mobility Reserve.

**8.7. [Grant Funding Application – Dollarton Highway Sidewalk Project](#)**

File No. 16.8620.40/000.000

[Report: Section Manager – Transportation, February 11, 2020](#)

*Recommendation:*

THAT the Dollarton Highway Sidewalk Project and the application in partnership with the Tsleil-Waututh Nation (TWN) for grant funding through the *BC Active Transportation Infrastructure Grants Program* is supported.

**8.8. [UBCM Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Application for Upper Mackay Creek Flood Mitigation Plan](#)**

File No. 11.5245.01/000.000

[Report: Section Manager – Engineering, Planning and Design, February 11, 2020](#)

*Recommendation:*

THAT the application for grant funding through the *UBCM Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning Application for Upper Mackay Creek Flood Mitigation Plan* is supported.

**8.9. [Investing in Canada Infrastructure Program Application for Grant Funding for the Reduction of Inflow and Infiltration Program](#)**

File No. 11.5340.01/000.000

[Report: Section Manager – Engineering, Planning and Design, February 12, 2020](#)

*Recommendation:*

THAT the application for grant funding through the *Investing in Canada Infrastructure Program: Green Infrastructure – Environmental Quality Sub-Stream* for the District Reduction of Inflow and Infiltration Program is supported;

AND THAT the District of North Vancouver commits to its share (\$1,666,500) of the project over 5 years.

**8.10. [2020-2024 Draft Financial Plan Public Input](#)**

File No.

Public Input Opportunity

**8.11. UBCM Resolution: Establish Standards for Building, Electrification Heat Pumps, and Water Heaters**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: Establish Standards for Building Electrification, Heat Pumps, and Water Heaters is supported for LMLGA consideration:

WHEREAS currently municipalities are prohibited from requiring local standards or technical requirements;

THEREFORE BE IT RESOLVED that the province enact legislation to empower municipalities to establish standards for building electrification, heat pumps, and water heaters.

**8.12. UBCM Resolution: Congestion Pricing**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: Congestion Pricing is supported for LMLGA consideration:

WHEREAS congestion leads to a plethora of issues, such as increased air pollution, increased GHG emissions, and reduced quality of life for individuals;

AND WHEREAS congestion charges have been successful in cities around the world;

THEREFORE BE IT RESOLVED THAT the province enact legislation to enable municipalities to impose and collect vehicle congestion charges.

**8.13. UBCM Resolution: Green Roofs**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: Green Roofs is supported for LMLGA consideration:

WHEREAS Currently the *Local Government Act* allows a local government to require landscaping under section 527 and to control runoff under section 523, but the *LGA* and *Community Charter* do not empower local governments to require and enforce the related building standard of construction (prohibited under the *Building Act*) or to require and enforce maintenance of green roofs, including with security requirements;

THEREFORE BE IT RESOLVED that the province amend the *Local Government Act* to empower local governments to expressly require green roofs and enforce the related building standard of construction, and to require and enforce maintenance of green roofs, including with security requirements.

**8.14. UBCM Resolution: Predominant Purpose of Bylaw**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: Predominant Purpose of Bylaw is supported for LMLGA consideration:

WHEREAS the original intent of section 9(2) of the *Community Charter* was to give a council unfettered discretion to elect to adopt a bylaw under a head of power determined by the council such that a bylaw will be upheld if it is attacked on the basis that the predominant purpose in fact (versus the legitimate purpose elected by the council) is one requiring ministerial approval;

AND WHEREAS the original intent and effect of section 9(2) was that a municipality need only determine one proper purpose for a bylaw to be valid, “even if members of Council may have had other motivations”: *International Bio Research v. Richmond (City)*, 2011 BCSC 471 at para. 43;

THEREFORE BE IT RESOLVED that the province amend section 9(2) of the *Community Charter* to provide that (a) a bylaw is presumed to be enacted validly, in good faith and for a proper purpose if the council elects to determine in the bylaw the predominant purpose, and (b) that the council may adopt a bylaw under more than one head of power under the *Community Charter*, whether this is a matter of concurrent jurisdiction under section 9(1).

**8.15. UBCM Resolution: Regulate or Prohibit in Relation to Business**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution Regulate or Prohibit in Relation to Business Bylaw is supported for LMLGA consideration:

WHEREAS the current statute limits the authority to only “regulating” in relation to “business” and the original white paper on the *Community Charter* contained the proposed authority to “prohibit” as well as “regulate”, as in Alberta, Saskatchewan, Manitoba, Ontario, Toronto, Winnipeg and Yukon;

AND WHEREAS in order to proceed with several climate change best practices, it will be necessary to prohibit certain business practices, such as selling fossil fuel heating systems after a certain date;

THEREFORE BE IT RESOLVED that the province amend section 8(6) of the *Community Charter* to enable a council by bylaw to regulate or prohibit in relation to businesses, business activities and persons engaged in business.

**8.16. UBCM Resolution: Water Conservation and Grey Water Use**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: Water Conservation and Grey Water Use is supported for LMLGA consideration:

WHEREAS Local governments may require water conservation and grey water use in relation to a drainage system under section 8(2) and (3)(a) of the *Community Charter*, and as a condition in a phased development agreement under section 516(3) of the *Local Government Act*, but not in relation to plumbing requirements for new buildings or the retrofitting of old buildings;

THEREFORE BE IT RESOLVED that the province enact legislation to empower local governments to require water conservation and grey water use in relation to plumbing and drainage requirements for new buildings or the retrofitting of old buildings.

**8.17. UBCM Resolution: GHG Reporting for Business**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: GHG Reporting for Business is supported for LMLGA consideration:

WHEREAS Businesses in Canada are currently required to report their emissions only if their facilities emit 10,000 tons or more CO<sub>2</sub> equivalent per year;

AND WHEREAS carbon reporting for businesses is recognized as an important mechanism for corporate social responsibility;

THEREFORE BE IT RESOLVED that the province amend section 8(6) of the *Community Charter* to enable a council by bylaw to regulate or prohibit, or impose requirements, in relation to businesses, business activities and persons engaged in business.

**8.18. UBCM Resolution: GHG Reduction Legislation**

File No.

Report: Councillor, February 12, 2020

*Recommendation:*

THAT the UBCM Resolution: GHG Reduction Legislation is supported for LMLGA consideration:

WHEREAS Measuring and reducing carbon pollution is critical to addressing the climate emergency:

AND WHEREAS the courts are currently bound by the Plastic Bag Decision which would likely require ministerial approval of environmental bylaws and limit authority under the other heads of power;

THEREFORE BE IT RESOLVED THAT the province enact legislation to enable local governments to require GHG emission reduction or elimination, including the sale or installation of fossil fuel heating systems and sale of fossil fuel vehicles, and require upgrades to or removal of fossil fuel heating systems.

## **9. REPORTS**

### **9.1. Mayor**

### **9.2. Chief Administrative Officer**

### **9.3. Councillors**

### **9.4. Metro Vancouver Committee Appointees**

**9.4.1. Industrial Lands Strategy Task Force – Councillor Back**

**9.4.2. Housing Committee – Councillor Bond**

**9.4.3. Indigenous Relations Committee – Councillor Hanson**

**9.4.4. Board – Councillor Muri**

**9.4.5. Regional Parks Committee – Councillor Muri**

**9.4.6. Liquid Waste Committee – Mayor Little**

**9.4.7. Mayors Committee – Mayor Little**

**9.4.8. Mayors Council - TransLink – Mayor Little**

**9.4.9. Performance & Audit Committee – Mayor Little**

**9.4.10. Zero Waste Committee – Mayor Little**

## **10. ADJOURNMENT**

*Recommendation:*

THAT the February 24, 2020 Regular Meeting of Council for the District of North Vancouver is adjourned.