



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JULY 6, 2009 AT 6:00
P.M.****

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
**Councillor P.J. Bookham
*Councillor R.C. Clark
Councillor R.J. Fearnley
Councillor R.G. Heywood
Councillor C.R. Keating
Councillor M.L. Trentadue

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
I. Gordon, Director, Finance
F. Caouette, Director, Corporate Services
D. Pope, Deputy City Engineer
D. Sigston, Deputy Director, Corporate Services
G. Penway, Deputy Director, Community
Development
B. Themens, Deputy Director, Finance
S. Smith, Planner, Community Development
P. Penner, Planner, Community Development
C. Miller, Research Assistant, Community
Development
I. Steward, Property Valuator-Negotiator
D. Mitic, Assistant City Engineer, Transportation
K. Russell, Development Planner
L. R. Orr, Manager, Special Projects & Services/
National Maritime Centre Project Director
H. Sadler, Waterfront Project Deputy
Development Manage
S. Wilks, Timekeeper

The meeting was called to order at 6:00 p.m.

ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Bookham, seconded by Councillor Heywood

THAT the following Minutes be adopted as circulated:

1. [Regular Council Meeting Minutes, June 22, 2009.](#)
2. In Camera Committee of the Whole Meeting Minutes, June 22, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

Video Clip 2

- Mr. Behzad Assadi, 2051 Mahon Avenue, spoke regarding item 16 on the agenda, “Development Variance Permit No. 231: 2051 Mahon Avenue (Future Scholars Group Child Care/Behzad Assadi)”.
- Ms. Jacquie Engel, 808 Calverhall Street, spoke regarding item 17 on the agenda, “Brooksbank Elementary School Playground Enhancement – Community Enhancement Fund (CEF) Request”.
- Mr. John Harvey, 33-1910 Cedar Village Crescent, spoke regarding “North Shore Policing”.

CONSENT AGENDA ITEMS

Video Clip 3

{Items *5, *18, *19, *20, *21, *22 and *23}

Moved by Councillor Bookham, seconded by Councillor Trentadue

THAT the resolutions listed within the “Consent Agenda” of July 6, 2009, be approved as follows:

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

***5. Leave of Absence Without Pay Request – File: 1800-06/1880-03-09**

Report: Senior Human Resources Officer, June 20, 2009.

PURSUANT to the report of the Senior Human Resources Officer, dated June 20, 2009, entitled “Leave of Absence Without Pay Request”:

THAT the action taken by the Committee of The Whole in camera regarding “Leave of Absence Without Pay Request” be ratified;

AND THAT the wording of the recommendation and the report of the Senior Human Resources Officer, dated June 20, 2009, entitled “Leave of Absence Without Pay Request”, remain in camera.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *18. "Construction Regulation Bylaw, 2003, No. 7390, Amendment Bylaw, 2009, No. 8015" (Bylaw Notice Process).
- *19. Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2009, No. 8016" (Addition of Construction Regulation Bylaw, 2003, No. 7390).

THAT the said Bylaws Nos. 8015 and 8016 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 8015 and 8016 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

CORRESPONDENCE

- *20. **Metro Vancouver, Board in Brief, June 12, 2009 - File: 1180-06**

THAT the Metro Vancouver, Board in Brief, dated June 12, 2009 be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *21. **Naming of the Mews, 100 Block West 14th Street – File: 1085-03-S10**

[Report: City Engineer, June 29, 2009.](#)

PURSUANT to the report of the City Engineer, dated June 29, 2009, entitled "Naming of the Mews, 100 Block West 14th Street":

THAT the mews east of Chesterfield Avenue, south of West 14th Street be named "Civic Place Mews".

(CARRIED UNANIMOUSLY)

***22. 2009 2nd Quarter Waterfront Project Update – File: 3330-02-W1-01**

[Report: Waterfront Project Development Manager, June 30, 2009.](#)

PURSUANT to the report of the Waterfront Project Development Manager, dated June 30, 2009, entitled “2009 2nd Quarter Waterfront Project Update”:

THAT the June 30, 2009 report be received and filed.

(CARRIED UNANIMOUSLY)

***23. Amendment to Streets Capital Projects Funding – File: 4140-01**

[Report: Streets Supervisor, Engineering, Parks & Environment, June 23, 2009.](#)

PURSUANT to the report of the Streets Supervisor, Engineering, Parks & Environment, dated June 23, 2009, entitled “Amendment to Streets Capital Projects Funding”:

THAT the approved pavement management projects totaling \$130,000 for Ridgeway Avenue from 2nd Street to 6th Street (\$50,000); 2nd Street from St. Patrick’s Avenue to St. David’s Avenue (\$30,000); 6th Street from Mahon Avenue to Chesterfield Avenue (\$50,000) be cancelled;

AND THAT the scope of the rehabilitation on Grand Boulevard extension from 23rd Street to 19th Street be reduced from \$150,000 to \$50,000;

AND THAT the resultant \$230,000 be reallocated to pavement projects at the following locations:

1. Chesterfield Avenue from Esplanade to 1st Street (\$42,000)
2. East Grand Boulevard from 11th Street to 14th Street (\$40,000)
3. 15th Street at Eastern Avenue (\$43,000)
4. 15th Street between East and West Grand Boulevard (\$40,000)
5. 500 and 600 blocks West Keith Road (\$50,000)
6. 100 block West 13th Street (\$15,000)

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

PRESENTATION

Video Clip 4

Re: Bike to Work Week: "All Star Team" Award – File: 1085-03-N20-01

Mr. John Fair, Vancouver Area Cycling Coalition, presented an award to City Council for Council's and City staff's participation in Bike to Work Week, May 11 – 17, 2009.

Moved by Councillor Bookham, seconded by Councillor Keating

THAT the Council recess to the Committee of the Whole In Camera, to consider the items as listed under the Committee of the Whole Section of the Council Agenda, for the following reasons respectively for each item:

3. Section 90 (1) (e)
4. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:10 p.m. and reconvened at 6:40 p.m. with the same personnel present and with the addition of *Councillor R.C. Clark.

REPORT OF COMMITTEE OF THE WHOLE

Moved by Councillor Fearnley, seconded by Councillor Trentadue that the following recommendation of the Committee of the Whole in camera be ratified:

Video Clip 5

3. Land Matter – File: 3375-06-02

Report: Property Valuator-Negotiator, Corporate Services, June 30, 2009.

PURSUANT to the report of the Property Valuator-Negotiator, Corporate Services, dated June 30, 2009, entitled "Land Matter":

THAT the action taken by the Committee of The Whole in camera this evening regarding a "Land Matter" be ratified;

AND THAT the wording of the recommendation and the report of the Property Valuator-Negotiator, Corporate Services, dated June 30, 2009, entitled "Land Matter" remain in camera.

CARRIED

Moved by Councillor Fearnley, seconded by Councillor Trentadue that the following recommendation of the Committee of the Whole in camera be ratified:

[Video Clip 6](#)

4. Appointments to the North Shore Family Court & Youth Justice Committee – File: 1085-03-N11-01

Report: City Clerk, June 30, 2009.

PURSUANT to the report of the City Clerk, dated June 30, 2009, entitled “Appointments to the North Shore Family Court & Youth Justice Committee”:

THAT Constable Tara Gueulette and Ms. Andrea Stone-Mockler be appointed to the Professional Category of the North Shore Family Court & Youth Justice Committee for a partial one-year term ending December 31, 2009.

CARRIED UNANIMOUSLY

DELEGATIONS

[Video Clip 7](#)

Mr. Steve Forrest, Vice President of Development, Adera Development Corporation.

Re: Redevelopment Proposal – 735 West 15th Street – File: 3345-02 15 W 735

Mr. Steve Forrest, Vice President of Development, Adera Development Corporation, and Mr. Jim Shaw, President, Canadian Plywood Association, gave a PowerPoint presentation regarding a “Redevelopment Proposal for 735 West 15th Street”, as follows:

- Description of the “Noma” development, a sustainable project on West 14th Street which received an Award of Merit at the Pacific Coast Builder’s Conference;
- Description of the Proposal for 735 West 15th Street including sustainable practices, West Coast Contemporary style architecture; provision of affordable entry-level units.
- Request that the Canadian Plywood Association building be removed from the Heritage Registry as its retention on the site would affect the economic viability of the project.

Mr. Forrest and Mr. Shaw then responded to questions from members of Council.

CORRESPONDENCE

Video Clip 8

6. **Mr. Steve Forrest, Vice President of Development, Adera Development Corporation, June 29, 2009.**

Re: [Redevelopment Proposal – 735 West 15th Street](#) – File: 3345-02 15 W 735

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the correspondence from Mr. Steve Forrest, Vice President of Development, Adera Development Corporation, dated June 29, 2009, regarding “Redevelopment Proposal – 735 West 15th Street”, be referred to staff for a report back to Council before proceeding to Public Hearing.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

BYLAWS - Second and Third Readings

Video Clip 9

7. [“City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017” \(Ottawa Gardens Heritage Conservation Area\).](#)

Moved by Councillor Bookham, seconded by Councillor Trentadue

THAT the said Bylaw No. 8017 be read a second time in short form.

Moved by Councillor Trentadue, seconded by Councillor Bookham

THAT the meeting recess to the Public Hearing regarding Bylaw No. 8019 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:10 p.m. and reconvened at 7:11 p.m. with the same personnel present.

continued...

7. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017" (Ottawa Gardens Heritage Conservation Area). - Continued

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT consideration of "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017" (Ottawa Gardens Heritage Conservation Area), be deferred to staff for a subsequent report which details the options for exclusion of the existing non-heritage buildings and the St. Edmund's Church site and taking into consideration Council's discussion this evening.

CARRIED

Councillor Clark, Councillor Keating and Mayor Mussatto are recorded as voting contrary to the motion.

Video Clip 10

Moved by Councillor Clark, seconded by Councillor Bookham

THAT item 8 be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Bookham, seconded by Councillor Keating

Video Clip 11

THAT the meeting recess to the recessed [Public Hearing regarding Bylaw No. 8019](#) scheduled for this evening.

[Transcript](#)

CARRIED UNANIMOUSLY

The meeting recessed at 7:21 p.m. and reconvened at 7:44 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the Reconvened Public Hearing regarding Bylaw No. 7996 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:43 p.m. and reconvened at 7:56 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

Video Clip 12

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8019" (Mahmood Nowroozi/Farzin Yadegari Architect, 365 East 9th Street, CD-576).

Moved by Councillor Heywood, seconded by Mayor Mussatto

THAT the said Bylaw No. 8019 be read a second time in short form.

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood
Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Fearnley
Councillor Bookham
Councillor Clark

The motion was **CARRIED** by a vote of four to three.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8019 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Fearnley, Councillor Bookham and Councillor Clark are recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Clark

Video Clip 13

THAT the meeting recess to the recessed Reconvened [Public Hearing regarding Bylaw No. 7996](#) scheduled for this evening.

[Transcript](#)

CARRIED UNANIMOUSLY

The meeting recessed at 8:10 p.m. and reconvened at 8:25 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

Video Clip 14

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7996" (Hollyburn Properties Limited, Rafii Architects Inc., 175 West 14th Street, CD-505, Text Amendment).

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 7996 be referred to a second Public Hearing in the Fall of 2009.

CARRIED UNANIMOUSLY

Mayor Mussatto declared a recess at 8:26 p.m. and reconvened the meeting at 8:28 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Mayor Mussatto

Video Clip 15

THAT the meeting recess to the [Public Meeting regarding the 2008 Annual Municipal Report](#) scheduled for this evening.

[Transcript](#)

CARRIED UNANIMOUSLY

The meeting recessed at 8:28 p.m. and reconvened at 8:46 p.m. with the same personnel present with the exception of **Councillor P.J. Bookham.

DELEGATION

Video Clip16

Mr. Sean Soper, Resident, City of North Vancouver.

Re: Proposal for a City-Wide Bylaw Prohibiting Smoking in Multi-Unit Dwellings
– File: 4000-01/4230-03

Mr. Sean Soper, Resident, City of North Vancouver, gave a PowerPoint presentation regarding a "Proposal for a City-Wide Bylaw Prohibiting Smoking in Multi-Unit Dwellings", as follows:

- Need for smoke-free housing;
- Effects of second-hand smoke are a serious health concern for non-smokers;
- Non-smokers need protection;
- What about people's rights?

continued...

Mr. Sean Soper, Resident, City of North Vancouver. - Continued

- A notable resource: “Smoke Free Housing BC”;
- Why a City-Wide ban in multi-unit dwellings?;
- A matter of public safety;
- The right thing to do;
- Can this be done?

Mr. Soper then responded to questions from members of Council.

CORRESPONDENCE

Video Clip 17

11. Mr. Sean Soper, Resident, City of North Vancouver, June 9, 2009.

Re: Proposal for a City-Wide Bylaw Prohibiting Smoking in Multi-Unit Dwellings – File: 4000-01/4230-03

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT Mr. Sean Soper, Resident, City of North Vancouver, be thanked for his presentation this evening regarding the “Proposal for a City-Wide Bylaw Prohibiting Smoking in Multi-Unit Dwellings”;

AND THAT Mr. Soper’s correspondence and presentation be referred to staff for a report with options for Council’s consideration.

CARRIED UNANIMOUSLY

Video Clip 18

12. Mr. Mike Klassen and Mr. Daniel Fontaine, Editors, CityCaucus.com, June 28, 2009.

Re: Invitation to Participate in Car Free Week (July 16-23, 2009)
– File: 4000-01

Moved by Councillor Keating, seconded by Councillor Clark

THAT the correspondence from Mr. Mike Klassen and Mr. Daniel Fontaine, Editors, CityCaucus.com, dated June 28, 2009, regarding an “Invitation to Participate in Car Free Week (July 16-23, 2009)” be received and filed.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

Video Clip 19

13. Permissive Tax Exemption Policy and Application – File: 1625-04-03

Recommendation: Policy Committee, June 15, 2009

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Manager, Financial Services, dated June 10, 2009, entitled “Permissive Tax Exemption Policy Options”:

THAT staff prepare a Permissive Tax Exemption Policy based on the following principles:

1. Permissive Taxation Exemptions (PTE’s) will be granted for a three-year period.
2. All applications for PTE’s will be evaluated based on how the applicant organization’s services align with the City’s goals as stated in the Official Community Plan and Social Plan;

AND THAT a Permissive Tax Exemption Policy reflecting these principles be brought forward to Council for consideration.

CARRIED UNANIMOUSLY

Video Clip 20

14. Permissive Tax Exemption Policy and Process – File: 1625-04-03

[Report: Manager, Financial Services, June 30, 2009.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the report of the Manager, Financial Services, dated June 30, 2009, entitled “Permissive Tax Exemption Policy and Process”:

THAT the “Permissive Tax Exemption (PTE) Policy”, Attachment 1 of the June 30, 2009 report, be adopted;

AND THAT for applications for exemptions for 2010 and future years, the new application form, Attachment 2 of the June 30, 2009 report, be required to be completed;

AND THAT staff undertake a comprehensive review of all permissive tax exemption recipients and applicants over a three year period as outlined in the June 30, 2009 report.

CARRIED UNANIMOUSLY

Video Clip 21

**15. Waterfront Project – Vision, Goals and Objectives –
File: 3330-02-W1-01**

[Report: Waterfront Project Deputy Development Manager,
June 24, 2009.](#)

[Attachment 1](#)

[Attachment 2](#)

Ms. Heather Sadler, Waterfront Project Deputy Development Manager, gave a PowerPoint Presentation regarding “Waterfront Project – Vision, Goals and Objectives, as follows:

- Waterfront Vision – Purpose and Process to date;
- Spectacular Waterfront Setting and Outstanding Regional Context;
- The Past 100+ Years - Moodyville 1850’s to 1900;
- Development Shift - Low Level Road / Grain Elevators; Shipbuilding and Repairs; SeaBus / Lonsdale Quay;
- Today’s Waterfront;
- The Next 100 Years;
- Overall Waterfront Vision;
- Waterfront Characteristic; Official Community Plan Land Uses; West Waterfront Goal and Objectives; East Waterfront Goal and Objectives;
- Realizing our Waterfront Vision – Current and Future Projects.

Ms. Sadler then responded to questions from members of Council.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Waterfront Project Deputy Development Manager, dated June 24, 2009, entitled “Waterfront Project – Vision, Goals and Objectives”:

THAT the draft Waterfront Project – Vision, Goals and Objectives, Attachment 1 of the June 24, 2009 report, be endorsed by Council.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

Video Clip 22

16. **Development Variance Permit No. 231: 2051 Mahon Avenue (Future Scholars Group Child Care/Behzad Assadi) – File: 3345-02 Mahon 2051**
Report: [Community Planner, Community Development, June 23, 2009.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)
[Attachment 4](#) [Attachment 5](#)
[Transportation-Neighbourhood Consultation](#)

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Community Planner, Community Development, dated June 23, 2009, entitled “Development Variance Permit No. 231: 2051 Mahon Avenue (Future Scholars Group Child Care/Behzad Assadi):

THAT Development Variance Permit No. 231 (2051 Mahon Avenue, Behzad Assadi/Farideh Payehdar) be considered for issuance under Section 922 of the Local Government Act;

AND THAT notification be circulated in accordance with Section 922 of the Local Government Act and a Public Meeting be scheduled on Monday, July 27, 2009;

AND THAT the Business License for a Group Child Care Facility at 2051 Mahon be referred to a Public Meeting on Monday, July 27, 2009.

CARRIED UNANIMOUSLY

Video Clip 23

17. **Brooksbank Elementary School Playground Enhancement – Community Enhancement Fund (CEF) Request – File: 1665-12**
Report: [Community Planner, Community Development, June 23, 2009.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#) [Attachment 4](#)

Moved by Councillor Keating, seconded by Councillor Fearnley

PURSUANT to the report of the Community Planner, Community Development, dated June 23, 2009, entitled “Brooksbank Elementary School Playground Enhancement – Community Enhancement Fund (CEF) Request”:

THAT (Funding Appropriation #0919) an amount of \$15,000 be allocated from the Community Enhancement Reserve Fund for the purpose of funding the Playground Upgrade – Brooksbank Elementary School;

continued...

**17. Brooksbank Elementary School Playground Enhancement –
Community Enhancement Fund (CEF) Request – File: 1665-12 -
Continued**

AND THAT should any of the above amount remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund;

AND THAT a copy of the June 23, 2009 report be forwarded to the District of North Vancouver for their information.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 9:24 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:25 p.m.