



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, FEBRUARY 16, 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
J.M. Rowe, Assistant City Clerk
R.H. White, Director, Community Development
I. Gordon, Director, Finance
S. Ono, City Engineer
F. Caouette, Director, Corporate Services
G. Penway, Deputy Director, Community
Development
B. Themens, Deputy Director, Finance
T. Barber, Manager, Engineering Planning & Design
S. Smith, Planner, Community Development
K. Russell, Development Planner
J. Piercey, Planning Technician II
I. Steward, Property Valuator-Negotiator
G. Venczel, Development Planner
P. Melville, Manager, Inspections
D. Sigston, Deputy Director, Corporate Services
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, February 2, 2009.
2. In Camera Committee of the Whole Meeting Minutes, February 2, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

- Mr. Ron Sostad, 211 – 312 East 1st Street, North Vancouver, spoke regarding “Housing”.
- Mr. Richard Vickery, 310 – 225 West 3rd Street, North Vancouver, spoke regarding item 13 on the agenda “Bylaw No. 7975 Closure of Road to Enable Sale of a Portion of City Roadway in the 100 Block East 11th Street to Telus Communications Inc”.

CONSENT AGENDA ITEMS

{Items *12, *13, *14, *15, *16 and *17}

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the resolutions listed within the “Consent Agenda” be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***12. Pier Development Parcel 6 Construction - File: 3345-02 Espl E 109 / 3380-02-N3-01**

Report: Deputy Director, Community Development, February 11, 2009.

PURSUANT to the report of the Deputy Director, Community Development, dated February 11, 2009, entitled “Pier Development Parcel 6 Construction”:

THAT the Mayor and City Clerk be authorized to execute an amendment to the existing Development Covenant for the Pier Development to permit the occupancy of buildings on Parcel 6 prior to the construction of the building on Parcel 12.

(CARRIED UNANIMOUSLY)

***13. Bylaw No. 7975 Closure of Road to Enable Sale of a Portion of City Roadway in the 100 Block East 11th Street to Telus Communications Inc. – File: 4140-10-02-100 Blk E 11**

Report: Property Valuator-Negotiator, Corporate Services, February 10, 2009.

PURSUANT to the report of the Property Valuator-Negotiator, dated February 10, 2009, entitled “Bylaw No. 7975 Closure of Road to Enable the Sale of a Portion of City Roadway in the 100 Block East 11th Street to Telus Communications Inc.”:

THAT “Highways Closing and Disposition Bylaw, 2009, No. 7975” (Closing and removal of highway dedication and disposition of a portion of highway located in the 100 Block East 11th Street) be considered, which will close a portion of City roadway in the 100 Block East 11th Street and allow the closed road to be sold to Telus Communications Inc. to enable seismic upgrading to the Telus building located on the adjacent property;

AND THAT the Mayor and City Clerk be authorized to sign and seal any such documents as may be required in order to give effect to the above motion;

AND THAT notice of the proposed sale and closure of the City roadway be advertised in accordance with the Community Charter.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

***14.** “Highways Closing and Disposition Bylaw, 2009, No. 7975” (Closing and removal of highway dedication and disposition of a portion of highway located in the 100 Block East 11th Street).

THAT Bylaw No. 7975 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7975 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7975 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***15. Amendment to Cab Regulation Bylaw – Vehicle for Hire Plate
- File: 4160-02**

Report: Licensing Clerk/Inspector, Community Development,
February 11, 2009.

PURSUANT to the report of the Licensing Clerk/Inspector, dated February 11, 2009, entitled “Amendment to Cab Regulation Bylaw – Vehicle for Hire Plate”:

THAT “Cab Regulation Bylaw, 2006, No. 7787” be amended to remove Section 9 (Vehicle for Hire Plate);

AND THAT “Cab Regulation Bylaw, 2006, No. 7787, Amendment Bylaw, 2009, No. 7986” (Vehicle for Hire Plate), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

***16. “Cab Regulation Bylaw, 2006, No. 7787, Amendment Bylaw, 2009, No. 7986”
(Vehicle for Hire Plate).**

THAT Bylaw No. 7986 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7986 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7986 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***17. 2009 Parcel Tax Roll Review – File: 1625-03-02**

Report: City Clerk, February 4, 2009.

PURSUANT to the report of the City Clerk, dated February 4, 2009, entitled “2009 Parcel Tax Roll Review”:

THAT, pursuant to Section 204(2) of the Community Charter, the sitting of the 2009 Parcel Tax Roll Review Panel for the Parcel Tax Roll be held in the Council Chamber, City Hall, on Monday, April 6, 2009 at 7:00 p.m.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

PROCLAMATIONS

Mayor Mussatto read the following Proclamation:

“HERITAGE WEEK IN BRITISH COLUMBIA” – FEBRUARY 16-22, 2009

2008 HERITAGE AWARDS PRESENTATIONS

Ms. Suzanne Smith, Planner, gave brief opening remarks and introduced Mr. Derek Porter, Chair, Heritage Advisory Commission. Mr. Porter then gave an overview of the three types of awards and a PowerPoint presentation. Councillor Trentadue, as Council representative on the City of North Vancouver Heritage Advisory Commission, and Mayor Mussatto presented the following awards:

(1) Small Scale Heritage Improvement

Honouring the upgrade and renovation of a residential building in the City's Heritage Inventory:

- Trevor Weibe & Renee Umezuki, for the Peers Residence, 1450 Jones Avenue

continued..

2008 HERITAGE AWARDS PRESENTATIONS continued

(2) Residential Heritage Conservation

Honouring the restoration of a residential heritage building in the City's Heritage Inventory:

- Art & Lisa Haxton for the residence at 825 Ridgeway Avenue.

(3) Residential Heritage Conservation

Honouring the restoration of a residential heritage building in the City's Heritage Inventory:

- Ina & Johan Bothma for the residence at 241 West Keith Road

(4) Heritage Awareness Achievement

Honouring an individual or group for outstanding achievement in support of heritage conservation:

- The Ridgeway School Heritage Committee for their effort in raising community awareness and generating support for the conservation, rehabilitation and upgrading for the historic Ridgeway Elementary School.

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the Council recess to the Workshop regarding "2009 Planning Division Work Program" scheduled for this evening in Conference Room A & B.

CARRIED UNANIMOUSLY

The meeting recessed at 6:14 p.m. and reconvened at 7:07p.m. with the same personnel present.

Moved by Councillor Bookham, seconded by Councillor Clark

THAT the meeting recess to the Public Hearings regarding Bylaws Nos. 7961 and 7983 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:07 p.m. and reconvened at 8:07p.m. with the same personnel present.

BYLAWS - Second and Third Readings

3. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7961" (Robert Brough/Charles Moorhead Architect, 2600 Western Avenue, CD-565).

Moved by Councillor Keating, seconded by Councillor Clark

THAT consideration of Bylaw No. 7961 be deferred until the developer meets further with the neighbourhood to address the concerns raised at the Public Hearing this evening.

DEFEATED

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7961 be read a second time in short form.

Moved by Councillor Keating, seconded by Councillor Bookham

THAT Bylaw No. 7961 be amended to reduce the height from 27.3 ft to 25.0 ft. and reduce the number of units from three to two, as follows:

Deleting Sections 4(b), 4(c), 4(d), 4(e), 4(f), 4(g) and 4(k) in their entirety and replacing them with the following:

4(b) The Principal Building shall be not less than:

- (i) 6.4 metres (21.0 feet) from the Front Lot Line;
- (ii) 18.90 metres (62.0 feet) from the Rear Lot line;
- (iii) 1.52 metres (5.0 feet) from the north Interior Side Lot Line;
- (iv) 1.86 metres (6.1 feet) from the south Exterior Side Lot Line;

4(c) The accessory Building shall not exceed a Gross Floor Area of 78.0 square metres (840 square feet);

4(d) The Accessory Building shall be sited as follows:

- (i) 35.5 metres (116.5 feet) from the Front Lot Line;
- (ii) 1.22 metres (4.0 feet) from the Rear Lot line;
- (iii) 0.61 metres (2.0 feet) from the north Interior Side Lot Line;
- (iv) 0.76 metres (2.5 feet) from the south Exterior Side Lot Line;

4(e) Section 514(5)(e) Size, Shape and Siting of Accessory Buildings, shall be waived;

continued..

3. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7961" (Robert Brough/Charles Moorhead Architect, 2600 Western Avenue, CD-565)
continued

Adding a new section 4(l), as follows:

- 4(l) The Principal Building shall not exceed a Height Envelope of 4.572 metres (15.0 feet), which may increase at an inward angle of 45 degrees to the vertical to reach a maximum 7.62 metres (25.0 feet).

Re-numbering the remaining Sections accordingly.

CARRIED

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

The motion, as amended, was then **CARRIED**

Councillor Clark is recorded as voting contrary to the motion, as amended.

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7961, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the meeting recess to the recessed Public Hearing regarding Bylaw No. 7983 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:34 p.m. and reconvened at 8:42 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

4. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7983" (550259 B.C. Ltd./Butler Designs, 348 East 10th Street, RS-1 to RT-1).

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 7983 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 7983 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

5. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2008, No. 7965" (Anna Development Company Limited/Farzin Yadegari Architect, 263-269 East 5th Street, CD-567), as amended.

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7965, as amended, be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7965, as amended, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

COUNCIL REPORT - File: 1085-01

Councillor Fearnley

- Attended the 2009 Puget Sound Georgia Basin Ecosystem Conference "Salish Sea" in Seattle, February 8 – 11, 2009.

Councillor Trentadue

- Attended an "Age Friendly" Workshop hosted by Vancouver Coastal Health Authority last week about how to make a community more age friendly.

CORRESPONDENCE

6. Mr. Nick Proach, President, Route 101 Society, February 9, 2009.

Re: Request for Support to Extend the Current “By-Pass” in Langdale through to Sechelt – File: 1040-01

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the correspondence received from Mr. Nick Proach, President, Route 101 Society, dated February 9, 2009, regarding “Request for Support to Extend the Current “By-Pass” in Langdale through to Sechelt” be received and filed.

CARRIED UNANIMOUSLY

7. Fresh Outlook Foundation, February 3, 2009.

Re: “Building SustainAble Communities” Conference, February 24 – 26, 2009, Kelowna, B.C. – File: 1840-02-01

Requested by Mayor D.R. Mussatto.

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the correspondence received from Fresh Outlook Foundation, dated February 3, 2009, entitled “Building SustainAble Communities Conference, February 24 – 26, 2009, Kelowna, B.C.”:

THAT any member of Council who has an interest in attending this Conference be authorized to attend the “Building SustainAble Communities” Conference, to be held February 24-26, 2009, in Kelowna, B.C.;

AND THAT the expenses be paid in accordance with City Policy;

AND THAT the funds be provided from the 2009 Legislative Conventions and Delegations Account;

AND THAT any relevant staff members be authorized to attend said conference.

CARRIED UNANIMOUSLY

8. **Mr. Don Rutherford, Executive Director, North Shore Neighbourhood House, January 28, 2009.**

Re: Child Day Care is Infrastructure – File: 4210-02-N1

Requested by Councillor R.J. Fearnley.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the correspondence from Mr. Don Rutherford, Executive Director, North Shore Neighbourhood House, to The Right Honourable Stephen Harper, Prime Minister of Canada, dated January 28, 2009, regarding “Child Day Care is Infrastructure”:

THAT a letter be forwarded to the Prime Minister with copies to local area MP’s, MLA’s and the relevant cabinet members supporting “child day care construction as a legitimate infrastructure cost”.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

9. **Acquisition of Coach House Prototype for Installation on City-Owned Land – File: 3310-09-18-01**

Report: Property Valuator-Negotiator, Corporate Services, and Development Planner, Community Development, February 11, 2009.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Property Valuator-Negotiator and Development Planner, dated February 11, 2009, entitled “Acquisition of Coach House Prototype for Installation on City-Owned Land”:

THAT staff be requested to acquire the Coach House prototype from Smallworks Studios and Laneway Housing;

AND THAT the coach house be relocated and installed for public display at the rear of the city-owned lot at 204 East 1st Street (Option 1 of the February 11, 2009 report) on a temporary basis;

continued..

9. **Acquisition of Coach House Prototype for Installation on City-Owned Land – File: 3310-09-18-01 *continued***

AND THAT (Funding Appropriation # 0901) an amount of \$150,000 be appropriated from the Tax Sale Land Reserve Fund (Interest) for the purpose of funding this project;

AND THAT should any of the above amounts 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 once the temporary period of display has ended that the coach house be sold at market value for relocation to a private lot within the City should it not be able to be used as part of the City's affordable housing stock;

AND THAT the proceeds from the sale be returned to the credit of the Tax Sale Land Reserve Fund.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
 Councillor Keating
 Mayor Mussatto

Voting against: Councillor Fearnley
 Councillor Heywood
 Councillor Bookham
 Councillor Clark

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

Moved by Mayor Mussatto, seconded by Councillor Keating

THAT staff be requested to look at a call for proposals for coach house construction in the City of North Vancouver for the intent of purchasing one.

DEFEATED

**10. Central Lonsdale Planning Study: Direction for Next Steps
– File: 3380-02-C6**

Report: Development Planner, Community Development, February 5, 2009.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the report of the Development Planner, dated February 5, 2009, entitled “Central Lonsdale Planning Study: Direction for Next Steps” be received and filed.

CARRIED

MOTIONS AND NOTICES OF MOTION

**11. Chiba Sister City Visit and Twinning with a City in China
File: 1205-02-02**

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Bookham

WHEREAS the global economic recession has adversely affected the economies of Canada, Japan & China;

WHEREAS the City of North Vancouver has recently received an invitation for its Mayor and Council to visit the City’s Sister City of Chiba, Japan in part to celebrate the 40th anniversary of their twinning; and

WHEREAS the Province of BC has recently provided money towards a twinning with a City in China;

NOW THEREFORE BE IT RESOLVED THAT a letter be sent to Chiba, Japan tactfully declining a visitation this year due to the aforementioned economic recession; and

RESOLVED THAT the Province of BC be informed that the City of North Vancouver will not consider twinning with a City in China until economic conditions improve.

DEFEATED

Moved by Councillor Clark, 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:

18. Section 90 (1) (e)
19. Section 90 (2) (b)

CARRIED UNANIMOUSLY

The meeting recessed at 9:44 p.m.

A motion to adjourn the meeting was carried unanimously in the Committee of the Whole in camera meeting this evening.

The meeting adjourned at 10:27 p.m.