



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, B.C., ON MONDAY, MAY 4, 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
S. Ono, City Engineer
F. Caouette, Director, Corporate Services
B. Themens, Deputy Director, Finance
G. Penway, Deputy Director, Community Development
D. Pope, Deputy City Engineer
P. Penner, Planner, Community Development
J. Irwin, Manager of Financial Services
L. McCarthy, Community Development Worker, Community Development
J. De Ruiter, Assistant Manager, Inspections
L. Garber, Manager, Accounting Services
T. Barber, Manager, Engineering Planning & Design
H. Sadler, Waterfront Project Deputy Development Manage
B. Cox, City Auditor
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, April 27, 2009.
2. In Camera Committee of the Whole Meeting Minutes, April 27, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21

- Mr. Don Forsgren, President, West Region, Intracorp Projects Ltd, 900-666 Burrard Street, Vancouver, spoke regarding item 17 on the agenda, “Zoning Bylaw CD-505 Text Amendment: 175 West 14th Street (Hollyburn Properties Limited / Rafii Architects Inc.)”.

CONSENT AGENDA ITEMS

{Items *21, *22, *23, *24 and *25}

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the resolutions listed within the “Consent Agenda” of May 4, 2009, be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***21. 2009 Children and Youth Initiative Fund – Special Project Grant Applications – File: 4230-17-08-03**

Report: Community Development Worker, Community Development, April 28, 2009.

PURSUANT to the report of the Community Development Worker, Community Development, dated April 28, 2009, entitled “2009 Children and Youth Initiative Fund – Special Project Grant Applications”:

THAT the following Children and Youth Initiatives Fund grant allocations totaling \$18,000 for 2009 be approved;

Applicant	Purpose of Grant	Recommended
Youth Living with Loss Program	Assist in funding the delivery of bereavement services to North Shore youth (13-19) who have experienced the loss of a loved-one.	\$3,000
North Shore Neighbourhood House	Provide a workshop for youth to make their own skateboard (with helmets) and build relationships with youth workers and youth who skate board.	\$1,000
North Vancouver City Library	Facilitate fluent English speaking teens to teach and be with new English speaking teens by explaining board games in a drop-in after-school program at the Library.	\$1,500

Continued...

***21. 2009 Children and Youth Initiative Fund – Special Project Grant Applications – File: 4230-17-08-03 - Continued**

North Shore Community Resources	Middle Childhood Matters Program – To provide after-school programming at one of the City schools for Grades 5-7 in partnership with other funder/s.	\$3,000
North Shore ConneXions Society	Host the Transition Resource Fair, Supporting young people/adults with disabilities to access their post secondary education, recreation, social opportunities and special support.	\$2,000
North Shore Neighbourhood House	Enhance pre-teen after-school and drop-in programs in the City with the assistance of the City's Pre-teen Outreach Worker.	\$3,000
Hollyburn Family Services Society	Provide an outdoor education, wilderness and First Nations Training Curriculum to the students at Third Step Alternate School. Student will travel to Sunshine Coast to build a sweat lodge. An Elder from the Squamish Nation is involved in mentoring and tutoring.	\$1,500
St. Andrew's Church	International Student Support Group – To provide a multicultural support group that helps new students meet friends and learn English.	\$3,000

AND THAT a copy of Council's resolution be sent to the District of North Vancouver and the North Vancouver School Board (District No. 44) for their information;

AND THAT the Children and Youth Initiatives and Civic Awards Committee be thanked for their participation.

(CARRIED UNANIMOUSLY)

***22. Rezoning Application: 654 W 15th Street (Marie France Del Borrello / Vernacular Design Inc., CD-573) – File: 3345-02 15 W 654**

Report: Development Planner, Community Development, April 28, 2009.

PURSUANT to the report of the Development Planner, Community Development, dated April 28, 2009, entitled “Rezoning Application: 654 W 15th Street (Marie France Del Borrello / Vernacular Design Inc.), CD-573”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8005” (Marie France Del Borrello / Vernacular Design Inc., 654 West 15th Street, CD-573), be considered and referred to a Public Hearing;

AND THAT the additional community infrastructure enhancements requested by the Engineering, Parks and Environment Department referenced in the Inter-Departmental Implications section of the April 28, 2009 report be endorsed;

AND THAT staff be authorized to prepare a covenant at the applicant’s cost committing the owner to implementing the Smart House concepts reflected in his proposal and requiring that the buildings be constructed in accordance with the approved plans.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

***23. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8005” (Marie France Del Borrello / Vernacular Design Inc., 654 West 15th Street, CD-573)**

THAT Bylaw No. 8005 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***24. Change in Annual Interest Rate for Local Area Services – File: 1625-05-00**

Report: Revenue Accountant, Finance Department, April 29, 2009.

PURSUANT to the report of the Revenue Accountant, dated April 29, 2009, entitled “Change in Annual Interest Rate for Local Area Services”:

THAT “Local Improvement Bylaw, 1991, No. 6194, Amendment Bylaw, 2009, No. 8003” (Annual Interest Rate), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

***25. “Local Improvement Bylaw, 1991, No. 6194, Amendment Bylaw, 2009, No. 8003” (Annual Interest Rate)**

THAT Bylaw No. 8003 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. 8003 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8003 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Mayor Mussatto declared a recess at 6:05 p.m. for the Reception with Youth in the Foyer, and reconvened the meeting at 6:47 p.m. with the same personnel present.

PRESENTATION OF YOUTH AWARDS

PROCLAMATION

Mayor Mussatto read the following Proclamation:

“YOUTH WEEK” - MAY 1 - 7, 2009

CIVIC YOUTH AWARDS 2009 – File: 4230-17-03-02

The City of North Vancouver presents Civic Youth Awards for outstanding supporters of youth and to youth between the ages of 10 and 21 years in six categories. This year, with the assistance of a selection committee, a total of fifty-five people will receive awards. Four youth will receive a Youth Recognition Award, five youth will receive a Youth Community Enhancement Award, two youth will receive a Random Act of Kindness Award, three groups representing 42 youth will receive three Outstanding Youth Team Awards and five adults will receive an Outstanding Supporter of Youth Award.

Mayor Mussatto and Councillors presented the following awards:

Youth Recognition Award

Recognizes youth who have recorded noteworthy achievements in some line of endeavour. This award could also be conferred upon an individual who has achieved considerable progress in a particular line of endeavour, thus exhibiting the ability and commitment for personal change and growth:

Alexandria Gustafson
Zornitsa Kaneva
Michael Lindesay
Kaleigh Dufresne

Youth Community Enhancement Award

Recognizes youth who have made positive contributions to the community on a voluntary basis such as serving on a committee and other volunteer work with organizations and groups. All nominees must have provided a minimum of 75 hours of school or community services:

Alexandra Bella
John Flores
Zornitsa Kaneva
Francesca Kitchener
Hailey Mathiesen

Continued...

Random Act of Kindness

Recognizes youth who have demonstrated an act of bravery, selflessness or notable deed for the betterment of another. The act may have occurred spontaneously or as part of a group. The act may have occurred locally, nationally or internationally. The act may have bettered the lives of humans or animals.

Francesca Kitchener
Amirhossein Soleimani

Outstanding Youth Team Award

Recognizes a group of youth who have completed a minimum of 50 hours per person of community (or school) service resulting in a program(s) or service(s) of enhancement for their school or community:

Sutherland Sabres Against Cancer

David Bae	Jenny Lee
Gurpreet Chahal	Laraina Lee
Lindsay Cooper	Nichole Peters
Joan Daniels	Alicia Prasad
Laura Donatiello	Fiona Robertson
Lisa Harry	Mariam Sabzevari
Katie Ireton	Erica Scott
Jeannine Johnstone	Lucy Shi
Sara Johnstone	Darylle So

Continued...

Carson Graham Grad Council

Roshanak Amini	Shahrzad Fatemi
Negar Amiri	Alexandria Gustafson
Zahra Amlani	Alejandra Henao
Michiko Araki	Zornitsa Kaneva
Elena Arzumanyan	Evelyn Kang
Josie Baik	Eryn Kim
Harkamal Bawa	SungEun Koo
Allison Doiron	Diana Leung
Tara Ebrahimi	Melissa Robinson
Marilyn Edgar	Katie Taylor
Mojan Farshchi	

Ubuntu Council at Carson Graham

Ali Lee
Dylan Smith
Azin Teimoori

Outstanding Supporter of Youth Award

Recognizes an adult mentor or service club in providing support and services to youth:

Elizabeth Dobbin – Teacher-Counsellor, Carson Graham Secondary
Dave Huber – Manager of Youth Services, North Shore Neighbourhood House
Karen Marshall – Teacher-Counsellor, Carson Graham Secondary
Ray Marshall – Teacher-Counsellor, Carson Graham Secondary
Wendy Matsubuchi – International Counsellor, Sutherland Secondary

Youth Centennial Scholarship Recipient

The City is pleased to provide five scholarships of \$1000 each to the following students who have demonstrated outstanding community involvement and citizenship:

Negar Amiri
Harkamal Bawa
Hailey Mathiesen
Jarad Plato
Amirhossein Soleimanian

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) (l)
4. Section 90 (1) (k)
5. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 7:41 p.m. and reconvened at 8:07 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

3. 2008 BDO Dunwoody Audit Report – File: 1610-07

Report: Manager, Financial Services, April 29, 2009.

PURSUANT to the report of the Manager, Financial Services, dated April 29, 2009, entitled “2008 BDO Dunwoody Audit Report”:

THAT the “Audit Results and Communications, Report to Council”, dated December 31, 2008 (Attachment No. 1 of the April 29, 2009 report), as presented by BDO Dunwoody, be received and filed;

AND THAT the report of the Manager, Financial Services, dated April 29, 2009, entitled “2008 BDO Dunwoody Audit Report”, remain in camera.

CARRIED UNANIMOUSLY

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

4. North Vancouver Recreation Commission Bylaw and Partnership Agreement – File: 4410-07

Report: City Manager, April 29, 2009.

PURSUANT to the report of the City Manager, dated April 29, 2009, entitled “North Vancouver Recreation Commission Bylaw and Partnership Agreement”:

THAT the action taken by the Committee of The Whole in camera this evening regarding the “North Vancouver Recreation Commission Bylaw and Partnership Agreement” be ratified;

AND THAT the wording of the recommendation and the report of the City Manager, dated April 29, 2009, entitled “North Vancouver Recreation Commission Bylaw and Partnership Agreement”, remain in camera.

CARRIED UNANIMOUSLY

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

5. Land Matter – File: 3345-02

Report: Community Planner, Community Development, April 29, 2009.

PURSUANT to the report of the Community Planner, dated April 29, 2009, regarding a “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 Community Planner, dated April 29, 2009, regarding “Land Matter”, remain in camera.

CARRIED

Councillor Clark and Councillor Heywood are recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

6. 2008 Audited Consolidated Financial Statements – File: 1635-05-01

Report: Director of Finance, April 29, 2009.

Ms. Isabel Gordon, Director of Finance, gave a PowerPoint presentation regarding the 2008 Audited Consolidated Financial Statements, as follows:

- Description of Financial Statements;
- 2008 Consolidated Financial Information;
- 2008 Financial Statements – Year end steps;
- Statement of Financial Position;
- Statement of Financial Activities;
- Statement of Cash Flows;
- The Notes;
- Schedules and Segmented Information;
- Financial Indicators.

Ms. Gordon and Mr. Ben Themens, Deputy Director of Finance, then responded to questions from members of Council.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Director of Finance, dated April 29, 2009, entitled “2008 Audited Consolidated Financial Statements”:

THAT in accordance with Section 167 of the Community Charter, Council accepts the City of North Vancouver Consolidated Financial Statements for the year ended December 31, 2008, as presented by the Financial Officer.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“MOVE FOR HEALTH DAY” – MAY 8, 2009

“ELIZABETH FRY WEEK” – MAY 4 – 10, 2009

“NATIONAL PUBLIC WORKS WEEK” – MAY 17 – 23, 2009

“ACCESS AWARENESS DAY” – JUNE 6, 2009

DELEGATION

Ms. Karen Lai, Project Coordinator of Accessibility, Social Planning and Research Council of British Columbia (SPARC BC).

Re: Access Awareness Day – June 6, 2009 – File: 4230-06-01

Ms. Karen Lai, Project Coordinator of Accessibility, Social Planning and Research Council of British Columbia (SPARC BC) gave a PowerPoint presentation regarding “Access Awareness Day – June 6, 2009,” as follows:

- June 6, 2009 is Access Awareness Day in BC;
- Goal of Access Awareness Day
- Theme in 2009 “Are you a Mythbuster”;
- About Social Planning and Research Council of British Columbia (SPARC BC);
- Facts and Solutions.

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

CORRESPONDENCE

7. Ms. Karen Lai, Project Coordinator of Accessibility, Social Planning and Research Council of British Columbia (SPARC BC), March 27, 2009.

Re: Access Awareness Day – June 6, 2009 – File: 4230-06-01

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the correspondence from Ms. Karen Lai, Project Coordinator of Accessibility, Social Planning and Research Council of British Columbia (SPARC BC), dated March 27, 2009 regarding “Access Awareness Day – June 6, 2009”, be received and filed with thanks.

CARRIED UNANIMOUSLY

DELEGATION

Mr. Ken Neale, Safe and Caring Schools Coordinator, School District No. 44 (North Vancouver).

Re: City Schools – Violence Prevention Grant Funding – File: 1150-03-01

Mr. Ken Neale, Safe and Caring Schools Coordinator, School District No. 44 (North Vancouver), gave a presentation regarding “City Schools – Violence Prevention Grant Funding.” Mr. Neale advised as to how the 2008-2009 grant monies were spent and described the number of programs supported by the funding.

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

CORRESPONDENCE

8. Mr. Ken Neale, Safe and Caring Schools Coordinator, School District No. 44 (North Vancouver), April 21, 2009.

Re: City Schools – Violence Prevention Grant Funding – File: 1150-03-01

Moved by Councillor Keating, seconded by Councillor Clark

THAT the correspondence from Mr. Ken Neale, Safe and Caring Schools Coordinator, School District No. 44 (North Vancouver), dated April 21, 2009, regarding “City Schools – Violence Prevention Grant Funding”, be received and filed with thanks.

CARRIED UNANIMOUSLY

DELEGATION

Mr. Scott Jutson and Mr. Simon Fawkes, Vancouver WATERBUS.

Re: WATERBUS Proposal – File: 4175-04

Mr. Scott Jutson, Vancouver WATERBUS, gave a PowerPoint presentation regarding “WATERBUS Proposal – Adding Water to the Transportation Mix”, as follows:

- Summary of the WATERBUS proposal to establish a passenger ferry service for Metro Vancouver;

continued...

Mr. Scott Jutson and Mr. Simon Fawkes, Vancouver WATERBUS - Continued

- The Opportunity;
- The 12 Passenger Solution;
- The Route;
- Public Wharfs Utilised;
- Example of Route Development – St. Roch – Jericho;
- CO₂ Emissions Comparison;
- Waterbus 32 and the Waterbus experience;
- Management – Mr. Simon Fawkes, Operations Manager and Mr. Scott Jutson, Vessel Acquisition, Fleet Maintenance and Marketing.

Mr. Jutson and Mr. Simon Fawkes then responded to questions from members of Council.

CORRESPONDENCE

9. Mr. Simon Fawkes, Vancouver WATERBUS, April 14, 2009.

Re: WATERBUS Proposal – File: 4175-04

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the April 14, 2009 correspondence from Mr. Simon Fawkes, regarding “WATERBUS Proposal”, be referred to staff for review and a report.

CARRIED UNANIMOUSLY

BYLAWS - Second and Third Readings & Reconsideration and Final Adoption

10. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7995” (Loblaw Properties West Inc. & Loblaw Inc./Anthem Properties Group Ltd./Rafii Architects Inc., 1632 Lonsdale Avenue, CD-562, Text Amendment).

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7995 be read a second time in short form.

CARRIED UNANIMOUSLY

continued...

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7995" (Loblaw Properties West Inc. & Loblaw Inc./Anthem Properties Group Ltd./Rafii Architects Inc., 1632 Lonsdale Avenue, CD-562, Text Amendment). - Continued

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7995 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7995 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Bookham

THAT the said Bylaw No. 7995 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

11. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7987" (Residential Zones – Group Child Care Regulation).

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the said Bylaw No. 7987 be reconsidered.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Bookham
Councillor Clark

Voting against: Councillor Heywood
Councillor Trentadue
Councillor Keating
Mayor Mussatto

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

12. "Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 7988" (Group Child Care Regulation).

Moved by Councillor Bookham, seconded by Councillor Fearnley

THAT third reading of Bylaw No. 7988 be rescinded.

CARRIED UNANIMOUSLY

Moved by Councillor Bookham, seconded by Councillor Fearnley

THAT Bylaw No. 7988 be amended as follows:

By adding a new Section 333A in Part 3, as follows:

"333A Group Child Care Facility

"Group Child Care Facility" means a facility providing care for more than 8 children, including an opportunity for social, physical and intellectual growth which is licensed under the Child Care Licensing Regulation made pursuant to the Community Care and Assisted Living Act."

In Section 1. of 511.1 deleting the words "child care facility" and replacing them with the words "Group Child Care Facility" and deleting the words "with more than 8 children in care."

CARRIED

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

The motion on second reading, as amended, was then **CARRIED**

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

continued...

12. "Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 7988" (Group Child Care Regulation). - Continued

Moved by Councillor Bookham, seconded by Councillor Fearnley

THAT the said Bylaw No. 7988, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. **Lock-Off Units in Garden Apartment Guidelines – File: 3310-09-13**

Recommendation: Policy Committee, April 27, 2009

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT staff be requested to prepare amendments to the Garden Apartment Guidelines to include Lock-Off Units.

CARRIED UNANIMOUSLY

14. **2009 Canada Day Burrard Inlet Fireworks Show – File: 1665-02-01**

Report: Manager, Financial Planning, April 29, 2009.

Moved by Councillor Fearnley, seconded by Councillor Bookham

PURSUANT to the report of the Manager, Financial Planning, dated April 29, 2009, entitled "2009 Canada Day Burrard Inlet Fireworks Show":

THAT the 2009 Canada Day Burrard Inlet Fireworks event be supported in principle;

AND THAT up to \$5,000 be allocated from the Council Contingency Account to cover the City's potential share of support costs;

AND THAT this allocation of funds be contingent on the District of West Vancouver making a similar donation.

CARRIED UNANIMOUSLY

15. Water Utility Rate Review – File: 1630-03-03-04

Report: Manager, Engineering Planning and Design, April 28, 2009.

Moved by Councillor Bookham, seconded by Councillor Heywood

PURSUANT to the report of the Manager, Engineering Planning and Design, dated April 28, 2009, entitled “Water Utility Rate Review”:

THAT staff proceed with the stakeholder consultation process outlined in the April 28, 2009 report, focusing on the “competitive Industrial, Commercial and Institutional (ICI)” option.

CARRIED

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

16. Le Bistro Chez Michel Restaurant, 60 Semisch Avenue, Liquor Licence Revision – File: 3345-02 Semisch 60

Report: Planning Technician 2, Community Development, April 29, 2009.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Planning Technician 2, dated April 29, 2009, entitled “Le Bistro Chez Michel Restaurant, 60 Semisch Avenue, Liquor Licence Revision”:

THAT the application for a revision to the “Food Primary (Restaurant) Non-Patron Participation Entertainment Endorsement” to allow Patron Participation and to extend the hours of business to 1:00 a.m. (with liquor sales and entertainment ending at midnight) for the licensed establishment known as Le Bistro Chez Michel be supported on the basis that:

1. The potential for noise would be minimal;
2. The impact on the community would be minimal;
3. The amendment would not result in the establishment being operated in a manner that is contrary to its primary purpose;
4. The impact on nearby residents would not be sufficient to warrant further public input.

CARRIED UNANIMOUSLY

17. Zoning Bylaw CD 505 Text Amendment: 175 West 14th Street (Hollyburn Properties Limited / Rafii Architects Inc.) – File: 3345-02 14 W 175

Report: Director, Community Development, April 28, 2009.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Director, Community Development, dated April 28, 2009, entitled “Zoning Bylaw CD-505 Text Amendment: 175 West 14th Street (Hollyburn Properties Limited / Rafii Architects Inc.)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7996” (Hollyburn Properties Limited, Rafii Architects Inc., 175 West 14th Street, CD-505, Text Amendment), be considered and referred to a Public Hearing subject to:

- A) a second Development Information Session being held by the applicant, prior to the Public Hearing;
- B) an agreement to connect to the Lonsdale Energy Corporation for the new construction;
- C) a report to determine that there will be no net loss in solar energy to the solar panels on the City Library;
- D) a financial analysis to the satisfaction of the Deputy Director, Corporate Services;

AND THAT the supplemental Engineering, Parks and Environment off-site works as detailed in the Inter-Departmental Implications section of the April 28, 2009 report be required.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Councillor Clark
Councillor Fearnley
Mayor Mussatto

Voting against: Councillor Heywood
Councillor Bookham

The motion was **CARRIED** by a vote of five to two.

BYLAWS - Introduction and First Reading Only

18. "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 Keating, seconded by Councillor Clark

THAT Bylaw No. 7996 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. **Five and Six Storey Wood-frame Residential Buildings – File: 3310-01**

Report: Manager, Inspections, Community Development and Deputy Director, Community Development, April 28, 2009.

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the report of the Manager, Inspections, Community Development and Deputy Director, Community Development, dated April 28, 2009, entitled "Five and Six Storey Wood-frame Residential Buildings", be received and filed.

DEFEATED

Moved by Councillor Clark, seconded by Councillor Bookham

PURSUANT to the report of the Manager, Inspections, Community Development and Deputy Director, Community Development, dated April 28, 2009, entitled "Five and Six Storey Wood-frame Residential Buildings":

THAT staff be requested to bring forward an amendment to the "Construction Regulation Bylaw 2003, No. 7390" to allow the Manager of Inspections to require that the design and field review for the construction of "Part 3 Buildings" be overseen by a "Registered Professional / Building Specialist", at the applicant's expense;

continued...

19. Five and Six Storey Wood-frame Residential Buildings – File: 3310-01 - Continued

AND THAT rezoning applications for the development of five or six storey wood-frame buildings be required to address the concerns outlined in the April 28, 2009 report prior to being brought forward for consideration of referral to a Public Hearing.

CARRIED

Councillor Keating is recorded as voting contrary to the motion.

MOTIONS AND NOTICE OF MOTIONS

20. Improvements to the Transit System in North Vancouver - File: 4115-01

Submitted by: Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Bookham

WHEREAS the appropriate improvements to the SeaBus gateway to the City of North Vancouver remained unfunded in TransLink's capital budget; and

WHEREAS an adequate North Shore bus barn facility also remains unfunded;

NOW THEREFORE BE IT RESOLVED THAT North Vancouver City Council renew its support for these necessary improvements to the transit system in North Vancouver; and

RESOLVED THAT Mayor Mussatto be encouraged to continue his work with TransLink and North Shore MLA's and MP's to secure funding for these improvements.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 10:19 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 Trentadue

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:20 p.m.