



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

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**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**

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**

- 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**

**{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 14<sup>th</sup> 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 14<sup>th</sup> Street":

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

**(CARRIED UNANIMOUSLY)**

**\*22. 2009 2<sup>nd</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> Street to 6<sup>th</sup> Street (\$50,000); 2<sup>nd</sup> Street from St. Patrick’s Avenue to St. David’s Avenue (\$30,000); 6<sup>th</sup> Street from Mahon Avenue to Chesterfield Avenue (\$50,000) be cancelled;

**AND THAT** the scope of the rehabilitation on Grand Boulevard extension from 23<sup>rd</sup> Street to 19<sup>th</sup> 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 1<sup>st</sup> Street (\$42,000)
2. East Grand Boulevard from 11<sup>th</sup> Street to 14<sup>th</sup> Street (\$40,000)
3. 15<sup>th</sup> Street at Eastern Avenue (\$43,000)
4. 15<sup>th</sup> Street between East and West Grand Boulevard (\$40,000)
5. 500 and 600 blocks West Keith Road (\$50,000)
6. 100 block West 13<sup>th</sup> Street (\$15,000)

**CARRIED UNANIMOUSLY**

**END OF CONSENT AGENDA ITEMS**

## **PRESENTATION**

**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:

### **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:

**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**

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

Re: Redevelopment Proposal – 735 West 15<sup>th</sup> 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 15<sup>th</sup> Street”, as follows:

- Description of the “Noma” development, a sustainable project on West 14<sup>th</sup> Street which received an Award of Merit at the Pacific Coast Builder’s Conference;
- Description of the Proposal for 735 West 15<sup>th</sup> 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**

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

Re: Redevelopment Proposal – 735 West 15<sup>th</sup> 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 15<sup>th</sup> 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**

**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.

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

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

**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**

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8019" (Mahmood Nowroozi/Farzin Yadegari Architect, 365 East 9<sup>th</sup> 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

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

**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**

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 7996" (Hollyburn Properties Limited, Rafii Architects Inc., 175 West 14<sup>th</sup> 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

**THAT** the meeting recess to the Public Meeting regarding the 2008 Annual Municipal Report scheduled for this evening.

### **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**

**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**

#### **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**

#### **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**

### **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**

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

Report: Manager, Financial Services, June 30, 2009.

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**

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

Report: Waterfront Project Deputy Development Manager,  
June 24, 2009.

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**

**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.

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**

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

Report: Community Planner, Community Development, June 23, 2009.

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.