



**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 27, 2009 AT 6:00 P.M.**

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**PRESENT:**

**COUNCIL MEMBERS**

Mayor D.R. Mussatto  
Councillor R.C. Clark  
Councillor P.J. Bookham  
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  
F. Caouette, Director, Corporate Services  
S. Ono, City Engineer  
I. Gordon, Director, Finance  
B. Themens, Deputy Director, Finance  
I. Steward, Property Valuator-Negotiator  
P. Penner, Community Planner  
R.H. White, Director, Community Development  
C. Miller, Research Assistant  
D. Mitic, Assistant City Engineer - Transportation  
L. Orr, Manager, Special Services & Projects and  
National Maritime Centre Project Director  
P. Sanderson, Manager, Economic Development  
S. Smith, Planner I  
M. Hunter, Manager, Parks & Environment  
C. Jackson, Environmental Coordinator  
I. Forsyth, Director Cultural Services, North Shore  
Office of Cultural Affairs  
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, July 20, 2009.
2. In Camera Committee of the Whole Meeting Minutes, July 20, 2009.

**CARRIED UNANIMOUSLY**

\*Councillor Trentadue entered the meeting at 6:03 p.m.

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

- Mr. Ron Sostad, 211-312 East 1<sup>st</sup> Street, North Vancouver, spoke regarding “Canada Pension Plan”.
- Mr. John Watson, 852 Cumberland Crescent, North Vancouver, spoke regarding item 12 on the agenda “Coach House Guidelines”.
- Mr. Russ Calnan, 600 East 8<sup>th</sup> Street, North Vancouver, spoke regarding item 12 on the agenda “Coach House Guidelines”.
- Mr. Catalin Comsia, 339 East 11<sup>th</sup> Street, North Vancouver, spoke regarding item 12 on the agenda “Coach House Guidelines”.
- Ms. Jan Malcolm, 522 East 4<sup>th</sup> Street, North Vancouver, spoke regarding item 16 on the agenda “2010 Olympic Torch Relay – Selection Process”.

**CONSENT AGENDA ITEMS**

**{Items \*4, \*17, \*18, \*19 and \*20}**

Moved by Councillor Clark, seconded by Councillor Trentadue

**THAT** the resolutions listed within the “Consent Agenda” of July 27, 2009, be approved, as follows:

**COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS**

**\*4. Leave of Absence Without Pay Request – File; 1800-06/1880-03-09**

Report: Human Resources/Safety Officer, July 21, 2009.

**PURSUANT** to the report of the Human Resources/Safety Officer, dated July 21, 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 Human Resources/Safety Officer, dated July 21, 2009, entitled “Leave of Absence Without Pay Request”, remain in camera.

**(CARRIED UNANIMOUSLY)**

**BYLAWS - Reconsideration and Final Adoption**

- \*17. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8004"  
(0807839 B.C. Ltd./Scott Kennedy, Cornerstone Architecture, 1805  
Chesterfield Avenue, CD-572).
- \*18. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8021"  
(DMRC Properties Limited/The Hulbert Group International Inc.,  
210 West 13<sup>th</sup> Street, CD-563 Text Amendment).
- \*19. "Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2009, No. 8026"  
(Canopies/Awnings).

**THAT** the said Bylaws Nos. 8004, 8021 and 8026 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaws Nos. 8004, 8021 and 8026 be finally adopted, signed  
by the Mayor and City Clerk and sealed with the Corporate Seal.

**(CARRIED UNANIMOUSLY)**

**REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

- \*20. **2009 Community Public Art Funding Recommendations**  
– File: 4420-03-01

Report: Public Art Coordinator, North Vancouver Office of Cultural  
Affairs, July 20, 2009.

**PURSUANT** to the report of the Public Art Coordinator, North Vancouver  
Office of Cultural Affairs, dated July 20, 2009, entitled "2009 Community  
Public Art Funding Recommendations":

**THAT** a 2009 Community Public Art Grant in the following amount be  
approved:

Presentation House Gallery.....\$6,000  
*Shrink Wrapped: Youth Photography.*

**CARRIED UNANIMOUSLY**

**END OF CONSENT AGENDA ITEMS**

Moved by Councillor Clark, seconded by Councillor Bookham

**THAT** the Council recess to the Committee of the Whole In Camera, to consider the item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

3. Section 90 (1) (e)

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:13 p.m. and reconvened at 6:28 p.m. with the same personnel present.

### **REPORT OF COMMITTEE OF THE WHOLE**

#### **3. Land Matter – File: 3375-06-02**

Report: Property Valuator-Negotiator, dated July 22, 2009

Moved by Councillor Clark, seconded by Councillor Bookham

**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, dated July 22, 2009, entitled “Land Matter”, remain in camera.

**CARRIED UNANIMOUSLY**

### **PROCLAMATIONS**

Mayor Mussatto read the following Proclamation:

**“DAY OF THE SPONSORED CHILD” – SEPTEMBER 4, 2009**

## **DELEGATIONS**

**Mr. David MacWilliam, President, Board of Directors, Presentation House Gallery, Mr. Howard Nemtin, Nemtin Consultants and Mr. Reid Shier, Director/Curator, Presentation House Gallery.**

Re: Architectural Charette for a New Gallery Facility - Foot of Lonsdale  
- File: 4210-02-P1-01

Mr. Howard Nemtin, Nemtin Consultants, advised that Presentation House Gallery are requesting staff resources to assist in a 1½ day design planning exercise, tentatively scheduled for September 19 and 20, 2009, at Lonsdale Quay Hotel, to address the potential of a purpose built architecturally significant public art gallery at the Foot of Lonsdale. Mr. Nemtin also advised that the results of this exercise will provide program information and a concrete rationale to the City of North Vancouver's Office of Cultural Affairs in advance of their Cultural Facilities Planning Study set to commence this Fall.

Mr. Nemtin, Mr. Reid Shier, Director/Curator, Presentation House Gallery, and Mr. Ian Forsyth, Director Cultural Services, North Shore Office of Cultural Affairs, then responded to questions from members of Council.

## **CORRESPONDENCE**

**5. Mr. Reid Shier, Director/Curator, Presentation House Gallery, June 22, 2009.**

Re: Architectural Charette for a New Gallery Facility - Foot of Lonsdale  
- File: 4210-02-P1-01

Moved by Councillor Fearnley, seconded by Councillor Keating

**PURSUANT** to the correspondence from Mr. Reid Shier, Director/Curator, Presentation House Gallery, dated June 22, 2009, regarding "Architectural Charette for a New Gallery Facility – Foot of Lonsdale":

**THAT** staff be directed to provide planning support to assist Presentation House Gallery in holding an Architectural Charette for a New Gallery Facility at the Foot of Lonsdale, tentatively scheduled for September 19 and 20, 2009 at the Lonsdale Quay Hotel.

**CARRIED UNANIMOUSLY**

## **DELEGATION**

**Mr. Doug Ausman, Treasurer, Lower Lonsdale Business Association and Ms. Paige Freeborn, President, Sinfonia – Orchestra of the North Shore.**

Re: Special Funding Request - 2009 Symphony/Party-at-the-Pier  
– File: 1040-03-L8/3375-16-03

Mr. Doug Ausman, Treasurer, Lower Lonsdale Business Association, introduced Ms. Paige Freeborn, President, Sinfonia – Orchestra of the North Shore, and Directors of both organizations seated in the gallery. Mr. Ausman gave a brief overview of the Lower Lonsdale Business Association events and advised that they have partnered with Sinfonia – Orchestra of the North Shore to host a Symphony concert, to be held at the Burrard Dry Dock on Saturday, September 5, 2009, in conjunction with the “Party-at-the-Pier”, making this a two day event and are requesting funding assistance of \$40,000. Ms. Freeborn gave a brief overview of Sinfonia – Orchestra of the North Shore and thanked the Office of Cultural Affairs for their continued support.

Mr. Ausman and Ms Freeborn then responded to questions from members of Council.

## **CORRESPONDENCE**

**6. Mr. Doug Ausman, Treasurer, Lower Lonsdale Business Association and Sinfonia, July 22, 2009.**

Re: Special Funding Request - 2009 Symphony/Party-at-the Pier  
– File: 1040-03-L8/3375-16-03

Moved by Councillor Trentadue, seconded by Councillor Keating

**WHEREAS** as a first-time event, the proposed 2009 Symphony concert at the Foot of Lonsdale has not yet been able to demonstrate high attendance and a successful track record as is required to access funding through most event grant programs;

**WHEREAS** City of North Vancouver funding plays an important role as seed funding to launch new events in the City; and

**WHEREAS** the proposed 2009 Symphony concert at the Foot of Lonsdale is an added opportunity for the City to promote the evolving City waterfront and National Maritime Centre, consistent with the Waterfront Goals and Objectives;

*continued..*

**6. Mr. Doug Ausman, Treasurer, Lower Lonsdale Business Association and Sinfonia, July 22, 2009 *continued***

**NOW THEREFORE BE IT RESOLVED THAT** a one-time start-up funding grant of \$40,000 be provided to the Lower Lonsdale Business Association for the 2009 Symphony concert at the Foot of Lonsdale with funding to come from the following two City accounts:

- \$15,000 from Council Contingency Fund; and
- \$25,000 from the National Maritime Centre Promotion Account.

**CARRIED**

**DELEGATION**

**Mr. Michael Pattenaude, Judge, Canadian Boxing Federation, Mr. Jim Tessman, International Sports Combat Federation and Dr. Philippe MacInnes.**

Re: Athletic Commission Bylaw – File: 1085-03-A5

Mr. Jim Tessman, International Sports Combat Federation, Mr. Michael Pattenaude, Judge, Canadian Boxing Federation, and Dr. Philippe MacInnes, presented their ideas for retaining the City of North Vancouver Athletic Commission and gave a PowerPoint presentation, as follows:

- Purpose
- What is an Athletic Commission?
- Why do we need a Commission?
- Suggested Members of the Commission
- Clarification
- The Charter
- The Canadian Boxing Federation and how they fit in
- Canadian Boxing Federation Quotes
- Potential Injuries in Sport
- Introduction to Doctor
- Doctor's Experience
- Injuries
- Other Athletic Commissions
- Liability
- Why Now?
- City of North Vancouver Economic Benefits
- Additional Concerns and Facts

Mr. Tessman, Mr. Pattenaude and Dr. MacInnes then responded to questions from members of Council.

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **7. Athletic Commission Bylaw – File: 1085-03-A5**

Report Property Use Inspector, Corporate Services, June 29, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the City of North Vancouver appoint Mr. Michael Pattenaude, Judge, Canadian Boxing Federation, Mr. Jim Tessman, International Sports Combat Federation and Dr. Philippe MacInnes to the City of North Vancouver Athletic Commission for a one year trial period.

A recorded vote was taken on the motion.

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

Voting against: Councillor Fearnley  
Councillor Bookham

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

Moved by Councillor Bookham, seconded by Councillor Clark

**THAT** the meeting recess to the Public Meeting regarding Development Variance Permit No. 231 and Business License Application for a Group Child Care Facility at 2051 Mahon Avenue, scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 8:20 p.m. and reconvened at 8:48 p.m. with the same personnel present.



## **MOTIONS AND NOTICES OF MOTIONS**

- 11 (i). **Development Variance Permit No. 231, 2051 Mahon Avenue (Future Scholars Group Child Care/Behzad Assadi) – File: 3345-02 Mahon 2051**

Moved by Councillor Bookham, seconded by Councillor Keating

**THAT** Development Variance Permit No. 231 (2051 Mahon Avenue, Future Scholars Group Child Care), be issued to Behzad Assadi/Farideh Payehdar, in accordance with Section 922 of the Local Government Act;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 231.

**CARRIED UNANIMOUSLY**

- (ii). **Business License Application for a Group Child Care Facility at 2051 Mahon Avenue – File: 3345-02 Mahon 2051**

Moved by Councillor Keating, seconded by Councillor Bookham

**THAT** a Business License be issued for the operation of a Group Child Care facility with a maximum capacity of 20 children in care, located at 2051 Mahon Avenue (Future Scholars Group Daycare).

**CARRIED UNANIMOUSLY**

## **BYLAWS – Reconsideration and Final Adoption**

9. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017” (Ottawa Gardens Heritage Conservation Area), **as amended**.

Moved by Councillor Clark, seconded by Councillor Bookham

**THAT** the said Bylaw No. 8017, as amended, be reconsidered.

**CARRIED**

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

Moved by Councillor Clark, seconded by Councillor Bookham

**THAT** the said Bylaw No. 8017, as amended, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED**

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

- 10.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8018”  
(Heritage Conservation Area Guidelines).

Moved by Councillor Clark, seconded by Councillor Bookham

**THAT** the said Bylaw No. 8018 be reconsidered.

**CARRIED**

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

Moved by Councillor Clark, seconded by Councillor Bookham

**THAT** the said Bylaw No. 8018 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED**

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

- 12. Proposed Coach House Guidelines – File: 3310-09-18**

Submitted by Mayor D.R. Mussatto

Moved by Mayor Mussatto, seconded by Councillor Bookham

**THAT** staff be requested to report back with recommendations on the proposed Coach House Guidelines with options, taking into consideration the work produced to date through the Council appointed working group, the information received through the Policy Committee of July 20, 2009 from the public, and the comments from members of Council.

*continued..*

**12. Proposed Coach House Guidelines – File: 3310-09-18 *continued***

Moved by Councillor Fearnley, seconded by Councillor Bookham that the motion be amended by adding the following:

**“AND THAT** the regulations shall specifically include that all Coach House projects shall come back to Council in a regular Council Meeting for approval and that the public shall have a chance to speak at that Council Meeting;

**AND THAT** any Coach House constructed shall be clearly subordinate to the main structure;

**AND THAT** if the space is to be rented, at least one of the structures shall be owner occupied;

**AND THAT** there shall be no roof top decks.”

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** Councillor Fearnley’s amendment to the motion be tabled until we have another Policy Committee Meeting and hear from staff and the public;

**AND THAT** the original motion be amended to add the following:

**“AND THAT** a second Policy Committee Meeting be convened in the Fall of 2009;

**AND THAT** staff take into consideration other comments that have been received after the Policy Committee of July 20, 2009 adjourned”.

**CARRIED**

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

The motion now reads as follows in its entirety:

**“THAT** staff be requested to report back with recommendations on the proposed Coach House Guidelines with options, taking into consideration the work produced to date through the Council appointed working group, the information received through the Policy Committee of July 20, 2009 from the public, and the comments from members of Council;

**AND THAT** a second Policy Committee Meeting be convened in the Fall of 2009;

**AND THAT** staff take into consideration other comments that have been received after the Policy Committee of July 20, 2009 adjourned.”

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **13. 2010 – 2019 Financial Plan Process and Objectives – File: 1650-08-02**

Report: Director of Finance, July 22, 2009.

Moved by Councillor Clark, seconded by Councillor Bookham

**PURSUANT** to the report of the Director of Finance, dated July 22, 2009 entitled “2010 – 2019 Financial Plan Process and Objectives”:

**THAT** a workshop with Council and staff be held in the Fall, 2009 to update the City’s Goals, Strategies, and Measures as contained in the Annual Municipal Report (AMR);

**AND THAT** the Annual Municipal Report Goals, Strategies and Measures so determined be the basis for program and project planning and budgeting in the City’s 2010 – 2019 Ten-Year Financial Plan;

**AND THAT** the 2010 – 2019 Ten-Year Financial Planning Objectives on Attachment 1 of the July 22, 2009 report be endorsed;

**AND THAT** the Finance Committee meetings for the 2010 – 2019 Financial Plan, as detailed on Attachment 3, of the July 22, 2009 report, be scheduled as follows:

Monday, September 21, 2009  
Monday, October 5, 2009  
Monday, November 23, 2009  
Monday, January 18, 2010  
Monday, January 25, 2010  
Monday, March 22, 2010

**AND THAT** Option 1 of the Program Costing Analysis process outlined in the July 22, 2009 report be endorsed;

**AND THAT** a tax rate target/objective for 2010 be discussed at the first Finance Committee Meeting scheduled for September 21, 2009.

**CARRIED UNANIMOUSLY**

**14. Cosmetic Pesticide Use Control – File: 3120-11-03-P2-01**

Report: Environmental Coordinator, July 15, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

**PURSUANT** to the report of the Environmental Coordinator, dated July 15, 2009, entitled “Cosmetic Pesticide Use Control”:

**THAT** staff be directed to prepare a Cosmetic Pesticide Use Control Bylaw for Council’s consideration.

**CARRIED**

**15. Strata Conversion Application: 233 West 1<sup>st</sup> Street (Daniel Sampson)  
- File: 3345-02 01 W 233**

Report: Planning Technician 2, Community Development, July 22, 2009.

Moved by Councillor Keating, seconded by Councillor Bookham

**PURSUANT** to the report of the Planning Technician 2, Community Development, dated July 22, 2009 entitled “Strata Conversion Application: 233 West 1<sup>st</sup> Street (Daniel Sampson)”:

**THAT** the strata titling of the commercial building located at 233 West 1<sup>st</sup> Street be approved, subject to substantial compliance with the BC Building Code;

**AND THAT** the additional provision of trees along West 1<sup>st</sup> Street frontage as requested by the Engineering, Parks and Environment Department and referenced in the Interdepartmental Implications section of the July 22, 2009 report be endorsed;

**AND THAT** the Mayor and City Clerk be authorized to execute the strata plans pursuant to Section 242 of the *Strata Property Act*, subject to final inspection of the building by the Manager of Inspections.

**CARRIED UNANIMOUSLY**

**16. 2010 Olympic Torch Relay – Selection Process – File: 1040-03-N6**

Report: Manager, Economic Development, July 23, 2009.

Moved by Councillor Keating, seconded by Mayor Mussatto

**PURSUANT** to the report of the Manager, Economic Development, dated July 23, 2009, entitled “2010 Olympic Torch Relay – Selection Process”:

**THAT** the “Staff Engagement” process for selecting an individual to carry the Olympic Torch on behalf of the City of North Vancouver be endorsed;

**AND THAT** this process be implemented as soon as possible;

**AND THAT** the staff member be a City of North Vancouver resident.

**CARRIED UNANIMOUSLY**

**RECESS**

Mayor Mussatto declared a recess at 9:40 p.m., for the public question period and reconvened the meeting at 9:41 p.m.

**INQUIRIES**

**21. Chiba/China Visit Economic Rationale - File: 1205-02-02**

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto if Council had received a report on the Chiba/China economic rationale for the upcoming visit by members of Council which was a condition of the Provincial Government Grant of \$50,000.

Mr. Ken Tollstam, City Manager, advised that his report, dated June 18, 2009, was dealt with by Council on June 22, 2009 and referred to his July 27, 2009 email to all members of Council.

Councillor Clark inquired if the June 18, 2009 report was appended to the email.

Mr. Tollstam responded that he could not confirm the report was appended to the email and if not, will forward a copy of said report to Council.

**22. Visit to Chiba Sister City and China by Members of Council**  
**File: 1205-02-02**

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto which members of Council are scheduled to visit Chiba, Japan.

Mr. Ken Tollstam, City Manager, advised that three or four members of Council have tentatively advised their attendance.

Mayor Mussatto confirmed his attendance.

**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 9:44 p.m.