



**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, NOVEMBER 2, 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

**ABSENT**

Councillor M.L. Trentadue

**STAFF MEMBERS**

A.K. Tollstam, City Manager  
S.E. Dowey, City Clerk  
R.G. Anderson, Deputy City Clerk  
R.H. White, Director, Community Development  
I. Gordon, Director, Finance  
F. Caouette, Director, Corporate Services  
S. Ono, City Engineer  
D. Sigston, Deputy Director, Corporate Services  
G. Penway, Deputy Director, Community  
Development  
B. Themens, Deputy Director, Finance  
E. Adin, City Planner  
C. Jackson, Environmental Coordinator  
C. Wilkinson, Planning Technician 1  
B. Penman, Fire Chief  
D. Burgess, Deputy Fire Chief  
S. Miller, Assistant Chief, Fire Protection  
L. R. Orr, Manager, Special Projects and Services/  
National Maritime Centre Project Director  
P. Penner, Planner, Community Development  
M. Hunter, Manager, Parks & Environment  
S. Wilks, Timekeeper

The meeting was called to order at 6:01 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, October 26, 2009.
2. In Camera Committee of the Whole Meeting Minutes, October 26, 2009.

**CARRIED UNANIMOUSLY**

## **PROCLAMATION**

Mayor Mussatto read the following Proclamation:

### **“VETERANS’ WEEK” - NOVEMBER 5 TO 11, 2009**

Mayor Mussatto presented a framed copy of the Proclamation to the Colour Party of the Royal Canadian Legion Branch No. 118. Comrade Bob Bell, on behalf of President Marcel Duhamel and members of the Royal Canadian Legion Branch No. 118, presented each member of Council with a copy of the 2009 BC/Yukon Branch Command “Military Service Recognition” book and a “2009 Lest We Forget Ribbon”.

## **PUBLIC INPUT PERIOD – File: 1090-21**

- Ms. Caren Mendoza, 303 East 26<sup>th</sup> Street, North Vancouver, spoke regarding item 8 on the agenda, “Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street”.
- Ms. Barbara MacLellan, 1937 Berkley Avenue, North Vancouver, and North Shore Community Resources Centre, spoke regarding item 8 on the agenda, “Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street”.
- Ms. Janine Carscadden, 104-700 Klahanie Drive, Port Moody, regarding item 8 on the agenda, “Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street”.
- Mr. Fernando Grossling, 309 East 26<sup>th</sup> Street, North Vancouver, spoke regarding item 8 on the agenda, “Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street”.
- Mr. Tom Pennington, 204-136 West Keith Road, North Vancouver, spoke regarding item 8 on the agenda, “Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street”.

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** an additional 2 speakers be allowed to speak during this evening’s Public Input Period.

**CARRIED UNANIMOUSLY**

*continued...*

## **PUBLIC INPUT PERIOD – File: 1090-21 - Continued**

- Mr. Steve Forrest, Vice President of Development, Adera Development Corporation, 2200-1055 Dunsmuir Street, Vancouver, spoke regarding item 9 on the agenda, “Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15<sup>th</sup> Street (Adera / Integra Architects)”.
- Mr. Jim Shaw, 329 West 16th Street, North Vancouver, spoke regarding item 9 on the agenda, “Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15<sup>th</sup> Street (Adera / Integra Architects)”.

## **CONSENT AGENDA ITEMS**

**{Items \*16, \*17, \*18, \*19, \*20, \*21, \*22, \*23, \*24, \*25, \*26 and \*27}**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the resolutions listed within the “Consent Agenda” of November 2, 2009, be approved, as follows:

## **CORRESPONDENCE**

**\*16. Metro Vancouver, Board in Brief, October 16, 2009 - File: 1180-06**

**THAT** the Metro Vancouver, Board in Brief, dated October 16, 2009, be received and filed.

**(CARRIED UNANIMOUSLY)**

## **BYLAWS - Reconsideration and Final Adoption**

- \*17. “Dog Tax and Regulation Bylaw, 2006, No. 7732, Amendment Bylaw, 2009, No. 8027” (Definitions).
- \*18. “Nuisance Abatement Bylaw, 1986, No. 5659, Amendment Bylaw, 2009, No. 8028” (Bylaw Notice Process).
- \*19. “Parks Regulation Bylaw, 1996, No. 6611, Amendment Bylaw, 2009, No. 8029” (Bylaw Notice Process).
- \*20. “Rodent Control Bylaw, 1988, No. 5899, Amendment Bylaw, 2009, No. 8030” (Bylaw Notice Process).

*Continued...*

## **BYLAWS - Reconsideration and Final Adoption - Continued**

- \*21. "Smoking Prohibition in Bus Shelters Bylaw, 2007, No. 7854, Amendment Bylaw, 2009, No. 8031" (Bylaw Notice Process).
- \*22. "Smoking Regulation Bylaw, 1998, No. 7026, Amendment Bylaw, 2009, No. 8032" (Bylaw Notice Process).
- \*23. "Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2009, No. 8033" (Bylaw Notice Process).
- \*24. "Wharf Regulation Bylaw, 2005, No. 7665 (St. Roch Dock, Burrard Dry Dock and Goldsworthy Pier), Amendment Bylaw, 2009, No. 8034" (Bylaw Notice Process).
- \*25. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2009, No. 8035" (Addition of Water Utility Bylaw, 1994, No. 6417, Addition of Wharf Regulation Bylaw, 2005, No. 7665, Addition of Smoking Prohibition in Bus Shelters Bylaw, 2007, No. 7854, Addition of Smoking Regulation Bylaw, No. 7026, Addition of Nuisance Abatement Bylaw, 1986, No. 5659, Addition of Rodent Control Bylaw, 1988, No. 5899, Addition of Park Regulation Bylaw, 1996, No. 6611, and Amendment to Solid Waste Management Service Bylaw, 1997, No. 6920).
- \*26. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2009, No. 8039" (Update of Schedule B Dispute Adjudication Agreement).
- \*27. "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2009, No. 8047" (Schedule A).

**THAT** the said Bylaws Nos. 8027, 8028, 8029, 8030, 8031, 8032, 8033, 8034, 8035, 8039 and 8047 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaws Nos. 8027, 8028, 8029, 8030, 8031, 8032, 8033, 8034, 8035, 8039 and 8047 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

**END OF CONSENT AGENDA ITEMS**

## **PRESENTATION**

**Re: Publication Launch For The City's 100 Year Sustainability Vision  
– File: 1010-04/3380-02-100**

Professor Patrick M. Condon, Senior Researcher, Design Centre for Sustainability at the University of British Columbia, gave a PowerPoint presentation regarding the recently published “100 Year Sustainability Vision: City of North Vancouver” which received a 2009 Community Excellence Award – Honourable Mention for Leadership and Innovation in Sustainability at the Union of British Columbia Municipalities Annual Conference.

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:

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

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:37 p.m., and reconvened at 7:18 p.m., with the same personnel present.

## **PROCLAMATIONS – Continued**

Mayor Mussatto read the following Proclamations:

**“WORLD TOWN PLANNING DAY” – NOVEMBER 8, 2009**

**“WORLD DIABETES DAY” – NOVEMBER 14, 2009**

**“MEDICAL RADIATION TECHNOLOGISTS WEEK” – NOVEMBER 8 – 14, 2009**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the meeting recess to the Policy Committee Meeting scheduled for this evening regarding “Modified Coach House Guidelines”.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:20 p.m., and reconvened at 9:47 p.m., with the same personnel present.

## **CORRESPONDENCE**

### **6. Globe Foundation – File: 1840-02-01**

Re: Globe 2010, “11<sup>th</sup> Biennial Trade Fair & Conference on Business & The Environment”, Vancouver Convention & Exhibition Centre, Vancouver, B.C., March 24-26, 2010.

*Requested by Councillor Fearnley.*

Moved by Councillor Keating, seconded by Councillor Fearnley

**PURSUANT** to the correspondence received from the Globe Foundation, October 7, 2009, entitled “Globe 2010, “11<sup>th</sup> Biennial Trade Fair & Conference on Business & The Environment”, Vancouver Convention & Exhibition Centre, Vancouver, B.C., March 24-26, 2010”:

**THAT** all Council members who have an interest in attending this Conference be authorized to attend the “Globe 2010, “11<sup>th</sup> Biennial Trade Fair & Conference on Business & The Environment”, to be held March 24-26, 2010, at the Vancouver Convention & Exhibition Centre”;

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

**AND THAT** the funds be provided from the 2010 Legislative Conventions and Delegations Account.

**CARRIED UNANIMOUSLY**

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

### **7. Fire & Life Safety Systems of Pre-1992 Multi-Unit Residential Buildings - File: 3100-01**

Moved by Councillor Heywood, seconded by Councillor Clark

**PURSUANT** to the report of the Task Group, Multi-Unit Residential Buildings Fire & Life Safety Review, dated September 30, 2009, entitled “Recommended Policy Approach for Upgrading the Fire & Life Safety Systems of Pre-1992 Multi-Unit Residential Buildings”:

**THAT** “Monitored Fire Alarm Systems” (including Smoke Alarms) be required as upgrades to pre-1992 Buildings.

**CARRIED UNANIMOUSLY**

**8. Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street  
- File: 3345-02 26 E 303**

Report: Director, Community Development, October 27, 2009.

Moved by Councillor Keating, seconded by Mayor Mussatto

**PURSUANT** to the report of the Director, Community Development, dated October 27, 2009, entitled, "Proposal for a Katimavik Group Residence – 303 East 26<sup>th</sup> Street":

**THAT** Katimavik, subject to the approval of the owner of 303 East 26<sup>th</sup> Street, be allowed to apply for a Temporary Use Permit to enable up to 12 residents to stay at the subject property during Katimavik work on the North Shore for a period not to exceed the terms of the Temporary Use (2 years plus one 2 year extension if renewed by resolution).

**CARRIED UNANIMOUSLY**

**9. Official Community Plan Amendment/Rezoning Development  
Proposal – 735 West 15<sup>th</sup> Street (Adera / Integra Architects)  
– File: 3345-02 15 W 735**

Report: Community Planner, Community Development, October 27, 2009.

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** Adera Development Corporation be encouraged to continue with public involvement and that Adera Development Corporation be allowed to apply for an Official Community Plan Amendment and a Rezoning Amendment.

**DEFEATED**

Moved by Councillor Clark, seconded by Councillor Fearnley

**PURSUANT** to the report of the Community Planner, dated October 27, 2009, entitled "Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15<sup>th</sup> Street (Adera / Integra Architects)":

**THAT** the applicants be directed to modify their development application to substantially comply with the outcome of the Marine Drive Planning Study process at an Official Community Plan density of Residential Level 4 (maximum 1.0 FSR);

*continued...*

9. **Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15<sup>th</sup> Street (Adera / Integra Architects) – File: 3345-02 15 W 735 - Continued**

**AND THAT** in the event that the development application is not so modified by January 15, 2010, that said application be rejected.

**CARRIED**

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

10. **Business License Bylaw Amendments – Part 4 – Licences, Schedule “A” and Schedule “C” – File: 3045-02**

Report: Licensing Clerk/Inspector, Community Development,  
September 15, 2009.

Moved by Councillor Clark, seconded by Councillor Keating

**PURSUANT** to the report of the Licensing Clerk/Inspector, Community Development, dated September 15, 2009, entitled “Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A”: and Schedule “C”:

**THAT** “Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 8036” (Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A” and Schedule “C”) be considered.

**CARRIED UNANIMOUSLY**

**BYLAWS - Introduction and First Three Readings**

11. “Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 8036” (Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A” and Schedule “C”).

Moved by Councillor Keating, seconded by Councillor Fearnley

**THAT** Bylaw No. 8036 be read a first time in short form, copies of same having been distributed to Council members and read by them.

**CARRIED UNANIMOUSLY**

*continued...*



11. "Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 8036" (Business License Bylaw Amendments – Part 4 – Licenses, Schedule "A" and Schedule "C"). - Continued

Moved by Councillor Keating, seconded by Councillor Fearnley

**THAT** the said Bylaw No. 8036 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Fearnley

**THAT** the said Bylaw No. 8036 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., be waived, and the meeting continue until 11:00 P.M., if necessary.

**CARRIED UNANIMOUSLY**

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

### **12. Cosmetic Pesticide Use Control Bylaw – File: 3120-11-03-P2-01**

Report: Environmental Coordinator, Engineering, Parks & Environment, October 28, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

**PURSUANT** to the report of the Environmental Coordinator, Engineering, Parks & Environment, dated October 28, 2009, entitled "Cosmetic Pesticide Use Control Bylaw":

**THAT** "Cosmetic Pesticide Use Control Bylaw, 2009, No. 8041" be considered;

**AND THAT** Bylaw No. 8041 be implemented as described in the October 28, 2009 report;

*continued...*

**12. Cosmetic Pesticide Use Control Bylaw – File: 3120-11-03-P2-01 – Continued**

**AND THAT** resource requirements for education, permitting and enforcement be monitored through 2010 and, if warranted, a small budget be requested in 2011;

**AND THAT** Bylaw No. 8041 take effect on January 1, 2010.

**CARRIED UNANIMOUSLY**

**BYLAWS - Introduction and First Three Readings**

**13. “Cosmetic Pesticide Use Control Bylaw, 2009, No. 8041”.**

Moved by Councillor Fearnley, seconded by Councillor Keating

**THAT** Bylaw No. 8041 be read a first time in short form, copies of same having been distributed to Council members and read by them.

**CARRIED UNANIMOUSLY**

Moved by Councillor Fearnley, seconded by Councillor Keating

**THAT** the said Bylaw No. 8041 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Fearnley, seconded by Councillor Keating

**THAT** the said Bylaw No. 8041 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

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

### **14. Shipyards Precinct Funding Appropriation – File: 3380-02-S2-01**

Report: Manager, Special Services and Projects, October 28, 2009.

Moved by Mayor Mussatto, seconded by Councillor Fearnley

**PURSUANT** to the report of the Manager, Special Services and Projects, dated October 28, 2009, entitled “Shipyards Precinct Funding Appropriation”:

**THAT** Funding Appropriation No. 0923 for an amount of \$250,000 be appropriated from the Lower Lonsdale Amenity Fund for various costs related to the buildings on Parcels 7 & 8 and public realm enhancements in the Shipyards Historic Precinct;

**AND THAT** should any of the above amounts remain unexpended after three years from the date of appropriation, the unexpended balance shall be returned to the credit of the said Reserve Fund.

**CARRIED UNANIMOUSLY**

## **MOTIONS AND NOTICES OF MOTION**

### **15. Civic Engagement – File: 1085-01**

Submitted by: Councillor Guy Heywood

Moved by Councillor Heywood, seconded by Councillor Fearnley

**WHEREAS** civic engagement in all its forms is important to the long term health and viability of an elected government, and by extension, the community it serves;

**WHEREAS** voter participation levels – one important indicator of civic engagement - in the most recent elections in the City of North Vancouver has fallen to a very low level when compared to our history and to neighbouring municipalities; and

**WHEREAS** given that recent demographic and residential building trends in the City of North Vancouver point to significant changes in the character of our neighbourhoods that could affect civic engagement;

*continued...*

**15. Civic Engagement – File: 1085-01 - Continued**

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the City of North Vancouver establish a Task Force on civic engagement; and

**RESOLVED THAT** staff be directed to bring possible terms of reference and other relevant background information to a future meeting of Council for its consideration and adoption.

**CARRIED UNANIMOUSLY**

**REPORT OF THE COMMITTEE OF THE WHOLE**

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

**4. Additional Funding Request for the Community Energy and Emissions Plan Update – File: 4000-07**

Report: Chair, Climate Action Task Force, October 28, 2009.

**THAT** the action taken by the Committee of the Whole in camera this evening regarding “Additional Funding Request for the Community Energy and Emissions Plan Update” be ratified;

**AND THAT** the wording of the recommendation and the report of the Chair, Climate Action Task Force, dated October 28, 2009, entitled “Additional Funding Request for the Community Energy and Emissions Plan Update”, remain in camera.

**CARRIED UNANIMOUSLY**

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

**5. Parcels 7 & 8 - Marketing – File: 3345-02-Esplanade E 109**

Report: Deputy Director, Corporate Services, October 28, 2009.

**PURSUANT** to the report of the Deputy Director, Corporate Services, dated October 28, 2009, entitled “Parcels 7 & 8 – Marketing”:

*continued...*

**5. Parcels 7 & 8 - Marketing – File: 3345-02-Esplanade E 109 - Continued**

**THAT** staff develop a Request for Proposals for the marketing of Parcels 7 and 8 subject to City acquisition of Parcels 7 and 8 scheduled for November, 2009;

**AND THAT** the report of the Deputy Director, Corporate Services, dated October 28, 2009, entitled “Parcels 7 & 8 – Marketing”, remain in camera.

**CARRIED UNANIMOUSLY**

**RECESS**

Mayor Mussatto declared a recess at 10:53 p.m., for the public question period and reconvened the meeting at 10:55 p.m.

**INQUIRIES**

**28. Pacific Animal Foundation – Trap, Neuter and Return (TNR) Program – File: 3010-02-01**

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto as to the status of the request for funding of \$2,500 by the Pacific Animal Foundation for the trap, neuter and return (TNR) program.

Mayor Mussatto advised that staff will be providing a report on this funding request.

**ANY OTHER BUSINESS – NEW ITEMS**

Nil.

**ADJOURNMENT**

Moved by Councillor Clark, seconded by Councillor Fearnley

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10:57 p.m.