

MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, B.C., ON MONDAY, JANUARY 11, 2010 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

R.H. White, Director, Community Development

I. Gordon, Director, Finance

S. Ono, City Engineer

F. Caouette, Director, Corporate Services

M. Pavao, Director, Human Resources

B. Themens, Deputy Director, Finance

G. Penway, Deputy Director, Community Development

Emilie Adin, City Planner

C. Kathler, Community Planner

L. R. Orr, Manager, Special Projects and Services/ National Maritime Centre Project Director

J. Hodgins, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Keating

THAT the following Minutes be adopted as circulated:

- 1. Regular Council Meeting Minutes, December 14, 2009.
- 2. In Camera Committee of the Whole Meeting Minutes, December 14, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

 Mr. Steve Forrest, 1040 Dunsmuir Street, Vancouver, spoke regarding the "Delegation from Ms. Shareen Rai, President and Mr. Trevor Bowden, Director, NoMa Strata Council" on the agenda, "Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15th Street (Adera/Integra Architects)".

PUBLIC INPUT PERIOD - File: 1090-21 - Continued

- Mr. Chuck Brook, 410-535 Thurlow Street, Vancouver, spoke regarding item 17 on the agenda, "Harbourside Waterfront Official Community Plan Amendment Application (Concert Properties / Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Avenue)".
- Mr. Douglas Fugger, 243 West 6th Street, North Vancouver, spoke regarding item 13 on the agenda, Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area".

CONSENT AGENDA ITEMS

{Items *5 and *19}

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the "Consent Agenda" of January 11, 2010, 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: Human Resources/Safety Officer, January 5, 2010.

PURSUANT to the report of the Human Resources/Safety Officer, dated January 5, 2010, 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 January 5, 2010, entitled "Leave of Absence Without Pay Request", remain in camera.

(CARRIED UNANIMOUSLY)

*19. Metro Vancouver, Board in Brief, December 11, 2009 - File: 1180-06

THAT the Metro Vancouver, Board in Brief, dated December 11, 2009, be received and filed.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

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) (c)

CARRIED UNANIMOUSLY

The meeting recessed at 6:09 p.m., and reconvened at 7:02 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. National Maritime Centre Update – File: 3380-02-N3

Verbal Report: City Manager.

THAT the correspondence received from The Honourable Kevin Krueger, Minister of Tourism, Culture and the Arts, dated January 11, 2010, regarding "National Maritime Centre Funding", be released to the public this evening.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil.

DELEGATIONS

Ms. Annwen Loverin, Executive Director, Silver Harbour Centre.

Re: Update – Success in Programs and Services to Seniors – File: 1040-03-S1

Ms. Annwen Loverin, Executive Director, Silver Harbour Centre, gave a PowerPoint regarding "Update – Success in Programs and Services to Seniors", as follows:

 Program Successes such as Qi Gong for Chronic Pain; Bridging Program for Chinese Seniors; and Building Connections for Older Adults;

Ms. Annwen Loverin, Executive Director, Silver Harbour Centre. - Continued

- Program Challenges including funding the North Shore Seniors Go Bus;
- Building Challenges including aging building requiring significant repairs; at 95% capacity in activity rooms;
- Building Successes including boiler replacement and heating system repairs; interior painting throughout the building; emergency lighting upgrades; and new kitchen equipment;
- Funding Challenges include annual operating deficit and depletion of endowment fund;
- Funding Successes include Pacific Arbour sponsorship; grants from government, corporations, foundations; service clubs; volunteer contributions; and Municipal core funding;
- Goals for the Coming Year include evaluating and improving program offerings; marketing and recruitment strategy; building improvements; working towards a new building; control expenses and increase revenues.

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

CORRESPONDENCE

6. Ms. Annwen Loverin, Executive Director, Silver Harbour Centre, November 25, 2009.

Re: Update – Success in Programs and Services to Seniors – File: 1040-03-S1

Moved by Councillor Bookham, seconded by Mayor Mussatto

THAT the correspondence from Ms. Annwen Loverin, Executive Director, Silver Harbour Centre, dated November 25, 2009, regarding "Update – Success in Programs and Services to Seniors", be received and filed with great thanks.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting recess to the Public Hearings regarding 1033 St. George's Avenue and 1629 St. George's Avenue, scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:30 p.m. and reconvened at 7:31 p.m. with the same personnel present.

DELEGATION

Mr. Trevor Bowden, Director, NoMa Strata Council.

Re: Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15th Street (Adera/Integra Architects) – File: 3345-02 15 W 735

Mr. Trevor Bowden, Director, NoMa Strata Council, circulated a letter from area residents, dated January 11, 2010, regarding current, potential, and future development in Areas 5 and 6 as defined by the Marine Drive Task Force Final Recommendations. Mr. Bowden made the following comments on behalf of the signatories to the January 11, 2010 letter:

- Collective support for the Marine Drive Task Force (MDTF) recommendations overall, and specifically for Areas 5 and 6;
- Request that proposals that deviate from the MDTF recommendations be required to explain why the development will be of greater benefit to the community;
- Encourage proponents to consider amenities as recommended by the MDTF; and
- Request that the City of North Vancouver assist in facilitating an Open Public Forum for area residents to share their thoughts and comments on the MDTF recommendations.

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

CORRESPONDENCE

7. Ms. Shareen Rai, President and Mr. Trevor Bowden, Director, NoMa Strata Council, December 8, 2009.

Re: Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15th Street (Adera/Integra Architects) – File: 3345-02 15 W 735

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the City of North Vancouver facilitate an open public forum to discuss the proposed project's merits and to consider residential development proposals which exceed the recommended FSR for this site, while substantially conforming to the Marine Drive Task Force's recommendations.

7. Ms. Shareen Rai, President and Mr. Trevor Bowden, Director, NoMa Strata Council, December 8, 2009. - Continued

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 resolution adopted by Council on November 2, 2009, which reads as follows:

"PURSUANT to the report of the Community Planner, dated October 27, 2009, entitled "Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15th 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);

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

be **rescinded**.

Councillor Keating withdrew his motion with the concurrence of Mayor Mussatto, seconder of the motion.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the resolution adopted by Council on November 2, 2009, regarding "Official Community Plan Amendment/Rezoning Development Proposal – 735 West 15th Street (Adera / Integra Architects)" be amended to delete the wording "by January 15, 2010" in the last active clause and replace it with "once City Council has received the report from the public process".

7. Ms. Shareen Rai, President and Mr. Trevor Bowden, Director, NoMa Strata Council, December 8, 2009. - Continued

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood

Councillor Trentadue Councillor Keating Councillor Fearnley Mayor Mussatto

Voting against: Councillor Bookham

Councillor Clark

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

DELEGATION

Mr. Tom Bell and Mr. Larry Reda, Residents of North Vancouver.

Re: Reunion for Graduates of North Vancouver Senior Secondary School – File: 1075-01

Mr. Tom Bell, Resident of North Vancouver, spoke regarding the "Reunion for Graduates of North Vancouver Senior Secondary School", as follows:

- Reunion on August 14, 2010 to celebrate 100 years since the North Vancouver Senior Secondary School opened in 1910;
- Estimate of attendance at the one-day event is 1,000 grads;
- Various events will be held throughout the day at various venues throughout North Vancouver;
- Request for the week of August 12-18, 2010 to be proclaimed as "North Vancouver Senior Secondary School Grad Week in the City of North Vancouver";
- Request for in-kind support through use of some municipal equipment and a modest donation from the municipal contingency fund.

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

CORRESPONDENCE

8. Mr. Tom Bell and Mr. Larry Reda, Residents of North Vancouver, January 4, 2010.

Re: Reunion for Graduates of North Vancouver Senior Secondary School

- File: 1075-01

Moved by Councillor Keating, seconded by Councillor Clark

THAT staff be directed to work with the organizing committee for the Reunion for Graduates of North Vancouver Senior Secondary School to allow the use of municipal equipment as set out in the correspondence dated January 4, 2010 from Mr. Tom Bell and Mr. Larry Reda;

AND THAT \$1000.00 of seed money from the Council Contingency Fund be granted to the organizing committee for the Reunion for Graduates of North Vancouver Senior Secondary School.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing regarding 1033 St. George's Avenue, scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:37 p.m. and reconvened at 8:52 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8061" (Villa St. George's/Chercover Massie & Associates Ltd., 1033 St. George's Avenue, CD-581).

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8061 be read a second time in short form.

CARRIED UNANIMOUSLY

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8061" (Villa St. George's/Chercover Massie & Associates Ltd., 1033 St. George's Avenue, CD-581). - Continued

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8061 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 meeting recess to the recessed Public Hearing regarding 1629 St. George's Avenue, scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 9:01 p.m. and reconvened at 9:44 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8048" (AMS Design & Project Management Co. Ltd., AVESTA Apartments at 1629 St. George's Avenue Ltd./Arc Homes Ltd., 1629 St. George's Avenue, CD-579).

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaw No. 8048 be read a second time in short form.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaw No. 8048 be read a third time in short form and passed subject to reconsideration.

CARRIED

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8048" (AMS Design & Project Management Co. Ltd., AVESTA Apartments at 1629 St. George's Avenue Ltd./Arc Homes Ltd., 1629 St. George's Avenue, CD-579). - Continued

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT staff be directed to work with the applicant to make the preservation of rental units possible and also, if possible, to develop reusable tools for preserving rental housing subject to reconsideration and final adoption of Bylaw No. 8048.

CARRIED UNANIMOUSLY

CORRESPONDENCE

11. Ms. Paulette Vetleson, Corporate Secretary, Metro Vancouver, January 4, 2010.

Re: Appointments to Metro Vancouver – One Alternate Director – File: 1180-15

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the correspondence from Ms. Paulette Vetleson, Corporate Secretary, Metro Vancouver, dated January 4, 2010, regarding "Appointments to Metro Vancouver – One Alternate Director" be received and filed.

CARRIED UNANIMOUSLY

12. Ms. Lois Jackson, Chair, Metro Vancouver Board, December 11, 2009.

Re: Request for Resolution in Council for Metro Vancouver Canadian Radio-Television and Telecommunications Commission (CRTC) Submission – File: 1180-15

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the correspondence from Ms. Lois Jackson, Chair, Metro Vancouver Board, dated December 11, 2009, regarding "Request for Resolution in Council for Metro Vancouver Canadian Radio-Television and Telecommunications Commission (CRTC) Submission":

12. Ms. Lois Jackson, Chair, Metro Vancouver Board, December 11, 2009.- Continued

THAT the City of North Vancouver endorse the Metro Vancouver resolution as part of the Canadian Radio-Television and Telecommunications Commission (CRTC) Submission.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area – File: 3345-02 06 W 243

Report: Planner, Community Development, December 9, 2009.

Moved by Councillor Trentadue, seconded by Councillor Keating

THAT the resolution adopted by Council on December 14, 2009, which reads as follows:

***PURSUANT** to the report of the Planner, Community Development dated December 9, 2009, entitled "Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area":

THAT Option 4: Heritage Advisory Commission Resolution be endorsed;

THAT due to its contribution to the heritage fabric of the Ottawa Gardens Heritage Conservation Area;

THAT pursuant to Section 962 of the *Local Government Act*, an order for temporary protection be accorded to the McLean Residence at 243 West 6th Street for a period of 60 days;

AND THAT staff be directed to continue discussions with the property owner of any opportunity to retain this valuable heritage asset."

be **rescinded**.

13. Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area – File: 3345-02 06 W 243 - Continued

*Councillor Bookham left the meeting at 10:26 p.m.

Moved by Councillor Heywood, seconded by Councillor Keating

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.

On a point of order Councillor Fearnley challenged the Chair on his ruling that Councillor Bookham was out of order with regards to her comments this evening regarding item 13.

Mayor Mussatto asked "Shall the Chair be sustained?"

A recorded vote was taken to sustain the Chair.

Voting to Sustain the Chair: Councillor Heywood

Councillor Trentadue Councillor Keating

Voting not to Sustain the Chair: Councillor Fearnley

Councillor Clark

The Chair was sustained by a vote of three to two.

The motion to continue the meeting until 11:00 P.M. was then **CARRIED**

The motion to rescind the resolution of December 14, 2009, was then **CARRIED**

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

13. Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area – File: 3345-02 06 W 243 - Continued

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Planner, Community Development, dated December 9, 2009, entitled "Demolition Request – 243 West 6th Street – McLean Residence, Ottawa Gardens Heritage Conservation Area":

WHEREAS the Ottawa Gardens Heritage Conservation Area Official Community Plan Amendment was adopted by Council to ensure that changes that occur in the area are in keeping with the heritage character of the area rather than to prevent change;

WHEREAS the residence, 243 West 6th Street, McLean Residence, is a supplemental building on the City of North Vancouver's 1994 Heritage Register, as distinguished from the primary and secondary ranked buildings in the area;

WHEREAS the residence at 243 West 6th Street was not voluntarily protected as part of the Official Community Plan Amendment to introduce the Heritage Conservation Area;

AND WHEREAS the City has received a letter from the property owner advising of the intent to demolish the heritage building as part of the redevelopment of the site in compliance with the Ottawa Gardens Heritage Conservation Area Guidelines;

NOW THEREFORE BE IT RESOLVED THAT the demolition of the existing heritage building, at 243 West 6th Street, be permitted.

CARRIED

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

14. 2007 – 2009 Memorandum of Agreement with International
 Association of Firefighters (IAFF), Local 296, dated December 4, 2009
 File: 1830-03-03 / 1800-06

Information Report: Director, Human Resources, January 5, 2010.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the information report of the Director of Human Resources, dated January 5, 2010, entitled "2007 – 2009 Memorandum of Agreement with International Association of Firefighters (IAFF), Local 296, dated December 4, 2009", be received and filed.

CARRIED UNANIMOUSLY

15. Adoption of Provincial 'Adaptable Housing Standards' – File: 3365-10

Report: Community Planner, Community Development, January 5, 2010.

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the report of the Community Planner, Community Development, dated January 5, 2010, entitled "Adoption of Provincial Adaptable Housing Standards":

THAT the Adaptable Design requirements in the City's Zoning Bylaw be maintained;

AND THAT staff report back on accessibility for visitors with disabilities (visitability) as a potential policy to advance residential accessibility in the City.

CARRIED UNANIMOUSLY

16. Olympic Signage – File: 3310-15-03/3020-01

Report: Planning Technician II, Community Development, January 6, 2010.

Moved by Councillor Clark, seconded by Councillor Trentadue

PURSUANT to the report of the Planning Technician, Community Development, dated January 6, 2010, entitled "Olympic Signage":

WHEREAS the City of North Vancouver is an Official 2010 Community Contributor for the 2010 Olympic & Paralympic Winter Games;

THAT staff be requested to withhold enforcement action on celebratory signs on private property for the 2010 Olympic & Paralympic Winter Games which have been approved through a staff review process and for which a letter of understanding regarding sign removal by March 31, 2010 has been signed and submitted.

CARRIED

Councillor Keating is recorded as voting contrary to the motion.

**Councillor Fearnley left the meeting at 10:35 p.m. declaring a conflict of interest regarding item 17 on the agenda, as his client is currently in negotiations with Concert Properties.

17. Harbourside Waterfront Official Community Plan Amendment Application (Concert Properties/Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Avenue) – File: 3300-07-02 / 3345-02 Fell Ave 18 / 3345-02 Harbourside Dr 801 / 3345-02 Harbourside Dr 889 / 3345-02 Harbourside Dr 925

Report: City Planner, Community Development, December 9, 2009.

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the City Planner, Community Development, dated December 9, 2009, entitled "Harbourside Waterfront Official Community Plan Amendment Application (Concert Properties / Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Avenue`)":

THAT staff be requested to process the Official Community Plan amendment application for the undeveloped commercial waterfront portion of the Harbourside Business Park, with an independent Planning Consultant leading the process under joint direction of the City and property owners at the applicant's cost;

17. Harbourside Waterfront Official Community Plan Amendment Application (Concert Properties/Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Avenue) – File: 3300-07-02 / 3345-02 Fell Ave 18 / 3345-02 Harbourside Dr 801 / 3345-02 Harbourside Dr 889 / 3345-02 Harbourside Dr 925 - Continued

AND THAT said application be aligned with the City's general Official Community Plan Update process to ensure that the planning study and Official Community Plan amendment process for the subject properties support municipal goals (i.e. Waterfront Project, Marine Drive Land Use Study, North Shore Spirit Trail, industrial land retention, etc.);

AND THAT staff be requested to report back with the proposed process for this planning study in the first quarter of 2010.

CARRIED UNANIMOUSLY

18. Sign Permit Application – Mowafaghian Foundation– File: 3345-02 Lons 1133

Report: Director, Community Development, January 5, 2010.

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the report of the Director, Community Development, dated January 5, 2010, entitled "Sign Permit Application – Mowafaghian Foundation":

THAT staff be directed to process a Development Variance Permit for the Mowafaghian Foundation signage at 1133 Lonsdale Avenue;

AND THAT the Development Application Fee be waived.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:40 p.m.