



**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, OCTOBER 24, 2011**  
**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  
R.G. Anderson, City Clerk  
K. Kenney, Deputy City Clerk  
F. Caouette, Director of Corporate Services  
I. Gordon, Director of Finance  
G. Penway, Deputy Director, Community  
Development  
L. Orr, Manager, Lands and Business Services  
P. Penner, Community Planner, Community  
Development  
B. McRae, Manager - Bylaw Services  
H. Reinhold, Waterfront Project Deputy  
Development Manager  
J. Piercey, Planner 1, Community Development  
M. Hunter, Manager, Parks & Environment  
A. Negenman, Environmental Technician  
J. Hodgins, Timekeeper

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

**ADOPTION OF MINUTES**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, October 17, 2011.

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT PERIOD – File: 0550-07-01**

- Mr. G. Pringle, 504 -125 West Keith Road, North Vancouver, spoke regarding “Metro Vancouver Voting”.
- Mr. J. Harvey, 33 1910 Cedar Village Crescent, North Vancouver, spoke regarding “North Vancouver RCMP”.

## **CONSENT AGENDA ITEMS**

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

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the resolutions listed within the “Consent Agenda” of October 24, 2011, be approved as follows:

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

**\*18. 2011 3<sup>RD</sup> Quarter Waterfront Project Update – File: 6740-01**

Report: Waterfront Project Deputy Development Manager,  
October 19, 2011.

**PURSUANT** to the report of the Waterfront Project Deputy Development Manager, dated October 19, 2011 entitled “2011 3rd Quarter Waterfront Project Update”:

**THAT** the report dated October 19, 2011 be received and filed.

**(CARRIED UNANIMOUSLY)**

### **BYLAWS – Second Reading Only**

**\*19. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011 No. 8196”  
(D. Accili / Kd. B Design Studio Limited, 250 and 252 East 10<sup>th</sup> Street,  
CD-613).**

**THAT** Bylaw No. 8196 be read a second time in short form.

**THAT** Bylaw No. 8196 be amended as follows:

In Part 3, item 2 (3) the second sentence, by adding “**attached parking**”, immediately after the phrase “For the purposed of CD-613;

After item (7), a new item (8) shall be inserted to read “**Lot Coverage shall not exceed a Lot Coverage of 50%**”; and the balance of the items renumbered accordingly.

**(CARRIED UNANIMOUSLY)**

**THAT** Bylaw No. 8196, as amended, be read a second time in short form.

**(CARRIED UNANIMOUSLY)**

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

- \*20. "Taxation Exemption Bylaw, 2010, No. 8105, Amendment Bylaw, 2011, No. 8203".

**THAT** the said Bylaw No. 8203 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaw No. 8203 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**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:

2. Section 90 (1)(c)
3. Section 90 (1)(c)

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:05 pm and reconvened at 6:30 p.m. with the same personnel present.

## **PROCLAMATION**

Mayor Mussatto read the following Proclamations:

**"VITAMIN D DAY" – NOVEMBER 2, 2011**

**"INTERNATIONAL EPIDERMOLYSIS BULLOSA AWARENESS WEEK"  
- OCTOBER 25 – 31, 2011**

## **DELEGATION**

### **Mr. Tyler Russell, Owner/Chief Curator, Café for Contemporary Art.**

Re: Lower Lonsdale's Waterfront Development – File: 6740-01

Mr. Tyler Russell, Owner/Chief Curator, Café for Contemporary Art, gave a PowerPoint presentation regarding “Lower Lonsdale's Waterfront Development”, as follows:

- inviting community conversation about the development of Lot 5;
- acknowledgement that Lot 5 is on Coast Salish territory;
- previous uses of the site;
- Provincial funding for National Maritime Centre pulled;
- In 2010 Lower Lonsdale Business Association held brainstorming session regarding the development of Lot 5;
- In July 2010, Café for Contemporary Art submitted unsolicited proposal to City for Presentation House at the Pier;
- proposal described;
- 249 signatures received supporting Presentation House at the Pier;
- after discussion with the Waterfront Development Office, plans were updated, then went silent;
- In summer, 2011, looked for ways to raise discussion about site;
- In August 2010 encouraged community to engage in conversation again;
- concluded through consultations that an inclusive community-based, results-oriented programme that brought momentum to the process of not only Lot 5's re-development, but the enlivening of the waterfront area as a whole was needed;
- dedicated spring gallery schedule to the process, making a continually accessible community gathering place available for the process;
- September 14, 2011 - Ben Woodyatt submits a Meet-Up series proposal;
- October, 2011 - Lovin LoLo photo project, Lower Lonsdale Past and Present photo exhibit;
- plan to host further events;
- invite the City to participate;
- financial support is welcome.

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

## **CORRESPONDENCE**

4. **Mr. Tyler Russell, Owner/Chief Curator, Café for Contemporary Art, September 19, 2011.**

Re: Lower Lonsdale's Waterfront Development – File: 6740-01

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the correspondence from Mr. Tyler Russell, Owner/Chief Curator, Café for Contemporary Art, dated September 19, 2011, and presentation regarding “Lower Lonsdale's Waterfront Development” be referred to staff for a report back to Council on how the City can support the process, including financial support.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the meeting recess to the Public Hearings scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:10 p.m. and reconvened at 7:10 p.m. with the same personnel present

## **DELEGATION**

### **Commissioner Wayne Robertson, North Vancouver Recreation Commission.**

Re: Recreation Needs Assessment and Facility Plan and Harry Jerome Redevelopment Project – File: 0360-20 NVRC-01

Commissioner Wayne Robertson, North Vancouver Recreation Commission, gave a presentation regarding “Recreation Needs Assessment and Facility Plan and Harry Jerome Redevelopment Project”, as follows:

- 2005 - the City received a consultant’s report following a detailed assessment of the Harry Jerome facility which concluded that a complete replacement was more cost effective than a renovation due to the aging condition of the buildings;
- 2006 – Commission undertook comprehensive needs assessment which included extensive community consultation;
- five findings related to Harry Jerome from that assessment included more fitness, indoor aquatics, dry floor space, gymnasium space and better performing arts space;
- plan was prepared based on needs with public input: three open houses, stakeholder briefings and delegations, website and newspaper comments, facility displays;
- Commission debated and altered plan and recommendations were submitted to the City and District in 2008;
- goal was to have a facility that would meet needs of the community for next 50 years and reflected projected needs of the community;
- since that time, Council has considered the new facility on a number of occasions;
- Feb 23, 2009 - the recommendation for a new Harry Jerome Recreation Centre was endorsed;
- some coordination attempted between City, District and the Commission on a Facility Steering Committee, although hasn’t met very recently;
- interest groups representing wants of public;
- concentration on needs rather than wants;
- if you add wants, costs will go up;
- in recommending new facility, costs are contained; cost per year of useful life would be half the cost for new facility than a renovated one;
- encouraged Council to base its decision about Harry Jerome on the needs assessment.

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

## **CORRESPONDENCE**

**5. Ms. Moira Ellis, Executive Assistant, on Behalf of the North Vancouver Recreation Commission, October 18, 2011.**

Re: Recreation Needs Assessment and Facility Plan and Harry Jerome Redevelopment Project – File: 0360-20 NVRC-01

Moved by Councillor Fearnley, seconded by Councillor Heywood

**THAT** the correspondence received from Ms. Moira Ellis, Executive Assistant, on behalf of the North Vancouver Recreation Commission, dated October 18, 2011, regarding “Recreation Needs Assessment and Facility Plan and Harry Jerome Redevelopment Project” be received and filed with thanks with special mention to Commissioner and former Chair Robertson for his years of service on the North Vancouver Recreation Commission.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** the meeting recess to the recessed Public Hearing regarding Bylaw No. 8024 and Bylaw No. 8025 scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:45 p.m. and reconvened at 8:25 p.m. with the same personnel present.

## **BYLAWS - Second and Third Readings**

6. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8024” (Luciano Pucci/Linda Valter Architect, 328-330 East 14<sup>th</sup> Street, Level One: Low Density to Level Three: Low Density).

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** the said Bylaw No.8024 be read a second time in short form;

**AND THAT** the applicant be directed to work with City staff and his neighbours to mitigate the impact of massing of the structure;

**AND THAT** the City implement Resident Only parking in the 300 block of East 14<sup>th</sup> street.

**DEFEATED**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** this item be deferred to a full Council.

**DEFEATED**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the meeting recess to the recessed Public Hearing regarding Bylaw No. 8201 scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 8:35 p.m. and reconvened at 8:40 p.m. with the same personnel present.



## **BYLAWS - Second and Third Readings**

8. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8201”  
(R. Bharbwaj/Karl Wein & Associates, 318 East 12<sup>th</sup> Street, RS-1 to RT-1).

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8201 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8201 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

9. **Federation of Canadian Municipalities (FCM), October 17, 2011.**

Re: FCM’s Sustainable Communities Conference (SCC) and Trade Show,  
*Making the Business Case for Sustainability*, February 8 – 10, 2012,  
Ottawa, Ontario – File: 0230-20 FCM-09

*Requested by Mayor Mussatto.*

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** Council members be authorized to attend the Federation of Canadian Municipalities “Sustainable Communities Conference and Trade Show”, to be held February 8 – 10, 2012, in Ottawa, Ontario;

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

**AND THAT** the funds be provided from the 2012 Legislative Conventions and Delegations Account.

**CARRIED UNANIMOUSLY**

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

### **10. Mackay Creek Estuary Restoration Project – File: 5225-03-01**

Report: Environmental Technician, Engineering, Parks & Environment, October 18, 2011.

Moved by Councillor Keating, seconded by Councillor Clark

**PURSUANT** to the report of the Environmental Technician, dated October 18, 2011, entitled “Mackay Creek Estuary Restoration Project”:

**THAT** funding totaling \$15,000 be contributed towards the Mackay Creek Estuary Restoration Project from the Sewerage and Drainage Utility Capital Funds, consisting of \$10,000 from the Environmental Enhancement Project (55026) and \$5,000 from the Storm Best Management Practices Project (55022);

**AND THAT** a copy of Council’s resolution be forwarded to the Parks and Environment Advisory Committee.

**CARRIED UNANIMOUSLY**

### **11. Housing Agreement for Citimark Development: 140-150 West 15<sup>th</sup> Street (CD-610) – File: 3360-20 Rez2011-00005 – 140-150 W 15<sup>th</sup>**

Report: Deputy Director, Community Development, October 19, 2011.

Moved by Councillor Clark, seconded by Councillor Keating

**PURSUANT** to the report of the Deputy Director, Community Development, dated October 19, 2011, entitled “Housing Agreement for Citimark Development: 140-150 West 15<sup>th</sup> Street (CD-610)”:

**THAT** “Housing Agreement Bylaw, 2011, No. 8209” (West 15<sup>th</sup> Project Holdings Limited (Inc. No. 889965), 140-150 West 15<sup>th</sup> Street, CD-610 Zone) be considered.

**CARRIED UNANIMOUSLY**

**BYLAWS - Introduction and First Three Readings**

12. "Housing Agreement Bylaw, 2011, No. 8209" (West 15<sup>th</sup> Project Holdings Limited (Inc. No. 889965), 140-150 West 15<sup>th</sup> Street, CD-610 Zone).

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** Bylaw No. 8209 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 Clark, seconded by Councillor Keating

**THAT** the said Bylaw No. 8209 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the said Bylaw No. 8209 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

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

- 13. Development Application 943 Shavington Street / Level-B Accessory Coach House (I. Yates, D. Hannah)  
– File: 3090-20 DVP2011-00005 – 943 Shavington St**

Report: Planning Technician 2, Community Development,  
October 18, 2011.

Moved by Councillor Keating, seconded by Councillor Clark

**PURSUANT** to the report of the Planning Technician 2, dated October 18, 2011, entitled “Development Application 943 Shavington Street / Level–B Accessory Coach House (I. Yates, D. Hannah)”:

**THAT** Development Variance Permit No. 2011-00005 be considered, for issuance under Section 922 of the Local Government Act;

**AND THAT** Development Permit No. 2011-00007 be considered with a 453 square foot deck for issuance under Section 920 of the Local Government Act;

**AND THAT** notification be circulated in accordance with Section 922 of the Local Government Act;

**AND THAT** a Public Meeting be scheduled;

**AND THAT** additional offsite works and community amenities listed in the October 18, 2011 report in the section “Community Amenities and Infrastructure Improvements” be secured, through agreements at the applicant’s expense and to the satisfaction of staff, as conditions of the Development Variance Permit.

**CARRIED UNANIMOUSLY**

## **MOTIONS AND NOTICES OF MOTIONS**

### **14. City Manager Review – File: 2730-01**

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Keating

**BE IT RESOLVED THAT** City Council develop policy on a timely performance review of the City Manager and annual goal setting for this position.

**CARRIED UNANIMOUSLY**

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

### **15. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8198” (6368 Lucky Construction Ltd. / Augustine Hii & Bill Curtis Designers, 137 St. David’s Avenue, CD-614).**

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** the said Bylaw No. 8198 be reconsidered.

**CARRIED**

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

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** the said Bylaw No. 8198 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED**

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

16. "Highways Closing and Disposition Bylaw, 2011, No. 8204" (The lane East of Lonsdale Avenue between East 12<sup>th</sup> Street and East 13<sup>th</sup> Street).

*As per Section 40 of the Community Charter, Mayor Darrell Mussatto invited any members of the public to come forward and make representation why the City Council should not proceed with the final adoption of Bylaw No. 8204. There were no speakers.*

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8204 be reconsidered.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8204 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

17. "Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2011, No. 8207" (Schedule B – Business License Fees and Housekeeping).

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8207 be reconsidered.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** the said Bylaw No. 8207 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

**RECESS**

Mayor Mussatto declared a recess at 9:00 p.m., for the public question period and reconvened the meeting at 9:01 p.m.

**INQUIRIES**

Nil

**ANY OTHER BUSINESS – NEW ITEMS**

Nil

**ADJOURNMENT**

Moved by Councillor Fearnley, seconded by Councillor Keating

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 9:02 p.m.