

**DISTRICT OF NORTH VANCOUVER
REGULAR MEETING OF COUNCIL**

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Minutes of the Regular Meeting of the Council for the District of North Vancouver held at 7:00 p.m. on Monday, December 9, 2013 in the Council Chamber of the District Hall, 355 West Queens Road, North Vancouver, British Columbia.

Present: Mayor R. Walton
Councillor R. Bassam
Councillor R. Hicks
Councillor L. Muri
Councillor A. Nixon

Absent: Councillor M. Little
Councillor D. MacKay-Dunn

Staff: Mr. D. Stuart, Chief Administrative Officer
Mr. B. Bydwell, General Manager – Planning, Properties & Permits
Mr. G. Joyce, General Manager – Engineering, Parks & Facilities
Mr. B. Dwyer, Manager – Development Services
Mr. J. Gordon, Manager – Administrative Services
Ms. S. Haid, Manager – Sustainable Community Development
Ms. M. Weston, Section Manager – Public Safety
Ms. L. Brick, Confidential Council Clerk
Ms. A. Mauboules, Social Planner

1. ADOPTION OF THE AGENDA 

1.1. December 9, 2013 Regular Meeting Agenda

**MOVED by Councillor MURI
SECONDED by Councillor BASSAM**

THAT the agenda for the December 9, 2013 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

CARRIED

2. PUBLIC INPUT 

Nil

3. PROCLAMATIONS 

3.1. Ugly Sweater Day – December 20, 2013

4. RECOGNITIONS

5. DELEGATIONS



Mayor Walton thanked Dr. Brian O'Connor, VCH Medical Health Officer, for his years of service as the North Shore's Chief Medical Health Officer and presented him with a certificate of appreciation and gift.

5.1. Dr. Brian O'Connor, VCH Medical Health Officer

Re: North Shore Community Wellness survey and the 2013 Work Plan from the VCH Memorandum of Understanding with the District of North Vancouver on the implementation of the OCP.

Dr. O'Connor advised that the work plan goals for 2014 include creating safe routes to schools, provide feedback on the design guidelines for town centres, and to develop a healthy community communication plan. Dr. O'Connor presented the findings of the North Shore Community Wellness Survey and invited residents to participate in the on-line survey at www.myhealthmycommunity.org.

MOVED by Councillor NIXON

SECONDED by Councillor BASSAM

THAT the presentation of Dr. Brian O'Connor, VCH Medical Health Officer be received for information.

CARRIED

6. ADOPTION OF MINUTES



Nil

7. RELEASE OF CLOSED MEETING DECISIONS



7.1. December 2, 2013, Closed Special Council Meeting

7.1.1. Advisory Oversight Committee Recommendations and Appointments

File No. 01.0360.20/076.000

Advisory Design Panel

THAT Ms. Amy Tsang be appointed to the Advisory Design Panel for 2 years with a term ending December 2015 and that this be released to the public;

AND THAT Ms. Liane McKenna and Mr. Kevin Hanvey be re-appointed to the Advisory Design Panel for a further 2 years with terms ending December 2015 and that this be released to the public.

Municipal Library Board

THAT Lucy Cayuela, Frank Sullivan, Gopi Chande, Sanford Osler, and Matthew Debock be reappointed to the Municipal Library Board for a further two years with terms ending December 2015 and that this be released to the public.

North Vancouver Museum & Archives Commission

THAT Victor James Elderton be appointed to the North Vancouver Museum & Archives Commission for three years with a term ending December 2016 and that this be released to the public;

AND THAT H. Douglas Colby be reappointed to the North Vancouver Museum & Archives Commission for a second three-year term ending December 2016 and that this be released to the public.

8. COMMITTEE OF THE WHOLE REPORT


Nil

9. REPORTS FROM COUNCIL OR STAFF 

MOVED by Councillor MURI
SECONDED by Councillor NIXON

THAT items 9.1, 9.2, 9.3, 9.4, and 9.7 be included in the Consent Agenda and be approved without debate.


CARRIED

9.1. Bylaw 8018: 2013-2017 Consolidated Financial Plan 
File No. 09.3900.20/000.000

MOVED by Councillor MURI
SECONDED by Councillor NIXON

THAT the “2013-2017 Consolidated Financial Plan Approval Bylaw 7981, 2013, Amending Bylaw 8018, 2013 (Amendment 1) is ADOPTED.

CARRIED

9.2. Bylaw 8021: Sewer Bylaw 
Bylaw 8022: Waterworks Bylaw
Bylaw 8023: Solid Waste Removal Bylaw
File No. 09.3900.20/000.000


MOVED by Councillor MURI
SECONDED by Councillor NIXON

THAT the “Sewer Bylaw 6656, 1994, Amendment Bylaw 8021, 2013 (Amendment 22)” is ADOPTED.

THAT the “Waterworks Regulation Bylaw 2279, 1958, Amendment Bylaw 8022, 2013 (Amendment 58)” is ADOPTED.

THAT the “Solid Waste Removal Bylaw 7631, 2007, Amendment Bylaw 8023, 2013 (Amendment 9)” is ADOPTED.

CARRIED

9.3. Bylaw 8020: Fees and Charges 
File No. 09.3900.20/000.000

MOVED by Councillor MURI
SECONDED by Councillor NIXON

THAT the “Fees and Charges Bylaw 6481, 1992, Amendment Bylaw 8020, 2013 (Amendment 39)” is

ADOPTED.

CARRIED

9.4. Bylaw 8019: Building Regulation Bylaw



File No. 09.3900.20/000.000

MOVED by Councillor MURI

SECONDED by Councillor NIXON

THAT the “Building Regulation Bylaw 7353, 2003, Amendment Bylaw 8019, 2013 (Amendment 14)” is ADOPTED.

CARRIED

9.5. 2297 Windridge Drive – Development Permit 49.13



File No. 08.3060.20/049.13

MOVED by Councillor MURI

SECONDED by Councillor BASSAM

THAT Development Permit 49.13, to allow for a two lot subdivision of an existing property at 2297 Windridge Drive, is issued.

CARRIED

9.6. OCP Amendment and Rezoning – Redevelopment of Lynn Valley United Church (3201 – 3205

Mountain Highway)



File No. 08.3060.20/026.13

Public Input:

Mr. Doug Purdy, LPA Development, 200 Block West 21st Avenue, Vancouver:

- Spoke in favour of the redevelopment proposal;
- Commented that the Lynn Valley United Church has been in Lynn Valley for more than 100 years; and,
- Opined that this redevelopment will transform the church in unison with the needs of the community.

MOVED by Councillor BASSAM

SECONDED by Councillor HICKS

THAT

1. Bylaw 8013, which amends the District of North Vancouver Official Community Plan to change the land use designation for a portion of the site from “Institutional” to RES5 (“Residential Level 5: Low Density Apartment”), is given FIRST Reading;
2. Bylaw 8014, which rezones the subject site from Public Assembly Zone (PA) to Comprehensive Development Zone 75 (CD75) to enable the development of a 75 unit residential apartment project and a church building, is given FIRST Reading;
3. Bylaws 8013 and 8014 be referred to a Public Hearing;
4. Bylaw 8015, which waives Development Cost Charges for the proposed four units of affordable rental housing in the project, is given FIRST, SECOND, and THIRD reading;
5. Bylaw 8016, which authorizes a Housing Agreement to prevent future rental restrictions, is given FIRST Reading;

6. Bylaw 8017, which authorizes a Housing Agreement for the four units of affordable rental housing proposed in the project is given FIRST Reading;
7. The Mayor and Clerk be authorized to execute all necessary documentation to implement the associated Housing Agreements;
8. Pursuant to Section 879 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaw 8013; and,
9. In accordance with Section 882 of the Local Government Act, Council has considered Bylaw 8013 in conjunction with its Financial Plan and applicable Waste Management Plans.

CARRIED

9.7. Bylaw 7983: 3508-3520 Mt. Seymour Parkway (Rezoning Bylaw 1290) and Bylaw 7993: Housing

Agreement



(3508 – 3520 Mt. Seymour Parkway)

File No. 08.3060.20/076.12

MOVED by Councillor MURI

SECONDED by Councillor NIXON

THAT “District of North Vancouver Rezoning Bylaw 1290 (Bylaw 7983) is ADOPTED.

THAT “Housing Agreement Bylaw 7993, 2013” is ADOPTED.

CARRIED

9.8. Remedial Action Order: 1576/1582 Merlynn Crescent



File No.

9.8.1. Remedial Action Requirements – 1576 and 1582 Merlynn Crescent

Memo: David Stuart, Chief Administrative Officer

9.8.2. Remedial Action Requirements – 1576 Merlynn Crescent: Unsafe Condition

Public Input:

Mr. Edward Bickford, spoke on behalf of Mr. Mostafa Madaninejad:

- Noted that the current homeowners purchased the home in 1997 and have not made any significant changes to the building or rear yard landscaping;
- Advised that the 2008 Landslide Risk Assessment listed the property as having a tolerable risk;
- Commented on the estimated cost of the remediation work;
- Expressed concern that the unsafe conditions were approved by the District during the building process in 1964; and,
- Expressed concern regarding the wording of the letter Mr. Mostafa Madaninejad was requested to sign prior to the District installing tarps on the slope.

MOVED by Councillor NIXON

SECONDED by Councillor BASSAM

THAT

1. Council declares, pursuant to section 73 of the *Community Charter*, SBC 2003 c. 26, that the property, legally described as: 1576 Merlynn Crescent, PID: D-9772-20, Lot 20, Block D Westlynn Plan 9772 (the “Property”) is in and creates an unsafe condition due to slope

stability.

2. Council hereby imposes the following remedial action requirements (the “Remedial Action Requirements”) on Mr. Mostafa Madaninejad and Ms. Fatemeh Khosravi-Amiri the registered owners of the Property (the “Owners”) to address and remediate the above unsafe condition:
 1. Select a remediation plan option and indicate to the District in writing the selected option by January 15, 2014 and submit all necessary permit applications to the District by February 15, 2014.
 2. Complete the work in accordance with the selected remediation plan and issued permits by April 30, 2014.
 3. The Owner’s Qualified Professional must provide a report to the District within three weeks following completion of the work, certifying the safe condition of the slope.
 4. Council hereby directs that in the case of failure of the Owner to comply with the Remedial Action Requirements, then:
 - a. The District, its contractors or agents may enter the Property and may carry out the following remedial actions:
 - I. Generally restore the Property to a safe condition (Option A: 1582 Remediation Plan and Option A: 1576 Remediation Plan) to the satisfaction of the Chief Building Official; and,
 - II. For the foregoing purposes may retain the services of a professional engineer to provide advice and certifications;
 - b. The charges incurred by the District in carrying out the aforementioned remedial actions will be recovered from the Owner as a debt; and,
 - c. If the amount due to the District under 4(b) above is unpaid on December 31st in any year then the amount due shall be deemed to be property taxes in arrears under section 258 of the *Community Charter*.

CARRIED

9.8.3. Remedial Action Requirements – 1582 Merlynn Crescent: Unsafe Condition

MOVED by Councillor NIXON
SECONDED by Councillor BASSAM
THAT

1. Council declares, pursuant to section 73 of the *Community Charter*, SBC 2003 c. 26, that the property, legally described as: 1582 Merlynn Crescent, PID: D-9771-20, Lot 21, Block D Westlynn Plan 9772 (the “Property”) is in and creates an unsafe condition due to slope stability.
2. Council hereby imposes the following remedial action requirements (the “Remedial Action Requirements”) on Mr. William Wallace and Mrs. Patricia Wallace, the registered owners (the “Owners”) to address and remediate the above unsafe condition:
 1. Select a remediation plan option and indicate to the District in writing the selected option by January 15, 2014 and submit all necessary permit applications to the District by February 15, 2014.
 2. Complete the work in accordance with the selected remediation plan and issued permits by April 30, 2014.
 3. The Owner’s Qualified Professional must provide a report to the District within three weeks following completion of the work, certifying the safe condition of the slope.
 4. Council hereby directs that in the case of failure of the Owner to comply with the Remedial Action Requirements, then:
 - a. The District, its contractors or agents may enter the Property and may carry out the following remedial actions:
 - I. Generally restore the Property to a safe condition (Option A: 1576 Remediation Plan and Option A: 1576 Remediation Plan) to the satisfaction of the Chief Building

Official; and,

- II. For the foregoing purposes may retain the services of a professional engineer to provide advice and certifications;
- b. The charges incurred by the District in carrying out the aforementioned remedial actions will be recovered from the Owner as a debt; and,
- c. If the amount due to the District under 4(b) above is unpaid on December 31st in any year then the amount due shall be deemed to be property taxes in arrears under section 258 of the *Community Charter*.

CARRIED

10. REPORTS



Mayor Walton and Council wished everyone a safe and happy holiday season.

11. ANY OTHER BUSINESS

Nil

12. ADJOURNMENT

MOVED by Councillor MURI

SECONDED by Councillor HICKS

THAT the December 9, 2013 Regular Meeting of Council for the District of North Vancouver be adjourned.

CARRIED
(8:19 pm)

Mayor

Municipal Clerk