

MINUTES OF THE REGULAR MEETING
OF THE COUNCIL OF THE CITY OF NANAIMO
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON MONDAY, 2009-DEC-14 COMMENCING AT 7:00 P.M.

PRESENT: His Worship Mayor J.R. Ruttan, Chair

Members: Councillor W. L. Bestwick
Councillor W. J. Holdom (arrived 7:09 p.m.)
Councillor D. K. Johnstone
Councillor J. A. Kipp
Councillor L. D. McNabb
Councillor J. F. K. Pattje
Councillor L. J. Sherry
Councillor M. W. Unger

Staff: A. C. Kenning, City Manager
A. W. Laidlaw, General Manager of Community Services
D. W. Holmes, General Manager of Corporate Services
E. C. Swabey, General Manager of Development Services
I. Howat, Director of Legislative Services
T. M. Hickey, Director of Engineering and Public Works
T. P. Seward, Director of Development
Chief R. Lambert, Nanaimo Fire Rescue
A. J. Tucker, Director of Planning
R. J. Harding, Director of Parks, Recreation and Culture
P. Kristensen, Director of Information Technology
C. Scott, E-Government/Communications Officer
J. E. Harrison, Manager of Legislative Services
L. Dennis, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Meeting was called to order at 7:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 6 (d) – Delegations Pertaining to Items on the Agenda – Mr. Fred Taylor regarding Information Report on Pioneer Cemetery Park and the Cemetery Bylaw.
- (b) Add Agenda Item 6 (e) – Delegations Pertaining to Items on the Agenda – Mr. Fred Taylor regarding Information Report on Piper Park/Old Museum Building Redevelopment.
- (c) Add Agenda Item 6 (f) - Delegations Pertaining to Items on the Agenda – Ms. Jacqueline Barley regarding Information Report on Piper Park/Old Museum Building Redevelopment.

- (d) Add Agenda Item 6 (g) – Delegations Pertaining to Items on the Agenda - Dr. Eric W. Ricker, regarding Information Report on Piper Park/Old Museum Building Redevelopment.
- (e) Add Agenda Item 6 (h) – Delegations Pertaining to Items on the Agenda - Mr. Lawrence Sperling, regarding Information Report on 2009/2010 Burn It Smart – Woodstove Exchange Program.
- (f) Add Agenda Item 8 (a) – Proclamations – “FRANK NEY POLAR BEAR SWIM DAY.”
- (g) Delete Agenda Item 11 (k) – Staff Reports – Unsightly Premises – 626 Haliburton Street.

3. ADOPTION OF AGENDA:

58509 It was moved and seconded that the Agenda, as amended, be adopted. The motion carried unanimously.

4. ADOPTION OF MINUTES:

58609 It was moved and seconded that the Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC on Monday, 2009-NOV-23 at 7:00 p.m. be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Mayor Ruttan and Parks, Recreation and Culture Chair McNabb announced the renaming of Gyro Youth Park to “Sid Clark Gyro Park.” In attendance were several members of the Clark family, as well as Mr. Dave Bakes of the Gyro Club.
- (b) Mr. Paul Sadler, General Manager of Harmac gave an update on Harmac business operations and on the current Canadian Pulp and Paper Green Transformation program whereby Harmac has been provided with \$27 Million in credits towards funding capital upgrades which have environmental benefits.

6. DELEGATIONS PERTAINING TO AGENDA ITEMS:

58709 It was moved and seconded that the Delegations be permitted to address Council. The motion carried unanimously.

- a) Delegations Pertaining to the 2010 – 2014 Financial Plan
 - There were no delegations regarding the 2010-2014 Financial Plan.

- (b) Mr. Doug Bromage, Insight Developments, 711 Poplar Street, Nanaimo, informed Council that he was available to answer questions and clarify any issues that may arise regarding Development Variance Permit No. DVP148.
- (c) Mr. George Hanson, Insight Developments, 711 Poplar Street, Nanaimo, informed Council that he was available to answer questions and clarify any issues that may arise regarding Development Variance Permit No. DVP148.
- (d) Mr. Fred Taylor, 204 Emery Lane, Nanaimo, spoke regarding the Information Report on Pioneer Cemetery Park and the Cemetery Bylaw and inquired as to whether part of the Bowen Road Cemetery is to be used for Bowen Road expansion. Mr. Taylor urged Council to register all cemeteries with the archaeology branch.
- (e) Mr. Fred Taylor, 204 Emery Lane, Nanaimo, spoke against demolishing the old museum building at Piper Park and suggested that the building might be used by the Nanaimo Archives for record storage.
- (f) Ms. Jacqueline Barley, 1612 Creekside Drive, Nanaimo, spoke against demolishing the old museum building at Piper Park and reminded Council of the building's many unique architectural details. Ms. Barley feels that there may be many user groups interested in using such a space for their activities.
- (g) Dr. Eric W. Ricker, 3052 Hammond Bay Road, Nanaimo, was not present at the meeting due to snowfall.
- (h) Mr. Lawrence Sperling, 297 Villa Road, Nanaimo, spoke regarding nuisance woodstove smoke.

58809 It was moved and seconded that Council direct Staff to review the nuisance bylaw and other applicable bylaws in relation to nuisance woodstove smoke. The motion carried unanimously.

7. MAYOR'S REPORT:

(a) Google Earth Challenge

Google Earth has challenged communities to submit 3D mapping images. The Mayor challenged citizens to participate by creating models or taking photographs of buildings and neighbourhoods that say something about the character of our community. Anyone interested in participating can get more information by emailing modelnanaimo@nanaimo.ca. Mayor Ruttan complimented the Information Technology Department under Mr. Per Kristensen for all their work in getting Nanaimo recognized as a Google Earth capital.

8. PROCLAMATIONS:

- (a) That 2009-DEC-26 is "FRANK NEY POLAR BEAR SWIM DAY" in the City of Nanaimo.

9. COMMISSION REPORTS:

(a) Neck Point Park

Mr. Richard Harding, Director of Parks, Recreation and Culture, invited everyone to the opening of the newly expanded portion of Neck Point Park on 2009-DEC-17 at 10:15 a.m. The updated planning process for the remainder of the park will start in the new year and will include a public consultation process.

(b) Minutes of the Parks, Recreation and Culture Commission Meeting held 2009-OCT-28

58909 It was moved and seconded that Council receive the Minutes of the Parks, Recreation and Culture Commission meeting held 2009-OCT-28. The motion carried unanimously.

(c) Parks, Recreation and Culture Commission - 2010 Sport Tournament Grant Requests

59009 It was moved and seconded that Council approve the following 2010 Sport Tournament Grant requests:

ORGANIZATION	Requested	Recommended
Nanaimo Riptides Swim Team	\$1,500	\$1,000
Nanaimo Canoe and Kayak Club	\$1,073.25	\$500
Wellington Pleasant Valley Softball	\$1,500	\$750
Nanaimo PeeWee Hockey Tournament	\$1,000	\$1,000
Nanaimo Atom A Clippers	\$950	\$500
Nanaimo Atom B Clippers	\$950	\$500
Nanaimo Curling Club	\$4,000	\$2,000
Nanaimo Judo Club	\$1,200	\$850
Nanaimo Kennel Club	\$5,895	\$1,500
Nanaimo Ebttides Masters Swim Club	\$5,000	PRCC
VIEX – Skateboard “SkateJam” Competition	\$4,950	Tabled to 2 nd Intake
Nanaimo & District Lacrosse Association	\$1,050	\$950
TOTAL	\$29,068.25	\$9,550

The motion carried unanimously.

Councillor Kipp vacated the Shaw Auditorium on a perceived conflict of interest as he is a referee and will benefit personally from the amendment to the Nanaimo Athletic Commission Bylaw.

(d) Nanaimo Athletic Commission – Proposed Revision of the Nanaimo Athletic Commission Event Fees and Charges

59109 It was moved and seconded that Council receive the report pertaining to “NANAIMO ATHLETIC COMMISSION BYLAW AMENDMENT BYLAW 2009 NO. 7019.01.” The motion carried unanimously.

Councillor Kipp returned to the Shaw Auditorium.

10. COMMITTEE REPORTS:

(a) 2009 Grants Advisory Committee Recommendations

59209 It was moved and seconded that Council deny an Other Grant to the Nanaimo Minor Baseball Association (OG-08) for \$22,000. The motion carried unanimously.

59309 It was moved and seconded that Council award a 2010 Other Grant to the Nanaimo Empire Days Society (OG-01) for \$12,000. The motion carried.
Opposed: Councillor Holdom

59409 It was moved and seconded that Council award a Security Check Grant to the Nanaimo Minor Baseball Association (SC-04) for \$300. The motion carried unanimously.

59509 It was moved and seconded that Council deny an appeal for a Permissive Tax Exemption to the Nanaimo & District Hospital Foundation (PTE-02). The motion carried unanimously.

11. STAFF REPORTS:

DEVELOPMENT SERVICES:

(a) Report of the Public Hearing held Thursday, 2009-DEC-03 for Bylaw Nos. 4000.467 and 4000.468

59609 It was moved and seconded that Council receive the report and the minutes of the Public Hearing held on Thursday, 2009-DEC-03 for Bylaw Nos. 4000.467 and 4000.468. The motion carried unanimously.

(b) Property Gifting – 5978 Icarus Drive

59709 It was moved and seconded that Council:

1. approve the acquisition of the subject property as outlined in the report;
2. send a letter thanking the owner for the property on behalf of the Municipality;
3. authorize the Mayor and the General Manager of Development Services to execute the documents necessary to effect the transaction; and,
4. refer the property gifting to the Parks, Recreation and Culture Commission to review its potential as parkland.

The motion carried unanimously.

- (c) LA45 / Permanent Change to a Liquor-Primary License – Dining Under the Stars – 489 Wallace Street

59809 It was moved and seconded that Council recommend the Liquor Control and Licensing Branch (LCLB) approve the application to extend Dining Under the Stars' closing hour of liquor service from 12 a.m. to 1 a.m., Monday to Sunday. The motion carried.

Opposed: Councillor Bestwick

- (d) LA46 / Entertainment Endorsement for a Food-Primary Liquor License – Rendez Vous Restaurant – 489 Wallace Street

59909 It was moved and seconded that Council :

1. not support the application to extend the closing hour of liquor service from 12 a.m. to 1 a.m., Monday to Sunday; and,
2. not support the application to allow patron participation entertainment within the food-primary licensed area, as described within Schedule 'B'.

60009 It was moved and seconded that Council refer the recommendation back to Staff for further consideration. The motion carried.

Opposed: Councillor Sherry

- (e) DVP148 - 809 Beringer Boulevard, 540 to 579 Sarum Rise Way, 470 to 515 Menzies Ridge, 539 Stonewater Drive, 340 to 370 and 376 Poets Trail Drive

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to DVP148 .

Mr. Douglas McBride, owner, 185 Garner Crescent requested that Council approve DVP148 but with the assurance that a restrictive covenant be registered to protect the bank below the properties on Garner Crescent.

Mr. Doug Bromage, Insight Developments, confirmed that the intention is to register restrictive covenants on those properties located against the bank.

60109 It was moved and seconded that Council issue Development Variance Permit No. DVP148 at 809 Beringer Boulevard, 540 to 579 Sarum Rise Way, 470 to 515 Menzies Ridge, 539 Stonewater Drive, 340 to 370 and 376 Poets Trail Drive. The motion carried unanimously.

- (f) RA225 – 3 Leam Road

60209 It was moved and seconded that Council:

1. receive the report pertaining to "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.470;" and,

2. direct Staff to secure a trail right-of-way and to register a covenant to secure road dedication, traffic calming, unit restriction, trail dedication, storm water predevelopment flows, erosion and sediment control, and community contribution.

The motion carried unanimously.

Councillor Kipp vacated the Shaw Auditorium on a perceived conflict of interest as he was involved in the design of a project at 5600 Vanderneuk Road.

(g) RA231 – Part of 5600 Vanderneuk Road

60309 It was moved and seconded that Council receive the report pertaining to “ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.471.” The motion carried unanimously.

Councillor Kipp returned to the Shaw Auditorium.

(h) RA234 – 5040 Hammond Bay Road

60409 It was moved and seconded that Council:

1. receive the report pertaining to “ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.472”; and,
2. direct Staff to secure the community contribution and to register a covenant to secure shared vehicle access, general building design and Development Cost Charges (DCC’s).

The motion carried unanimously.

(i) Official Community Plan Amendment Application And Rezoning Application – OCP048 And RA216 – 446 Milton Street

60509 It was moved and seconded that Council:

1. receive the report pertaining to “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.008”;
2. receive the report pertaining to “ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.469”; and,
3. direct Staff to secure lane widening, railway signal installation, storm water pre-development flows, erosion and sediment control, and community contribution.

The motion carried unanimously.

(j) Official Community Plan Amendment Application OCP51 – Oceanview Master Plan – 950, 960, 1170 1260, 1270 Phoenix Way

60609 It was moved and seconded that Council receive the report pertaining to “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.007.” The motion carried.

Opposed: Councillor Pattje

(k) Unightly Premises – 4715 Hammond Bay Road

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unsightly premises at 4715 Hammond Bay Road.

No one in attendance wished to make a presentation with respect to this matter.

60709 It was moved and seconded that Council, pursuant to “PROPERTY MAINTENANCE BYLAW 1990 NO. 3704” and amendments thereto, direct the owner(s) of 4715 Hammond Bay Road to remove discarded construction materials and debris, household furniture, household items, automobile parts, wood, wood debris, broken fence panels, household garbage, and miscellaneous debris from the premises within fourteen (14) days, or the work will be undertaken by the City’s agents at the owner(s) cost. The motion carried unanimously.

(l) Unightly Premises – 5492 Mildmay Road

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unsightly premises at 5492 Mildmay Road.

No one in attendance wished to make a presentation with respect to this matter.

60809 It was moved and seconded that Council, pursuant to “PROPERTY MAINTENANCE BYLAW 1990 NO. 3704” and amendments thereto, direct the owner(s) of 5492 Mildmay Road to remove the derelict Chrysler Intrepid automobile, discarded household garbage, household furniture, automobile tires, and miscellaneous debris from the premises within fourteen (14) days, or the work will be undertaken by the City’s agents at the owner(s) cost. The motion carried unanimously.

(m) Unightly Premises – 3092 Neyland Drive

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unsightly premises at 3092 Neyland Drive.

No one in attendance wished to make a presentation with respect to this matter.

60909 It was moved and seconded that Council, pursuant to “PROPERTY MAINTENANCE BYLAW 1990 NO. 3704” and amendments thereto, direct the owner(s) of 3092 Neyland Drive to remove discarded household furniture, household garbage, construction debris, and miscellaneous debris from the premises within fourteen (14) days, or the work will be undertaken by the City’s agents at the owner(s) cost. The motion carried unanimously.

(n) Unightly Premises – 994 Park Avenue

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unsightly premises at 994 Park Avenue.

No one in attendance wished to make a presentation with respect to this matter.

61009 It was moved and seconded that Council, pursuant to "PROPERTY MAINTENANCE BYLAW 1990 NO. 3704" and amendments thereto, direct the owner(s) of 994 Park Avenue to remove four derelict vehicles (Toyota Land Cruiser, GMC pickup, Ford flatdeck pickup, travel trailer), lumber, tires, household garbage, appliances, furniture, wooden pallets, barbeque, propane tank, and miscellaneous debris from the premises within fourteen (14) days, or the work will be undertaken by the City's agents at the owner(s) cost. The motion carried unanimously.

(o) Unightly Premises – 635 Terminal Avenue

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unsightly premises at 635 Terminal Avenue.

No one in attendance wished to make a presentation with respect to this matter.

61109 It was moved and seconded that Council, pursuant to "PROPERTY MAINTENANCE BYLAW 1990 NO. 3704" and amendments thereto, direct the owner(s) of 635 Terminal Avenue to remove the accumulation of construction materials, lumber, discarded windows, and miscellaneous debris from the premises within fourteen (14) days, or the work will be undertaken by the City's agents at the owner(s) cost. The motion carried unanimously.

(p) Unresolved Building Deficiencies – Notice on Title (Section 57)

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to unresolved building deficiencies.

No one in attendance wished to make a presentation with respect to this matter.

61209 It was moved and seconded that Council, by resolution, instruct the Director of Legislative Services to file a Bylaw Contravention Notice respecting the properties listed below at the Land Title and Survey Authority of British Columbia under Section 57 of the *Community Charter*.

- (1) 1048 Victoria Road – Illegal Grow Operation / Enclose Carport to create Living Space and front Addition
- (2) 8 Fourth Street – Illegal Grow Operation / Finished Basement and Enclosed Storage Area

The motion carried unanimously.

(q) Structure Removal Order – Illegal Grow Operation – 8 Fourth Street

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to the structure removal order at 8 Fourth Street.

No one in attendance wished to make a presentation with respect to this matter.

61309 It was moved and seconded that Council, pursuant to Sections 72 and 73 of the *Community Charter*, order the owner of 8 Fourth Street to remove the structure or bring it up to standard within thirty (30) days or the work will be done by the City or its agents at the owner's cost. The motion carried unanimously.

(r) Structure Removal Order – Illegal Grow Operation – 1048 Old Victoria Road

Mayor Ruttan inquired if there was anyone wishing to speak to the report pertaining to the structure removal order at 1048 Victoria Road.

No one in attendance wished to make a presentation with respect to this matter.

61409 It was moved and seconded that Council, pursuant to Sections 72 and 73 of the *Community Charter*, order the owner of 1048 Old Victoria Road to remove the structure or bring it up to standard within thirty (30) days or the work will be done by the City or its agents at the owner's cost. The motion carried unanimously.

CORPORATE SERVICES:

(s) Water/Sewer User Fee Subsidies

61509 It was moved and seconded that Council receive the report pertaining to "USER FEE SUBSIDY BYLAW 2009 NO. 7095." The motion carried unanimously.

COMMUNITY SERVICES:

(t) Purchase 100' Aerial Platform

61609 It was moved and seconded that Council:

1. award the purchase of a new 100' Aerial Platform at the cost of \$1,066,692. to Wholesale Fire Rescue of Calgary, Alberta; and,
2. approve the purchase of related equipment at a cost of \$100,000.

The motion carried unanimously.

12. INFORMATION ONLY ITEMS:

- (a) Report from Ms. J. E. Harrison, Manager of Legislative Services, re: Renaming Gyro Youth Park.
- (b) Report from Mr. B. Anderson, Manager of Community Planning, re: Neighbourhood Plan Process Update.
- (c) Report from Mr. B. Anderson, Manager of Community Planning, re: 2009/2010 Burn It Smart – Woodstove Exchange Program.
- (d) Report from Mr. T. Hickey, Director, Engineering & Public Works and Mr. G. Franssen, Manager, Sanitation, Recycling & Cemeteries, re: Pioneer Cemetery Park and the Cemetery Bylaw.
- (e) Report from Mr. R. Harding, Director of Parks, Recreation and Culture, re: Piper Park/Old Museum Building Redevelopment.

- (f) Report from Ms. M. Hutchinson, Economic Development Officer, re: Richmond O Zone Project February 12-28, 2010.

13. RECONSIDERATION OF BYLAWS:

- (a) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.465" (RA227 – 2183 & 2177 Salmon Road – to rezone the properties from Single Family Residential Zone [Large Lot] [RS-2] to Residential Duplex Zone [RM-1] in order to permit the construction of a duplex on each lot).

61709 It was moved and seconded that "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.465" be adopted. The motion carried unanimously.

- (b) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.467" (RA218 - to rezone 5220 Metral Drive from Single Family Residential Zone [RS-1] to Comprehensive Development District Zone 7 [CD-7] to facilitate the construction of a mixed-use development).

61809 It was moved and seconded that "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.467" pass third reading. The motion carried unanimously.

- (c) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.468" (RA230 - to rezone 6155 Metral Drive from Single Family Residential Zone [RS-1] to Mixed Use Commercial Zone [C-4] to facilitate the construction of a mixed-use development).

61909 It was moved and seconded that "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.468" pass third reading. The motion carried unanimously.

- (d) "TRAFFIC AND HIGHWAYS REGULATION BYLAW AMENDMENT BYLAW 2008 NO. 5000.037" (To amend Schedule "A" – Parking Fees and Schedule "E" – Fine Schedule).

61909 It was moved and seconded that "TRAFFIC AND HIGHWAYS REGULATION BYLAW AMENDMENT BYLAW 2008 NO. 5000.037" be adopted. The motion carried unanimously.

- (e) "WATERWORKS RATE AND REGULATION BYLAW AMENDMENT BYLAW 2009 NO. 7004.04" (to replace Schedule A – Water Rates and Schedule B – Fireline Rates).

62009 It was moved and seconded that "WATERWORKS RATE AND REGULATION BYLAW AMENDMENT BYLAW 2009 NO. 7004.04" be adopted. The motion carried unanimously.

- (f) “CEMETERY BYLAW 2009 NO. 7084” (to regulate the operation and maintenance of cemeteries and the interment or other disposition of the dead).

62109 It was moved and seconded that “CEMETERY BYLAW 2009 NO. 7084” be adopted. The motion carried unanimously.

- (g) “GARBAGE AND RECYCLABLES COLLECTION BYLAW AMENDMENT BYLAW 2009 NO. 7089.01” (to replace Schedule A – Rates and Charges).

62209 It was moved and seconded that “GARBAGE AND RECYCLABLES COLLECTION BYLAW AMENDMENT BYLAW 2009 NO. 7089.01” be adopted. The motion carried unanimously.

- (h) “REVENUE ANTICIPATION BORROWING BYLAW 2009 NO. 7096” (to provide for the borrowing of money in anticipation of revenue).

62309 It was moved and seconded that “REVENUE ANTICIPATION BORROWING BYLAW 2009 NO. 7096” be adopted. The motion carried unanimously.

14. INTRODUCTION OF BYLAWS:

Councillor Kipp vacated the Shaw Auditorium on a perceived conflict of interest as he is a referee and will benefit personally from the amendment to the Nanaimo Athletic Commission Bylaw.

- (a) “NANAIMO ATHLETIC COMMISSION BYLAW AMENDMENT BYLAW 2009 NO. 7019.01” (to replace Schedule A – Nanaimo Athletic Commission Fees).

62409 It was moved and seconded that “NANAIMO ATHLETIC COMMISSION BYLAW AMENDMENT BYLAW 2009 NO. 7019.01” pass first reading. The motion carried unanimously.

62509 It was moved and seconded that “NANAIMO ATHLETIC COMMISSION BYLAW AMENDMENT BYLAW 2009 NO. 7019.01” pass second reading. The motion carried unanimously.

62609 It was moved and seconded that “NANAIMO ATHLETIC COMMISSION BYLAW AMENDMENT BYLAW 2009 NO. 7019.01” pass third reading. The motion carried unanimously.

Councillor Kipp returned to the Shaw Auditorium.

- (b) “USER FEE SUBSIDY BYLAW 2009 NO. 7095” (to provide for user fee subsidies for those persons deemed to be in special circumstances).

62709 It was moved and seconded that “USER FEE SUBSIDY BYLAW 2009 NO. 7095” pass first reading. The motion carried unanimously.

62809 It was moved and seconded that “USER FEE SUBSIDY BYLAW 2009 NO. 7095” pass second reading. The motion carried unanimously.

62909 It was moved and seconded that "USER FEE SUBSIDY BYLAW 2009 NO. 7095" pass third reading. The motion carried unanimously.

15. INTRODUCTION OF DEVELOPMENT BYLAWS:

(a) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.469" (RA216 – to rezone 446 Milton Street from Old City Low Density Residential [Fourplex] Zone [RM-9] to Old City Medium Density Multiple Family Residential Zone [RM-10] to facilitate the construction of a multi-family development).

63009 It was moved and seconded that ""ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.469" pass first reading. The motion carried unanimously.

63109 It was moved and seconded that ""ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.469" pass second reading. The motion carried unanimously.

(b) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.470" (RA225 — to rezone 3 Leam Road from Single Family Residential Zone [RS-1] to Medium Density Multiple Family Residential [Suburban] Zone [RM-5] to facilitate the construction of a multi-family residential development).

63209 It was moved and seconded that ""ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.470" pass first reading. The motion carried unanimously.

63309 It was moved and seconded that ""ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.470" pass second reading. The motion carried unanimously.

Councillor Kipp vacated the Shaw Auditorium on a perceived conflict of interest as he was involved in the design of a project at 5600 Vanderneuk Road.

(c) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.471" (RA231 – Part of 5600 Vanderneuk Road – to rezone part of the subject property from Rural Agricultural/Residential Zone [A-2] to Single Family Residential Zone [RS-1] in order to facilitate a lot boundary adjustment).

63409 It was moved and seconded that "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.471" pass first reading. The motion carried unanimously.

63509 It was moved and seconded that ""ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.471" pass second reading. The motion carried unanimously.

Councillor Kipp returned to the Shaw Auditorium.

(d) "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.472" (RA234 — to rezone 5040 Hammond Bay Road from Single Family Residential Zone [RS-1] to Residential Duplex Zone [RM-1] and Single Family Residential Small Lot Zone [RS-6] to facilitate subdivision of the lot).

63609 It was moved and seconded that "ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.472" pass first reading. The motion carried unanimously.

63709 It was moved and seconded that ““ZONING BYLAW AMENDMENT BYLAW 2009 NO. 4000.472” pass second reading. The motion carried unanimously.

- (e) “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.007” (OCP51 – 950 / 960 / 1170 / 1260 / 1270 Phoenix Way – to include the Oceanview Master Plan within the OCP to permit a comprehensive mixed-use resort development).

63809 It was moved and seconded that “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.007” pass first reading. The motion carried.
Opposed: Councillors Pattje and Sherry

63909 It was moved and seconded that “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.007” pass second reading. The motion carried.
Opposed: Councillors Pattje and Sherry

- (f) “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.008” (OCP48 – 446 Milton Street – to include a site specific policy to permit a seven-unit multiple-family residential development).

64009 It was moved and seconded that “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.008” pass first reading. The motion carried unanimously.

64109 It was moved and seconded that “OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2009 NO. 6500.008” pass second reading. The motion carried unanimously.

16. CORRESPONDENCE:

- (a) Letter from Mr. Darrell Mussatto, Mayor of the City of North Vancouver, 141 West 14th Street, Vancouver, BC V7M 1H9, to The Honourable Gordon Campbell, requesting that the provincial government support the non-profit cultural sector in British Columbia by reinstating funding that has been cut for community cultural events.
- (b) Letter from Mr. Kash Heed, Solicitor General, PO Box 9053 Stn Prov Govt, Victoria, BC V8W 9E2, responding to Council’s letter of 2009-OCT-26 (attached), and a copy of the letter from the City of Burnaby to the Solicitor General expressing concerns regarding the increase in rates of the PRIME-BC police records management system.
- (c) Memo from Mayor Christopher Causton, President, Association of Vancouver Island and Coastal Communities, 525 Government Street, Victoria, BC V8V 1A8, regarding the AVICC General Meeting to be held in Powell River, April 9-11, 2010, notifying Council of the 2009-FEB-26 deadline for the Resolutions Notice and Request for Submissions, and the Call for Nominations to the AVICC Executive.

17. OTHER BUSINESS:

(a) Economic Development

64209 It was moved and seconded that Staff prepare a report detailing the activities and expenditures of the Economic Development Office over the past year. The motion carried unanimously.

18. QUESTION PERIOD:

(a) Fred Taylor

19. ADJOURNMENT:

64309 It was moved and seconded at 9:42 p.m. that the meeting terminate. The motion carried unanimously.

The motion carried unanimously.

M A Y O R

CERTIFIED CORRECT:

DIRECTOR,
LEGISLATIVE SERVICES