



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON THURSDAY, AUGUST 12, 2004
AT 9:00 A.M.**

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
Councillor R.J. Fearnley
Councillor R.N. Heywood
*Councillor C.R. Keating
Councillor D.R. Mussatto
Councillor B.W. Perrault

STAFF MEMBERS

T Christie Acting City Manager
B.A. Hawkshaw, City Clerk
J.M. Rowe, Assistant City Clerk
G. Penway, Assistant City Planner
S Ono, City Engineer
C. Amundsen, Executive Assistant to the Mayor

The meeting was called to order at 9:00 a.m.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

*Councillor Keating entered the meeting at 9:02 a.m.

Mr. Penway advised that School District No. 44 (North Vancouver) has recently leased the property of the former Cloverley School site located at 440 Hendry Avenue and that the lessee is subsequently seeking to sublet a portion of the space to Pro Arte Performing Arts in Motion for a limited time period of approximately two years. Mr. Penway then gave a brief overview of the Business License Application from Pro Arte Performing Arts in Motion for the purpose of operating a private dance school.

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

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the Mr. Sandy Fleming, parent and representative for Pro Arte Performing Arts in Motion be heard at this time.

CARRIED UNANIMOUSLY

Mr. Sandy Fleming advised he was speaking on behalf of Ms. Astrid Sherman, Director, Pro Arte Performing Arts in Motion and as a parent. Mr. Fleming advised that a typical class sizes were 10 – 15 students per class, with a maximum of three classes per day at staggered times and did not anticipate an influx of traffic as many parents carpool.

1. **Business License Application: 440 Hendry Avenue - Pro Arte Performing Arts in Motion - File: 3045-01 Hendry 440**

Report: Assistant City Planner, Community Development, August 9, 2004

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the Assistant City Planner dated, August 9, 2004, entitled "Business License Application: 440 Hendry Avenue- Pro Arte Performing Arts in Motion":

THAT the business license application for "Pro Arte Performing Arts in Motion" be interpreted as fitting within the definition of a "Civic Use" of "Zoning Bylaw, 1995, No. 6700".

Moved by Councillor Mussatto, seconded by Councillor Perrault that the motion be amended to add the following:

"AND THAT the issuance of a Business License Application be conditional upon Pro Arte Performing Arts in Motion establishing a non-profit component of their organization within a one year period."

A recorded vote was taken on the amendment to the motion.

Voting in favour: Councillor Heywood
Councillor Keating
Councillor Perrault
Councillor Mussatto
Mayor Sharp

Voting against: Councillor Fearnley
Councillor Clark

The motion on the amendment was **CARRIED** five to two.

A recorded vote was then taken on the motion, as amended.

PURSUANT to the report of the Assistant City Planner dated, August 9, 2004, entitled "Business License Application: 440 Hendry Avenue- Pro Arte Performing Arts in Motion":

THAT the business license application for "Pro Arte Performing Arts in Motion" be interpreted as fitting within the definition of a "Civic Use" of "Zoning Bylaw, 1995, No. 6700".

AND THAT the issuance of a Business License Application be conditional upon Pro Arte Performing Arts in Motion establishing a non-profit component of their organization within a one year period.

continued...

1. **Business License Application: 440 Hendry Avenue - Pro Arte
Performing Arts in Motion - File: 3045-01 Hendry 440 *continued***

Voting in favour: Councillor Keating
Councillor Perrault
Councillor Mussatto
Councillor Heywood

Voting against: Councillor Fearnley
Councillor Clark
Mayor Sharp

The motion, as amended, was **CARRIED** by a vote of four to three.

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:37 a.m.