



**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 16, 2006**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor P.J. Bookham
Councillor R.J. Fearnley
Councillor R.N. Heywood
Councillor C.R. Keating
Councillor B.W. Perrault
Councillor S.A. Schechter

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
J.M. Rowe, Assistant City Clerk
R.H. White, Deputy Director, Community Development
T. Christie, Director of Finance
B. Susak, Deputy City Engineer
D. Sigston, Manager, Lands
J. Irwin, Manager, Financial Services
F.A. Smith, Director, Community Development
C. Rabold, Communications Manager
G. Penway, City Planner
K. Russell, Development Planner
S. Ono, City Engineer
D. Pope, Manager, Environment and Parks
S. Smith, Planner, Engineering

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

ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the following Minutes be adopted as circulated:

1. Special Council Meeting Minutes, January 9, 2006.
2. In Camera Committee of the Whole Meeting Minutes, January 9, 2006.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 1090-21

1. Mr. Wayne McIntyre, President & General Manager, North Vancouver Chamber of Commerce, regarding North Vancouver Chamber of Commerce 100th Centennial Anniversary Celebration.
2. Mr. John Harvey, 33 – 1910 Cedar Village Crescent, North Vancouver, regarding Fast Cat Ferries.

CONSENT AGENDA ITEMS

{Items *11, *12, *13, *14, and *15}

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the resolutions listed within the “Consent Agenda” of January 16, 2006 be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***11. Security Issuing Resolution for “Loan Authorization Bylaw, 2005, No. 7714”
– File: 1040-03-F1-01**

Report: Manager of Financial Services, January 10, 2006.

PURSUANT to the report of the Manager of Financial Services dated January 10, 2006, entitled “Security Issuing Resolution for “Loan Authorization Bylaw, 2005, No. 7714”:

THAT Council approves the borrowing from the Municipal Financial Authority of British Columbia, through the Federation of Canadian Municipalities Green Investment Fund, \$2,000,000 as authorized through “Loan Authorization Bylaw, 2005, No. 7714” (Authority to borrow Two Million Dollars (\$2,000,000), for the purpose of lending funds to the Lonsdale Energy Corporation, a municipal environment project providing heat energy and domestic water, and that the Greater Vancouver Regional District be requested to consent to the borrowing over a 10-year term and include the borrowing in their Security Issuing Bylaw.

(CARRIED UNANIMOUSLY)

***12. Advisory Committee on Disability Issues (ACDI) – 2006 Workplan & Budget
- File: 1085-03-N17-01**

Report: Planner, Community Development, January 9, 2006.

PURSUANT to the report of the Planner, dated January 9, 2006, entitled “Advisory Committee on Disability Issues (ACDI) – 2006 Workplan & Budget”:

THAT the Advisory Committee on Disability Issues’ 2006 Workplan be endorsed;

AND THAT the Advisory Committee on Disability Issues’ 2006 Budget be referred to the 2006 Financial Planning process.

(CARRIED UNANIMOUSLY)

***13. Waterfront Forum – Spring 2006 – File: 3330-02-W1-02**

Report: Waterfront Project Managers, January 6, 2006.

PURSUANT to the report of the Waterfront Project Managers, dated January 6, 2006, entitled “Waterfront Forum – Spring 2006”:

THAT the Waterfront Project Managers be requested to convene a Waterfront Forum on the evening of Thursday, February 23, 2006, as outlined in the report dated January 6, 2006, to initiate a discussion with City Waterfront stakeholders concerning future opportunities for the improvement of the City’s waterfront.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

***14.** “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2006, No. 7751” (Block Party Approval Process).

***15.** “Parks Regulation Bylaw, 1996, No. 6611, Amendment Bylaw, 2006, No. 7753” (Commemorative Furnishings).

THAT the said Bylaws Nos. 7751 and 7753, be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7751 and 7753, 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 Heywood, 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) (a)
4. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:07 p.m. and reconvened at 6:18 p.m., with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

Moved by Councillor Schechter seconded by Councillor Perrault that the following recommendation of the Committee of the Whole in camera be ratified:

**3. Appointments to the Public Art Program Steering Committee
File: 1085-03-N3-01**

Report : City Clerk, January 10, 2006

PURSUANT to the report of the City Clerk, dated January 10, 2006, entitled, "Appointments to the Public Art Program Steering Committee":

THAT Ms. Lee Barnes be re-appointed for a two year term to conclude on January 31, 2008, as one of two Artist Representatives;

AND THAT Ms. Ute Stein be re-appointed for a two year term to conclude on January 31, 2008, as the Community Representative;

AND THAT Mr. David Fawley be appointed for a two year term to conclude on January 31, 2008, as the Developer Representative;

AND THAT Mr. Robert (Bob) Spencer be appointed for a two year term to conclude on January 31, 2008, as the Urban Planner/Architect Representative;

AND THAT Ms. Carole McQuarrie be appointed for a two year term to conclude on January 31, 2008, as one of two Artists Representatives;

AND THAT Ms. Kate Macdonald be appointed for a two year term to conclude on January 31, 2008, as the Educator/Curator Representative.

(CARRIED UNANIMOUSLY)

4. Appointments to the Arts & Culture Commission of North Vancouver – File: 1085-03-N3-01

Report: City Clerk, January 10, 2006

PURSUANT to the report of the City Clerk, dated January 10, 2006, entitled, “Appointments to the Arts & Culture Commission of North Vancouver”:

THAT Mr. Richard Walden and Ms. Tomoko Ito be appointed for a two-year term to conclude on January 31, 2008.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil.

DELEGATIONS

David Hughes, Resident, North Vancouver.

Re: City of North Vancouver Current Dog Bylaws – File: 3010-02-01

Mr. David Hughes gave an overview of events leading up to the death of their family cat by three vicious dogs on December 24, 2005. Mr. Hughes stated that his main goal was to trigger some awareness on irresponsible dog owners and to suggest some enhancements to the City of North Vancouver’s current dog bylaw, such as, harsh accountability on irresponsible owners and some proactive measures that may alleviate these situations. Mr. Hughes referred to the recommendations in the report of the Property Use Inspector, dated January 10, 2006, entitled “Dog Tax and Regulation Bylaw, 2006, No. 7732” and advised that although the recommendations are good he would like to suggest the following additions to Bylaw 7732:

- definition of vicious dogs;
- higher license fees for vicious dogs;
- spay and neuter vicious dogs;
- insurance for owners of vicious dogs;
- kennels, pens, containment; and
- increase penalties and fines.

Mr. Hughes also suggested that the dog regulation bylaws in the City of North Vancouver and the District of North Vancouver should be consistent.

Mr. Hughes responded to questions from members of Council.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

5. Dog Tax and Regulation Bylaw, 2006, No. 7732 – File: 3010-01

Report: Property Use Inspector, Community Development,
January 10, 2006.

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the Property Use Inspector dated January 10, 2006, entitled “Dog Tax and Regulation Bylaw, 2006, No. 7732” (A bylaw to provide for the control and licensing of dogs within the City of North Vancouver):

THAT the “Dog Tax and Regulation Bylaw, 2006, No. 7732” (A bylaw to provide for the control and licensing of dogs within the City of North Vancouver) and “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7739” (Dog Tax and Regulation Bylaw), be considered;

AND THAT staff be requested to report back on the six items, as outlined by Mr. David Hughes in his delegation to Council this evening.

Moved by Councillor Schechter, seconded by Councillor Fearnley that the motion be amended by adding the following:

THAT staff be requested to report back with options regarding the consideration of banning of breeds and various breeds.

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

Voting in favour: Councillor Fearnley
Councillor Keating
Councillor Bookham
Councillor Perrault
Councillor Schechter
Councillor Heywood
Mayor Mussatto

Voting against: Nil.

The amendment to the motion was **CARRIED UNANIMOUSLY** by a vote of seven to nil.

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the meeting recess to the Public Hearing scheduled for this evening.

CARRIED

The meeting recessed at 7:14 p.m. and reconvened at 7:15 p.m. with the same personnel present.

The motion, as amended, was then **CARRIED UNANIMOUSLY**

The motion now reads as follows in its entirety:

“PURSUANT to the report of the Property Use Inspector dated January 10, 2006, entitled “Dog Tax and Regulation Bylaw, 2006, No. 7732” (A bylaw to provide for the control and licensing of dogs within the City of North Vancouver):

THAT the “Dog Tax and Regulation Bylaw, 2006, No. 7732” (A bylaw to provide for the control and licensing of dogs within the City of North Vancouver) and “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7739” (Dog Tax and Regulation Bylaw), be considered;

THAT staff be requested to report back on the six items, as outlined by Mr. David Hughes in his delegation to Council this evening;

AND THAT staff be requested to report back with options regarding the consideration of banning of breeds and various breeds.”

BYLAWS - Introduction and First Three Readings

Moved by Councillor Perrault, seconded by Councillor Fearnley that

6. “Dog Tax and Regulation Bylaw, 2006, No. 7732” (A bylaw to provide for the control and licensing of dogs within the City of North Vancouver).
7. “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7739” (Dog Tax and Regulation Bylaw).

be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:16 p.m. and reconvened at 7:50 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7749"
(Lonsdale Mews Limited/Tomizo Yamamoto Architect Inc., 1133 Lonsdale Avenue, CD-507).

Moved by Councillor Bookham, seconded by Councillor Perrault

THAT the rezoning proposal for 1133 Lonsdale Avenue, Lonsdale Mews Limited/Tomizo Yamamoto Architect Inc., CD-507, **be rejected.**

A recorded vote was taken on the motion.

Voting in favour: Councillor Bookham

Voting against: Councillor Keating
Councillor Perrault
Councillor Schechter
Councillor Heywood
Councillor Fearnley
Mayor Mussatto

The motion was **DEFEATED** by a vote of six to one.

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the said Bylaw No. 7749 be read a second time in short form.

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT staff be requested to report back on the outcome of further discussions with the applicant.

DEFEATED

BYLAWS - Second and Third Readings

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7749"
(Lonsdale Mews Limited/Tomizo Yamamoto Architect Inc., 1133 Lonsdale Avenue, CD-507) *continued*

A recorded vote was then taken on second reading of Bylaw 7749, as follows:

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

Voting against: Councillor Bookham
Councillor Fearnley

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

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the said Bylaw No. 7749 be read a third time in short form and passed subject to reconsideration.

CARRIED

COUNCIL REPORT - File: 1085-01

Councillor R.N. Heywood

- Advised that the Task Force on Crime Prevention held a Public Meeting in the Fall of 2005 and as a follow up the Task Force are going to hold another Public Meeting in the near future, as a City Core Task Force.

Councillor Schechter briefly left and returned to the meeting

Mayor D.R. Mussatto

- Advised that he is available to meet with the public every Tuesday from 3:00 to 5:00 p.m. in his office at City Hall.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

9. Riparian Area Strategy – Public Consultation – File: 4037-02-01

Report: Planner, Engineering, Parks and Environment, January 10, 2006.

Moved by Councillor Keating, seconded by Councillor Perrault

PURSUANT to the report of the Planner dated January 10, 2006, entitled “Riparian Area Strategy – Public Consultation”:

WHEREAS the Province of British Columbia, through the *Fish Protection Act*, has required that municipalities comply with Section 12, to provide a level of protection that is comparable to or exceeds the level of protection provided for in the *Riparian Area Regulations*, by March 31, 2006; and

WHEREAS staff are working on a strategy including an Official Community Plan Amendment to create Development Permit Areas for Streamside Protection and Enhancement;

NOW THEREFORE BE IT RESOLVED THAT staff proceed with the public consultation process outlined in the report dated January 10, 2006, including public information sessions to inform the affected owners of the Provincial requirement and to gather input into the recommended approach; and

RESOLVED THAT the City of North Vancouver write to Premier Gordon Campbell, Barry Penner, Minister responsible for the Environment, and local MLA’s, requesting that the Provincial Government delay bringing the regulations into effect until the key issues outlined on page 3 of the report of the Planner, dated January 10, 2006, are addressed in cooperation with British Columbia municipalities.

CARRIED UNANIMOUSLY

10. Temporary Ambulance Shelters, B.C. Ambulance Services, Vancouver Coastal Health Authority and British Columbia Building Corporation, 1304 St. Andrew's Avenue – File: 3345-02 St. Andrew's 1304

Report: Deputy Director, Community Development, January 11, 2006.

Mayor Mussatto declared a perceived bias as he is on a leave of absence from the B.C. Ambulance Service, and left the meeting.

Councillor Perrault assumed the Chair as Acting Mayor.

Moved by Councillor Fearnley, seconded by Councillor Heywood

PURSUANT to the report of the Deputy Director, Community Development, dated January 11, 2006, entitled "Temporary Ambulance Shelters, B.C. Ambulance Services, Vancouver Coastal Health Authority and British Columbia Building Corporation, 1304 St. Andrew's Avenue":

THAT Temporary Use Permit No. 19, as referenced in the January 11, 2006 report of the Deputy Director, Community Development, entitled "Temporary Ambulance Shelters, B.C. Ambulance Services, Vancouver Coastal Health Authority and British Columbia Building Corporation, 1304 St. Andrew's Avenue", be referred to a Public Meeting.

CARRIED UNANIMOUSLY

Mayor Mussatto returned to the meeting and resumed the Chair

RECESS

Mayor Mussatto declared a recess at 8:50 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

16. Small Business Tax Strategy – File: 3020-02

Inquiry by: Councillor S.A. Schechter

Councillor Schechter referred to the November 28, 2005 Council resolution requesting staff to report back with a more comprehensive small business tax strategy for the City of North Vancouver and inquired as to the status of this report.

Mr. Tollstam, City Manager, advised that a report would be coming back to Council in the near future.

Mr. F.A. Smith, Director, Community Development, advised that we have a new Economic Development Officer joining staff and he would like this individual to comment before reporting back.

17. Staff Policy on Vehicle Allowances – File: 1800-01

Inquiry by: Councillor S.A. Schechter

Councillor Schechter referred to the current staff policy on vehicle allowances and inquired if this policy is in contradiction to the Official Community Plan.

Mr. Tollstam, City Manager, advised that the policy of Staff Vehicle Allowances is to allow staff to attend off-site inspections, meetings, etc., in order to make the best use of time and that public transit would not be a viable option.

18. Sutherland School Construction – File: 1150-03-03 Sutherland

Inquiry by: Councillor P.J. Bookham

Councillor Bookham advised that Council had received emails from residents of East 18th Street, across from Sutherland School, who were under the assumption that there would be some consultation with the developer regarding the construction activity of trucks and inquired if anything had been done to address those concerns.

Mr. S. Ono, City Engineer, advised that there had been communication with the North Vancouver School Board. Mr. Ono also advised that staff had requested a detailed Construction Management Plan and once that information has been received, hopefully we can encourage the North Vancouver School Board to consult meaningfully with the residents.

19. Representative to Labour Relations Committee, GVRD – File: 1090-03-03/1180-04

Inquiry by: Councillor R.J. Fearnley on December 19, 2005

Mayor Mussatto referred to the inquiry of Councillor Fearnley on December 19, 2005, regarding a possible conflict of interest of the Mayor's representation on the Greater Vancouver Regional District, Labour Relations Advisory Committee and being an ambulance paramedic and a member of the Canadian Union of Public Employees, Local 873.

Mayor Mussatto advised that he had sought a legal opinion and that he is able to participate in the Greater Vancouver Regional District, Labour Relations Advisory Committee as the said Committee does not oversee negotiations of, or make recommendations, regarding CUPE Local 873 as the Provincial Government is the employer for members of that Local.

20. TransLink Board Representation – File: 1180-37-01

Inquiry by: Councillor P.J. Bookham

Councillor Bookham advised she had received concerns from members of the public regarding certain TransLink Board members making decisions although they had not been successful in the recent Municipal Election and asked if any steps were being taken to address the extension of terms of their mandate

Mayor Mussatto advised he would ask Mayor Walton of the District of North Vancouver who is now the North Shore representative on the TransLink Board.

Mr. Tollstam, City Manager, advised that the TransLink Board is appointed by the GVRD Board, and they did not meet until mid-December, 2005. There may be a time where you could get a board member who is not an elected official for a short period of about a week or so.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:59 p.m.