



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, DECEMBER 4, 2006
AT 5:30 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
F. Caouette, Acting City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
F.A. Smith, Director, Community Development
R. Shore, Director of Human Resources
I. Gordon, Director, Finance
S. Ono, City Engineer
B. Themens, Deputy Director, Finance
N. Chand, Manager of Financial Planning
M. MacLean, Financial Analyst
R.H. White, Waterfront Project-Development
Manager/Deputy Director, Community
G. Penway, City Planner
K. Russell, Development Planner
G. Venczel, Development Planner
C. Kathler, Community Planner
P. Melville, Manager, Inspections
S. Ono, City Engineer
D. Mitic, Assistant City Engineer, Transportation
D. Pope, Manager, Parks and Environment
T. Barber, Acting Manager, Engineering Planning
& Design
D. Sigston, Manager, Lands
H. Turner, Director of Recreation
D. Burgess, Deputy Fire Chief
L. Chong, Building Inspector

The meeting was called to order at 5:30 p.m.

ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Schechter

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, November 27, 2006.

CARRIED UNANIMOUSLY

Moved by Councillor Schechter, seconded by Councillor Heywood

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) (f)
3. Section 90 (1) (c) & (i)

CARRIED UNANIMOUSLY

The meeting recessed at 5:31 p.m. and reconvened at 6:00 p.m. with the same personnel present, and with the addition of *Councillor P.J. Bookham and *Councillor B.W. Perrault.

REPORT OF COMMITTEE OF THE WHOLE

2. CORRESPONDENCE: Applicant for Renewal of Chauffeur's Permit, October 30, 2006.

Re: Chauffeur's Permit Renewal Refusal – File: 3040-15

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

THAT the R.C.M.P.'s refusal to renew the Chauffeur's Permit for Mr. Aria Aryan not be endorsed;

AND THAT a Chauffeur's Permit be issued to Mr. Aria Aryan on February 1, 2007, or, until after he completes a safe driving course, whichever come first.

CARRIED

PUBLIC INPUT PERIOD – File: 1090-21

- Ms. Fiona Walsh, Grand Boulevard Residents' Association, 453 East 13th Street, North Vancouver, spoke regarding the "Green Necklace".

CONSENT AGENDA ITEMS

{Items *4, *14, *15, *16, *17, *18, *19, *20, *21, *22 and *23}

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the resolutions listed within the “Consent Agenda” of December 4, 2006, be approved, as follows:

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

***4. Leave of Absence Without Pay Request – File: 1800-06/1880-03-09**

Report: Deputy Director, Human Resources, November 27, 2006.

PURSUANT to the report of the Deputy Director, Human Resources, dated November 27, 2006, entitled “Leave of Absence Without Pay Request”:

THAT the action taken by the Committee of The Whole in camera regarding “Leave of Absence Without Pay Request” be ratified;

AND THAT the wording of the recommendation and the report of the Deputy Director, Human Resources, dated November 27, 2006, entitled “Leave of Absence Without Pay Request”, remain in camera.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***14. Hosting Assistance Grant Program – File: 3570-02-08**

Report: Manager, Economic Development, November 28, 2006.

PURSUANT to the report of the Manager, Economic Development, dated November 28, 2006, entitled “Hosting Assistance Grant Program”:

THAT the request from the North Vancouver Recreation Commission to create a Hosting Assistance Grant Program for sport and recreation championships, be sent to the Vancouver’s North Shore Hotel Association (VNSHA) for consideration in their future tourism development and marketing programs.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***15. Westview Elementary School – Child Care Facility – File: 4230-05-01**

Report: Community Planner, Community Development, November 21, 2006.

PURSUANT to the report of the Community Planner, dated November 21, 2006, entitled “Westview Elementary School – Child Care Facility”:

THAT (Funding Appropriation # 0621) an amount of \$142,000 be appropriated from the Community Enhancement Fund for the purpose of funding the Westview School Child Care Facility;

AND THAT should any of the above amount remain unexpended after three years from the date of appropriation, the unexpended balance shall be returned to the credit of the said reserve fund;

AND THAT North Shore Neighbourhood House and School District No. 44 (North Vancouver) be sent a copy of Council’s resolution.

(CARRIED UNANIMOUSLY)

***16. Sutherland Artificial Turf Field – Funding Appropriation – File: 4425-07-02-S1**

Report: Landscape Architect, November 29, 2006.

PURSUANT to the report of the Landscape Architect dated November 29, 2006, entitled, “Sutherland Artificial Turf Field – Funding Appropriation”:

THAT an amount of \$1,800,000 (Funding Appropriation # 0623) be appropriated from the Community Enhancement Reserve Fund for the purpose of funding the Sutherland Artificial Turf Field construction;

AND THAT the amount of \$335,980 provided in the 2006 general capital budget be made available for the purpose of funding the construction of associated mitigating measures;

AND THAT should any portion of the above amounts remain unexpended after three years from the date of adoption of this resolution, the unexpended balances shall be returned to the credit of the said Reserve or general capital funds pro rata.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *17. "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2006, No. 7827".
- *18. "Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2006, No. 7828".
- *19. "Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2006, No. 7829".
- *20. "City of North Vancouver Real Property Regulation Bylaw, 2006, No. 7831".
- *21. "Commercial Vehicle License Bylaw, 2006, No. 7832".
- *22. "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7833" (Commercial Vehicle License Bylaw and City of North Vancouver Real Property Regulation Bylaw).
- *23. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2006, No. 7834".

THAT the said Bylaws Nos. 7827, 7828, 7829, 7831, 7832, 7833 and 7834 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7827, 7828, 7829, 7831, 7832, 7833 and 7834 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 item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

- 3. Section 90 (1) (c) & (i)

CARRIED UNANIMOUSLY

The meeting recessed at 6:04 p.m. and reconvened at 7:08 p.m. with the same personnel present with the exception of *Councillor R.J. Fearnley, and with the addition of *A.K. Tollstam, City Manager.

REPORT OF COMMITTEE OF THE WHOLE- Continued

3. Personnel Issue – File: 1800-01

Verbal Report: City Solicitor.

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

WHEREAS Councillor Bob Fearnley tape recorded a conversation between himself and the City Manager without the knowledge and consent of the City Manager; and

WHEREAS Councillor Bob Fearnley provided that tape to a third party; and

WHEREAS Council wishes to maintain a positive working environment for employees of the City and encourage a relationship of trust between City employees and the members of Council; and

WHEREAS Council wishes to express its condemnation of the actions of Councillor Bob Fearnley;

NOW THEREFORE THE COUNCIL OF THE CITY OF NORTH VANCOUVER HEREBY RESOLVES:

1. That this Council finds the actions of Councillor Bob Fearnley to be dishonourable and not befitting a member of this Council.
2. That this Council is of the view that to accept the actions of Councillor Bob Fearnley without sanction would bring the City and this Council into public disrepute.
3. That this Council condemn this action of Councillor Bob Fearnley.
4. That this Council hereby censures Councillor Bob Fearnley for his actions and calls upon him to publicly apologize to the City Manager and this Council for his actions.

continued...

REPORT OF COMMITTEE OF THE WHOLE- Continued

3. Personnel Issue – File: 1800-01 - Continued

5. That Councillor Bob Fearnley not contact City employees by telephone and that any inquiries Councillor Bob Fearnley may have of City employees be directed in writing to the City Manager or his designate for written response.
6. That Councillor Bob Fearnley not be appointed to City Management Bodies (with the exception of the Joint Strategic Planning Committee), Advisory Bodies and Societal Bodies.
7. That Councillor Bob Fearnley not be appointed as Chair of the Policy Committee.
8. That Councillor Bob Fearnley not be appointed as Acting Mayor.

AND THAT the foregoing be reviewed in one year's time.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil.

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the meeting recess to the Public Hearing regarding Bylaw No. 7823 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:10 p.m. and reconvened at 7:23 p.m. with the same personnel present, and with the addition of *Councillor R.J. Fearnley.

BYLAWS - Second and Third Readings

5. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7823" (Noort Developments, 338 East 12th Street, CD-527).

Moved by Councillor Bookham, seconded by Councillor Perrault

THAT Bylaw No. 7823 be read a second time in short form.

Moved by Councillor Bookham, seconded by Councillor Perrault

THAT a covenant be placed on the property prohibiting secondary suites;

AND THAT Bylaw No. 7823 be amended so that the square footage is consistent with the RT-1 zoning.

The vote upon the recommendations was taken separately, as follows:

THAT a covenant be placed on the property prohibiting secondary suites.

CARRIED

Councillor Keating and Mayor Mussatto are recorded as voting contrary to the motion.

AND THAT Bylaw No. 7823 be amended so that the square footage is consistent with the RT-1 zoning.

CARRIED

Councillor Keating and Mayor Mussatto are recorded as voting contrary to the motion.

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

Moved by Councillor Bookham, seconded by Councillor Perrault

THAT the said Bylaw No. 7823, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Schechter

THAT the meeting recess to the Policy Committee Meeting regarding the Western Avenue Planning Study Report scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:44 p.m. and reconvened at 8:46 p.m. with the same personnel present.

Moved by Councillor Heywood, seconded by Councillor Keating

THAT item 12, "Waterfront Greenway – Proposed Squamish Nation Partnership", on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

12. Waterfront Greenway – Proposed Squamish Nation Partnership - File: 4300-13-04

Report: Manager, Parks and Environment, November 29, 2006.

Moved by Councillor Heywood, seconded by Councillor Keating

PURSUANT to the report of the Manager, Parks and Environment, dated November 29, 2006, entitled "Waterfront Greenway – Proposed Squamish Nation Partnership":

THAT staff proceed with development of a waterfront multi-use trail in partnership with the Squamish Nation;

AND THAT the \$300,000 set aside in the 2006 Capital Budget via a transfer from operating for the construction of the CN Rail Trail be made available to fund this project;

AND THAT an additional \$340,000 be included in the 2007-2016 Capital Plan;

AND THAT a resolution to appropriate the 2007 portion of the funding be brought forward for Council's consideration in a timely matter;

AND THAT the City of North Vancouver thanks the Squamish Nation for their willingness to share this portion of their lands for this important public benefit and looks forward to the consideration of a second phase of this initiative at some time in the future.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the meeting recess to the Finance Committee Meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:51 p.m. and reconvened at 9:49 p.m. with the same personnel present.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**6. 247 West 23rd Street Lot 33, Block 205A, D.L. 545, Plan 3179
– File: 3345-02 23 W 247**

Report: Building Inspector, Community Development, November 22, 2006.

Mayor Darrell Mussatto invited the registered owner of 247 West 23rd Street, or the owner's representative to come forward and show cause why the City Council should not proceed with the Notice of Contravention.

Mr. Farzin Azizi registered owner of 247 West 23rd Street, advised that he bought the house in 1986 and that the driveway access was like that when he purchased the house. He advised that he provided 2 spaces at the back of his house for his secondary suite. He stated that his neighbour complains about vehicles parking on the street. He stated that he would obey Council's direction if it is determined that the use of the driveway is a hazard. He advised that he did not know that the previous owner did not have a permit for the sundeck at the back of the house. He advised that if possible, he would apply for a variance in order to keep the sundeck. He advised that there have been no complaints from neighbours regarding the sundeck.

Ms. Lisa Chong, Building Inspector, reviewed her report of November 22, 2006.

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

continued...

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

6. **247 West 23rd Street Lot 33, Block 205A, D.L. 545, Plan 3179**
– File: 3345-02 23 W 247 - Continued

Moved by Councillor Keating, seconded by Councillor Schechter

PURSUANT to the report of the Building Inspector dated November 22, 2006, entitled “247 West 23rd Street, Lot 33, Block 205A, D.L. 545, Plan 3179”:

THAT Mr. Farzin Azizi, the registered property owner of 247 West 23rd Street, make application for a variance for the unapproved rear sundeck extension and remove the vehicular access across the City curb, boulevard and sidewalk by February 28, 2007 and failing that, the action set out in the November 22, 2006 report of the Building Inspector be undertaken.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTIONS

7. **Development Variance Permit Application: K. Morris/J.J. Morris, 784 East 15th Street - File: 3345-02 15 E 784**

Report: Planning Technician 1, Community Development, November 2, 2006.

Moved by Councillor Keating, seconded by Councillor Perrault

THAT Development Variance Permit No. 203 be issued to K. Morris/J.J. Morris, in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 203.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7824" (First Home Development Ltd., 335 East 11th Street, CD-529), as amended.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 7824, as amended, be reconsidered.

DEFEATED

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT third reading of Bylaw No. 7824 be rescinded.

CARRIED

Moved by Councillor Bookham, seconded by Councillor Perrault

THAT Bylaw No. 7824 be amended so that the square footage is consistent with the RT-1 zoning;

AND THAT the doorways be relocated to the centre of building;

AND THAT a covenant be placed on the property prohibiting secondary suites.

The vote upon the recommendations was taken separately, as follows:

THAT Bylaw No. 7824 be amended so that the square footage is consistent with the RT-1 zoning.

CARRIED UNANIMOUSLY

continued...

BYLAWS - Reconsideration and Final Adoption

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7824" (First Home Development Ltd., 335 East 11th Street, CD-529), as amended. - Continued

AND THAT the doorways be relocated to the centre of building.

CARRIED

Councillor Keating and Mayor Mussatto are recorded as voting contrary to the motion.

AND THAT a covenant be placed on the property prohibiting secondary suites.

CARRIED

Councillor Keating is recorded as voting contrary to the motion.

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

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the said Bylaw No. 7824, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

CORRESPONDENCE

9. **Mayor Ken McRae, City of Port Alberni, November 21, 2006.**

Re: Save the Martin Mars Water Bombers Forest Fire Fighting Equipment – File: 1175-04-01

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the correspondence received from Mayor Ken McRae, City of Port Alberni, dated November 21, 2006, regarding "Save the Martin Mars Water Bombers Forest Fire Fighting Equipment", be received and filed.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., be waived, and the meeting continue until 11:00 P.M., if necessary.

CARRIED

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**10. Special Events & Festival Fund – Round One 2007 Grant
Recommendations – File: 1670-03-05**

Report: Community Planner, Community Development, November 23, 2006.

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Community Planner, dated November 23, 2006, entitled “Special Events & Festival Fund – Round One 2007 Grant Recommendations”:

THAT the members of the Evaluation Committee be thanked for their adjudication of the 2007 Round One Special Events & Festivals grant applications;

AND THAT the following events totaling \$19,400 be funded from the 2007 Special Events and Festivals Fund budget:

Canadian College’s Women’s National	
Volleyball Championship	\$2,000
Family Spring Fest at Mahon Park	\$1,500
Mountain Mardi Gras	\$1,000
North Shore High School Drama Festival.....	\$1,500
North Shore Jazz Festival	\$5,000
North Shore Seniors Picnic	\$650
North Shore Spring Bear Festival.....	\$2,500
North Shore Writers Festival	\$1,250
Penguin Plunge	\$500
Random Acts Festival.....	\$1,000
Seniors Digital Storytelling Project	\$500
Vancouver Mountain Film Festival.....	\$2,000

continued...

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

10. Special Events & Festival Fund – Round One 2007 Grant Recommendations – File: 1670-03-05 - Continued

AND THAT the District of North Vancouver be notified of Council's decision.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

11. Affordable Housing Action Forum Follow-up: "Housing Affordability Strategies" – File: 3365-05-04

Report: Community Planner, Community Development,
November 23, 2006.

Moved by Councillor Schechter, seconded by Councillor Keating

PURSUANT to the report of the Community Planner dated, November 23, 2006, entitled "Affordable Housing Action Forum Follow-up: "Housing Affordability Strategies":

THAT the City continue to focus on affordable rental housing as the highest priority in addressing affordability issues;

AND THAT the "Housing Affordability Strategies" attached to the November 23, 2006 report be considered for high priority status in the 2007 Planning Division Work Program;

AND THAT staff report back on the staff and resource implications of implementing the Housing Affordability Strategies;

AND THAT individual actions be pursued by the City as opportunities or issues arise;

AND THAT the report of November 23, 2006 be posted to the City of North Vancouver website and copies be distributed to the Coalition of Community Associations and any other bodies in the community who participated in the Forum for comment.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. Rezoning Application: 2233 Alden Lane (F. McMyn / Blair Macdonald Architect, CD-532) – File: 3345-02 Alden 2233

Report: Development Planner, Community Development, November 29, 2006.

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Development Planner, dated November 29, 2006, entitled “Rezoning Application: 2233 Alden Lane (F. McMyn/Blair Macdonald Architect, CD-532)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7838” (F. McMyn/Blair MacDonald Architect, 2233 Alden Lane, CD-532), be considered and referred to a Public Hearing as per Option 3 of the report of November 29, 2006;.

AND THAT Bylaw No. 7838 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

RECESS:

Mayor Mussatto declared a recess at 10:42 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:43 p.m.