



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN  
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>th</sup> STREET,  
NORTH VANCOUVER, B.C., ON **MONDAY, JANUARY 22, 2007**  
**AT 6:00 P.M.****

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**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  
R.G. Anderson, Deputy City Clerk  
F. Caouette, Director, Corporate Services  
F.A. Smith, Director, Community Development  
I. Gordon, Director, Finance  
S. Ono, City Engineer  
P. Sanderson, Manager, Economic Development  
R.H. White, Waterfront Project-Development  
Manager/Deputy Director, Community  
B. Themens, Deputy Director, Finance  
B. Susak, Deputy City Engineer  
G. Penway, City Planner  
R. Utendale, Development Planner  
P. Melville, Manager, Inspections  
K. Russell, Development Planner  
T. Barber, Acting Manager, Engineering Planning  
& Design  
C. Kathler, Community Planner  
K. Huettl, Clerk's Department

The meeting was called to order at 6:00 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, January 15, 2007.
2. In Camera Committee of the Whole Meeting Minutes, January 15, 2007.

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21**  
**Nil.**

## **CONSENT AGENDA ITEMS**

{Items \*5, \*6, \*7, \*19, \*20, \*21, \*22, \*23, \*24 and \*25}

Moved by Councillor Schechter, seconded by Councillor Bookham

**THAT** the resolutions listed within the "Consent Agenda" of January 22, 2007, with the exception of item \*23, be approved, as follows:

### **COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS**

**\*5. Appointments to the Cemetery Advisory Board – File: 1085-03-C16-01**

Report: City Clerk, January 17, 2007.

**PURSUANT** to the report of the City Clerk, dated January 17, 2007, entitled "Appointments to the Cemetery Advisory Board":

**THAT** Mr. Jim Lawrence be appointed as a District Representative for a two-year term to conclude on January 31, 2009;

**AND THAT** Mr. John Rowlands be appointed as a City Representative for a two-year term to conclude on January 31, 2009.

**(CARRIED UNANIMOUSLY)**

**\*6. Appointments to the Social Planning Advisory Committee  
- File: 1085-03-S11-01**

Report: City Clerk, January 17, 2007.

**PURSUANT** to the report of the City Clerk, dated January 17, 2007, entitled "Appointments to the Social Planning Advisory Committee":

**THAT** Ms. Shirley Freund, Mr. Jason Kanigan and Ms. Ann Gwyn Roberts be reappointed for a further two-year term to conclude on January 31, 2009.

**(CARRIED UNANIMOUSLY)**

## **COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS**

### **\*7. Appointments to the North Vancouver City Library Board - File: 1085-03-N9-01**

Report: City Clerk, January 17, 2007.

**PURSUANT** to the report of the City Clerk, dated January 17, 2007, entitled "Appointments to the North Vancouver City Library Board":

**THAT** Mr. Gary Herman, Ms. Maureen Johnston and Ms. Lois Taylor be reappointed for a further two-year term to conclude on December 31, 2008;

**AND THAT** Mr. Basil Angel be appointed for a two-year term to conclude on December 31, 2008.

**(CARRIED UNANIMOUSLY)**

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **\*19. Community Tourism Program – File: 3570-06-01**

Report: Manager, Economic Development, January 17, 2007.

**PURSUANT** to the report of the Manager, Economic Development, dated January 17, 2007, entitled "Community Tourism Program":

**THAT** the January 17, 2007 report be sent to the Union of British Columbia Municipalities in support of the City's application for funding under the 2005 Community Tourism Program.

**(CARRIED UNANIMOUSLY)**

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **\*20. Appointment of Bylaw Enforcement Officer – File: 3030-01**

Report: Director of Corporate Services, January 16, 2007.

**PURSUANT** to the report of the Director of Corporate Services, dated January 16, 2007, entitled “Appointment of Bylaw Enforcement Officer”:

**THAT** Michael Gesi be appointed under the Police Act, 1979, R.S. Chapter 331, Section 36.1, and the Community Charter, SBC Chapter 26 as Bylaw Enforcement Officer (Parking Patrol Officer) for The Corporation of the City of North Vancouver, for a term ending on the date Michael Gesi’s employment with the City ceases.

**(CARRIED UNANIMOUSLY)**

### **\*21. 2006 4<sup>th</sup> Quarter Waterfront Project Update – File: 330-02-W1-02**

Report: Waterfront Development Project Manager and Manager, Special Services & Projects, January 4, 2007.

**PURSUANT** to the joint report of the Waterfront Development Project Manager and the Manager, Special Services & Projects, dated January 4, 2007, entitled “2006 4<sup>th</sup> Quarter Waterfront Project Update”:

**THAT** the January 4, 2007 report be received and filed.

**(CARRIED UNANIMOUSLY)**

### **\*22. Solar Hot Water Grant Application for City Library and Block 62 Project – File: 1065-06-01**

Report: Deputy City Engineer, January 5, 2007.

**PURSUANT** to the report of the Deputy City Engineer, dated January 5, 2007, entitled “Solar Hot Water Grant Application for City Library and Block 62 Project”:

**THAT** Council request staff to make application for government grant funding for a solar hot water collector system for the City Library and Block 62 Project.

**(CARRIED UNANIMOUSLY)**

## **BYLAWS - Reconsideration and Final Adoption**

- \*24. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7757" (Bernice Clark for Strata Council VR2735, 123 East Keith Road, CD-155 Text Amendment).
- \*25. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7837" (Michael Saii / AMS Design and Project Management Co. Ltd., 272 West 4<sup>th</sup> Street, CD-531).

**THAT** the said Bylaws Nos. 7757 and 7837 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaws Nos. 7757 and 7837 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 Bookham, seconded by Councillor Schechter

**THAT** item 15, "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7838" (F. McMyn/Blair MacDonald Architect, 2233 Alden Lane, CD-532)", on the agenda be brought forward for consideration at this time.

**CARRIED UNANIMOUSLY**

## **BYLAWS - Reconsideration and Final Adoption**

Moved by Councillor Bookham, seconded by Councillor Schechter

**THAT** item 15, "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7838" (F. McMyn/Blair MacDonald Architect, 2233 Alden Lane, CD-532), be deleted from the agenda this evening.

**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:

3. Section 90 (1) (l)
4. Section 90 (1) (e) & (j)

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:02 p.m. and reconvened at 6:52 p.m. with the same personnel present.

**DELEGATIONS**

**Catalin and Mylene Comsia, Residents, City of North Vancouver.**

Re: More Transparency in the Density Bonusing for the Development Applications in the City of North Vancouver – File: 3310-09-17

Mr. Catalin Comsia, Resident, City of North Vancouver, spoke regarding the need for more transparency in the density bonusing for the development applications in the City of North Vancouver. He asked that consideration be given to requesting that each development application that is submitted to the City of North Vancouver for additional density include a financial statement, known as a “Proforma”, that clearly shows the additional market value and market costs for the extra square footage that is being requested by the developer.

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

## **CORRESPONDENCE**

### **8. Catalin and Mylene Comsia, Residents, City of North Vancouver, January 14, 2007.**

Re: More Transparency in the Density Bonusing for the Development Applications in the City of North Vancouver – File: 3310-09-17.

Moved by Councillor Keating, seconded by Councillor Heywood

**THAT** the correspondence received from Catalin and Mylene Comsia, Residents, City of North Vancouver, dated January 14, 2007 and the presentation by Mr. Comsia regarding “More Transparency in the Density Bonusing for the Development Applications in the City of North Vancouver” be referred to staff for comment.

**CARRIED UNANIMOUSLY**

## **DELEGATIONS**

### **Bill Sievwright, President, Strata Council, One Park Lane.**

Re: Lonsdale Energy Corporation (LEC), Cost of Service – File: 1600-01

Mr. Bill Sievwright, President, Strata Council, One Park Lane, spoke regarding the Lonsdale Energy Corporation (LEC), Cost of Service. Mr. Sievwright gave a PowerPoint presentation as follows:

- LEC Summary to date;
- What is a kWh (kiloWatt hour)?
- Current LEC Based Heating Costs for 3 Buildings over 12 months;
- Equivalent Heating Costs;
- Comparison with other buildings.

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

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **9. Lonsdale Energy Corp. – Rate Review and Bylaw Amendment – File: 1600-01**

Report: Deputy City Engineer and Deputy Director of Finance, January 17, 2007.

Moved by Councillor Schechter, seconded by Councillor Heywood

**THAT** items 9 and 10 on the agenda this evening be deferred to the next regular meeting of Council on February 5, 2007.

**DEFEATED**

Moved by Mayor Mussatto, seconded by Councillor Schechter

**PURSUANT** to the report of the Deputy City Engineer and Deputy Director of Finance, dated January 17, 2007, entitled “Lonsdale Energy Corp. – Rate Review and Bylaw Amendment”:

**THAT** “City of North Vancouver Hydronic Heat Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2007, No. 7843” be considered;

**AND THAT** the revised rate structure be applied retroactively so that rebates dating back to when each developer-built building transferred control to the building’s strata corporation be provided;

**AND THAT** the late payment charge be applied retroactively from the due date of any outstanding amount not paid by March 1, 2007.

**AND THAT** staff be requested to report back to Council with the results of the consultation process between the Lonsdale Energy Corp. and the strata councils involved.

**CARRIED UNANIMOUSLY**



## **BYLAWS - Introduction and First Three Readings**

10. "City of North Vancouver Hydronic Heat Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2007, No. 7843".

Moved by Councillor Keating, seconded by Councillor Perrault

**THAT** Bylaw No. 7843 be read a first time in short form, copies of same having been distributed to Council members and read by them.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Perrault

**THAT** the said Bylaw No. 7843 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating seconded by Councillor Perrault

**THAT** the said Bylaw No. 7843 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

Mayor Mussatto recessed the meeting at 7:52 p.m.

The meeting reconvened at 7:55 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Perrault

**THAT** the meeting recess to the Policy Committee Meeting regarding Rental Apartment Housing scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:56 p.m. and reconvened at 8:11 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Schechter

**THAT** the meeting recess to the Public Hearing regarding Bylaw No. 7830 scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 8:11 p.m. and reconvened at 8:12 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Schechter

**THAT** the meeting recess to the recessed Policy Committee Meeting regarding the Rental Apartment Housing scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 8:13 p.m. and reconvened at 9:51 p.m. with the same personnel present.

Mayor Mussatto recessed the meeting at 9:51 p.m., and the meeting reconvened at 9:54 p.m. with the same personnel present.

Moved by Councillor Heywood, seconded by Councillor Keating

**THAT** the meeting recess to the recessed Public Hearing regarding Bylaw No. 7830 scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 9:55 p.m. and reconvened at 10:19 p.m. with the same personnel present.

## **BYLAWS - Second and Third Readings**

11. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7830"  
(Affordable Rental Housing Provisions and Conditions, Text Amendment).

Moved by Councillor Perrault, seconded by Councillor Keating

**THAT** the said Bylaw No. 7830 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Perrault, seconded by Councillor Keating

**THAT** the said Bylaw No. 7830 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

## **PROCLAMATIONS**

Mayor Mussatto read the following Proclamations:

**"BLACK HISTORY MONTH" – FEBRUARY 2007**

**"HEART MONTH" – FEBRUARY 2007**

Moved by Councillor Schechter, 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 UNANIMOUSLY**

## **COUNCIL REPORT - File: 1085-01**

Moved by Councillor Keating, seconded by Councillor Schechter

**THAT** the Council Report be deferred to the next time that it regularly appears on the agenda.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

### **12. Watson Deery, Chairman, Northshore Lions Youth Exchange, January 8, 2007**

Re: Funding Request for the Northshore Lions Youth Exchange  
Program – File: 1670-03-01.

Moved by Councillor Schechter, seconded by Councillor Keating

**PURSUANT** to the correspondence received January 8, 2007 from Mr. Watson Deery, Chair, Northshore Lions Youth Exchange, regarding “Funding Request for the Northshore Lions Youth Exchange Program”:

**THAT** \$3,000 be granted from Sister City funds to the Northshore Lions Club to sponsor the Youth Exchange Program with the City of North Vancouver’s sister city of Chiba City, Japan.

**CARRIED UNANIMOUSLY**

## **BYLAWS - Reconsideration and Final Adoption**

*The following Bylaw No. 7823, as amended, has been brought back to Council for reconsideration by Mayor D. R. Mussatto as per Section 131 of the Community Charter and Section 37(3) of the “Council Procedure Bylaw, 2004, No. 7590”.*

### **13. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7823” (Noort Developments, 338 East 12<sup>th</sup> Street, CD-527), as amended.**

Moved by Councillor Bookham, seconded by Councillor Heywood

**THAT** third reading of Bylaw No. 7823, as amended, be rescinded.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley  
Councillor Bookham  
Councillor Perrault  
Councillor Heywood

Voting against: Councillor Keating  
Councillor Schechter  
Mayor Mussatto

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

*continued...*

## **BYLAWS - Reconsideration and Final Adoption**

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7823" (Noort Developments, 338 East 12<sup>th</sup> Street, CD-527), as amended, Continued

Moved by Councillor Bookham, seconded by Councillor Fearnley

**THAT** Bylaw No. 7823 be amended at second reading to remove the doors to the basement exterior.

A recorded vote was taken on the amendment.

Voting in favour: Councillor Bookham  
Councillor Perrault  
Councillor Heywood  
Councillor Fearnley

Voting against: Councillor Keating  
Councillor Schechter  
Mayor Mussatto

The motion on the amendment, was **CARRIED** by a vote of four to three.

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

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

Moved by Councillor Perrault, seconded by Councillor Heywood

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

**CARRIED**

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

*continued...*

**BYLAWS - Reconsideration and Final Adoption**

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7823" (Noort Developments, 338 East 12<sup>th</sup> Street, CD-527), as amended, Continued

Moved by Councillor Perrault, seconded by Councillor Fearnley

**PURSUANT** to duplex zoning and the potential for the illegal development of secondary suites;

**THEREFORE BE IT RESOLVED THAT** this matter be referred to staff for a report suggesting guidelines that would prohibit the potential of secondary suite development in duplexes.

Moved by Councillor Bookham, seconded by Councillor Perrault

**THAT** the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue until items 13, 14, 16, 17, 18, and 23 on the agenda have been concluded.

**CARRIED UNANIMOUSLY**

A recorded vote was then taken on the original motion.

Voting in favour: Councillor Bookham  
Councillor Perrault  
Councillor Heywood  
Councillor Fearnley

Voting against: Councillor Schechter  
Councillor Keating  
Mayor Mussatto

The original motion was **CARRIED** by a vote of four to three.

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

- 14. Rezoning Application: 335 East 11<sup>th</sup> Street, First Home Mart Development Ltd./Vernacular Design, RS-1 to CD-529, Duplex – File: 3345-02 11 E 335**

Report: Development Planner, Community Development, January 17, 2007.

Moved by Councillor Fearnley, seconded by Councillor Bookham

**THAT** the referral to a new public hearing for “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7824” (First Home Mart Development Ltd./Vernacular Design, 335 East 11<sup>th</sup> Street, RS-1 to CD-529, Duplex), as amended, be rejected;

**AND THAT** staff ascertain whether the applicant wishes to proceed to reconsideration and final adoption of Bylaw No. 7824, as amended.

**CARRIED**

Mayor Mussatto is recorded as voting contrary to the motion.

- 16. Western Avenue Planning Study Area Policy Committee Meeting and Official Community Plan Amendment Bylaw No. 7844 – File: 3330-02-W2**

Report: Development Planner, Community Development, January 12, 2007.

Moved by Councillor Fearnley, seconded by Councillor Keating

**PURSUANT** to the report of the Development Planner, dated January 12, 2007, entitled “Western Avenue Planning Study Area Policy Committee Meeting and Official Community Plan Amendment Bylaw No. 7844”:

**THAT** “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2007, No. 7844” (Western Avenue Planning Study, Residential Level Two: Low Density to Residential Level Three: Low Density and Residential Level Four: Medium Density), be considered and referred to a Public Hearing;

**AND THAT** draft Rezoning Guidelines be prepared for the Western Avenue Area encouraging affordability in building design;

**AND THAT** the Public Hearing for 116 West 23<sup>rd</sup> Street (Bylaws Nos. 7805, 7806, 7807) be scheduled for the same evening.

**CARRIED UNANIMOUSLY**

## **BYLAWS - Introduction and First Reading Only**

17. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2007, No. 7844” (Western Avenue Planning Study, Residential Level Two: Low Density to Residential Level Three: Low Density and Residential Level Four: Medium Density)

Moved by Councillor Keating, seconded by Mayor Mussatto

**THAT** Bylaw No. 7844 be read a first time in short form, copy of same having been distributed to Council members and read by them.

**CARRIED UNANIMOUSLY**

## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

18. “**Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7715 (Commercial Vehicle Regulations) – Public Consultation**”  
- File: 3020-03-02

Report: Assistant City Engineer, Transportation, January 17, 2007.

Moved by Mayor Mussatto, seconded by Councillor Perrault

**PURSUANT** to the report of the Assistant City Engineer, Transportation, dated January 17, 2007, entitled “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7715 (Commercial Vehicle Regulations) – Public Consultation”:

**THAT** the Public Consultation Plan consisting of newspaper advertising and written communications with stakeholders as presented in the January 17, 2007 report be endorsed.

**CARRIED UNANIMOUSLY**



## **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

### **23. Development Variance Permit Application – 901 West 3<sup>rd</sup> Street (Pattison Sign Group/Nucasa) Sign Variance – File: 3345-02 03 W 901 DVP 204**

Report: Policy Analyst, Community Development, January 10, 2007.

Moved by Councillor Keating, seconded by Mayor Mussatto

**PURSUANT** to the report of the Policy Analyst, dated January 10, 2007, entitled “Development Variance Permit Application – 901 West 3<sup>rd</sup> Street (Pattison Sign Group/Nucasa) Sign Variance”:

**THAT** Development Variance Permit No. 204 (Pattison Sign Group/Nucasa, 901 West 3<sup>rd</sup> Street), be considered for issuance pursuant to Section 922 of the Local Government Act;

**AND THAT** notification be circulated in accordance with Section 922 of the Local Government Act and a Public Meeting be scheduled.

**CARRIED UNANIMOUSLY**

### **ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Schechter

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 11:08 p.m.