



**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, FEBRUARY 4, 2008**  
**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 C.R. Keating  
Councillor B.W. Perrault  
Councillor S.A. Schechter

**ABSENT:**

Councillor R.N. Heywood

**STAFF MEMBERS**

A.K. Tollstam, City Manager  
S.E. Dowey, City Clerk  
R.G. Anderson, Deputy City Clerk  
R.H. White, Director, Community Development  
I. Gordon, Director, Finance  
B. Themens, Deputy Director, Finance  
G. Stainton, Manager City Facilities  
D. Pope, Deputy City Engineer  
L. R. Orr, Manager, Special Projects and Services  
D. Sigston, Deputy Director, Corporate Services  
G. Penway, Waterfront Project – Development  
Manager/City Planner  
C. Kathler, Community Planner  
N. Chand, Manager of Financial Planning  
K. Russell, Development Planner

The meeting was called to order at 6:01 p.m.

**ADOPTION OF MINUTES**

Moved by Councillor Schechter, seconded by Councillor Keating

**THAT** the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, January 21, 2008.
2. In Camera Committee of the Whole Meeting Minutes, January 21, 2008.

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT PERIOD – File: 1090-21**

Nil.

## **PRESENTATION**

**Re: City of North Vancouver Centennial Signing Books – File: 4455-03-C8**

Ms. Diane Wilson, on behalf of the Centennial Task Force, presented the Centennial Signing Books to the City of North Vancouver for preservation as part of the Centennial legacy for future generations. The books were then signed by members of Council.

## **CONSENT AGENDA ITEMS**

**{Items \*3, \*13, \*14, \*15, \*16, \*17, \*18, \*19, \*20, \*21 and \*22}**

Moved by Councillor Schechter, seconded by Councillor Keating

**THAT** the resolutions listed within the “Consent Agenda” of February 4, 2008, be approved, with the exception of items \*15 and \*17, as follows:

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

**\*3. Appointments to the John Braithwaite Community Centre Governance Committee – File: 4415-04-L3-02**

Report: City Clerk, January 28, 2008.

**PURSUANT** to the report of the City Clerk, dated January 28, 2008, entitled “Appointments to the John Braithwaite Community Centre Governance Committee”:

**THAT** Ms. Marie Jones and Mr. Michael Frankowski be re-appointed for a two-year term to conclude on January 31, 2010.

**(CARRIED UNANIMOUSLY)**

## **CORRESPONDENCE**

**\*13. Metro Vancouver, Board in Brief, November 30, 2007 - File: 1180-04-01**

**THAT** the Metro Vancouver, The Board in Brief, dated November 30, 2007, be received and filed.

**(CARRIED UNANIMOUSLY)**

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

### **\*14. Proposed 2008 Planning Work Program – File: 1010-04**

Report: Director, Community Development, January 29, 2008.

**PURSUANT** to the report of the Director, Community Development, dated January 29, 2008, entitled “Proposed 2008 Planning Work Program”:

**THAT** the 2008 Planning Work Program be endorsed.

**(CARRIED UNANIMOUSLY)**

### **\*16. City of North Vancouver – Squamish Nation Waterfront Trail – Public Art Component – File: 4300-13-04-02**

Report: Public Art Coordinator, North Vancouver Office of Cultural Affairs, January 29, 2008.

**PURSUANT** to the report of the Public Art Coordinator, North Vancouver Office of Cultural Affairs, dated January 29, 2008, entitled “City of North Vancouver – Squamish Nation Waterfront Trail – Public Art Component”:

**THAT** (Funding Appropriation # 0802) an amount of \$50,000 be appropriated from the Public Art Reserve Fund for the purpose of funding Waterfront Trail – Public Art Component;

**AND THAT** this resolution be forwarded to the Council of the Squamish Nation with a request that they allocate staff to work on this project;

**AND THAT** they be invited to participate financially.

**(CARRIED UNANIMOUSLY)**

**\*18. Appointment of Bylaw Enforcement Officer – File: 3030-01**

Report: Deputy Director, Corporate Services, January 24, 2008.

**PURSUANT** to the report of the Deputy Director, Corporate Services, dated January 24, 2008, entitled “Appointment of Bylaw Enforcement Officer”:

**THAT** Jamie Rollinson 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 Jamie Rollinson’s employment with the City ceases.

**(CARRIED UNANIMOUSLY)**

**\*19. Rezoning Application: 180 West Esplanade (First Capital Holdings Trust / Mallen Architecture CD-549) – File: 3345-02 Esplanade W 180**

Report: Director, Community Development, January 30, 2008.

**PURSUANT** to the report of the Director, Community Development, dated January 30, 2008, entitled “Rezoning Application: 180 West Esplanade (First Capital Holdings Trust / Mallen Architecture CD-549)”:

**THAT** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2008, No. 7908” (First Capital Holdings Trust / Mallen Architecture, 180 West Esplanade, CD-549) be considered and referred to a public hearing;

**AND THAT** Engineering, Parks and Environment requests for streetscape and pedestrian crossing improvements and installation of the Lonsdale Energy Corporation community energy service, as per Attachment 6 of the January 30, 2008 report, be endorsed;

**AND THAT** staff be requested to prepare amendments to existing legal agreements with First Capital Holdings Ltd. to enable the surplus parking adjoining 180 West Esplanade;

**AND THAT** “Land Use Contract Bylaw, 1972, No. 4453, Repeal Bylaw, 2008, No. 7910” (180 West Esplanade) be considered and referred to a public hearing.

**(CARRIED UNANIMOUSLY)**

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

- \*20. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2008, No. 7908" (First Capital Holdings Trust/Mallen Architecture, 180 West Esplanade, CD-549).
- \*21. "Land Use Contract Bylaw, 1972, No. 4453, Repeal Bylaw, 2008, No. 7910" (180 West Esplanade).

**THAT** Bylaws Nos. 7908 and 7910 be read a first time in short form, copy of same having been distributed to Council members and read by them.

**(CARRIED UNANIMOUSLY)**

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

- \*22. "Construction Regulation Bylaw, 2003, No. 7390, Amendment Bylaw, 2008, No. 7904" (Schedule "A" - Fees and Deposits).

**THAT** the said Bylaw No. 7904 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaw No. 7904 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

## **PROCLAMATIONS**

Nil.

## **DELEGATIONS**

**Mr. Richard Hulbert, The Hulbert Group International Inc.**

Re: Development Application for 210 West 13<sup>th</sup> Street – File: 3345-02 13 W 210

Mr. Richard Hulbert, The Hulbert Group International Inc., gave a PowerPoint presentation regarding "Development Application for 210 West 13<sup>th</sup> Street", as follows:

- Need for the provision of affordable rental housing;
- Description of location of proposed development at 13<sup>th</sup> Street and Chesterfield;

*continued...*

## **DELEGATIONS**

### **Mr. Richard Hulbert, The Hulbert Group International Inc. - Continued**

- Affordable Rental Housing – Neighbourhood Integration vs. Segregation, within walking distance of amenities and close to transit;
- The ideal location: Older existing housing stock; currently zoned medium density and adjacent to higher density housing;
- Number of rental units provided in various options.

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

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

### **4. Official Community Plan and Rezoning Application – 210 West 13<sup>th</sup> Street (Waterfront Capital Partners Inc./The Hulbert Group International Inc.) – File: 3345-02 13 W 210**

Report: Director, Community Development, January 30, 2008.

Moved by Councillor Schechter, seconded by Councillor Keating

**PURSUANT** to the report of the Director, Community Development, dated January 30, 2008, entitled “Official Community Plan and Rezoning Application – 210 West 13<sup>th</sup> Street (Waterfront Capital Partners Inc./The Hulbert Group International Inc.)”:

**THAT** the applicants be encouraged to consult with neighbourhood residents and approach staff following that consultation process.

**CARRIED**

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

## **CORRESPONDENCE**

### **5. The Canadian District Energy Association, January 31, 2008.**

Re: 13<sup>th</sup> Annual Conference, "District Energy - Fuelling Sustainable Development Across Canada", May 7-9, 2008, Hyatt Regency, Calgary, Alberta – File: 1840-02-01

*Requested by Councillor R.J. Fearnley.*

Moved by Councillor Schechter, seconded by Councillor Keating

**PURSUANT** to the correspondence received from The Canadian District Energy Association, dated January 31, 2008, entitled "13<sup>th</sup> Annual Conference, District Energy - Fuelling Sustainable Development Across Canada":

**THAT** all members of the Lonsdale Energy Corporation Board be encouraged to attend the "13<sup>th</sup> Annual Conference, District Energy - Fuelling Sustainable Development Across Canada", to be held May 7-9, 2008, at the Hyatt Regency, Calgary, Alberta.

**CARRIED**

### **6. Councillor Bob Long, President, Lower Mainland Local Government Association, January 25, 2008.**

Re: 2008 Lower Mainland Local Government Association Annual General Meeting and Conference, May 7-9, 2008, Hilton Whistler Resort and Spa, Whistler, B.C. – File: 1040-03-L5-01

Moved by Councillor Schechter, seconded by Councillor Perrault

**PURSUANT** to the correspondence received from Councillor Bob Long, President, Lower Mainland Local Government Association (LMLGA), dated January 25, 2008, entitled "2008 Lower Mainland Local Government Association Annual General Meeting and Conference":

**THAT** all Council members be authorized to attend the "2008 LMLGA Annual General Meeting and Conference Annual General Meeting and Conference", to be held May 7-9, 2008, at the Hilton Whistler Resort and Spa, Whistler, B.C.;

*continued...*

6. **Councillor Bob Long, President, Lower Mainland Local Government Association, January 25, 2008. - Continued**

**AND THAT** the expenses be paid in accordance with City Policy;

**AND THAT** the funds be provided from the 2008 Legislative Conventions and Delegations Account.

**CARRIED UNANIMOUSLY**

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

7. **2008 Canada Day Burrard Inlet Fireworks Show – File: 1665-02-01**

Report: Manager, Financial Planning, January 30, 2008.

Moved by Councillor Keating, seconded by Councillor Schechter

**PURSUANT** to the report of the Manager, Financial Planning, dated January 30, 2008, entitled “2008 Canada Day Burrard Inlet Fireworks Show”:

**THAT** Option A, to cease funding North Shore fireworks events, as set out in the January 30, 2008 report of the Manager, Financial Planning, be endorsed.

**DEFEATED**

Moved by Councillor Schechter, seconded by Councillor Keating

**THAT** \$5,000 in funding be allocated towards the City of North Vancouver’s Canada Day Parade.

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

**AND THAT** \$5,000 in funding be allocated towards the Canada Day Fireworks Display.

Moved by Councillor Fearnley, seconded by Councillor Schechter

**THAT** consideration of the motions be deferred until all members of Council are present.

**CARRIED UNANIMOUSLY**



## **MOTIONS AND NOTICES OF MOTION**

### **8. Development Variance Permit Application – 998 Harbourside Drive / Klaus Melchior) – File: 3345-02 Harbourside 998**

Moved by Councillor Schechter, seconded by Councillor Keating

**THAT** Development Variance Permit No. 217 (Mezzanine Storage, 998 Harbourside Drive/Klaus Melchior) be issued to Klaus Melchior, Owner, Molokai Productions Inc., 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. 217.

**CARRIED UNANIMOUSLY**

### **9. Limiting Future Proliferation Of Drive-Through Businesses In The City of North Vancouver – File: 4000-03-01**

Submitted by Councillor S.A. Schechter

Moved by Councillor Schechter, seconded by Councillor Keating

**WHEREAS** Sections 8.4.1 and 8.4.2 of the Official Community Plan set out environmental goals to “demonstrate environmental leadership” and “encourage the community to adapt to a sustainable lifestyle”;

**WHEREAS** Section 6.1 of the Official Community Plan reports that the transportation sector is the largest contributor to City air pollution, producing 36.5% of the total community greenhouse gas emissions;

**WHEREAS** “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7697” (Vehicle Idling) prohibits people from idling vehicles for greater than three minutes, but does not specify drive-through businesses; and

**WHEREAS** drive-through businesses not only contribute to increased greenhouse gas emissions, but they have resulted in noise complaints from surrounding residents;

*continued...*

9. **Limiting Future Proliferation Of Drive-Through Businesses In The City of North Vancouver – File: 4000-03-01 - Continued**

**NOW THEREFORE BE IT RESOLVED THAT:**

1. Staff be requested to investigate options for limiting future proliferation of drive-through businesses in the City of North Vancouver; and
2. This resolution be referred to the Parks & Environment Advisory Committee and the Advisory Planning Commission.

**DEFEATED**

10. **City Pilot Project to Support the Installation and Use of Clotheslines for Domestic Laundry Drying (either in backyards or on balconies) – File: 4000-01**

Submitted by: Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Schechter

**WHEREAS** the City of North Vancouver has sponsored pilot projects for the use of rain barrels, backyard composters and other devices that have made a positive contribution to creating a sustainable community; and

**WHEREAS** the use of dryers for domestic laundry constitutes a major source of energy use in our community;

**NOW THEREFORE BE IT RESOLVED THAT** the issue of a City pilot project to support the installation and use of clotheslines for domestic laundry drying (either in backyards or on balconies) be referred to staff; and

**RESOLVED THAT** staff report back on any existing legal impediments (either municipal bylaws or strata corporation bylaws) that might stand in the way of the implementation of such a program.

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

The vote on the following recommendation:

**WHEREAS** the City of North Vancouver has sponsored pilot projects for the use of rain barrels, backyard composters and other devices that have made a positive contribution to creating a sustainable community; and

**WHEREAS** the use of dryers for domestic laundry constitutes a major source of energy use in our community;

*continued...*

**10. City Pilot Project to Support the Installation and Use of Clotheslines for Domestic Laundry Drying (either in backyards or on balconies) – File: 4000-01 - Continued**

**NOW THEREFORE BE IT RESOLVED THAT** the issue of a City pilot project to support the installation and use of clotheslines for domestic laundry drying (in backyards) be referred to staff; and

**RESOLVED THAT** staff report back on any existing legal impediments (in municipal bylaws) that might stand in the way of the implementation of such a program.

**CARRIED UNANIMOUSLY**

The vote on the following recommendation:

**NOW THEREFORE BE IT RESOLVED THAT** the issue of a City pilot project to support the installation and use of clotheslines for domestic laundry drying (on balconies) be referred to staff; and

**RESOLVED THAT** staff report back on any existing legal impediments (in strata corporation bylaws) that might stand in the way of the implementation of such a program.

**CARRIED**

Councillor Perrault is recorded as voting contrary to the motion.

The motion now reads as follows in its entirety:

**“WHEREAS** the City of North Vancouver has sponsored pilot projects for the use of rain barrels, backyard composters and other devices that have made a positive contribution to creating a sustainable community; and

**WHEREAS** the use of dryers for domestic laundry constitutes a major source of energy use in our community;

**NOW THEREFORE BE IT RESOLVED THAT** the issue of a City pilot project to support the installation and use of clotheslines for domestic laundry drying (either in backyards or on balconies) be referred to staff; and

**RESOLVED THAT** staff report back on any existing legal impediments (either municipal bylaws or strata corporation bylaws) that might stand in the way of the implementation of such a program.”

**11. Building a Waste to Energy Facility in Lower Lonsdale  
– File: 4165-05-02**

Submitted by: Councillor R.J. Fearnley

Moved by Councillor Fearnley, seconded by Councillor Keating

**WHEREAS** Metro Vancouver is now looking at building Waste to Energy Facilities to dispose of regional solid waste, now that they have abandoned the replacement land fill project;

**WHEREAS** the City of North Vancouver owns Lonsdale Energy, a District Energy System; and

**WHEREAS** Lonsdale Energy needs to look at renewable energy sources and reducing green house gas emissions;

**NOW THEREFORE BE IT RESOLVED THAT** the City of North Vancouver hold a Policy Committee Meeting on the subject of building a Waste to Energy Facility in the City of North Vancouver;

**RESOLVED THAT** the Policy Committee Meeting looks at such diverse issues as the public acceptance of a waste to energy plant, the ownership model for such a facility, possible funding models, generating electricity, heat storage, location of the plant, and other issues surrounding building a waste to energy facility in the City of North Vancouver; and

**RESOLVED THAT** due to the complexity of the subject matter, "Building a Waste to Energy Facility in Lower Lonsdale", and the emerging work which is presently underway by Metro Vancouver, the Notice of Motion submitted by Councillor Fearnley be referred back to staff for a status update.

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

The vote on the following recommendations:

**WHEREAS** Metro Vancouver is now looking at building Waste to Energy Facilities to dispose of regional solid waste, now that they have abandoned the replacement land fill project;

**WHEREAS** the City of North Vancouver owns Lonsdale Energy, a District Energy System; and

**WHEREAS** Lonsdale Energy needs to look at renewable energy sources and reducing green house gas emissions;

*continued...*

**11. Building a Waste to Energy Facility in Lower Lonsdale  
– File: 4165-05-02**

**NOW THEREFORE BE IT RESOLVED THAT** the City of North Vancouver hold a Policy Committee Meeting on the subject of building a Waste to Energy Facility in the City of North Vancouver; and

**RESOLVED THAT** the Policy Committee Meeting looks at such diverse issues as the public acceptance of a waste to energy plant, the ownership model for such a facility, possible funding models, generating electricity, heat storage, location of the plant, and other issues surrounding building a waste to energy facility in the City of North Vancouver.

**DEFEATED**

The vote on the following recommendation:

**RESOLVED THAT** due to the complexity of the subject matter, “Building a Waste to Energy Facility in Lower Lonsdale”, and the emerging work which is presently underway by Metro Vancouver, the Notice of Motion submitted by Councillor Fearnley be referred back to staff for a status update.

**CARRIED UNANIMOUSLY**

**BYLAWS - Second and Third Readings**

- 12.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2007, No. 7898” (C. & C. Maltby/Cameron Maltby Design, 142 West 23<sup>rd</sup> Street, CD 546).

\*Councillor Fearnley left the meeting at 7:59 p.m.

Moved by Councillor Keating, seconded by Councillor Perrault

**THAT** the said Bylaw No. 7898 be read a second time in short form.

Moved by Councillor Bookham, seconded by Mayor Mussatto

**THAT** consideration of the motion be deferred until all members of Council are present.

**CARRIED**

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

### **15. Waterfront Office – Funding Appropriation – File: 3330-02 W1 02**

Report: Waterfront Development Project Manager, January 4, 2008.

Moved by Councillor Schechter, seconded by Councillor Keating

**PURSUANT** to the report of the Waterfront Development Project Manager, dated January 4, 2008, entitled “Waterfront Office – Funding Appropriation”:

**THAT** (Funding Appropriation # 0801) an amount of \$327,000 be appropriated from the Lower Lonsdale Amenity Fund for the purpose of funding the waterfront office;

**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.

**CARRIED UNANIMOUSLY**

### **17. Updates Regarding Affordable Housing and Rental Housing Strategies – File: 3365-05-04**

Report: Community Planner, Community Development, January 31, 2008.

Moved by Councillor Schechter, seconded by Councillor Keating

**PURSUANT** to the report of the Community Planner, Community Development, dated January 31, 2008, entitled “Updates Regarding Affordable Housing and Rental Housing Strategies”:

**THAT** the update report, dated January 31, 2008, be received.

**CARRIED UNANIMOUSLY**

### **RECESS**

Mayor Mussatto declared a recess at 8:09 p.m., for the public question period and reconvened the meeting immediately.

## **INQUIRIES**

- 23. Article in North Shore Outlook Newspaper entitled “Tower Revolt – Retiree Condo Dwellers Mobilize Against Site 8 and CNV Mayor Darrell Mussatto” – File: 3345-02 ESPLANADE W 119 Site 8**

Inquiry by Councillor B.W. Perrault

Councillor Perrault asked Mayor Mussatto about the serious allegations made about the Mayor and staff in the January 31, 2008 North Shore Outlook newspaper article and inquired whether Section 33(6)(m) of the Council Procedure Bylaw which references an attack on motives of Council members applies to the comments made in this article.

Mayor Mussatto advised that he was disappointed in the comments made in the article and that his door is always open and he meets with members of the public, developers and other groups to hear their points of view. He advised that he did meet with the applicants regarding Site 8 prior to the proposal coming before Council.

The City Clerk advised that Section 33 of the Council Procedure Bylaw applies only to conduct and debate of Council members at Council Meetings.

- 24. Article in North Shore Outlook Newspaper entitled “Tower Revolt – Retiree Condo Dwellers Mobilize Against Site 8 and CNV Mayor Darrell Mussatto” – File: 3345-02 ESPLANADE W 119 Site 8**

Inquiry by Councillor P.J. Bookham

Councillor Bookham asked Mayor Mussatto when Millenium Developments met with him about their interest in developing Site 8 and when they indicated that they would like to seek additional development potential on that site.

Mayor Mussatto advised that he could not recall the exact date of the meeting but it could have been 3 weeks, a month or even a year prior to the proposal being brought before Council.

## **ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Schechter

**THAT** the meeting adjourn.

**CARRIED**

The meeting adjourned at 8:17 p.m.