



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, SEPTEMBER 14,
2009 AT 6:00 P.M.****

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor P.J. Bookham
Councillor R.C. Clark
Councillor R.J. Fearnley
Councillor R.G. Heywood
Councillor C.R. Keating
Councillor M.L. Trentadue

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
R.H. White, Director, Community Development
S. Ono, City Engineer
I. Gordon, Director, Finance
Supt. T. Enger, O.I.C./North Vancouver RCMP
G. Penway, Deputy Director, Community
Development
D. Sigston, Deputy Director, Corporate Services
B. Themens, Deputy Director, Finance
D. Pope, Deputy City Engineer
L. R. Orr, Manager, Special Projects and Services/
National Maritime Centre Project Director
E. Adin, City Planner
S. Smith, Planner, Community Development
K. Weeks, North Vancouver RCMP
T. Germaine, North Vancouver RCMP
H. Sadler, Waterfront Project Deputy
Development Manage
L. McCarthy, Community Development Worker
D. Mitic, Assistant City Engineer, Transportation
C. Jackson, Environmental Coordinator
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, July 27, 2009.
2. In Camera Committee of the Whole Meeting Minutes, July 27, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

- Mr. John Harvey, 33-1910 Cedar Village Crescent, spoke regarding “North Vancouver Policing”.

CONSENT AGENDA ITEMS

{Items *20, *21, *22 and *23}

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the resolutions listed within the “Consent Agenda” of September 14, 2009, with the exception of item *23, be approved, as follows.

BYLAWS - Reconsideration and Final Adoption

- *20. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8013” (Laco Holdings Limited / NU*LAB Design, 311 West 1st Street, CD-574).

THAT the said Bylaw No. 8013 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8013 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *21. **Schedule of Fees for Police Services – File: 1660-02**

Report: Manager, Finance & Administration, R.C.M.P., September 9, 2009.

PURSUANT to the report of the Manager, Finance & Administration, R.C.M.P., dated September 9, 2009, entitled “Schedule of Fees for Police Services”:

THAT “Fees and Charges Bylaw 1993, No. 6383, Amendment Bylaw, 2009, No. 8007” (Schedule B: Schedule of Fees for Police Services), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *22. "Fees and Charges Bylaw 1993, No. 6383, Amendment Bylaw, 2009, No. 8007" (Schedule B: Schedule of Fees for Police Services).

THAT Bylaw No. 8007 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8007 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8007 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Bookham, 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) (f)
4. Section 90 (2) (b)
5. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:04 p.m. and reconvened at 7:31 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

4. Recreational Infrastructure Canada Grant Application – File: 4305-03-M1-02

Report: Landscape Architect, September 8, 2009.

THAT the action taken by the Committee of the Whole in camera this evening regarding “Recreational Infrastructure Canada Grant Application” be ratified;

AND THAT the wording of the recommendation and the report of the Landscape Architect, dated September 8, 2009, entitled “Recreational Infrastructure Canada Grant Application”, remain in camera.

CARRIED UNANIMOUSLY

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

Keith Road Greenway Grant Application Update– File: 4300-16-02

Report: Manager, Parks and Environment, September 14, 2009.

PURSUANT to the report of the Manager, Parks and Environment, dated September 14, 2009, entitled “Keith Road Greenway Grant Application Update”:

THAT the submission of an application for federal funding support through the Infrastructure Stimulus Fund for the completion of the Keith Road Greenway Connection be endorsed;

AND THAT staff report back to Council should this application be successful.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

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

5. Appointment to the Advisory Design Panel – File: 1085-03-A1-01

Report: City Clerk, September 1, 2009.

PURSUANT to the report of the City Clerk, dated September 1, 2009, entitled “Appointment to the Advisory Design Panel”:

THAT Mr. Yashar Khalighi be appointed for a term to conclude on January 31, 2010 as the Community Representative.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“NATIONAL FAMILY DINNER NIGHT” – SEPTEMBER 17, 2009

**“KEEP WELL SOCIETY OF THE NORTH SHORE WEEK”
– SEPTEMBER 14-18, 2009**

DELEGATION

Ms. Donna McGeachie, Manager, Community Relations, BC Transmission Corporation and Mr. Milan Prpic, Manager of Regional Distribution Planning, BC Hydro.

Re: BC Transmission Corporation & BC Hydro: North Vancouver Substation Upgrade Project – File: 1195-11-B7-01

Ms. Donna McGeachie, Manager, Community Relations, BC Transmission Corporation and Mr. Milan Prpic, Manager of Regional Distribution Planning, BC Hydro, gave a PowerPoint presentation regarding the “BC Transmission Corporation & BC Hydro: North Vancouver Substation Upgrade Project”, as follows:

- Project Partners;
- North Shore Distribution Substations;
- North Vancouver Substation – Load Forecast July 2009;

continued...

Ms. Donna McGeachie, Manager, Community Relations, BC Transmission Corporation and Mr. Milan Prpic, Manager of Regional Distribution Planning, BC Hydro. - Continued

- North Vancouver Substation Upgrade Project – Project Description, Benefits; Environment; and Proposed Schedule.

Ms. McGeachie, Mr. Prpic, Ms. Arlene Shwetz, BC Hydro, Manager of Community Relations for Lower Mainland-South Coast, and Mr. Ranbir Manj, BC Transmission Corporation, Project Manager, then responded to questions from members of Council.

CORRESPONDENCE

6. Ms. Donna McGeachie, Manager, Community Relations, BC Transmission Corporation, July 21, 2009.

Re: BC Transmission Corporation & BC Hydro: North Vancouver Substation Upgrade Project – File: 1195-11-B7-01

Moved by Councillor Clark, seconded by Councillor Keating

THAT the correspondence from Ms. Donna McGeachie, Manager, Community Relations, BC Transmission Corporation, dated July 21, 2009, regarding “BC Transmission Corporation & BC Hydro: North Vancouver Substation Upgrade Project”, be received and filed with thanks.

CARRIED UNANIMOUSLY

7. Ministry of Transportation and Infrastructure, August 21, 2009.

Re: 2009 British Columbia International Open Skies Summit, Thursday, September 24, 2009 & Friday, September 25, 2009, Vancouver Convention Centre – File: 1840-02-01

Requested by Councillor R.J. Fearnley.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the correspondence received from the Ministry of Transportation and Infrastructure, dated August 21, 2009, entitled “2009 British Columbia International Open Skies Summit, Thursday, September 24, 2009 & Friday, September 25, 2009, Vancouver Convention Centre”:

continued...

7. **Ministry of Transportation and Infrastructure, August 21, 2009. - Continued**

THAT all Council members who have an interest in attending this Conference be authorized to attend the “2009 British Columbia International Open Skies Summit”, to be held Thursday, September 24, 2009 & Friday, September 25, 2009, in the Vancouver Convention Centre, Vancouver, BC;

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

AND THAT the funds be provided from the 2009 Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY

8. **North Vancouver Joint Bicycle Advisory Committee, September 9, 2009.**

Re: Narrowing of the Road at 100 Block West 13th Street
- File: 1085-03-N-20-02

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the correspondence from the North Vancouver Joint Bicycle Advisory Committee, dated September 9, 2009, regarding “Narrowing of the Road at 100 Block West 13th Street”:

THAT Council support the inclusion of bicycle lanes on the 100 Block West 13th Street;

AND THAT staff report back to Council with options for the inclusion of bicycle lanes on the 100 Block West 13th Street plus cost estimates for a discussion at a future Council Meeting.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Fearnley
Councillor Heywood
Councillor Bookham
Councillor Clark

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

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**8. North Vancouver Joint Bicycle Advisory Committee, September 9, 2009.
- Continued**

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the correspondence from the North Vancouver Joint Bicycle Advisory Committee, dated September 9, 2009, regarding “Narrowing of the Road at 100 Block West 13th Street”, be received and filed.

CARRIED

Councillor Keating is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

9. Spirit Corner Mural at 67 Mahon Avenue – File: 1670-03-10/3345-02 Mahon 67

Report: Community Development Worker, Community Development, September 8, 2009.

Moved by Councillor Keating, seconded by Councillor Bookham

PURSUANT to the report of the Community Development Worker, Community Development, dated September 8, 2009, entitled “Spirit Corner Mural at 67 Mahon Avenue”:

WHEREAS the City of North Vancouver is meaningfully engaged in deterring graffiti and enhancing community safety;

WHEREAS the City of North Vancouver is very proud to promote the Spirit Trail; and

WHEREAS the City of North Vancouver is committed in working in partnership with the Squamish Nation;

THAT the mural attached to the September 8, 2009 report, designed by artist Jane Clark, be approved for 67 Mahon Avenue;

AND THAT the following Option 1 for funding be considered:

THAT the City of North Vancouver provide \$4,500, one-third of the estimated total cost of \$13,000 from Council Contingency budget with one third partnership dollars from HESP Automotive (occupant of 67 Mahon Avenue) and one-third additional partnership dollars including the Squamish Nation which has offered to contribute \$1,000.

CARRIED UNANIMOUSLY

**10. Petition to Remove Trees at 325 Tempe Crescent
– File: 4310-05 / 3345-02 Tempe Cres 325**

Report: Manager, Parks and Environment, August 20, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the report of the Manager, Parks and Environment, dated August 20, 2009, entitled “Petition to Remove Trees at 325 Tempe Crescent”:

THAT the application for removal of six Black Locust trees and two Horse Chestnut trees situated on City property adjacent to 325 Tempe Crescent be supported, subject to the applicant’s agreement to supply and install replacement trees as required in the City’s Tree Policy.

CARRIED UNANIMOUSLY

11. Spirit Trail – Funding Appropriation Section 7 – Forbes / Waterfront Park / Chesterfield – File: 1645-17/4300-13-04-02

Report: Waterfront Project Deputy Development Manager,
September 8, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the report of the Waterfront Project Deputy Development Manager, dated September 8, 2009, entitled “Spirit Trail – Funding Appropriation Section 7 – Forbes / Waterfront Park / Chesterfield”:

THAT (Funding Appropriation #0922) an amount of \$92,733 be appropriated from the Community Enhancement Fund for the design and implementation of Spirit Trail Section 7 – Forbes / Waterfront Park / Chesterfield;

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

12. Foot of Lonsdale Site Plan and Open Space Design – Terms of Reference and Funding Appropriation – File: 1645-17/3380-02-F4

Report: Waterfront Project Deputy Development Manager,
September 8, 2009.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the report of the Waterfront Project Deputy Development Manager, dated September 8, 2009, entitled “Foot of Lonsdale Site Plan and Open Space Design – Terms of Reference and Funding Appropriation” be referred back to staff for greater clarification regarding the scope of the work and the scope of the project.

CARRIED UNANIMOUSLY

13. Community Greenhouse Gas Local Action Plan Update – File: 4000-07

Report: Chair, Climate Action Task Force on behalf of the Climate Action Task Force, September 8, 2009.

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Chair, Climate Action Task Force, dated September 8, 2009, entitled “Community Greenhouse Gas Local Action Plan Update”:

THAT staff be requested to prepare an updated Community Climate Action Plan with associated community greenhouse gas reduction targets, policies and actions for inclusion in the Official Community Plan by May 2010;

AND THAT (Funding Appropriation #0920) an amount of \$50,000 be allocated from the General Reserve Fund for the purpose of funding the Community Greenhouse Gas Local Action Plan Update;

AND THAT should any of the above amount remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

CARRIED UNANIMOUSLY

**14. Raising the Bar on Energy Standards for Buildings: Funding
- File: 3410-01/4000-07**

Report: Deputy Director, Community Development, September 9, 2009.

Moved by Councillor Trentadue, seconded by Councillor Keating

PURSUANT to the report of the Deputy Director, Community Development, dated September 9, 2009, entitled "Raising the Bar on Energy Standards for Buildings: Funding":

THAT an amount of \$45,000 (Funding Appropriation #0921) be allocated from the General Reserve Fund for the purpose of funding the City's new project to increase energy efficiency and reduce green house gas emissions in buildings;

AND THAT should any of the above amount remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

CARRIED UNANIMOUSLY

15. Proposed Signage Kiwanis Seniors Homes – File: 3345-02 02 W 170

Report: Director, Community Development, September 9, 2009.

Moved by Mayor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Director, Community Development, dated September 9, 2009, entitled "Proposed Signage Kiwanis Seniors Homes":

THAT as per Option 3 of the September 9, 2009 report, Kiwanis Seniors Homes be allowed to post one non-lit identification sign on the roof of Kiwanis Tower at 170 West 2nd Street approximately 24 ft x 4 ft in size bearing the name of the affiliated service club "KIWANIS" on the signage.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Councillor Fearnley
Mayor Mussatto

Voting against: Councillor Heywood
Councillor Bookham
Councillor Clark

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

16. 2009 Civic Awards Dinner – File: 1090-04-01

Report: Assistant City Clerk, September 8, 2009.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Assistant City Clerk, dated September 8, 2009, entitled “2009 Civic Awards Dinner”:

THAT staff be authorized to make the necessary arrangements for the holding of a Civic Awards Dinner to be held on Thursday, November 5, 2009;

AND THAT Councillor R.G. Heywood be appointed as the Council representative to the staff committee making the necessary arrangements for the Civic Awards Dinner.

CARRIED UNANIMOUSLY

17. Funding Appropriation for 2009 Paving Projects – File: 4140-01/1645-17

Report: Streets Supervisor, Engineering, Parks & Environment, September 3, 2009.

Moved by Councillor Clark, seconded by Councillor Bookham

PURSUANT to the report of the Streets Supervisor, Engineering, Parks & Environment, dated September 3, 2009, entitled “Funding Appropriation for 2009 Paving Projects”:

THAT an amount of \$205,000 be appropriated from the Infrastructure Reserve Fund (Funding Appropriation #0916) for paving projects located at the 200 block and 400 blocks of East 13th Street; the 300 block of Hanes Avenue and the 800 block of West 16th Street;

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.

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17. Funding Appropriation for 2009 Paving Projects – File: 4140-01/1645-17 - Continued

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

PURSUANT to the report of the Streets Supervisor, Engineering, Parks & Environment, dated September 3, 2009, entitled “Funding Appropriation for 2009 Paving Projects”:

THAT an amount of \$143,770 be appropriated from the Infrastructure Reserve Fund (Funding Appropriation #0916) for paving projects located at the 400 block of East 13th Street; the 300 block of Hanes Avenue and the 800 block of West 16th Street;

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

THAT an amount of \$61,230 be appropriated from the Infrastructure Reserve Fund (Funding Appropriation #0916) for a paving project located at the 200 block of East 13th Street.

DEFEATED

MOTIONS AND NOTICES OF MOTIONS

18. City Council Retreat – File: 1090-01

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Keating

THAT the notice of motion submitted by Councillor R.C. Clark regarding “City Council Retreat” be deferred to the next Regular Council Meeting of September 21, 2009.

CARRIED UNANIMOUSLY

19. Lift Assist Systems for Bicycles – File: 4100-08-01

Submitted by: Mayor D.R. Mussatto

Moved by Mayor Mussatto, seconded by Councillor Trentadue

WHEREAS the City of North Vancouver has emphasized the use of alternative modes of travel that would result in health benefits from active living, vibrant streets, paths and places, lower per capita green house gas emissions and less impact on the environment;

WHEREAS cycling is one of the most beneficial and environmentally friendly modes of transportation, and is used by some as an alternative to the use of an automobile;

WHEREAS the steep grades from lower Lonsdale to central Lonsdale make it prohibitive for many people to ride their bicycles up Lonsdale; and

WHEREAS there are bicycle elevator or lift assist mechanisms available such as the Trampe bicycle lift system in Trondheim, Norway, that have been used in other parts of the world with great success;

NOW THEREFORE BE IT RESOLVED THAT:

1. Staff investigates the possible application of such lift assist systems for bicycles from lower Lonsdale to central Lonsdale including the potential benefits and obstacles, costs and opportunities of such systems in the City of North Vancouver; and
2. Staff reports back to Council with options;

AND THAT the motion be referred to the Joint Bicycle Advisory Committee for comment.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Councillor Fearnley
Councillor Heywood
Mayor Mussatto

Voting against: Councillor Bookham
Councillor Clark

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

23. Strata Conversion Application, 406 East 4th Street (Howard Rubin) - File: 3345-02 04 E 406

Report: Planning Technician 2, Community Development, September 9, 2009.

Moved by Mayor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Planning Technician 2, Community Development, dated September 9, 2009, entitled "Strata Conversion Application, 406 East 4th Street (Howard Rubin)":

THAT the Strata Titling of the duplex located at 406 East 4th Street be approved subject to final inspection of the dwelling by the City Building Department;

AND THAT the Mayor and City Clerk be authorized to execute a Section 219 Covenant limiting the use of the property to two dwelling units;

AND THAT the Mayor and City Clerk be authorized to execute the Strata Plans pursuant to Section 242 of the *Strata Property Act*.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 9:34 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

24. 1400 Block Bewicke Avenue – Appeal of Supreme Court Decision – File: 3345-02 BEWICKE 1404-1456

Inquiry by: Councillor P.J. Bookham

Councillor Bookham inquired of Mayor Mussatto if an appeal of the Supreme Court decision regarding the 1400 Block of Bewicke Avenue case had been filed.

Mr. Gary Penway, Deputy Director, Community Development, advised that a notice of appeal had been received by the City.

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**24. 1400 Block Bewicke Avenue – Appeal of Supreme Court Decision –
File: 3345-02 BEWICKE 1404-1456 - Continued**

Councillor Bookham inquired whether the notice of appeal would be circulated to members of Council and if building permits had been issued for the 1400 Bewicke Avenue project.

Mr. Penway confirmed that copies of the notice of appeal would be circulated to Council and that building permits for the project had not been issued.

Councillor Bookham inquired if Council could re-visit 1400 Bewicke Avenue and if a legal opinion could be sought on this.

Mr. Ken Tollstam, City Manager, advised that our Solicitor will brief Council on September 16, 2009 in camera.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:37 p.m.