



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, MAY 10, 2010**
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 M.L. Trentadue

ABSENT:

Councillor C.R. Keating

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
I. Gordon, Director, Finance
F. Caouette, Director, Corporate Services
S. Ono, City Engineer
B. Themens, Deputy Director, Finance
D. Pope, Deputy City Engineer
D. Sigston, Deputy Director, Corporate Services
G. Penway, Deputy Director, Community
Development
I. Steward, Property Valuator-Negotiator
J. Irwin, Manager of Financial Services
L. Garber, Manager, Accounting Services
L.R. Orr, Manager, Special Projects and Services/
Waterfront Project Manager
E. Adin, City Planner
S. Smith, Planner, Community Development
C. Jackson, Environmental Coordinator
A. Kurnicki, Streetscape Planner, Parks &
Environment
D. Watson, Transportation Planner
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, May 3, 2010.
2. In Camera Committee of the Whole Meeting Minutes, May 3, 2010.

CARRIED UNANIMOUSLY

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

Nil.

CONSENT AGENDA ITEMS

{Items *19, *20, *21, *22 and *23}

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the resolutions listed within the “Consent Agenda” of May 10, 2010, be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***19. Holy Trinity School Redevelopment-Land Exchange Agreement and Bylaw to Close Western Avenue and City Lane – File: 3375-07 128 W27**

Report: Property Valuator/Negotiator, Corporate Services,
May 5, 2010.

PURSUANT to the report of the Property Valuator/Negotiator, Corporate Services, dated May 5, 2010, entitled “Holy Trinity School Redevelopment-Land Exchange Agreement and Bylaw to Close Western Avenue and City Lane”:

THAT the Mayor and City Clerk be authorized to execute the Land Exchange Agreement between the City of North Vancouver and the Roman Catholic Archbishop of Vancouver dated May 1, 2010, for lands located at Western Avenue and 27th Street;

AND THAT “Highways Closing and Disposition Bylaw, 2010, No. 8081” (Closing and removal of highway dedication and disposition of a portion of highway located on Western Avenue east of West 27th Street and a portion of lane located east of Western Avenue and north of 27th Street) be considered;

AND THAT the Mayor and City Clerk be authorized to sign and seal “Highways Closing and Disposition Bylaw, 2010, No. 8081” in order to give effect to the above motions;

AND THAT notice of the proposed exchange of the City highway and laneway be advertised in accordance with the Community Charter.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *20. “Highways Closing and Disposition Bylaw, 2010, No. 8081” (Closing and removal of highway dedication and disposition of a portion of highway located on Western Avenue east of West 27th Street and a portion of lane located east of Western Avenue and north of 27th Street).

THAT Bylaw No. 8081 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. 8081 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8081 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *21. **“Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2010, No. 8082” (Resident Exempt Permit Increase) – File: 4155-06**

Report: Assistant City Engineer, Transportation, April 30, 2010.

PURSUANT to the report of the Assistant City Engineer, Transportation, dated April 30, 2010, entitled “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2010, No. 8082” (Resident Exempt Permit Increase):

THAT “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2010, No. 8082” (Resident Exempt Permit Increase), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *22.** “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2010, No. 8082” (Resident Exempt Permit Increase).

THAT Bylaw No. 8082 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. 8082 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8082 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *23. Expiring City Funds for National Maritime Centre (NMC) Project
– File: 1645-07**

Report: Waterfront Project Manager, May 5, 2010.

PURSUANT to the report of the Waterfront Project Manager, dated May 5, 2010, entitled “Expiring City Funds for National Maritime Centre (NMC) Project”:

THAT the appropriation of \$269,432.88 in National Maritime Centre Funding scheduled to expire on May 28, 2010, be extended for one year;

AND THAT should any of the above amount remain unexpended after one year from the date of appropriation extension, the unexpended balance shall be returned to the credit of the Lower Lonsdale Amenity Reserve Fund.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Clark, 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) (f)
5. Section 90 (1) (e)
6. Section 90 (1) (e)
7. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:01 p.m. and reconvened at 7:01 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

3. 2009 BDO Audit Report – File: 1610-07

Report: Manager, Financial Services, May 4, 2010.

PURSUANT to the report of the Manager, Financial Services, dated May 4, 2010, entitled “2009 BDO Audit Report”:

THAT the “Audit Results and Communications, Report to Council”, dated December 31, 2009 (Attachment No. 1 of the May 4, 2010 report), as presented by BDO Dunwoody, be received and filed;

AND THAT the report of the Manager, Financial Services, dated May 4, 2010, entitled “2009 BDO Audit Report”, remain in camera.

CARRIED UNANIMOUSLY

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

5. Innovative City Support for Affordable and Special Needs Housing: 2nd Mortgage – File: 3365-05-04

Report: Community Planner, Community Development and Director of Finance, May 5, 2010.

PURSUANT to the report of the Community Planner and Director of Finance, dated May 5, 2010, entitled “Innovative City Support for Affordable and Special Needs Housing: 2nd Mortgage”:

THAT the action taken by the Committee of The Whole in camera this evening regarding “Innovative City Support for Affordable and Special Needs Housing: 2nd Mortgage” be ratified;

AND THAT the wording of the recommendation and the report of the Community Planner and Director of Finance, dated May 5, 2010, entitled “Innovative City Support for Affordable and Special Needs Housing: 2nd Mortgage”, remain in camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

**“CHILD FIND’S GREEN RIBBON OF HOPE MONTH” – MAY, 2010 &
“NATIONAL MISSING CHILDREN’S DAY” – MAY 25, 2010**

“NATIONAL PUBLIC WORKS WEEK” – MAY 16 – 22, 2010

Councillor Fearnley advised that he no longer has a conflict of interest with regards to the Harbourside Project as he no longer has a client connected to Concert Properties.

DELEGATION

Mr. Chuck Brook, Principal, Brook + Associates Inc.

Re: Harbourside Policy Plan - Status Report
– File: 3345-02 18 Fell/Harbourside Dr. 801/889/925

Mr. Chuck Brook, Principal, Brook + Associates Inc., gave a PowerPoint presentation regarding “Harbourside Waterfront Policy Plan – Project Update”, as follows:

- Introduction to Harbourside Waterfront Policy Plan;
- Steering Committee;
- Study Area and Site Photographs;
- Past and Present; Context; Opportunity;
- Guiding Principles;
- Policy Plan Process;
- Public Consultation; Open House; and Public Workshop.

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

CORRESPONDENCE

8. Mr. Chuck Brook, Principal, Brook + Associates Inc., May 5, 2010.

Re: Harbourside Policy Plan - Status Report
– File: 3345-02 18 Fell/Harbourside Dr. 801/889/925

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the correspondence from Mr. Chuck Brook, Principal, Brook + Associates, dated May 5, 2010, regarding “Harbourside Policy Plan - Status Report”, be received and filed with thanks.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the meeting recess to the Public Meeting scheduled for this evening regarding Development Variance Permit No. 2010-00006 and to the Public Hearing scheduled for this evening regarding Bylaw No. 8075.

CARRIED UNANIMOUSLY

The meeting recessed at 7:36 p.m. and reconvened at 8:00 p.m. with the same personnel present.

MOTIONS AND NOTICES OF MOTION

- 10. Development Variance Permit Application to Vary Sign Bylaw No. 6363 – 123 Carrie Cates Court (Priority Permits Ltd./Knight Signs) – File: 3345-02 Carrie 123**

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Development Variance Permit No. 2010-00006 (123 Carrie Cates Court, Unit 217, Lonsdale Quay Market Corporation) be issued to Lonsdale Quay Market Corporation, 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. 2010-00006.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the meeting recess to the recessed Public Hearing scheduled for this evening regarding Bylaw No. 8075.

CARRIED UNANIMOUSLY

The meeting recessed at 8:01 p.m. and reconvened at 8:27 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

11. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8075" (Bill 27 Response: Greenhouse Gas Reduction Targets, Policies and Actions).

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the said Bylaw No. 8075 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8075 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

9. 2009 Audited Consolidated Financial Statements – File: 1635-05-01

Report: Director of Finance, May 5, 2010.

Ms. Isabel Gordon, Director of Finance, gave a PowerPoint Presentation regarding the "2009 Audited Consolidated Financial Statements", as follows:

- Description of the Financial Statements;
- Reading the Financial Statements;
- New Reporting Model;
- Tangible Capital Assets;
- Restatement of 2008 Accumulated Surplus and Annual Surplus;
- Statement of Financial Position and Statement of Operations;
- 2009 Consolidated Revenues and 2009 Consolidated Expenses;
- Statement of Change in Net Assets and Statement of Cash Flows;
- The Notes, Schedules and Segmented Information;
- Financial Indicators;
- Conclusion.

continued...

9. 2009 Audited Consolidated Financial Statements – File: 1635-05-01 – Continued

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Director of Finance, dated May 5, 2010, entitled “2009 Audited Consolidated Financial Statements”:

THAT in accordance with Section 167 of the Community Charter, Council accepts the City of North Vancouver Consolidated Financial Statements for the year ended December 31, 2009 as presented by the Financial Officer.

CARRIED UNANIMOUSLY

BYLAWS - Second and Third Readings

- 12.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8074” (Strata Council VR2735, 123 East Keith Road, CD-155 Text Amendment).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8074 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8074 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

- 13.** “Development Cost Charge (Parks) Reserve Fund Expenditure Bylaw, 2010, No. 8083” (Purchase of Land for Inclusion in Larson Park).

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT this item be tabled until item 6 on the agenda has been considered.

CARRIED UNANIMOUSLY

CORRESPONDENCE

14. Mr. Michael Shardlow, Chair, Canada Day Burrard Inlet Fireworks Society, March 10, 2010.

Re: 2010 Canada Day Burrard Inlet Fireworks Show – File: 1665-02

Moved by Councillor Fearnley, seconded by Councillor Clark

PURSUANT to the correspondence from Mr. Michael Shardlow, Chair, Canada Day Burrard Inlet Fireworks Society, dated March 10, 2010, regarding “2010 Canada Day Burrard Inlet Fireworks Show”:

THAT up to \$5,000 be allocated from the Council Contingency Account for the 2010 Canada Day Burrard Inlet Fireworks event;

AND THAT this allocation of funds be contingent on the District of West Vancouver providing at least a similar donation.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**15. Traffic Circle at the Mahon and 18th Street Intersection –
File: 4155-07-06-02**

Report: Transportation Planner, Engineering, Parks & Environment,
May 5, 2010

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Transportation Planner, Engineering, Parks & Environment, dated May 5, 2010, entitled “Traffic Circle at the Mahon and 18th Street Intersection”:

THAT the City Clerk be authorized to prepare, publish and cause to be served, notice of the intention of the City to undertake, as a Local Area Service on Council initiative subject to petition against, under the provision of Division 5, Section 213 of the Community Charter the following work:

Construction of a sidewalk and curb on the east side of the 1600, 1700 and 1800 Blocks of Mahon Avenue between West 16th and West 19th Streets;

continued...

**15. Traffic Circle at the Mahon and 18th Street Intersection –
File: 4155-07-06-02 - Continued**

AND THAT staff conduct a survey of 1700 and 1800 Blocks of Mahon and 200 and 300 Blocks of West 18th Street regarding the preferred traffic calming options at the Mahon and 18th Street intersection;

AND THAT the traffic calming option with the highest resident support be implemented at the Mahon and 18th Street intersection.

CARRIED UNANIMOUSLY

16. Newspaper Boxes on City Street Allowance – File: 3040-18

Report: Streetscape Planner, Engineering, Parks & Environment,
May 5, 2010.

Moved by Councillor Clark, seconded by Councillor Trentadue

PURSUANT to the report of the Streetscape Planner, Engineering, Parks & Environment, dated May 5, 2010, entitled “Newspaper Boxes on City Street Allowance”:

THAT staff proceed with development of a new Policy for the Placement of Newspaper Boxes on City Street Allowance in accordance with Option 4 of the May 5, 2010 report, “Removal from Public Realm: Phase Out Current Program and Transition to Private Property Locations”.

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood
Councillor Bookham
Councillor Clark

Voting against: Councillor Fearnley
Councillor Trentadue
Mayor Mussatto

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

continued...

16. Newspaper Boxes on City Street Allowance – File: 3040-18 - Continued

Moved by Mayor Mussatto, seconded by Councillor Clark

THAT the issue of Newspaper Boxes on City Street Allowance be considered when all members of Council are present;

AND THAT staff be requested to report back taking into consideration the comments made by members of Council this evening.

CARRIED UNANIMOUSLY

17. Extension to Hours of Liquor Service, Mosquito Creek Bar and Grill, 2601 Westview Drive – File: 3345-02 Westview 2601

Report: Planning Technician 2, Community Development, May 5, 2010.

Moved by Mayor Mussatto, seconded by Councillor Trentadue

PURSUANT to the report of the Planning Technician 2, Community Development, dated May 5, 2010, entitled “Extension to Hours of Liquor Service, Mosquito Creek Bar and Grill, 2601 Westview Drive”:

THAT the application to extend the hours of liquor sales to 3:00 a.m. from 1:30 a.m. for the Liquor-Primary Club licensed establishment known as the Mosquito Creek Bar and Grill be supported on the basis that:

1. The potential for noise would be minimal;
2. The impact on the community would be minimal;
3. The amendment would not result in the establishment being operated in a manner that is contrary to its primary purpose;
4. The impact on nearby residents would not be sufficient to warrant further public input.

Moved by Councillor Clark, seconded by Councillor Fearnley

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

CARRIED UNANIMOUSLY

18. Joint Rezoning Application: 1629 St. George's Avenue and 1860 Lonsdale Avenue – File: 3345-02 St. Geo. 1629 / 3345-02 Lons 1860

Report: Director, Community Development, May 5, 2010.

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Director, Community Development, dated May 5, 2010, entitled "Joint Rezoning Application: 1629 St. George's Avenue and 1860 Lonsdale Avenue":

THAT staff be directed to continue to process the joint application for the rezoning of 1629 St. George's Avenue and 1860 Lonsdale Avenue wherein a transfer of density is provided for from the rental housing development at 1629 St. George's Avenue to 1860 Lonsdale Avenue on the condition that the revenue received be used to complete the rental redevelopment of 1629 St. George's Avenue;

AND THAT a covenant be required to secure the public benefits of this density bonus transfer.

CARRIED UNANIMOUSLY

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS
- Continued

Moved by Councillor Clark, seconded by Councillor Trentadue

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:

6. Section 90 (1) (e)
7. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 9:55 p.m. and reconvened at 10:11 p.m. with the same personnel present.

REPORT OF THE COMMITTEE OF THE WHOLE - Continued

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

6. Strategic Property Purchase – File: 3375-06

Report: Property Valuator-Negotiator, Corporate Services, May 5, 2010.

PURSUANT to the report of the Property Valuator-Negotiator, Corporate Services, dated May 5, 2010, entitled “Strategic Property Purchase”:

THAT the action taken by the Committee of The Whole in camera this evening regarding “Strategic Property Purchase” be ratified;

AND THAT the wording of the recommendation and the report of the Property Valuator-Negotiator, Corporate Services, dated May 5, 2010, entitled “Strategic Property Purchase”, remain in camera.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

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

7. Land Matter – File: 3375-06-02

Report: Property Valuator-Negotiator, Corporate Services, May 5, 2010.

PURSUANT to the report of the Property Valuator-Negotiator, Corporate Services, dated May 5, 2010, regarding a “Land Matter”:

THAT the action taken by the Committee of The Whole in camera this evening regarding a “Land Matter” be ratified;

AND THAT the wording of the recommendation and the report of the Property Valuator-Negotiator, Corporate Services, dated May 5, 2010, regarding a “Land Matter”, remain in camera.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT item 13 be lifted from the table

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

13. "Development Cost Charge (Parks) Reserve Fund Expenditure Bylaw, 2010, No. 8083" (Purchase of Land for Inclusion in Larson Park).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8083 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8083 be read a second time in short form.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8083 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

RECESS

Mayor Mussatto declared a recess at 10:14 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

24. Contract Renewal with the RCMP – File: 3200-04-04

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto if the correspondence regarding the motion adopted by Council on April 19, 2010, "Contract Renewal with the RCMP", had been sent out.

The City Clerk advised that the correspondence had been sent out in accordance with the motion.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:15 p.m.