



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JULY 5, 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
R.G. Anderson, City Clerk
K. Kenney, Deputy City Clerk
I. Gordon, Director of Finance
D. Sigston, Deputy Director Corporate Services
R.H. White, Director, Community Development
G. Penway, Deputy Director, Community
Development
D. Pope, Deputy City Engineer
M. Hunter, Manager, Parks & Environment
E. Adin, City Planner
D. Samaridis, Landscape Architect
D. Williams, Transportation Technologist
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, June 28, 2010.
2. In Camera Committee of the Whole Meeting Minutes, June 28, 2010.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

- Mr. Ron Sostad, 211 - 312 East 1st Street, North Vancouver, spoke regarding "Social Grants Contingency Fund".
 - Ms. Kate Knapp, 1555 Merlynn Cres., North Vancouver, spoke regarding "Grass Field Closures".
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CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the resolutions listed within the "Consent Agenda" of July 5, 2010, be approved as follows:

CORRESPONDENCE

***16. Metro Vancouver, Board in Brief, June 25, 2010 - File: 1180-06**

THAT the Metro Vancouver, Board in Brief, dated June 25, 2010, be received and filed.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

***17. "Council Expense Bylaw, 2003, No. 7487, Amendment Bylaw, 2010, No. 8096" (Blackberry and Cell Phone).**

THAT the said Bylaw No. 8096 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8096 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 Clark, seconded by Councillor Trentadue

THAT the Council recess to the Committee of the Whole In Camera, to consider the item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

3. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:06 p.m. and reconvened at 6:18 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

3. Proposed High-Rise Development – 144/150 West 15th Street – File: 3375 - 07

Report: Deputy Director, Corporate Services, June 29, 2010.

PURSUANT to the report of the Deputy Director, Corporate Services, dated June 29, 2010, entitled “Proposed High-Rise Development – 144/150 West 15th Street”:

THAT staff enter into negotiations with Citimark Group for the purchase of the laneway running north/south adjacent to 150 West 15th Street;

AND THAT staff process a rezoning application for this site;

AND THAT the report of the Deputy Director, Corporate Services, dated June 29, 2010, entitled “Proposed High-rise Development – 144/150 West 15th Street”, remain in-camera.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark

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

PROCLAMATIONS

Nil

DELEGATIONS

Mr. Brad Baker, District Vice Principal, School District No. 44 (North Vancouver).

Re: City Schools – Violence Prevention Grant Funding – File: 1670-03-04

Mr. Brad Baker, District Vice Principal, School District No. 44 (North Vancouver), gave a presentation regarding “City Schools – Violence Prevention Grant Funding”, as follows:

- indicated there were twelve programs that have received funding from the grant money;
- advised these programs focus on social development, leadership and social skills training, including student empowerment, student engagement, how the justice system works, bullying, self esteem, social responsibility, safe team, mean girls programs;
- programs offered are preventative and have a positive impact on the community.

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

CORRESPONDENCE

4. Mr. Brad Baker, District Vice Principal, School District No. 44 (North Vancouver), May 31, 2010.

Re: City Schools – Violence Prevention Grant Funding
– File: 1670-03-04

Moved by Councillor Trentadue, seconded by Councillor Heywood

THAT the correspondence received from Mr. Brad Baker, District Vice Principal, School District No. 44 (North Vancouver), dated May 31, 2010, regarding “City Schools – Violence Prevention Grant Funding” be received and filed with thanks for the work they are doing.

CARRIED UNANIMOUSLY

DELEGATION

Mr. John Staynor and Residents of East Keith Road, City of North Vancouver.

Re: Proposed Green Necklace Extension – File: 4300-16-02-GN

Mr. John Staynor and Residents of East Keith Road, City of North Vancouver, gave a presentation regarding the “Proposed Green Necklace Extension”, as follows:

- concerns regarding the public consultation process;
- alignment options;
- safety issues that need to be addressed, in particular, the proposed pedestrian crossing at St. David’s;
- management process, the need for key process indicators to measure whether initiatives were successful or not.

CORRESPONDENCE

5. Mr. John Staynor, Resident, East Keith Road, City of North Vancouver, June 28, 2010.

Re: Proposed Green Necklace Extension – File: 4300-16-02-GN

Moved by Councillor Clark, seconded by Mayor Mussatto

PURSUANT to the correspondence received from Mr. John Staynor, Resident, East Keith Road, dated June 28, 2010, regarding “Proposed Green Necklace Extension”:

THAT a Council-sponsored public meeting in the form of a shirtsleeve session be held on the proposed Keith Road Greenway with the affected neighbourhood and other interested parties being invited to attend.

Continued...

5. Mr. John Staynor, Resident, East Keith Road, City of North Vancouver, June 28, 2010. - Continued

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the Public Hearing scheduled for this evening regarding Bylaws Nos. 8087 and 8089.

CARRIED UNANIMOUSLY

The meeting recessed at 7:11 p.m. and reconvened at 7:12 p.m. with the same personnel present.

The motion regarding item 5 was then **CARRIED UNANIMOUSLY**

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the recessed Public Hearing scheduled this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:29 p.m. and reconvened at 8:40 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

- 6.** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8087" (641650 B.C. Ltd./Rafii Architects Inc., 83 Chesterfield Avenue, CD-589).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8087 be read a second time in short form.

Moved by Councillor Bookham, seconded by Councillor Heywood that the motion be amended to add the following:

AND THAT a covenant be put in place that restricts business hours of operation to 10:00 p.m.

CARRIED UNANIMOUSLY

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

Continued...

6. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8087"
(641650 B.C. Ltd./Rafii Architects Inc., 83 Chesterfield Avenue, CD-589).
- Continued

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8087 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

7. "Heritage Designation Repeal Bylaw, 2010, No. 8088" (Repeals "Heritage Designation Bylaw, 1999, No. 7181" Charles Gross House, 83 Chesterfield Avenue, Reza Sabor, 545523 BC Ltd./F. Adab Architect Inc.).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8088 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8088 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8054" (J. Lantela, 427-429 Alder Street, CD-580).

Moved by Councillor Trentadue, seconded by Mayor Mussatto

THAT Bylaw No. 8054 be read a second time in short form.

Continued...

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8054" (J. Lantela, 427-429 Alder Street, CD-580). - Continued

Moved by Councillor Clark, seconded by Councillor Trentadue

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

CARRIED

9. "Heritage Designation Bylaw, 2010, No. 8055" (J. Lantela, 427-429 Alder Street).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT item 9 be deleted from the agenda.

CARRIED UNANIMOUSLY

DELEGATION

Mr. David Klassen, Owner, 277/279 East 8th Street

Re: Official Community Plan / Zoning Amendment / Heritage Designation:
277/279 East 8th Street (David Klassen), CD-590
– File: 3345-02 08 E 277-279.

Mr. David Klassen, Owner, 277/279 East 8th Street, and Mr. Michael Craig, Designer, gave a PowerPoint presentation regarding "Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590", as follows:

- is a high profile historic building in the neighbourhood;
- will need to rent out a portion of the building to make the project viable;
- would like to convert the space into a space the community can use;
- to make more of an assembly type use would require it be sprinklered;
- the building is non conforming sitting on 50 x 50 lot;
- intend to make building a listed heritage property;
- CD zoning change required;
- physical form is non conforming;

Continued...

Mr. David Klassen, Owner, 277/279 East 8th Street - Continued

- analysis of the building has determined that the building is solidly constructed and appropriate for preservation;
- there is potential for safe occupation with minor modifications to bring it up to code;
- there are some challenges to meet building code to allow for assembly usage;
- sprinklers would be biggest addition required for future occupation;
- intention is to extend life of historical building.

Mr. Klassen and Mr. Craig then responded to questions from members of Council.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

10. Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590 – File: 3345-02 08 E 277-279

Report: Deputy Director, Community Development, June 23, 2010.

Moved by Councillor Heywood, seconded by Councillor Clark

PURSUANT to the report of the Deputy Director, Community Development, dated June 23, 2010, entitled “Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590”:

THAT “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8093” (David Klassen / Michael Craig Designer, 277/279 East 8th Street, Level Two: Low Density to Commercial) be considered and referred to a Public Hearing to be held on July 26, 2010;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8094” (David Klassen / Michael Craig Designer, 277/279 East 8th Street, CD-590) be considered and referred to a Public Hearing to be held on July 26, 2010;

AND THAT “Heritage Designation Bylaw, 2010, No. 8095” (David Klassen, 277/279 East 8th Street, John Dierssen, Jr. Commercial Block) be considered and referred to a Public Hearing to be held on July 26, 2010;

AND THAT pursuant to Section 969 of the Local Government Act and in conjunction with Heritage Designation Bylaw, 2010, No. 8095, staff revise the Financial Plan Bylaw to allow for appropriation of up to \$50,000 in the form of a non-interest bearing loan secured by a second charge against the property subordinate to conventional financing, from the City’s Heritage Reserve Fund as a municipal financial contribution towards the installation of a fire suppression system/building upgrades as compensation for the legal protection of this heritage building;

Continued...

10. Official Community Plan/Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590 – File: 3345-02 08 E 277-279 - Continued

AND THAT the reduced off-site works specified in the memo from the Engineering Parks and Environment Department dated June 21, 2010 be endorsed;

AND THAT a covenant be prepared at the City's cost to secure Heritage Designation, municipal financial contribution and building upgrades;

AND THAT following the adoption of the above Bylaws, Lands Division staff prepare a Volumetric Easement for the building encroachments over East 8th Street and St. Andrew's Avenue, as well as the preparation of a License to Use Agreement for a portion of sidewalk as shown in Attachment No. 11 to the June 23, 2010 report;

AND THAT following First Reading to Official Community Plan Amendment Bylaw No. 8093, the following resolution be considered:

PURSUANT to the report of the Deputy Director, dated June 23, 2010, entitled "Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590":

THAT the review contained in said report concerning statutory examinations of the "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8093" (David Klassen / Michael Craig Designer, 277/279 East 8th Street, Level Two: Low Density to Commercial) with respect to the City's Financial and Waste Management Plan be received and filed.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

11. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8093" (David Klassen / Michael Craig Designer, 277/279 East 8th Street, Level Two: Low Density to Commercial).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8093 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

12. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8094" (David Klassen / Michael Craig Designer, 277/279 East 8th Street, CD-590).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8094 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

13. "Heritage Designation Bylaw, 2010, No. 8095" (David Klassen, 277/279 East 8th Street, John Dierssen, Jr. Commercial Block).

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT Bylaw No. 8095 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTION

- 14. Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590 – File: 3345-02 08 E 277-279**

Moved by Councillor Clark, seconded by Councillor Trentadue

PURSUANT to the report of the Deputy Director, dated June 23, 2010, entitled “Official Community Plan / Zoning Amendment / Heritage Designation: 277/279 East 8th Street (David Klassen), CD-590”:

THAT the review contained in the June 23, 2010 report concerning statutory examinations of the “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8093” (David Klassen / Michael Craig Designer, 277/279 East 8th Street, Level Two: Low Density to Commercial) with respect to the City’s Financial and Waste Management Plan be received and filed.

CARRIED UNANIMOUSLY

- 15. Federal Revenue Sharing with Municipalities – File: 1600-01-01**

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Fearnley

BE IT RESOLVED THAT the City of North Vancouver advise the Union of British Columbia Municipalities (UBCM) and Federation of Canadian Municipalities (FCM) that this City supports one percent of national and provincial sales taxes collected, as an effective and ongoing funding contribution to the Municipalities across our country, to address the funding shortfall that municipalities are facing due to increased/downloaded responsibilities and limited funding sources.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 10:13 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Mayor Mussatto advised that Metro Vancouver considered the City's letter regarding the Metro Vancouver Labour Relations Bureau and passed a resolution to refer the matter of a review of the Labour Relations Bureau function to an independent third party.

ADJOURNMENT

Moved by Councillor Trentadue, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:14 p.m.