



**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 19, 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 C.R. Keating
Councillor M.L. Trentadue

STAFF MEMBERS

A.K. Tollstam, City Manager
R.G. Anderson, City Clerk
K. Kenney, Deputy City Clerk
F. Caouette, Director, Corporate Services
I. Gordon, Director of Finance
S. Ono, City Engineer
R.H. White, Director, Community Development
G. Penway, Deputy Director, Community
Development
N. Høglund, Manager of Public Works
J. Irwin, Manager, Financial Service
E. Adin, City Planner
C. Kathler, Community Planner
P. Penner, Community Planner
S. Smith, Planner, Community Development
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Keating

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, July 12, 2010.

PUBLIC INPUT PERIOD – File: 1090-21

Nil

CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the resolutions listed within the “Consent Agenda” of July 19, 2010, with the exception of item 19, be approved as follows:

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

***5. Amendment to Terms of Reference and Appointment to the Civic Engagement Task Force – File: 1085-03-C17**

Report: City Clerk, July 12, 2010.

PURSUANT to the report of the City Clerk, dated July 12, 2010, entitled, “Amendment to the Terms of Reference and Appointment to the Civic Engagement Task Force”:

THAT the membership, composition and quorum sections of the Terms of Reference of the Civic Engagement Task Force be amended to allow for the addition to the membership of the Task Force of one Board of Education of North Vancouver School District No. 44 member who is a City of North Vancouver resident;

AND THAT Trustee Mary Tasi be appointed as the Board of Education of North Vancouver School District No. 44 representative for a term to conclude on December 31, 2010.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***20. Rezoning Application: 651 West 14th Street (Jordan Kutev/Jordan Kutev Architect Inc., 651 West 14th Street, CD-591) – File: 3345-02 14 W 651**

Report: Development Planner, Community Development, July 14, 2010.

PURSUANT to the report of the Development Planner, dated July 14, 2010, entitled “Rezoning Application: 651 West 14th Street (Jordan Kutev/Jordan Kutev Architect Inc., 651 West 14th Street, CD-591)”:

Continued...

- *20. Rezoning Application: 651 West 14th Street (Jordan Kutev/Jordan Kutev Architect Inc., 651 West 14th Street, CD-591) – File: 3345-02 14 W 651 - Continued**

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8099” (Elisabeth Osvald/Jordan Kutev Architect Inc., 651 West 14th Street, CD-59 be considered and referred to a Public Hearing;

AND THAT the owner be required to provide a Letter of Credit for 1% of the construction cost before submitting for a Building Permit, to be returned to the applicant when EnerGuide 80 is achieved for the proposed project;

AND THAT the voluntary community amenity contributions of \$10,000 for trail improvements on the West 15th Street Trail in Mahon Park and \$25,000 to the Marine Drive Community Amenity Reserve Fund be endorsed.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *21. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8099” (Elisabeth Osvald/Jordan Kutev Architect Inc., 651 West 14th Street, CD-591)**

THAT Bylaw No. 8099 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

- *22. 2009 Annual Municipal Report – File: 1010-04**

PURSUANT to the report of the Director, Corporate Services, dated June 16, 2010, entitled “2009 Annual Municipal Report”:

THAT the Annual Municipal Report statements regarding Goals, Objectives, Measures, Disqualifications and Financial Statements attached to the June 16, 2010 report be endorsed.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *23. “Financial Plan for the Years 2010 to 2019 Bylaw, 2010, No. 8078, Amendment Bylaw, 2010, No. 8100” (Revised Financial Plan).**

THAT the said Bylaw No. 8100 be reconsidered.

CARRIED UNANIMOUSLY

THAT the said Bylaw No. 8100 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

DELEGATION

Mr. Ken Fraser, Executive Director, Vancouver Resource Society.

Re: Vancouver Resource Society Partnering Agreement and Covenant
– File: 3365-05-04

Mr. Ken Fraser, Executive Director, Vancouver Resource Society, gave a presentation regarding “Vancouver Resource Society Partnering Agreement and Covenant”, as follows:

- clarified that the grant was not used to provide rental subsidy assistance, but is related to how a non-profit society purchases real estate;
- the society relies on a combination of financing and grants;
- real estate purchases are 100% financed;
- grants assist the society to get past the first five years in the early years of the development when there is no cash flow;
- the buildings bought by the society are never sold, thus there will be affordable rental housing in perpetuity which will provide benefits in the long term;
- urged Council to reconsider issuance of the grant.

Mr. Fraser then responded to questions from Council members.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

2. Vancouver Resource Society Partnering Agreement and Covenant - File: 3365-05-04

Report: Director of Finance and Community Planner, Community Development, June 23, 2010.

The following clause of the recommendation adopted by City Council on June 28, 2010, 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":

PURSUANT to the report of the Director of Finance and Community Planner, dated June 23, 2010, entitled "Vancouver Resource Society Partnering Agreement and Covenant":

THAT up to \$300,000 be allocated from the Affordable Housing Reserve Fund in support of affordable rent levels in the Vancouver Resource Society project.

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT reconsideration of the foregoing recommendation be received and filed.

Councillor Fearnley withdrew his motion with the concurrence of Councillor Clark, seconder of the motion.

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the following clause of the recommendation adopted by City Council on June 28, 2010:

"PURSUANT to the report of the Director of Finance and Community Planner, dated June 23, 2010, entitled "Vancouver Resource Society Partnering Agreement and Covenant":

THAT up to \$300,000 be allocated from the Affordable Housing Reserve Fund in support of affordable rent levels in the Vancouver Resource Society project."

BE REAFFIRMED.

Continued...

**2. Vancouver Resource Society Partnering Agreement and Covenant
- File: 3365-05-04 - Continued**

Moved by Councillor Heywood, seconded by Councillor Fearnley

THAT the motion be amended to add the following:

AND THAT the existing grant be added to the existing second mortgage to the Vancouver Resource Society to permit capitalization of principle and interest should the borrower be unable to make payments.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT consideration of the foregoing motions be deferred to a Regular Council Meeting in September.

DEFEATED

The motion to amend was then **DEFEATED.**

A recorded vote was then taken on the main motion.

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

Voting against: Councillor Bookham

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

PROCLAMATIONS

Nil

Moved by Councillor Clark, seconded by Mayor Mussatto

THAT the meeting recess to the Public Hearing regarding Bylaw Nos. 8072 and 8073.

CARRIED UNANIMOUSLY

The meeting recessed at 7:04 pm and reconvened at 7:29 pm with the same personnel present.

Bylaw for Second and Third Reading

6. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8072" (D. Morabito/ Architype Design Inc., 367 East 11th Street, CD-585)

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT Bylaw No. 8072 be read a second time in short form.

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT Bylaw No. 8072 be amended as follows:

Section 3:

Delete Clause (1) in its entirety and replace with:

The Principal Buildings on Site A shall be sited not less than:

6.09 metres (20.0 feet) from the front Lot Line;

20.42 (67.0 feet) from the Rear Lot Line;

1.52 metres (5.0 feet) from the east Exterior Side Lot Line;

1.22 metres (4.0 feet) from the west Interior Side Lot Line;

The Principal Buildings on Site B (interior) shall be sited not less than:

6.09 metres (20.0 feet) from the front Lot Line;

20.42 (67.0 feet) from the Rear Lot Line;

1.22 metres (4.0 feet) from the east Interior Side Lot Line;

1.52 metres (5.0 feet) from the west Interior Side Lot Line;

The question on the amendment was then **CARRIED.**

Councillor Clark is recorded as voting contrary to the motion.

Continued...

6. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8072" (D. Morabito/ Architype Design Inc., 367 East 11th Street, CD-585)
- Continued

A recorded vote was taken on the motion on second reading of Bylaw No. 8072, as amended.

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

Voting against: Councillor Bookham
Councillor Keating

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

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT Bylaw No. 8072, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham and Councillor Clark are recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the meeting recess to the recessed Public Hearing on Bylaw No. 8073 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:41 p.m. and reconvened at 8:38 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

7. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8073” (0866726 BC Ltd./Raffaele & Associates, 302 East 12th Street, CD-584).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT Bylaw No. 8073 be read a second time in short form.

CARRIED

Moved by Councillor Trentadue, seconded by Mayor Mussatto

THAT Bylaw No. 8073 be amended as follows:

In Section 4:

Adding the words “with the exception of an attached, unenclosed parking structure that may be sited 1.22 metres (4.0 feet) from the Rear Lot Line” to the end of Section (6)(b)(i).

CARRIED

A recorded vote was taken on the motion on second reading of Bylaw No. 8073, as amended.

Voting in favour: Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Bookham
Councillor Clark
Councillor Fearnley
Councillor Heywood

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

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the meeting recess to the Public Meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 9:00 p.m. and reconvened at 9:59 p.m. with the same personnel present.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

8. 248 East 19th Street – Group Childcare Centre – File: 4230-05-01

Report: Community Planner, Community Development, July 13, 2010.

Moved by Councillor Trentadue, seconded by Mayor Mussatto

PURSUANT to the report of the Community Planner, dated July 13, 2010, entitled “248 East 19th Street – Group Childcare Centre”:

THAT Great Beginnings Child Development Centre be issued a Business License to operate at 248 East 19th Street with up to 20 children in care.

CARRIED

BYLAWS - Second and Third Readings

9. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8089” (Bodwell College Inc./AMU Architects, 955 Harbourside Drive, Text Amendment, CD-428).

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 8089 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 8089 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

COUNCIL REPORT - File: 1085-01

Moved by Councillor Keating, seconded by Councillor Clark

THAT "Council Reports" be deferred to the first Council meeting in September.

CARRIED UNANIMOUSLY

DELEGATION

Mr. Michael Pattenaude, Chair, City of North Vancouver Athletic Commission.

Re: Update on the Commission's Work and Request for Extension
– File: 1085-03-A5

Mr. Michael Pattenaude, Chair, and Mr. Jim Tessman, City of North Vancouver Athletic Commission, gave a PowerPoint presentation regarding "Update on the Commission's Work and Request for Extension", as follows:

- requested a further continuance for the Commission;
- benefits of the Commission;
- clarified funding issues;
- what an athletic Commission does;
- why the City needs an athletic commission;
- what the Commission has done so far;
- challenges faced in the last year;
- requested to use funds generated by the Commission to cover their own operating costs or receive a modest operating budget from the city;
- how the Commission can minimize the City's liability;
- economic benefits offered by the Commission.

Moved by Councillor Keating, seconded by Councillor Trentadue

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

CORRESPONDENCE

10. Mr. Michael Pattenau, Chair, City of North Vancouver Athletic Commission, July 7, 2010.

Re: Update on the Commission's Work and Request for Extension
– File: 1085-03-A5

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the City terminate the North Vancouver Athletic Commission and thank the members of the Commission for their service to the City.

CARRIED

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

11. Permissive Tax Exemption Review – File: 1625-24-01

Report: Manager, Financial Services, July 14, 2010.

Moved by Councillor Clark, seconded by Councillor Keating

PURSUANT to the report of the Manager, Financial Services, dated July 14, 2010, entitled "Permissive Tax Exemption Review":

THAT Council approve, in principle, that the Permissive Tax Exemptions for 2011 and 2012 will be provided for all the existing 2010 Permissive Tax Exemption holders;

AND THAT staff continue to work with the Permissive Tax Exemption holders to facilitate discussions aimed at more closely aligning their services with City objectives and ensuring that their services benefit City residents directly;

AND THAT staff bring back the Permissive Tax Bylaw for the 2011 and 2012 exemptions prior to September 30, 2010.

CARRIED

12. Initial Review of City Lands for Affordable Housing – File: 3365-05-04

Report: Community Planner, Community Development, July 13, 2010.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Community Planner, dated July 13, 2010, entitled “Initial Review of City Lands for Affordable Housing”:

THAT this report be referred to a workshop with Council to be held in September or early October.

CARRIED UNANIMOUSLY

13. Sustainable Transportation Fund – Criteria – File: 4140-01

Report: City Engineer, July 13, 2010.

Moved by Mayor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the City Engineer, dated July 13, 2010, entitled “Sustainable Transportation Fund - Criteria”:

THAT construction of sidewalk segments continue to be primarily funded and delivered via established City practices using the Local Area Service Program, and/or Developer contributions;

AND THAT staff continue to identify and bring forward priority sidewalk segments for construction as Council Initiated Local Area Services from time to time for Council’s consideration subject to the availability of funding under the Local Area Services Program;

AND THAT the main criteria for use of the Sustainable Transportation Reserve be to fund a program of projects and initiatives that provide significant impetus, or overcome significant barriers/impediments to active transportation modes along key active transportation corridors including bicycling or walking via bike-ways and multi-use paths;

AND THAT staff continue to bring forward candidate Sustainable Transportation projects and initiatives for Council’s consideration and prioritization within the Sustainable Transportation Program on a project specific basis during the annual Financial Plan process.

CARRIED

14. **New (Modified) Application for Liquor Service to Outdoor Patio Seating, 170 West 3rd Street, Fraternal Order Of Eagles, Aerie No. 2638**
- File: 3345-02 03 W 170

Report: Planning Technician 2, Community Development,
July 14, 2010.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Planning Technician 2, dated July 14, 2010, entitled "New (Modified) Application for Liquor Service to Outdoor Patio Seating, 170 West 3rd Street, Fraternal Order Of Eagles, Aerie No. 2638":

THAT the new (modified) application requesting outdoor patio seating with liquor service at this establishment, with a maximum seating capacity of 20 patrons and limited to 10:00 p.m. closure, be referred to a Public Meeting.

CARRIED UNANIMOUSLY

15. **2010 Civic Awards Dinner – File: 1090-04-01**

Report: Assistant City Clerk, July 9, 2010.

Moved by Councillor Heywood, seconded by Councillor Fearnley

PURSUANT to the report of the Assistant City Clerk, dated July 9, 2010, entitled "2010 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, October 7, 2010;

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

CARRIED UNANIMOUSLY

MOTION AND NOTICES OF MOTION

16. Vicious Dog Designation – File: 3010-01

Submitted by: Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Trentadue

BE IT RESOLVED THAT City staff bring forward proposed revisions to the Dog Tax and Regulation Bylaw to provide for a more detailed mechanism for the designation of a "vicious dog."

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue until items 17, 18, and 19 on the agenda has been concluded.

CARRIED UNANIMOUSLY

17. Ban on the Sale of Rabbits – File: 3010-01

Submitted by: Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Clark

BE IT RESOLVED THAT City staff bring forward proposed revisions to the Pet Establishment Regulation Bylaw to provide for a ban on the sale of rabbits as pets in the City of North Vancouver.

CARRIED UNANIMOUSLY

18. Long Form of the Canada Census – File: 1155-06-S4-02

Submitted by: Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Trentadue

WHEREAS the long form of the Canada Census has provided and continues to provide invaluable information to communities across Canada about their socio-economic, demographic, ethnic and other characteristics;

AND WHEREAS this information is crucial to the planning and development of resilient and successful communities;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver call upon the federal government to maintain the long form for the 2011 and future census undertakings;

AND BE IT FURTHER RESOLVED THAT the City of North Vancouver submit this resolution for consideration at the forthcoming Union of British Columbia Municipalities convention in September, 2010 (either as a regular or emergency resolution);

AND BE IT FINALLY RESOLVED THAT this resolution be forwarded to all Union of British Columbia Municipalities member municipalities, all BC MPs, the Prime Minister, and the federal Minister responsible for the Census.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. The Official Community Plan – Targets and Indicators Monitoring Strategy (OCP-TIMS): Results – File: 3330-04

Report: Planner, Community Development, July 14, 2010.

Moved by Mayor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Planner, dated July 14, 2010, entitled “The Official Community Plan – Targets and Indicators Monitoring Strategy (OCP-TIMS): Results”:

WHEREAS the City has a vision – to be a vibrant, diverse and highly livable community that strives to balance the social, economic and environmental needs of the community locally;

AND WHEREAS the Official Community Plan Targets, Indicators and Monitoring Strategy (OCP-TIMS) has been developed to help monitor the implementation of the many policies and programs of the Official Community Plan to achieve that vision;

THEREFORE BE IT RESOLVED that the OCP-TIMS results contained in the July 14, 2010 report be referred to City Advisory Bodies and the Official Community Plan Staff Working Group for their information and consideration in the update of the Official Community Plan (OCP 2021 & Beyond) currently underway;

AND THAT the results be made available on the City's website.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:02 p.m.