



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JANUARY 24, 2011**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor P.J. Bookham
Councillor R.J. Fearnley
Councillor R.G. Heywood
Councillor C.R. Keating

ABSENT:

Councillor R.C. Clark
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
G. Penway, Deputy Director, Community
Development
D. Sigston, Deputy Director, Corporate Services
B. Themens, Deputy Director, Finance
J. Irwin, Manager of Financial Services
L.R. Orr, Manager, Special Projects and
Services/ Waterfront Project Manager
S. Dunn, Property Management Coordinator
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 Fearnley, seconded by Councillor Keating

1. Regular Council Meeting Minutes, January 17, 2011.
2. In Camera Committee of the Whole Meeting Minutes, January 17, 2011.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 0550-01

- Ms. Kiersten Enemark, Standard Land Company, Suite 610-688 W. Hastings, representing Rogers Communications, spoke regarding Item 15, “Proposed Rogers Cell Tower Installation in Tempe Heights”.
- Ms. Ingrid Doerr, 288 E. Esplanade, North Vancouver, spoke regarding Item 18, “City Properties – Potential Farmers Market”.
- Ms. Wendy Hainstok, 637 East Georgia St., Vancouver, spoke regarding Item 18, “City Properties – Potential Farmers Market”.

CONSENT AGENDA ITEMS

Moved by Councillor Bookham, seconded by Councillor Keating

THAT the resolutions listed within the “Consent Agenda” of January 24, 2011, with the exception of items 25 and 26, be approved as follows:

CONSENT AGENDA ITEMS

***11. Appointments to the John Braithwaite Community Centre Governance Committee – File: 7900-01**

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the John Braithwaite Community Centre Governance Committee”:

THAT Ms. Jo Hinchliffe and Ms. Joan Vyner be reappointed for a two-year term to conclude on January 31, 2013.

(CARRIED UNANIMOUSLY)

***12. Appointments to the Cemetery Advisory Board
File: 0360-20 CAB-01**

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled "Appointments to the Cemetery Advisory Board":

THAT Mr. Jim Lawrence be reappointed as a District Representative for a two-year term to conclude on January 31, 2013;

AND THAT Mr. John Rowlands be reappointed as a City Representative for a two-year term to conclude on January 31, 2013.

(CARRIED UNANIMOUSLY)

***13. Appointments to the Waterfront Industrial Noise Control Committee
– File: 0360-20 WINCC-05**

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled "Appointments to the Waterfront Industrial Noise Control Committee":

THAT Mr. George Ellis, Mr. Tom Simpson and Mr. Tony Veschini be reappointed for a further three-year term to conclude on January 31, 2014.

(CARRIED UNANIMOUSLY)

CORRESPONDENCE

***24. Metro Vancouver, Board in Brief, January 14, 2011 - File: 0400-60**

RECOMMENDATION:

THAT the Metro Vancouver, Board in Brief, dated January 14, 2011, be received and filed.

(CARRIED UNANIMOUSLY)

BYLAWS - Third Reading

- *27. "Construction Regulation Bylaw, 2003, No. 7390, Amendment Bylaw, 2011, No. 8142" (Schedule A and Housekeeping).

THAT third reading of Bylaw No. 8142 be rescinded.

(CARRIED UNANIMOUSLY)

THAT Bylaw No. 8142 be read a third time in short form and passed subject to reconsideration.

THAT Bylaw No. 8142 be amended as follows:

By deleting **Schedule "A" – Fees and Deposits** in its entirety and replacing it with the revised **Schedule "A" – Fees and Deposits** attached to the information report of Manager – Inspections, Community Development dated January 19, 2011.

The motion on third reading, as amended, was then **(CARRIED UNANIMOUSLY)**

BYLAWS - Reconsideration and Final Adoption

- *28. "Noise Control Bylaw, 1987, No. 5819, Amendment Bylaw, 2011, No. 8121".
- *29. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8134" (Streamside Protection and Enhancement Development Permit Guidelines).
- *30. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8135" (Streamside Protection and Enhancement Development Permit Guidelines).
- *31. "Development Procedures, 2001, No. 7343, Amendment Bylaw, 2010, No. 8136" (Streamside Protection and Enhancement Development Permit Guidelines).
- *32. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8140" (A1 Group of Companies Development Ltd./Augustine Hii Architecture + Bill Curtis & Associates Design Ltd., 415 West 16th Street, CD-600).

RECOMMENDATIONS:

THAT the said Bylaws No. 8121, 8134, 8135, 8136 and 8140 be reconsidered.

(CARRIED UNANIMOUSLY)

Continued...

BYLAWS - Reconsideration and Final Adoption - Continued

THAT the said Bylaws No. 8121, 8134, 8135, 8136 and 8140 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

PRESENTATION

Ms. Janice Irwin, Secretary-Treasurer, Government Financial Officers' Association (GFOA) of BC

Re: Government Finance Officers Association (GFOA) of the United States and Canada – “Distinguished Budget Presentation Award” for the City of North Vancouver’s 2010-2019 Financial Plan and “Certificate of Recognition” for Budget Preparation for the City of North Vancouver’s Finance Department - File: 0290-01

Ms. Janice Irwin, Secretary-Treasurer, Government Financial Officers' Association (GFOA) of BC presented the City of North Vancouver with the – “Distinguished Budget Presentation Award” for the City of North Vancouver’s 2010-2019 Financial Plan. She also presented the City of North Vancouver’s Finance Department with the “Certificate of Recognition” for Budget Preparation.

Moved by Councillor Keating, 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)(e)
4. Section 90 (1)(e)
5. Section 90 (1)(a)
6. Section 90 (1)(a)
7. Section 90 (1)(a)
8. Section 90 (1)(a)
9. Section 90 (1)(a)
10. Section 90 (1)(a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:15 p.m. and reconvened at 6:52 p.m. with the same personnel present.

REPORT OF THE COMMITTEE OF THE WHOLE

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

3. Site 3B – 137-141 West 2nd Street – File: 3010-01

Report: Property Valuator-Negotiator, Corporate Services,
January 17, 2011.

PURSUANT to the report of the Property Valuator-Negotiator, dated January 17, 2011 entitled “Site 3B – 137-141 West 2nd Street”:

THAT Staff be authorized to enter into negotiations to offer the City owned properties within Site 3B for sale subject to rezoning and subject to consolidation with lots 1 and 4, block 156, plan 879, substantially as outlined in the January 17, 2011 report of the Property Valuator-Negotiator, entitled “Site 3B – 137-141 West 2nd Street”;

AND THAT subject to successful negotiations, that Fairmont Pacific Properties Limited be authorized to apply for a rezoning amendment for all properties within Site 3B:

AND THAT the report of the Property Valuator-Negotiator, dated January 17, 2011, entitled “Site 3B – 137-141 West 2nd Street” remain in camera.

CARRIED UNANIMOUSLY

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

4. Land Matter – File: 3010-01

Report: Property Valuator-Negotiator, Corporate Services,
January 18, 2011.

PURSUANT to the report of the Property Valuator-Negotiator, dated January 18, 2011, entitled “Land Matter”:

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

AND THAT the wording of the recommendation and the report of the Property Valuator-Negotiator, dated January 18, 2011, entitled “Land Matter” remain in camera.

CARRIED UNANIMOUSLY

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

**5. Appointments to the Advisory Planning Commission
– File: 0360-20 APC-05**

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the Advisory Planning Commission”:

THAT Mr. Bill Curtis, Mr. John Jensen and Mr. Jeff Plato be reappointed for a three-year term to conclude on January 31, 2014.

(CARRIED UNANIMOUSLY)

6. Appointments to the Advisory Design Panel – File: 0360-20 ADP-05

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the Advisory Design Panel”:

THAT Ms. Marlene Messer be appointed as the Landscape Architect for a two-year term to conclude on January 31, 2013;

AND THAT Mr. Steve McFarlane and Ms. Karen Kallweit Graham be appointed as the Architect representatives for a two-year term to conclude on January 31, 2013;

AND THAT Mr. Michael Saii be appointed as the Construction Industry representative for a two-year term to conclude on January 31, 2013.

(CARRIED UNANIMOUSLY)

7. Appointments to the Board of Variance – File: 0360-20 BV-01

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointment to the Board of Variance”:

THAT Mr. Gordana Askraba be appointed for three-year term to conclude on January 31, 2014.

(CARRIED UNANIMOUSLY)

8. Appointments to the North Vancouver Heritage Advisory Commission – File: 0360-20 HAC-05

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the City of North Vancouver Heritage Advisory Commission”:

THAT Mr. Matt Hansen be reappointed as the Architect representative for a two-year term to conclude on January 31, 2013.

AND THAT Ms. Margaret Herman be appointed for a two-year term to conclude on January 31, 2013.

(CARRIED UNANIMOUSLY)

9. Appointments to the Parks and Environment Advisory Committee – File: 0360-20 PEAC-05

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the Parks and Environment Advisory Committee”:

THAT Ms. Darla Simpson be appointed for a three-year term to conclude on January 31, 2014;

AND THAT Mr. Victor Balon be reappointed for a three-year term to conclude on January 31, 2014;

AND THAT Mr. Dan Marshall be reappointed for a partial term of two-years to conclude on January 31, 2013.

(CARRIED UNANIMOUSLY)

**10. Appointments to the Social Planning Advisory Committee
– File: 0360-20 SPAC-05**

Report: City Clerk, January 19, 2011

PURSUANT to the report of the City Clerk, dated January 19, 2011, entitled “Appointments to the Social Planning Advisory Committee”:

THAT Ms. Jessica Thoms be appointed for a two-year term to conclude on January 31, 2013;

AND THAT Ms. Alison Caldwell Johnson, Mr. Kenneth Izatt and Ms. Antje Wilson be reappointed for a two-year term to conclude on January 31, 2013.

CARRIED UNANIMOUSLY

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

**14. Proposed Lane Purchase – 13th and Lonsdale, Onni Developments –
File: 3360-01-20**

Recommendation: In Camera Committee of the Whole Meeting of
January 17, 2011

PURSUANT to the report of the Deputy Director, Corporate Services, dated January 6, 2011, entitled “Proposed Lane Purchase – 13th and Lonsdale, Onni Developments”:

THAT Council approve the sale of a portion of the lane parallel to Lonsdale from 13th Street, east of Lonsdale, for consolidation with the proposed Onni Development, on the terms outlined in the January 6, 2011 report and subject to rezoning of Onni’s site for commercial and residential purposes;

AND THAT subject to rezoning, staff proceed to Stop Up and Close the lane portion and Notice of the proposed sale be advertised advising of the terms and conditions of the proposed stopping up and closing and sale of the portion of lane;

AND THAT the report of the Deputy Director, Corporate Services, dated January 6, 2011, entitled “Proposed Lane Purchase – 13th and Lonsdale, Onni Developments”, remain in camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“ROTARY DAY” – FEBRUARY 23, 2011

“BLACK HISTORY MONTH” – FEBRUARY 2011

DELEGATIONS

Mr. Ralph Johnstone and Ms. Bridgitte Anderson.

Re: Proposed Rogers Cell Tower Installation in Tempe Heights – File: 6410-01

Ms. Bridgitte Anderson, 2893 Munday Place, North Vancouver, and Mr. Ralph Johnstone, 2857 Munday Place, North Vancouver, gave a presentation regarding “Proposed Rogers Cell Tower Installation in Tempe Heights”, as follows:

- members of Tempe Heights neighbourhood;
- a petition objecting to proposed Rogers Cell Tower installation;
- impact on neighbourhood will be great due to size of the tower;
- health concerns for children;
- lack of public consultation on this matter and request for further consultation;
- how is public interest being served putting tower of this height close to playground;
- City of Toronto has prudent avoidance policy relative to placement of cell towers;
- Vancouver School Board has ban on cell phone antennas within 300 metres of schools;
- growing evidence about exposure to children in particular, the proposed site for the tower is close to a playground and tennis court;
- recent report to the National Research Council called for towers to be placed no closer than 450 metres from homes and towers should be 50 feet tall; this proposal falls quite short of that;
- cell tower would be visible to entire neighbourhood;
- concerned about land values;
- tower would go up on provincially owned land, access must be given on Tempe Glen Drive by City;
- request Council deny permission to access Tempe Glen Drive.

Mr. Johnstone and Ms. Anderson then responded to questions from members of Council.

CORRESPONDENCE

15. **Mr. Ralph Johnstone, Resident, City of North Vancouver, January 19, 2011.**

Re: Proposed Rogers Cell Tower Installation in Tempe Heights
– File: 6410-01

Moved by Councillor Keating, seconded by Councillor Bookham

THAT City staff work with Tempe residents and Rogers to find a location for any proposed cell tower that minimizes the impacts on the Tempe neighbourhood and meets the concerns expressed in this evening's delegation.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

16. **Highway Closing and Disposition Bylaw, 2011, No. 8139 to Close Portions of Gostick Place and Bewicke Avenue**
– File: 3345-08-07 22 Gostick PI

Report: Property Valuator-Negotiator, Corporate Services,
January 19, 2011.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Property Valuator-Negotiator, dated January 19, 2011, entitled "Highway Closing and Disposition Bylaw, 2011, No. 8139 to Close Portions of Gostick Place and Bewicke Avenue":

THAT "Highways Closing and Disposition Bylaw, 2011, No. 8139" (Portions of Gostick Place and Bewicke Avenue) be considered.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

17. "Highways Closing and Disposition Bylaw, 2011, No. 8139" (Portions of Gostick Place and Bewicke Avenue).

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 8139 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 8139 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 8139 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

18. **City Properties – Potential Farmers Market – File: 0710-01**

Report: Property Management Coordinator – Facilities, Corporate Services, January 12, 2011.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the Civic Centre Plaza be approved as a site for a potential Farmers Market for a one year trial period;

AND THAT staff report back to Council with a recommendation in terms of how to resolve conflicts between the existing artisan market and a new proposed Farmers Market at Shipbuilders Square.

CARRIED UNANIMOUSLY

19. Development Application 1445 Moody Avenue / Level B Accessory Coach House (David Crawford) – File: 3220-01

Report: Planning Technician 2, Community Development,
January 19, 2011.

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the Planning Technician 2, dated January 19, 2011, entitled “Development Application 1445 Moody Avenue / Level – B Accessory Coach House (David Crawford)”:

THAT Development Variance Permit No. 2010-00011 be considered for issuance under Section 922 of the Local Government Act;

AND THAT Development Permit No. 2010-00006 be considered for issuance under Section 920 of the Local Government Act;

AND THAT notification be circulated in accordance with Section 922 of the Local Government Act;

AND THAT a Public Meeting be scheduled;

AND THAT the off-site works recommended by staff, as outlined in the Interdepartmental Implications section of the January 19, 2011 report, be endorsed.

CARRIED UNANIMOUSLY

20. 356 East 19th Street Rezoning Application (K. Stobbs & J. Stobbs / Noort Holdings Ltd., RS-3) – file: 3360-01

Report: Planning Technician 2, Community Development,
January 19, 2011

Moved by Councillor Keating seconded by Councillor Heywood

PURSUANT to the report of the Planning Technician 2, dated January 19, 2011, entitled “356 East 19th Street Rezoning Application (K. Stobbs & J. Stobbs / Noort Holdings Ltd., RS-3)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8125” (K. Stobbs & J. Stobbs / Noort Holdings Ltd., 356 East 19th Street, RS-3) be considered and that the Public Hearing be waived;

AND THAT the off-site works recommended by staff, as outlined in the Interdepartmental Implications section of the January 19, 2011 report, be endorsed.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

21. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8125” (K. Stobbs & J. Stobbs / Noort Holdings Ltd., 356 East 19th Street, RS-3).

Moved by Councillor Keating, seconded by Councillor Heywood

THAT Bylaw No. 8125 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- 22. Revised Rezoning Application: 420 West Keith Road (Bhupinder Dubb / Augustine Hii, Bill Curtis Designers, CD-601)
– File: 3360-20-01**

Report: Planning Technician 2, Community Development,
January 19, 2011

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the Planning Technician 2, dated January 19, 2011, entitled “Revised Rezoning Application: 420 West Keith Road (Bhupinder Dubb / Augustine Hii, Bill Curtis Designers, CD-601)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8146” (Bhupinder Dubb/Augustine Hii, Bill Curtis Designers, 420 West Keith Road, CD-601) be considered and referred to a Public Hearing;

AND THAT the off-site works recommended by staff, as outlined in the Interdepartmental Implications section of the January 19, 2011 report, be endorsed.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

- 23. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8146” (Bhupinder Dubb/Augustine Hii, Bill Curtis Designers, 420 West Keith Road, CD-601).**

Moved by Councillor Keating, seconded by Councillor Heywood

THAT Bylaw No. 8146 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***25. Council Indemnity Repeal Bylaw and Housekeeping Matters - File: 0530-04**

Report: City Manager, January 18, 2011

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the City Manager, dated January 18, 2011, entitled "Council Indemnity Repeal Bylaw and Housekeeping Matters":

WHEREAS the 2011 annual indemnity for the Mayor has been set at the sum of \$93,325 and the 2011 annual indemnity for each Councillor has been set at the sum of \$32,284 as per the resolution adopted by Council on January 10, 2011;

THEREFORE BE IT RESOLVED THAT one-third of the sum of \$93,325 to be paid to the Mayor shall be paid as an allowance for expenses incidental to the discharge of the duties of the office as an elected Mayor of the City, and one third of the sum of \$32,284 to be paid to each Councillor shall be paid as an allowance for expenses incidental to the discharge of the duties of the office as an elected Councillor of the City and one-third of the monthly sum of \$1,175 paid to Councillors for acting pay shall be paid as an allowance for expenses incidental to the discharge of duties of the office of Acting Mayor;

AND THAT in consideration of the role and responsibilities carried out by the Acting Mayor, monthly compensation of \$1,175 for the Acting Mayor be paid effective January 1, 2011 and that each Councillor will receive the acting pay for a two month period as per the schedule adopted by Council on December 6, 2010;

AND THAT the annual Council indemnities provided will be paid in 26 bi-weekly instalments;

AND THAT "Council Indemnity Repeal Bylaw, 2011, No. 8147", be considered.

Continued...

**25. Council Indemnity Repeal Bylaw and Housekeeping Matters
- File: 0530-04 - Continued**

Moved by Councillor Heywood, seconded by Mayor Mussatto

THAT the foregoing motion be amended as follows:

By deleting the last active clause “**AND THAT** “Council Indemnity Repeal Bylaw, 2011, No. 8147”, be considered.”

CARRIED

The question on the motion, as amended, was then **CARRIED**

Moved by Councillor Keating, seconded by Councillor Heywood

THAT staff bring forward a Council Indemnity Bylaw for 2011.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

26. “Council Indemnity Repeal Bylaw, 2011, No. 8147”.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT item 26 be deleted.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 8:01 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the meeting adjourn.

The meeting adjourned at 8:02 p.m.

CARRIED UNANIMOUSLY