



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, MARCH 28, 2011**
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 of Community Development
G. Penway, Deputy Director, Community
Development
B. Themens, Deputy Director, Finance
M. Hunter, Manager, Parks and Environment
N. Chand, Manager of Financial Planning
F. Ducote, Acting City Planner
J. Irwin, Manager Financial Service
L. Orr, Waterfront Project Manager
B. Johnson, Revenue Accountant
C. Miller, Planner, Community Development
I. Forsyth, Director of the Arts Office
N. Kirkpatrick, Director, North Vancouver,
Museum & Archives
S. Wilks, Timekeeper

The meeting was called to order at 6:03 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, March 21, 2011.
2. In Camera Committee of the Whole Meeting Minutes, March 21, 2011.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File 1090-21

- Mr. David Wedge, Ms. Shelly Windover, 255 W. 6th St., North Vancouver, spoke regarding Item 10 “Rezoning Application: 261-263 West 6th Street, A. Wallner”.

CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the resolutions listed within the “Consent Agenda” be approved as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***16. Request for Extension of Appropriated Funds for Media Art Gallery Consultants – File: 1705-01**

Report: Waterfront Project Manager, March 22, 2011.

PURSUANT to the report of the Waterfront Project Manager, dated March 22, 2011, entitled “Request for Extension of Appropriated Funds for Media Art Gallery Consultants”:

THAT the remaining balance of Appropriation #0808, Project #45125 “Media Art Gallery Consultants” scheduled to expire on April 21, 2011 be extended for one year;

AND THAT should any of the above amounts 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)

***17. Statutory Review: Harbourside Official Community Plan Amendment (Concert Properties Ltd.) – File: 6740-20-REZ2009-00004**

Report: Planning Technician, Community Development, March 23, 2011.

PURSUANT to the report of the Planning Technician, dated March 23, 2011, entitled, “Statutory Review: Harbourside Official Community Plan Amendment (Concert Properties Ltd.)”:

THAT the review contained in the March 23, 2011 report concerning statutory examinations of the “City of North Vancouver Official Community Plan Bylaw 2002, No. 7425, Amendment Bylaw, 2011, No. 8157” (Concert Properties Ltd.) with respect to its impact on the City’s Financial and Waste Management Plans be received and filed.

(CARRIED UNANIMOUSLY)

***18. 2011 1st Quarter Waterfront Project Update – File: 6970-01**

Report: Waterfront Project Manager, March 23, 2011.

PURSUANT to the report of the Waterfront Project Manager, dated March 23, 2011, entitled “2011 1st Quarter Waterfront Project Update”:

THAT said report be received and filed.

(CARRIED UNANIMOUSLY)

***19. Amendment to the Fees and Charges Bylaw – File: 1810-01**

Report: Manager, Parks and Environment, March 22, 2011.

PURSUANT to the report of the Manager, Parks and Environment, dated March 22, 2011, entitled “Amendment to the Fees and Charges Bylaw”:

THAT the “Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2011, No. 8161” (Tree Permit Fee) be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *20. "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2011, No. 8161" (Tree Permit Fee).

THAT Bylaw No. 8161 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. 8161 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8161 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *21. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8152" (C. Gentile/Karl Wein & Associates, 303 East 11th Street, CD-602).

THAT the said Bylaw No. 8152 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8152 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, 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:

3. Section 90 (1) (k)
4. Section 90 (1) (c)
5. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:07 p.m. and reconvened at 7:27 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

4. Urban Plaza Event Programmer/Coordinator – File: 8100-01

Report: Waterfront Project Manager and Director of the Arts Office,
March 22, 2011.

PURSUANT to the Confidential Report of the Waterfront Project Manager, dated March 22, 2011, entitled “Urban Plaza Event Programmer / Coordinator”:

THAT staff be directed to source an Community Event Programmer on a one year pilot basis to facilitate the programming of Burrard Dry Dock Pier, St. Roch Dock, Shipbuilders’ Square, Civic Plaza and Stella Jo Dean Plaza and other civic places;

AND THAT funding for this position comes from The Shipyards Maintenance/Programming Project in the 2011 – 2020 Project Plan;

AND THAT (Funding Appropriation #1116) an amount of \$100,000 be appropriated from the General Reserve Fund for the purpose of funding the programming of urban plazas on a one year trail basis;

AND THAT should any of the above amounts remain unexpended at December 31, 2014, the unexpended balance shall be returned to the credit of the said Reserve Fund;

AND THAT staff be directed to report back with an evaluation of the pilot project along with policy recommendations for event programming in public open spaces.

CARRIED

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

5. Appointment to the Advisory Planning Commission – File: 0360-20 APC-06

Report: City Clerk, March 23, 2011.

PURSUANT to the report of the City Clerk, dated March 23, 2011, entitled “Appointment to the Advisory Planning Commission”:

THAT Ms. Marni Robinson be appointed for a partial term to conclude on January 31, 2013.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“CANADIAN CANCER SOCIETY’S DAFFODIL MONTH” – APRIL 2011

“DAFFODIL DAY” – APRIL 27, 2011

**“MALE SURVIVORS OF SEXUAL ABUSE AWARENESS MONTH”
– APRIL 2011**

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the meeting recess to the Finance Committee Meeting scheduled this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:30 p.m. and reconvened at 8:01 p.m. with the same personnel present.

DELEGATION

Ms. Renée Strong, Executive Director and Mr. Brock Hilliard, Board Member, Capilano Community Services Society.

Re: Update on Activities of Capilano Community Services Society
– File: 0230-20 CCSS-01

Ms. Renée Strong, Executive Director and Mr. Brock Hilliard, Board Member, Capilano Community Services Society, gave a presentation regarding “Update on Activities of Capilano Community Services Society”, as follows:

- thanked City for support it has given the society over the years;
- advised of society’s mandate;
- advised that total funding received from the City is \$59,400 which funds four programs;
- described programs provided;
- 5833 volunteer hours to date.

Ms. Strong then responded to questions from members of Council.

CORRESPONDENCE

6. Ms. Renée Strong, Executive Director, Capilano Community Services Society, February 18, 2011.

Re: Update on Activities of Capilano Community Services Society
– File: 0230-20 CCSS-01

Moved by Councillor Trentadue, seconded by Councillor Keating

THAT the correspondence received from Ms. Renée Strong, Executive Director, Capilano Community Services Society, dated February 18, 2011, regarding “Update on Activities of Capilano Community Services Society” be received and filed with thanks to the society for their presentation and to the volunteers for the work they do.

CARRIED UNANIMOUSLY

DELEGATION

Ms. Jane Osborne, Lionsview Seniors Planning Society Survey Team Lead & Coordinator, North Shore Adults Support Network.

Re: A Survey of North Shore Citizens 60 years and Older
– File: 0230-20 LSPS-01

Ms. Jane Osborne, Lionsview Seniors Planning Society Survey Team Lead & Coordinator, North Shore Adults Support Network, introduced Ms. Viv Christison, Lionsview Seniors Planning Society, Board Member, and gave a PowerPoint presentation regarding “A Survey of North Shore Citizens 60 years and Older”, as follows:

- purpose of society to ensure seniors live and age well in their own communities;
- overview of project;
- statistics on seniors;
- needs of seniors;
- project is called Seniors Today;
- survey framework;
- outreach to all seniors;
- two phases to project;
- unique project model;
- project resourcing.

Ms. Osborne then responded to questions from members of Council.

CORRESPONDENCE

7. Ms. Jane Osborne, Lionsview Seniors Planning Society Survey Team Lead & Coordinator, North Shore Adults Support Network. February 21, 2011.

Re: A Survey of North Shore Citizens 60 years and Older
– File: 0230-20 LSPS-01

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the correspondence received from Ms. Jane Osborne, Lionsview Seniors Planning Society Survey Team Lead & Coordinator, North Shore Adults Support Network, dated February 21, 2011, regarding “A Survey of North Shore Citizens 60 years and Older” be received and filed with thanks.

CARRIED UNANIMOUSLY

DELEGATION

Dr. Kris Bulcroft, President, Ms. Cindy Turner, Vice-President, Finance and Administration and Ms. Lynn Jest, Director, Continuing Education, Capilano University.

Re: Lower Lonsdale-Pier Development Site Plan – File: 5210-01

Dr. Kris Bulcroft, President, Ms. Cindy Turner, Vice-President, Finance and Administration and Ms. Lynn Jest, Director, Continuing Education, Capilano University gave a presentation regarding “Lower Lonsdale-Pier Development Site Plan”, as follows:

- Capilano University’s way of serving the community is different from others;
- this is a partnership;
- is a vision now;
- looking to work together to build the future collectively;
- hard work is yet ahead.

Ms. Lynn Jest Director, Continuing Education, Capilano University, spoke to the document prepared by Capilano University entitled “Cap in the City: The Waterfront Learning Centre”, as follows:

- opportunity for fine and applied arts;
- not a traditional campus model;
- partners with City, business, cultural community;
- all ages programming;
- 3 storey building;
- possible arts and community school;
- lunch and learn series;
- artist in residence program;
- local government administration program;
- international programming;
- university exhibit hall;
- welcoming and non-institutional;
- outdoor space;
- evening and weekend programming;
- movable open walls;
- start small - 10,000 sq. feet.

Dr. Bulcroft and Ms. Jest then responded to questions from Council.

CORRESPONDENCE

8. Ms. Cindy Turner, Vice-President, Finance & Administration, Capilano University, March 8, 2011.

Re: Lower Lonsdale-Pier Development Site Plan – File: 5210-01

Moved by Councillor Keating, seconded by Trentadue

THAT the correspondence received from Ms. Cindy Turner, Vice-President, Finance & Administration, Capilano University, dated March 8, 2011, regarding “Lower Lonsdale-Pier Development Site Plan” be received and filed with thanks;

AND THAT the Capilano University and City of North Vancouver proposal be forwarded to staff for consideration in development of the former National Maritime Centre site.

CARRIED UNANIMOUSLY

DELEGATION

Mr. Gary Dhillon.

Re: Proposal for 21st Century Community Centre – File: 4710-01

Mr. Gary Dhillon gave a presentation regarding “Proposal for 21st Century Community Centre”, as follows:

- not pushing proactive side;
- global economic crisis;
- need bold new ideas;
- question the status quo;
- how to deal with rapid global change;
- have to empower community;
- empower our kids;
- explore a bold new way of looking at things;
- don't have synergy on the planet;
- global economy only uses one set of ideas;
- this part of the world has created incredible infrastructure;
- keep communities in touch with global opportunities;
- need to address kids' needs or we don't have a future;
- requested that a community centre be built for kids on waterfront land, synergizing ideas, critical mass, human resources, capital, buildings and technology.

CORRESPONDENCE

9. Mr. Gary Dhillon, March 18, 2011.

Re: Proposal for 21st Century Community Centre – File: 4710-01

Moved by Councillor Keating, seconded by Councillor Clark

THAT the correspondence received from Mr. Gary Dhillon regarding “Proposal for 21st Century Community Centre” be referred to staff for a follow-up report.

CARRIED UNANIMOUSLY

DELEGATION

Mr. Arnold Wallner, Resident, City of North Vancouver.

Re: Rezoning Application: 261-263 West 6th Street, A. Wallner.

Mr. Arnold Wallner, 1175 Eyremount Dr., West Vancouver, gave a presentation regarding “Rezoning Application: 261-263 West 6th Street”, as follows:

- has owned property since 1992;
- there has been a recent complaint from duplex owner next door;
- 11 years ago another complaint was made by another owner regarding rear parking and illegal trees;
- prepared letter to complainant;
- provided all information and facts regarding subject property;
- established a neighbourly relationship with complainant; both are happy again;
- important to keep good neighbourly relationships;
- only intention is to get suites legalized;
- depend on the rental income from the suites;
- District of West Vancouver has approved secondary suites in duplexes for absentee owners;
- asked Council to support his rezoning application.

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

10. Rezoning Application: 261-263 West 6th Street, A. Wallner - File: 3360-20-REZ2011-00003

Report: Planner/Acting City Planner, Community Development,
March 23, 2011.

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT the rezoning application to legalize four units at 261-263 West 6th Street, be rejected;

AND THAT staff be directed to enforce the City's existing policy in this instance.

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood
Councillor Bookham
Councillor Clark
Councillor Fearnley

Voting against: Councillor Trentadue
Councillor Keating
Mayor Mussatto

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

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the meeting recess to the Council Workshop scheduled this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 9:29 p.m. and reconvened at 10:03 p.m.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

11. Development Application 619 East 10th Street / Level B Accessory Coach House (Josh Henderson) – File: 3090-20

Report: Planning Technician 2, Community Development, March 23, 2011.

Moved by Councillor Keating, seconded by Councillor Bookham

PURSUANT to the report of the Planning Technician 2, dated March 23, 2011, entitled “Development Application 619 East 10th Street / Level B Accessory Coach House (Josh Henderson)”:

THAT Development Variance Permit No. 2011-00001 be considered for issuance under Section 922 of the Local Government Act;

AND THAT Development Permit No. 2011-00001 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 March 23, 2011 report, be endorsed.

CARRIED UNANIMOUSLY

12. Application Update & Zoning Refinement: 277/279 East 8th Street (David Klassen/Brad Hodson), CD-590 – File: 3360-20 REZ2009-00019

Report: Deputy Director, Community Development, March 23, 2011.

Moved by Councillor Fearnley, seconded by Councillor Bookham

PURSUANT to the report of the Deputy Director, dated March 23, 2011, entitled, “Application Update & Zoning Refinement: 277/279 East 8th Street (David Klassen/Brad Hodson), CD-590”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8094” (David Klassen / Michael Craig Designer, CD-590) be revised so as to include a “U-Wine / U-Brew Use” in the definition of “Neighbourhood Commercial Use”, as per the March 23, 2011 report;

AND THAT the requirement for a Public Hearing for the amended Bylaw be waived;

AND THAT the revised Off-site Works plan, attached to the March 23, 2011 report be approved.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

BYLAWS - Second only

13. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8094” (David Klassen / Michael Craig Designer, CD-590).

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT Second and Third Readings of Bylaw No. 8094 be rescinded.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT the said Bylaw No. 8094 be read a second time in short form.

Continued...

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8094"
(David Klassen / Michael Craig Designer, CD-590). - Continued

Moved by Councillor Fearnley, seconded by Councillor Bookham

THAT Bylaw No. 8094 be amended as follows:

The definition of "Neighbourhood Commercial Use" in Clause 3 , 2,
(1) a) i be revised by adding the term "U-Wine/U-Brew Use" after
the term "hobby stores".

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

The motion on second reading, as amended, was then **CARRIED**

Councillor Clark is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

14. **Lower Mainland Treaty Advisory Committee (LMTAC) Draft Discussion Paper on Local Government Issues and Interests on the First Nations Commercial and the Industrial Development Act (FNCIDA) and the First Nations Certainty of Land Title Act (FNCLTA) – File: 0360-20 LMTAC-06**

Report: City Manager, March 24, 2011.

Moved by Councillor Fearnley, seconded by Councillor Bookham

PURSUANT to the report of the City Manager, dated March 24, 2011, entitled "Lower Mainland Treaty Advisory Committee (LMTAC) Draft Discussion Paper on Local Government Issues and Interests on the First Nations Commercial and the Industrial Development Act (FNCIDA) and the First Nations Certainty of Land Title Act (FNCLTA)":

THAT the Lower Mainland Treaty Advisory Committee (LMTAC) be advised that the City supports Local Government Issues and Interests as noted on the March 2, 2011 Draft Report;

AND FURTHER THAT the City's Council Representative, Councillor Bob Fearnley, and City Manager who are members of LMTAC keep Council informed of the progress being made with the Provincial and Federal Governments.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTION

15. Home Grown: Local Sustainable Food Exhibit – File: 6350-01

Requested by Councillor M.L. Trentadue

Moved by Councillor Trentadue, seconded by Councillor Keating

WHEREAS the City is entertaining requests for proposals for potential Farmers market partners at the Waterfront Site;

WHEREAS Urban Agriculture and the support of local farming initiatives offer an important role for the City to participate in; and

WHEREAS the Home Grown Exhibit recently shown at the Vancouver Museum was very well attended, extremely educational and timely;

THEREFORE BE IT RESOLVED THAT staff be directed to investigate the opportunity for the City of North Vancouver to exhibit Home Grown in the City and possibly in Building 4 (Waterfront Site) during the spring and summer to coincide with any farmers markets that may take place adjacent to this building.

CARRIED UNANIMOUSLY

RECESS

Mayor Mussatto declared a recess at 10:24 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

22. 14th Street and Bewicke Avenue Project – File: 3360-20

Inquiry by: Councillor R.J. Fearnley

Councillor Fearnley inquired of Mayor Mussatto if staff could look into safety hazards at a development site at 14th and Bewicke.

Mr. Ken Tollstam, City Manager, advised that staff would look into the matter.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:25 p.m.