



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JUNE 20, 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
P. Lurbiecki, Assistant City Clerk
M. Hunter, Manager, Parks & Environment
F. Caouette, Director, Corporate Services
S. Ono, City Engineer
I. Gordon, Director of Finance
R. White, Director of Community Development
G. Penway, Deputy Director, Community
Development
D. Pope, Deputy City Engineer
L. Orr, Manager, Special Services & Projects
P. Melville, Manager, Inspections
S. Ney, Manager, Human Resources
T. Wilson, Property Use Inspector
H. Sadler, Waterfront Project, Deputy
Development Manager
D. Samaridis, Landscape Architect, Engineering
S. Smith, Planner I, Community Development
P. Penner, Planner, Community Planner
F. Ducote, Planner, Community Development
L. Parker, Parks Technician, Engineering
I. Forsyth, Director, Office of Cultural Affairs
N. Kirkpatrick, Director, North Vancouver
Museum and Archives
J. Piercey, 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, June 13, 2011.
2. In Camera Committee of the Whole Meeting Minutes, June 13, 2011.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 0550-07

- Ms. June Thur, 231-175 West 1st Street, North Vancouver, spoke regarding item 5 “Dogs in City Parks: Recommendations for Off-Leash Use at Kings Mill Walk”.

CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the resolutions listed within the “Consent Agenda” of June 20, 2011, be approved, with the exception of Item *17, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***16. Project Budget Allocation – Marine Drive Pavement Rehabilitation – File: 5210-01**

Report: Section Manager, Streets and Fleet, Engineering, Parks & Environment, June 14, 2011.

PURSUANT to the report of the Section Manager, Streets and Fleet dated June 2, 2011, entitled “Project Budget Allocation – Marine Drive Pavement Rehabilitation”:

THAT (funding appropriation #1124) an amount of \$232,000 of unallocated infrastructure funding be appropriated from the General Reserve for the purpose of funding Project 53106 - Marine Drive Bicycle Lanes;

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

AND THAT funds remaining in Capital Project 51114 – Repaving Chesterfield: 1st Street to 3rd Street also be allocated to Project 53106 - Marine Drive Bicycle Lanes.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

3. 227 – 229 East 4th Street – File: 4020-20-01

Report: Property Use Inspector, Corporate Services, May 31, 2011.

Mayor Darrell Mussatto invited Mr. Nikolai Chmelev, registered owner of 227-229 East 4th Street, or owner's representative, to come forward and make representation why the City Council should not proceed with the recommendation. Mr. Chmelev was not in attendance.

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Property Use Inspector dated May 31, 2011, entitled "227-229 East 4th Street":

THAT Mr. Nikolai Chmelev, registered owner of the property located at 227-229 East 4th Street, be advised that the City Clerk will be instructed to file a notice in the Land Titles Office under Section 57 of the Community Charter;

AND THAT a resolution of the Council of the Corporation of the City of North Vancouver regarding 227-229 East 4th Street has been made under Section 57;

AND THAT should the issues identified in this report remain outstanding and the property at 227-229 East 4th Street remain in contravention of City bylaws beyond 30 days of the date of this resolution, staff be authorized to take further enforcement action to return the property into compliance, including an injunction application to the Supreme Court of British Columbia requiring the property owner to return the property into compliance with the City.

A recorded vote was taken on the motion.

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

Voting against: Councillor Keating

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

Councillor Fearnley left the meeting declaring a conflict of interest regarding the delegation from Mr. Mehrdad Rahbar and item 4 on the agenda because he has had business dealings with the applicant.

DELEGATIONS

Mr. Mehrdad Rahbar, Vernacular Design Inc., Owner's Agent.

Re: 654 West 15th Street (Smart House) – File: 3360-01 2011

Mr. Mehrdad Rahbar, Vernacular Design Inc., Owner's Agent, made a presentation regarding "654 West 15th Street (Smart House)", as follows:

- Features and Objectives:
 - retention of existing house built 1950's;
 - construction of an infill unit in the rear 1,250 sq. ft.;
 - partially finished interiors components;
 - lower the initial purchase price by 12-15%;
 - solar energy roughing-in for both units;
 - legal secondary suite in the main house (900 sq. ft.).

- Mechanisms:
 - covenant registered on title.

- Challenges:
 - development permit;
 - building permit;
 - municipal fees;
 - legal fees;
 - conventional financing (borrowing at 12%).

- Infill successfully complete.

- Main House:
 - marketed at \$800,000 (partially complete), \$89,000 (more to complete).

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

4. 654 West 15th Street Covenant Discharge (Marie France Del Borrello / Vernacular Design Inc., CD-573) – File: 3360-01 2011

Report: Deputy Director, Community Development, May 3, 2011.

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the matter be deferred pending a written report from Mr. Mehrdad Rahbar outlining the reported costs and documented marketing attempts.

CARRIED UNANIMOUSLY

Councillor Fearnley returned to the meeting.

DELEGATION

Ms. Annette Castell, Resident, City of North Vancouver.

Re: Off-Leash Use at Kings Mill Walk – File: 6130-02

Ms. Annette Castell, Resident, City of North Vancouver, gave a PowerPoint presentation regarding “Off-Leash Use at Kings Mill Walk”, as follows:

- would like entire park be made an off leash dog park;
- suggests an off leash park with no fences;
- have cyclists dismount within the park area;
- saves on building fences and paving a new parallel path;
- a second option would be to divide users with a fence;
- only the second public park to have dogs off leash;
- it is the only park that is flat for seniors to come to with pets and seating;
- 346 names on petition supporting this idea;
- requested that the off leash area include Green Park south of Spa Utopia fenced or not fenced.

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the meeting recess to the Public Hearings and Public Meetings scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:00 p.m. and reconvened at 7:03 p.m. with the same personnel present.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

5. Dogs in City Parks: Recommendations for Off-Leash Use at Kings Mill Walk – File: 6130-02

Report: Parks Technician, Engineering, Parks & Environment,
June 15, 2011.

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Parks Technician, dated June 15, 2011, entitled “Dogs in City Parks: Recommendations for Off-Leash Use at Kings Mill Walk”:

THAT the proposed plan for Kings Mill Walk Park, including a designated off-leash area for dogs, be endorsed;

THAT the funding to implement the proposed interim park improvements be considered for early appropriation in the 2012 Project Plan;

AND THAT staff report back with proposed amendments to “Schedule F – Dogs in Parks” of the “Parks Regulation Bylaw, 1996, No. 6611.”

Moved by Councillor Heywood, seconded by Councillor Bookham

THAT the motion be amended by adding the following clause:

“**AND THAT** the pathways be retained and the dog off-leash area be extended all the way to the end of Spa Utopia.

DEFEATED

The main motion was then **CARRIED.**

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

DELEGATION

Ms. Pam Chilton, Resident, City of North Vancouver.

Re: 384 East Keith Road, North Vancouver – File: 1630-01

Ms. Pam Chilton, Resident, City of North Vancouver, gave a presentation regarding “384 East Keith Road, North Vancouver”, as follows:

- completing the project of rebuilding their house;
- were told during construction not to worry about damaging their sidewalk as it will be a part of the Green Necklace project;
- quoted \$1,800 from the City of North Vancouver to fix the sidewalk and curbing in front of 384 East Keith Road;
- the City agreed to reduce the cost to \$1,000;
- they have gone over budget with their house construction;
- based on financial considerations would like to ask Council to forego the \$1,000 cost;
- circulated a picture of the City’s backhoe on their sidewalk suggesting that it caused some of the damage.

CORRESPONDENCE

**6. Ms. Pam Chilton, Resident, City of North Vancouver.
June 1, 2011.**

Re: 384 East Keith Road, North Vancouver – File: 1630-01

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the City cover the \$1,000 cost charged to Ms. Pam Chilton, Resident, City of North Vancouver, to repair the curb and sidewalk at 384 East Keith Road, North Vancouver.

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Heywood
Councillor Bookham
Councillor Clark
Councillor Fearnley

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

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the meeting recess to the Public Meeting regarding Business License Application for a Group Child Care Facility located at 1952 Fell Avenue and the Public Meeting regarding Business License Application for a Group Child Care Facility located at 359 West 23rd Street.

CARRIED UNANIMOUSLY

The meeting recessed at 7:45 p.m. and reconvened at 8:11 p.m. with the same personnel present.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

7. 1952 Fell Avenue – Group Child Care Centre – File: 4750-01

Report: Community Planner, Community Development, June 14, 2011.

Moved by Councillor Bookham, seconded by Councillor Clark

THAT Ms. Marzena Biskupski be denied a Business License to operate a Group Childcare Centre at 1952 Fell Avenue with up to 17 children in care.

A recorded vote was taken on the motion.

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

Voting against: Councillor Trentadue
Councillor Keating
Mayor Mussatto

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

8. 359 West 23rd Street – Group Child Care Centre – File: 4750-01

Report: Community Planner, Community Development, June 15, 2011.

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the Community Planner, dated June 15, 2011, entitled “359 West 23rd Street – Group Childcare Centre”:

THAT Ms. Rokšana Harandi Hfasih be issued a Business License to operate a Group Childcare Centre at 359 W. 23rd Street with up to 14 children in care.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing regarding Bylaw No. 8162, 1857 Chesterfield Avenue, scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:54 p.m. and reconvened at 9:09 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

9. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8162” (D. Diebolt / Robert Ciccozzi Architecture Inc., 1857 Chesterfield Avenue, CD-605).

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8162 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8162 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the meeting recess to the recessed Public Hearing regarding Bylaw No. 1858, 1629 St. Georges Avenue and 1854 and 1860 Lonsdale Avenue, scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 9:09 p.m. and reconvened at 11:58 p.m. with the same personnel present.

A motion to continue the meeting until the Public Hearing regarding Bylaw No. 8158 and Item 10 on the agenda have been concluded was carried unanimously in the Public Hearing.

BYLAWS - Second and Third Readings

- 10.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8158” (Avesta Apartments at St. Georges Ltd. / M. Shekarchi / Farzin Yadegari Architect, 1854-1860 Lonsdale Avenue and 1629 St. George’s Avenue, CD-603).

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the said Bylaw No. 8158 be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark
Councillor Bookham

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

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the said Bylaw No. 8158 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:58 p.m.