



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JULY 25, 2011**
AT 5:30 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
I. Gordon, Director, Finance
B. Themens, Deputy Director, Finance
S. Smith, Planner
G. Stainton, Manager, City Facilities
P. Penner, Community Planner
G. Penway, Deputy Director, Community
Development
F. Ducote, Acting City Planner
R.H. White, Director, Community Development
S. Ono, City Engineer
J. Irwin, Manager Financial Service
I. Steward, Property Valuator/Negotiator
L. Orr, Manager, Lands & Business Services
C. Wilkinson, Planning Technician, Community
Development
C. Miller, Planning Technician, Community
Development
D. Mitic, Assistant City Engineer, Transportation
S. Wilks, Timekeeper

The meeting was called to order at 5:30 p.m.

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the following Minutes be adopted as circulated:

1. Special Council Meeting Minutes, July 18, 2011.
2. In Camera Committee of the Whole Meeting Minutes, July 18, 2011.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 0550-07-01

- Mr. Ivan Leonard, 215 St. Andrews, North Vancouver, spoke regarding “Official Community Plan Public Consultation Process”.

*Councillor Keating entered the meeting.

- Mr. Alvaro Peralta, 33-1286 Emery Place, North Vancouver, spoke regarding item 8, “Visit of the Esmeralda to the City of North Vancouver”.

CONSENT AGENDA ITEMS

{Items *3, *4, *17, *18, *19 and *20}

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the “Consent Agenda” of July 25, 2011, with the exception of items *3 and *4, be approved, as follows:

CORRESPONDENCE

***17. Metro Vancouver, Board in Brief, July 15, 2011 – File: 0400-60**

THAT the Metro Vancouver, Board in Brief, dated July 15, 2011, be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***18. Ridgeway Elementary School Child Care Facility – Community Enhancement Fund Request – File: 1840-20 CEF-01**

Report: Community Planner, Community Development, July 20, 2011.

PURSUANT to the report of the Community Planner, Community Development, dated July 20, 2011 entitled “Ridgeway Elementary School Child Care Facility – Community Enhancement Fund Request”:

THAT (Funding Appropriation #1128) an amount of \$125,000 be appropriated from the Community Enhancement Reserve Fund for the purpose of funding the final fit and finishing of a child care facility within the Ridgeway Elementary School;

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.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

***19.** “Civic Amenity Reserve Fund Bylaw, 1997, No. 6967, Amendment Bylaw, 2011, No. 8186”.

***20.** “Lower Lonsdale Amenity Reserve Fund Bylaw, 1998, No. 6927, Amendment Bylaw, 2011, No. 8185”.

THAT the said Bylaws No. 8186 and 8185 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws No. 8186 and 8185 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 Keating

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)(j) Consent Agenda
4. Section 90 (1)(j) Consent Agenda

CARRIED UNANIMOUSLY

The meeting recessed at 5:37 p.m. and reconvened at 6:10 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

3. Third Party Information – File: 5500-06-01

Report: Deputy Director of Finance, July 15, 2011.

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

PURSUANT to the report of the Deputy Director of Finance, dated July 15, 2011, regarding “Third Party Information”:

THAT the action taken by the Committee of the Whole in camera regarding “Third Party Information” be ratified;

AND THAT the wording of the recommendation and the report of the Deputy Director of Finance, dated July 15, 2011, regarding “Third Party Information” remain in camera.

CARRIED UNANIMOUSLY

Continued...

3. Third Party Information – File: 5500-06-01 - Continued

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

THAT staff report back with options for proposed changes to the governance structure of Lonsdale Energy Corp. (LEC) that would best suit the LEC in the future.

CARRIED UNANIMOUSLY

14. Auditors Selection – 2011 to 2015 – File: 1220-01-2011

Report: Director of Finance, July 13, 2011.

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

THAT Mayor and Council appoint KPMG LP as auditors for the City of North Vancouver, the North Vancouver City Library and the North Vancouver Museum and Archives effective July 31, 2011 for a five year term;

AND THAT the report of the Director of Finance, dated July 13, 2011, entitled “Auditor Selection – 2011 to 2015” remain in camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

5. July 11, 2011 Delegation to Council – 201 West 1st Street - File: 5500-06-01

Report: Secretary-Treasurer, Lonsdale Energy Corp., July 15, 2011.

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Secretary Treasurer, Lonsdale Energy Corp., dated July 15, 2011, entitled “July 11, 2011 Delegation to Council – 201 West 1st Street”:

THAT “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2010, No. 8187” be considered.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

BYLAWS - Introduction and First Three Readings

6. “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2010, No. 8187”.

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT Bylaw No. 8187 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the said Bylaw No. 8187 be read a second time in short form.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Continued...

6. “City of North Vancouver Hydronic Energy Service Bylaw, 2004, No. 7575, Amendment Bylaw, 2010, No. 8187”. – Continued

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the said Bylaw No. 8187 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

7. **City Financial Support for Market Rental Housing – File: 1660-01**

Report: Director of Finance, July 21, 2011.

Moved by Councillor Keating, seconded by Councillor Trentadue

PURSUANT to the report of the Director of Finance, dated July 21, 2011, entitled “City Financial Support for Market Rental Housing”:

THAT staff investigate the implications of establishing a reduced schedule of fees and charges specifically for the support of market and non-market rental housing projects to be constructed in the City of North Vancouver, and report on options in this respect in Fall, 2011;

AND THAT staff report back on other opportunities that may be available for municipal support for market rental housing construction.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICE OF MOTIONS

8. Visit of the Esmeralda to the City of North Vancouver – File: 6750-01

Moved by Councillor Fearnley, seconded by Councillor Bookham

WHEREAS the facts presented to City Council respecting Chile and the process of reconciliation with its past now appear to be inaccurate;

NOW THEREFORE BE IT RESOLVED that we reconsider the motion respecting the visit of the Esmeralda to the City of North Vancouver;

AND THAT we extend an apology to the government and people of Chile for our earlier actions.

A recorded vote was taken on the motion.

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

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 following motion adopted by City Council on July 18, 2011, be rescinded:

“**WHEREAS** Chile’s Truth and Reconciliation Commission and Amnesty International have documented over 100 cases of torture that occurred on the BE Esmeralda in the wake of General Augusto Pinochet’s military coup of September 11, 1973; and

WHEREAS the Chilean Navy does not acknowledge these facts as part of a meaningful process of reconciliation with its past;

NOW THEREFORE BE IT RESOLVED THAT there be no formal engagement by the City of North Vancouver with the Esmeralda while it is in port.”

CARRIED

Councillor Keating, Councillor Trentadue and Mayor Mussatto are recorded as voting contrary to the motion.

**9. Referendum Regarding Harry Jerome Recreation Centre
– File: 4200-20 2011-27 / 7900-20 HJRC-01**

Submitted by: Councillor R.J. Fearnley

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the City of North Vancouver put replacement vs. renovation of the Harry Jerome Recreation Centre as a referendum question for the election in November 2011;

AND THAT the City Manager report back on options for achieving this.

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood
Councillor Bookham
Councillor Fearnley

Voting against: Councillor Trentadue
Councillor Keating
Councillor Clark
Mayor Mussatto

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

Moved by Councillor Keating, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:04 p.m. and reconvened at 7:05 p.m. with the same personnel present.

BYLAWS - Reconsideration and Final Adoption

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 Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8158 be reconsidered.

CARRIED

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

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8158 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

11. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8178" (M. Drufouka / REL Design, 318 West 18th Street, CD-611).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8178 be reconsidered.

CARRIED

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

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8178 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

12. "General Local Election Bylaw, 1993, No. 6442, Amendment Bylaw, 2011, No. 8184" (Order of Names on the Ballot).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT consideration of item 12 be deferred until the conclusion of the public hearings.

CARRIED

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing regarding Bylaw No. 8177 (140-150 West 15th Street) scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:05 p.m. and reconvened at 8:47 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8177" (Adamantia Developments Ltd., West 15 Project Holdings Ltd./IBI/HB Architects, 131 West 16th Street, 143-151 West 16th Street and 140-150 West 15th Street, CD-610).

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 8177 be read a second time.

Continued...

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8177" (Adamantia Developments Ltd., West 15 Project Holdings Ltd./IBI/HB Architects, 131 West 16th Street, 143-151 West 16th Street and 140-150 West 15th Street, CD-610). - Continued

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 8177 be amended as follows:

In Part A2 (e) the amount of Density Bonus be reduced **from** 1,307 square metres (14,070 square feet) **to** 1,046 square metres (11,257 square feet);

In Table CD-610 – 1, the bottom row describing Site "Z", Density Bonus for Non-Market Rental Housing be reduced **from** 14,070 sq. ft. **to** 11,257 sq. ft.; and

In Table CD-610 – 1, the bottom row, describing Site "Z", Total Effective On-Site Gross Floor Area and Floor Space Ratio (FSR) be reduced **from** 125,609 sq. ft. and 4.37 FSR **to** 122,796 and 4.28 FSR.

CARRIED UNANIMOUSLY

The question on the motion for second reading, as amended, was then

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 8177, as amended, be read a third time and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing regarding Bylaw No. 8180 and Bylaw No. 8181 (1250 Lonsdale Ave / 1100 Lonsdale Ave) scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed 9:24 p.m. and reconvened at 10:28 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the meeting be extended in order to complete the items on the agenda.

CARRIED UNANIMOUSLY

The meeting recessed at recessed at 10:29 p.m. and reconvened at 11:29 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

14. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2011, No. 8180" (Wesgroup Properties & Walter Francl Architects, 1250 Lonsdale Avenue/City of North Vancouver, 125 East 13th Street, 145 East 13th Street, 165 East 13th Street.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8180 be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against: Nil.

The motion was **CARRIED UNANIMOUSLY** by a vote of seven to zero.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 8180 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

15. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8181"
(1250 Lonsdale Avenue, Wesgroup Properties/Walter Francl Architects
and 1100 Lonsdale Avenue, North Shore Credit Union/CD-612).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8181 be read a second time in short form.

Moved by Councillor Clark, seconded by Councillor Bookham that the motion be amended by adding the following clause:

THAT staff report back on securing by covenant a price of \$92.50 per square foot for the density transfer.

A recorded vote was taken on the amendment.

Voting in favour: Councillor Clark
Councillor Bookham

Voting against: Councillor Trentadue
Councillor Keating
Councillor Fearnley
Councillor Heywood
Mayor Mussatto

The amendment was **DEFEATED** by a vote of five to two.

A recorded vote was taken on the main motion for second reading.

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

Voting against: Nil.

The motion was **CARRIED UNANIMOUSLY** by a vote of seven to zero.

Continued...

15. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8181"
(1250 Lonsdale Avenue, Wesgroup Properties/Walter Francl Architects
and 1100 Lonsdale Avenue, North Shore Credit Union/CD-612).
- Continued

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8181 be read a third time in short form and
passed subject to reconsideration.

CARRIED UNANIMOUSLY

BYLAWS - Second and Third Readings and Reconsideration and Final Adoption

16. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2011, No. 8182"
(Harbourside Landing Ltd./Bunting Coady Architects, 758 & 788 Copping
Street, CD-594, Text Amendment).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8182 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8182 be read a third time in short form and
passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8182 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8182 be finally adopted, signed by the Mayor
and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the meeting adjourn.

A recorded vote was taken on the motion.

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

Voting against: Councillor Trentadue
 Councillor Keating
 Mayor Mussatto

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

The meeting adjourned at 12:15 a.m.