



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., **MONDAY, OCTOBER 15, 2012****

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor D.H. Bell
Councillor P.J. Bookham
Councillor L.C. Buchanan
Councillor R.C. Clark
Councillor R.G. Heywood
Councillor C.R. Keating

STAFF MEMBERS

A.K. Tollstam, City Manager
R.H. White, Deputy City Manager
R.G. Anderson, City Clerk
P. Lurbiecki, Assistant City Clerk
I. Gordon, Director of Finance
G. Penway, Director, Community Development
E. Adin, Deputy Director, Community
Development
N. Chand, Acting Deputy Director
B. Themens, Director, Lonsdale Energy Corp.
C. Edwards, Mechanical Engineer, Lonsdale
Energy Corp.
H. Turner, Waterfront Project Deputy
Development Manager
D. Pope, City Engineer
J. Eckstein, Manager of Infrastructure & Client
Services
C. Jackson, Section Manager, Environmental
Sustainability
T. Barber, Deputy City Engineer
I. Steward, Property Valuator/Negotiator
L. Orr, Manager, Lands and Business Services
C. Purvis, Planner II
B. Westmacott, Planner II
F. Ducote, 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 Bell

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, October 1, 2012.
2. In Camera Committee of the Whole Meeting Minutes, October 1, 2012.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 0550-07-01

- Mr. R. Sostad, 312 East 1st Street, North Vancouver, BC, spoke regarding “Development Variance Permit No. 2008-00005”.
- Mr. M. Barnes, 144 West 14th Street, North Vancouver, BC, spoke regarding “Noise Bylaw”.
- Mr. J. Knetsch, 1408-175 West 1st Street, North Vancouver, BC, spoke regarding “Translink Costing”.
- Mr. I. Leonard, 215 St. Andrews Street, North Vancouver, BC, spoke regarding “Change”.
- Mr. J. Harvey, 33-1910 Cedar Village Crescent, North Vancouver, BC, spoke regarding “Policing Committees”.
- Mr. B. Woodyatt, 204-141 East 18th Street, North Vancouver, BC, spoke regarding the “North Vancouver Urban Forum, Walkabout of Lot 5 Event”.

CONSENT AGENDA ITEMS

{Items *21 and *22}

Moved by Councillor Clark, seconded by Councillor Buchanan

THAT the resolutions listed within the “Consent Agenda” of October 15, 2012, be approved as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***21. 2012 Children and Youth Fund – Youth Initiated Projects and Events: North Vancouver School District’s Community Learning Program (Passion Foundation) – File: 1850-20 CYI-01**

Report: Community Development Worker, Community Development, October 10, 2012.

PURSUANT to the report of the Community Development Worker, dated October 10, 2012, entitled “2012 Children and Youth Fund – Youth Initiated Projects and Events: North Vancouver School District’s Community Learning Program (Passion Foundation)”:

THAT \$500 be granted to North Vancouver School District’s Community Learning Program from the Children and Youth Initiatives Fund;

Continued...

***21. 2012 Children and Youth Fund – Youth Initiated Projects and Events: North Vancouver School District’s Community Learning Program (Passion Foundation) – File: 1850-20 CYI-01 - Continued**

AND THAT a copy of Council’s resolution be forwarded to District of North Vancouver and to School District No. 44 (North Vancouver).

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

***22. “Taxation Exemption Bylaw, 2012, No. 8261”.**

THAT the said Bylaw No. 8261 be reconsidered.

CARRIED UNANIMOUSLY

THAT the said Bylaw No. 8261 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. Patricia Bell, Senior Community Energy Planner, Community Energy Association.

Re: 2012 Climate and Energy Action Award for Public Sector Collaboration and Climate and Energy Action Award Honourable Mention for Community Planning and Development – File: 0290-01

Ms. Patricia Bell, Senior Community Energy Planner, Community Energy Association, gave a presentation regarding “2012 Climate and Energy Action Award for Public Sector Collaboration and Climate and Energy Action Award Honourable Mention for Community Planning and Development” as follows:

- Congratulated Mayor, Council, staff and School District No. 44 on receiving the Climate and Energy Action Award for Public Sector Collaboration;
- Congratulated the City on receiving an honourable mention of the Community Planning Development category of the awards program;
- It is the first time that one community has received recognition in two categories in the same year.

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) (b) & (i)
4. Section 90 (1) (j)
5. Section 90 (1) (e)
6. Section 90 (1) (e)
7. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:23 p.m. and reconvened at 7:11 p.m. with the same personnel present.

Moved by Councillor Buchanan, seconded by Councillor Clark

THAT the meeting recess to the Public Hearings for Bylaw No. 8259 and Bylaw No. 8260 scheduled this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:12 p.m. and reconvened immediately with the same personnel present.

REPORT OF THE COMMITTEE OF THE WHOLE

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

3. Personal Matter – File: 0360-20 SPNC-06

Report: City Engineer, September 11, 2012.

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

AND THAT the wording of the recommendation and the report of the City Engineer, dated September 11, 2012, remain in camera.

CARRIED UNANIMOUSLY

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

4. 2011 Financial Statements – File: 5500-06-01

Report: Director, Lonsdale Energy Corp., October 10, 2012.

THAT the action taken by the Committee of the Whole in camera regarding “2011 Financial Statements” be ratified;

AND THAT the wording of the recommendation and the report of the Director, Lonsdale Energy Corp., dated October 10, 2012, remain in camera.

CARRIED UNANIMOUSLY

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

5. Land Matter – File: 2260-01

Report: Property Valuator-Negotiator, Community Development, October 10, 2012.

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

AND THAT the wording of the recommendation and the report of the Property Valuator-Negotiator, Lands Division and Manager, Parks and Environment, dated October 10, 2012, remain in camera.

CARRIED UNANIMOUSLY

Moved by Councillor Buchanan, seconded by Mayor Mussatto that the following recommendation of the Committee of the Whole in camera be ratified:

6. Land Matter – File: 2380-01

Report: Manager, Lands and Business Services, Community Development, October 9, 2012.

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

AND THAT the wording of the recommendation and the report of the Manager, Lands and Business Services, Community Development, dated October 9, 2012, remain in camera.

CARRIED

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

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

**7. Appointments to the Social Planning Advisory Committee
– File: 0360-20 SPAC-06**

Report: City Clerk, October 10, 2012.

Moved by Councillor Clark, seconded by Councillor Bell

PURSUANT to the report of the City Clerk, dated October 10, 2012, entitled "Appointments to the Social Planning Advisory Committee":

THAT Mr. Arash Ehteshami be appointed for a term to conclude on January 31, 2015 and that Mr. Greg Geub be appointed for a partial term to conclude on January 31, 2014.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following proclamations:

“FERAL CAT DAY” – OCTOBER 16, 2012

“WASTE REDUCTION WEEK” – OCTOBER 15 – 21, 2012

Moved by Councillor Buchanan, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:15 p.m. and reconvened at 7:26 p.m. with the same personnel present.

BYLAWS - Introduction and First Three Readings

8. “Financial Plan for the Years 2012 to 2021 Bylaw, 2012, No. 8231, Amendment Bylaw, 2012, No. 8258” (Revised Financial Plan).

Moved by Councillor Keating, seconded by Councillor Heywood

THAT Bylaw No. 8258 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 Keating, seconded by Councillor Heywood

THAT the said Bylaw No. 8258 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the said Bylaw No. 8258 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Continued...

8. "Financial Plan for the Years 2012 to 2021 Bylaw, 2012, No. 8231, Amendment Bylaw, 2012, No. 8258" (Revised Financial Plan). - Continued

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing for Bylaw No. 8259 for 420 Tempe Crescent.

CARRIED UNANIMOUSLY

The meeting recessed at 7:21 p.m. and reconvened at 7:58 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw 2012, No. 8259" (420 Tempe Crescent, RS-1, CD-628).

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the said Bylaw No. 8259 be read a second time in short form.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the said Bylaw No. 8259 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the meeting recess to the recessed Public Hearing for Bylaw No. 8260 for 127-133 East 3rd Street.

CARRIED UNANIMOUSLY

The meeting recessed at 8:17 p.m. and reconvened with the same personnel present at 9:15 p.m.

BYLAWS - Second and Third Readings

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw 2012, No. 8260"
(Kamcon Construction, F. Adab Architects Inc., 127-133 East 3rd Street, CD-629).

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the said Bylaw No. 8260 be read a second time in short form.

CARRIED

Councillor Heywood is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the said Bylaw No. 8260 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Heywood is recorded as voting contrary to the motion.

COUNCIL REPORT - File: 0550-04-01

Mayor Mussatto:

- Attended the Night of Hope for the Breast Cancer Foundation of Canada and the North Vancouver Urban Forum.

Councillor Bell:

- Attended the Translink funding meetings regarding 2013 baseline budget and the Metro Vancouver Councils of Council Meeting on Saturday.

MOTIONS AND NOTICES OF MOTION

- 11. Development Variance Permit Application – Realignment of Property Line, 320 Tempe Crescent, Bow Residence (Nathan Curran, Integra Architecture) - File: 3090-20 DVP2012-00004 – 320 Tempe Cres**

Moved by Councillor Keating, seconded by Councillor Bookham

THAT Development Variance Permit No. DVP2012-00004 (320 Tempe Crescent) be issued to Nathan Curran and Cameron Curran, in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. DVP2012-00004.

CARRIED UNANIMOUSLY

Councillor Buchanan left the meeting at 9:02 p.m. and returned at 9:05 p.m.

- 12. Development Variance Permit Application (322-330 East Esplanade / Parking Variance for Four On-Site Parking Stalls/Casey Niewerth) - File: 3090-20 DVP2008-00005 – 322-330 E Esp**

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT Development Variance Permit No. DVP2008-00005 (322-330 East Esplanade) be issued to C.H.N. Developments Ltd. (Inc. No. 180866), in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. DVP2008-00005.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

14. Municipal WiFi Vision and Shaw EXO Proposal – File: 5500-01

Report: Acting Manager, Information Technology, October 10, 2012.

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Acting Manager, Information Technology, dated, October 10, 2012, entitled “Municipal WiFi Vision and Shaw EXO Proposal”:

THAT staff negotiate an agreement with Shaw Communications to allow the Shaw EXO service to be implemented on City infrastructure, and that staff develop a long term Municipal WiFi Vision for consideration by Council.

CARRIED UNANIMOUSLY

15. Cemetery Update / Bylaw Revisions – File: 4100-01

Report: Property Valuator-Negotiator, Community Development, October 10, 2012.

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Property Valuator-Negotiator, dated October 10, 2012, entitled “Cemetery Update / Bylaw Revisions”:

THAT “North Vancouver Cemetery Bylaw, 2011, No. 8109, Amendment Bylaw, 2012, No. 8263” be considered.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

16. “North Vancouver Cemetery Bylaw, 2011, No. 8109, Amendment Bylaw, 2012, No. 8263”.

Moved by Councillor Bell, seconded by Councillor Keating

THAT Bylaw No. 8263 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 Bell, seconded by Councillor Keating

THAT the said Bylaw No. 8263 be read a second time in short form.

CARRIED UNANIMOUSLY

Continued...

16. "North Vancouver Cemetery Bylaw, 2011, No. 8109, Amendment Bylaw, 2012, No. 8263". - Continued

Moved by Councillor Bell, seconded by Councillor Keating

THAT the said Bylaw No. 8263 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

17. **Preliminary Report: Rezoning and Heritage Retention, 243 East 18th Street (Noort Holdings Ltd.) – File: 3360-20 REZ2012-00014-243 East 18th St**

Report: Planner, Community Development, October 10, 2012.

Moved by Councillor Buchanan, seconded by Councillor Keating

PURSUANT to the report of the Planner, dated October 10, 2012, entitled "Preliminary Report: Rezoning and Heritage Retention, 243 East 18th Street (Noort Holdings Ltd.):

THAT Noort Holdings Ltd. be encouraged to continue with the rezoning application including the retention of the Vickery Residence Supplemental Heritage Building and a new infill building, as described in October 10, 2012, report.

CARRIED

Councillor Bell and Councillor Heywood are recorded as voting contrary to the motion.

Moved by Councillor Buchanan, seconded by Councillor Keating

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. to conclude items 18 and 19, if necessary.

CARRIED UNANIMOUSLY

**18. Realizing the Potential: Central Waterfront Next Steps
– File: 6740-20 CWD-01**

Report: Director, Community Development, October 10, 2012.

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Director, Community Development, dated October 10, 2012, entitled “Realizing the Potential: Central Waterfront Next Steps”:

THAT the Foot of Lonsdale soils stabilization/deck replacement project proceed based on the anticipated removal/relocation/replacement of the existing Cates Shed;

AND THAT the Central Waterfront Stakeholders Workshop Notes and resulting Central Waterfront Concept Plans be released to the public for review and comment;

AND THAT said material be distributed to the Advisory Planning Commission, Advisory Design Panel, Parks & Environment Committee, Heritage Advisory Commission and Integrated Transportation Committee for comment.

CARRIED UNANIMOUSLY

19. Funding Appropriations – File: 1705-02-01

Report: Director of Finance, October 10, 2012.

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Director of Finance, dated October 10, 2012, entitled “Funding Appropriations”:

THAT (Funding Appropriation #1229) an amount of \$ 140,000 be appropriated from the General Reserve Fund for the purpose of funding the construction of Beach Volleyball Courts;

AND THAT (Funding Appropriation #1230) an amount of \$ 200,000 be appropriated from the General Reserve Fund for the purpose of funding the position of temporary project engineer;

AND THAT (Funding Appropriation #1231) an amount of \$ 550,000 be appropriated from the General Reserve Fund for the purpose of funding Foot of Lonsdale remediation works;

Continued...

19. Funding Appropriations – File: 1705-02-01 - Continued

THAT (Funding Appropriation #1232) an amount of \$ 50,000 be appropriated from the Civic Amenity Reserve Fund for the purpose of funding preliminary work for the North Shore Museum and Archives new museum concept;

AND THAT should any of these amounts remain unexpended after three years from the date of appropriation, the unexpended balance shall be returned to the credit of the said Reserve Fund.

The vote upon the foregoing motion was taken separately as follows:

THAT (Funding Appropriation #1229) an amount of \$ 140,000 be appropriated from the General Reserve Fund for the purpose of funding the construction of Beach Volleyball Courts.

A recorded vote was taken on the motion.

Voting in favour: Councillor Buchanan
Councillor Keating
Mayor Mussatto

Voting against: Councillor Bell
Councillor Heywood
Councillor Bookham
Councillor Clark

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

Continued...

19. Funding Appropriations – File: 1705-02-01 - Continued

The vote upon the foregoing motion was taken separately as follows:

AND THAT (Funding Appropriation #1230) an amount of \$ 200,000 be appropriated from the General Reserve Fund for the purpose of funding the position of temporary project engineer.

Voting in favour: Councillor Heywood
Councillor Bookham
Councillor Buchanan
Councillor Keating
Councillor Clark
Councillor Bell
Mayor Mussatto

Voting against: Nil.

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

AND THAT (Funding Appropriation #1231) an amount of \$ 550,000 be appropriated from the General Reserve Fund for the purpose of funding Foot of Lonsdale remediation works.

A recorded vote was taken on the motion.

Voting in favour: Councillor Bookham
Councillor Buchanan
Councillor Keating
Councillor Clark
Councillor Bell
Councillor Heywood
Mayor Mussatto

Voting against: Nil.

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

Continued...

19. Funding Appropriations – File: 1705-02-01 - Continued

The vote upon the foregoing motion was taken separately as follows:

THAT (Funding Appropriation #1232) an amount of \$ 50,000 be appropriated from the Civic Amenity Reserve Fund for the purpose of funding preliminary work for the North Shore Museum and Archives new museum concept.

Voting in favour: Councillor Bell
Councillor Heywood
Councillor Bookham

Voting against: Councillor Buchanan
Councillor Keating
Councillor Clark
Mayor Mussatto

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

AND THAT should any of these amounts remain unexpended after three years from the date of appropriation, the unexpended balance shall be returned to the credit of the said Reserve Fund.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:55 p.m.