



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, DECEMBER 10, 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.G. Anderson, City Clerk
P. Lurbiecki, Assistant City Clerk
I. Gordon, Director of Finance
N. Chand, Acting Deputy Director, Finance
L. Garber, Manager, Accounting, Reporting and
Collections
L. Orr, Manager, Lands and Business Services
R. H. White, Deputy City Manager
D. Pope, City Engineer
G. Penway, Director, Community Development
B. Themens, Director, Lonsdale Energy Corp.
D. Pistilli, Fire Chief
B. Westmacott, Planning Technician II,
Community Development
R. Charlton, Section Manager, Utilities,
Engineering, Parks and Environment
E. Adin, Deputy Director, Community
Development
C. Jackson, Section Manager, Environmental
Sustainability
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, December 3, 2012.
2. In Camera Committee of the Whole Meeting Minutes, December 3, 2012.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 0550-07-01

- Mr. R. Sostad, 312 East 1st Street, North Vancouver, BC, spoke regarding “Darn Meetings”.
- Mr. J. Overby, 204-4383 Gallant Avenue, North Vancouver, BC, spoke regarding “Handicap Parking”.
- Ms. S. Cook, 269 West 4th Street, North Vancouver, BC, spoke regarding the “ONNI Development and Age”.
- Mr. J. Harvey, 1910 Cedar Village Crescent, North Vancouver, spoke regarding “Policing Committee and the Harry Jerome Recreation Centre”.
- Mr. B. Woodyatt, 204-141 East 18th Street, North Vancouver, spoke regarding the “ONNI Development”.
- Mr. I. Leonard, 310-215 St. Andrew’s Avenue, North Vancouver, spoke regarding “Council - Members Roles and Responsibilities”.

CONSENT AGENDA ITEMS

{Items *4, *15, *16, *17 and *18}

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT the resolutions listed within the “Consent Agenda” of December 10, 2012, be approved as follows:

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

***4 Donation Request in Memory of Charles Todd – File: 1770-01**

Report: Mayor D.R. Mussatto, December 5, 2012.

PURSUANT to the report of Mayor Mussatto, dated December 5, 2012, entitled "Donation Request in Memory of Charles Todd":

THAT the City of North Vancouver authorize a donation in the amount of \$500.00 to the Union Gospel Mission, in memory of Charles Todd;

AND THAT the funds be taken from the Council Bereavement Donations Fund;

AND THAT the December 5, 2012 report remain in camera.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***15. 2012 Community Public Art Grant Recommendation**
– File: 0360-20 AO-06

Report: Public Art Coordinator, North Vancouver Arts Office,
November 20, 2012.

PURSUANT to the report of the Public Art Coordinator, dated November 20, 2012, entitled “2012 Community Public Art Grant Recommendation”:

THAT a 2012 Community Public Art Grant in the following amount be approved:

1. *Siyamin Artist Coop*
“Spirit Trail Story Legends (Gen Chen Stway)” **\$7,500**

(CARRIED UNANIMOUSLY)

***16. Funding Provision for Land Sale Expenses Appropriation**
– File: 3010-02-01

Report: Property Valuator/Negotiator, Community Development,
December 4, 2012.

PURSUANT to the report of the Property Valuator/Negotiator, dated December 6, 2012, entitled “Funding Provision for Land Sale Expenses Appropriation”:

THAT (Funding Appropriation #1243) an amount of \$35,000 be appropriated from the Tax Sale Land (Principal) Reserve Fund for land sale expenses related to 137 West 2nd Street (Sale to Fairborne Homes Ltd.) and 22 Gostick Place (Land Exchange with Global Relay Inc.);

AND THAT should any of the above amounts remain unexpended after December 31, 2015, the unexpended balance shall be returned to the credit of the said Reserve Fund.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *17. "Development Cost Charge (Parks) Reserve Fund Expenditure Bylaw, 2012, No. 8284" (Development of Park Land for Spirit Trail Mosquito Creek Marina).

THAT the said Bylaw No. 8284 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 8284 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

MOTIONS AND NOTICES OF MOTION

- *18. **COUNCIL APPOINTMENTS**

STANDING COMMITTEES

APPOINTMENT OF STANDING COMMITTEES

.1 Finance Committee

All Members of Council
Mayor D.R. Mussatto (Chair)
Alternate Chair: Acting Mayor

.2 Policy Committee

All Members of Council

For Alternating Chair:

Councillor P.J. Bookham December - January
Councillor R.G. Heywood February - March
Councillor D.H. Bell..... April - May
Councillor L.C. Buchanan June - July
Councillor C.R. Keating August - September
Councillor R.C. Clark October - November

(In the event the Chair is either absent or unable to act, the member of Council appointed as Chair for the preceding period will be the Chair.)

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

.3 Parks and Recreation Committee

All Members of Council

For Alternating Chair:

Councillor P.J. Bookham December - January
Councillor R.G. Heywood February - March
Councillor D.H. Bell..... April - May
Councillor L.C. Buchanan June - July
Councillor C.R. Keating August - September
Councillor R.C. Clark October - November

(In the event the Chair is either absent or unable to act, the member of Council appointed as Chair for the preceding period will be the Chair.)

THAT the appointments to the Finance Committee, the Policy Committee and the Parks and Recreation Committee for the period December 10, 2012 through December 2, 2013 be approved.

(CARRIED UNANIMOUSLY)

APPOINTMENTS TO CITY BODIES

.1 MANAGEMENT BODIES (Appointed Council members actively participate as a full voting member)

.1 North Vancouver City Library Board

Councillor P.J. Bookham

.2 Gardens Review Board – Park & Tilford Gardens

Councillor P.J. Bookham and
Manager, Parks & Environment

.3 Civic Naming Committee (formerly Street Naming Committee)

Councillor R.G. Heywood (Chair)
Mayor D.R. Mussatto
Councillor C.R. Keating
City Manager

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

.1 MANAGEMENT BODIES (Appointed Council members actively participate as a full voting member) - Continued

.4 Waterfront Industrial Noise Control Committee

Councillor R.C. Clark

THAT the appointments to MANAGEMENT BODIES (Appointed Council members actively participate as full voting members) for the period December 10, 2012 through December 2, 2013 be approved.

(CARRIED UNANIMOUSLY)

.2 ADVISORY BODIES, SOCIETAL BODIES (Appointed Council members sit in a non-voting role to these bodies and attend regularly)

.1 Advisory Design Panel

Councillor D.H. Bell

.2 Advisory Planning Commission

Councillor D.H. Bell
Councillor L.C. Buchanan

.3 City of North Vancouver Heritage Advisory Commission

Councillor P.J. Bookham

.4 Integrated Transportation Committee

Councillor C.R. Keating

.5 Parks and Environment Advisory Committee

Councillor C.R. Keating

.6 Social Planning Advisory Committee

Councillor R.C. Clark

THAT the appointments to ADVISORY BODIES, SOCIETAL BODIES (Appointed Council members sit in a non-voting role to these bodies and attend regularly) for the period December 10, 2012 through December 2, 2013 be approved.

(CARRIED UNANIMOUSLY)

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

3. ADVISORY BODIES, SOCIETAL BODIES (Appointed Council members sit in a full voting role to these bodies and attend regularly)

.1 Cemetery Advisory Board

Councillor R.G. Heywood

THAT the appointment to ADVISORY BODIES, SOCIETAL BODIES (Appointed Council members actively participate as full voting members) for the period December 10, 2012 through December 2, 2013 be approved.

(CARRIED UNANIMOUSLY)

APPOINTMENT OF REPRESENTATIVES TO OTHER BODIES AND AGENCIES WITH REPRESENTATIVES FROM OTHER MUNICIPALITIES

.1 MANAGEMENT BODIES (Appointed Council Members actively participate as a full voting member)

.1 Joint Use of Public Facilities Planning Committee

Councillor D.H. Bell

.2 North Vancouver Policing Committee

Mayor D.R. Mussatto
Councillor L.C. Buchanan
City Manager

.3 North Shore Emergency Management Office Executive Committee

Councillor P.J. Bookham
Mayor D.R. Mussatto (Alternate)

.4 North Shore Family Court & Youth Justice Committee

Councillor L.C. Buchanan

.5 North Shore Neighbourhood House

Councillor P.J. Bookham

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

.1 MANAGEMENT BODIES (Appointed Council Members actively participate as a full voting member) - Continued

.6 North Vancouver Museum and Archives Commission

Councillor D.H. Bell

.7 North Vancouver Recreation Commission

Councillor R.C. Clark (December 5, 2011 to December 1, 2014)

Councillor D.H. Bell (December 5, 2011 to December 1, 2014)

.2 ADVISORY BODIES, SOCIETAL BODIES (Appointed Council Members act in non-voting role to these bodies and attend regularly)

.1 North Shore Advisory Committee on Disability Issues

Acting Mayor rotated as per schedule

.2 North Vancouver Chamber of Commerce

Councillor C.R. Keating (December 5, 2011 to May 31, 2013)

Councillor R.C. Clark (June 1, 2013 to December 1, 2014)

.3 North Vancouver Community Art Council

Councillor R.G. Heywood

.4 Vancouver Coastal Health/North Shore Local Governance Liaison Group

Councillor D.H. Bell

THAT the appointments to the MANAGEMENT BODIES (Appointed Council Members actively participate as full voting members) and to the ADVISORY BODIES, SOCIETAL BODIES (Appointed Council Members act in a non-voting role to these bodies and attend regularly) for the period December 10, 2012 through December 2, 2013 and December 1, 2014 where indicated, be approved and/or re-affirmed.

(CARRIED UNANIMOUSLY)

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

APPOINTMENTS TO METRO VANCOUVER

- .1 Metro Vancouver Greater Vancouver Regional District Board of Directors, Greater Vancouver Sewerage and Drainage District Board and Greater Vancouver Water District Board**

Mayor D.R. Mussatto
Councillor R.C. Clark (Alternate)

THAT Mayor D.R. Mussatto, Director and Councillor R.C. Clark (Alternate) be appointed to the Metro Vancouver Greater Vancouver Regional District Board of Directors, Greater Vancouver Sewerage and Drainage District Board and the Greater Vancouver Water District Board for the period December 10, 2012 through December 2, 2013.

(CARRIED UNANIMOUSLY)

- .2 Greater Vancouver Regional Labour Relations Bureau of Metro Vancouver**

Councillor R.C. Clark
Mayor D.R. Mussatto (Alternate)
City Manager (Labour Relations Administrative Committee)

THAT Councillor R.C. Clark, Mayor D.R. Mussatto (Alternate) and the City Manager (Labour Relations Administrative Committee) be appointed to the Greater Vancouver Regional Labour Relations Bureau of Metro Vancouver for the period December 10, 2012 through December 2, 2013.

(CARRIED UNANIMOUSLY)

APPOINTMENT OF ACTING MAYORS

Councillor P.J. Bookham December - January
Councillor R.G. Heywood February - March
Councillor D.H. Bell April - May
Councillor L.C. Buchanan June - July
Councillor C.R. Keating August - September
Councillor R.C. Clark October - November

(In the event the Mayor and Acting Mayor are either absent or unable to act, the Member of Council appointed as Acting Mayor for the preceding period will be the Acting Mayor.)

THAT the appointments of the Acting Mayors for the period December 10, 2012 through December 2, 2013 be approved.

(CARRIED UNANIMOUSLY)

Continued...

***18. COUNCIL APPOINTMENTS - Continued**

APPOINTMENTS TO PARCEL TAX ROLL REVIEW PANEL

All Members of Council

THAT all Members of Council be appointed to the Parcel Tax Roll Review Panel for the purpose of considering and dealing with Frontage Tax Assessment Rolls in connection with Local Improvement Projects.

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 item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

3. Section 90 (1)(i)

CARRIED UNANIMOUSLY

The meeting recessed at 6:13 p.m. and reconvened at 6:29 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

3. Legal Matter – File: 5600-01

Report: City Engineer and Director of Finance, December 4, 2012.

THAT the action taken by the Committee of The Whole in camera this evening regarding a “Legal Matter” be ratified;

AND THAT the wording of the recommendation and the report of the City Engineer and Director of Finance, dated December 4, 2012, regarding a “Legal Matter”, remain in camera.

CARRIED UNANIMOUSLY

Moved by Councillor Buchanan, seconded by Councillor Keating

THAT items 9 and 10 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

CORRESPONDENCE

9. Mr. Greg Moore, Chair, Metro Vancouver Board, October 24, 2012.

Re: Metro Vancouver Board Decisions Relating to the Strategic
Priorities Fund – File: 0400-60 MV-01

Moved by Councillor Keating, seconded by Councillor Bell

THAT the City of North Vancouver write letters to North Shore MP's and MLA's requesting inclusion of active transportation infrastructure, such as bicycle lanes, walking paths, and sidewalks, as eligible projects under the Strategic Priorities Fund for Metro Vancouver and its member municipalities.

CARRIED UNANIMOUSLY

CORRESPONDENCE

**10. Metro Vancouver, Board in Brief, November 30, 2012
– File: 0400-60 MV-02**

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT the Metro Vancouver, Board in Brief, dated November 30, 2012, be received and filed.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Mayor Mussatto

THAT item 14 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

14. Return to the PST – File: 5500-06-01

Report: Director, Lonsdale Energy Corp., December 5, 2012.

Moved by Councillor Heywood, seconded by Councillor Keating

PURSUANT to the report of the Director, Lonsdale Energy Corp., dated December 5, 2012, entitled “Return to the PST”:

WHEREAS the City of North Vancouver, through its wholly-owned district energy corporation, Lonsdale Energy Corp. (LEC), has been providing heat to various buildings located in its municipality since 2003;

WHEREAS when the former British Columbia Social Service Tax (PST) was in place, the City and LEC made representations to various British Columbia ministers to request that the Social Service Tax Act be amended to provide a level playing field to energy providers throughout British Columbia;

WHEREAS the implementation of the Harmonized Sales Tax (HST) provided for an equitable taxation of energy that allowed energy providers to compete and be evaluated on the basis of their technical merits;

WHEREAS the province is set to return to a PST system on April 1, 2013;

AND WHEREAS the new PST could increase LEC’s rates by 5% which would negatively impact existing customers as well as reduce LEC’s cost advantage to incite existing, less energy efficient, buildings to connect to its system;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver requests that the PST be implemented in a way that will ensure that all energy providers are treated equitably so that they may compete on the basis of their respective system efficiencies, technical merit and carbon emissions;

THAT this goal be achieved by including provisions in the future PST that will:

- 1) Provide for the exemption or the reimbursement of PST charges on energy (gas, electricity) purchased for the purpose of generating energy for resale;
- 2) Make available the former exemption on Production Machinery and Equipment to equipment purchased by district energy systems; and
- 3) Maintain, as per the former PST regulation, the PST exemption on the sale of Heat to residential district energy customers;

Continued...

14. Return to the PST – File: 5500-06-01 - Continued

AND THAT a copy of this resolution and report be forwarded to the Premier of the Province of British Columbia; the Minister of Finance and House Leader of the Province of British Columbia; the Members of the Legislative Assembly of North and West Vancouver; all UBCM municipalities; and LEC customers.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT items 11, 12 and 13 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

11. Development Review Process, Rezoning Application, 801-925 Harbourside Drive, 18 Fell Avenue (Concert Properties Ltd./HCMA) – File: 3360-20 REZ2012-00025 801 889 and 925

Report: Deputy Director, Community Development, December 5, 2012.

Moved by Councillor Heywood, seconded by Councillor Bell

PURSUANT to the report of the Deputy Director, Community Development, dated December 5, 2012, entitled “Development Review Process, Rezoning Application, 801 – 925 Harbourside Drive, 18 Fell Avenue (Concert Properties Ltd. and Knightsbridge Properties Ltd./HCMA)”:

THAT upon the receipt of a temporary 3 metre Right of Way over the property at 18 Fell Avenue to accommodate the Spirit Trail, that staff be directed to process the development application for the subject properties;

AND THAT the proposed public consultation and development approval process, outlined in December 5, 2012 report, be endorsed;

AND THAT a Town Hall Meeting be scheduled for this rezoning application in February 2013.

CARRIED

**12. Adaptable Design Policy and Guidelines: Proposed Amendments
- File: 5040-02-01**

Report: Deputy Director, Community Development, December 5,
2012.

Moved by Councillor Keating, seconded by Councillor Buchanan

PURSUANT to the report of the Deputy Director, Community Development, dated December 5, 2012, entitled “Adaptable Design Policy & Guidelines: Proposed Amendments”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2012, No. 8276” (Adaptable Design Requirements – Clarifications/City of North Vancouver) be considered;

AND THAT the Public Hearing requirement be waived.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

- 13.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2012, No. 8276” (Adaptable Design Requirements – Clarifications/City of North Vancouver).

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT Bylaw No. 8276 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 Buchanan

THAT the Inquiries section on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

INQUIRIES

19. Metro Vancouver Committee Appointments – File 0360 01

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto why the Council Appointments on this evening's agenda did not include Councillor Bell's appointment to Metro Vancouver Housing Committee and Councillor Clark's appointment to the Regional Planning and Agricultural Committee of Metro Vancouver.

Ms. Anderson, City Clerk, advised that those appointments are made by Metro Vancouver.

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the Council Report section on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

COUNCIL REPORT

Nil

RECESS

Mayor Mussatto declared a recess at 6:50 p.m. and reconvened at 7:00 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Buchanan

THAT the meeting recess to the Public Hearing scheduled this evening regarding Bylaw No. 8262.

CARRIED UNANIMOUSLY

The meeting recessed at 7:00 p.m. and reconvened at 7:16 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

5. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2012, No. 8262"
(Lotus Management Inc. /David Nairne and Associates, 263-269 East 8th
Street, CD-630).

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT Bylaw No. 8262 be read a second time in short form.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT Bylaw No. 8262 be read a third time in short form and passed
subject to consideration.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

Mayor Mussatto declared a recess at 7:20 p.m. and reconvened at 7:31 p.m. with
the same personnel present.

Moved by Councillor Clark, seconded by Councillor Buchanan

THAT the meeting recess to Finance Committee Meeting scheduled this
evening regarding Utility Rates for 2013.

CARRIED UNANIMOUSLY

The meeting recessed at 7:31 p.m. and reconvened at 7:59 p.m. with the same
personnel present.

BYLAWS – Introduction and First Third Readings

6. “Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2012, No. 8264”.
7. “Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2012, No. 8265.”
8. “Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2012, No. 8266”.

Moved by Councillor Keating, seconded by Councillor Buchanan

THAT Bylaws No. 8264, 8265 and 8266 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 Clark

THAT the said Bylaws No. 8264, 8265 and 8266 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaws No. 8264, 8265 and 8266 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Mayor Mussatto declared a recess at 8:04 p.m., for the public question period and reconvened the meeting immediately.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:04 p.m.