



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, JULY 13, 2009 AT
6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
*Councillor R.C. Clark
Councillor P.J. Bookham
Councillor R.J. Fearnley
Councillor R.G. Heywood
Councillor C.R. Keating
Councillor M.L. Trentadue

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
J.M. Rowe, Assistant City Clerk
F. Caouette, Director, Corporate Services
P. Sanderson, Economic Development Manager
R.H. White, Director, Corporate Services
G. Penway, Deputy Director, Community
Development
S. Ono, City Engineer
I. Gordon, Director, Finance
B Themens, Deputy Director, Finance
S. Smith, Planner I, Community Development
D. Pope, Deputy City Engineer
D. Sigston, Deputy Director, Corporate Services
G Venczel, Development Planner
M. Hunter, Manager, Parks & Environment
C. Jackson, Environmental Coordinator
S. Wilks, Timekeeper

The meeting was called to order at 6:00 p.m.

ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the following Minutes be adopted as circulated:

1. [Regular Council Meeting Minutes, July 6, 2009.](#)
2. In Camera Committee of the Whole Meeting Minutes, July 6, 2009.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21

[Video Clip 2](#)

- Mr. Ron Sostad, 211-312 East 1st Street, North Vancouver, spoke regarding the “Ambulance Strike”.
- Mr. Richard Vickery, 310-225 West 3rd Street, North Vancouver, spoke regarding “Ban on Smoking re: Sean Soper’s delegation to Council on July 6, 2009”.

CONSENT AGENDA ITEMS

[Video Clip 3](#)

{Items *14, *15 *16 and *17}

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the resolutions listed within the “Consent Agenda” of July 13, 2009, be approved, with the exception of item *16, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***14. 2008 Annual Municipal Report – File: 1020-06/1010-04**

Recommendation: Public Meeting, July 6, 2009

PURSUANT to the report of the Director, Corporate Services, dated June 17, 2009, entitled “2008 Annual Municipal Report”:

THAT the Annual Municipal Report statements regarding Goals, Objectives, Measures, Disqualifications and Financial Statements attached to the June 17, 2009 report, be endorsed.

(CARRIED UNANIMOUSLY)

***15. Sustainable City Grant Program – Grant Reallocation – File: 3325-09**
Report: [Community Planner, Community Development, July 8, 2009.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)
[Attachment 4](#) [Attachment 5](#)

PURSUANT to the report of the Community Planner, Community Development, dated July 8, 2009, entitled “Sustainable City Grant Program – Grant Reallocation”:

THAT the Sustainable City Grant awarded to the Pacific Resource Conservation Society for its Energy Efficiency Explorers Program be reallocated to its Destination Conservation Program;

AND THAT School District No. 44 (North Vancouver) be so advised;

AND THAT a copy of the July 8, 2009 report be forwarded to the District of North Vancouver.

(CARRIED UNANIMOUSLY)

***17. Strata Conversion Application, 216 – 218 East 3rd Street (Nikolai Chmelev) – File: 3345-02 03 E 216-218**

[Report: Planning Technician 2, Community Development, July 7, 2009.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)

PURSUANT to the report of the Planning Technician 2, Community Development, dated July 7, 2009, entitled “Strata Conversion Application, 216-218 East 3rd Street (Nikolai Chmelev)”;

THAT the Strata Titling of the duplex located at 216-218 East 3rd Street be approved subject to final inspection of the dwelling by the City Building Department;

AND THAT the Strata Titling of the duplex located at 216-218 East 3rd Street be approved subject to the upgrade of the front retaining wall to the satisfaction of the City Engineer;

AND THAT the Mayor and City Clerk be authorized to execute a Section 219 Covenant limiting the use of the property to two dwelling units;

AND THAT the Mayor and City Clerk be authorized to execute the Strata Plans pursuant to Section 242 of the *Strata Property Act*.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Fearnley, seconded by Councillor Heywood

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) (c) & (l)
4. Section 90 (1) (e)
5. Section 90 (1) (i) & (j)

CARRIED UNANIMOUSLY

The meeting recessed at 6:05 p.m. and reconvened at 7:42 p.m. with the same personnel present and with the addition of *Councillor R.C. Clark.

PROCLAMATIONS

Nil.

Moved by Councillor Clark, seconded by Mayor Mussatto

[Video Clip 4](#)

THAT the meeting recess to the [Public Hearing regarding Bylaw No. 8004](#), scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:43 p.m. and reconvened at 7:54 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

[Video Clip 5](#)

6. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8004" (0807839 B.C. Ltd./Scott Kennedy, Cornerstone Architecture, 1805 Chesterfield Avenue, CD-572).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8004 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8004 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

BYLAWS - Second and Third Readings

[Video Clip 6](#)

7. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022" (David Wolstenholme/Ian McDonald & Mary McMains, 346 East 8th Street, CD-577).
8. "Heritage Designation Bylaw, 2009, No. 8023" (David Wolstenholme/Ian McDonald & Mary McMains, 346 East 8th Street).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT items 7 and 8 be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the meeting recess.

CARRIED UNANIMOUSLY

The meeting recessed at 7:58 p.m. and reconvened at 8:00 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Heywood

Video Clip 7

THAT the meeting recess to the [Policy Committee Meeting regarding Western Avenue Planning Study Implementation, Parking and Transition](#), scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:00 p.m. and reconvened at 8:18 p.m. with the same personnel present.

BYLAWS - Reconsideration and Final Adoption

Video Clip 8

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8019" (Mahmood Nowroozi/Farzin Yadegari Architect, 365 East 9th Street, CD-576).

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8019 be reconsidered.

CARRIED

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

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8019 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

BYLAWS - Second and Third Readings

Video Clip 9

10. ["City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017" \(Ottawa Gardens Heritage Conservation Area\).](#)

Moved by Councillor Bookham, seconded by Councillor Trentadue

THAT the said Bylaw No. 8017 be read a second time in short form.

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT Bylaw No. 8017 be amended by adding Option 2a Exemption: Renovations to Existing Non-Heritage Buildings and Option 3a Exemption: St. Edmund's Catholic School, Rectory, of the July 7, 2009 Information Report of the Planner, Community Development, as follows:

Under Heritage Alteration Permit Exemptions, Section 3.5.1 would be amended by inserting the following:

- iii. Exterior alterations, other than additions, to existing non-heritage buildings;

And that items previously numbered iii, iv and v be numbered iv, v and vi correspondingly.

Under Heritage Alteration Permit Exemptions, Section 3.5.1 would be amended by inserting the following:

- iv. St. Edmund's Catholic School and St. Edmund's Catholic Rectory at 535 Mahon Avenue;

And that items previously numbered iii, iv and v be numbered iv, v and vi correspondingly.

CARRIED

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

The motion, as amended, was **CARRIED**

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

continued..

BYLAWS - Second and Third Readings

10. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2009, No. 8017" (Ottawa Gardens Heritage Conservation Area) *continued*

Moved by Councillor Clark, seconded by Councillor Trentadue

THAT the said Bylaw No. 8017, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

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

Video Clip 10

11. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8018" (Heritage Conservation Area Guidelines).

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the said Bylaw No. 8018 be read a second time in short form.

CARRIED

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

Moved by Councillor Clark, seconded by Councillor Bookham

THAT the said Bylaw No. 8018 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

Video Clip 11

12. Cloverley Park Lease – File: 3345-08-02

[Report: Deputy Director, Corporate Services, July 8, 2009.](#)

[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Deputy Director, Corporate Services, dated July 8, 2009, entitled “Cloverley Park Lease”:

THAT the City of North Vancouver enter into a five year lease with the Board of Education of School District No. 44 (North Vancouver) substantially on the terms and conditions as outlined in the lease attached to the July 8, 2009 report prepared and signed by the School District No. 44 (North Vancouver);

AND THAT the Mayor and City Clerk be authorized to execute the said lease.

CARRIED UNANIMOUSLY

Video Clip 12

13. Bottled Water Use – File: 4050-04-01

[Report: Environmental Coordinator and Purchasing Manager, July 3, 2009.](#)

[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Keating, seconded by Councillor Fearnley

PURSUANT to the report of the Environmental Coordinator and the Purchasing Manager, dated July 3, 2009, entitled “Bottled Water Use”:

THAT the City phase out the use of bottled water at core City facilities (City Hall, Library, Fire Hall, Waterfront Office, Operations Centre and Gerry Brewer RCMP building);

AND THAT the City promote the importance of existing municipal drinking water supply;

AND THAT the City, wherever appropriate, encourage the installation of accessible drinking fountains in new and refurbished buildings, parks and public spaces;

continued

13. Bottled Water Use – File: 4050-04-01 *continued*

AND THAT the City continue to maintain a supply of bottled water to be used during times of emergency when municipal tap water is not available;

AND THAT the North Vancouver Recreation Commission, the North Shore Neighbourhood House, the North Shore Office of Cultural Affairs, School District No. 44 (North Vancouver) and Capilano University be provided with a copy of the July 3, 2009 report for their information.

CARRIED UNANIMOUSLY

Video Clip 13

16. Service Agreement – Chamber of Commerce – File: 1040-03-N6

Report: _____ Manager, Economic Development, July 8, 2009.
Attachment 1 Attachment 2 – N/A

Moved by Councillor Keating, seconded by Mayor Mussatto

PURSUANT to the report of the Manager, Economic Development, dated July 8, 2009, entitled “Service Agreement – Chamber of Commerce”:

THAT the Agreement dated June 1, 2009 between The Corporation of the City of North Vancouver and the North Vancouver Chamber of Commerce be ratified;

AND THAT the City Manager or designate be authorized to sign and execute the said agreement;

AND THAT the City of North Vancouver enter into discussions with the District of North Vancouver to ensure that the services outlined in the July 8, 2009 report be put to open tender in 2010.

A vote upon the recommendations was taken separately, as follows:

PURSUANT to the report of the Manager, Economic Development, dated July 8, 2009, entitled “Service Agreement – Chamber of Commerce”:

THAT the Agreement dated June 1, 2009 between The Corporation of the City of North Vancouver and the North Vancouver Chamber of Commerce be ratified;

AND THAT the City Manager or designate be authorized to sign and execute the said agreement.

continued..

**16. Service Agreement – Chamber of Commerce – File: 1040-03-N6
continued**

A recorded vote was taken on the motion.

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

Voting against: Nil.

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

AND THAT the City of North Vancouver enter into discussions with the District of North Vancouver to ensure that the services outlined in July 8, 2009 report be put to open tender in 2010.

A recorded vote was taken on the motion.

Voting in favour: Councillor Bookham
Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Heywood
Councillor Clark
Councillor Fearnley

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

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:

4. Section 90 (1) (e)
5. Section 90 (1) (i) & (j)

CARRIED UNANIMOUSLY

The meeting recessed at 9:02 p.m., and did not reconvene as a motion to adjourn the meeting at 9:34 p.m. was unanimously endorsed in the Committee of the Whole In Camera meeting this evening.