



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN  
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>th</sup> STREET,  
NORTH VANCOUVER, B.C., ON **MONDAY, SEPTEMBER 21, 2009**  
AT 6:00 P.M.**

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**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  
S.E. Dowey, City Clerk  
R.G. Anderson, Deputy City Clerk  
S. Ono, City Engineer  
I. Gordon, Director, Finance  
F. Caouette, Director, Corporate Services  
R.H. White, Director, Community Development  
M. Pavao, Director, Human Resources  
D. Sigston, Deputy Director, Corporate Services  
A. Kurnicki, Streetscape Planner, Engineering,  
Parks & Environment  
E. Adin, City Planner  
C. Jackson, Environmental Coordinator  
D. Pope, Deputy City Engineer  
H. Turner, Director of Recreation, North  
Vancouver Recreation Commission  
J. Watkins, Chief Librarian  
I. Forsyth, Director, North Vancouver Office of  
Cultural Affairs  
L. Phillips, Public Art Coordinator, North  
Vancouver Office of Cultural Affairs  
J. Rice, Cultural Development Officer, North  
Vancouver Office of Cultural Affairs  
J. Hodgins, Timekeeper

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

**ADOPTION OF MINUTES**

**[Video Clip 1](#)**

Moved by Councillor Bookham, seconded by Councillor Keating

**THAT** the following Minutes be adopted as circulated:

1. [Regular Council Meeting Minutes, September 14, 2009.](#)
2. In Camera Committee of the Whole Meeting Minutes, September 14, 2009.
3. [Special Council Meeting Minutes of September 16, 2009.](#)
4. In Camera Committee of the Whole Meeting Minutes of September 16, 2009.

**CARRIED UNANIMOUSLY**

**PUBLIC INPUT PERIOD – File: 1090-21**

**Video Clip 2**

- Mr. John Jensen, 202 West 26<sup>th</sup> Street, spoke regarding “UBCM Resolution B104 Limiting Election Campaign Contributions”.
- Ms. Heather Johnstone, 225 East 2<sup>nd</sup> Avenue, spoke regarding item 13 on the agenda, “Urban Agriculture on City Owned Land”.

**CONSENT AGENDA ITEMS**

**Video Clip 3**

**{Items \*17, \*18 and \*19}**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the resolutions listed within the “Consent Agenda” of September 21, 2009, with the exception of items \*18 and \*19, be approved, as follows:

**BYLAWS - Reconsideration and Final Adoption**

- \*17.** “Fees and Charges Bylaw 1993, No. 6383, Amendment Bylaw, 2009, No. 8007” (Schedule B: Schedule of Fees for Police Services).

**THAT** the said Bylaw No. 8007 be reconsidered.

**(CARRIED UNANIMOUSLY)**

**THAT** the said Bylaw No. 8007 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**(CARRIED UNANIMOUSLY)**

**END OF CONSENT AGENDA ITEMS**

\*Councillor Heywood entered the meeting at 6:07 p.m.

**PRESENTATIONS**

**Video Clip 4**

**Re: 2009 Public Art Awards – File: 1085-03-N3-01**

The City Public Art Program is pleased to present the 2009 Public Art Awards to local developers and artists in recognition of their commitment to the cultural spirit of North Vancouver. Awards were presented by Mayor Mussatto as follows:

*continued...*

**Re: 2009 Public Art Awards – File: 1085-03-N3-01 - Continued**

	<b>ART PROJECT</b>	<b>PRESENTED TO</b>	<b>TYPE OF AWARD</b>
1	Circulus Vitae	Artist: Luke Blackstone Developer: West Coast Projects; David Sprague	Excellence
2	Pier Fixtures, Phase I	Artist: Bill Pechet & Stephanie Robb Developer: Pinnacle International; Michael De Cotiis,	Excellence
3	Time Sequence	Artist: Peter Pierobon Developer: Fairmont Pacific Development Ltd., Vancouver and Grosvenor, Vancouver	Recognition
4	Launch	Artist: Elizabeth Roy Developer: Pinnacle International, Michael De Cotiis,	Recognition
5	Voyage	Artists: Nancy Chew & Jacqueline Metz Developer: Intracorp, Vancouver, Roger Koodoo	Recognition
6	In Tandem	Artist: Carlos Basanta Developer: Wedgewood Marcon Homes, James Fox	Recognition
7	Salmon House Post & Return of the Spawning Salmon	Artist: Jody Broomfield Developer: Ledingham McAllister; Ward McAllister	Excellence
8	Yet Another Way to Know That Things Change, Namely: Trees, Ships and Wildlife	Artist: Dwight Atkinson - Atkinson Iconography	Recognition
9	Grizzly	Artist: Ken Clark	Recognition
10	Out/look	Artists: Nancy Chew & Jacqueline Metz	Excellence

*Continued...*

**Re: 2009 Public Art Awards - Continued**

	<b>ART PROJECT</b>	<b>PRESENTED TO</b>	<b>TYPE OF AWARD</b>
11	Coho Creek	Artist: Bruce Walther	Excellence
12	Coho Creek Spirits	Artist: Ken Clark	Excellence
13	The Long Ascent	Artists: Veronica & Edwin Dam de Nogales	Excellence
14	Continuum	Artist: Katherine Kerr	Excellence

Moved by Councillor Clark, seconded by Councillor Bookham

**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:

5. Section 90 (1) (c) and (k)
6. Section 90 (1) (e)

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:30 p.m. and reconvened at 7:02 p.m. with the same personnel present.

**REPORT OF COMMITTEE OF THE WHOLE**

**[Video Clip 5](#)**

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

**5. Contract and Labour Matters – File: 3010-02-02**

Report: Deputy Director, Corporate Services, September 16, 2009.

**THAT** the action taken by the Committee of the Whole in camera this evening regarding “Contract and Labour Matters” be ratified;

**AND THAT** the wording of the recommendation and the report of the Deputy Director, Corporate Services, dated September 16, 2009, entitled “Contract and Labour Matters”, remain in camera.

**CARRIED UNANIMOUSLY**

## **PROCLAMATIONS**

### **Video Clip 6**

Mayor Mussatto read the following Proclamations:

**“LOWER LONSDALE FALL FESTIVAL DAY” – SEPTEMBER 27, 2009**

**“MAHATMA GANDHI DAY” – OCTOBER 2, 2009**

**“FIRE PREVENTION WEEK” – OCTOBER 4 – 10, 2009**

**“FIRE SERVICE RECOGNITION DAY” – OCTOBER 10, 2009**

Moved by Councillor Clark, seconded by Councillor Bookham

### **Video Clip 7**

**THAT** the meeting recess to the [Public Hearing regarding Bylaws Nos. 8022 and 8023](#), scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:06 p.m. and reconvened at 7:46 p.m. with the same personnel present.

## **BYLAWS - Second and Third Readings**

### **Video Clip 8**

9. [“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022” \(David Wolstenholme / Integra Architecture Inc., 346 East 8<sup>th</sup> Street, CD-577\).](#)

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** the said Bylaw No. 8022 be read a second time in short form.

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** Bylaw No. 8022 be amended as follows:

In Section 3(b)(3) by deleting the words “Gross Floor Area 0.50” and replacing them with “Gross Floor Area 0.433”;

In Section 3(b)(5)(a) by deleting the figures “29.38 metres (96.4 feet)” and replacing them with “37.4 metres (122.8 feet);

In Section 3(b)(5)(c) by deleting the figures “6.49 metres (21.3 feet)” and replacing them with “4.27 metres (14.0 feet);

*continued...*

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022" (David Wolstenholme / Integra Architecture Inc., 346 East 8<sup>th</sup> Street, CD-577).

In Section 3(b)(6) by deleting the figures "6.6 metres (21.6 feet)" and replacing them with "5.94 metres (19.5 feet)";

**AND THAT** Section 3(b)(7) be amended by deleting it in its entirety and replacing it with the following:

"3(b)(7) The driveway be removed so that there will be no on-site parking stalls until such time as the laneway access is provided".

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

**THAT** Bylaw No. 8022 be amended as follows:

In Section 3(b)(3) by deleting the words "Gross Floor Area 0.50" and replacing them with "Gross Floor Area 0.433";

In Section 3(b)(5)(a) by deleting the figures "29.38 metres (96.4 feet)" and replacing them with "37.4 metres (122.8 feet);

In Section 3(b)(5)(c) by deleting the figures "6.49 metres (21.3 feet)" and replacing them with "4.27 metres (14.0 feet)";

In Section 3(b)(6) by deleting the figures "6.6 metres (21.6 feet)" and replacing them with "5.94 metres (19.5 feet)".

**CARRIED UNANIMOUSLY**

**AND THAT** Section 3(b)(7) be amended by deleting it in its entirety and replacing it with the following:

"3(b)(7) The driveway be removed so that there will be no on-site parking stalls until such time as the laneway access is provided".

**CARRIED**

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

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

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

*continued...*

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022" (David Wolstenholme / Integra Architecture Inc., 346 East 8<sup>th</sup> Street, CD-577).

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** Bylaw No. 8022, as amended, be read a third time in short form and passed subject to reconsideration.

**CARRIED**

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

Moved by Councillor Fearnley, seconded by Councillor Keating

**THAT** staff report back on whether all the utilities have been paid for a house with a suite.

**CARRIED UNANIMOUSLY**

**Video Clip 9**

10. "Heritage Designation Bylaw, 2009, No. 8023" (David Wolstenholme / Integra Architecture Inc., 346 East 8<sup>th</sup> Street).

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** the said Bylaw No. 8023 be read a second time in short form.

**CARRIED**

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

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** the said Bylaw No. 8023 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 Clark, seconded by Councillor Keating

[Video Clip 10](#)

**THAT** the meeting recess to the [Finance Committee](#) regarding "[Proposed 2009-2018 Financial Plan Revisions](#)", scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 8:12 p.m. and reconvened at 9:31 p.m. with the same personnel present.

**BYLAWS - Introduction and First Three Readings**

[Video Clip 11](#)

11. "Financial Plan for the Years 2009 to 2018 Bylaw, 2009, No. 7999, Amendment Bylaw, 2009, No. 8037" (Revised Financial Plan for the Years 2009 – 2018).

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** Bylaw No. 8037 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 Clark, seconded by Councillor Keating

**THAT** the said Bylaw No. 8037 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Clark, seconded by Councillor Keating

**THAT** the said Bylaw No. 8037 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

## **CORRESPONDENCE**

### **Video Clip 12**

7. **Mr. Glen Farrough, for Mr. Steve Bergh, President and Ms. Alice Woods, Vice President, BC Lightkeepers Local 20232 Public Service Alliance of Canada (PSAC), September 9, 2009.**

Re: Support for Staffed Lightstations - File: 1040-01

Moved by Councillor Clark, seconded by Councillor Fearnley

**PURSUANT** to the correspondence from Mr. Glen Farrough, for Mr. Steve Bergh, President and Ms. Alice Woods, Vice President, BC Lightkeepers Local 20232 Public Service Alliance of Canada (PSAC), dated September 9, 2009, regarding "Support for Staffed Lightstations":

**BE IT RESOLVED THAT** the City of North Vancouver supports staffed lightstations. We believe that retaining the 27 remaining lightstations is the best way to ensure the safety of the members of our community who travel on or over the waters of BC's West coast and the safety of all those who come to visit our beautiful coastal waters. We would hold the Canadian Coast Guard to their larger mandate, their motto, of Safety First, Service Always. We want a human presence at these 27 lighthouses. We want these trained weather observers to inform us of the weather at these strategic locations 24 hours per day, every day of the year. We want a lightkeeper to be able to relay a distress call from a weak VHF radio. We want lightkeepers on hand to offer assistance to those who need it, to protect the stations, the aids to navigation and other equipment on hand. We disagree with the Canadian Coast Guard when it states that its responsibility on lightstations only extends as far as the navigational aids. Staffed lightstations help protect the marine environment, play a major role in the safety of the public on our waters, and help to ensure Canada's sovereignty and security by establishing a strong federal presence on our coastline. We ask the Canadian Coast Guard to rescind their plans to de-staff lightstations.

**CARRIED UNANIMOUSLY**

[Video Clip 13](#)

8. **Ms. Helesia Luke, Coordinator, Homelessness Action Week, Ethos Strategy Group, September 16, 2009.**

[Re: Homelessness Action Week Speak-up Campaign](#) - File: 4230-27-01

*Requested by Mayor D.R. Mussatto.*

Moved by Councillor Keating, seconded by Councillor Trentadue

**PURSUANT** to the correspondence from Ms. Helesia Luke, Coordinator, Homelessness Action Week, Ethos Strategy Group, dated September 16, 2009, regarding “Homelessness Action Week Speak-up Campaign”:

**THAT** the Council of the City of North Vancouver endorses the “Speak-Up for Affordable Housing” campaign.

**CARRIED**

Councillor Clark is recorded as voting contrary to the motion.

**COUNCIL REPORT - File: 1085-01**

Nil.

**REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

[Video Clip 14](#)

12. **2010 Permissive Tax Exemption Bylaw – File: 1625-04-03**

[Report: Manager, Financial Services, September 15, 2009.](#)  
[Attachment 1](#)      [Attachment 2](#)      [Attachment 3](#)

Moved by Councillor Fearnley, seconded by Councillor Keating

**PURSUANT** to the report of the Manager, Financial Services, dated September 15, 2009, entitled “2010 Permissive Tax Exemption Bylaw”:

**THAT** the list of Permissive Tax Exemption (PTE) applications (Attachment No. 3 of the September 15, 2009 report) be approved by Council for the 2010 property tax year;

**AND THAT** staff bring forward the 2010 Permissive Tax Exemption Bylaw to the next regular meeting of Council;

*continued...*

**12. 2010 Permissive Tax Exemption Bylaw – File: 1625-04-03 - Continued**

**AND THAT** the 2010 Permissive Tax Exemption Bylaw excludes the business portion (class 6) of the assessments for the following organization:

Masonic Temple 1140 to 1144 Lonsdale Avenue

**AND THAT** staff proceed to undertake a consultation process with all existing PTE holders and complete a comprehensive review of all applications;

**AND THAT** staff report back to Council on the results of those reviews with recommendations prior to October 2010.

**CARRIED UNANIMOUSLY**

**Video Clip 15**

**13. Urban Agriculture on City Owned Land – File: 4230-18-02**

Report: Streetscape Planner, Engineering, Parks & Environment,  
September 16, 2009.

Attachment 1

Attachment 2

Attachment 3

Attachment 4

Moved by Councillor Keating, seconded by Councillor Fearnley

**PURSUANT** to the report of the Streetscape Planner, Engineering, Parks & Environment, dated September 16, 2009, entitled “Urban Agriculture on City Owned Land”:

**THAT** staff proceed with a public consultation process regarding the proposed siting of an urban agriculture pilot project in an underutilized portion of Loutet Park, and report back to Council with the results;

**AND THAT** the proposed pilot project inform the long-term implications of a land-use policy involving urban agriculture on public land.

**CARRIED UNANIMOUSLY**

**Video Clip 16**

**14. Harmonized Sales Tax (HST) Impact on District Energy Systems  
– File: 4165-05-04**

Report: Deputy Director of Finance, September 16, 2009.

Moved by Councillor Keating, seconded by Councillor Fearnley

**PURSUANT** to the report of the Deputy Director of Finance, dated September 16, 2009, entitled “Harmonized Sales Tax (HST) Impact on District Energy Systems”:

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

**AND WHEREAS** during that period, the City and Lonsdale Energy Corp. have made representations to various British Columbia ministers to request that the Social Service Tax (PST) Act be amended to provide a level playing field to energy providers throughout British Columbia;

**THAT** the City of North Vancouver requests that the proposed Harmonized Sales Tax 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;

**AND THAT** a copy of this resolution and September 16, 2009 report be forwarded to the Premier of the Province of British Columbia; the Minister of Finance and Deputy Premier of the Province of British Columbia; all Union of British Columbia Municipalities (UBCM) municipalities; and Lonsdale Energy Corp. customers.

**CARRIED UNANIMOUSLY**

**Video Clip 17**

**15. LiveSmart BC Efficiency Incentive Program Cancellation – File: 1180-39**

Report: Environmental Coordinator, Engineering, Parks & Environment, September 16, 2009.

Attachment 1      Attachment 2

Moved by Councillor Clark, seconded by Councillor Trentadue

**PURSUANT** to the report of the Environmental Coordinator, Engineering, Parks & Environment, dated September 16, 2009, entitled “LiveSmart BC Efficiency Incentive Program Cancellation”:

*continued...*

**15. LiveSmart BC Efficiency Incentive Program Cancellation – File: 1180-39  
- Continued**

**THAT** Mayor Mussatto send a letter on behalf of Council to the Province, applauding the success of the LiveSmart BC Program and encouraging the Province to work towards identifying a means to continue funding the Program.

**CARRIED UNANIMOUSLY**

**MOTIONS AND NOTICES OF MOTIONS**

**[Video Clip 18](#)**

**16. City Council Retreat – File: 1090-01**

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Fearnley

**BE IT RESOLVED THAT** City Council hold a local, one evening retreat before the end of November, 2009.

**CARRIED UNANIMOUSLY**

\*Councillor Fearnley left the meeting at 10:00 p.m.

**REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

**[Video Clip 19](#)**

**18. Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A” and Schedule “C” – File: 3045-02**

[Report: Licensing Clerk/Inspector, Community Development,  
September 15, 2009.](#)

[Attachment 1](#)

Moved by Councillor Clark, seconded by Councillor Keating

**PURSUANT** to the report of the Licensing Clerk/Inspector, Community Development, dated September 15, 2009, entitled “Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A” and Schedule “C”:

**THAT** “Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 8036” (Business License Bylaw Amendments – Part 4 - Licenses, Schedule “A” and Schedule “C”) be considered.

*continued...*

**18. Business License Bylaw Amendments – Part 4 – Licenses, Schedule “A” and Schedule “C” – File: 3045-02 - Continued**

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** this matter be referred back to staff for clarification of the questions raised by Council members this evening.

**CARRIED UNANIMOUSLY**

**BYLAWS - Introduction and First Three Readings**

**Video Clip 20**

- 19.** “Business License Bylaw, 2004, No. 7584, Amendment Bylaw, 2009, No. 8036” (Business License Bylaw Amendments – Part 4 - Licenses, Schedule “A” and Schedule “C”).

Moved by Councillor Keating, seconded by Councillor Clark

**THAT** item 19 be deleted from the agenda.

**CARRIED UNANIMOUSLY**

**RECESS**

Mayor Mussatto declared a recess at 10:14 p.m., for the public question period and reconvened the meeting immediately.

**INQUIRIES**

Nil.

**ANY OTHER BUSINESS – NEW ITEMS**

Nil.

**ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Trentadue

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10:15 p.m.