



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, B.C., ON MONDAY, APRIL 19, 2010 AT 6:00 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

R.H. White, Acting City Manager
S.E. Dowey, City Clerk
J.M. Rowe, Assistant City Clerk
F. Caouette, Director, Corporate Services
I. Steward, Property Valuator-Negotiator
I. Gordon, Director, Finance
B. Themens, Deputy Director, Finance
Supt. T. Enger, OIC RCMP
S. Ono, City Engineer
M. Hunter, Manager, Parks and Environment
G. Penway, Deputy Director, Community Development
E. Adin, City Planner
C. Wilkinson, Planning Technician
J. Irwin, Manager, Financial Services
N. Chand, Manager, Financial Planning
S. Smith, Planner I, Community Development
D. Sigston, Deputy Director, Corporate Services
F. Rawlings, Bylaw Officer, Corporate Services
L.R. Orr, Manager, Special Projects and Services/
Waterfront Project Manager
D. Watson, Transportation Planner
I. Forsyth, Director, Cultural Services
J. Rice, Cultural Development Officer Core Funding & Facilities
B. McLean, Cultural Development Officer
S. Wilks, Timekeeper

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

ADOPTION OF MINUTES

Moved by Councillor Keating, seconded by Councillor Clark

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, April 12, 2010.
2. In Camera Committee of the Whole Meeting Minutes, April 12, 2010.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

- Mr. Terry Duncombe, 1054 West 22nd Street, North Vancouver, spoke regarding items 14 and 15 on the agenda “Arts and Cultural Grants: Operating Grant Recommendations 2010 and Office of Cultural Affairs: Project Grant Recommendations 2010, Round Two”.
- Mr. Chad Smith, 380 Kings Road W, North Vancouver, spoke regarding items 14 and 15 on the agenda “Arts and Cultural Grants: Operating Grant Recommendations 2010 and Office of Cultural Affairs: Project Grant Recommendations 2010, Round Two”.
- Mr. Ron Weeks, 1937 Mahon Avenue, North Vancouver, spoke regarding item 6 on the agenda “Accessory Structure – 1945 Mahon Avenue”.
- Mr. Philip Graves, 3999 Woodbury Avenue, North Vancouver, spoke regarding items 14 and 15 on the agenda “Arts and Cultural Grants: Operating Grant Recommendations 2010 and Office of Cultural Affairs: Project Grant Recommendations 2010, Round Two”.

CONSENT AGENDA ITEMS

{Item 20, *21, *22 and *23}

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the “Consent Agenda” of April 19, 2010, be approved, as follows:

CORRESPONDENCE

***20. Metro Vancouver, Board in Brief, April 9, 2010 - File: 1180-06**

RECOMMENDATION:

THAT the Metro Vancouver, Board in Brief, dated April 9, 2010, be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***21. 2010 2nd Quarter Waterfront Project Update – File: 3330-02-W1-01**

Report: Waterfront Project Manager, April 14, 2010.

PURSUANT to the report of the Waterfront Project Manager, dated April 14, 2010, entitled “2010 2nd Quarter Waterfront Project Update”:

THAT the April 14, 2010 report be received and filed.

(CARRIED UNANIMOUSLY)

***22. Parks and Environment Advisory Committee 2009 Annual Report
– File: 1085-03-P4-03**

Report: Chair, Parks and Environment Advisory Committee,
April 13, 2010.

PURSUANT to the report of the Chair, Parks and Environment Advisory Committee, dated April 13, 2010, entitled “Parks and Environment Advisory Committee 2009 Annual Report”:

THAT the April 13, 2010 report be received and filed.

(CARRIED UNANIMOUSLY)

***23. Statutory Review: Official Community Plan Amendment – Bill 27
Response: Greenhouse Gas Reduction Targets, Policies and Actions
– File: 4000-07/3330-01**

Report: Planner, Community Development, April 14, 2010.

PURSUANT to the report of the Planner, Community Development, dated April 14, 2010, entitled “Statutory Review: Official Community Plan Amendment – Bill 27 Response: Greenhouse Gas Reduction Targets, Policies and Actions”:

THAT the review contained in the April 14, 2010 report concerning statutory examinations of the “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8075” (Bill 27 Response: Greenhouse Gas Reduction Targets, Policies and Actions), with respect to its impact on the City’s Finance and Waste Management Plans, be received and filed.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Trentadue

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) (e)
4. Section 90 (1) (l)
5. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:10 p.m. and reconvened at 6:40 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

5. Appointments to the Civic Engagement Task Force – File: 1085-01

Report: City Clerk, April 7, 2010.

PURSUANT to the report of the City Clerk, dated April 7, 2010, entitled “Appointments to the Civic Engagement Task Force”:

THAT Mr. John Jensen, Ms. Robyn Newton, Mr. Don Bell and Mr. George Pringle be appointed for a term to conclude on December 31, 2010;

AND THAT School District No. 44 (North Vancouver) be approached to provide a representative who is a City resident.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamation:

“PITCH-IN CANADA WEEK” – APRIL 19 – 25, 2010

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

6. Accessory Structure – 1945 Mahon Avenue – File: 3345-02 Mahon 1945

Report: Bylaw Officer, Corporate Services, April 14, 2010.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Bylaw Officer, Corporate Services, dated April 14, 2010, entitled “Accessory Structure – 1945 Mahon Avenue”:

THAT the owner of the property located at 1945 Mahon Avenue be required to remove the unapproved structure from the property by May 15, 2010;

AND THAT should the property owner fail to comply with this requirement, staff be authorized to proceed with an application to the Supreme Court of British Columbia for an injunction thereby ordering the removal.

Mayor Darrell Mussatto invited Mr. Harry Malbet, registered owner of 1945 Mahon Avenue, or owner’s representative, to come forward and make representation why the City Council should not proceed with the above noted recommendation.

No one came forward at the request of the Mayor.

The motion was then **CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the Council Report and items 10 and 11 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

COUNCIL REPORT - File: 1085-01

Councillor Keating

- Attended the Metro Vancouver Finance Committee Meeting dealing with issues of utilities, the need to restructure utilities and the significant costs related to those issues, such as:
 - Upgrade to the Iona and Lions Gate Sewage Treatments Plants;
 - Water Filtration Plant; and
 - Transit.

BYLAWS - Introduction and First Three Readings

10. "Financial Plan for the Years 2010 to 2019 Bylaw, 2010, No. 8078".

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8078 be introduced and read a first time in short form, copies of same having been distributed to Council.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8078 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Mayor Mussatto

THAT the said Bylaw No. 8078 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

11. "Tax Rates Bylaw, 2010, No. 8079".

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8079 be introduced and read a first time in short form, copies of same having been distributed to Council.

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Bookham
Councillor Clark

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

Continued..

11. "Tax Rates Bylaw, 2010, No. 8079" *continued*

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8079 be read a second time in short form.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8079 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Mayor Mussatto declared a recess at 6:55 p.m.

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

Moved by Councillor Trentadue, seconded by Councillor Clark

THAT the meeting recess to the Public Hearing scheduled for this evening regarding Bylaws Nos. 8064 and 8065.

CARRIED UNANIMOUSLY

The meeting recessed at 7:00 p.m. and reconvened at 8:06 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

7. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2010, No. 8064” (Coach House Development Permit Areas).

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the said Bylaw No. 8064 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8064 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

8. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8065” (Accessory Coach House Development).

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8065 be read a second time in short form.

Moved by Councillor Bookham, seconded by Councillor Heywood that the motion be amended, as follows:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8065” (Accessory Coach House Development), Division VII C. Level-A Accessory Coach House Development Permit Guidelines, Section 4 “Development Permit Guidelines” Subsection “Architectural Elements” be amended by adding a clause (i) after (h) as follows:

“(i) Roof top decks shall be prohibited in Level-A Coach Houses.”

The amendment to the motion was **DEFEATED**

The original motion was then **CARRIED**

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the said Bylaw No. 8065 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion

9. "Development Procedures Bylaw, 2001, No. 7343, Amendment Bylaw, 2010, No. 8066" (Accessory Coach House Development).

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the said Bylaw No. 8066 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 Fearnley

THAT the said Bylaw No. 8066 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion

BYLAWS - Second and Third Readings

12. "Concrete sidewalk and curb on the North side of the 300 block of West 4th Street between Mahon and Forbes Avenue, Local Area Service Parcel Tax Bylaw, 2010, No. 8071".

Moved by Councillor Keating, seconded by Councillor Trentadue

THAT the "Local Area Service Bylaw, 2008, No. 7956" (Concrete sidewalk and curb be constructed to serve the north side of the 300 Block of West 4th Street, between Mahon and Forbes Avenues) be repealed;

AND THAT first reading of "Concrete sidewalk and curb on the North side of the 300 block of West 4th Street between Mahon and Forbes Avenue, Local Area Service Parcel Tax Bylaw, 2010, No. 8071" be rescinded;

AND THAT the amount of up to \$160,000 be returned to the Local Area Service Reserve;

AND THAT any payments received from property owners pursuant to "Local Area Service Bylaw, 2008, No. 7956" be returned to the respective City property owners.

Continued..

12. "Concrete sidewalk and curb on the North side of the 300 block of West 4th Street between Mahon and Forbes Avenue, Local Area Service Parcel Tax Bylaw, 2010, No. 8071" *continued*

A recorded vote was taken on the motion.

Voting in favour: Councillor Trentadue
Councillor Keating
Mayor Mussatto

Voting against: Councillor Heywood
Councillor Bookham
Councillor Clark
Councillor Fearnley

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

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the said Bylaw No. 8071 be read a second time in short form.

CARRIED

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

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the said Bylaw No. 8071 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

13. North Vancouver Museum – New Vision – File: 1085-03-N5-01

Report: Director, North Vancouver Museum & Archives,
April 12, 2010.

Moved by Councillor Bookham, seconded by Councillor Fearnley

PURSUANT to the report of the Director, North Vancouver Museum & Archives, dated April 12, 2010, entitled “North Vancouver Museum – New Vision”:

THAT the report entitled “Vision and Preliminary Feasibility Study for the North Vancouver Museum”, Attachment 1 of the April 12, 2010 report, be referred to City staff for a report.

CARRIED UNANIMOUSLY

14. Arts and Cultural Grants: Operating Grant Recommendations, 2010 – File: 1085-03-N3-01

Report: Cultural Development Officer, North Vancouver Office of Cultural Affairs, April 12, 2010.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Cultural Development Officer, North Vancouver Office of Cultural Affairs, dated April 12, 2010, entitled “Arts and Cultural Grants: Operating Grant Recommendations, 2010”:

THAT Operating Grants for arts and cultural organizations be approved in the amount of \$129,450 as recommended by the peer assessment jury and as outlined in the April 12, 2010 report;

AND THAT the City’s contribution of \$64,725 be approved for release, pending joint approval of these same recommendations by the District of North Vancouver;

AND THAT the District of North Vancouver be invoiced for its contribution of \$64,725.

CARRIED UNANIMOUSLY

15. Office of Cultural Affairs: Project Grant Recommendations – 2010 Round Two – File: 1085-03-N3-03

Report: Cultural Development Officer, North Vancouver Office of Cultural Affairs, April 12, 2010.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Cultural Development Officer, North Vancouver Office of Cultural Affairs, dated April 12, 2010, entitled “Office of Cultural Affairs: Project Grant Recommendations – 2010, Round Two”:

THAT Project Grants be approved in the amount of \$48,500, as recommended by an independent jury of peer experts, to support a range of arts-based projects, community celebrations and cultural events;

AND THAT a further \$22,000 in grants be approved to support three civic events: Canada Day (at Waterfront Park), Canada Day Parade and Remembrance Day;

AND THAT the City’s contribution of \$35,250 be approved for release, pending joint approval of these same grants recommendations by the District of North Vancouver;

AND THAT the District of North Vancouver be invoiced for its matching contribution of \$35,250.

CARRIED UNANIMOUSLY

16. Bicycle and Pedestrian Improvements on 3rd Street from Kennard to Queensbury Avenues – File: 4100-08-01

Report: Transportation Planner, Engineering, Parks & Environment, April 14, 2010.

Moved by Councillor Keating, seconded by Councillor Fearnley

PURSUANT to the report of the Transportation Planner, Engineering, Parks & Environment, dated April 14, 2010, entitled “Bicycle and Pedestrian Improvements on 3rd Street from Kennard to Queensbury Avenues”:

THAT Phase 1, eastbound and westbound bicycle lanes on 3rd Street Hill between Kennard and Queensbury Avenues including pedestrian improvements at the 3rd and Queensbury intersection be installed;

AND THAT Phase 2, provision of a multi-use path along 3rd Street Hill be considered in context of the City’s 10 Year Project Plan;

Continued..

16. Bicycle and Pedestrian Improvements on 3rd Street from Kennard to Queensbury Avenues – File: 4100-08-01 *continued*

AND THAT (Funding Appropriation No. 1005) an amount of \$50,000 be appropriated from the Sustainable Transportation Reserve Fund for the purpose of funding bicycle lanes installation and improvements to the 3rd and Queensbury intersection;

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

AND THAT the April 14, 2010 report be referred to the North Vancouver Joint Bicycle Advisory Committee, the Advisory Planning Commission, TransLink and Coast Mountain Bus Company for their information.

CARRIED UNANIMOUSLY

17. Marine Drive Town Hall Meeting – File: 3380-02-M1

Report: Director, Community Development, April 14, 2010.

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Director, Community Development, dated April 14, 2010, entitled “Marine Drive Town Hall Meeting”:

THAT current policy directions be reconfirmed and that the April 14, 2010 report be received and filed.

CARRIED UNANIMOUSLY

18. Official Community Plan Amendment / Rezoning Proposal – 735 West 15th Street (Adera/Integra Architects) – Follow-Up to the Town Hall Meeting – File: 3345-02 15 W 735

Report: Director, Community Development, April 14, 2010.

Moved by Councillor Fearnley, seconded by Councillor Trentadue

PURSUANT to the report of the Director, Community Development, dated April 14, 2010, entitled “Official Community Plan Amendment / Rezoning Proposal – 735 West 15th Street (Adera/Integra Architects) – Follow-Up to the Town Hall Meeting”:

THAT Adera Development Corporation be advised that the City is prepared to process an Official Community Plan Amendment/Rezoning Proposal – 735 West 15th Street at 1.0 times the lot area residential density, consistent with the recommendations of the Marine Drive Task Force, with the potential for a small density bonus for environmental, affordable housing or other bonusable considerations, consistent with the City’s Official Community Plan.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTION

19. Contract Renewal with the RCMP – File: 3200-04-04

Submitted by: Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Heywood

WHEREAS the Province of BC through the Office of the Solicitor General is negotiating a contract renewal with the RCMP, on behalf of those municipalities served by the RCMP in BC, effective in 2012;

NOW THEREFORE BE IT RESOLVED THAT the North Vancouver City Council notify the Solicitor General of BC that North Vancouver City Council will not sign any agreement with the RCMP at the 2012 renewal unless and until there is civilian oversight and accountability which is acceptable to North Vancouver City Council;

RESOLVED THAT an independent civilian complaints mechanism must also be demonstrated; and

RESOLVED THAT by copy of this motion, the Commissioner of the RCMP, the Deputy Commissioner, Pacific Region and Commanding Officer, “E” Division (B.C.), the District of North Vancouver, Metro Vancouver, all municipalities served by the RCMP in BC, the Union of British Columbia Municipalities, the Federation of Canadian Municipalities and all North Shore MLA’s and MP’s, be advised of this action.

Continued..

19. Contract Renewal with the RCMP – File: 3200-04-04 *continued*

Moved by Councillor Keating, seconded by Mayor Mussatto that the second active clause of the motion be amended, to read as follows:

NOW THEREFORE BE IT RESOLVED THAT the North Vancouver City Council notify the Solicitor General of BC that North Vancouver City Council encourages the implementation of civilian oversight and accountability which is acceptable to North Vancouver City Council prior to the 2012 contract renewal.

A recorded vote was taken on amendment to the motion.

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

Voting against: Councillor Bookham
Councillor Clark
Councillor Fearnley

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

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

RECESS

Mayor Mussatto declared a recess at 9:45 p.m., for the public question period and reconvened the meeting at 9:46 p.m.

INQUIRIES

24. Stern of the Flamborough Head – File: 3380-02-N3

Inquiry by: Councillor R.C. Clark

Councillor Clark inquired of Mayor Mussatto if he was aware that it was going to cost \$17,000 to shrink wrap the stern of the Flamborough Head.

Mayor Mussatto responded that he was aware of this and that an Information Report from the Waterfront Project Manager, dated April 15, 2010 had been circulated to all Members of Council.

ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the meeting adjourn.

The meeting adjourned at 9:47 p.m.

CARRIED UNANIMOUSLY