

MINUTES of a Public Hearing of the City Council, held in the Council Chambers, City Hall, on Monday, January 25th, 1965, at 7:00 P.M.

Present:

- Mayor C. Cates, (Chairman),
- Alderman J.A.W. Chadwick, Alderman
- T.R. Dewhurst, Alderman W.R.B. Irwin,
- Alderman G.A. Jardine, Alderman
- J.C. McDevitt, and Alderman J.A.S. Suttis.

The Chairman called the meeting to order, and asked if those present would rise and join her in observing a moment's silence in memory of Sir Winston Churchill.

ONE MINUTE SILENCE

The City Clerk advised that this Adjourned Public Hearing is for the purpose of considering an amendment to the "Zoning By-law, 1958" to establish Consolidated Development District No. 2, on the southwest corner of Fell Avenue and Marine Drive. (Western Auto Marine Investments Ltd.).

He said that one further letter has been received since the holding of the last Hearing on this application, and is from the Lower Mainland Regional Planning Board.

On instruction, the City Clerk then read the above letter from the Board, dated January 22nd, 1965, which recommended that Section 18:B:5(a) be retained, and that the following wording be used to encompass a current operation:

- "(a) The COMMERCIAL AREA shall be specifically used for new and used automobile sales and automobile maintenance, and for accessory use."

The letter also recommended that yard and site requirements similar to those in the Green Lawn Industrial Area across the street on Third Street from the proposed development would be in order and recommended the rewording of Section 18:B:7 as follows:

- "(a) The LIGHT INDUSTRIAL AREA shall be used specifically for the sale of goods at wholesale; for the sale of automotive goods at retail; or for automotive rental and automotive maintenance services"

The rewording of Section 18:B:4 was recommended as follows:

"No principal or accessory building shall be located within fifteen feet of Fell Avenue or within five feet of the western property line of the site in the COMMERCIAL and SERVICE STATION AREAS, or within twenty feet of Fell Avenue, Third Street, or the Western Property Line of the site in the LIGHT INDUSTRIAL AREA."

Mr. T. Roote spoke from the gallery on behalf of the applicant and asked if Council is requesting the rewording of the above By-law as set out in the letter from the Lower Mainland Regional Planning Board. He said that the rewording as suggested is unsuitable for the Company's purposes, and if it is adopted into the By-law, they would have no alternative but to withdraw their request for consolidated zoning.

Alderman Suttis advised that the members of Council have not yet had an opportunity to give proper thought to the January 22nd letter from the Lower Mainland Regional Planning Board.

Discussion took place.

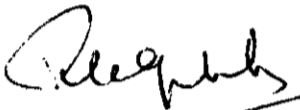
Moved by Alderman Chadwick, seconded by Alderman Jardine that this Public Hearing be now adjourned and the application referred for consideration by the Finance and Legal Committee later this evening.

Alderman Chadwick suggested that the Company representatives present this evening could stay for this meeting.

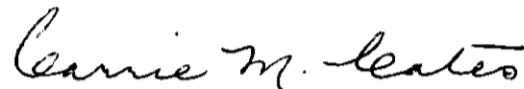
The motion was then put and carried.

The Public Hearing then adjourned on motion at 7:10 P.M.

Certified Correct:



CITY CLERK



MAYOR

MINUTES of a Public Hearing of Council held in the Council Chambers, City Hall, on Monday, January 25th, 1965, at 7:10 P.M.

Present:

Mayor C.M. Cates, Chairman, Alderman J.A.W. Chadwick, Alderman T.R. Dewhurst, Alderman W.R.B. Irwin, Alderman G.A. Jardine, Alderman J.C. McDevitt, and Alderman J.A.S. Suttis.

The City Clerk advised that this Adjourned Public Hearing is for the purpose of considering an amendment to the "Zoning By-law, 1958" to provide for the construction of an eight-storey Medical Building on Lots K, L, M, N, and O, Block 74, D.L. 549, on the south side of the 100 Block East 13th Street.

The Clerk advised that he had received a further letter with respect to this application since the holding of the last adjourned Hearing on January 18th.

The City Clerk then read a letter dated January 22nd, 1965, from the Lower Mainland Regional Planning Board, which suggested that the site should be designated "Consolidated Development District No. 3" rather than "C-3 Central Business District", and that the C.D.3 District apply to the entire site including Lot P, which adjoins the site to the east. The letter recommended further that Section 11:1:B be reworded to give further assurance that only one building is erected on the site, as follows:

"Land may be used for the siting of one Medical Building provided there is a minimum of 40,000 square feet of site area."

In addition it was suggested that permitted principal building site coverage be reduced to 20%, and that maximum floor area permitted be reduced to 1.0 times the site area.

Mr. Paul Reecke then spoke on behalf of the applicants, suggesting that if one building only was permitted on this site, that it was difficult to see how the applicant could have an economical unit. He said that this would mean that a building with a 59 foot frontage on 13th Street would be placed on a site having a frontage of 311 feet, including Lot P. He said that he realized that the situation was not parallel, but that in Vancouver such buildings are permitted to cover 100% of the site, and therefore come right out to the lot lines. He said that his clients, of course, wished to observe reasonable lot lines.

Mr. Reecke pointed out that the Board's suggestion that parking should be set aside for at least 84 cars was unfair. He said that the maximum discussed during recent Hearings on the revision of the Zoning By-law had been one parking space for each 300 square feet of floor area. He said that this suggested restriction indicated to his clients that the City simply does not want their building.

The Chairman referred to Lot P, owned by Mr. Jones, pointing out that at last week's Hearing it had been strongly suggested to the applicants that this 50 foot lot should be incorporated in their site.

Mr. Reecke said that even without Lot P there is really more land than is required for this building. He said that as long as Council has full control of what type of building goes on a site, he sees no reason for the restriction that only one principal building be erected.

The City Clerk advised that there was some doubt in his mind as to whether Lot P could be included in the site without the holding of another Public Hearing, and suggested that the opinion of the Solicitor be obtained on this point.

Mr. Reecke then displayed a plot plan of the proposed project which showed a frontage of 262 feet on 13th Street without Lot P, and 311 feet if Lot P is included. He said that the principal building covers only about 8% of the site, and it was the thought of his clients that if the two westerly Lots, i.e., Lots K and L, are divorced from the site, that there would still be sufficient frontage if Lot P is included, i.e., 211 feet. He submitted that the westerly 100 feet could then be developed attractively and economically as a separate project which would provide an additional source of revenue to the City. Mr. Reecke said that without these two westerly lots, but adding Lot P, there would be sufficient parking space provided to conform to the requirements of the present Zoning By-law. He said that his clients were asking for the rezoning of the entire site, including Lot P, to eight storeys, but that no restriction be placed which would limit the site to one principal building.

Mr. Reecke said he would have to speak to his principals, but would assume that if Council is willing to abide by the terms of the 1958 By-law so far as yard requirements are concerned that the zoning of the two westerly lots would not be necessary, since there would be no need to pick up the options on these two lots.

Discussion took place.

Mr. A. King, Architect, then spoke, stating that there had been much discussion that the proposed building would block the view of those residents to the north and east. He then displayed a profile drawing of the area which showed that the proposed building should have very little effect on the view as compared with the Lions Gate Hospital when two storeys are added to the latter building, as expected.

Alderman Jardine suggested that Lot P be purchased by the City for future Fire Hall expansion.

A Mrs. Bone then spoke advising that she represented about 40 taxpayers further up the hill, stating further that these people were of the opinion that their view would be destroyed by the erection of this building and of others which would inevitably follow.

Another lady then spoke from the gallery and asked if any study had been made with respect to the need for this building.

Alderman Suttis said he was sympathetic to the concern expressed by this lady, but did not think that such a question fell within the realm of Council. He said that if the City is going to prosper it is apparent that new buildings must take the place of old. He said further that he did not see how erection of this building could have much effect on the view.

Mr. W. Wallace, of the Advisory Planning Commission, then spoke, advising that his remarks were to be taken as those

of a private citizen and not as a member of the Board, and pointing out that it does not seem right to him to sacrifice the rights of 40 to 50 people whose view would be destroyed to satisfy the aims of a much smaller group.

A gentleman then spoke from the gallery stating that it was his opinion that Council should follow the advice of its Advisory Planning Commission, who were suggesting that the applicants give further consideration to the site they had originally chosen in the 100 Block West 14th Street. He said if this application is accepted, it would open the door for applications for non-conforming buildings anywhere in the City, and the rights of our citizens would suffer accordingly.

Alderman Chadwick pointed out that this is the 6th time consideration has been given to this application, and he felt that the matter should be settled and would therefore move as follows:

THAT the application for an eight-storey Medical Building on Lots K, L, M, N, and O, Block 74, D.L. 549, be approved AND THAT the necessary By-law be prepared to extend the present eight-storey C-2 Commercial Area to include the said lots.

The motion was seconded by Alderman Suttis.

Alderman Dewhurst said that he thought that the building was attractive, well designed, and would fill a definite need, but that he certainly rejected the location. He said that there were other locations within the Commercial Core which are suitable and if this extension of the core is permitted he could not see the development of the core proper within the foreseeable future. He said that both our planning bodies have rejected the application, and this should be borne in mind.

Alderman Chadwick said he could not see anything wrong with the building or its location. He said that the Doctors are obviously not happy with their present quarters, most of which are badly overcrowded.

Dr. Campbell then spoke, pointing out that the Lower Mainland Regional Planning Board had previously been agreeable to the location of an eight-storey Medical-Dental Building on the southwest corner of 14th Street and St. George's. He said that he did not see what difference the effect of the skyline would be if the building were located a block away. He said also that anyone who has been to a Doctor's office will agree that the office space presently available to the medical profession is entirely inadequate.

In reply to a question, Alderman Chadwick said that it had not been his intention when making his motion to forget about Lot P, but he considered that from a legal standpoint another Hearing would be required to consider this lot.

Alderman Irwin pointed out that both our planning bodies were of the opinion that the acceptance of this application would establish a dangerous precedent of periphery rezoning which would not serve the best interests of our City. He said that there is land available for such a building in the Commercial Core area, and that it was unfair to those who have invested in the core area if the building is allowed on the proposed site. He said that he believed that the location of such a building in the core area would be a wonderful thing for North Vancouver.

Alderman Chadwick asked for a recorded vote on his motion.

The motion was then put and carried.

Voting for the motion: Mayor Cates, Alderman Chadwick, Alderman Jardine, Alderman McDevitt, and Alderman Suttis.

Voting against the motion: Alderman Dewhurst and Alderman Irwin.

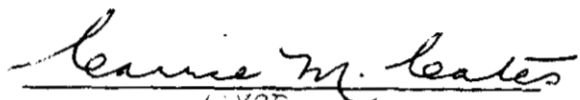
Moved by Alderman Chadwick, seconded by Alderman McDevitt that this Hearing now adjourn. Carried.

Whereupon the Hearing adjourned at 7:55 P.M.

Certified Correct:



CITY CLERK



MAYOR

MINUTES of a Special Meeting of the
City Council, held in the Council
Chambers, City Hall, on Friday,
January 29th, 1965, at 4:30 P.M.

Present:

Mayor C.M. Cates, Alderman T.R.
Dewhurst, Alderman J.A.W. Chadwick,
Alderman W.R.B. Irwin, Alderman
G.A. Jardine, Alderman J.C.
McDevitt and Alderman J.A.S. Suttis.

Her Worship, Mayor Cates, called the meeting to order.

The City Clerk advised that it would be necessary to pass a resolution to waive the 24-hour notice of meeting required under the Municipal Act.

Moved by Alderman Chadwick, seconded by Alderman Suttis that the usual notice required for a Special Council Meeting be waived. Carried unanimously.

The City Clerk advised that this meeting had been called to consider several items of business with respect to the proposed joint Recreation Complex. He then read letters for Council consideration, as follows:

Letter from the District of North Vancouver dated January 25th, 1965, agreeing to sharing the maintenance and operational costs of the proposed Recreation Centre on a 65% basis for the District and 35% for the City, subject to review every five years, and also advising that the conveyance by the City to the District of a joint interest in the Complex site must be executed prior to the District's execution of the construction contract.

Further letter from the District of North Vancouver dated January 27th, 1965, advising that the District Council will not contribute to the cost of acquiring Lots 19, 20, and 21, on Eastern Avenue for Recreational purposes, but the District Council is prepared to sign the construction contract by January 30th, provided the City first conveys an interest to the required site in accordance with their resolution of January 22nd, 1965.

Letter from the Department of Municipal Affairs, dated January 26th, 1965, enclosing copy of an amendment to the North Vancouver Recreation Centre By-law No. 3322 to permit the inclusion of additional lands, and further advising that the By-law has been advanced for the approval of the Lieutenant Governor-in-Council as required by Section 245 of the "Municipal Act".

Further letter from the Department of Municipal Affairs dated January 27th, 1965, authorizing the City to convey a 65% interest in certain lands which are required for the Recreation Centre site to the District of North Vancouver for the sum of \$1.00.

Letter from the Provincial Secretary dated January 28th, 1965, enclosing Order-in-Council No. 193, closing Eastern Avenue and a portion of the adjacent lane and vesting title thereto in the City of North Vancouver.

Moved by Alderman Chadwick, seconded by Alderman Jardine that all the above letters be received and filed. Carried.

The City Clerk advised that from an administrative point of view he believed that everything has been cleared up as required. He said that subdivision plans have been registered; Deeds for Lots 22 to 24 inclusive, west of the Community Centre, have been received by the City and registered in the Land Registry Office; the Order-in-Council closing Eastern Avenue and a portion of the adjacent lane was registered yesterday at the Land Registry Office; and the School Board release of a portion of their playground area north of 23rd Street was received today.

The Clerk said that in the case of the North Vancouver Lawn Bowling Club, they wrote to the City on December 30th, 1964, setting out their requirements, inasmuch as the Recreational Complex site encroaches on to the site of their present clubhouse.

The Clerk said that on January 20th, 1965, he had written on behalf of Council, advising the Lawn Bowling Club that when the City secures title to the land leased to them and required for the Recreation Centre site, that a substitute site will be provided and the Clubhouse moved on to this site at City expense.

The Clerk said that the Secretary of the Lawn Bowlers had phoned him today, stating that it could be assumed that the City's request is approved, although there has been no written reply as yet, the delay being apparently because snow has prevented the Club Executive from locating the lot line and measuring.

Moved by Alderman Chadwick, seconded by Alderman McDevitt that the foregoing report of the City Clerk be adopted. Carried.

Mayor Cates advised that she had contacted Reeve Frazer of the District of North Vancouver this morning to ask if he could meet with her this afternoon accompanied by his Solicitor and Clerk. She said that she had hoped that the City would be represented also by Alderman Chadwick the City Solicitor, and the City Clerk. She said that, unfortunately, Reeve Frazer was unable to keep this engagement and none of his Council members was available. She said that Reeve Frazer had advised her, however, that the District Council had delegated the District Manager, Mr. Henderson, certain authority, and that Mr. Henderson, accompanied by the District Solicitor, Mr. Emerson, had represented the District this afternoon at the meeting. She said that the City had been represented by Alderman Chadwick and the City Clerk in addition to herself. She said that at this meeting very careful discussion was held with respect to the terms of a proposed agreement between the City and District.

The City Clerk then read the form of the proposed agreement as follows:

"TERMS OF PROPOSED AGREEMENT BETWEEN THE CITY AND DISTRICT OF NORTH VANCOUVER RE: RECREATION COMPLEX"

1. Except as hereinafter provided, the lands on which the Recreation Complex will be constructed and developed shall be:
 - (a) "Lot "A" of Lot One (1), Block Two Hundred and Seven (207), District Lot Five Hundred and Forty-five (545), Plan 11876; Lots 22, 23 and 24, Block 2, Block 207, District Lot 545;

- (b) Lot "A", Block Two Hundred and Sixteen (216),
District Lot Five Hundred and Forty-five (545),
Plan 11875;
- (c) That portion of Eastern Avenue commencing on the
south side of 23rd Street and extending southerly
155.96 feet;
- (d) That portion of the public lane commencing on the
south side of 23rd Street and extending southerly
156 feet bounded on the east by Lots 1, 2 and 3 and
on the west by Lots 22, 23 and 24, subdivision 2 of
Block 207, District Lot 545.
2. The City shall transfer and convey 65% of its interest
in the aforesaid lands to the District as a portion of
its share of the costs of the Complex; the said lands shall
be used for recreational purposes and no other.
 3. If any of the aforesaid lands are expropriated by any
competent authority or are conveyed to such Authority,
then any and all compensation monies paid therefor shall be
paid and belong to the City and District in the proportion
of 35% City and 65% District and be used to provide alternate
parking facilities and any surplus remaining thereafter
shall be used to reduce the debt or for other capital purposes
related to the Complex.
 4. All lands and improvements thereon and all other properties
(real and personal) acquired for the operation and main-
tenance thereof shall be held and owned by the said parties
in the proportion of 35% the City and 65% the District.
 5. For the term of 5 years from the date hereof the cost of
construction, furnishing and equipping, operating and
maintaining and all other costs including expenses and damages
relating thereto, shall be shared by the parties in the said
proportion of 35% and 65%; at the expiration of the said
term of 5 years the parties shall reconsider and agree upon
the sharing of future costs and expenses; failure to agree,
the matter shall be resolved by Arbitration.
 6. The City shall at its expense remove or cause to be
removed from the said Lands a Scout Hall and Bowling Club
House, the Lonsdale Hall and Caretakers' House.
 7. It is agreed that each party to this Agreement shall
delegate to the present North Vancouver Recreation Centre
Committee power to supervise the carrying out of the construct-
ion and equipping of the said Recreation Complex and to
incur additional liabilities not to exceed a total of Five
Thousand Dollars (\$5,000.00), it being understood that such
monies be part of the funds authorized by the respective
financing by-laws of both Municipalities, namely By-law
No. 3067 in the case of the District of North Vancouver and
By-law No. 3322 in the case of the City of North Vancouver.
 8. The joint management, maintenance, improvement, operation,
control and use of the said Complex shall be carried out
by a Joint Recreation Commission or a Joint Recreation Centre
Board or Committee as the parties hereto shall decide, and such
Commission, Board or Committee shall have such powers as the
parties hereto shall decide.
 9. The membership of such Board, Commission or Committee
shall be in such proportion as the parties hereto shall
decide.

10. All statements released to the public relating to the construction, development, maintenance and operation of the Complex shall be released by or on behalf of the present Joint Recreation Centre Committee, or the Commission, Board or Committee which is to be established.

11. All differences between the parties relating to this agreement and the said Complex shall be resolved by Arbitration."

Moved by Alderman Chadwick, seconded by Alderman Jardine that the agreement in the form just read be approved. Carried.

The City Clerk explained that on January 21, 1965, the City Council had passed a resolution providing for the expropriation of Lots 19 to 21 inclusive, Resub 2, Block 207, D.L. 545, for inclusion in the North Vancouver Recreation Centre site, on the assumption that the District of North Vancouver would contribute 65% of the expropriation costs. He said that the District municipality has declined to do so, however, and that the next resolution to be considered is necessary as a consequence.

Moved by Alderman Chadwick, seconded by Alderman Dewhurst THAT WHEREAS the Council passed a Resolution on January 21, 1965, providing for the expropriation of Lots 19, 20 and 21, Block 2 of Block 207, D.L. 545, such lots to be included in the North Vancouver Recreation Centre site "in the expectancy that the District of North Vancouver will contribute 65% of the costs of the said expropriation, etc.":

AND WHEREAS the District of North Vancouver have since advised the Council that it is not prepared to share in the costs of the said expropriation;

AND WHEREAS the Deputy Minister of Municipal Affairs has advised Mayor C.M. Cates that it is not necessary for the said lots to be included in the said Recreation Centre site if the City does not wish to do so, but that the said lots may be expropriated by the City for recreation purposes and be retained by the City for this purpose;

NOW THEREFORE BE IT RESOLVED that the Resolution of Council adopted on January 21, 1965, agreeing to expropriate Lots 19, 20 and 21, Block 2 of Block 207, D.L. 545, for inclusion in the North Vancouver Recreation Centre site be repealed and a new Resolution passed providing for the expropriation of these lots for recreation purposes and street widening purposes insofar as the southerly 20 feet of Lot 19 is concerned.

Discussion followed.

The motion was then put and carried.

Moved by Alderman Chadwick, seconded by Alderman Suttis that a Resolution of Council, adopted January 21, 1965, providing for the expropriation of Lots 19, 20 and 21, Block 2 of Block 207, D.L. 545, under the terms and conditions as set out in the said Resolution, be reconsidered. Carried.

Moved by Alderman Chadwick, seconded by Alderman Suttis that a Resolution of Council adopted January 21, 1965, providing for the expropriation of Lots 19, 20 and 21, Block 2, of Block 207, D.L. 545, under the terms and conditions as set out in the said Resolution, be repealed. Carried.

Moved by Alderman Chadwick, seconded by Alderman Jardine that WHEREAS the southerly twenty feet of Lot 19 is required for road purposes, and the remainder of Lot 19 and Lots 20 and 21

all in Block 2 of Block 207, D.L. 545, are required for recreation purposes; THEREFORE BE IT RESOLVED THAT the City acquire by purchase or expropriation Lots 19, 20 and 21, Resubdivision 2, Block 207, D.L. 545, AND THAT the necessary By-law be prepared for the dedication for road purposes of the southerly twenty feet of said Lot 19; and if the City is unable to arrange an immediate purchase of the said Lots 19, 20 and 21, then the necessary By-law be prepared to appropriate the said lots for recreation purposes and for road widening in the case of the south twenty feet of Lot 19.

Carried.

2 The City Clerk advised that a letter had been received from Reeve Frazer of the District of North Vancouver, dated January 29th, 1965, with an agreement attached in the same form as the agreement approved earlier at this meeting, both agreement and letter to be taken together as an expression of the intention of the District with respect to matters specified in the said agreement.

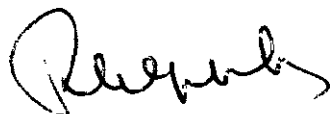
Moved by Alderman Chadwick, seconded by Alderman McDevitt that the above letter and attachment be received and filed.
Carried.

3 Moved by Alderman Chadwick, seconded by Alderman Jardine that the Mayor and City Clerk be authorized to execute the necessary conveyance to the District of North Vancouver of a 65% interest in the Recreation Centre site and deliver said conveyance to the District on the express condition that the District Council accepts the form of agreement approved earlier this evening by this Council AND THAT the conveyance be returned to the City if the District does not agree to the said Agreement.
Carried.

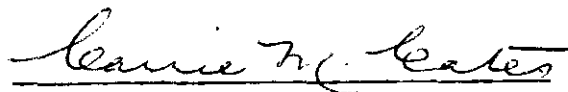
The City Clerk advised that on December 21st, 1964, there were a number of resolutions passed with respect to the proposed Recreational Complex, and he thought now that no further resolutions were required to enable the execution of the construction contract for this project.

The meeting then adjourned on motion at 5:05 P.M.

Certified Correct:



city clerk



mayor