



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, NOVEMBER 1, 1999**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor J.B. Braithwaite
Councillor S.J. Dean
Councillor R.J. Fearnley
Councillor D.R. Mussatto
Councillor B.W. Perrault
Councillor B.A. Sharp

STAFF MEMBERS

A.K. Tollstam, City Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
J. Laughlin, City Engineer
B. Granger, Manager, Parks & Environment
R.H. White, City Planner
F. Caouette, Administrative Manager, Dev.Servs.
P. Penner, Planner
M. MacFadyen, Manager, Lands Division
F.A. Smith, Director, Development Services
B. Penman, Assistant Fire Chief

The meeting was called to order at 6:01 p.m.

9. CONFIDENTIAL REPORTS

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT the meeting recess to the Committee of the Whole to consider confidential reports in camera.

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 8:11 p.m., with the same personnel present and with the addition of Councillor Dean, Councillor Fearnley and Councillor Perrault.

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the Minutes of the Regular Council Meeting of October 25, 1999 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(c) Development Proposal – Report No. 4 – File: 3300-07-02

Report: Manager, Lands Division, Development Services,
October 26, 1999

PURSUANT to the report of the Manager, Lands Division, dated October 26, 1999, entitled “Development Proposal – Report No. 4”:

THAT staff be directed to proceed to draft a Request for Proposals for the sale and development of the City-owned site generally known as Site No. 5 located in the 100 Block West Esplanade substantially along the terms and conditions discussed within the said report;

AND THAT staff report back with the draft Request for Proposals;

AND THAT the report of the Manager, Lands Division, dated October 26, 1999, entitled “Development Proposal – Report No. 4” remain in camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“TAKE OUR KIDS TO WORK DAY”, NOVEMBER 3, 1999

“CRIME PREVENTION WEEK”, NOVEMBER 1 – 7, 1999

“VETERANS WEEK”, NOVEMBER 5 – 11, 1999

2. DELEGATIONS

(a) **Darryl Inglis, Project Manager for Aberdeen Block Development Ltd.**

Re: 90 Lonsdale Rezoning – 3400-05 LONS 90

Mr. Darryl Inglis, Project Manager, Aberdeen Block Development Ltd., requested members of Council to direct staff to process his application for an off-site parking agreement for the Aberdeen Block/Bank of Hamilton project and presented the following two options:

1. Versatile Site No. 1, or
2. City of North Vancouver's Site No. 10 on East 1st Street.

Mr. Inglis then responded to questions from members of Council.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) **Aberdeen Block Rezoning – Versatile Parking File: 3400-05 LONS 78-90**

Report: City Planner, Development Services, October 27, 1999

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT staff be directed to investigate the present Parking-In-Lieu Policy and suggest changes and report back to Council so that Aberdeen Block Development Ltd., can go ahead with their proposal.

A recorded vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Perrault
Councillor Fearnley

Voting against: Councillor Mussatto
Councillor Sharp
Councillor Braithwaite
Mayor Loucks

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

4. (a) **Aberdeen Block Rezoning – Versatile Parking**
File: 3400-05 LONS 78-90 – Continued

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the City Planner, dated October 27, 1999, entitled “Aberdeen Block Rezoning – Versatile Parking”:

THAT the applicant be advised that the City of North Vancouver supports the retention and restoration of the Aberdeen Block (78-90 Lonsdale Avenue) based on the currently approved rezoning of the site;

THAT the City is prepared to consider restoration options which provide for off-site parking on private lands or pay in lieu parking on public parking lots;

AND THAT the City is not prepared to oblige private land owners to accept off-site parking from the Aberdeen Block or the Bank of Hamilton Building.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

3. **CORRESPONDENCE**

(a) **Karen R. Milne, resident North Vancouver, October 27, 1999**

Re: Stormwater Management Practices in Watersheds
Impermeable Ground Surfaces – Negative Impact on
Streams - File: 3370-04-01

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the correspondence dated October 27, 1999 received from Karen Milne regarding “Stormwater Management Practices in Watersheds Impermeable Ground Surfaces – Negative Impact on Streams” be referred to staff and to the Environmental Protection Program Committee for comment.

CARRIED UNANIMOUSLY

4. **REPORTS OF COMMITTEES, COUNCIL, AND STAFF - Continued**

(b) **Illegal Suite – 500 West 21st Street – File: 3030-06-03**

Report: Property Use Inspector, Development Services,
October 27, 1999

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT consideration of the report of the Property Use Inspector, dated October 27, 1999, entitled “Illegal Suite – 500 West 21st Street” be deferred until the property owners of 500 West 21st Street have reviewed the October 27, 1999 report and are given an opportunity to respond.

A recorded vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Mussatto
Councillor Sharp
Councillor Braithwaite
Councillor Fearnley
Mayor Loucks

Voting against: Councillor Perrault

The motion was **CARRIED** by a vote of six to one.

(c) **Cemetery Arboretum Planting, Remembrance Day, Thursday, November 11, 1999 – file: 4215-01**

Report: Manager, Parks and Environment, October 27, 1999

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Parks and Environment, dated October 27, 1999, entitled “Cemetery Arboretum Planting, Remembrance Day, Thursday, November 11, 1999”:

THAT the report entitled “Cemetery Arboretum Planting, Remembrance Day, Thursday, November 11, 1999”, be received.

CARRIED UNANIMOUSLY

4. (d) **Interim Provisional Budgeting Regulation – File: 1650-05-01**

Report: Deputy Director of Finance, October 27, 1999

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Deputy Director of Finance, dated October 27, 1999, entitled “Interim Provisional Budgeting Regulation”:

THAT “2000 Provisional Budget Bylaw, 1999, No. 7183” be considered.

CARRIED UNANIMOUSLY

(e) **Rezoning Application – 705 West 2nd Street (ERGAS/EPP)**
File: 3400-05 2W 705

Report: City Planner, Development Services, October 21, 1999

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the City Planner, dated October 21, 1999, entitled “Rezoning Application – 705 West 2nd Street (ERGAS/EPP)”:

THAT the subject rezoning application processing proposal be endorsed;

AND THAT it be recommended that the rezoning application fees related to the application be waived.

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Mr. Alfonso Ergas, A.J.R. Properties Ltd., be heard at this time.

CARRIED UNANIMOUSLY

Mr. Ergas was asked if the waiving of the \$3,000. rezoning application fee was adequate compensation for his loss due to the land swap. Mr. Ergas advised that he was satisfied with the solution.

The motion was then **CARRIED UNANIMOUSLY.**

4. (f) **Official Community Plan Update: Residential Growth –
File: 3330-04**

Report: Planner, Development Services, October 21, 1999

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Planner, dated October 21, 1999, entitled “Official Community Plan Update: Residential Growth”:

THAT the said report be referred to the Advisory Planning Commission and the Social Planning Advisory Committee for discussion and comment and, upon their request, to any other interested party for their information;

AND THAT Development Services staff be directed to meet with Greater Vancouver Regional District Strategic Planning staff to review the implications of this report from a regional perspective.

CARRIED UNANIMOUSLY

(g) **Rezoning Application: 83 Chesterfield Avenue (Reza Sabor,
545523 BC Ltd./F. Adab Architects Inc.) – File: 3400-05 CHES 83**

Report: Development Planner, Development Services,
October 27, 1999

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated October 27, 1999, entitled “Rezoning Application: 83 Chesterfield Avenue (Reza Sabor, 545523 BC Ltd./F. Adab Architects Inc.)”:

THAT the “City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1999, No. 7179” (83 Chesterfield Avenue, Reza Sabor, 545523 BC Ltd./F. Adab Architects Inc.) be considered and referred to a Public Hearing;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7180” (Reza Sabor, 545523 BC Ltd./F. Adab Architects Inc., 83 Chesterfield avenue, CD-394) be considered and referred to a Public Hearing;

AND THAT “Heritage Designation Bylaw, 1999, No. 7181” (Charles Gross House, 83 Chesterfield Avenue, Reza Sabor, 545523 BC Ltd./F. Adab Architects Inc.) be considered and referred to a Public Hearing.

Continued....

4. (g) **Rezoning Application: 83 Chesterfield Avenue (Reza Sabor, 545523 BC Ltd./F. Adab Architects Inc.) – File: 3400-05 CHES 83 - Continued**

A recorded vote was taken on the motion.

Voting in favour: Councillor Sharp
Councillor Braithwaite
Councillor Perrault
Councillor Fearnley
Councillor Dean
Councillor Mussatto
Mayor Loucks

Voting against: Nil.

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

(h) **Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7060” (Comprehensive Development 377) 01 Lonsdale Avenue
File: 3400-05 LONS 01**

Report: Development Planner, Development Services,
October 27, 1999

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated October 27, 1999, entitled “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7060” (Comprehensive Development 377) 01 Lonsdale Avenue”:

THAT staff be directed to process the rezoning application for 01 Lonsdale Avenue (CD-377 Zone/D. Babalos) to provide for a density bonus for public art in lieu of density bonus for extra parking;

AND THAT the rezoning fee for this application be waived.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Sharp
Councillor Perrault

Voting against: Councillor Braithwaite
Councillor Dean
Councillor Fearnley
Mayor Loucks

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

Councillor Sharp left the meeting because of a perceived bias regarding Item 5.(a) on the agenda.

5. MOTIONS AND NOTICES OF MOTION

(a) Conflict of Interest – File: 1140-04-02-C1

Submitted by Councillor Perrault

Moved by Councillor Perrault, seconded by Councillor Braithwaite

WHEREAS the Council of the City of North Vancouver has decided, based on a legal opinion provided by Legal Counsel, that Councillor Barbara Sharp is clear of wrongdoing concerning the allegations of conflict of interest;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver issue a Press Release clearing the name of Councillor Barbara Sharp.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Mussatto
Councillor Braithwaite
Mayor Loucks

Voting against: Councillor Fearnley
Councillor Dean

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

(b) Council Meetings – File: 1090-01

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Council Meeting scheduled for Monday, November 22, 1999 be cancelled;

AND THAT a Council Meeting be scheduled for Monday, November 29, 1999.

Councillor Sharp returned to the meeting.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Nil.

(b) **Introduction and First Three Readings**

Moved by Councillor Sharp, seconded by Councillor Mussatto that

- (i) "2000 Provisional Budget Bylaw, 1999, No. 7183"

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the said Bylaw No. 7183 be read a second time in short form.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the said Bylaw No. 7183 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(d) **Introduction And First Reading Only**

Moved by Councillor Sharp, seconded by Councillor Braithwaite that

- (i) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1999, No. 7179" (83 Chesterfield Avenue, Reza Sabor, 545523 BC Ltd./F. Adab Architect Inc.)

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Continued....

6. (d) Introduction And First Reading Only – Continued

Moved by Councillor Sharp, seconded by Councillor Mussatto that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7180” (Reza Sabor, 545523 BC Ltd./F. Adab Architect Inc., 83 Chesterfield Avenue, CD-394)

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Sharp, seconded by Councillor Mussatto that

- (iii) “Heritage Designation Bylaw, 1999, No. 7181” (Charles Gross House, 83 Chesterfield Avenue, Reza Sabor, 545523 BC Ltd./F. Adab Architect Inc.)

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil

Mayor Loucks declared a recess at 10:09 p.m., for the public question period and reconvened the meeting immediately.

10. ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:10 p.m.