



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JUNE 24, 2002 AT
6:00 P.M.****

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor W.J. Bell
Councillor J.B. Braithwaite
Councillor R.J. Fearnley
Councillor D.R. Mussatto
Councillor B.W. Perrault

ABSENT

Councillor C.R. Keating

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
J.M. Rowe, Assistant City Clerk
F.A. Smith, Director, Community Development
G. Penway, Development Planner
D. Owens, Property Use Inspector
T. Christie, Director of Finance
I. Gordon, Deputy Director of Finance
J. Irwin, Manager, Financial Services
B. Johnson, Manager, Financial Services
W. Chee, North Vancouver City Library
J. Laughlin, City Engineer
C. Rabold, Communications Officer
Staff Sgt. Willcott, RCMP
C. Ledingham, Fasken Martineau Du Moulin

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

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the following Council Minutes be adopted as circulated:

- (a) Council Meeting, June 17, 2002

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration and Final Adoption

Moved by Councillor Mussatto, seconded by Councillor Perrault that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7412" (Marnet Holding Corp./Bob Dagenais, 823/825 West 3rd Street & 160 to 248 Donaghy Avenue, CD-431)

be reconsidered.

CARRIED UNANIMOUSLY

6. (a) Reconsideration and Final Adoption *continued*

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the said Bylaw No. 7412 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

(c) Second and Third Readings

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7424”, (Alfredo & Maria De Lucrezia/Raffaele & Associates, 355 East 11th Street, CD-433)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the said Bylaw No. 7424 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Bylaw 7424 be brought forward for reconsideration and Final Adoption this evening.

This motion was **DEFEATED** as it did not receive unanimous consent as it was adding a new item to the agenda.

Moved by Councillor Bell, seconded by Councillor Perrault

THAT item 4(a) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) 2001 Financial Report and Schedule of Remuneration and Expenses - File: 1635-01

Report: Director of Finance, June 7, 2002

Moved by Councillor Bell, seconded by Councillor Braithwaite

PURSUANT to the report of the Director of Finance, dated June 7, 2002, entitled "2001 Financial Report and Schedule of Remuneration and Expenses":

THAT the 2001 Financial Report and the Schedule of Remuneration and Expenses be received and filed.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Mussatto, seconded by Mayor Sharp

THAT the Council recess to the Committee of the Whole In-Camera to consider the items as listed under Section 9 of the Council Agenda, for the following reason respectively for each item:

9(a) Section 242.2 (1) (a), (c), (d), (e) & (j)

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Mayor Sharp

THAT the Council recess to the Committee of the Whole In-Camera to consider the items as listed under Section 9 of the Council Agenda, for the following reasons respectively for each item:

9(b) Section 242.2 (1) (f) (i)

9(c) Section 242.2 (1) (f) (i)

CARRIED UNANIMOUSLY

The meeting recessed at 6:12 p.m., and reconvened at 6:41 p.m., with the same personnel present.

9. (b) **Delegation: Mr. Barry Graham, Owner and Mr. Rory Barlow, Manager, of The Red Door Nightclub (The Club at 135)**

Re: Red Door Cabaret - File: 3345-02 1W 135

Mr. Barry Graham, Owner, The Red Door Nightclub, referred to his correspondence of June 11, 2002 and stated that he felt that he does a good job of operating their business at 135 West 1st Street and has no control over what happens outside the club. They do their best to alleviate the problems outside by serving pizza at close of business and putting up signs advising customers to be respectful of neighbours, for example. Both Mr. Graham and Mr. Barlow indicated a willingness to continue with mediation.

Mr. Graham and Mr. Barlow then responded to questions from members of Council.

(c) **Correspondence: Mr. Barry Graham, The Red Door Nightclub (The Club at 135), June 11, 2002**

Re: Red Door Cabaret - File: 3345-02 1W 135

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the correspondence dated June 11, 2002, received from Mr. Barry Graham, entitled "Red Door Cabaret":

THAT the Council of the City of North Vancouver urge the residents of the 'Q' building at 124 West 1st Street and the owner /manager of The Red Door Nightclub (The Club at 135) to restart the mediation process.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion

Moved by Councillor Mussatto seconded by Councillor Bell

THAT the City of North Vancouver request staff to work with the owner of The Red Door to look at the long-term options for the future redevelopment of the site at 135 West 1st Street.

Moved by Councillor Bell, seconded by Councillor Perrault

THAT the motion be referred to staff for a report.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT staff be requested to report with options on reducing the hours of operation of The Red Door Nightclub (The Club at 135) to close at midnight Sunday through Thursday nights.

CARRIED

Councillor Mussatto is recorded as voting contrary to the motion.

Moved by Councillor Bell, seconded by Councillor Perrault

THAT the meeting recess to the public meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:40 p.m. and reconvened at 10:19 p.m., with the same personnel present.

Mayor Sharp recessed the meeting.

The meeting recessed at 10:19 p.m. and reconvened at 10:21 p.m. with the same personnel present.

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT the requirements of the Procedure Bylaw to terminate the meeting at 10:30 p.m. be waived and the meeting continue to 11:00 p.m.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT consideration of the following items be deferred to the next regular meeting of Council scheduled for Monday, July 15, 2002 and Ms. L. Strimbicki be asked to be present at that meeting:

4. (b) Public Art Program for 2002 - File: 1085-03-N3-01/4420-03-01

Report: Chair & Public Art Coordinator, Arts & Culture
Commission of North Vancouver, June, 2002

6. (b) Introduction and First Three Readings

(i) "Public Art Reserve Fund Expenditure Bylaw, 2002, No. 7428" (2002 Capital Works Program).

4. (c) **Public Art Annual Contribution - File: 1085-03-N3-01/4420-03-01**

Report: Chair & Public Art Coordinator, Arts & Culture Commission of North Vancouver, June, 2002

(d) **Public Art Funding for Capital Projects - File: 1085-03-N3-01/4420-03-01**

Report: Chair & Public Art Coordinator, Arts & Culture Commission of North Vancouver, June, 2002

CARRIED UNANIMOUSLY

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

(e) **Rezoning Application - 323 East 12th Street, Decotiis Contracting Ltd./Gianni Design - File: 3400-05 12 E 323**

Report: Development Planner, Community Development, June 19, 2002

Moved by Councillor Bell, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated June 19, 2002, entitled "Rezoning Application - 323 East 12th Street, DeCotiis Contracting Ltd./Gianni Design":

THAT "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2002, No. 7429", (323 East 12th Street, DeCotiis Contracting Ltd./Gianni Design, CD-434), be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

6. **BYLAWS - continued**

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

Moved by Councillor Bell, seconded by Councillor Fearnley that

(i) "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2002, No. 7429", (323 East 12th Street, DeCotiis Contracting Ltd./Gianni Design, CD-434).

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

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

- (f) **Shipyards Development: Parcels 1 and 2 Zoning Text Amendments and Development Permits and Parcel 5 Broad Zoning Text Amendments (Pinnacle International/Howard Bingham Hill Architects/Durante Kruek Landscape Architects) - File: 3400-05/3357-03-03 DP 1 DP 2**

Report: Development Planner, Community Development,
June 19, 2002

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated June 19, 2002, entitled, "Shipyards Development: Parcels 1 and 2 Zoning Text Amendments and Development Permits and Parcel 5 Broad Zoning Text Amendments (Pinnacle International/Howard Bingham Hill Architects/Durante Kruek Landscape Architects)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7426" (Michael De Cotiis, 632508 B.C. Ltd. [Pinnacle International Group]/Howard Bingham Hill Architects, Parcels 1 and 2, 109 & 116 East Esplanade, Text Amendment, CD-393), be considered and referred to a Public Hearing;

AND THAT Development Permits No. 1A (excavation) and 1B (full permit) (Shipyards Development/Parcel 1 - 50 Lonsdale Avenue) and Development Permit No. 2A (excavation) and 2B (full permit) (Shipyards Development/Parcel 2 - 120 East Esplanade) be considered for issuance and referred to a Public Meeting;

AND THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7430" (Michael De Cotiis, 632508 B.C. Ltd. [Pinnacle International Group]/Hancock Bruckner Eng & Wright Architects, Parcel 5, 109 & 116 East Esplanade, Text Amendment, CD-393), be considered and referred to a Public Hearing;

AND THAT the applicant submit their proposal for incorporating Public Art in this overall development prior to the Public Hearing/Meeting.

Councillor Mussatto briefly left and returned to the meeting.

CARRIED UNANIMOUSLY

6. **BYLAWS - continued**

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

Moved by Councillor Mussatto seconded by Councillor Braithwaite that the following bylaws:

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7426” (Michael De Cotiis, 632508 B.C. Ltd. [Pinnacle International Group]/Howard Bingham Hill Architects, Parcels 1 and 2, 109 & 116 E. Esplanade, Text Amendment, CD-393)
- (iii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7430” (Michael De Cotiis, 632508 B.C. Ltd. [Pinnacle International Group]/Hancock Bruckner Eng + Wright Architects, Parcel 5, 109 & 116 E. Esplanade, Text Amendment, CD-393)

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

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

(g) **Shipyards Development: Esplanade Underground Parking - Parcel 5 (Hotel Site) - File: 3357-003 Parcel 5**

Report: Development Planner, Community Development,
June 6, 2002

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Development Planner, dated June 6, 2002, entitled, “Shipyards Development: Esplanade Underground Parking - Parcel 5 (Hotel Site)”:

THAT the realignment of the 100 Block East Esplanade proceed with parking under the realigned roadway adjacent to Parcel 5 (hotel site) as per the request of Pinnacle International with Ownership Option 1, including the provision of a minimum of 50 publicly accessible pay parking stalls in addition to Bylaw requirements;

AND THAT the necessary legal documents be prepared to the satisfaction of the City Solicitor to secure the City’s interests at the applicant’s expense.

continued..

4. (g) **Shipyards Development: Esplanade Underground Parking - Parcel 5 (Hotel Site) - File: 3357-003 Parcel 5 *continued***

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

THAT the report of the Planner, dated June 6, 2002, entitled "Shipyards Development: Esplanade Underground Parking - Parcel 5 (Hotel Site)" be referred to the City Engineer and the City Solicitor for a report on how to proceed with the land ownership options.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 p.m. be waived, and the meeting continue until the remainder of the items on the agenda are concluded.

CARRIED UNANIMOUSLY

(h) **Shipyards Development: Development Permit Guidelines Transfer from Official Community Plan to Zoning Bylaw - File: 3400-05/3357-03-03 DP 1 DP 2**

Report: Development Planner, Community Development,
June 19, 2002

Moved by Councillor Mussatto, seconded by Mayor Sharp

PURSUANT to the report of the Development Planner, dated June 19, 2002, entitled "Shipyards Development: Development Permit Guidelines Transfer from Official Community Plan to Zoning Bylaw":

THAT "City of North Vancouver Official Community Plan, 1992, No. 6288, Amendment Bylaw, 2002, No. 7433" (Shipyards Development Permit Guidelines Transfer to Zoning Bylaw), be considered and referred to a Public Hearing;

AND THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7432" (Shipyards Development Permit Guidelines Transfer from Official Community Plan 2002), be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

6. **BYLAWS - continued**

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

Moved by Councillor Mussatto, seconded by Councillor Bell that

- (iv) “City of North Vancouver Official Community Plan, 1992, No. 6288, Amendment Bylaw, 2002, No. 7433” (Shipyards Development Permit Guidelines Transfer to Zoning Bylaw).
- (v) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7432” (Shipyard Development Permit Guidelines Transfer from Official Community Plan 2002).

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

CARRIED UNANIMOUSLY

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

(i) **Development Variance Permit Applicant - 2044 Larson Rd. (Powell/Bryan Dunnett) - File: 3358-03 Larson 2044**

Report: Planning Technician, Community Development,
June 18, 2002

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician, dated June 18, 2002, entitled “Development Variance Permit Application - 2044 Larson Rd (Powell/Bryan Dunnett)”:

THAT Development Variance Permit No. 154 be considered for issuance under Section 922 of the Local Government Act;

AND THAT a Public Meeting be scheduled.

CARRIED UNANIMOUSLY

4. (j) Rezoning Application: Sites 1 and 2 - Lower Lonsdale Planning Area (City of North Vancouver) - File: 3400-05 02 W 161-179

Report: City Planner, Community Development, June 17, 2002

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated June 17, 2002, entitled "Rezoning Application: Sites 1 and 2 - Lower Lonsdale Planning Area (City of North Vancouver)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7431" (The Corporation of the City of North Vancouver - Lands Division, Sites 1 and 2, 100 Block West 1st and 2nd Street, CD-435), be considered and referred to a Public Hearing';

AND THAT Community Development staff and the Project Manager complete design regulations to ensure compliance.

CARRIED UNANIMOUSLY

6. BYLAWS - continued

(d) Introduction And First Reading Only – continued

Moved Councillor Bell, seconded by Councillor Mussatto that

(vi) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7431" (The Corporation of the City of North Vancouver - Lands Division, Sites 1 and 2, 100 Block West 1st and 2nd Street, CD-435).

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

CARRIED UNANIMOUSLY

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

(k) **Lions Gate Christian Academy - Location Options
- File: 3400-05 601 Lynnmouth**

Report: Director, Community Development, June 19, 2002

Moved by Councillor Fearnley, seconded by Councillor Perrault

PURSUANT to the report of the Director, Community Development dated June 19, 2002, entitled "Lions Gate Christian Academy - Location Options":

THAT the Lions Gate Christian Academy be encouraged to continue consultations with School District No. 44 (North Vancouver) regarding the possible future use of surplus space, and/or pursue the acquisition of other properties designated as Institutional, or Commercial in the Official Community Plan;

AND THAT the Official Community Plan Amendment Application 601 Lynnmouth Avenue (600 Block Brooksbank) (Lions Gate Christian Academy, Bunting Coady Architects) be rejected.

CARRIED

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

Moved by Councillor Fearnley, seconded by Councillor Bell

THAT items 4. (l), (m) and (n) be deferred until the next regular meeting of Council to be held on Monday, July 15, 2002.

CARRIED

2. **DELEGATIONS**

(a) **Mr. Paul Murphy, Norgate Developments Corp.**

Re: Rezoning Applications: 78-90 Lonsdale Avenue Norgate/Epp
- File: 3400-05 LONS 78-90

Mr. Paul Murphy, Norgate Development Corp., gave a brief overview of his proposal for 78-90 Lonsdale Avenue and advised that he was left with no ability to deal with the neighbouring property. He advised that he was taken aback about the recommendation from the Civic Projects Team and that the two sites would have to be dealt with separately.

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

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF - continued

**(o) Rezoning Applications: 78-90 Lonsdale Avenue Norgate/Epp
File - 3400-05 LONS 78-90**

Report: City Planner, Community Development,
June 17, 2002

Moved by Councillor Fearnley, seconded by Mayor Sharp

THAT the City Planner's report of June 17, 2002, entitled "Rezoning Applications: 78-90 Lonsdale Avenue Norgate/Epp", to process the Norgate proposal for this site, not be supported.

CARRIED

7. COUNCIL INQUIRIES

(a) North Vancouver Recreation Commission – File: 4410-01

Inquiry by Councillor Braithwaite

Councillor Braithwaite asked Councillor Mussatto if Mr. Gary Young, Director of Recreation, would be attending a conference in the Fall of 2002.

Councillor Mussatto advised he will find out and report back.

10. ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:34 p.m.