



**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, OCTOBER 28, 2002**  
**AT 6:00 P.M.****

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**PRESENT:**

**COUNCIL MEMBERS**

Mayor B.A. Sharp  
\*Councillor W.J. Bell  
Councillor J.B. Braithwaite  
Councillor R.J. Fearnley  
Councillor C.R. Keating  
\*Councillor D.R. Mussatto

**STAFF MEMBERS**

A.K. Tollstam, City Manager  
B.A. Hawkshaw, City Clerk  
J.M. Rowe, Assistant City Clerk  
T. Christie, Director of Finance  
F. Caouette, Manager, Special Projects  
F. Smith, Director, Community Development  
I. Steward, Property Valuator/Negotiator  
B. Susak, Deputy City Engineer  
G. Penway, Planner 2

**ABSENT**

Councillor B.W. Perrault

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

**9. CONFIDENTIAL REPORTS**

Moved by Councillor Braithwaite, seconded by Councillor Keating

**THAT** the meeting recess to the Committee of the Whole in camera, to consider the item as listed under Section 9 of the Council Agenda, for the following reason:

9(a) Section 242.2 (1) (e)

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:01 p.m., and reconvened at 6:30 p.m., with the same personnel present and with the addition of \*Councillor Bell and \*Councillor Mussatto.

**1. ADOPTION OF MINUTES**

Moved by Councillor Mussatto, seconded by Mayor Sharp

**THAT** the Minutes of the Regular Council Meeting of October 21, 2002 be adopted as circulated.

**CARRIED UNANIMOUSLY**

## **9.1 REPORT OF THE COMMITTEE OF THE WHOLE**

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

Councillor Braithwaite left the meeting

### **(a) Redevelopment Proposal - 100 West 16<sup>th</sup> Street** **- File: 3375-07 16 W 131**

Report: Property Valuator-Negotiator, Community  
Development, October 8, 2002

**PURSUANT** to the report of the Property Valuator-Negotiator, dated October 8, 2002, entitled "Redevelopment Proposal – 100 West 16<sup>th</sup> Street":

**THAT** West Coast Projects Ltd. be authorized to proceed with the redevelopment proposal of the site including the City-owned parcel, as outlined in the discussion section of the October 8, 2002, report of the Property Valuator-Negotiator entitled "Redevelopment Proposal – 100 West 16<sup>th</sup> Street";

**AND THAT** staff be authorized to accept an offer to purchase the City property in the 100 Block West 16<sup>th</sup> Street subject to consolidation with the adjoining property, substantially as outlined in the discussion section of the October 8, 2002, report of the Property Valuator Negotiator entitled "Redevelopment Proposal – 100 West 16<sup>th</sup> Street";

**CARRIED UNANIMOUSLY**

Councillor Braithwaite returned to the meeting

## **PROCLAMATIONS**

Mayor Sharp read the following Proclamations:

**"UNITED WAY CELEBRATION WEEK", October 29 - November 1, 2002**

**"TOGETHER AGAINST VIOLENCE DAY", November 21, 2002**

**"TOGETHER AGAINST VIOLENCE MONTH", November, 2002**

## **2. DELEGATIONS**

Nil.

### 3. CORRESPONDENCE

#### (a) **Greater Vancouver Regional District, October 4, 2002**

Re: "The Board in Brief" - File: 1180-01

Moved by Councillor Mussatto, seconded by Mayor Sharp

**THAT** the Greater Vancouver Regional District, "The Board in Brief", dated October 4, 2002 be received and filed.

**CARRIED UNANIMOUSLY**

#### (b) **D. C. Haggard, President, Industrial, Wood & Allied Workers of Canada (IWA), Vancouver, October 21, 2002**

Re: Dismantling of BC Rail - File: 3520-01/4130-02

Moved by Councillor Mussatto, seconded by Councillor Bell

**THAT** the following IWA Resolution be endorsed and forwarded to Premier Gordon Campbell:

**"WHEREAS** BC Rail was created by the Province of British Columbia as a public trust to serve the people of the province with freight and passenger service;

**AND WHEREAS** rail service is essential to maintaining the communities located along the rail line;

**AND WHEREAS** BC Rail has announced that it will be discontinuing the passenger service between North Vancouver and Prince George as early as November 2002;

**AND WHEREAS** BC Rail is considering leasing, selling and shutting down sections of the railway in favour of real estate development and other non-railway development;

**THEREFORE BE IT RESOLVED THAT** the IWA demand the government immediately reinstate the BC Rail passenger service between North Vancouver and Prince George;

**AND BE IT FURTHER RESOLVED THAT** the national convention of IWA Canada express its unequivocal opposition to the lease, sale or closure of any portion of BC Rail;

**AND BE IT FINALLY RESOLVED THAT** the IWA work with communities and other concerned groups and citizens of the Province to mount a campaign to ensure that the valuable passenger and freight services of BC Rail are maintained for the benefit of all communities and the people of the Province of British Columbia."

**CARRIED UNANIMOUSLY**

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

**(a) 2010 Olympics - File: 4455-03-01**

Report: Manager, Special Projects, October 23, 2002

Moved by Councillor Fearnley, seconded by Councillor Bell

**PURSUANT** to the report of the Manager, Special Projects, dated October 23, 2002, entitled "2010 Olympics":

**THAT** staff be instructed to meet with the 2010 Olympic organizers to develop a proposal for Olympic celebration activity in the City of North Vancouver.

Moved by Councillor Keating, seconded by Councillor Mussatto

**THAT** the motion be amended to include the words after the final paragraph, "in accordance with existing City policies and planning".

**CARRIED UNANIMOUSLY**

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

**(b) Versatile Shipyards Development: Termination of Parcel 5 Tower Request - File: 3400-05 Shipyards Parcel 5**

Report: Development Planner, Community Development,  
October 21, 2002

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

**PURSUANT** to the report of the Development Planner, dated October 21, 2002, entitled "Versatile Shipyards Development: Termination of Parcel 5 Tower Request":

**THAT** the following Resolution of July 23, 2002 be rescinded:

**"PURSUANT** to the correspondence received from Mr. Michael De Cotiis, CEO & Chairman, Pinnacle International, dated July 16, 2002, regarding "The Shipyards - Parcel No. 5":

**THAT** the correspondence and informational overview received from Mr. M. De Cotiis, dated July 16, 2002, be referred to staff for a report;

*continued...*

4. (b) **Versatile Shipyards Development: Termination of Parcel 5 Tower Request - File: 3400-05 Shipyards Parcel 5 *continued***

**AND THAT** this correspondence be forwarded to the Advisory Design Panel, Advisory Planning Commission, Heritage Advisory Commission, North Vancouver Museum and Archives Commission, The Lower Lonsdale Citizens' Association, Lower Lonsdale Business Association, Arts & Culture Commission of North Vancouver, North Vancouver Community Arts Council, Presentation House Media Arts Gallery, Presentation House Theatre and the North Vancouver Chamber of Commerce for their comments;

**AND THAT** this proposal be referred to a Public Meeting.”

**CARRIED UNANIMOUSLY**

(c) **Stopping Up and Closing a Portion of Lane Lying Adjacent to Lot 1, Block 155, District Lot 274, Group One, New Westminster District, Plan 878 - File: 4140-10-02**

Report: Property Valuator-Negotiator, Community Development, October 21, 2002

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**PURSUANT** to the report of the Property Valuator-Negotiator, dated October 21, 2002, entitled “Stopping Up and Closing a Portion of Lane Lying Adjacent to Lot 1, Block 155, District Lot 274, Group One, New Westminster District, Plan 878”:

**THAT** “Highways Stopping Up and Closing Bylaw, 2002, No. 7437” (portion of highway lying adjacent to Lot 1, Block 155, District Lot 274, Plan 878), be considered for final adoption;

**AND THAT** the City Clerk be authorized to petition the Minister of Community, Aboriginal and Women’s Services to vest title of the lane portion in the name of The Corporation of the City of North Vancouver;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal any such documents as may be required in order to give effect to the above motion.

**CARRIED UNANIMOUSLY**

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto, seconded by Councillor Bell that

- (i) "Highways Stopping Up and Closing Bylaw, 2002, No. 7437"  
(portion of highway lying adjacent to Lot 1, Block 155,  
District Lot 274, Plan 878).

be reconsidered

**CARRIED UNANIMOUSLY**

Moved by Councillor Mussatto, seconded by Councillor Bell

**THAT** the said Bylaw No. 7437 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

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

(d) **Highway Reservation Agreement - Esplanade  
- File: 3380-02-V2-01**

Report: Deputy City Engineer, October 21, 2002

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**PURSUANT** to the report of the Deputy City Engineer dated October 21, 2002, entitled "Highway Reservation Agreement - Esplanade":

**THAT** the Mayor and City Clerk be authorized to execute a Highway Reservation Agreement and associated rights-of-way substantially in the form attached to the October 21, 2002 report.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Mayor Sharp

**THAT** the meeting recess to the Finance Committee Meeting scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:06 p.m. and reconvened at 7:31 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Mayor Sharp

**THAT** the meeting recess to the Public Hearing scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:32 p.m. and reconvened at 7:36 p.m. with the same personnel present.

**6. BYLAWS continued**

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

Moved by Councillor Mussatto, seconded by Councillor Keating that

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2002, No. 7455" (2003 Early Approvals Capital Program).

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

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto  
Councillor Keating  
Councillor Braithwaite  
Mayor Sharp

Voting against: Councillor Fearnley  
Councillor Bell

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

Moved by Councillor Mussatto, seconded by Councillor Keating

**THAT** the said Bylaw No. 7455 be read a second time in short form

**CARRIED**

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Keating

**THAT** the said Bylaw Nos. 7455 be read a third time in short form and passed subject to reconsideration.

**CARRIED**

Councillor Fearnley is recorded as voting contrary to the motion.

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

Moved by Councillor Braithwaite, seconded by Councillor Keating that

- (ii) "Community Enhancement Reserve Fund Expenditure Bylaw, 2002, No. 7456" (2003 City Playground Enhancement).
- (iii) "Infrastructure Reserve Fund Expenditure Bylaw, 2002, No. 7457" (2003 Early Approvals Capital Program).
- (iv) "General Building Reserve Fund Expenditure Bylaw, 2002, No. 7458" (2003 Early Approvals Capital Program).
- (v) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2002, No. 7459" (Computers - 2003 Early Approvals Capital Program).
- (vi) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2002, No. 7460" (General Equipment - 2003 Early Approvals Capital Program).
- (vii) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2002, No. 7461" (Engineering Equipment - 2003 Early Approvals Capital Program).

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**

Moved by Councillor Braithwaite, seconded by Councillor Keating

**THAT** the said Bylaw Nos. 7456, 7457, 7458, 7459, 7460 and 7461 be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Braithwaite, seconded by Councillor Keating

**THAT** the said Bylaw Nos. 7456, 7457, 7458, 7459, 7460 and 7461 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

Moved by Councillor Braithwaite, seconded by Councillor Keating

**THAT** the meeting recess to the Public Hearing scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:49 p.m. and reconvened at 10:19 p.m. with the same personnel present.



**5. MOTIONS AND NOTICES OF MOTION**

Moved by Councillor Mussatto, seconded by Councillor Fearnley

- (a) Development Variance Permit No. 162 - Sign Variance - 1567  
Lonsdale Avenue - File: 3358-03 DVP 162**

**THAT** Development Variance Permit No. 162 be issued to 511049 BC Ltd. in accordance with Section 922 of the Local Government Act;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 162.

**(CARRIED UNANIMOUSLY)**

- (b) Shipyard Development (Pinnacle International/Howard  
Bingham Hill Architects/Durante Kruek Landscape Architects),  
Development Permit No. 1A (excavation) - File - 3358-03-DP1A**

**THAT** Development Permit No. 1A (excavation) be issued to 366466 British Columbia Ltd. in accordance with Section 922 of the Local Government Act;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal Development Permit No. 1A

**(CARRIED UNANIMOUSLY)**

- (c) Shipyard Development (Pinnacle International/Howard  
Bingham Hill Architects/Durante Kruek Landscape Architects),  
Development Permit No. 2A (excavation) - File - 3358-03-DP2A**

**THAT** Development Permit No. 2A (excavation) be issued to 366466 British Columbia Ltd. in accordance with Section 922 of the Local Government Act;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal Development Permit No. 2A

**CARRIED UNANIMOUSLY**

6. **BYLAWS - continued**

(c) **Second and Third Readings**

Moved by Councillor Mussatto, seconded by Councillor Keating that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7442" (Bomax Holdings Ltd./Besharat Friars Architects, 133 West 23<sup>rd</sup> Street, CD-440).

be read a second time in short form.

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

**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., if necessary.

**CARRIED UNANIMOUSLY**

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto  
Councillor Keating  
Councillor Braithwaite  
Councillor Bell  
Mayor Sharp

Voting against: Councillor Fearnley

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

Moved by Councillor Mussatto, seconded by Councillor Keating

**THAT** the said Bylaw No. 7442 be read a third time in short form and passed subject to reconsideration.

**CARRIED**

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Keating seconded by Councillor Mussatto

**THAT** staff be requested to report back on traffic access in the lane and the issue of parking with regards to 133 West 23<sup>rd</sup> Street.

**CARRIED UNANIMOUSLY**

6. **BYLAWS - continued**

(c) **Second and Third Readings**

Moved by Councillor Keating, seconded by Councillor Mussatto that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7448” (Constro International Investments Ltd./Brook Development Planning Inc. 153-165 West 23<sup>rd</sup> Street/158-160 West 22<sup>nd</sup> Street, CD-444).

be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Keating, seconded by Councillor Mussatto

**THAT** the said Bylaw No. 7448 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

Moved by Councillor Bell, seconded by Councillor Braithwaite

**THAT** staff be requested to report back on the key issues raised during the Public Hearing: fire access, traffic issues, view impacts, and a history of the walkway with the previous development.

**CARRIED UNANIMOUSLY**

7. **COUNCIL INQUIRIES (Questions of Council Members)**

Nil.

10. **ADJOURNMENT**

Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10:49 p.m.