



**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 14, 2003 AT
6:00 P.M.****

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
Councillor R.N. Heywood
Councillor C.R. Keating*
Councillor D.R. Mussatto
Councillor B.W. Perrault

ABSENT:

Councillor R.J. Fearnley

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
B. Susak, Deputy City Engineer
B. Johnson, Revenue Accountant
Fire Chief R. Douglas
F.A. Smith, Director, Community Development
C. Kathler, Social Planner
R.H. White, City Planner

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

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the Minutes of the Regular Council Meeting of April 7, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration and Final Adoption

Moved by Councillor Clark, seconded by Councillor Perrault that

- (i) "Financial Plan for the Years 2003 to 2012 Bylaw, 2003, No. 7496"
- (ii) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7497" (2003 Spring Capital)
- (iii) "Lower Lonsdale Amenity Reserve Fund Expenditure Bylaw, 2003, No. 7498" (2003 Spring Capital)

Continued....

6. (a) Reconsideration and Final Adoption - Continued

- (iv) "General Building Reserve Fund Expenditure Bylaw, 2003, No. 7499" (2003 Spring Capital)
- (v) "Local Improvement Reserve Fund Expenditure Bylaw, 2003, No. 7500" (2003 Spring Capital)
- (vi) "Infrastructure Reserve Fund Expenditure Bylaw, 2003, No. 7501" (2003 Spring Capital)
- (vii) "Parking Reserve Fund Expenditure Bylaw, 2003, No. 7502" (2003 Spring Capital)
- (viii) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2003, No. 7503" (Computers - 2003 Spring Capital)
- (ix) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2003, No. 7504" (General Equipment - 2003 Spring Capital)
- (x) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2003, No. 7505" (Fire Equipment - 2003 Spring Capital)
- (xi) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 2003, No. 7506" (Engineering Equipment - 2003 Spring Capital)
- (xii) "Tax Rates Bylaw, 2003, No. 7507"

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the said Bylaws Nos. 7496, 7497, 7498, 7499, 7500, 7501, 7502, 7503, 7504, 7505, 7506 and 7507 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Sharp read the following Proclamations:

“ARMENIAN MEMORIAL DAY”, APRIL 24, 2003

“DAY OF MOURNING”, APRIL 28, 2003

“PITCH-IN BRITISH COLUMBIA WEEK”, APRIL 21 - 27, 2003

“NATIONAL VOLUNTEER WEEK”, APRIL 27 - MAY 3, 2003

COUNCIL REPORT OF COMMITTEE WORK - File: 1085-01

Councillor Mussatto

- Advised that the Park and Tilford Gardens Sale is scheduled for April 26, 2003 from 9:00 a.m., until 4:00 p.m., and encouraged everyone to attend.
- Advised that the Vancouver Rhododendron Society sale will take place at Park and Tilford Gardens on May 4 and 5, 2003.
- Attended the Sports Awards Ceremony and advised that the City of North Vancouver has some tremendous athletics that we should be proud of.

Councillor Heywood

- Advised that he attended the April 12, 2003 unveiling of a plaque at the Fell Armouries which included those names from the First World War that were not previously commemorated by the Armouries.

Mayor Sharp

- Advised that she did complete the April 13, 2003 Sun Run in Vancouver.

CONSENT AGENDA {Items 4 *(a), 4 *(b), 4 *(c), 4 *(d), 4 *(e) and 4 *(f)}

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT the resolutions listed within the “Consent Agenda” of April 14, 2003 be approved, as follows:

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) Development Variance Permit Application, Sign Variance, No. 300 - 1221 Lonsdale Avenue - File: 3358-03 LONS 1221 175**

Report: Planning Technician, Community Development,
April 9, 2003

PURSUANT to the report of the Planning Technician, dated April 9, 2003, entitled “Development Variance Permit Application, Sign Variance, #300-1221 Lonsdale Avenue”:

THAT Development Variance Permit No. 175 attached to the April 9, 2003 report of the Planning Technician be considered for issuance under Section 922 of the Local Government Act;

AND THAT notification be circulated in accordance with Section 922 of the Local Government Act;

AND THAT the Public Meeting requirement be waived.

(CARRIED UNANIMOUSLY)

***(b) Development of Policy Regarding Grants to Support Community Fundraising Events - 1670-03-01**

Report: Social Planner, Community Development,
April 10, 2003

PURSUANT to the report of the Social Planner dated April 10, 2003, entitled “Development of Policy Regarding Grants to Support Community Fundraising Events”:

THAT requests received directly by Council for grants in support of community or fundraising events be brought forward after a policy has been established.

(CARRIED UNANIMOUSLY)

4. ***(c) Revision to Bicycle Master Plan - St. Andrew's Avenue replacing Ridgeway Avenue - File: 1085-03-N20-01**

Report: Transportation Engineer, March 27, 2003

PURSUANT to the report of the Transportation Engineer dated March 27, 2003, entitled "Revision to Bicycle Master Plan - St. Andrew's Avenue replacing Ridgeway Avenue":

THAT the North Vancouver Bicycle Master Plan be amended to remove Ridgeway Avenue in its entirety and include St. Andrew's Avenue from Esplanade to 23rd Street.

(CARRIED UNANIMOUSLY)

***(d) Environmental Protection Advisory Committee - Environmental Stewardship Awards - File: 1085-03-E3**

Report: Manager, Environment and Parks, April 9, 2003

PURSUANT to the report of the Manager, Environment and Parks dated April 9, 2003, entitled "Environmental Protection Advisory Committee - Environmental Stewardship Awards":

THAT a new Environmental Protection Advisory Committee Environmental Stewardship Award be created to recognize outstanding individual or group efforts towards environmental stewardship in the City of North Vancouver;

AND THAT the award be presented by City Council and the Environmental Protection Advisory Committee, annually during Canadian Environment Week in early June.

(CARRIED UNANIMOUSLY)

***(e) Bike Month 2003 - Contribution to Cycling Events
File: 1085-03-N20-01**

Report: Transportation Planner, Engineering, April 7, 2003

PURSUANT to the report of the Transportation Planner dated April 7, 2003, entitled "Bike Month 2003 - Contribution to Cycling Events":

THAT the City of North Vancouver support activities and events related to Bike Month 2003 to promote cycling as an alternative to the motor vehicle as a mode of transportation;

Continued....

**4. *(e) Bike Month 2003 - Contribution to Cycling Events
File: 1085-03-N20-01 – Continued**

AND THAT funding of \$1000 be contributed towards Better Environmentally Sound Transportation’s campaign costs for Bike Month 2003, as authorized from the Bicycle Programs Reserve;

AND THAT funding of \$1000 be contributed towards the annual bicycle tour event called “Tour de North Vancouver”, as authorized from the Bicycle Programs Reserve;

AND THAT funding of \$500 be contributed towards the regional bike event called “Stanley Park Bicycle Festival”, as authorized from the Bicycle Programs Reserve.

(CARRIED UNANIMOUSLY)

***(f) Lower Lonsdale Legacy Fund Grant Applications
- File: 1665-14**

Report: Chair, Social Planning Advisory Committee,
March 28, 2003

PURSUANT to the report of the Chair of the Social Planning Advisory Committee, dated March 28, 2003, entitled “Lower Lonsdale Legacy Fund Grant Applications”:

THAT the following grant applications be approved:

Family Services of the North Shore - Parent/Child Mother Goose	\$6,000
North Shore Neighbourhood House – Sweet Peas	\$8,000
North Shore Neighbourhood House - Queen Mary Community Project.....	\$7,000

AND THAT the following grant application be denied:

Canadian Mental Health Association - Consumer Support Network.....	\$8,000
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CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

4. (g) Cultural Plan and Improvement Project - File: 1085-03-N3-01

Report: Facilities Committee Chair, Arts & Culture Commission of North Vancouver, March 31, 2003

Moved by Councillor Perrault, seconded by Councillor Clark

PURSUANT to the report of the Facilities Committee Chair, Arts & Culture Commission of North Vancouver, dated March 31, 2003, entitled "Cultural Plan and Improvement Project":

THAT the Arts & Culture Commission of North Vancouver, after consultation with City staff and stakeholders, recommend to City of North Vancouver Council that the Osiris Dance Theatre proposal dated January 29, 2003 be declined;

AND THAT the City consider issues of personal liability/waiver (specifically as it relates to dancers using the Anne MacDonald Hall facility) when drafting the insurance coverage in the next lease for operation of the facility with Presentation House Society;

AND THAT the City encourage Osiris Dance Theatre to work cooperatively with Presentation House Society and other resource agencies within the local cultural community to resolve its facility needs.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Perrault

THAT items 3. (b), 4. (i), (j), (k) and (l), 6. (a) (xiii), 6. (b) (iv), 5. and 7. on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

(b) Mr. Dale Wheeldon, Conference Chair, Economic Development Association of British Columbia, March 28, 2003

Re: Professional Development Conference and Annual General Meeting, May 29th to 31st, 2003, Chilliwack, B.C.
File: 1840-02-01

Requested by Mayor Barbara A. Sharp

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the correspondence dated March 28, 2003, received from Mr. Dale Wheeldon, Conference Chair, Economic Development Association of British Columbia regarding “Professional Development Conference and Annual General Meeting, May 29th to 31st, 2003, Chilliwack, B.C.”:

THAT Council members be authorized to attend the Professional Development Conference and Annual General Meeting, scheduled from May 29 to 31, 2003, in Chilliwack, B.C.;

AND THAT the costs be paid in accordance with City Policy;

AND THAT the funds be provided from the 2003 Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY

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

(i) Presentation House Lands - File: 4210-02-P1-03

Report: City Planner, Community Development, April 2, 2003

Moved by Councillor Mussatto, seconded by Councillor Clark

PURSUANT to the report of the City Planner dated April 2, 2003, entitled “Presentation House Lands”:

THAT Community Development be directed to investigate and report back on the rezoning and heritage conservation of Presentation House lands and two heritage buildings as a park and cultural space, and to consider in this work the possibility of a heritage density transfer to assist in the possible planned heritage restoration of the site for theatre use;

AND THAT Community Development set up a workshop for Council to review the future potential of the Presentation House site.

CARRIED UNANIMOUSLY

4. (j) **122 East 3rd Street Rezoning Application: Third Reading Follow-Up - File: 3400-05 3E 122**

Report: Development Planner, Community Development,
April 8, 2003

Moved by Councillor Clark, seconded by Councillor Perrault

PURSUANT to the report of the Development Planner dated April 8, 2003, entitled "122 East 3rd Street Rezoning Application: Third Reading Follow-up":

THAT a Covenant restricting the commercial hours of operation to 11:00 p.m. be required prior to the issuance of a Building Permit for 122 East 3rd Street, as agreed to in the April 1, 2003 letter from Co-operators Development Corporation Ltd., attached to the April 8, 2003 report;

AND THAT the Mayor and City Clerk be authorized to execute said covenant.

CARRIED UNANIMOUSLY

(k) **Strata Conversion Application - 229/231 East 18th Street - Shahnaz Eslamboli - File: 3365-08-03**

Report: Policy Analyst, Community Development, April 2, 2003

Moved by Councillor Mussatto, seconded by Councillor Heywood

PURSUANT to the report of the Policy Analyst, dated April 2, 2003, entitled "Strata Conversion Application - 229/231 East 18th Street - Shahnaz Eslamboli":

THAT the Strata Titling of the duplex located at 229/231 East 18th Street be approved;

AND THAT the Mayor and Clerk be authorized to execute the Strata Plans pursuant to Section 242 of the Strata Property Act;

AND THAT the applicant fulfill all requirements of the Building Inspector prior to the Strata Plans being executed.

CARRIED UNANIMOUSLY

4. (I) **Revised Voluntary Penalties - Parking Tickets**
File: 3060-01/3020-03-01

Report: City Clerk, March 18, 2003

Moved by Councillor Mussatto, seconded by Councillor Heywood

PURSUANT to the report of the City Clerk, dated March 18, 2003, entitled, "Revised Voluntary Penalties - Parking Tickets":

THAT Schedule A: Schedule of Voluntary Payment Penalties be revised to read as follows:

	Within 10 days	After 10 days	After Summons
Group 1801 Offences	\$20.00	\$30.00	\$45.00
Group 1802 Offences	\$25.00	\$35.00	\$50.00
Group 1803 Offences	\$30.00	\$40.00	\$55.00
Group 1804 Offences	\$100 plus \$15.00 per 100 kg, or part, overweight		
Group 1805 Offences	\$75.00	\$85.00	\$100.00

AND THAT "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2003, No. 7492" (Increase to Voluntary Payments Penalties), be considered.

CARRIED UNANIMOUSLY

6. **BYLAWS - Continued**

(a) **Reconsideration and Final Adoption – Continued**

Moved by Councillor Mussatto, seconded by Councillor Heywood that

- (xiii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7446" (Co-Operators Development Corporation Ltd./e-Atelier Architecture Inc., 122 East 3rd Street, CD-442)

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the said Bylaw No. 7446 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

6. (b) Introduction and First Three Readings – Continued

Moved by Councillor Mussatto, seconded by Councillor Heywood that

- (iv) “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2003, No. 7492” (Increase to Voluntary Payments)

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 Mussatto, seconded by Councillor Heywood

THAT the said Bylaw No. 7492 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the said Bylaw No. 7492 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

(a) Density Transfer – File: 3300-01/1090-19-01

Councillor Clark advised that he will present the following motion at the next regular meeting of Council:

“WHEREAS density transfer has recently been proposed as a tool for heritage preservation;

AND WHEREAS the City of North Vancouver currently has no formal policy with respect to density transfers;

THEREFORE BE IT RESOLVED THAT a Policy Committee meeting of City Council be convened to discuss the subject of density transfer.”

5. (b) Tree Petitions – File: 4310-01

Councillor Clark advised that he will present the following motion at the next regular meeting of Council:

“WHEREAS the City of North Vancouver allows a formal and rigorous “Petition to Remove Trees” process to occur;

AND WHEREAS said process by its very nature implies to the public that City Council will heed the petition;

THEREFORE BE IT RESOLVED THAT a Policy Committee meeting of City Council be convened to discuss the subject of tree petitions.”

7. COUNCIL INQUIRIES (Questions of Council Members)

(a) Graffiti Removal Program – File: 3200-12-06

Inquiry by Councillor R.N. Heywood

Councillor Heywood inquired if the City of North Vancouver has a Graffiti Removal Program as he has noticed a lot of graffiti on walls, hydro boxes, etc., around the City.

Mr. Bill Susak, Deputy City Engineer, advised that the City does have a Graffiti Removal Program and our Operations Division removes it from public property. Mr. Susak also advised that with regards to private property the City contacts the owners and works with them to try to get the graffiti removed.

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT the meeting recess.

CARRIED UNANIMOUSLY

The meeting recessed at 6:30 p.m., and reconvened at 6:42 p.m., with the same personnel present and with the addition of *Councillor Keating.

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT items 2. (b) and 3. (a) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(b) Mr. J. Brent Sawchyn, COO, Principal, Anterra Retail Properties Ltd.

Re: 879 Marine Drive, North Vancouver
File: 3400-05 Marine 879

Mr. J. Brent Sawchyn, COO, Principal, Anterra Retail Properties Ltd., presented his latest conceptual drawings for a revised development at 879 Marine Drive.

He advised that the project has been reduced in size to 89,000 sq. ft., from 233,000 sq. ft., and this equates to an FSR of 0.48 reduced from 1.3. He further advised that the inclusion of a 46,000 sq. ft. food store is still being contemplated on the site along with other tenants under 6,000 sq. ft., except for a drug store tenant of 15,000 sq. ft.

Mr. Sawchyn requested Council to endorse his new proposal and send it to a Public Hearing by the end of May, 2003.

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

Mayor Sharp recessed the meeting for the purpose of the Court of Revision scheduled for this evening.

The meeting recessed at 7:00 p.m., and reconvened at 7:03 p.m., with the same personnel present.

6. BYLAWS - Continued

(b) Introduction and First Three Readings

Moved by Councillor Clark, seconded by Councillor Keating that

- (i) "Paved Lane North of East 11th Street, between St. Andrew's and Ridgeway Avenues, Local Improvement Initiative Frontage Tax Bylaw, 2003, No. 7483"
- (ii) "Paved T-Lane East of East Grand Boulevard, between 12th and 13th Streets, Local Improvement Initiative Frontage Tax Bylaw, 2003, No. 7484"
- (iii) "Sidewalk Improvement 1200 Lonsdale Avenue, Specified Area Frontage Tax Bylaw, 2003, No. 7485"

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

6. (b) Introduction and First Three Readings - Continued

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaws Nos. 7483, 7484 and 7485 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaws Nos. 7483, 7484 and 7485 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE - Continued

(a) Mr. J. Brent Sawchyn, COO, Principal, Anterra Retail Properties Ltd. - April 9, 2003

Re: 879 Marine Drive, North Vancouver
File: 3400-05 Marine 879

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the correspondence dated April 9, 2003 received from Mr. J. Brent Sawchyn, COO, Principal, Anterra Retail Properties Ltd., regarding "879 Marine Drive, North Vancouver", be received and filed.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(a) Henry C. Iannucci, North Vancouver

Re: Untidy Property at 1945 Sutherland Avenue
File: 3345-02 SUTH 1945

Mr. Henry C. Iannucci, North Vancouver, expressed his concerns with regards to the letters he has received from the City of North Vancouver regarding his property located at 1945 Sutherland Avenue.

Mr. Iannucci advised that he has never been advised by the City as to how many vehicles he can keep on his property and that the vehicles he keeps on his property are his hobby.

Mr. Iannucci distributed photographs of his property and his neighbour's property and reviewed the said photographs with members of Council.

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

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

(h) **Untidy Property at 1945 Sutherland Avenue**
File: 3345-02 SUTH 1945

Report: Property Use Inspector, Community Development,
March 20, 2003

Moved by Councillor Perrault, seconded by Councillor Clark

PURSUANT to the report of the Property Use Inspector, dated March 20, 2003, entitled "Untidy Property at 1945 Sutherland Avenue":

WHEREAS the property at 1945 Sutherland Avenue contains a number of unlicensed and partially dismantled vehicles, vehicle component parts, and other items and the property has become untidy and unsightly in contravention of the City of North Vancouver, "Nuisance Abatement Bylaw, 1986, No. 5659";

AND WHEREAS the property is being used in contravention of the City of North Vancouver "Zoning Bylaw 1995, No. 6700";

AND WHEREAS a business license for the purpose of vehicle repairs, dismantling or sale of parts has not been issued to the property;

THAT the property owner is hereby ordered to remove any unlicensed or partially dismantled vehicles, not parked in the approved parking at the property, from the property;

AND THAT the property owner be ordered to cease and desist any vehicle repair or dismantling, other than necessary vehicle repairs on a vehicle used exclusively for his personal transportation, and to remove any other items, which are contributing to the untidy and unsightly state at the property, by April 21, 2003;

AND THAT should the property remain untidy and unsightly, or vehicle repairs or dismantling continue in contravention of City Bylaws, that staff be authorized to seek the appropriate relief, including an injunction by way of the Supreme Court of British Columbia, thus requiring the property to be brought into compliance with City bylaws.

CARRIED UNANIMOUSLY

8. **ANY OTHER BUSINESS**

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 7:43 p.m., for the public question period and reconvened the meeting at 7:45 p.m.

10. ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:46 p.m.