



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, B.C., ON MONDAY, SEPTEMBER 15, 2003 AT 6:00 P.M.

PRESENT:

COUNCIL MEMBERS

Acting Mayor R.N. Heywood
Councillor R.C. Clark
Councillor R.J. Fearnley
*Councillor D.R. Mussatto
Councillor B.W. Perrault

ABSENT

Mayor B.A. Sharp
Councillor C.R. Keating

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
J.M. Rowe, Assistant City Clerk
S. Ono, City Engineer
I. Gordon, Deputy Director of Finance
B. Susak, Deputy City Engineer
D. Pope, Manager, Environment and Parks
G. Penway, Assistant City Planner
R.H. White, City Planner
F.A. Smith, Director, Community Development
F. Caouette, Manager – Special Projects

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

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the Minutes of the Regular Council Meeting of September 8, 2003 be adopted as circulated.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

CONSENT AGENDA {Items 4 *(e), 6 *(d)(i), 4 *(f), 4 *(g), 5 *(a) and 6 *(c)(vi)}

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the resolutions listed within the "Consent Agenda" of September 15, 2003 be approved, as follows:

continued..

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(e) Rezoning Application: Site 2 (170 West 1st Street) - Millennium North Shore Homes / Lawrence Doyle Architects - CD 437 Text Amendment - File: 3400-05 01W 170**

Report: Assistant City Planner, Community Development,
September 9, 2003

PURSUANT to the report of the Assistant City Planner, dated September 9, 2003 entitled "Rezoning Application: Site 2 (170 West 1st Street) - Millennium North Shore Homes / Lawrence Doyle Architects - CD 437 Text Amendment":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7540" (Millennium North Shore Homes, Lawrence Doyle Architects, Site 2, 170 West 1st Street, CD-437 Text Amendment), be considered;

AND THAT the requirement for a Public Hearing be waived.

(CARRIED UNANIMOUSLY)

6. BYLAWS

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

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7540" (Millennium North Shore Homes, Lawrence Doyle Architects, Site 2, 170 West 1st Street, CD-437 Text Amendment).

THAT Bylaw No. 7540 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

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

***(f) Rezoning Application: 420 West Keith Road (Lisa and Ralph Bury) - File: 3400-05 KEITH 420 W**

Report: Assistant City Planner, Community Development,
September 9, 2003

PURSUANT to the report of the Assistant City Planner dated September 9, 2003 entitled "Rezoning Application: 420 West Keith Road (Lisa and Ralph Bury)":

THAT staff be requested to process the 4 unit rezoning application at 420 West Keith Road.

(CARRIED UNANIMOUSLY)

***(g) Rezoning Application - Presentation House Site (333 Chesterfield Avenue) and Site 1 (161 - 179 West 2nd Street) Heritage Density Transfer - File: 3400-05 Site 1 02 W 161 - 179 W \ 3400-05 CHES.333 Presentation House**

Report: City Planner, Community Development,
September 9, 2003

RECOMMENDATION:

PURSUANT to the report of the City Planner dated September 9, 2003, entitled "Rezoning Application - Presentation House Site (333 Chesterfield Avenue) and Site 1 (161 - 179 West 2nd Street) Heritage Density Transfer":

THAT "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2002, No. 7438" (The Corporation of the City of North Vancouver - Lands Division, Site 1, 175 West 2nd Street, CD-436) be amended at Second Reading by deleting subsections 3(b) (8) and (9) and by adding new subsections 3 (b) (8) and (9), as follows:

- 3.(b) (8) The maximum Gross Floor Area shall be limited to 2.6 times the Lot area, plus an additional 2,489.72 square metres (26,800 square feet) of Transferable Heritage Density/ Amenity Density from the CD-456 Zone (known as Central School/Anne Macdonald Hall and located at 333 Chesterfield Avenue) which shall be added to the lands listed below until such time as these lands are consolidated with any other parcels within the CD-436 Zone at which time the Transferable Heritage Density/Amenity Density shall apply to those lands:

continued..

4. ***(g) Rezoning Application - Presentation House Site (333 Chesterfield Avenue) and Site 1 (161 - 179 West 2nd Street) Heritage Density Transfer - File: 3400-05 Site 1 02 W 161 - 179 W \ 3400-05 CHES.333 Presentation House *continued***

Lot 5, Block 157, District Lot 271, Plan 750
Lot M, Block 157, District Lot 271, Plan BCP 6860
Part of closed Road, containing 362.0 square metres shown on LMP 36608, Block 157, District Lot 271, Plan 750, and as shown as the cross-hatched portion of the map on Schedule A.

(all City owned at the time of adoption of this bylaw);

- 3.(b) (9) The minimum lot size in the CD-436 Zone shall be 2,322.5 square metres (25,000 square feet).

AND THAT the said bylaw be renamed "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2002, No. 7438" (The Corporation of the City of North Vancouver - Lands Division, Site 1, 161 - 179 West 2nd Street, CD-436);

AND THAT the said Bylaw No. 7438, as amended, be referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

5. **MOTIONS AND NOTICES OF MOTION**

- *(a) Development Variance Permit Application No. 179: Home Office Use for Accessory Building - 719 East 4th Street - File: 3358-03 4 E 719 DVP No. 179**

THAT Development Variance Permit No. 179 be issued to John and Vicki McNally 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. 179.

(CARRIED UNANIMOUSLY)

6. BYLAWS - continued

***(c) Second and Third Readings - continued**

- (vi) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7532" (The Corporation of the City of North Vancouver, Site 3a, 151 West 2nd Street, CD-450 Text Amendment).

RECOMMENDATIONS:

THAT the said Bylaw No. 7532 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7532 be read a third time in short form and passed subject to reconsideration

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

9. CONFIDENTIAL REPORTS

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the meeting 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(a) Section 242.2 (1) (f)(h)(i)
9(b) Section 242.2 (1) (h)
9(c) Section 242.2 (1) (h)

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 7:38 p.m., with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the meeting recess to the Policy Committee Meeting and the Public Hearings scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:39 p.m. and reconvened at 7:40 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the meeting recess to the recessed Committee of the Whole In-camera meeting.

CARRIED UNANIMOUSLY

The meeting recessed at 7:40 p.m. and reconvened at 8:46 p.m. with the same personnel present and with the addition of Councillor D.R. Mussatto*.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Business License Hearing - File: 3045-03

PURSUANT to the hearing held in-camera on September 15, 2003:

THAT the business license issued to Harris Black to operate the business Horizon be cancelled for reasonable cause pursuant to Section 660 of the Local Government Act;

AND THAT staff be directed to take all steps necessary to effect the aforesaid cancellation.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Acting Mayor Heywood read the following Proclamations:

“RAISE-A-READER DAY”, SEPTEMBER 25, 2003

“MAHATMA GANDHI DAY”, OCTOBER 2ND, 2003

“FIRE PREVENTION WEEK”, OCTOBER 5TH - 11TH, 2003 and

“FIRE SERVICE RECOGNITION DAY”, OCTOBER 11TH, 2003

“SHELTER WEEK”, OCTOBER 5 - 11TH, 2003

“PEDESTRIAN SAFETY MONTH”, OCTOBER, 2003

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the meeting recess to the Policy Committee meetings scheduled for this evening regarding “Light Pollution/Light Invasion” and “Development Cost Charge Program”.

CARRIED UNANIMOUSLY

The meeting recessed at 8:53 p.m. and reconvened at 10:21 p.m. with the same personnel present.

A motion 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, was carried unanimously in the Policy Committee meeting this evening.

Moved by Councillor Perrault, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:21 p.m. and reconvened at 10:27 p.m. with the same personnel present.

6. BYLAWS *continued*

(c) Second and Third Readings *continued*

Moved by Councillor Clark, seconded by Councillor Fearnley that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7091, Amendment Bylaw, 2003, No. 7528” (Adaptable Design Requirements - amendments / C.C.N.V.).

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councilor Fearnley

THAT Bylaw No. 7528 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Fearnley

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:28 p.m. and reconvened at 10:59 p.m. with the same personnel present and with the exception of Councillor Mussatto.

Moved by Councillor Clark, 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 after 11:00 p.m., if necessary.

CARRIED UNANIMOUSLY

6. BYLAWS - continued

(c) Second and Third Readings – continued

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7533” (Merlin Wick/Noort Developments, 265 East 10th Street, CD-457).

Moved by Councillor Perrault, seconded by Acting Mayor Heywood

THAT consideration of Bylaw No. 7533 be deferred until the October 6, 2003 regular Council meeting.

CARRIED

Councillor Clark is recorded as voting contrary to the motion

Councillor Mussatto returned to the meeting.

Moved by Councillor Clark, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 11:02 p.m. and reconvened at 11:04 p.m. with the same personnel present.

6. BYLAWS - continued

(c) Second and Third Readings - continued

Moved by Councillor Clark, seconded by Councillor Mussatto that

- (iii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7534” (Merlin Wick/Noort Developments, 1445 Mahon Avenue, CD-458).

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT Bylaw No. 7534 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 11:05 p.m. and reconvened at 11:08 p.m. with the same personnel present.

6. BYLAWS - continued

(c) Second and Third Readings – continued

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (iv) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7535” (Adolorata DeCotiis/Kevin Hughes, 1956 Jones Avenue, CD-459).

be read a second time in short form.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion

6. (c) Second and Third Readings – continued

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT Bylaw No. 7535 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

2. DELEGATIONS

(a) Josh Murphy and Tyler Manson, Participants, Katy Johnson, Coordinator and James Koester, Artist, Art Parks and Plazas - Studio in the City II.

Re: Public Art Installation at Mosquito Creek - File: 4230-17-01

Katy Johnson, Coordinator, Art Parks and Plazas – Studio in the City II, gave a brief introduction and outlined the three projects undertaken by the “Arts Parks and Plazas”: re-tiling the fountain at Lonsdale Quay, ‘sky garden’ at Kiwanis Towers and the metal art installation at Mosquito Creek. Ms. Johnson introduced Josh Murphy, Tyler Manson, participants in these projects and James Koester, Artist.

Josh Murphy and Tyler Manson gave a PowerPoint presentation and an overview of the design, manufacture and location for the installation of the 16 chairs at Mosquito Creek Park.

Members of the delegation then responded to questions from members of Council.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Art Parks and Plazas - Studio in the City II - Public Art Installation at Mosquito Creek - File: 4230-17-01

Report: Community Development Worker (Youth Programs),
September 8, 2003

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Community Development Worker (Youth Programs), dated September 8, 2003, entitled “Art Parks and Plazas - Studio in the City II - Public Art Installation at Mosquito Creek”:

THAT the September 8, 2003 report be received and filed with thanks.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

(a) Mayor Larry Campbell, City of Vancouver, July 30, 2003

Re: 2010 Vision for British Columbians with Disabilities
File: 4455-03-01

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Councillor Heywood be appointed as the City of North Vancouver contact person to the 2010 Vision for British Columbians with Disabilities.

CARRIED UNANIMOUSLY

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

(b) Council Minutes - File: 1090-02

Report: City Clerk, September 9, 2003

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT consideration of the report of the City Clerk, dated September 9, 2003, entitled "Council Minutes" be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

**(c) Development Variance Permit Application: 78-90
Lonsdale/Aberdeen Block Development Ltd./Darrell Epp
Architect (DVP No.180) - File: 3358-03 LONS 78-90 DVP No. 180**

Report: Assistant City Planner, Community Development,
September 9, 2003

Moved by Councillor Clark, seconded by Councillor Mussatto

PURSUANT to the report of the Assistant City Planner, dated September 9, 2003, entitled "Development Variance Permit Application: 78-90 Lonsdale/Aberdeen Block Development Ltd./Darrell Epp Architect (DVP No. 180)":

THAT Development Variance Permit No. 180 (Aberdeen Block Development Ltd./Darrell J. Epp Architect Ltd., 78-90 Lonsdale Avenue) be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT the Public Meeting requirement be waived.

CARRIED UNANIMOUSLY

4. (d) Block 62/Library Redevelopment - File: 3380-02-B7

Report: Manager - Special Projects, September 5, 2003

Moved by Councillor Clark, seconded by Councillor Perrault

PURSUANT to the report of the Manager - Special Projects, dated September 5, 2003, entitled "Block 62/Library Redevelopment":

THAT "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7539" (Block 62 Development Costs), be considered.

CARRIED UNANIMOUSLY

6. BYLAWS - continued

(b) Introduction and First Three Readings

Moved by Councillor Clark, seconded by Councillor Perrault that

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7539" (Block 62 Development Costs).

be 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 Clark, seconded by Councillor Perrault

THAT the said Bylaw No. 7539 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the said Bylaw No. 7539 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION - continued

Nil.

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

- (a) **Re: Mayor Sharp's Absence from the September 15, 2003 Council Meeting – File: 1090-01/4455-01**

Inquiry by Councillor R.C. Clark

Councillor Clark enquired if the City Manager knew of the whereabouts of Mayor Sharp, when she was expected to return and if she would be making any representations on behalf of the City of North Vancouver while she is away.

Mr. Tollstam advised Councillor Clark that Mayor Sharp was in Belgium participating in the Arthritis Society "Joints in Motion" fundraiser and that he had no information regarding whether or not Mayor Sharp would be representing the City of North Vancouver during her trip.

Recess – Public Question Period

Acting Mayor Heywood declared a recess for the public question period and reconvened the meeting immediately.

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:29 p.m.