



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JULY 19, 2004**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
*Councillor R.J. Fearnley
Councillor R.N. Heywood
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
S.E. Dowey, Deputy City Clerk
B. Susak, Deputy City Engineer
I. Gordon, Deputy Director of Finance
B. Themens, Manager, Capital Planning
F.A. Smith, Director, Community Development
F. Caouette, Manager – Special Projects
R. Shore, Director of Human Resources
K. Russell, Development Planner
R. Utendale, Policy Analyst, Community
Development

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

ADOPTION OF MINUTES

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, July 12, 2004.
2. In Camera Committee of the Whole Meeting Minutes, July 12, 2004.

CARRIED UNANIMOUSLY

CONSENT AGENDA ITEMS

{Items *13, *14, *15, *16, *17, *18, *19, *20, *21, *22 and *23}

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the resolutions listed within the "Consent Agenda" of July 19, 2004 with the exception of items *16, *20 and *21, be approved, as follows:

Continued....

MOTIONS AND NOTICES OF MOTION

- *13. Development Variance Permit Applications: Great Space Properties and Investments Ltd./Charles Moorhead Architect, 1010 West Keith Road - File: 3385-03 Keith W 1010, DVP No. 186 and DVP No. 188.**

THAT Development Variance Permit Nos. 186 and 188 be issued to Great Space Properties and Investments Ltd./Charles Moorhead Architect 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 Nos. 186 and 188.

(CARRIED UNANIMOUSLY)

BYLAWS - Second and Third Readings

- *14.** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7609" (Lori Sampson/Fernandes Homes, 1015 West Keith Road, CD-476)
- *15.** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7627" (CCNV, 1151 Heywood Street, P-1)

THAT the said Bylaws Nos. 7609 and 7627 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7609 and 7627 be read a third time in short form and passed subject to reconsideration

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *17. Strata Conversion Application - 446-448 East 1st Street - Victoria Ballantine, Greg Hanberry, Peter and Liane Unrau - File: 3365-08-03**

Report: Planning Technician 2, Community Development, July 8, 2004

PURSUANT to the report of the Planning Technician 2, dated July 8, 2004, entitled "Strata Conversion Application - 446-448 East 1st Street - Victoria Ballantine, Greg Hanberry, Peter and Liane Unrau":

Continued....

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

- *17. Strata Conversion Application - 446-448 East 1st Street - Victoria Ballantine, Greg Hanberry, Peter and Liane Unrau - File: 3365-08-03 - Continued**

THAT the Strata Titling of the duplex located at 446-448 East 1st Street be approved;

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

AND THAT the Mayor and City Clerk be authorized to execute a Section 219 Covenant limiting the use of the property to two units.

(CARRIED UNANIMOUSLY)

- *18. Greater Vancouver Regional District Bylaw No. 1011, 2004 to Convert and Repeal the Service of E9-1-1 Emergency Telephone System File: 1180-01**

Report: Manager, Capital Planning, July 14, 2004

PURSUANT to the report of the Manager, Capital Planning dated July 14, 2004, entitled "Greater Vancouver Regional District Bylaw No. 1011, 2004 to Convert and Repeal the Service of E9-1-1 Emergency Telephone System":

THAT Greater Vancouver Regional District Bylaw No. 1011, 2004 not be supported by the City of North Vancouver at this time;

AND THAT E-Comm be requested to provide a business case detailing the impact and the rationale for the transfer of the full responsibility for the 9-1-1 function to E-Comm, and the implementation of a call-answer levy;

AND THAT a copy of this resolution be forwarded to the Greater Vancouver Regional District Board.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

***19. North Shore Neighbourhood House Youth Outreach Services 2003 Review - File: 4230-17-04**

Report: Community Development Worker (Youth Programs),
Community Development, July 9, 2004

PURSUANT to the report of the Community Development Worker (Youth Programs) dated July 9, 2004, entitled "North Shore Neighbourhood House Youth Outreach Services 2003 Review":

THAT this report be received and referred to the North Shore Family Court and Youth Justice Committee, Social Planning Advisory Committee and School District No. 44 (North Vancouver), for information.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

***22. "Fire Chief Powers Bylaw, 2004, No. 7583".**

THAT the said Bylaw No. 7583 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7583 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

***23. Encouragement to Purchase Skateboard Helmets - File: 3030-01**

Report: City Clerk, July 15, 2004

PURSUANT to the report of the City Clerk dated July 15, 2004, entitled "Encouragement to Purchase Skateboard Helmets":

THAT City of North Vancouver Screening Officers be authorized to cancel tickets issued under section 408.8 of the "Street and Traffic Bylaw, 1991, No. 6234", which is:

Continued....

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

***23. Encouragement to Purchase Skateboard Helmets - File: 3030-01
- Continued**

“No person shall propel, coast, ride or in any other way use roller skates or a skateboard on any street, including the roadway, lane and sidewalk, public open space, plaza, other City properties or skateboard park unless that person is properly wearing a helmet on his or her head, except if that person is a person for whom the wearing of a helmet would interfere with an essential religious practice”;

ON THE PROVISIO THAT a proof of purchase of a helmet is provided within 14 days of the issuance of the ticket.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

BYLAWS - Reconsideration and Final Adoption - Continued

**3. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7604”
(Davoud Amiri-bostanabad, Masumeh Hedayati, 558 West 28th Street,
CD-473)**

Moved by Councillor Mussatto, seconded by Councillor Clark that

“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7604”
(Davoud Amiri-bostanabad, Masumeh Hedayati, 558 West 28th Street,
CD-473)

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT the said Bylaw No. 7604 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

CONFIDENTIAL REPORTS

Moved by Councillor Clark, seconded by Councillor Mussatto

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:

4. Section 90 (1) (c)

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 6:44 p.m., with the same personnel present and with the addition of *Councillor Fearnley.

REPORT OF COMMITTEE OF THE WHOLE

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

4. **Block 62 Development – Report of Parking Implications**
File: 1800-06/1085-03-P1

Report: Director of Human Resources, July 14, 2004

PURSUANT to the report of the Director of Human Resources, dated July 14, 2004, entitled “Block 62 Development - Report of Parking Implications”:

THAT Council consider User Pay Parking in Block 62;

AND THAT the Canadian Union of Public Employees, Local 389, the North Vancouver Managerial Association and the International Association of Firefighters, Local 296, be invited to appear as a delegation to Council to speak to the issue, before any decision is made;

AND THAT staff be requested to develop interim measures to replace some or all of the 120 surface parking spaces lost during the period of construction in Block 62, on the understanding the parking secured for staff for interim use, will be provided on a cost recovery basis;

Continued....

REPORT OF COMMITTEE OF THE WHOLE - Continued

4. Block 62 Development - Report of Parking Implications File: 1800-06/1085-03-P1 - Continued

AND THAT Canadian Union of Public Employees, Local 389, the North Vancouver Managerial Association and the International Association of Firefighters, Local 296, be provided with a copy of the July 14, 2004 report.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Perrault
Councillor Heywood
Councillor Clark
Mayor Sharp

Voting against: Councillor Mussatto

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

PROCLAMATIONS

Nil.

COUNCIL REPORT - File: 1085-01

Councillor Perrault:

- Advised that on June 30, 2004 she chaired the North Vancouver Street Naming Committee and discussions ensued regarding the naming of the park at 23rd and Lonsdale and the Committee decided not to name this park until the Harry Jerome Complex re-development has taken place.
- Attended a meeting of the Joint Use Committee on July 6, 2004 and received a presentation from the Deputy City Engineer.
- On July 7, 2004 participated in a tour of the University of British Columbia endowment lands and received ideas regarding row housing with contained suites, student residences and affordable housing.
- Attended the North Vancouver Recreation Commission Master Plan meeting and then the regular NVRC meeting on July 8, 2004.
- Attended the July 9, 2004 Greater Vancouver Regional District Communities Committee.
- Attended the Council meetings of July 5 and 12, 2004.

Continued....

COUNCIL REPORT - File: 1085-0 - Continued

Councillor Mussatto:

- Advised that the Mountain Bicycle Festival Conference is coming up this August dealing with the co-use of trails by mountain bikers and hikers and issues regarding parking in the areas at the beginning of the trails.
- Attended the Presentation House Photo Arts Gallery meeting earlier this evening and advised that the gallery is actively fundraising for a new building and at their last fundraiser they raised \$70,000 and hope to meet or beat this total this September.

DELEGATIONS

Kerry Kukucha, Manager, Real Estate Development, Pinnacle International

Re: The Pier Development - File: 3380-02-V3-01

Mr. Jay Wollenberg, Coriolis Consulting Corp, introduced Mr. Michael De Cotiis, Chief Executive Officer and Chairman and Mr. Kerry Kukucha, Manager, Real Estate Development, Pinnacle International, and gave an update on The Pier Development.

Mr. Wollenberg advised that he would like to see the Phase 1 amenities open as soon as possible but that the process has taken longer than the developer had intended.

Mr. Wollenberg advised that it has taken an enormous amount of work to deal with the designs and has involved Federal and Provincial Government agencies, the rail company and utility companies at the approvals process which has slowed the process down.

Mr. Wollenberg advised that the design of the Esplanade realignment is virtually approved.

Mr. Wollenberg advised that the developers believe they are 60 to 80 days from completion of the Phase 1 amenities.

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

CORRESPONDENCE - Continued

5. Kerry Kukucha, Manager, Real Estate Development, Pinnacle International, July 9, 2004

Re: The Pier Development - File: 3380-02-V3-01

Moved by Councillor Perrault, seconded by Councillor Clark

THAT the correspondence dated July 9, 2004 received from Mr. Kerry Kukucha, Manager, Real Estate Development, Pinnacle International, regarding "The Pier Development" be received;

AND THAT staff be requested to provide a brief report on the comments made during "The Pier" delegation this evening.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:35 p.m., and reconvened at 7:37 p.m., with the same personnel present.

DELEGATIONS - Continued

Janice Porter, The Kidney Foundation of Canada

Re: Kars for Kidneys - File: 1670-03-01

Ms. Janice Porter, The Kidney Foundation of Canada, gave a PowerPoint Presentation regarding their request for Council support for the "Kars for Kidneys Rally on September 25, 2004", as follows:

- Overview
- Early Diagnosis of Kidney Disease
- Raise Public Awareness
- How you can help:
 - Community Participation
 - Fund Raising
 - Register as an Organ Donor at www.transplant.bc.ca
 - Join the Kars for Kidneys Rally on Saturday, September 25, 2004 and register at www.karsforkidneys.com

Continued....

DELEGATIONS - Continued

Re: Kars for Kidneys - File: 1670-03-01 - Continued

- Set a Challenge for the District of North Vancouver and District of West Vancouver.

Ms. Porter then responded to questions from members of Council.

CORRESPONDENCE - Continued

6. Janice Porter, The Kidney Foundation of Canada, July 14, 2004

Re: Kars for Kidneys - File: 1670-03-01

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the correspondence dated July 14, 2004 received from Ms. Janice Porter, The Kidney Foundation of Canada, regarding “Kars for Kidneys”:

THAT Ms. Janice Porter be thanked for her presentation this evening;

AND THAT City Council and City staff put together a team to take up the “Kars for Kidneys” challenge;

AND THAT the District of North Vancouver and the District of West Vancouver be challenged to also put together teams.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:51 p.m., and reconvened at 9:40 p.m., with the same personnel present and with the exception of Councillor Heywood.

BYLAWS - Second and Third Readings

7. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7631”
(Brook Development Planning Inc./Besharat Friars Architects, 612
Chesterfield & 645 West Victoria Park, CD-482)**

Moved by Councillor Perrault, seconded by Councillor Clark

THAT Bylaw No. 7631 be read a second time in short form.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Perrault
Councillor Fearnley
Mayor Sharp

Voting against: Councillor Clark

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

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the said Bylaw No. 7631 be read a third time in short form and
passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Perrault, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:12 p.m., and reconvened at 10:28 p.m., with the
same personnel present and with the addition of Councillor Heywood.

Moved by Councillor Mussatto, seconded by Councillor Clark

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

Moved by Councillor Heywood, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:29 p.m., and reconvened at 10:53 p.m., with the same personnel present.

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue until all the Public Hearings scheduled for this evening have been concluded.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Heywood

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:54 p.m., and reconvened at 11:01 p.m., with the same personnel present.

BYLAWS - Second and Third Readings - Continued

8. **“City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2004, No. 7633” (Pinnacle International, Pier Development/ Parcel 3/ 158 East Esplanade)**

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT Bylaw No. 7633 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the said Bylaw No. 7633 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 11:09 p.m., and reconvened at 12:02 a.m., July 20, 2004 with the same personnel present.

BYLAWS - Second and Third Readings - Continued

9. **“Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7606”
(Jennifer Bennett/N.J. Keate Home Design, 522 East 12th Street,
CD-475)**

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT Bylaw No. 7606 be read a second time in short form.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Clark
Councillor Fearnley
Mayor Sharp

Voting against: Councillor Perrault
Councillor Heywood

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

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT the said Bylaw No. 7606 be read a third time in short form and passed subject to reconsideration.

CARRIED

Moved by Councillor Fearnley, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

The meeting recessed at 12:18 a.m., July 20, 2004 and reconvened at 1:01 a.m., July 20, 2004 with the same personnel present.

BYLAWS - Second and Third Readings - Continued

10. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7625”
(R. Mitchell/T.K. Designs, 231 West 18th Street, CD-479)

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the rezoning application for 231 West 18th Street (R. Mitchell/T.K. Designs) be **rejected**.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Heywood
Councillor Clark
Councillor Fearnley
Mayor Sharp

Voting against: Councillor Mussatto

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

Moved by Councillor Heywood, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 1:07 a.m., July 20, 2004 and reconvened at 1:19 a.m., July 20, 2004 with the same personnel present.

BYLAWS - Second and Third Readings - Continued

11. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7630”
(Brent Developments Ltd./R.E.L. Design, 339 West 14th Street, CD-481)

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT Bylaw No. 7630 be read a second time in short form.

Continued....

BYLAWS - Second and Third Readings - Continued

A recorded vote was taken on the motion.

Voting in favour: Councillor Clark
 Councillor Mussatto
 Councillor Perrault
 Mayor Sharp

Voting against: Councillor Heywood
 Councillor Fearnley

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

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the said Bylaw No. 7630 be read a third time in short form and passed subject to reconsideration.

CARRIED

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 1:22 a.m., July 20, 2004 and reconvened at 1:25 a.m., July 20, 2004 with the same personnel present.

BYLAWS - Second and Third Readings - Continued

12. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7629" (City of North Vancouver/Liquor Store Size Limitation)

Mayor Sharp recessed the meeting at 1:26 a.m.

The meeting recessed at 1:26 a.m., July 20, 2004, and reconvened at 1:29 a.m., July 20, 2004 with the same personnel present.

(A resolution was unanimously endorsed in the Public Hearing regarding Bylaw No. 7629 to reconvene the Public Hearing to Monday, September 27, 2004 in the Council Chamber, City Hall, 141 West 14th Street, North Vancouver, BC., at 7:30 p.m.)

ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 1:30 a.m., Tuesday, July 20, 2004.