

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

PRESENT:

COUNCIL MEMBERS

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

ABSENT

Councillor R.C. Clark

STAFF MEMBERS

A.K. Tollstam, City Manager B.A. Hawkshaw, City Clerk J.M. Rowe, Assistant City Clerk B. Susak, Deputy City Engineer T. Christie, Director of Finance

S. Ono, City Engineer

D. Turner, Parks Superintendent

D. Pope, Manager, Environment and Parks

D. Hutch, Landscape Architect

R.H. White, City Planner

F.A. Smith, Director, Community Development

P. Penner, Planner

D. Sigston, Manager, Lands Deputy Fire Chief B. Penman Lt. S. Miller, Fire Prevention G. Penway, Assistant City Planner

Fire Chief R. Douglas

I Gordon, Deputy Director of Finance M Hunter, Environmental Coordinator

Assistant Chief D. Burgess, Fire Prevention F Caouette, Director, Corporate Services D. Purdie, Lower Lonsdale Project Manager

A Mairs, Transportation Planner

The meeting was called to order at 6:03 p.m.

ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Fearnley

THAT the following Minutes be adopted as circulated:

- 1. Special Council Meeting Minutes, November 29, 2004.
- 2. In Camera Committee of the Whole Meeting Minutes, November 29, 2004.

CONSENT AGENDA ITEMS

{Items *4, *5, *12, *13, *14, *15, *16, *17, *18, *19, *20, *21 and *22}

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT the resolutions listed within the "Consent Agenda" of December 6, 2004 be approved with the exception of items *4 and *18 as follows:

CONFIDENTIAL REPORTS

*5. Advisory Committee on Disability Issues (ACDI) - Recommended Appointments and Reappointment - File: 1085-03-N17-02

Report: Planner, Community Development, November 26, 2004

PURSUANT to the report of the Planner, dated November 26, 2004, entitled "Advisory Committee on Disability Issues (ACDI) – Recommended Appointments & Reappointment":

THAT Ms. Lisa Marie Ehrne and Ms. Janet Becker be appointed for terms on ACDI to expire on December 31, 2006;

AND THAT Ms. Lucy Goncalves be reappointed to ACDI for a term to expire on December 31, 2006.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *12. "New Concrete Curb & Gutter complete with Integrated Curb Bulges and Rain Gardens on both sides of East 26th Street between St. Andrew's and Ridgeway Avenues, Local Area Service Establishment Bylaw, 2004, No. 7651".
- *13. "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7655" (Schedule B2, B14, B15).
- *14. "Council Indemnity Bylaw, 2004, No. 7658" (Council Indemnity for the year 2005).
- *15. "Council Expense Bylaw, 2003, No. 7487, Amendment Bylaw, 2004, No. 7660" (Blackberry).

THAT the said Bylaws Nos. 7651, 7655, 7658, and 7660, be reconsidered.

(CARRIED UNANIMOUSLY)

continued..

BYLAWS - Reconsideration and Final Adoption continued

THAT the said Bylaws Nos. 7651, 7655, 7658, and 7660, 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

*16. 2005 – 2014 10-Year Preliminary Capital Plan – File: 1645-06-02

Recommendation: Finance Committee, November 29, 2004

PURSUANT to the report of the Manager, Capital Planning, dated November 23, 2004 entitled "2005-2014 10-Year Preliminary Capital Plan":

THAT the 2005-2014 Preliminary Capital Plan for the City of North Vancouver be endorsed;

AND THAT resolutions or bylaws to appropriate funding for the projects included in the 2005 Capital Budget be brought forward by staff in a timely manner;

AND THAT staff report to Council with options for the broadening the terms of reference of the Lower Lonsdale Amenity Fund;

AND THAT staff report to Council with options for the funding level of the Lower Lonsdale Legacy Reserve.

(CARRIED UNANIMOUSLY)

*17. Request for Additional Fee Waivers for the Transitional Housing at 705 West 2nd Street - File: 4230-27-02

Report: Property Valuator - Negotiator, Community Development,

November 23, 2004.

PURSUANT to the report of the Property Valuator-Negotiator dated November 23, 2004, entitled "Request for Additional Fee Waivers for the Transitional Housing at 705 West 2nd Street":

THAT City Council approves the waiving of all City permits and fees associated with the transitional housing phase of this project;

AND THAT City development cost charges for the transitional housing phase of this project be waived pursuant to Section 933(12) of the Local Government Act.

*19. Fees and Charges Bylaw - File: 1660-02

Report: Revenue Accountant, November 24, 2004

PURSUANT to the report of the Revenue Accountant dated November 24, 2004, entitled "Fees and Charges Bylaw":

THAT the "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2004, No. 7662" (Schedule A), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

*20. "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2004, No. 7662" (Schedule A).

THAT Bylaw No. 7662 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7662 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7662 be read a third time in short form and passed subject to reconsideration.

*21. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2004, No. 7663" (On-Street Disability Parking) and Public Access Zone Policy - File: 3020-03-02

Report: Assistant City Engineer, Transportation, November 30, 2004

PURSUANT to the report of the Assistant City Engineer, Transportation, dated November 30, 2004, entitled, "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2004, No. 7663" (On-Street Disability Parking) and Public Access Zone Policy".

THAT the Bylaw known as "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2004, No. 7663" (On-Street Disability Parking), be considered:

AND THAT the new Public Access Zone Policy provided in Attachment 2 of the November 30, 2004, report be endorsed.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings continued

*22. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2004, No. 7663" (On-Street Disability Parking).

THAT Bylaw No. 7663 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7663 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7663 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

PRESENTATION

Re: British Columbia Landscape & Nursery Association (BCLNA) Environmental Stewardship Award - File: 4000-01

Attendees: Shaugn Schwartz, Regional Director, Western Canada, Evergreen

Eva Antonijevic, Stewardship Coordinator, Mahon Park

Paulus Vrijmoed, Linnaea Nurseries

Bruce Peel, Peel's Nurseries

Mr. Doug Pope, Manager, Environment and Parks advised that the City of North Vancouver along with their stewardship partner Evergreen has received the "2004 Award of Excellence" for demonstrating outstanding environmental stewardship in the "Mahon Park Rehabilitation Project". Mr. Pope then called on Mr. Paulus Vrijmoed to make the award presentations on behalf of the B.C. Landscape & Nursery Association.

Mr. Paulus Vrijmoed advised that the award is to recognize organizations or individuals who have improved the environment. Mr. Vrijmoed outlined two of the criteria, that had been fully met, and was particularly important in the City of North Vancouver and Evergreen receiving the awards, as follows;

- 1. improvement in environmental conditions such as air, water and soil quality, thereby creating a healthier living environment for all; and
- 2. the educational value to people in their community leading to a greater understanding and appreciation of the environment.

Mr. Vrijmoed presented the B.C. Landscape & Nursery Association "2004 Award of Excellence" and a cheque for \$250.00 to Mayor Sharp and Councillor Perrault, and Mr. Shaun Schwartz, Regional Director, Western Canada, Evergreen

Mr. Vrijmoed also presented Ms. Eva Antonijevic, Stewardship Coordinator, Mahon Park and Mr. Doug Pope, Manager, Environment and Parks with an award to Evergreen.

Mayor Sharp thanked Mr. Vrijmoed for the award and advised it was very much appreciated for the volunteers who have done a lot of work in the community.

^{*}Councillor Keating entered the meeting at 6:11 p.m.

PRESENTATION

Re: Artists For Kids Trust - File: 1035-03 / 3365-20-01

Mr. Bill MacDonald, Managing Director, Artists for Kids Trust, acknowledged the North Vancouver City Fire & Rescue Department as one of the partners in the community. Mr. MacDonald advised that the latest artist patron is Ross Penhall, a West Vancouver Firefighter, who is a great community supporter and that Mr. Penhall's contribution of this print helped raise \$118,000 for our programs.

Mr. MacDonald then presented a framed Ross Penhall painting to Fire Chief Reid Douglas, Deputy Chief Barrie Penman, Assistant Chief Dave Burgess and Lieutenant Sandy Miller, North Vancouver City Fire & Rescue Department, as a gesture of sincere thanks for their support and assistance in recognizing the generous contribution to the School District No. 44 (North Vancouver) from firefighter/artist Ross Penhall and to recognize how North Shore Firefighters give so much to the community in both their professional and personal lives.

DELEGATIONS

Tom Phipps, Resident, North Vancouver

Re: The Sustainable Bear - File: 4000-01

Mr. Tom Phipps advised that he was representing residents in the 400 block of East 17 and 18th Streets, North Vancouver. Mr. Phipps thanked the people who put up the bear sighting signs in the area but advised that sighting is different than having two bears living on your block for a month or two. Mr. Phipps advised that when residents called the City they felt that the response was that we didn't really have a bear problem in the City. Mr. Phipps referenced the report of the Environmental Coordinator, dated November 30, 2004 which suggests fining people for leaving garbage or fruit available but feels this should be used as a last resort.

Mr. Phipps advised that constituents would appreciate Council support in communicating to Provincial authorities the need to pursue removal of bears through a humane and coordinated process, which could include placement of a trap through block watches as well as notification to residents. Also, distributing pamphlets with generic advice, at tax time, could be helpful but a reminder in July of some more direct nature would probably be more effective. Mr. Phipps advised that residents would appreciate if staff could provide assistance to work with residents to arrive at a solution.

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

CORRESPONDENCE

3. Tom Phipps, Resident, North Vancouver, October 8, 2004.

Re: The Sustainable Bear - File: 4000-01

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the correspondence received from Mr. Tom Phipps, dated October 8, 2004 regarding "The Sustainable Bear":

THAT staff be requested to report back on a process detailing communication and education initiatives with regard to Black Bears in neighbourhoods.

CARRIED UNANIMOUSLY

CONFIDENTIAL REPORTS continued

Moved by Councillor Heywood, seconded by Councillor Keating

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

4. Section 90 (1) (f)

CARRIED UNANIMOUSLY

The meeting recessed at 6:33 p.m. and reconvened at 7:12 p.m. with the same personnel present and with the addition of *Councillor D. R. Mussatto

REPORT OF COMMITTEE OF THE WHOLE

4. Enforcement Issue - File: 3345-02 Ridgeway 1309

Report: Director, Community Development, November 29, 2004

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

PURSUANT to the report of the Director of Community Development, dated November 29, 2004, entitled "Enforcement Issue":

THAT staff be requested to proceed with enforcement, including an Injunction from the Supreme Court of British Columbia, ordering the removal of the illegal suite that exists in the lower level of the principal building at 1309 Ridgeway Avenue;

continued..

REPORT OF COMMITTEE OF THE WHOLE continued

4. Enforcement Issue - File: 3345-02 Ridgeway 1309 continued

AND THAT staff be further requested not to process an application to rezone the property to provide for one Accessory Secondary Suite until such time that the removal of the illegal suite has been completed to the satisfaction of the City and until guidelines for the development of coach houses have been established;

AND THAT the report of the Director, Community Development, dated November 29, 2004, entitled "Enforcement Issue", remain In Camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Nil.

CORRESPONDENCE continued

6. Councillor John E. Clark, District of West Vancouver, Chair, Canada Day Committee, November 29, 2004

Re: 2005 Canada Day Fireworks - File: 4455-03-C3

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the correspondence received from Councillor John E. Clark, District of West Vancouver, Chair, Canada Day Committee, dated November 29, 2004, entitled "2005 Canada Day Fireworks":

THAT the City of North Vancouver consider supporting a Canada Fireworks event and that a committee be set up with the District of North Vancouver and the District of West Vancouver;

AND THAT a copy of the resolution be forwarded to the District of North Vancouver and the District of West Vancouver.

BYLAWS - Introduction and First Three Readings continued

7. "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2004, No. 7659" (2005 Early Approvals Capital Program - Property Costs & Street Repairs).

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Bylaw No. 7659 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 Mussatto, seconded by Councillor Keating

THAT the said Bylaw No. 7659 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the said Bylaw No. 7659 be read a third time in short form and passed subject to reconsideration.

8. 2005 Early Approvals Capital Program Funding Appropriations # 0402 to # 0408 - File: 1645-06-02

Report: Manager, Capital Planning, November 24, 2004.

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the Manager, Capital Planning, dated November 24, 2004, entitled "2005 Early Approvals Capital Program - Funding Appropriations # 0402 to # 0408":

THAT (Funding Appropriation # 0402) an amount of \$1,212,000 be appropriated from the Tax Sale Land Reserve Fund for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0403) an amount of \$389,400 be appropriated from the General Building Reserve Fund for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0404) an amount of \$11,000 be appropriated from the Infrastructure Reserve Fund for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0405) an amount of \$551,116 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for Computer Equipment for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0406) an amount of \$111,000 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for General Equipment for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0407) an amount of \$55,000 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for Fire Equipment for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT (Funding Appropriation # 0408) an amount of \$171,000 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for Engineering Equipment for the purpose of funding the 2005 Early Approval Capital Program;

AND THAT should any of the above amounts remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT items 10, 11, 18, and 23 on the agenda this evening be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF continued

10. Formation of a North Shore Wide Transportation Advisory Committee - File: 4100-01

Report: Mayor Barbara A. Sharp, November 19, 2004

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT consideration of item 10 be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

11. Lower Lonsdale Project Manager's Report - File: 3390-02-L2-02/ 3345-02 01E 112-132

Report: Lower Lonsdale Project Manager on behalf of the Lower

Lonsdale Team, November 8, 2004

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Lower Lonsdale Project Manager, on behalf of the Lower Lonsdale Team, dated November 8, 2004, entitled "Lower Lonsdale Project Manager's Report":

THAT staff be directed to finalize its work for the Lower Lonsdale (East) Planning Study with two clear options for the development of Sites 10, 11 and 12;

AND THAT staff pursue streetscape design options on 100 and 200 Blocks of East 1st and 2nd Streets assuming the two-way traffic concept;

AND THAT the \$300,000 in funding for additional marketing costs for Lower Lonsdale Lands approved in the 2004 - 2013 Financial Plan be appropriated from the Tax Sale Lands Reserve Fund, on condition that if any of these funds remaining unexpended after three years from this date be returned to the said Reserve Fund.

continued..

11. Lower Lonsdale Project Manager's Report - File: 3390-02-L2-02/ 3345-02 01E 112-132 continued

Moved by Councillor Heywood, seconded by Councillor Fearnley that the motion be amended by deleting the following paragraph:

AND THAT staff pursue streetscape design options on 100 and 200 Blocks of East 1st and 2nd Streets assuming the two-way traffic concept;

A recorded vote was taken on the amendment to the motion.

Voting in favour: Councillor Fearnley

Councillor Perrault Councillor Heywood

Voting against: Councillor Mussatto

Councillor Keating Mayor Sharp

The amendment to the motion was **<u>DEFEATED</u>** by a vote of three to three.

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT consideration of Item 11 be deferred until all members of Council are present.

18. Pier Development Site Feature Naming - File: 3400-05

Report: Assistant City Planner, Community Development,

November 26, 2004

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the report of the Assistant City Planner dated November 26, 2004, entitled "Pier Development Site Feature Naming":

THAT the Street Naming Committee recommendations for the naming of site Features at the Pier Development be approved, with the exception that the name Mould Loft Plaza be substituted with Plate Shop Portal.

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the motion be amended to delete the following:

"with the exception that the name Mould Loft Plaza be substituted with Plate Shop Portal".

DEFEATED

A recorded vote was taken on the original motion.

Voting in favour: Councillor Mussatto

Councillor Keating Councillor Perrault Councillor Heywood

Mayor Sharp

Voting against: Councillor Fearnley

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

23. One & Two Unit Dwellings: Basement/Cellar Gross Floor Area Definitions - File: 3410-01

Report: Assistant City Planner, Community Development,

November 24, 2004

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Assistant City Planner dated November 24, 2004, entitled "One and Two Unit Dwellings: Basement/Cellar Gross Floor Area Definitions":

THAT Planning staff be requested to prepare a Zoning Amendment Bylaw for Council's consideration for the definition of Gross Floor Area-One Unit Residential as follows:

Option 1C: Gross Floor Area exclusions for basements and cellars in one-unit dwellings with the amount of exclusion proportionate to the extent to which the floor is below average finished grade;

AND THAT staff report back with a recommended option for the exclusion of basements and/or cellars for duplexes following a decision by Council on whether secondary suites will be allowed in duplexes.

A vote upon on the recommendations was taken separately, as follows:

PURSUANT to the report of the Assistant City Planner dated November 24, 2004, entitled "One and Two Unit Dwellings: Basement/Cellar Gross Floor Area Definitions":

THAT Planning staff be requested to prepare a Zoning Amendment Bylaw for Council's consideration for the definition of Gross Floor Area-One Unit Residential as follows:

Option 1C: Gross Floor Area exclusions for basements and cellars in one-unit dwellings with the amount of exclusion proportionate to the extent to which the floor is below average finished grade;

CARRIED UNANIMOUSLY

AND THAT staff report back with a recommended option for the exclusion of basements and/or cellars for duplexes following a decision by Council on whether secondary suites will be allowed in duplexes.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

PRESENTATION

David Reid, Lanarc Consultants

Re: Street Tree Master Plan - File: 4310-08

Mr. Doug Pope, Manager, Environment and Parks advised that the presentation tonight would be on the 2nd Phase of the City's Urban Forest Master Plan, which is the Street Tree Master Plan. Mr. Pope acknowledged the hard work of the staff group that has worked on the Plan and that many are here tonight to help answer any questions. Mr. Pope introduced Mr. David Reid, Principal of Lanarc Consultants Ltd.

Mr. Reid gave a PowerPoint presentation of the Street Tree Master Plan, as follows:

- Why a Street Tree Program
- Benefit: Cost of City of North Vancouver Street Trees
- Street Tree Public Process
- Risks to the Street Tree System
- Program Comparison Among Municipalities
- Overall Goal
- Guiding Principles

Mr. Reid, Mr. Pope and Mr. Dave Hutch, Landscape Architect then responded to questions from members of Council.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF continued

9. Street Tree Master Plan - File: 4310-08

Report: Manager, Environment and Parks, November 26, 2004

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT due to the significant cost increases facing the City in 2005, the report from the Manager, Environment and Parks, dated November 26, 2004, entitled "Street Tree Master Plan" be referred to the Directors' Team to provide Council, early in 2005, with options prior to considering the endorsement of the Street Tree Master Plan, in principle.

24. New Proposed Development - 980 Marine Drive

- File: 3380-02 Marine Drive 980

Report: Planner, Community Development, November 10, 2004

Moved by Councillor Keating, seconded by Councillor Perrault

PURSUANT to the report of the Planner dated November 10, 2004, entitled "New Proposed Development - 980 Marine Drive":

THAT Georgia Laine Developments/Burrowes Huggins Architects be advised to submit a development application for redevelopment on the proposed site at no more than 2.0 FSR, Option No. 3, of the November 10, 2004 report;

AND THAT the applicant give special consideration to including architectural features and that consideration be given to the incorporation of the Adaptable Design Guidelines Levels 1,2,3, exploring a green building and/or public art that lend prominence to the site as a gateway to the City of North Vancouver.

CARRIED UNANIMOUSLY

Recess - Public Question Period

Mayor Sharp declared a recess at 9:21p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

<u>ADJOURNMENT</u>

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:22 p.m.