



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, FEBRUARY 28, 2005**
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 C.R. Keating
Councillor D.R. Mussatto
Councillor B.W. Perrault

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
S. Ono, City Engineer
F. Caouette, Director, Corporate Services
B. Susak, Deputy City Engineer
I. Gordon, Deputy Director of Finance
R.H. White, City Planner
T. Christie, Director of Finance
G. Penway, Assistant City Planner
F.A. Smith, Director, Community Development
D. Sigston, Manager, Lands, Community Dev.
R. Utendale, Policy Analyst, Community Dev.

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded Councillor Mussatto

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, February 21, 2005.
2. In Camera Committee of the Whole Meeting Minutes, February 21, 2005.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded Councillor Mussatto

THAT "Any Other Business – New Items" on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

ANY OTHER BUSINESS – NEW ITEMS

Moved by Councillor Heywood, seconded Councillor Clark

THAT a new item regarding “The Revealing of In Camera Information” be added to the agenda this evening, in camera.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
 Councillor Mussatto
 Councillor Keating
 Councillor Perrault
 Councillor Heywood
 Councillor Clark

Voting against: Mayor Sharp

The motion was **DEFEATED** by a vote of one to six, as it required unanimous approval to add it to the agenda.

PUBLIC INPUT PERIOD - File: 1090-21

Ms. Bookham spoke regarding item 8 “Petition Regarding the Parking Restriction Changes on 100 Block West 17th Street” and item 10 “Single Family Neighbourhood Protection” on the agenda.

CONSENT AGENDA ITEMS

{Items *14, *15, *16, *17, *18, *19, *20, *21, *22, *23, *24, *25, *26, *27, *28, *29, *30 and *31}

Moved by Councillor Clark, seconded Councillor Mussatto

THAT items 12 and 13 be deleted from the agenda;

AND THAT the resolutions listed within the “Consent Agenda” of February 28, 2005, with the exception of items *30 and *31, be approved, as follows:

BYLAWS - Reconsideration and Final Adoption

- *14. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7654" (Rezoning Application to allow Fariborz Safaei Tehrani / Homeyra Jokar Deris, 320/322/324 West 13th Street, Text Amendment to CD-46).
- *15. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7673" (A2M Developments Corp. / Charles Moorhead Architect, 225 East 17th Street, CD-488).
- *16. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7674" (AMS Design and Project Management Co., 1605 Mahon Avenue, CD-489).

THAT the said Bylaws Nos. 7654, 7673 and 7674, be reconsidered.

THAT the said Bylaws Nos. 7654, 7673 and 7674, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

CORRESPONDENCE

- *17. **The Canadian District Energy Association and The Canadian Urban Institute, February 21, 2005.**

Re: The Canadian District Energy Association's 10th Annual Conference & Exhibition, "Powering-Up for an Urban Future, *"District Energy, Kyoto & Canadian Communities"*, May 17-19, 2005, Ottawa, Ontario
- File: 1840-02-01

Requested by Councillor R. J. Fearnley

PURSUANT to the correspondence received February 21, 2005, from The Canadian District Energy Association regarding "The Canadian District Energy Association's 10th Annual Conference & Exhibition, "Powering-Up for an Urban Future, *"District Energy, Kyoto & Canadian Communities"*:"

THAT Council members be authorized to attend The Canadian District Energy Association's 10th Annual Conference & Exhibition, "Powering-Up for an Urban Future, *"District Energy, Kyoto & Canadian Communities"* to be held in Ottawa, Ontario, from May 17 - 19, 2005;

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

AND THAT the funds be provided from the 2005 Legislative Conventions and Delegations Account.

(CARRIED UNANIMOUSLY)

- *18. Tina Kelly, Executive Director, The Coastal Community Network, The Voice of BC's Coastal Communities, February 23, 2005.**

Re: 11th Annual Conference of Coastal Communities, "Communities at Risk: Focusing on our Future" - File: 1840-02-01

PURSUANT to the correspondence received February 23, 2005, from Tina Kelly, Executive Director, The Coastal Community Network, The Voice of BC's Coastal Communities:

THAT Council members be authorized to attend the 11th Annual Conference of Coast Communities, "Communities at Risk: Focusing on our Future", to be held at the Best Western Richmond Hotel & Convention Centre, Richmond, B.C., March 11 & 12, 2005;

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

AND THAT the funds be provided from the 2005 Legislative Conventions and Delegations Account.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *19. 2005 Parcel Tax Roll Review - File: 1625-03-02**

Report: City Clerk, February 23, 2005.

PURSUANT to the report of the City Clerk, dated February 23, 2005, entitled "2005 Parcel Tax Roll Review":

THAT pursuant to Section 204(2) of the Community Charter, the sitting of the 2005 Parcel Tax Roll Review Panel for the Parcel Tax Roll be held in the Council Chamber, City Hall, on Monday, April 11, 2005, at 7:00 p.m.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***20. Natural Drainage Course Restoration - Giant Hogweed Removal Project - File: 4300-19**

Report: Parks Superintendent, Engineering, February 22, 2005.

PURSUANT to the report of the Parks Superintendent dated February 22, 2005, entitled "Natural Drainage Course Restoration - Giant Hogweed Removal Project":

THAT the Storm Capital projects for Esplanade from Lonsdale to St. Andrew's, Moody and Ridgeway flume reconstruction and St. Andrew's outfall improvements which were to be funded from unallocated Storm Capital Account 55001, be cancelled;

AND THAT the Natural Drainage Course Restoration - Giant Hogweed Removal project cost of \$56,400 be funded from the Unallocated Storm Account 55001;

AND THAT the balance of the funds from Unallocated Storm Account 55001 be returned to the Sewerage and Drainage Utility funding source.

(CARRIED UNANIMOUSLY)

***21. Street and Traffic Bylaw and Bylaw Forum Bylaw Amendments - File: 3020-01**

Report: Director, Corporate Services, February 22, 2005.

PURSUANT to the report of the Director, Corporate Services, dated February 22, 2005, entitled "Street and Traffic Bylaw and Bylaw Forum Bylaw Amendments":

THAT "Bylaw Notice Enforcement Bylaw, 2005, No. 7675" (North Shore Bylaw Notice Dispute Adjudication Registry), be considered;

AND THAT "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7676" (Removal of Schedule A: Schedule of Penalties), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *22. "Bylaw Notice Enforcement Bylaw, 2005, No. 7675" (North Shore Bylaw Notice Dispute Adjudication Registry).
- *23. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7676" (Removal of Schedule A: Schedule of Penalties).

THAT Bylaws Nos. 7675 and 7676 be read a first time in short form, copies of same having been distributed to Council members and read by them.

THAT the said Bylaws Nos. 7675 and 7676 be read a second time in short form.

THAT the said Bylaws Nos. 7675 and 7676 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *24. **Rezoning Application: 1640 St. George's Avenue & 209 East 17th Street (Brent Developments Ltd./Integra Architecture, CD-490)
- File: 3345-02 St. George's 1640 / 17 E 209**

Report: Development Planner, Community Development,
February 23, 2005.

PURSUANT to the report of the Development Planner, dated February 23, 2005, entitled "Rezoning Application: 1640 St. George's Avenue & 209 East 17th Street (Brent Developments Ltd./Integra Architecture, CD-490)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment bylaw, 2005, No. 7678" (Brent Developments Ltd./Integra Architecture, 1640 St. George's Avenue/209 East 17th Street, CD-490), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *25. "Zoning Bylaw, 1995, No. 6700, Amendment bylaw, 2005, No. 7678" (Brent Developments Ltd./Integra Architecture, 1640 St. George's Avenue/209 East 17th Street, CD-490).

THAT Bylaw No. 7678 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *26. **Rezoning Application: 221 East 17th Street (Bill McLean/ Kent Halex Architect, CD-492) - File: 3345-02 17E 221**

Report: Development Planner, Community Development,
February 23, 2005.

PURSUANT to the report of the Development Planner, dated February 23, 2005, entitled "Rezoning Application: 221 East 17th Street (Bill McLean/ Kent Halex Architect, CD-492)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7681" (William McLean / Kent G. Halex Architect, 221 East 17th Street, CD-492), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *27. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7681" (William McLean / Kent G. Halex Architect, 221 East 17th Street, CD-492).

THAT Bylaw No. 7681 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***28. Rezoning Application: 333 West 14th Street, CD-493 (Noort Holdings Ltd./Kenneth E. King Architecture & Planning) - File: 3345-02 14 W 333**

Report: Development Planner, Community Development,
February 23, 2005.

PURSUANT to the report of the Development Planner, dated February 23, 2005, entitled "Rezoning Application: 333 West 14th Street, CD-493 (Noort Holdings Ltd./Kenneth E. King Architecture & Planning)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7682" (Noort Holdings Ltd./Kenneth E. King Architecture & Planning, 333 West 14th Street, CD-493), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

***29.** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7682" (Noort Holdings Ltd./Kenneth E. King Architecture & Planning, 333 West 14th Street, CD-493).

THAT Bylaw No. 7682 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded Councillor Mussatto

THAT the Council recess to the Committee of the Whole in camera, to consider the items as listed under the Committee of the Whole Section of the Council Agenda, for the following reasons respectively for each item:

3. Section 90 (1) (c)
4. Section 90 (1) (j) (k)

CARRIED UNANIMOUSLY

The meeting recessed at 6:07 p.m. and reconvened at 7:49 p.m. with the same personnel present.

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

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

3. Council Indemnity Review - File: 1090-06

Report: Director, Human Resources, February 23, 2005.

THAT the action taken by the Committee of the Whole in camera regarding "Council Indemnity Review" be ratified, and the wording of the recommendation and the report of the Director, Human Resources, dated February 23, 2005, remain in camera.

(CARRIED UNANIMOUSLY)

4. Land Issue - File: 3380-02 V3-02

Verbal Update: Councillor R. J. Fearnley

THAT the action taken by the Committee of the Whole in camera regarding "Land Issue" be ratified, and the wording of the recommendation and the report of the City Manager, dated February 22, 2005, remain in camera.

CARRIED UNANIMOUSLY

DELEGATIONS

Ray Straatsma, Policy Director, Better Environmentally Sound Transportation (BEST) on behalf of the Livable Region Coalition (LRC).

Re: The Province's Proposal to Widen Highway No. 1 and to Twin the Port Mann Bridge - File: 1085-03-N20

Mr. Straatsma, Policy Director, Better Environmentally Sound Transportation and on behalf of the Livable Region Coalition, gave a PowerPoint presentation regarding the impacts of the Province's Proposal to widen Highway No. 1 and twin the Port Mann Bridge. He advised that this proposal was part of the larger Gateway Project. He questioned whether the proposal would have the desired result. He advised the proposal would actually result in: an increase to the number of vehicles and traffic congestion in the region; land speculation and sprawl into the Fraser Valley; less green space and farms; spill over traffic pressure on municipal infrastructure; and increased air pollution and higher emissions of greenhouse gases.

continued...

DELEGATIONS continued

Ray Straatsma, Policy Director, Better Environmentally Sound Transportation (BEST) on behalf of the Livable Region Coalition (LRC).

He cited the “Report on Public Health and Urban Sprawl in Ontario” by the Environmental Health Committee of the Ontario College of Family Physicians, and advised that growth in urban areas needs to be accomplished in ways that do not jeopardize human health and provides alternatives to the private automobile.

He referenced a number of alternatives that would be long-term, comprehensive and balanced, as well as affordable and effective that may actually reduce congestion. He provided the following examples of alternatives:

- Compact land-use
- Potential for new passenger rail
- Car and van pools / Co-op cars
- Better transit and transit ridership
- Demand Management
- HOV/HPV lanes for transit and goods movement
- Urban congestions pricing.

He proposed a series of questions for Kevin Falcon, Minister of Transportation regarding the Province’s proposal. He encouraged North Vancouver City Council to send a letter to Minister Falcon asking for responses to these questions.

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

Mayor Sharp thanked Mr. Straatsma for his presentation.

CORRESPONDENCE

5. Gordon Price and Ray Straatsma, Policy Director, Better Environmentally Sound Transportation (BEST) on behalf of the Livable Region Coalition (LRC), January 25, 2005.

Re: The Province’s Proposal to Widen Highway No. 1 and to Twin the Port Mann Bridge - File: 1085-03-N20

Moved by Councillor Keating, seconded Councillor Mussatto

PURSUANT to the correspondence dated January 25, 2005, received from Gordon Price and Ray Straatsma, Policy Director, Better Environmentally Sound Transportation (BEST), on behalf of the Livable Region Coalition, regarding “The Province’s Proposal to Widen Highway No. 1 and to Twin the Port Mann Bridge”:

continued...

5. **Gordon Price and Ray Straatsma, Policy Director, Better Environmentally Sound Transportation (BEST) on behalf of the Livable Region Coalition (LRC), January 25, 2005. *continued***

THAT City of North Vancouver write a letter to Premier Gordon Campbell and the Minister of Transportation, Kevin Falcon, requesting that a consultative process take place regarding the twinning of the Port Mann Bridge that involves municipalities;

AND THAT the consultative process provide definitive answers to the questions posed in the Greater Vancouver Regional District report regarding this matter;

AND THAT this resolution be forwarded to all Lower Mainland municipalities, TransLink, the Greater Vancouver Regional District and the North Shore MLA's.

CARRIED UNANIMOUSLY

DELEGATIONS

Marilyn Lenzen, Planning Committee Member, Northshore Super Cities Walk/Run for MS.

Re: Northshore Super Cities Walk/Run for MS - April 10, 2005 - File: 4455-01

Ms. Lenzen spoke about Multiple Sclerosis and the impacts of the disease on people living with MS and their families. She advised that this year's Northshore Super Cities Walk/Run for MS would be held on April 10, 2005, and encouraged everyone to participate and help support the event.

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

Mayor Sharp thanked Ms. Lenzen for her presentation.

CORRESPONDENCE

6. Marilyn Lenzen, Planning Committee Member, Northshore Super Cities Walk/Run for MS, February 8, 2005.

Re: Northshore Super Cities Walk/Run for MS - April 10, 2005
- File: 4455-01

Moved by Councillor Mussatto, seconded Councillor Keating

PURSUANT to the correspondence dated February 8, 2005, from Marilyn Lenzen, Planning Committee Member, Northshore Super Cities Walk/Run for MS, regarding "Northshore Super Cities Walk/Run for MS - April 10, 2005":

THAT the City of North Vancouver donate \$500 to the Northshore Super Cities Walk/Run for MS;

AND THAT the funding be taken from the General Contingency Account.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

7. North Shore Transportation Advisory Committee - Draft Terms of Reference - File: 1085-03-N20-01

Report: Assistant City Engineer, Transportation, February 22, 2005.

Moved by Councillor Keating, seconded Councillor Heywood

PURSUANT to the report of the Assistant City Engineer, Transportation, dated February 22, 2005, entitled "North Shore Transportation Advisory Committee - Draft Terms of Reference":

THAT a draft Terms of Reference for the North Shore Transportation Advisory Committee, Attachment No. 1 to the February 22, 2005 report, to be finalized by the Committee at the first meeting of the Committee, be endorsed;

AND THAT a budget of \$800 funded from the Council Contingency Fund be approved to cover the City's portion of the Committee's projected cost during 2005;

AND THAT Mayor Sharp as the North Shore Representative to the TransLink Board and Councillor Mussatto be appointed to the North Shore Transportation Advisory Committee.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

8. Petition Regarding the Parking Restriction Changes on 100 Block West 17th Street - File: 4120-02-01

Report: Assistant City Engineer, Transportation, February 23, 2005.

Moved by Councillor Perrault, seconded Councillor Clark

PURSUANT to the report of the Assistant City Engineer, Transportation, dated February 23, 2005, entitled "Petition Regarding the Parking Restriction Changes on 100 Block West 17th Street":

THAT the resolution of the Advisory Planning Commission to reinstate the two-hour parking limit that was in existence before the parking restriction changes be endorsed.

CARRIED UNANIMOUSLY

Councillor Keating briefly left and returned to the meeting at 8:45 p.m.

9. Density Bonusing Policy - Community and Committee Review - Proposed Next Steps - File: 3380-01

Report: City Planner, Community Development, February 16, 2005.

Moved by Councillor Clark, seconded Councillor Mussatto

PURSUANT to the report of the City Planner dated February 16, 2005, entitled "Density Bonusing Policy - Community and Committee Review - Proposed Next Steps":

THAT existing community planning policies and zoning regulations pertaining to density exemptions, density transfers and density bonusing be referred to a Policy Committee meeting of Council for reconsideration.

CARRIED UNANIMOUSLY

10. Single Family Neighbourhood Protection - File: 3300-01

Report: City Planner, Community Development, February 14, 2005.

Moved by Councillor Mussatto, seconded Councillor Clark

PURSUANT to the report of the City Planner dated February 14, 2005, entitled "Single Family Neighbourhood Protection":

THAT the subject report be received and filed.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

11. Secondary Cooking Facilities Policy - File: 3410-02-68 / 3310-01

Report: Policy Analyst, Community Development, February 10, 2005.

Moved by Councillor Mussatto, seconded Councillor Fearnley

PURSUANT to the report of the Policy Analyst dated February 10, 2005, entitled "Secondary Cooking Facilities Policy":

THAT the Secondary Cooking Facility Policy attached to the February 10, 2005, report be endorsed with section (h) removed from the list under the "Criteria" section of the policy.

DEFEATED

Moved by Councillor Clark, seconded Councillor Keating

PURSUANT to the report of the Policy Analyst dated February 10, 2005, entitled "Secondary Cooking Facilities Policy":

THAT the status quo be maintained in relation to Secondary Cooking facilities.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**30. Rezoning Application: 253 West 6th Street (P. Mikolajczak)
- File: 3345-02 6 W 253**

Report: Assistant City Planner, Community Development,
February 23, 2005.

Moved by Councillor Mussatto, seconded Councillor Perrault

PURSUANT to the report of the Assistant City Planner dated February 23, 2005, entitled "Rezoning Application: 253 West 6th Street (P. Mikolajczak)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7685" (P. Mikolajczak, 253 West 6th Street, CD-494 Duplex Conversion), be considered and referred to a Public Hearing;

AND THAT subject to the adoption of Bylaw No. 7685, that the stratification of the building into two dwelling units be approved.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

31. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7685" (P. Mikolajczak, 253 West 6th Street, CD-494 Duplex Conversion)

Moved by Councillor Mussatto, seconded Councillor Heywood

THAT Bylaw No. 7685 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

RECESS

Mayor Sharp declared a recess at 9:34 p.m., for the public question period and there being no questions reconvened the meeting immediately.

ADJOURNMENT

Moved by Councillor Heywood, seconded Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:34 p.m.