

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 11, 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 T. Christie, Director of Finance

I. Gordon, Deputy Director of Finance

F.A. Smith, Director, Community Development

S. Ono, City Engineer

G. Penway, Assistant City Planner

R.H. White, City Planner
D. Sigston, Manager, Lands
L. R. Orr, Community Planner
K. Russell, Development Planner

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

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Heywood

- 1. Special Council Meeting Minutes, April 4, 2005.
- 2. In Camera Committee of the Whole Meeting Minutes, April 4, 2005.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD

Mr. Ivan Leonard, 310-215 St. Andrews Avenue, spoke regarding "paint and grinding dust from shipyards" and "Iranian situation regarding Canadian journalist Zahra Kazemi".

CONSENT AGENDA ITEMS

{Items *21, *22, *23, *24, *25 and *26}

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the resolutions listed within the "Consent Agenda" of April 11, 2005 be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

*21. Waterfront Park Water Play Project Deferral - File: 4305-03-W2-01

Report: Landscape Architect, Parks and Environment, Public Art

Coordinator and Chair, Public Art Program Steering

Committee, March 15, 2005.

PURSUANT to the report of the Landscape Architect, Parks and Environment, Public Art Coordinator and Chair, Public Art Program Steering Committee, dated March 15, 2005, entitled "Waterfront Park Water Play Project Deferral":

THAT Waterfront Park, Tot Water Play Area Project be deferred to the proposed Waterfront Park Master Plan process, scheduled for the 2007 Capital year;

AND THAT public art funding under project number 59007 - Waterfront Tot Lot be transferred to the more timely Green Necklace Project which is currently under construction.

(CARRIED UNANIMOUSLY)

*22. Rezoning Application: 263 East 4th Street, (D. Salekin / JR Home Design Services, CD-495) - File: 3345-02 04E 263

Report: Development Planner, Community Development, April 5,

2005

PURSUANT to the report of the Development Planner dated April 5, 2005, entitled "Rezoning Application: 263 East 4th Street, (D. Salekin/JR Home Design Services, CD-495)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7688", (D. Salekin/JR Home Design Services, 263 East 4th Street, CD-495), be considered and be referred to a Public Hearing.

BYLAWS - Introduction and First Reading Only

*23. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7688", (D. Salekin/JR Home Design Services, 263 East 4th Street, CD-495).

THAT Bylaw No. 7688 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

*24. "Advisory Planning Commission Bylaw, 1990, No. 6138, Amendment Bylaw, 2005, No. 7671" (Terms of Reference, Attendance, Housekeeping).

THAT Bylaw No. 7671 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. 7671 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7671 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

*25. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7664" (Pinnacle International Group, 158 East Esplanade, The Pier Parcel 3, CD-393 Text Amendment).

THAT the said Bylaw No. 7664 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7664 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

MOTIONS AND NOTICES OF MOTION

*26. Pier Development: Parcel 3 - Zoning Amendment / Development
Permit Application (Pinnacle International / Howard Bingham Hill
Architects / Durante Kruek, 158 East Esplanade) - File: 3345-02 ESPL
E 158

THAT Development Permit No. 3 be issued to Pinnacle International / Howard Bingham Hill Architects / Durante Kruek, in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Permit No. 3, subject to the finalization of legal agreements to secure the expanded pedestrian right of way and public art contribution to the satisfaction of the Director of Community Development.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Heywood, seconded by Mayor Sharp

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) (i)
- 4. Section 90 (1) (b)
- 5. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m. and reconvened at 6:49 p.m. with the same personnel present and with the addition of *Councillor Mussatto.

REPORT OF THE COMMITTEE OF THE WHOLE

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

4. Donation Request in memory of Alderman Frank Morris - File: 1090-01

Report: Mayor Barbara A. Sharp, April 6, 2005.

PURSUANT to the report of Mayor Barbara A. Sharp, dated April 6, 2005, entitled "Donation Request in memory of Alderman Frank Morris":

THAT Council authorize a donation in the amount of \$1,000 to the British Columbia Branch of the Kidney Foundation of Canada in memory of Alderman Frank Morris;

AND THAT the funds be taken from the Council Individual Donation Account.

(CARRIED UNANIMOUSLY)

5. Appointment to the Social Planning Advisory Committee - File: 1085-03-S11-01

Report: City Clerk, April 6, 2005.

PURSUANT to the report of the City Clerk, dated April 6, 2005, entitled "Appointment to the Social Planning Advisory Committee":

THAT Ms. Sherry Ramezani be appointed for a partial term to conclude on January 31, 2006, to fill the vacancy left by the resignation of Ms. Crystal Mutter.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Sharp read the following Proclamations:

"ARMENIAN MEMORIAL DAY" - APRIL 24, 2005

"NATIONAL VOLUNTEER WEEK" - APRIL 17 - 23, 2005

"PITCH-IN CANADA WEEK" - APRIL 18 - 24, 2005

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT item 11, "AirCare On-Road Program (ACOR)", item 12, "Financial Plan for the Years 2005 to 2014 Bylaw, 2005, No. 7672", and item 13, "Tax Rates Bylaw, 2005, No. 7696," on the agenda, be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

CORRESPONDENCE

11. Charlene Imai, Meeting Coordinator, City Clerk's Department, City of Vancouver, March 30, 2005.

Re: AirCare On-Road Program (ACOR) - File: 1175-04-02

Requested by Mayor Barbara A. Sharp

Moved by Councillor Keating, seconded by Councillor Clark

PURSUANT to the correspondence from Charlene Imai, Meeting Coordinator, City Clerk's Department, City of Vancouver, dated March 30, 2005, regarding "AirCare On-Road Program (ACOR)":

WHEREAS moving the AirCare On-Road Program (ACOR) for heavy-duty vehicles from a voluntary to a mandatory compliance phase requires legislative action from the Provincial Government;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver urge the Provincial Government to act as quickly as possible to enact appropriate legislation to provide the AirCare On-Road Program (ACOR) with the ability to enforce compliance for heavy duty vehicles that fail to meet appropriate air emission standards with the Greater Vancouver area;

RESOLVED THAT a copy of the resolution be forwarded to the Premier of British Columbia, Gordon Campbell; the Minister of Transportation, Kevin Falcon; the Minister of Water, Land and Air Protection, Bill Barisoff, and North Shore MLA's; and

RESOLVED THAT copies of the resolution be forwarded to the TransLink Chair and Board of Directors, Greater Vancouver Regional District Chair and Board of Directors, and Mayor and Councillors of all Municipalities within the Greater Vancouver Transportation Authority.

BYLAWS - Reconsideration and Final Adoption

12. "Financial Plan for the Years 2005 to 2014 Bylaw, 2005, No. 7672".

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7672 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7672 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

13. "Tax Rates Bylaw, 2005, No. 7696".

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7696 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7696 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT item 19 on the agenda, "Mosquito Creek Bar and Grill – Change of Hours of Patron Participation Entertainment Endorsement", be brought forward for consideration at this time.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

19. Mosquito Creek Bar and Grill - Change of Hours of Patron Participation Entertainment Endorsement - File: 1195-11-L2-02-01 / 3345-02 Westview 2601

Report: Policy Analyst, Community Development, April 7, 2005.

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Policy Analyst dated April 7, 2005, entitled "Mosquito Creek Bar and Grill – Change of Hours of Patron Participation Entertainment Endorsement":

THAT City Council endorse Mosquito Creek Bar and Grill's (2601 Westview Drive) application for a temporary amendment to its Patron Participation Entertainment Endorsement (PPEE) to extend its current PPEE from 12:00 Midnight to 1:30 AM Monday through Saturday and to 12:00 Midnight on Sunday.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT item 20 on the agenda, "Council Procedure Bylaw, 2004, No. 7590, Amendment Bylaw, 2005, No. 7694 (Public Input Period)", be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

20. "Council Procedure Bylaw, 2004, No. 7590, Amendment Bylaw, 2005, No. 7694" (Public Input Period).

Moved by Councillor Clark, seconded by Councillor Keating

THAT Bylaw No. 7694 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

20. "Council Procedure Bylaw, 2004, No. 7590, Amendment Bylaw, 2005, No. 7694" (Public Input Period). *continued*

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaw No. 7694 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaw No. 7694 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT item 16 on the agenda, "Allocation of 2004 Municipal Traffic Fine Revenue", be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

16. Allocation of 2004 Municipal Traffic Fine Revenue - File: 1600-01

Report: Deputy Director of Finance and Community Development

Worker (Youth Programs), April 6, 2005.

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Deputy Director of Finance and the Community Development Worker (Youth Programs), dated April 6, 2005, entitled "Allocation of 2004 Municipal Traffic Fine Revenue":

THAT a general Call for Proposals for one-time community safety grants be developed by Community Development and Finance staff for Council's consideration in order to solicit project ideas from the community for up to a total of \$187,000, being the one-time unallocated Municipal Traffic Fine Revenue:

16. Allocation of 2004 Municipal Traffic Fine Revenue - File: 1600-01 continued

AND THAT the Officer-in-Charge of the North Vancouver Detachment of the RCMP, work with the North Shore Neighborhood House and the North Vancouver Recreation Commission, to submit a proposal for funding of a "Youth Outreach Constable Program" and a "Nights Alive Recreation Program" as presented at the Town Hall meeting on March 3, 2005;

AND THAT the Lookout Emergency Society be invited to submit a proposal for a Homelessness Shelter Outreach Program to assist in the facility's implementation into the community as presented at the Town Hall meeting on March 3, 2005;

AND THAT the North Shore Multicultural Society be invited to submit a proposal for a program or programs to address issues related to immigrant and refugee youth, inter-generational conflict, bullying in schools, and racism as presented at the Town Hall meeting on March 3, 2005;

AND THAT a letter be forwarded to the Provincial Government indicating that the Municipal Traffic Fine Revenue not be a one-time grant but be given to municipalities in perpetuity.

CARRIED UNANIMOUSLY

The meeting recessed at 7:06 p.m. to the Parcel Tax Roll Review Panel meeting, and reconvened at 7:09 p.m., with the same personnel present.

Parcel Tax Roll - 2005 (Bylaw Nos. 7683, 7684) - File: 1600-01-01

Item No. 6 was unanimously endorsed by the members of the Parcel Tax Roll Review Panel meeting held this evening.

BYLAWS - Introduction and First Three Readings

- 7. "Paved Lane in the Easterly Portion of the lane North of West 23rd Street between Westview Drive and Larson Road, Local Improvement Petition Parcel Tax Bylaw, 2005, No. 7683".
- **8.** "Paved Lane North of West 25th Street between Westview Drive and Larson Road, Local Improvement Petition Parcel Tax Bylaw, 2005, No. 7684".

Moved by Councillor Mussatto, seconded Councillor Perrault

THAT Bylaws Nos. 7683 and 7684 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 Councillor Perrault

THAT the said Bylaws Nos. 7683 and 7684 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded Councillor Perrault

THAT the said Bylaws Nos. 7683 and 7684 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

DELEGATIONS

Dan London, Business Manager and Richard Juryn, Event Producer, The North Shore Mountain Bike Events Society.

Re: 2005 World Mountain Bike Conference and Festival, May 28 - June 3, 2005 - File: 1670-03-01

Mr. Richard Juryn, Event Producer of the North Shore Mountain Bike Events Society, gave a PowerPoint presentation the 2005 World Mountain Bike Conference and Festival. He summarized the results of the 2004 World Mountain Bike Conference and Festival.

Dan London, Business Manager and Richard Juryn, Event Producer, The North Shore Mountain Bike Events Society. *continued*

Mr. Juryn described how the \$20,000 Community Legacy Fund was being spent on such things as the Interfit Project – off-road chair for disabled and elderly persons, Trail Work and the hiring of a trail builder, attendance at the Sustainable Trail Conference in Reno, Nevada, long term planning through the North Shore Alliance, and sponsorship of North Shore Sports Awards.

Mr. Juryn advised that the 2005 Conference and Festival would run over 3 weekends from May 21 to June 5, 2005. He listed the many events that would take place including the Family Fun Day to held on Lonsdale Avenue.

Mr. Juryn requested support from the City of North Vancouver in the amount of \$5,000 towards the event as was done in 2004.

Mr. Juryn then responded to questions for members of Council.

CORRESPONDENCE

9. Dan London, Business Manager and Richard Juryn, Event Producer, The North Shore Mountain Bike Events Society, April 4, 2005.

Re: 2005 World Mountain Bike Conference and Festival, May 28 - June 3, 2005 - File: 1670-03-01

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence from Dan London, Business Manager and Richard Juryn, Event Producer, The North Shore Mountain Bike Events Society, dated April 4, 2005, regarding the "2005 World Mountain Bike Conference and Festival, May 28 - June 3, 2005":

THAT funding of \$5,000 be contributed towards the 2005 World Mountain Bike Conference and Festival;

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

DELEGATIONS

Mr. John Bingham, Howard/Bingham/Hill Architects.

Re: Parcel 1 - Versatile Shipyards - File: 3345-02 ESP E 100

Mr. John Bingham, Howard/Binghams/Hill Architects, gave a PowerPoint presentation on the redesign of Parcel 1 of the Versatile Shipyards Development at the corner of Lonsdale Avenue and East Esplanade. He advised that the purpose of the presentation was to introduce for consideration the proposal to rezone Parcel 1 to allow for a residential component in combination with commercial and retail due to the soft office market. He reviewed how the plans could be adjusted to accommodate the residential component.

Mr. Bingham advised as to how the proposal to add residential would work with the neighbouring properties.

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

CORRESPONDENCE

10. Mr. Robert Duke, Howard/Bingham/Hill Architects, April 6, 2005.

Re: Parcel 1 - Versatile Shipyards - File: 3345-02 ESP E 100

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the correspondence from Robert Duke, Howard/Bingham/Hill Architects, dated April 6, 2005, regarding "Parcel 1 - Versatile Shipyards":

THAT the said correspondence be received and filed.

DEFEATED

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the correspondence from Robert Duke, Howard/Bingham/Hill Architects, dated April 6, 2005, regarding "Parcel 1 - Versatile Shipyards":

THAT the said correspondence be referred to staff for comment.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

14. Marine Drive Planning - Town Hall Meeting - Follow Up and Proposed Next Steps - File: 3380-02-M1

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

Moved by Councillor Perrault, seconded by Councillor Heywood

PURSUANT to the report of the City Planner dated, March 14, 2005, entitled "Marine Drive Planning - Town Hall Meeting - Follow Up and Proposed Next Steps":

THAT staff proceed with the following actions described as Option No. 1 in the subject report:

THAT staff use the existing Official Community Plan and work done to date as the basis for development along Marine Drive and meet with the Mosquito Creek Co-op, the Bewicke/Creekside Community Association and the large property owners south of Marine Drive in light of the Marine Drive Town Hall meeting;

THAT discussions with community groups be undertaken in the context of the ten year capital plan prioritization process, the community amenity contribution study, and discussions on density bonuses, transfers and exemptions;

THAT the draft Marine Drive Design Guidelines be further refined;

THAT staff explore the possibilities of combining public input opportunities into both the community amenities study and the draft Marine Drive Design Guidelines;

AND THAT staff continue to process development applications based on the Official Community Plan.

The vote upon the recommendations was taken separately, as follows:

PURSUANT to the report of the City Planner dated, March 14, 2005, entitled "Marine Drive Planning - Town Hall Meeting - Follow Up and Proposed Next Steps":

THAT staff proceed with the following actions described as Option No. 1 in the subject report:

THAT staff use the existing Official Community Plan and work done to date as the basis for development along Marine Drive and meet with the Mosquito Creek Co-op, the Bewicke/Creekside Community Association and the large property owners south of Marine Drive in light of the Marine Drive Town Hall meeting;

14. Marine Drive Planning - Town Hall Meeting - Follow Up and Proposed Next Steps - File: 3380-02-M1 continued

THAT discussions with community groups be undertaken in the context of the ten year capital plan prioritization process, the community amenity contribution study, and discussions on density bonuses, transfers and exemptions;

THAT the draft Marine Drive Design Guidelines be further refined;

THAT staff explore the possibilities of combining public input opportunities into both the community amenities study and the draft Marine Drive Design Guidelines;

CARRIED UNANIMOUSLY

AND THAT staff continue to process development applications based on the Official Community Plan.

CARRIED

Councillor Clark and Councillor Fearnley are recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- 15. Proposed Replacement of Westview School Options for Commemoration of Existing School
 - File: 1150 -03-03 Westview / 1085-03-C2-01

Report: Development Planner, Community Development, April 6, 2005.

Moved by Councillor Perrault, seconded by Councillor Heywood

PURSUANT to the report of the Development Planner dated April 6, 2005, entitled "Proposed Replacement of Westview School - Options for Commemoration of Existing School":

15. Proposed Replacement of Westview School - Options for Commemoration of Existing School

- File: 1150 -03-03 Westview / 1085-03-C2-01 continued

THAT staff be requested to work with the School District No. 44 (North Vancouver) and their architects to find a suitable commemoration for the old building, including one or more of the following:

- A historical plaque placed prominently on the new school or school grounds;
- An architectural element from the old school incorporated into the new school building or into the landscaping on the school grounds;
- Photographs and historical items displayed within the school;
- A Public Art installation commemorating the old school:

AND THAT photographic documentation be undertaken prior to the demolition of the school for storage at the City Archives;

AND THAT Ms. Barber be thanked for raising this issue and for her interest in the history of Westview School.

CARRIED UNANIMOUSLY

17. Harry Jerome Master Plan Next Steps and Funding Appropriation #0502 - File: 3380-02-L7

Report: Community Planner, Community Development, April 4, 2005.

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Community Planner dated April 4, 2005, entitled "Harry Jerome Master Plan Next Steps and Funding Appropriation #0502":

THAT the next steps in the Harry Jerome Master Plan process outlined in the report dated April 4, 2005, be endorsed;

AND THAT an amount of \$200,000 be appropriated from the Community Enhancement Reserve Fund for the purpose of funding the Harry Jerome Master Plan.

18. Use of the City's Web Site - File: 3035-05-02

Report: City Clerk, April 6, 2005.

Moved by Councillor Clark, seconded by Councillor Mussatto

PURSUANT to the report of the City Clerk, dated April 6, 2005, entitled, "Use of the City's Web Site":

THAT the said report be received and filed.

CARRIED UNANIMOUSLY

INQUIRIES

27. Section 33(9)(d) of the "Council Procedure Bylaw, 2004, No. 7590" File: 1090-01

Inquiry by Councillor R.J. Fearnley

Councillor Fearnley inquired as to the rules governing Council contained in the "Council Procedure Bylaw, 2004, No. 7590". He referred to section 33(9)(a) where a member is allowed to speak only once and to 33(9)(d) where a member is limited to five minutes speaking time.

The City Clerk advised that with regards to sections 33(9)(a) and 33(9)(d) states that a member may speak more than once and for longer than a total time of 5 minutes with the permission of the Mayor or Presiding Member.

<u>ADJOURNMENT</u>

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:45 p.m.