



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, MAY 16, 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 B.W. Perrault

ABSENT

Councillor C.R. Keating
Councillor D.R. Mussatto

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
J.M. Rowe, Assistant City Clerk
D. Sigston, Manager - Lands
T. Christie, Director of Finance
R.H. White, City Planner
S. Ono, City Engineer
D. Pope, Manager, Environment and Parks
F. Caouette, Director, Corporate Services
K. Russell, Development Planner
F.A. Smith, Director, Community Development
C. Amundsen, Executive Assistant to the Mayor
J. Irwin, Manager, Financial Services
G. Penway, Assistant City Planner

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

ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the following Minutes be adopted:

1. Regular Council Meeting Minutes, May 9, 2005.
2. In Camera Committee of the Whole Meeting Minutes, May 9, 2005.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT consideration of the following items:

11. Cab Regulation Bylaw, 2004, No. 7621, Amendment Bylaw, 2005, No. 7703
– File: 3040-15, Report: Manager – Lands, May 11, 2005
12. “Cab Regulation Bylaw, 2004, No. 7621, Amendment Bylaw, 2005, No. 7703”
(Removal of Section 4.5 and Revision of Section 4.6 re: Taxi Host Level 2 requirements)

be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 1090-21

Ms. Karen Ireland, 1504 Bewicke Avenue, spoke regarding item 18 on the agenda, "Marine Drive Public Involvement Process".

Mr. Dale Wlasichuk, 5162 57A Street, Delta, spoke regarding item 10 on the agenda, "Development Variance Permit – Sign Variance – 132 West Esplanade (Key Insurance Services/Knight Signs)".

CONSENT AGENDA ITEMS

{Items *15, *16, *17, *18, *19, *20, *21, *22, *23, *24, *25, *26 and *27}

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the resolutions listed within the "Consent Agenda" of May 16, 2005 be approved with the exception of item *19, as follows:

CORRESPONDENCE

- *15. Greater Vancouver Regional District, The Board in Brief, April 1, 2005
- File: 1180-06**

THAT the Greater Vancouver Regional District, The Board in Brief, dated April 1, 2005, be received and filed.

(CARRIED UNANIMOUSLY)

- *16. Johnny Carline, Chief Administrative Officer, Greater Vancouver Regional District, April 26, 2005.**

Re: Bylaw to Add Part of the City of Abbotsford as a Participant in the Regional Parks Service – File: 1180-17

PURSUANT to the correspondence dated April 26, 2005 received from Mr. Johnny Carline, Chief Administrative Officer, Greater Vancouver Regional District, regarding "Bylaw to Add Part of the City of Abbotsford as a Participant in the Regional Parks Service":

THAT in accordance with Section 801.4 of the Local Government Act, the Council of the City of North Vancouver gives their consent to the "Greater Vancouver Regional District Regional Parks Service Conversion and Amendment Bylaw No. 1024, 2005" as attached to the April 26, 2005 correspondence;

continued..

- *16. Johnny Carline, Chief Administrative Officer, Greater Vancouver Regional District, April 26, 2005 *continued***

AND THAT the Greater Vancouver Regional District Board be notified of Council's decision.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *17. Petition to Remove Tree at 526 East 19th Street – File: 4310-15**

Report: Environmental Coordinator, April 29, 2005.

PURSUANT to the report of the Environmental Coordinator dated April 29, 2005, entitled "Petition to Remove Tree at 526 East 19th Street":

THAT the application for removal of the tree located on City property adjacent to 526 East 19th Street be supported.

(CARRIED UNANIMOUSLY)

- *18. Marine Drive Public Involvement Process – File: 3380-02-M1**

Report: Planner, Community Development, April 27, 2005.

PURSUANT to the report of the Planner dated April 27, 2005, entitled "Marine Drive Public Involvement Process":

THAT the public involvement process described in the report dated April 27, 2005, be endorsed;

AND THAT this report be circulated to the Advisory Planning Commission, Social Planning Advisory Committee, Parks and Environment Advisory Committee and the North Vancouver Chamber of Commerce for their information.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *20. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7695" (Placement of Temporary Signs on City Streets)
– File: 3020-03-02 ST**

Report: Transportation Planner, Engineering, May 11, 2005.

PURSUANT to the report of the Transportation Planner dated May 11, 2005, entitled "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005 No. 7695" (Placement of Temporary Signs on City Streets)":

THAT "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7695" (Placement of Temporary Signs on City Streets), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *21. "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2005, No. 7695" (Placement of Temporary Signs on City Streets).**

THAT Bylaw No. 7695 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. 7695 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7695 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *22. Rezoning Application: 1553 Mahon Avenue (A. Pezzente / C. Moorhead Architect, CD-499) – File: 3345-02 Mahon 1553**

Report: Development Planner, Community Development, May 11, 2005.

PURSUANT to the report of the Development Planner dated May 11, 2005, entitled “Rezoning Application: 1553 Mahon Avenue (A. Pezzente / C. Moorhead Architect, CD-499)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7700” (A. Pezzente/C. Moorhead Architect, 1553 Mahon Avenue, CD-499) be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *23.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7700” (A. Pezzente/C. Moorhead Architect, 1553 Mahon Avenue, CD-499).

THAT Bylaw No. 7700 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *24. Rezoning Application: 346 East 5th Street (L. Pinfield / Matthew T. Hansen Architect, CD-500) – File: 3345-02 05 E 346**

Report: Development Planner, Community Development, May 11, 2005.

PURSUANT to the report of the Development Planner dated May 11, 2005, entitled “Rezoning Application: 346 East 5th Street (L. Pinfield / Matthew T. Hansen Architect, CD-500)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7701” (L. Pinfield/Matthew T. Hansen Architect, 346 East 5th Street, CD-500) and “Heritage Designation Bylaw, 2005, No. 7704”, (J.A. Harrison Residence, Larry Pinfield / Matthew T. Hansen, Architect, 346 East 5th Street), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only continued

- *25. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7701" (L. Pinfield/Matthew T. Hansen Architect, 346 East 5th Street, CD-500).
- *26. "Heritage Designation Bylaw, 2005, No. 7704, (J.A. Harrison Residence, Larry Pinfield / Matthew T. Hansen, Architect, 346 East 5th Street)

THAT Bylaws Nos. 7701 and 7704 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *27. **Vancouver Coastal Health Lease of Space at the John Braithwaite Community Centre – File: 4415-04-L3-01**

Report: Manager – Lands, Community Development, May 12, 2005.

PURSUANT to the report of the Manager - Lands, dated May 12, 2005, entitled "Vancouver Coastal Health Lease of Space at the John Braithwaite Community Centre":

THAT the Mayor and Clerk be authorized to execute the lease between the City and Vancouver Coastal Health for Vancouver Coastal Health's occupation of 900 square feet of the John Braithwaite Community Centre for community clinic purposes.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Fearnley, seconded by Councillor Clark

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:

- 3. Section 90 (1) (i);

AND THAT item 4 be deleted from the agenda.

CARRIED UNANIMOUSLY

The meeting recessed at 6:06 p.m. and reconvened at 6:35 p.m. with the same personnel present.

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Clark, seconded by Councillor Heywood that the following recommendation of the Committee of the Whole, In Camera, be ratified:

3. Property Assessment Appeal Board Decision – Strategy – File: 1600-01

Report: Director of Finance, May 16, 2005

PURSUANT to the report of the Director of Finance, dated May 16, 2005, entitled “Authorization to Appeal”:

THAT the letter and Form 5, dated May 13, 2005, from the City Manager to our solicitor authorizing the City to appeal the Western Stevedoring/Property Assessment Appeal Board decision to the Supreme Court of British Columbia as attached to the report of the Director of Finance, dated May 16, 2005, be endorsed by City Council.

CARRIED UNANIMOUSLY

Mayor Sharp read the following Proclamations:

“ACCESS AWARENESS DAY” – JUNE 4, 2005

“CANADIAN ENVIRONMENT WEEK” – JUNE 5 – 11, 2005

“SPINA BIFIDA AND HYDROCEPHALUS MONTH” – JUNE, 2005

“BIKE MONTH” – JUNE, 2005

DELEGATIONS

Margo Gram, Centennial Theatre and Bill Jeffries, Presentation House Gallery

Re: “Cultural Preferences on Vancouver’s North Shore” – File: 4210-02-P1-01

Ms. Margot Gram, Centennial Theatre introduced Mr. Bill Jeffries, Presentation House Gallery and Mr. Robin Inglis, North Vancouver Museum and Archives Commission, and gave an overview of the final report entitled “Cultural Preferences on Vancouver’s North Shore” and dated 2004, compiled by a consortium of five North Shore art and heritage organizations with the support from the three municipalities and major funding from the Department of Canadian Heritage.

continued..

DELEGATIONS continued

Margo Gram, Centennial Theatre and Bill Jeffries, Presentation House Gallery continued

Ms. Gram gave a brief PowerPoint presentation on “Cultural Preferences on Vancouver’s North Shore - Market Research & Analyses 2004”, as follows:

- Who We Are
- What We Did – Survey Details and Research & Recommendations
- What We Now Know: About our Residents; About our Venues; About Marketing
- What We Now Have with regards to Marketing Recommendations.

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

CORRESPONDENCE

5. **Fiona Black, Capilano College Performing Arts; Margo Gram, Centennial Theatre; Robin Inglis, North Vancouver Museum and Archives; Bill Jeffries, Presentation House Gallery; Brenda Leadlay, Presentation House Theatre, April 27, 2005.**

Re: “Cultural Preferences on Vancouver’s North Shore” – File: 4210-02-P1-01

Moved by Councillor Perrault, seconded by Councillor Clark

THAT a letter be forwarded to Fiona Black, Capilano College Performing Arts; Margo Gram, Centennial Theatre; Robin Inglis, North Vancouver Museum and Archives; Bill Jeffries, Presentation House Gallery; and Brenda Leadlay, Presentation House Theatre, thanking them for their presentation regarding “Cultural Preferences on Vancouver’s North Shore”.

CARRIED UNANIMOUSLY

COUNCIL REPORT

Nil.

Moved by Councillor Clark, seconded by Councillor Heywood

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:00 p.m. and reconvened at 8:01 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

6. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7687" (Griffin Holding Corp./Michael Rosen and Associates, 901 West 3rd Street, CD-252 Text Amendment).

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT Bylaw No. 7687 be read a second time in short form.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Heywood
Mayor Sharp

Voting against: Councillor Fearnley
Councillor Clark

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

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the said Bylaw No. 7687 be read a third time in short form and passed subject to reconsideration and final adoption.

CARRIED

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

Moved by Councillor Heywood seconded by Mayor Sharp

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

CARRIED UNANIMOUSLY

The meeting recessed at 8:14 p.m. and reconvened at 8:20 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

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

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT Bylaw No. 7688 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT the said Bylaw No. 7688 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Mayor Sharp

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

CARRIED UNANIMOUSLY

The meeting recessed at 8:30 p.m. and reconvened at 8:54 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7698" (Bill Mitchell & Sandra Grant / Augustine Hii Architect & Bill Curtis, 207 East 8th Street, CD-498).

Moved by Councillor Clark, seconded by Councillor Heywood

THAT Bylaw No. 7698 be read a second time in short form.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT Bylaw No. 7698 be amended by:

Deleting 1.52 metres (5.00 feet) from Section 3, (4) (c) and (d) and replacing it with 1.07 metres (3.50 feet).

The motion, as amended, was **CARRIED UNANIMOUSLY**

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7698" (Bill Mitchell & Sandra Grant / Augustine Hii Architect & Bill Curtis, 207 East 8th Street, CD-498) *continued*

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the said Bylaw No. 7698, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

CORRESPONDENCE

9. **Union of British Columbia Municipalities Executive and First Nations Summit Task Group, May 6, 2005.**

Re: "Community to Community Forum" – File: 1040-03-U1/1185-03-01

Moved by Mayor Sharp, seconded by Councillor Clark

PURSUANT to the correspondence received from the Union of British Columbia Municipalities Executive and First Nations Summit Task Group, dated May 6, 2005, entitled "Community to Community Forum":

THAT the City of North Vancouver approach the Squamish Nation to determine their interest in participating in a North Shore Community to Community Forum;

AND THAT, if the Squamish Nation is interested, that the City of North Vancouver and the Squamish Nation apply to the Union of British Columbia Municipalities for funding;

AND THAT staff work with representatives of the Squamish Nation to put into place a Community to Community Forum prior to October 3, 2005.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

10. Development Variance Permit – Sign Variance – 132 West Esplanade (Key Insurance Services/Knight Signs) – File: 3345-02 Esplanade W 132

Report: Development Planner, Community Development, May 11,
2005.

Moved by Councillor Heywood, seconded by Mayor Sharp

PURSUANT to the report of the Development Planner, dated May 11, 2005, entitled “Development Variance Permit – Sign Variance – 132 West Esplanade (Key Insurance Services/Knight Signs)”:

THAT the application for Development Variance Permit – Sign Variance – 132 West Esplanade (Key Insurance Services/Knight Signs) be rejected.

DEFEATED

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated May 11, 2005, entitled “Development Variance Permit – Sign Variance – 132 West Esplanade (Key Insurance Services/Knight Signs)”:

THAT the applicants be requested to work with staff to revise the application in keeping with the recommendations in the May 11, 2005 report of the Development Planner, prior to further consideration by Council.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7656" (City of North Vancouver, Density Transfer Central School/Anne MacDonald Hall, 333 Chesterfield Avenue, to Aberdeen Block, 78-90 Lonsdale Avenue, Text Amendment, CD-453).
14. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7657" (City of North Vancouver, Density Transfer Central School/Anne MacDonald Hall, 333 Chesterfield Avenue, to Aberdeen Block, 78-90 Lonsdale Avenue, Text Amendment, CD-456)

Moved by Councillor Heywood, seconded by Councillor Fearnley

THAT the said Bylaw Nos. 7656 and 7657, be reconsidered.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

Moved by Councillor Heywood, seconded by Councillor Fearnley

THAT the said Bylaws Nos. 7656 and 7657 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

19. Mosquito Creek Bar and Grill – Liquor Primary License Application – Process – File: 1195-11-L2-02-01 / 3345-02 Westview 2601

Report: Policy Analyst, Community Development, May 5, 2005.

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Policy Analyst dated May 5, 2005, entitled "Mosquito Creek Bar and Grill – Liquor Primary License Application – Process":

THAT the process for gathering public input as required by the Liquor Control and Licensing Branch regarding the application for a Liquor Primary License at Mosquito Creek Bar and Grill, 500 – 2601 Westview Drive, be conducted in tandem with the rezoning process required to allow this use.

CARRIED UNANIMOUSLY

Recess – Public Question Period

Mayor Sharp declared a recess at 9:08 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:09 p.m.