



**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 10, 2006**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor D.R. Mussatto
Councillor P.J. Bookham
Councillor R.J. Fearnley
Councillor R.N. Heywood
Councillor C.R. Keating
Councillor B.W. Perrault
Councillor S.A. Schechter

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
T. Christie, Director of Finance
S. Ono, City Engineer
F.A. Smith, Director, Community Development
F. Caouette, Director, Corporate Services
Supt. G. Tomlinson, O.I.C./R.C.M.P.
B. Themens, Manager, Financial Planning
D. Sigston, Manager, Lands
G. Penway, City Planner
Sgt. G. Pollock, RCMP, North Vancouver
Detachment
B. Susak, Deputy City Engineer
T. Barber, Acting Manager, Engineering Planning
& Design

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

ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, April 3, 2006.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21

- Mr. Raj Janjua, 707 East 18th Street, spoke regarding item 7 on the agenda, “New Cab Regulation Bylaw and Chauffeur Permit Application Criteria”.
- Mr. Catalin Comsia, 339 East 11th Street, spoke regarding item 5 on the agenda, “Mid Block Designation Area Official Community Plan (OCP) Amendment”.

CONSENT AGENDA ITEMS

{Items *16, *17 and *18}

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the resolutions listed within the “Consent Agenda” of April 10, 2006 be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *16. Statutory Review: Official Community Plan Amendment Application: 980 Marine Drive / 1659 and 1677 MacKay Avenue and Portion of Closed MacKay Road (Ledingham McAllister Communities Ltd. / Integra Architecture Inc. – File: 3345-02 MacKay Ave 1659-1677**

Report: Planning Technician, Community Development, April 4, 2006.

PURSUANT to the report of the Planning Technician, Community Development, dated April 4, 2006, entitled “Statutory Review: Official Community Plan Amendment Application: 980 Marine Drive / 1659 and 1677 MacKay Avenue and Portion of Closed MacKay Road (Ledingham McAllister Communities Ltd. / Integra Architecture Inc.):

THAT the review contained in the April 4, 2006 report concerning statutory examinations of “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7767” (Marine and MacKay Properties Ltd., City of North Vancouver / Integra Architecture Inc., 1659 MacKay Avenue, 1677 MacKay Avenue and Lot 14, Block 35, D.L. 552, Plan 4184, Residential Level One: Low Density to Commercial), with respect to its impact on the City’s Financial and Waste Management Plans, be received and filed.

(CARRIED UNANIMOUSLY)

- *17. Rescinding the February 13, 2006 Resolution – Unauthorized Dwelling Units – 200 East 12th Street – File: 3345-02 12E 200**

Report: Property Use Inspector, Community Development, April 4, 2006.

PURSUANT to the report of the Property Use Inspector, Community Development, dated April 4, 2006, entitled “Rescinding the February 13, 2006 Resolution – Unauthorized Dwelling Units – 200 East 12th Street”:

continued...

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***17. Rescinding the February 13, 2006 Resolution – Unauthorized Dwelling Units – 200 East 12th Street – File: 3345-02 12E 200 - Continued**

THAT Council **rescind** its February 13, 2006, resolution regarding “Unauthorized Dwelling Units – 200 East 12th Street, which reads as follows:

“**PURSUANT** to the report of the Property Use Inspector, dated February 2, 2006, entitled “Unauthorized Dwelling Units – 200 East 12th Street”:

THAT EDKA Investco Inc., registered owners of 200 East 12th Street, be advised that the City Clerk will be instructed to file notice in the Land Titles Office under the Section 57 of the Community Charter advising that the subject property contains unauthorized dwelling units and:

- (i) That a resolution by the Council of The Corporation of the City of North Vancouver relating to 200 East 12th Street, Lot 14, Block 75, D.L. 549, Plan 9315, has been made under this Section 57 of the Community Charter;
- (ii) And that further information respecting the resolution may be viewed at the offices of The Corporation of the City of North Vancouver;
- (iii) And if the four unauthorized dwelling units are not removed within 4 months of the date of this resolution, that staff be authorized to seek an injunction in the Supreme Court of British Columbia, requiring the removal of the unauthorized dwelling units to comply with the City’s Zoning and Construction Regulations Bylaws.”

(CARRIED UNANIMOUSLY)

***18. 2006 Emergency Planning Grant – File: 3125-07-05-01**

Report: Director, Corporate Services, April 5, 2006.

PURSUANT to the report of the Director, Corporate Services, dated April 5, 2006, entitled, “2006 Emergency Planning Grant”:

THAT staff be requested to submit an Emergency Planning grant application to the Union of British Columbia Municipalities.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Perrault, seconded by Councillor Heywood

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:

2. Section 90 (1) (f)
3. Section 90 (1) (e)
4. Section 90 (1) (l)

CARRIED UNANIMOUSLY

The meeting recessed at 6:06 p.m. and reconvened at 7:06 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

2. CORRESPONDENCE: Applicant for Renewal of Chauffeur's Permit, March 7, 2006.

Re: Chauffeur's Permit Renewal Refusal – File: 3040-15

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

THAT the R.C.M.P.'s refusal to renew the Chauffeur's Permit for Mr. Seyed-Rasoul Mousavi-Zadeh not be endorsed;

AND THAT a Chauffeur's Permit be issued to Mr. Seyed-Rasoul Mousavi-Zadeh for a period of six (6) months.

CARRIED

PROCLAMATIONS

Mayor Mussatto read the following Proclamation:

“BANGLA HERITAGE WEEK” - APRIL 15 - 21, 2006

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

5. Mid Block Designation Area Official Community Plan (OCP) Amendment – File: 3380-02-M2

Report: Planner, Community Development, March 15, 2006.

Mayor Mussatto stated that he had received a legal opinion advising that he did not have a perceived bias or conflict of interest regarding the Mid Block Designation.

Moved by Councillor Perrault, seconded by Councillor Keating

PURSUANT to the report of the Planner, dated March 15, 2006, entitled “Mid Block Designation Area Official Community Plan (OCP) Amendment”:

THAT “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7775” (Mid Block Designation Amendment) be considered and referred to a Public Hearing.

Moved by Councillor Bookham, seconded by Councillor Heywood

THAT consideration of the motion be deferred until after the ‘Affordable Housing Action Forum’ has been concluded.

DEFEATED

The original motion was then **CARRIED**.

BYLAWS - Introduction and First Reading Only

6. “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7775” (Mid Block Designation Amendment).

Moved by Councillor Perrault, seconded by Councillor Keating

THAT Bylaw No. 7775 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**7. New Cab Regulation Bylaw and Chauffeur Permit Application Criteria
- File: 3040-15**

Report: Manager – Lands, Community Development, April 3, 2006.

Moved by Councillor Heywood, seconded by Mayor Mussatto

PURSUANT to the report of the Manager – Lands, dated April 3, 2006, entitled “New Cab Regulation Bylaw and Chauffeur Permit Application Criteria”:

THAT staff be requested to proceed with revisions to “Cab Regulation Bylaw, 2004, No. 7621” on the terms and conditions outlined in the April 3, 2006, report;

AND THAT the April 3, 2006, report be provided to the District of North Vancouver for their consideration;

AND THAT the District of North Vancouver be requested to continue to work with the City to develop a compatible taxi regulation bylaw and single chauffeur permit for the two municipalities;

AND THAT that a public meeting be scheduled.

CARRIED UNANIMOUSLY

Mayor Mussatto declared a recess at 7:35 p.m. and reconvened the meeting at 7:37 p.m., with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the meeting recess to the Public Hearing regarding Bylaw Nos. 7767 and 7768 scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:38 p.m. and reconvened at 10:33 p.m. with the same personnel present.

A recommendation to continue the meeting after 10:30 p.m., was unanimously endorsed at the Public Hearing this evening.

BYLAWS - Second and Third Readings

12. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7767" (Marine and MacKay Properties Ltd., City of North Vancouver / Integra Architecture Inc., 1659 MacKay Avenue, 1677 MacKay Avenue and Lot 14, Block 35, D.L. 552, Plan 4184, Residential Level One: Low Density to Commercial).

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 7767 be read a second time in short form.

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue until items 12, 13 and 3 on the agenda have been concluded.

CARRIED UNANIMOUSLY

The original motion was then **CARRIED.**

Councillor Bookham is recorded as voting contrary to the original motion.

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT Bylaw No. 7767 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

BYLAWS - Second and Third Readings

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7768" (Marine and MacKay Properties Ltd., City of North Vancouver / Integra Architecture Inc., 980 Marine Drive, 1659 MacKay Avenue, 1677 MacKay Avenue, Lot 14, Block 35, DL 552, Plan 4184 and a closed portion of MacKay Road, CD-512).

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 7768 be read a second time in short form.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT Bylaw No. 7768 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Bookham is recorded as voting contrary to the motion.

Moved by Councillor Fearnley, seconded by Councillor Heywood

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) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 11:09 p.m. and reconvened at 11:31 p.m. with the same personnel present.

REPORT OF THE COMMITTEE OF THE WHOLE - Continued

**3. Disposition of Site 3 in Block 62 – Residential Multi-Family Site –
File: 3380-02-C5**

Report: Manager – Lands, Community Development, March 29,
2006.

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

PURSANT to the report of the Manager – Lands, dated March 29, 2006, entitled “Disposition of Site 3 in Block 62 – Residential Multi-Family Site”:

THAT Site 3 in Block 62 be offered for sale on the basis of fee simple tenure;

AND THAT the report of the Manager – Lands, dated March 29, 2006, entitled “Disposition of Site 3 in Block 62 – Residential Multi-Family Site” remain in camera.

CARRIED

ADJOURNMENT

Moved by Councillor Heywood, seconded by Councillor Schechter

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:35 p.m.