



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, SEPTEMBER 25,**
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
F.A. Smith, Director, Community Development
S. Ono, City Engineer
I. Gordon, Director, Finance
R.H. White, Co-Waterfront Project-Development
Manager/Deputy Director, Community Development
B. Themens, Deputy Director, Finance
G. Penway, City Planner
G. Venczel, Development Planner
D. Pope, Manager, Parks and Environment
B. Susak, Deputy City Engineer
T. Barber, Acting Manager, Engineering Planning
& Design,
D. Sigston, Manager, Lands

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

ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Schechter

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, September 18, 2006.
2. In Camera Committee of the Whole Meeting Minutes, September 18, 2006.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

Nil.

CONSENT AGENDA ITEMS

{Items *19, *20, *21, *22, *23, *24, *25, *26, *27, *28, *29, *30 and *31}

Moved by Councillor Schechter, seconded by Councillor Heywood

THAT the resolutions listed within the “Consent Agenda” of September 25, 2006, be approved, with the exception of item *25, as follows:

CORRESPONDENCE

***19. Mayor Sharon Shepherd, City of Kelowna, September 1, 2006.**

Requested by Mayor Darrell R. Mussatto

Re: Building *SustainAble* Communities – File: 1840-03-01

PURSUANT to the correspondence dated September 1, 2006 from Mayor Sharon Shepherd, City of Kelowna, regarding “Building *SustainAble* Communities”:

THAT Council members be authorized to attend “Building *SustainAble* Communities”, to be held at the Coast Capri Hotel, Kelowna, B.C., November 21 – 23, 2006;

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

AND THAT the funds be provided from the 2006 Legislative Conventions and Delegations Account.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***20. Lower Lonsdale Legacy Fund – Recommendations for 2006 Round Two Grants – File: 1665-14**

Report: Community Planner, Community Development, September 11, 2006.

PURSUANT to the report of the Community Planner, dated September 11, 2006, entitled “Lower Lonsdale Legacy Fund – Recommendations for 2006 Round Two Grants”:

THAT the following requests for 2006 Lower Lonsdale Legacy Fund funding be further considered by the Evaluation Committee after receipt of additional information:

- Edible Garden Project
- Lower Lonsdale Immigrant Senior Bridging Project
- North Shore Go Bus;

AND THAT the Evaluation Committee report back with recommendations regarding their final assessments;

AND THAT the applicants of the following proposed projects be advised to reapply with more fully developed proposals:

- New Hope Food Services
- Still More to Come: A Seniors’ Digital Storytelling Project
- Lonsdale Second Chance Project: Employment Development Program;

AND THAT the ReFresh Clothing and Accessories Store / Youth Employment Training Program not be funded by the Lower Lonsdale Legacy Fund.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***21. Solid Waste Management Service Bylaw Enforcement – File: 3020-02**

Report: Environmental Coordinator, September 20, 2006.

PURSUANT to the report of the Environmental Coordinator, dated September 20, 2006, entitled “Solid Waste Management Service Bylaw Enforcement”:

THAT the following Bylaws be considered:

“Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2006, No. 7819” (Enforcement by Ticket);

“Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2006, No. 7820” (Solid Waste Management Service Bylaw);

“Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7821” (Solid Waste Management Service Bylaw).

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

***22.** “Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2006, No. 7819” (Enforcement by Ticket);

***23.** “Bylaw Notice Enforcement Bylaw, 2005, No. 7675, Amendment Bylaw, 2006, No. 7820” (Solid Waste Management Service Bylaw).

***24.** “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2006, No. 7821” (Solid Waste Management Service Bylaw);

THAT Bylaws Nos. 7819, 7820 and 7821 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 Bylaws Nos. 7819, 7820 and 7821 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7819, 7820 and 7821 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *26. Rezoning Application: 339 East 8th Street (First Home Mart Dev. Ltd. / Vernacular Design, CD-526) – File: 3345-02 08 E 339**

Report: Development Planner, Community Development,
September 20, 2006.

PURSUANT to the report of the Development Planner, dated September 20, 2006, entitled “Rezoning Application: 339 East 8th Street (First Home Mart Dev. Ltd./Vernacular Design, CD-526):

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7817” (First Home Mart Development Limited/Vernacular Design, 339 East 8th Street, CD-526), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *27.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7817” (First Home Mart Development Limited/Vernacular Design, 339 East 8th Street, CD-526).

THAT Bylaw No. 7817 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. Permissive Taxation Exemption – Community Charter, SBC Chap. 26, Part 7, Division 7 – Permissive Exemptions, Section 224 – File: 1625-04-01**

Report: City Clerk and Manager, Financial Services, September 20, 2006.

PURSUANT to the report of the City Clerk and Manager, Financial Services, dated September 20, 2006, entitled “Permissive Taxation Exemption – Community Charter, SBC Chap. 26, Part 7, Division 7 – Permissive Exemptions, Section 224”:

THAT “Taxation Exemption Bylaw, 2006, No. 7816”, be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *29.** "Taxation Exemption Bylaw, 2006, No. 7816"

THAT Bylaw No. 7816 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. 7816 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7816 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *30.** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7801" (John and Melanie King/Charles Moorhead Architect, 276 East Keith Road, CD-520).

- *31.** "Heritage Designation Bylaw, 2006, No. 7803" (Foster Residence, John and Melanie King/Charles Moorhead Architect, 276 East Keith Road).

THAT the said Bylaws Nos. 7801 and 7803 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7801 and 7803 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Schechter, 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:

3. Section 90 (1) (b)
4. Section 90 (1) (k)
5. Section 90 (1) (e)
6. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m. and reconvened at 7:14 p.m. with the same personnel present.

Moved by Councillor Schechter, seconded by Councillor Heywood

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:14 p.m. and reconvened at 7:15 p.m. with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

3. Donation Request in Memory of Mayor Jack Loucks – File: 1090-01

Report: Mayor Darrell R. Mussatto, September 25, 2006.

PURSUANT to the report of Mayor Darrell R. Mussatto, dated September 25, 2006, entitled “Donation Request in Memory of Mayor Jack Loucks”:

THAT Council authorize a donation in the amount of \$1,000 to the Kiwanis Club of North Vancouver, 170 West 2nd Street, North Vancouver, B.C. V7M 1C4, in memory of Mayor Jack Loucks;

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

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“RAISE-A-READER DAY” – SEPTEMBER 28, 2006.

“INTERNATIONAL DAY OF OLDER PERSONS” – OCTOBER 1, 2006.

“MAHATMA GANDHI DAY” – OCTOBER 2, 2006.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- 7. Pier Development Official Community Plan Amendment / Rezoning Application: Bylaw Consideration (Pinnacle International / National Maritime Centre / City of North Vancouver)
– File: 3345-02 Lons 100 / Espl. E 109 / 3380-02-N3-01**

Report: City Planner, Community Development, September 20, 2006.

Moved by Councillor Perrault, seconded by Councillor Schechter

PURSUANT to the report of the City Planner, dated September 20, 2006, entitled “Pier Development Official Community Plan Amendment / Rezoning Application: Bylaw Consideration (Pinnacle International / National Maritime Centre / City of North Vancouver)”:

THAT “City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7804” (The Pier / National Maritime Centre – height increases), be considered and referred to a Public Hearing on Tuesday, October 17, 2006;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7805” (632508 B.C. Ltd. [Pinnacle International Group] / National Maritime Centre, Parcels 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 109 E. Esplanade and 100 Lonsdale Avenue, CD-393 Text Amendment), be considered and referred to a Public Hearing on Tuesday, October 17, 2006.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Reading Only

8. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7804" (The Pier / National Maritime Centre – height increases).
9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7805" (632508 B.C. Ltd. [Pinnacle International Group] / National Maritime Centre, Parcels 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 109 E. Esplanade and 100 Lonsdale Avenue, CD-393 Text Amendment),

Moved by Councillor Keating, seconded by Councillor Perrault

THAT Bylaws Nos. 7804 and 7805 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 Heywood, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:22 p.m. and reconvened at 7:38 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7811" (Maria & Carlo Meola and Antonietta Laudisio / Franco Tessari Architect, 219, 221 and 225 East 18th Street, CD-522).

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the said Bylaw No. 7811 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the said Bylaw No. 7811 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Schechter

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:43 p.m. and reconvened at 9:13 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

11. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2006, No. 7806" (Francis Connolly, Newport Consultants, Ltd. / Integra Architecture Inc., 116 West 23rd Street, Level 2 to Level 5 Density).
12. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7807" (Francis Connolly, Newport Consultants, Ltd. / Integra Architecture Inc., 116 West 23rd Street, CD-521).
13. "Heritage Designation Bylaw, 2006, No. 7808" ((Francis Connolly, Newport Consultants Limited / Integra Architecture Inc., 116 West 23rd Street).

Moved by Councillor Schechter, seconded by Councillor Bookham

THAT the consideration of Bylaws Nos. 7806, 7807 and 7808 be deferred until the completion of the Western Avenue Planning Study.

CARRIED

Mayor Mussatto recessed the meeting at 9:40 p.m.

The meeting reconvened at 9:43 p.m.

DELEGATIONS

Ms. Lana Simon, Director, Pacific Animal Foundation.

Re: SPCA Contract with City of North Vancouver – File: 3010-02-01

Ms. Lana Simon, Director, Pacific Animal Foundation, gave a presentation regarding the SPCA Contract with City of North Vancouver. She requested that the City of North Vancouver give consideration to combining animal welfare services with the District of North Vancouver. She outlined the benefits to the City of the proposal for combining animal welfare services with the District of North Vancouver.

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

CORRESPONDENCE

14. Ms. Lana Simon, Director, Pacific Animal Foundation, September 5, 2006 and September 20, 2006.

Re: SPCA Contract with City of North Vancouver – File: 3010-02-01

Moved by Councillor Keating, seconded by Councillor

THAT the correspondence from Ms. Lana Simon, Director, Pacific Animal Foundation, dated September 5, 2006 and September 20, 2006, regarding the “SPCA Contract with City of North Vancouver”, be received and filed with thanks;

AND THAT the correspondence be forwarded to staff for comment regarding the financial implications of the proposal.

CARRIED UNANIMOUSLY

CORRESPONDENCE

15. **Mr. Bob Baker, on behalf of Spakwús Slúlem (Eagle Song Dancers of Squamish Nation), September 19, 2006.**

Re: 32nd Annual Intertribal Pow Wow – File: 1670-03-01

Requested by Mayor Darrell R. Mussatto

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the correspondence received from Mr. Bob Baker, dated September 19, 2006, entitled “32nd Annual Intertribal Pow Wow”:

THAT funding in the amount of \$2000 be provided for “Spakwus Slolem” (Eagle Song Dancers) to attend the 32nd Annual Intertribal Pow Wow at Thomas Square, Honolulu, Hawaii;

AND THAT the funds be provided from the 2006 Council Contingency and Grants Account.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

16. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7812” (T. Filipovic & B. Shaw / Level 5 Consulting Ltd., 273-275 East 8th Street, CD-523).

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the said Bylaw No. 7812 be reconsidered.

A recorded vote was taken on the motion.

Voting in favour: Councillor Keating
Councillor Perrault
Councillor Schechter
Councillor Heywood
Mayor Mussatto

Voting against: Councillor Fearnley
Councillor Bookham

The motion was **CARRIED** by a vote of 5 to 2.

continued...

BYLAWS - Reconsideration and Final Adoption

16. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7812" (T. Filipovic & B. Shaw / Level 5 Consulting Ltd., 273-275 East 8th Street, CD-523). - Continued

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the said Bylaw No. 7812 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

MOTIONS AND NOTICES OF MOTIONS

17. **Health Care Concerns – File: 1165-06-01**

Submitted by Councillor Pam J. Bookham

Moved by Councillor Bookham, seconded by Councillor Keating

WHEREAS recent news reports suggest that our public health care system continues to be eroded; and

WHEREAS access to information and opportunity for public debate in the legislature on such matters as private-public health care, have been denied by both the Provincial Government and our local health authorities;

NOW THEREFORE BE IT RESOLVED THAT a letter be sent to Vancouver Coastal Health and North Shore Coast Garibaldi Health Authority requesting that their representatives attend a Council Meeting at the earliest opportunity to answer questions from Councillors and members of the public on these and other health care concerns.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTIONS

18. Re: Rental Apartment Buildings – File: 3365-05-04

Submitted by Councillor R.J. Fearnley

Moved by Councillor Fearnley, seconded by Councillor Keating

WHEREAS affordable housing is identified as one of the most important issues facing residents of the City of North Vancouver;

WHEREAS rental apartments meet a large portion of the available affordable housing needs in our community; and

WHEREAS a large number of our rental apartment buildings are now under threat of being demolished and replaced by market condos;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver now requires all demolition permits of rental apartment building sites to come before Council for approval; and

RESOLVED THAT Community Development staff report to Council within 90 days on potential amendments to the Zoning Bylaw and/or the Official Community Plan requiring rental apartment buildings to undergo a redevelopment process including a public hearing before allowing redevelopment to a purpose other than rental apartment housing.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., be waived, and the meeting continue until 11:00 P.M., if necessary.

CARRIED UNANIMOUSLY

The vote upon the motion regarding item 18 was then **CARRIED UNANIMOUSLY**

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

25. Development Variance Permit Application: BTY Group / Stantec Architecture Ltd., Lion's Gate Hospital, 231 East 15th Street – File: 3345-02 15 E 231

Report: Development Planner, Community Development, September 20, 2006.

Moved by Councillor Fearnley, seconded by Councillor Bookham

PURSUANT to the report of the Development Planner, dated September 20, 2006, entitled "Development Variance Permit Application: BTY Group / Stantec Architecture Ltd., Lion's Gate Hospital, 231 East 15th Street":

THAT Development Variance Permit No. 201 (BTY Group / Stantec Architecture Ltd., Lion's Gate Hospital, 231 East 15th Street), be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT notification be circulated in accordance with Section 922 of the Local Government Act and a Public Meeting be scheduled.

DEFEATED

Moved by Councillor Schechter, seconded by Councillor Keating

PURSUANT to the report of the Development Planner, dated September 20, 2006, entitled "Development Variance Permit Application: BTY Group / Stantec Architecture Ltd., Lion's Gate Hospital, 231 East 15th Street":

THAT Development Variance Permit No. 201 (BTY Group / Stantec Architecture Ltd., Lion's Gate Hospital, 231 East 15th Street), be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT the Public Meeting requirement be waived.

CARRIED

RECESS:

Mayor Mussatto declared a recess at 10:41 p.m., for the public question period and reconvened the meeting immediately.

INQUIRIES

Nil.

ANY OTHER BUSINESS – NEW ITEMS

Nil.

ADJOURNMENT

Moved by Councillor Schechter, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:42 p.m.