



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, OCTOBER 16, 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
J.M. Rowe, Assistant City Clerk
S. Ono, City Engineer
P. Penner, Community Planner
B. Themens, Deputy Director of Finance
G. Penway, City Planner
F.A. Smith, Director, Community Development
R.H. White, Co-Waterfront Project-Development
Manager/Deputy Director, Community Development
T. Barber, Acting Manager, Engineering Planning
& Design
G. Venczel, Development Planner
M. Pavao, Deputy Director, Human Resources
I. Gordon, Director of Finance

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

ADOPTION OF MINUTES

Moved by Councillor Schechter, seconded by Councillor Perrault

THAT the following Minutes be adopted as circulated:

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

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD – File: 1090-21

- Ms. Joan Elliott, 2329 Western Avenue, North Vancouver, spoke regarding the “Western Avenue Special Study Area”.
- Ms. Fiona Walsh, 453 East 13th Street, Grand Boulevard/Ridgeway Residents’ Association, spoke regarding “The development of a Greenway Crossing of Highway 1 between Lynn Valley and Lonsdale Town Centre”.

CONSENT AGENDA ITEMS

{Items *9, * 21, *22, *24, *25, *26, *27, *28, *29, *30 and *31}

Moved by Councillor Perrault, seconded by Councillor Schechter

THAT the resolutions listed within the “Consent Agenda” of October 2, 2006 be approved, as follows:

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

***9. Leave of Absence Without Pay Request – File: 1800-06/1880-03-09**

Report: Deputy Director, Human Resources, September 29, 2006.

PURSUANT to the report of the Deputy Director, Human Resources, dated September 29, 2006, entitled “Leave of Absence Without Pay Request”:

THAT the action taken by the Committee of The Whole in camera regarding “Leave of Absence Without Pay Request” be ratified;

AND THAT the wording of the recommendation and the report of the Deputy Director, Human Resources, dated September 29, 2006, entitled “Leave of Absence Without Pay Request”, remain in camera.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***21. Official Community Plan Statutory Review: Pier Development Amendment Application (100 Lonsdale Avenue & 109 East Esplanade – Pinnacle International / City of North Vancouver/ National Maritime Centre) – File: 3345-02 Lonsdale 100 / Esplanade E 109**

Report: City Planner, Community Development, October 11, 2006.

PURSUANT to the report of the City Planner, dated October 11, 2006, entitled “Official Community Plan Statutory Review: Pier Development Amendment Application (100 Lonsdale Avenue & 109 East Esplanade – Pinnacle International / City of North Vancouver/ National Maritime Centre)”:

continued..

- *21. Official Community Plan Statutory Review: Pier Development Amendment Application (100 Lonsdale Avenue & 109 East Esplanade – Pinnacle International / City of North Vancouver/ National Maritime Centre) – File: 3345-02 Lonsdale 100 / Esplanade E 109 *continued***

THAT the review contained in the October 11, 2006 report concerning statutory examinations of “City of North Vancouver Official Community Plan Bylaw 2002, No. 7425, Amendment Bylaw, 2006, No. 7804” (The Pier / National Maritime Centre – Height Increase), with respect to its impact on the City’s Financial and Waste Management Plans be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *22. Violence Prevention in Schools Grant – Terms of Reference 2006 – File: 1150-03-09**

Report: Community Development Worker, Community Development, October 3, 2006.

PURSUANT to the report of the Community Development Worker, dated October 3, 2006, entitled “Violence Prevention in Schools Grant – Terms of Reference 2006”:

THAT the Draft Terms of Reference for the City of North Vancouver’s Violence Prevention in Schools Grant be approved;

AND THAT School District No. 44 (North Vancouver) and the District of North Vancouver be sent a copy of Council’s Resolution.

(CARRIED UNANIMOUSLY)

- *24. Rezoning Application: 335 East 11th Street, First Home Mart Development Ltd./Vernacular Design, RS-1 to CD-529, Duplex – File: 3345-02 11 E 335**

Report: Policy Analyst, Community Development, October 6, 2006

PURSUANT to the report of the Policy Analyst, Community Development, dated October 6, 2006, entitled “Rezoning Application: 335 East 11th Street, First Home Mart Development Ltd./Vernacular Design, RS-1 to CD-529, Duplex”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7824” (First Home Development Ltd., 335 East 11th Street, CD-529), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *25.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7824” (First Home Development Ltd., 335 East 11th Street, CD-529).

THAT Bylaw No. 7824 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: 801 Harbourside Drive, Concert Properties / Bunting Coady Architects – File: 3345-02 HARB 801**

Report: Deputy Director, Community Development, October 5, 2006

PURSUANT to the report of the Deputy Director, Community Development, dated October 5, 2006, entitled “Rezoning Application: 801 Harbourside Drive, Concert Properties / Bunting Coady Architects”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7825” (Concert Properties/Bunting Coady Architects, 801 Harbourside Drive, CD-528), 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. 7825"
(Concert Properties/Bunting Coady Architects, 801 Harbourside Drive,
CD-528).

THAT Bylaw No. 7825 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: 240 & 244 West 17th Street (Bill McLean/Kent
Halex), CD-530 – File: 3345-02 17 W 240 & 244**

Report: City Planner, Community Development, October 11, 2006

PURSUANT to the report of the City Planner, Community Development,
dated October 11, 2006, entitled "Rezoning Application: 240 & 244 West
17th Street (Bill McLean/Kent Halex), CD-530":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No.
7826" (B. McLean/Kent Halex Architect, 240 and 244 West 17th Street,
CD-530), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading Only

- *29. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7826" (B.
McLean/Kent Halex Architect, 240 and 244 West 17th Street, CD-530).

THAT Bylaw No. 7826 be read a first time in short form, copy of same
having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *30. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7792"
(Parpia Holdings (Marine) Ltd./Bumen Architecture & Code Consulting,
935 West 16th Street / 970 Marine Drive, CD-516).
- *31. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7815"
(Peter Pierobon / Sibeal Foyle, 121 East 1st Street, CD-525).

THAT the said Bylaws Nos. 7792 and 7815 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7792 and 7815 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 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:

3. Section 90 (1) (e) & (k)
4. Section 90 (1) (a)
5. Section 90 (1) (e)
6. Section 90 (1) (c)
7. Section 90 (1) (c)
8. Section 90 (1) (a)

CARRIED UNANIMOUSLY

The meeting recessed at 6:06 p.m. and reconvened at 7:13 p.m. with the same
personnel present.

Moved by Councillor Perrault, seconded by Councillor Schechter

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:13 p.m. and reconvened at 7:14 p.m. with the same personnel present.

PROCLAMATIONS

Mayor Mussatto read the following Proclamations:

“CANADA’S CITIZENSHIP WEEK” – OCTOBER 16 – 22, 2006.

“HOMELESSNESS AWARENESS WEEK” – OCTOBER 16 – 22, 2006.

DELEGATIONS

Ms. Louise Warner, Community Liaison Worker, North Shore Shelter, Lookout Emergency Aid Society.

Re: Homelessness Awareness Week – File: 1090-12

Ms. Louise Warner, Community Liaison Worker, North Shore Shelter, Lookout Emergency Aid Society, outlined the Calendar of Events for Homelessness Awareness Week October 16 – 22, 2006 and gave an overview of the issues, statistics, impacts and solutions to homelessness in the community. Ms. Warner thanked members of Council for their support and for proclaiming October 16-22, 2006 as Homelessness Awareness Week.

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

CORRESPONDENCE

10. Brian A. O’Connor, M.D., Medical Health Officer, Vancouver Coastal Health (North Shore), July 28, 2006.

Re: Homelessness Awareness Week – File: 1090-12

Moved by Councillor Perrault, seconded by Councillor Schechter

PURSUANT to the correspondence received from Brian A. O’Connor, M.D., Medical Health Officer, Vancouver Coastal Health (North Shore), dated July 28, 2006, entitled “Homelessness Awareness Week”:

THAT a letter of thanks be forwarded to Dr. Brian O’Conner for providing us with the opportunity to hear the delegation from Ms. Louise Warner, as well as to hear the statistics and figures, this evening.

CARRIED UNANIMOUSLY

Moved by Councillor Schechter, seconded by Councillor Heywood

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:29 p.m. and reconvened at 8:08 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

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

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the said Bylaw No. 7817 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the said Bylaw No. 7817 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 Policy Committee Meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:12 p.m. and reconvened at 9:56 p.m. with the same personnel present.

COUNCIL REPORT - File: 1085-01

Mayor D.R. Mussatto

- Advised that Mr. David Hughes, a speaker with National Resources Canada, will be speaking at Centennial Theatre on Sunday, November 26, 2006 at 7:30 p.m., regarding "Peak Oil", and that an invitation will be extended to the region and all member municipalities of the Greater Vancouver Regional District.

Councillor R.J. Fearnley

- Attended the Korean Training Ships visit at The Pier as Acting Mayor.
- Invited by the Philippine Consulate to entertain a group of Councillors from metro Manila to hear about solutions regarding Solid Waste Management and Rezoning. Thanked the City Engineer for giving a talk on Solid Waste Management to the visitors from the Philippines.

Councillor S.A. Schechter

- Advised that he would be hosting a session for young Mayors and Councillors at the upcoming Union of B.C. Municipalities Conference to be held in Victoria, October 23-27, 2006.

Councillor P.J. Bookham

- Attended the Park and Tilford Review Board meeting and advised that the Park and Tilford Gardens upcoming events are as follows: Friends of the Gardens Plant Sale on November 25th, the Xmas Light Display opening on December 2nd, a special Kids Evening on December 8th and Romance Night on December 21st with all proceeds going to the Sajak Foundation for children.
- Attended a celebration of North Shore Neighbourhood House for achieving Accreditation with respect to their role in our community.
- Attended an opening reception at Presentation House Gallery for the "China Series" by Edward Burtynsky.

MOTIONS AND NOTICES OF MOTIONS

- 12. Development Variance Permit Application: BTY Group / Stantec Architecture Ltd./Lion's Gate Hospital, 231 East 15th Street
– File: 3345-02 15 E 231 DVP No. 201.**

Moved by Councillor Keating, seconded by Councillor Schechter

THAT Development Variance Permit No. 201 be issued to Vancouver Coastal Health, in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 201. *continued..*

12. **Development Variance Permit Application: BTY Group / Stantec Architecture Ltd./Lion's Gate Hospital, 231 East 15th Street**
– File: 3345-02 15 E 231 DVP No. 201 *continued*

Moved by Councillor Schechter, seconded by Councillor Keating

THAT the applicant be heard at this time.

CARRIED UNANIMOUSLY

Mr. Tyler Schmitt, Facilities Development, Vancouver Coastal Health Authority and Mr. Roger Artis, BTY Group, responded to questions from members of Council.

The original motion was then **CARRIED UNANIMOUSLY.**

BYLAWS - Reconsideration and Final Adoption

13. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7794"
(Adera Equities Inc., Rositch Hemphill and Associates Architects, 710-730 West 14th Street, CD-518).

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the said Bylaw No. 7794 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the said Bylaw No. 7794 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

14. Rezoning Application: 116 West 23rd Street (Official Community Plan Amendment/Rezoning/Heritage Designation Bylaw Application for 116 West 23rd Street, Francis Connolly, Newport Consultants Ltd./Integra Architecture Inc., CD-521) – File: 3345-02 23 W 116

Report: Development Planner, Community Development,
October 11, 2006

Moved by Councillor Keating, seconded by Councillor Schechter

PURSUANT to the report of the Development Planner, Community Development, dated October 11, 2006, entitled “Rezoning Application: 116 West 23rd Street (Official Community Plan Amendment/Rezoning/Heritage Designation Bylaw Application for 116 West 23rd Street, Francis Connolly, Newport Consultants Ltd./Integra Architecture Inc., CD-521)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7807” (Francis Connolly, Newport Consultants Ltd./Integra Architecture Inc., CD-521), be amended by deleting Schedule 77 and replacing it with the revised Schedule 77 attached to the October 11, 2006, report;

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7807” (Francis Connolly, Newport Consultants/Integra Architecture Inc., 116 West 23rd Street, CD-521) as amended, and “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) and “Heritage Designation Bylaw, 2006, No. 7808” (Francis Connolly, Newport Consultants Limited/Integra Architecture Inc., 116 West 23rd Street), all be considered for second reading and referred to a new Public Hearing;

AND THAT said Public Hearing be scheduled after receipt by Council of the Western Avenue Special Planning Study staff recommendation.

CARRIED

BYLAWS - Second and Third Readings

15. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2006, No. 7807" (Francis Connolly, Newport Consultants/Integra Architecture Inc., 116 West 23rd Street, CD-521).

Moved by Councillor Schechter seconded by Councillor Keating

THAT Bylaw No. 7807 be read a second time in short form.

Moved by Councillor Schechter seconded by Councilor Keating

THAT Bylaw No. 7807 be amended by deleting Schedule 77 and replacing it with a new Schedule 77.

CARRIED

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

16. "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).

17. "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 Keating

THAT items 16 and 17 be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Schechter, 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 to 11:00 P.M., if necessary.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

18. **“Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2006, No. 7822 (City Parking Lot – 151 West 14th Street)” – File: 4120-03-01**

Report: Property Valuator-Negotiator, Community Development,
October 4, 2006.

Moved by Councillor Heywood, seconded by Councillor Keating

PURSUANT to the report of the Property Valuator-Negotiator, Community Development, dated October 4, 2006, entitled “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2006, No. 7822 (City Parking Lot – 151 West 14th Street)”:

THAT the Bylaw known as “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2006, No. 7822” (City Parking Lot – 151 West 14th Street), be considered.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

19. **“Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2006, No. 7822” (City Parking Lot – 151 West 14th Street).**

Moved by Councillor Heywood, seconded by Councillor Keating

THAT Bylaw No. 7822 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 Keating

THAT the said Bylaw No. 7822 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the said Bylaw No. 7822 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

20. Rental Apartment Buildings – File: 3365-05-04

Report: Deputy Director, Community Development, October 3, 2006.

Moved by Councillor Schechter, seconded by Councillor Heywood

PURSUANT to the report of the Deputy Director, Community Development, dated October 3, 2006, entitled “Rental Apartment Buildings”:

THAT the topic of the future of Rental Apartment Housing in the City be referred to a Policy Committee Meeting;

AND THAT the Building Owner and Tenant Associations, owners and tenants and the general public be invited to attend the meeting.

CARRIED UNANIMOUSLY

REPORT OF COMMITTEE OF THE WHOLE

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

3. Modification Agreement – Kiwanis St. Andrew’s Seniors’ Housing Project – File: 3345-02 14 E 300 and 15 E 300

Report: Community Planner, Community Development, October 5, 2006.

PURSUANT to the report of the Community Planner, dated October 5, 2006, entitled “Modification Agreement – Kiwanis St. Andrew’s Seniors’ Housing Project”:

THAT the Rental Housing Agreement Modification Agreement which clarifies the definition of affordable rents be approved.

(CARRIED UNANIMOUSLY)

4. Advisory Committee on Disability Issues (ACDI) – Recommended Appointment – File: 1085-03-N17-02

Report: Community Planner, Community Development,
October 3, 2006.

PURSUANT to the report of the Community Planner, dated October 3, 2006, entitled “Advisory Committee on Disability Issues (ACDI) – Recommended Appointment”:

THAT Mr. Greg Travers be appointed to a term expiring on December 31, 2008.

(CARRIED UNANIMOUSLY)

8. Appointment to the Board of Variance – 1085-03-B1-01

Report: City Clerk, October 11, 2006.

PURSUANT to the report of the City Clerk, dated October 11, 2006, entitled “Appointment to the Board of Variance”:

THAT Mr. Joe Heilman be appointed for a partial term to conclude on January 31, 2009, to fill the vacancy left by the resignation of Ms. Rosemary Davies.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Schechter

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:34 p.m.