



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, NOVEMBER 7, 2005**
AT 6:30 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
S. Ono, City Engineer
F.A. Smith, Director, Community Development
I. Gordon, Deputy Director of Finance
R. H. White, Deputy Director, Community
Development
B. Susak, Deputy City Engineer
T. Barber, Acting Manager, Engineering Planning
& Design
C. Kathler, Community Planner
J. Irwin, Manager of Financial Services
G. Penway, City Planner
B. Mahood, Utilities Superintendent
B. Themens, Manager, Capital Planning
D. Sigston, Manager, Lands
S. Smith, Planner, Community Development
D. Pope, Manager, Parks and Environment

The meeting was called to order at 6:32 p.m.

ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the following Minutes be adopted as circulated:

1. [Special Council Meeting Minutes, October 24, 2005.](#)
2. In Camera Committee of the Whole Meeting Minutes, October 24, 2005.

CARRIED UNANIMOUSLY

PROCLAMATIONS

[Video Clip 2](#)

Mayor Sharp read the following Proclamation:

“VETERANS’ WEEK” - NOVEMBER 4 TO 11, 2005

Mayor Sharp presented a framed copy of the Proclamation to the Colour Party of the Royal Canadian Legion Branch No. 118.

PUBLIC INPUT PERIOD - File: 1090-21

[Video Clip 3](#)

Mr. Bernie Moberg, 307 St. Andrew’s Avenue, spoke regarding the “Halloween Fireworks Event” and thanked Council Members for their contribution to said event.

CONSENT AGENDA ITEMS

[Video Clip 4](#)

{Items *15, *16, *17, *18, *19, *20, *21, *22, *23, *24, *25, *26, *27, *28 and *29}

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the resolutions listed within the “Consent Agenda” of November 7, 2005, be approved, as follows;

AND THAT Item *28, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7727” (City of North Vancouver, Hollyburn Properties Ltd., 100 Block West 14th Street, CD-505)”, be deleted from the consent agenda.

CORRESPONDENCE

- *15. [Greater Vancouver Regional District, The Board in Brief, September 23, 2005 - File: 1180-06](#)

THAT the Greater Vancouver Regional District, The Board in Brief, dated September 23, 2005, be received and filed.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***16. 2005 Capital Plan – File: 1645-06-02**

Recommendation: Finance Committee, October 24, 2005

PURSUANT to the report of the Manager, Financial Planning, dated October 18, 2005 entitled “2005 Capital Plan”:

THAT the list of projects requiring fall 2005 funding appropriations be endorsed;

AND THAT (Funding Appropriation # 0519) an amount of \$35,000 be appropriated from the Tax Sale Land Reserve Fund (Interest) for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0520) an amount of \$240,000 be appropriated from the Community Enhancement Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0521) an amount of \$125,000 be appropriated from the Amenity Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0522) an amount of \$118,000 be appropriated from the General Building Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0523) an amount of \$63,000 be appropriated from the Infrastructure Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0524) an amount of \$20,000 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for General Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0525) an amount of \$230,000 be appropriated from the Machinery and Equipment Depreciation and Obsolescence Reserve for Engineering Equipment for the purpose of funding the 2005 Capital Program;

AND THAT should any of the above amounts remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***17. North Shore Emergency Management Office – Surplus Policy
- File: 1600-10-01**

[Report: _____ Manager of Financial Services, October 24, 2005.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

PURSUANT to the report of the Manager of Financial Services, dated October 24, 2005, entitled “North Shore Emergency Management Office – Surplus Policy”:

THAT Council approve the surplus policy for the North Shore Emergency Management Office as endorsed by the Executive Committee of the North Shore Emergency Management Office (NSEMO).

(CARRIED UNANIMOUSLY)

***18. Unallocated 2005 Community Public Art Funds – File: 1670-03-10**

[Report: _____ Public Art Program Steering Committee \(PAPSC\),
October 20, 2005.](#)

PURSUANT to the report of the Public Art Program Steering Committee (PAPSC), dated October 20, 2005, entitled “Unallocated 2005 Community Public Art Funds”:

THAT the remaining \$2,800 in the 2005 Community Public Art Fund be granted to the North Shore Neighbourhood House for the creation of a community wall hanging to be hung at the John Braithwaite Community Centre.

(CARRIED UNANIMOUSLY)

***19. Marine Drive Community Amenity Reserve Fund – File: 3380-02-M1**

[Report: _____ Community Planner, Community Development, October 18, 2005.
Attachment 1](#)

RECOMMENDATION:

PURSUANT to the report of the Community Planner, dated October 18, 2005, entitled “Marine Drive Community Amenity Reserve Fund”:

THAT “Marine Drive Community Amenity Reserve Fund Bylaw, 2005, No. 7742”, be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *20. “Marine Drive Community Amenity Reserve Fund Bylaw, 2005, No. 7742”.**

THAT Bylaw No. 7742 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. 7742 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7742 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *21. Drinking Water Management Plan – File: 4060-03-02**

Report: [Acting Manager, Engineering Planning and Design,](#)
[November 2, 2005.](#)
[Attachment 1](#)

PURSUANT to the report of the Acting Manager, Engineering Planning and Design, dated November 2, 2005, entitled “Drinking Water Management Plan”:

THAT the Greater Vancouver Water District’s (GVWD) Drinking Water Management Plan be endorsed;

AND THAT the City continue to work with the GVWD to implement the municipal actions in the Drinking Water Management Plan, as summarized in the November 2, 2005 report.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *22. Proposed Amendment to Existing Section 15 Covenant Between the Property Owner and City of North Vancouver on Property Located at 15 Chesterfield Place – File: 3345-02 Chesterfield Place 15**

[Report: Development Planner, Community Development, November 2, 2005.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

[Attachment 5](#)

PURSUANT to the report of the Development Planner dated November 2, 2005, entitled “Proposed Amendment to Existing Section 15 Covenant Between the Property Owner and City of North Vancouver on Property Located at 15 Chesterfield Place”:

THAT Council authorize the Mayor and City Clerk to sign a letter amending the applicable covenant as presented in the November 2, 2005 report.

(CARRIED UNANIMOUSLY)

- *23. Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7746 (J. Kwan, Creativ Music Centre Ltd./J&A Cusano Ent. Ltd., 340 Brooksbank Avenue, CD-187 Text Amendment).**

[Report: Development Planner, Community Development, November 2, 2005.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

[Attachment 5](#)

[Attachment 6](#)

[Attachment 7](#)

PURSUANT to the report of the Development Planner dated November 2, 2005, entitled, “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7746 (J. Kwan, Creativ Music Centre Ltd./J. & A. Cusano Ent. Ltd., 340 Brooksbank Avenue, CD-187 Text Amendment)”:

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7746" (J. Kwan, Creativ Music Centre Ltd./J&A Cusano Ent. Ltd., 340 Brooksbank Avenue, CD-187 Text Amendment), be considered;

AND THAT the requirement for a Public Hearing be waived.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Reading

- *24. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7746" (J. Kwan, Creativ Music Centre Ltd./J&A Cusano Ent. Ltd., 340 Brooksbank Avenue, CD-187 Text Amendment).

THAT Bylaw No. 7746 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

- *25. "Loan Authorization Bylaw, 2005, No. 7714" (Authority to borrow Two Million Dollars (\$2,000,000) for the purpose of lending funds to the Lonsdale Energy Corporation, a municipal environment project providing heat energy and domestic hot water).
- *26. "City of North Vancouver Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw, 2005, No. 7724" (St. Andrews Project Holdings Ltd./Integra Architecture/PWL Partnership, 300 Block East 14th & 15th Streets & St. Andrew's Avenue).
- *27. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7725" (St. Andrews Project Holdings Ltd./Integra Architecture/PWL Partnership, 300 Block East 14th & 15th Streets & St. Andrew's Avenue, CD-504).
- *29. "Financial Plan for the Years 2005 to 2014 Bylaw No. 7672, Amendment Bylaw, 2005, No. 7733" (Revised Financial Plan for the Years 2005-2014).

THAT the said Bylaws Nos. 7714, 7724, 7725 and 7733 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7714, 7724, 7725 and 7733 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

DELEGATIONS

[Video Clip 5](#)

Ms. Shirley Lytle, President, Ms. Annwen Loverin, Executive Director and Mr. Elko Kroon, Board Member and Committee Chair, Silver Harbour Centre.

Re: Silver Harbour Centre Redevelopment Options Report – File: 1040-03-S1

Ms. Shirley Lytle, President, Ms. Annwen Loverin, Executive Director and Mr. Elko Kroon, Board Member and Committee Chair, Silver Harbour Centre, gave a presentation on the Silver Harbour Centre Redevelopment Options Report.

*Councillor Mussatto entered the meeting at 6:41 p.m.

Mr. Kroon provided history and background on the Silver Harbour Centre, the programs and services offered by the Centre, future needs, and a summary of the redevelopment options report.

The delegation then responded to questions from members of Council.

CORRESPONDENCE

[Video Clip 6](#)

3. Ms. Annwen Loverin, Executive Director, Silver Harbour Centre, November 2, 2005.

[Re: Silver Harbour Centre Redevelopment Options Report](#)
– File: 1040-03-S1

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence from Ms. Annwen Loverin, Executive Director, Silver Harbour Centre, dated November 2, 2005, entitled “Silver Harbour Centre Redevelopment Options Report”:

THAT staff be requested to continue working with the staff and Board of Directors of the Silver Harbour Centre and if necessary provide the extra staff time to achieve the goals of the Silver Harbour Centre.

CARRIED UNANIMOUSLY

DELEGATIONS

[Video Clip 7](#)

Mr. John Homewood on behalf of Strata Council of Victoria Place, North Vancouver.

Re: Balcony Enclosures at 123 East Keith Road (Victoria Place)
– File: 3345-02 Keith E 123

Mr. John Homewood, on behalf of the Strata Council of Victoria Place, provided background on the effect of the wind on the balconies at Victoria Place. He described a potential windbreak solution. He stated that they have been advised by City staff that a rezoning application is necessary before their solution can be implemented. He introduced Mr. Garth MacKenzie of Lumon Industries and advised that Mr. MacKenzie was present to answer any questions about the proposed balcony enclosures.

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting recess to the Finance Committee scheduled for this evening.

CARRIED UNANIMOUSLY

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

Mr. Homewood and Mr. MacKenzie then responded to questions from members of Council.

CORRESPONDENCE

[Video Clip 8](#)

4. Mr. John Homewood on behalf of Strata Council of Victoria Place, North Vancouver, October 18, 2005

Re: Balcony Enclosures at 123 East Keith Road (Victoria Place)
– File: 3345-02 Keith E 123

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence from Mr. John Homewood on behalf of Strata Council of Victoria Place, North Vancouver, dated October 18, 2005, regarding installation of Balcony Enclosures at 123 East Keith Road (Victoria Place):

continued...

CORRESPONDENCE

4. Mr. John Homewood on behalf of Strata Council of Victoria Place, North Vancouver, October 18, 2005 - Continued

THAT staff be requested to investigate ways through which Mr. Homewood's application can be processed and if such process calls for a public hearing then the public hearing be waived as long as there is support for the proposed project from the neighbouring buildings;

AND THAT staff be requested to add to their workplan, a broad policy review on this specific type of balcony enclosure.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Clark

THAT the meeting recess to the Finance Committee scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:39 p.m. and reconvened at 8:14 p.m. with the same personnel present.

BYLAWS - Introduction and First Three Readings

[Video Clip 9](#)

5. "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2005, No. 7734"
6. "A Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2005, No. 7735"
7. "Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2005, No. 7736"

Moved by Councillor Clark, seconded by Councillor Heywood

THAT Bylaws Nos. 7734, 7735 and 7736 be read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

continued...

BYLAWS - Introduction and First Three Readings - Continued

5. "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2005, No. 7734" - Continued
6. "A Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2005, No. 7735" - Continued
7. "Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2005, No. 7736" - Continued

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the said Bylaws Nos. 7734, 7735 and 7736 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the said Bylaws Nos. 7734, 7735 and 7736 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

CORRESPONDENCE

[Video Clip 10](#)

8. **Inky Mark, M.P., Dauphin-Swan River-Marquette, Manitoba, October 25, 2005.**

Re: [Heritage Hunting and Fishing Protection Act](#) – File: 1155-01.

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the correspondence from Inky Mark, M.P., Dauphin-Swan River-Marquette, Manitoba, dated October 25, 2005, entitled "Heritage Hunting and Fishing Protection Act", be received and filed.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

[Video Clip 11](#)

9. **Sammy J Peppers – Extension of Hours of Liquor Service**
- File: 1195-11-L2-02-01 / 3345-02 Mari 935-66

[Report: Policy Analyst, Community Development, October 19, 2005.](#)
[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Keating, seconded by Mayor Sharp

PURSUANT to the report of the Policy Analyst, dated October 19, 2004, entitled “Sammy J Peppers – Extension of Hours of Liquor Service”:

THAT Council has considered the staff report of the Policy Analyst dated October 19, 2005, for an extension of hours of liquor service to 1:00 a.m. for the food primary licensed establishment known as Sammy J Peppers and supports the amendment to the license.

CARRIED UNANIMOUSLY

[Video Clip 12](#)

11. **Lower Lonsdale Community Garden – Vandalism Strategy**
- File: 3380-02-C3

[Report: Planner 1, Engineering, Parks and Environment, November 1, 2005.](#)
[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Planner dated November 1, 2005, entitled “Lower Lonsdale Community Garden – Vandalism Strategy”:

THAT the Lower Lonsdale Community Garden – Vandalism Strategy, Option 3 of the November 1, 2005 report, at a cost of \$3,500 (to close a gap in the fence, add key signage including a signature sign, and focus on the community garden and North Shore Neighbourhood House continuing to build rapport with the surrounding community), be endorsed;

AND THAT the costs be charged to Project 50029 Community Gardens.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

[Video Clip 13](#)

12. **14th and 15th Street at St. Andrew's Avenue – Sale of City Lane to St. Andrews Project Holdings Limited – File: 3375-07 14th & 15th E 300 Block**

[Report: Property Valuator/Negotiator, Lands Division, Community Development, November 2, 2005.](#)

[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Fearnley, seconded by Councillor Clark

PURSUANT to the report of the Property Valuator/Negotiator dated November 2, 2005, entitled "14th and 15th Street at St. Andrew's Avenue – Sale of City Lane to St. Andrews Project Holdings Limited":

THAT "Highways Closing and Disposition Bylaw, 2005, No. 7745" (Closing and removal of highway dedication and disposition of that portion of highway located off St. Andrew's Avenue and parallel to the 300 Block East 14th Street), be considered;

AND THAT the Mayor and City Clerk be authorized to sign and seal any such documents as may be required in order to give effect to the above motions.

CARRIED UNANIMOUSLY

BYLAWS - Introduction and First Three Readings

[Video Clip 14](#)

13. "Highways Closing and Disposition Bylaw, 2005, No. 7745" (Closing and removal of highway dedication and disposition of that portion of highway located off St. Andrew's Avenue and parallel to the 300 Block East 14th Street).

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT Bylaw No. 7745 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 Fearnley, seconded by Councillor Clark

THAT the said Bylaw No. 7745 be read a second time in short form.

CARRIED UNANIMOUSLY

continued...

BYLAWS - Introduction and First Three Readings

13. "Highways Closing and Disposition Bylaw, 2005, No. 7745" (Closing and removal of highway dedication and disposition of that portion of highway located off St. Andrew's Avenue and parallel to the 300 Block East 14th Street). - Continued

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the said Bylaw No. 7745 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

BYLAWS - Reconsideration and Final Adoption

[Video Clip 15](#)

14. "Land Use Contract Bylaw, 1975, No. 4793, Repeal Bylaw, 2005, No. 7729" (135 West 1st Street / The Shore Cabaret).

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the said Bylaw No. 7729 be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the said Bylaw No. 7729 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

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 8:23 p.m.