



MINUTES OF THE REGULAR MEETING OF COUNCIL, HELD ELECTRONICALLY FROM CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, BC, ON **MONDAY, JANUARY 31, 2022**

PRESENT

COUNCIL MEMBERS

Mayor L. Buchanan
Councillor H. Back
Councillor D. Bell
Councillor A. Girard
Councillor T. Hu
Councillor J. McIlroy
Councillor T. Valente

STAFF MEMBERS

L. McCarthy, CAO
K. Graham, Corporate Officer
B. Pearce, Deputy CAO / Director, Strategic and Corporate Services
J. Peters, Assistant City Clerk
H. Granger, City Solicitor
L. Sawrenko, Director, Finance
M. Epp, Director, Planning and Development
A. Devlin, Acting Deputy Director, Planning and Development
Y. Zeng, Manager, Development Planning
E. Chow, Planner
D. Johnson, Planner
M. Hunter, Deputy Director, Engineering, Parks and Environment
R. Skene, Director, Community and Partner Engagement
P. Duffy, Manager, Bylaw Services
T. Huckell, Committee Clerk

The meeting was called to order at 5:30 pm.

Councillor Hu and Mayor Buchanan wished the community a happy Lunar New Year – Year of the Tiger.

APPROVAL OF AGENDA

Moved by Councillor Bell, seconded by Councillor Back

1. Regular Council Meeting Agenda, January 31, 2022

CARRIED UNANIMOUSLY

ADOPTION OF MINUTES

Moved by Councillor Girard, seconded by Councillor Valente

2. Regular Council Meeting Minutes, January 24, 2022

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Buchanan declared the following proclamations:

Heart Month – February 2022 – read by Councillor Bell
Black History Month – February 2022

PUBLIC INPUT PERIOD

Nil.

CONSENT AGENDA

Moved by Councillor Back, seconded by Councillor Bell

THAT the recommendations listed within the “Consent Agenda” be approved.

CARRIED UNANIMOUSLY

START OF CONSENT AGENDA

BYLAWS – ADOPTION

- *3. “Development Procedures Bylaw, 2001, No. 7343, Amendment Bylaw, 2022, No. 8906” (2022 Development Application Fee Review)

Moved by Councillor Back, seconded by Councillor Bell

THAT “Development Procedures Bylaw, 2001, No. 7343, Amendment Bylaw, 2022, No. 8906” (2022 Development Application Fee Review) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

- *4. “Construction Regulation Bylaw, 2003, No. 7390, Amendment Bylaw, 2022, No. 8907” (2022 Development Application Fee Review)

Moved by Councillor Back, seconded by Councillor Bell

THAT “Construction Regulation Bylaw, 2003, No. 7390, Amendment Bylaw, 2022, No. 8907” (2022 Development Application Fee Review) be adopted, signed by the Mayor and Corporate Officer and affixed with the corporate seal.

(CARRIED UNANIMOUSLY)

END OF CONSENT AGENDA

PUBLIC HEARING (continued) – 144 West 21st Street – Recessed from January 24, 2022

Moved by Councillor Girard, seconded by Councillor Bell

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8896” (Confide Enterprises Inc. / Ankenman Marchand Architects, 144 West 21st Street, CD-745) and “Housing Agreement Bylaw, 2021, No. 8897” (Confide Enterprises Inc. / Ankenman Marchand Architects, 144 West 21st Street, CD-745, Rental Housing Commitments).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 5:41 pm.

Moved by Mayor Buchanan, seconded by Councillor Bell

THAT the applicant consider and respond to Council regarding:

- Reducing the height of the building by one storey (to a total of 5 storeys);
- Recessing the massing of the fifth floor consistent with what is currently proposed for the fifth floor; and
- Moving the building footprint 6 feet southward.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Back

THAT the Public Hearing recess and be continued at the Regular Council meeting of February 7, 2022 at 5:30 pm.

CARRIED UNANIMOUSLY

The Regular meeting reconvened at 6:32 pm.

Moved by Councillor Bell, seconded by Councillor Back

THAT Items 5, 6, 7, 8 and 9 be removed from the agenda and deferred to the Regular Council meeting of February 7, 2022.

CARRIED UNANIMOUSLY

PUBLIC HEARING – 1825 Lonsdale Avenue

Moved by Councillor Back, seconded by Councillor Bell

THAT the meeting recess to the Public Hearing regarding “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8900” (Affinity Cannabis / Ruby Sandher, 1825 Lonsdale Avenue, CD-747).

CARRIED UNANIMOUSLY

The meeting recessed to the Public Hearing at 6:33 pm and reconvened at 7:21 pm.

BYLAW – THIRD READING

10. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8900” (Affinity Cannabis / Ruby Sandher, 1825 Lonsdale Avenue, CD-747)

Moved by Councillor McIlroy, seconded by Councillor Valente

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8900” (Affinity Cannabis / Ruby Sandher, 1825 Lonsdale Avenue, CD-747) be given third reading.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

REPORTS

11. Harry Jerome Community Recreation Centre Financial Strategy
– File: 05-1705-01-0001/2022

Report: Chief Financial Officer, January 21, 2022

Moved by Councillor Girard, seconded by Councillor Hu

PURSUANT to the report of the Chief Financial Officer, dated January 21, 2022, entitled “Harry Jerome Community Recreation Centre Financial Strategy”:

THAT the Harry Jerome Community Recreation Centre Financial Strategy, as presented, be endorsed.

CARRIED UNANIMOUSLY

12. Harry Jerome Community Recreation Centre Loan Authorization Bylaw
– File: 05-1705-01-0001/2022

Report: Chief Financial Officer, January 21, 2022

Moved by Councillor Girard, seconded by Councillor Back

PURSUANT to the report of the Chief Financial Officer, dated January 21, 2022, entitled “Harry Jerome Community Recreation Centre Loan Authorization Bylaw”:

THAT “Harry Jerome Community Recreation Centre Loan Authorization Bylaw, 2022, No. 8909” be considered;

AND THAT the Corporate Officer be directed to submit “Harry Jerome Community Recreation Centre Loan Authorization Bylaw, 2022, No. 8909” to the Ministry of Municipal Affairs and Housing for review and approval by the Inspector of Municipalities.

CARRIED UNANIMOUSLY

BYLAW – FIRST, SECOND AND THIRD READINGS

13. “Harry Jerome Community Recreation Centre Loan Authorization Bylaw, 2022, No. 8909”

Moved by Councillor Girard, seconded by Councillor Back

THAT “Harry Jerome Community Recreation Centre Loan Authorization Bylaw, 2022, No. 8909” be given first and second readings.

CARRIED UNANIMOUSLY

Moved by Councillor Girard, seconded by Councillor Back

THAT “Harry Jerome Community Recreation Centre Loan Authorization Bylaw, 2022, No. 8909” be given third reading.

CARRIED UNANIMOUSLY

REPORTS

14. Temporary Use Permit – 502 East 3rd Street – Pop-Up Garden Centre
– File: 08-3400-20-0070/1

Report: Planner 2, January 19, 2022

Moved by Councillor Bell, seconded by Councillor Back

PURSUANT to the report of the Planner 2, dated January 19, 2022, entitled “Temporary Use Permit – 502 East 3rd Street – Pop-Up Garden Centre”:

THAT Temporary Use Permit No. PLN2021-00025 (Greater Vancouver Transportation Authority), to permit a pop-up retail garden centre (Retail-Service Group 2 Use) at 502 East 3rd Street for a three-year term, be considered and referred to a Public Meeting;

AND THAT notification be circulated in accordance with the *Local Government Act*.

CARRIED UNANIMOUSLY

15. Rezoning Application: 133 East 4th Street – Amend Third Reading
– File: 08-3400-20-0035/1

Report: Manager, Development Planning, January 12, 2022

Moved by Councillor Valente, seconded by Councillor Girard

PURSUANT to the report of the Manager, Development Planning, dated January 12, 2022, entitled “Rezoning Application: 133 East 4th Street – Amend Third Reading”:

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734) be rescinded;

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734) be amended as follows:

- By removing the wording under Section 3.B(12) and replacing it with the following:

“Section 507(5)(h) Child Care Use is varied to allow a maximum of 24 children in care at any one time.”; and

- By adding the following wording after section 12:

“(13) Part 2 Interpretation; under the definition of “Gross Floor Area (19)”, subsections (a) and (b) be waived”;

Continued...

REPORTS – Continued

15. Rezoning Application: 133 East 4th Street – Amend Third Reading
– File: 08-3400-20-0035/1 – Continued

AND THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734) be given third reading, as amended.

CARRIED

Councillor Back and Councillor Bell are recorded as voting contrary to the motion.

BYLAW – RESCIND THIRD READING

16. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734)

Moved by Councillor Valente, seconded by Councillor Girard

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734) be rescinded.

CARRIED

Councillor Back and Councillor Bell are recorded as voting contrary to the motion.

BYLAW – AMEND THIRD READING AND THIRD READING, AS AMENDED

17. “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734)

Moved by Councillor Valente, seconded by Councillor Girard

THAT third reading of “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2021, No. 8837” (133 4th Street Limited Partnership / Integra Architecture Inc., 133 East 4th Street, CD-734) be amended and given third reading, as amended.

CARRIED

Councillor Back and Councillor Bell are recorded as voting contrary to the motion.

REPORT

18. 542 West 14th Street – Remedial Action Order (Site Clean-up)
– File: 09-3900-01-0001/2022

Report: Manager, Bylaw Services, January 19, 2022

Moved by Councillor Valente, seconded by Councillor McIlroy

PURSUANT to the report of the Manager, Bylaw Services, dated January 19, 2022, entitled “542 West 14th Street – Remedial Action Order (Site Clean-up)” and whereas Division 12 of Part 3 of the *Community Charter* authorizes Council to impose a remedial action requirement on the owner of a building or other structure, and any matter or thing that is in or about any such building or structure, including a requirement to remove the matter or thing or otherwise deal with it in accordance with the directions of Council or a person authorized by Council, where such things are a nuisance or so dilapidated or unclean as to be offensive to the community:

THAT Council, after considering the report and viewing the photographs of the property having a civic address of 542 West 14th Street, North Vancouver, legally described as: PID 005-286-484; Lot E, Block 45, District Lot 271, Plan 21017 (the “Property”) and the residence on the Property (the “Structure”):

- i. DECLARES, pursuant to the authority provided in Section 74 of the *Community Charter*, that the exterior of the Property surrounding the Structure is filled with an excessive quantity of debris, including but not limited to: scrap wood, metal, tools, paint cans, cardboard boxes, woven bags, small kitchen appliances, bookcase, furniture, canoe, kayak, as referenced in the photographs of Attachment #1 (the “Debris”) are a nuisance and are so unclean as to be offensive to the community; and
- ii. IMPOSES, pursuant to the authority provided in Section 72 of the *Community Charter*, the following remedial action requirements (the “Remedial Action Order”) to be completed by the registered owner in fee simple of the Property (the “Owner”) at their sole cost within 45 days, commencing on the date that notice of this Remedial Action Order is sent to the Owner:
 - Removing all the objects, materials and debris including but not limited to: scrap wood, metal, tools, paint cans, cardboard boxes, woven bags, small kitchen appliances, bookcase, furniture, canoe, kayak as set out in the photographs of Attachment #1 (the “Debris”) from the exterior portions of the Property and either storing such Debris off-site or disposing of such Debris at the Owner’s sole cost at appropriate facilities;

THAT the Manager, Bylaw Services, be directed to provide notice pursuant to the requirements of Section 77 of the *Community Charter*, of the Remedial Action Order to the Owner and to each holder of a registered charge in relation to the Property whose name is included on the assessment roll;

Continued...

REPORT – Continued

18. 542 West 14th Street – Remedial Action Order (Site Clean-up)
– File: 09-3900-01-0001/2022 – Continued

THAT the time limit for a notice to request Council reconsideration of the Remedial Action Order be set at 14 days, commencing on the date that notice of the Remedial Action Order is sent to the Owner;

AND THAT, in the event that the Owner has not fully complied with the Remedial Action Order within 45 days of the date that notice of the Remedial Action Order is sent to the Owner, staff and contractors of the City be authorized to take all appropriate actions in accordance with Section 17 of the *Community Charter*, including carrying out any and all of the requirements set out in the Remedial Action Order, with all costs incurred by the City to be at the expense of the Owner and recoverable from the Owner in accordance with Sections 17, 80, 258 or 259 of the *Community Charter*.

CARRIED UNANIMOUSLY

COUNCIL INQUIRIES / REPORTS

Nil.

NEW ITEMS OF BUSINESS

Nil.

NOTICES OF MOTION

Nil.

RECESS TO CLOSED SESSION

Moved by Councillor Valente, seconded by Councillor Back

THAT Council recess to the Committee of the Whole, Closed Session, pursuant to the *Community Charter*, Sections 90(1)(e) [land matter], 90(1)(i) [legal advice] and 90(1)(k) [proposed service].

CARRIED UNANIMOUSLY

The meeting recessed to the Committee of the Whole, Closed Session, at 8:19 pm and reconvened at 8:47 pm.

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION)

REPORTS

19. Disposition of Lane – 300 Block East 13th Street – File: 02-0890-01-0001/2021

Report: Manager, Real Estate, and Planner 2, November 10, 2021

Moved by Councillor Girard, seconded by Councillor Valente

PURSUANT to the report of the Manager, Real Estate, and the Planner 2, dated November 10, 2021, entitled “Disposition of Lane – 300 Block East 13th Street”, and subject to a successful rezoning of the 300 Block East 13th Street properties (the “Subject Site”), which is owned by Vancouver Coastal Health Authority:

THAT staff bring forward a bylaw to stop up, close and raise title to a portion of the lane adjacent to 318 East 13th Street (the “Lane”), as shown in Attachment 1;

THAT the Mayor and Corporate Officer be authorized to execute a Purchase and Sale Agreement with Vancouver Coastal Health Authority for a nominal fee of \$1.00 for the transfer of the Lane, including raising title to the Lane and transferring the Lane, subject to consolidation with the adjacent properties owned by Vancouver Coastal Health Authority, as outlined in Option 1 of the report;

THAT the dedication of a new laneway be secured to connect the remaining laneway to St. Andrews Avenue, as detailed in Attachment 1;

THAT the Mayor and Corporate Officer be authorized to sign the necessary documentation to give effect to this motion;

THAT notice of the highway closure, removal of highway dedication, notice of disposition and notice of assistance to Vancouver Coastal Health Authority be given in accordance with the *Community Charter*;

THAT any proceeds of the sale of the Lane be directed to the Civic Amenity Reserve Fund;

AND THAT the report of the Manager, Real Estate, and the Planner 2, dated November 10, 2021, entitled “Disposition of Lane – 300 Block East 13th Street”, remain in the Closed session.

CARRIED UNANIMOUSLY

REPORT OF THE COMMITTEE OF THE WHOLE (CLOSED SESSION) – Continued

REPORTS – Continued

20. Legal Advice / Proposed Service – File: 11-5500-06-0001/1

Report: Chief Executive Officer, Lonsdale Energy Corp., January 19, 2022

Moved by Councillor Girard, seconded by Councillor Valente

PURSUANT to the report of the Chief Executive Officer, Lonsdale Energy Corp., dated January 19, 2022, regarding legal advice and a proposed service:

THAT the action taken by the Committee of the Whole (Closed Session) be ratified;

AND THAT the wording of the recommendation and the report of the Chief Executive Officer, Lonsdale Energy Corp., dated January 19, 2022, remain in the Closed session.

CARRIED UNANIMOUSLY

ADJOURN

Moved by Councillor Back, seconded by Councillor Girard

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:48 pm.

“Certified Correct by the Corporate Officer”

CORPORATE OFFICER