

REGULAR MEETING OF COUNCIL

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7:00 p.m.
Monday, September 14, 2015
Council Chamber, Municipal Hall,
355 West Queens Road, North Vancouver

AGENDA

BROADCAST OF MEETING

- Live broadcast on Shaw channel 4
- Rebroadcast on Shaw channel 4 at 9:00 a.m. Saturday
- Online at www.dnv.org

CLOSED PUBLIC HEARING ITEMS NOT AVAILABLE FOR DISCUSSION

- Bylaw 7984 – Rezoning 3568 Mt. Seymour Parkway
- Bylaw 8101 – Rezoning 1241-1289 East 27th Street (Mountain Court)
- Bylaw 8103 – Rezoning 1203 and 1207 Harold Road
- Bylaw 8122 – Rezoning 3260 Edgemont Boulevard
- Bylaw 8126 – Rezoning 3730-3736 Edgemont Boulevard
- Bylaw 8135 – Rezoning 2975 and 2991 Fromme Road

1. ADOPTION OF THE AGENDA

1.1. September 14, 2015 Regular Meeting Agenda

Recommendation:

THAT the agenda for the September 14, 2015 Regular Meeting of Council for the District of North Vancouver be adopted as circulated, including the addition of any items listed in the agenda addendum.

2. PUBLIC INPUT

(limit of three minutes per speaker to a maximum of thirty minutes total)

3. PROCLAMATIONS

3.1. North Shore Culture Days

4. RECOGNITIONS 

4.1. Centennial Bursaries

5. DELEGATIONS 

5.1. Mr. Duncan Wilson, Vice President, Corporate Social Responsibility, Port Metro Vancouver

Re: Update on Port Metro Vancouver

6. ADOPTION OF MINUTES 

6.1. July 20, 2015 Regular Council Meeting

Recommendation:

THAT the minutes of the July 20, 2015 Regular Council meeting be adopted.

6.2. July 21, 2015 Public Hearing

Recommendation:

THAT the minutes of the July 21, 2015 Public Hearing regarding Bylaw 8135, The District of North Vancouver Rezoning Bylaw 1333, be received.

6.3. July 21, 2015 Public Hearing

Recommendation:

THAT the minutes of the July 21, 2015 Public Hearing regarding Bylaw 8126, The District of North Vancouver Rezoning Bylaw 1332, be received.

7. RELEASE OF CLOSED MEETING DECISIONS

8. COMMITTEE OF THE WHOLE REPORT 

8.1 July 27, 2015 Committee of the Whole

8.1.1 Naming of the New Community Recreation Facility in Delbrook

File No. 13.6410.01/000.000

Recommendation:

THAT the new community recreation centre in Delbrook be named Delbrook Community Recreation Centre.

9. REPORTS FROM COUNCIL OR STAFF 

With the consent of Council, any member may request an item be added to the Consent Agenda to be approved without debate.

If a member of the public signs up to speak to an item, it shall be excluded from the Consent Agenda.

*Staff suggestion for consent agenda.

Recommendation:

THAT items _____ be included in the Consent Agenda and be approved without debate.

9.1. Remedial Action Requirements – 2525 Panorama Drive



File No. 11.5225.01

Recommendation:

THAT Council pass the following Resolutions:

1. Council declares that the concrete walls located within the Panorama Creek channel on the property at 2525 Panorama Drive, legally described as:

PID: 011-019-301

Lot A, Block 8, District Lot 626, Plan 5980 (the "Property")

are in and create an unsafe condition;

2. Council hereby imposes the following remedial action requirements on Gary Wilson, the registered owner of the Property (the "Owner"), to address and remediate the above unsafe condition (the "Remedial Action Requirements"):

a) By October 30, 2015 the Owner must:

- i. Provide to the District an overall remediation plan in relation to the concrete walls and the alteration to the creek channel caused by said walls, which said remediation plan must be prepared by a qualified Professional Engineer or Geoscientist and must meet the following requirements to the satisfaction of the Chief Building Official:


A. an itemized and detailed description of work required to address the unsafe condition (the "Remedial Work");

B. certification that the proposed work will render the concrete walls and the corresponding altered creek channel safe for the use intended and will not transfer risk to neighbouring properties or other downstream lands;

C. environmental controls, including tree protection, sediment and erosion control, both during and after remediation;

D. drainage plan detailing how drainage will be managed on the Property; and,

- E. itemized schedule of work for carrying out the Remedial Action Requirements and completion dates of each item.
 - ii. Submit complete applications for all permits required for the Remedial Work to the satisfaction of the Chief Building Official.
 - b) The Owner must complete the Remedial Work in accordance with the approved remediation plan and the issued permits to the satisfaction of the Chief Building Official on or before the dates set out in the approved remediation plan.
3. Council hereby directs that in the case of failure of the Owner to comply with the Remedial Action Requirements, then:
- a) District Staff may seek an order/injunction from the courts requiring the owner to carry out the Remedial Action Requirements, or,
 - b) the District, its contractors or agents may enter the Property and may carry out the following actions:
 - i. demolish, remove and reconstruct the failing concrete wall and creek channel as required;
 - ii. generally restore the Property to a safe condition to the satisfaction of the Chief Building Official;
 - iii. for the foregoing purposes may retain the services of a professional engineer to provide advice and certifications;
 - iv. the charges incurred by the District in carrying out the aforementioned remedial actions will be recovered from the Owner as a debt; and,
 - v. if the amount due to the District under 3(b)(iv) above is unpaid on December 31st in any year then the amount due shall be deemed to be property taxes in arrears under section 258 of the Community Charter.

9.2. 114 West Windsor Rd - Withhold Demolition Permit and  Heritage Inspection Order
 File No. 13.6800.01/000.000


Recommendation:

THAT Council considers the property at 114 West Windsor Road may have sufficient heritage value and character to justify its protection;

AND THAT staff be directed to continue to withhold the demolition permit in accordance with s.3.1, s.3.2 and s.4.1 of the Heritage Procedure Bylaw;

AND THAT Pursuant to s.956 of the *Local Government Act* Council orders a Heritage Inspection as follows:

- a) The purpose of the inspection is to confirm the condition and heritage value of the house and property;
- b) The heritage inspection is carried out in an expeditious manner in cooperation with the homeowner; and,
- c) The order is to remain in effect until the Heritage Inspection is completed or building permits for the two lots are issued with respect to alteration or redevelopment of the property; whichever occurs first.


9.3. 3075 Fromme Road – Heritage Protection Plan 
File No. 08.3060.10/012.15

Recommendation:

THAT the property at 3075 Fromme Road and the house located thereon may have sufficient heritage value and character to justify its protection as outlined in the Statement of Significance attached to the September 4, 2015 report of the Development Planner entitled 3075 Fromme Road – Heritage Protection Plan;

AND THAT the Gillett House at 3075 Fromme Road in the District of North Vancouver be added to the District of North Vancouver's Community Heritage Register, pursuant to Section 954 of the *Local Government Act*;

AND THAT staff be directed to continue working with the owner/applicant to devise a Heritage Revitalization Agreement.

9.4. Bylaws 8126 and 8127: 3730-3736 Edgemont Boulevard 
File No. 08.3060.20/039.14

Recommendation:

THAT "The District of North Vancouver Rezoning Bylaw 1332 (Bylaw 8126)" is given SECOND and THIRD Readings.

THAT "Housing Agreement Bylaw 8127, 2015 (3730-3736 Edgemont Blvd.)" is given SECOND and THIRD Readings.

9.5. Sign Bylaw 7532 – Sign Bylaw Amendments to Regulate Real Estate Marketing and Construction Site Signage 
File No. 08.3227.14/000.000

Recommendation:

THAT "Sign Bylaw 7532, 2005, Amending Bylaw 8128, 2015 (Amendment 5)" is given FIRST, SECOND AND THIRD Readings.

9.6. Residential Solid Waste Collection 

File No. 11.5400.01

Recommendation:


THAT staff be directed to provide residents with two locking carts for garbage and organics curb side collection with the following rate structure that provides a financial incentive to opt for the smaller carts:

	Garbage	Organics	Combined
New rates			
140 litre locking cart	\$105	\$95	\$200
240 litre locking cart	\$145	\$130	\$275
2 nd 240 litre locking cart or existing 360 litre cart		\$65	
Existing rate			\$215.50

AND THAT at this time the garbage collection frequency remain weekly;


AND THAT the Financial Plan be amended in the fall to include the purchase of carts;

AND THAT the proposed rates for 2016 and 2017 based on this report be brought back prior to year-end.

- * **9.7. Bylaw 8138: Local Area Service, Lane Paving - **
100/200 Block Kensington Crescent
File No. 09.3900.20/000.000

Recommendation:

THAT "Lane Paving – 100/200 Kensington Crescent Bylaw 8137, 2015" is ADOPTED.

- * **9.8. 1431 Crown Street – Sons of Vancouver Distillery Ltd - **
Endorsement to a Liquor Licence Application for a Distillery Lounge Area
File No. 08.3060.20/016.15

Recommendation:

THAT

1. Council recommends the issuance of the distillery lounge endorsement to the liquor licence for Sons of Vancouver Distillery Ltd. for the following reasons:

The requested distillery lounge endorsement to allow for a small lounge with a capacity of 10 people is supported by District Council as the establishment is located within a primarily industrial area and the zoning permits the accessory use for a maximum of 10 people.

This support is provided with the proviso that the permitted closing hours be 12:00am Monday to Sunday.

2. The Council's comments on the prescribed considerations are as follows:

(a) The location of the distillery lounge area:

The location is in an industrial area within the Lynn Creek Town Centre and is suitable for a late evening venue. Public access to the building will be from the front entrance on Crown Street only, thus avoiding the potential for noise and activity in the rear lane.

The site has been operating as a tasting room in this location since February 2015 without complaint.

(b) The proximity of the distillery lounge area:

The proposed location is in an industrial area and will not conflict with any nearby social, recreation, or public buildings.

(c) The person capacity and hours of the distillery lounge:

The maximum capacity of 10 people within the distillery lounge area is acceptable provided closing hours are restricted to 12:00am to minimize the potential for noise impacts on the surrounding community.

(d) The number and market focus of liquor primary establishments within a reasonable distance of the proposed location:

There are three liquor primary licences within the general area: "Toby's", "Seymours", and "The Narrows" all of which are public houses and provide food service and a variety of beverages. The proposed distillery lounge endorsement will provide for the first distillery lounge establishment in the area and fill a niche in the community for those wanting a unique and alternative venue.

(e) The impact of noise and other impacts on the community if the application is approved:


As the location is in a primarily industrial area, noise and other impacts on the surrounding community are expected to be minimal. The small venue is expected to appeal to the nearby growing town centre community and provide a unique experience and opportunity for adult socializing. As the site already operates as a tasting room the distillery lounge endorsement is not anticipated to negatively impact the community.

3. Council's comments on the views of residents are as follows:

To address the Provincial requirements staff completed the following notification procedure in accordance with District Public Notification Policy:

- A Public Notice sign was placed on the site; and
- A notice requesting input on the proposal was delivered to 91 neighbouring property owners and tenants.

One resident of a home that shares the rear lane-way in the industrial area telephoned with concerns regarding potential noise in the rear laneway at closing time. In response to this concern Council notes that primary access is off the front road not the laneway and Council also suggests a midnight limit on the liquor licence. There were no other responses from the surrounding community.

* **9.9. Request for Noise Bylaw Variance – Capilano Main No. 9 **
(Phase 2) Construction
 File No. 11.5210.01/000.000

Recommendation:

THAT the provision of Noise Regulation Bylaw 7188, which regulates construction noise, be relaxed for Metro Vancouver from September 2015 to April 2016, as follows:

- Extended work hours on Saturdays from 7 am to 8 pm, if required;
- Generators for power and pumps to run 24-7, provided measures are taken to reduce noise to as low as reasonably practical approaching the requirements of the noise regulation bylaw using shrouding or other means to the satisfaction of the Municipal Engineer;
- Extended work hours beyond 8 pm for emergency situations and to complete concrete pours for the project's three valve chambers;
- Possible use of equipment that exceeds the noise limits such as a hydro vacuum truck, which can reach noise levels of 110 dBA only between the hours of 8 am to 5 pm Monday to Friday.

AND THAT any plans for overnight work related to pipe laying operations on Capilano Road near Eldon Road may be approved to proceed if necessary, at the discretion of the Municipal Engineer.

* **9.10. Amendment to Council Meeting Schedule **
 File No. 01.0115.30/002.000

Recommendation:

THAT the 2015 Council Meeting Schedule be amended to reflect the holding of both regular council meetings and Committees of the Whole on September 28, October 5, 19 and 26, November 2, 9, 16 and 23, and December 7, 14 and 21.

10. REPORTS 

10.1. Mayor

10.2. Chief Administrative Officer

10.3. Councillors

10.4. Metro Vancouver Committee Appointees

11. ANY OTHER BUSINESS

12. ADJOURNMENT 

Recommendation:

THAT the September 14, 2015 Regular Meeting of Council for the District of North Vancouver be adjourned.