

## CITY OF NORTH VANCOUVER

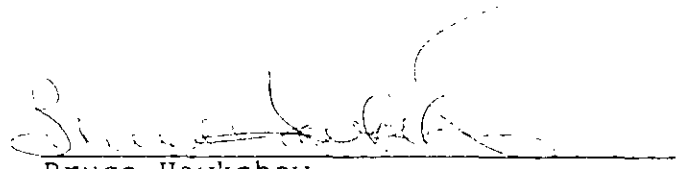
## M E M O R A N D U M

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TO: Mayor and Members of Council  
FROM: Bruce Hawkshaw, City Clerk  
SUBJECT: Amendment to Minutes - Wednesday, August 24, 1988  
DATE: September 7, 1988

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Please note that page 5 has been amended to reflect a change in the highlighted areas.

  
Bruce Hawkshaw,  
City Clerk

BH/tl

MINUTES of the Special Meeting of Council held in the Council Chamber, City Hall, 141 West 14th Street, North Vancouver, B.C. on Wednesday, August 24, 1988 at 5:30 p.m.

Present:

COUNCIL MEMBERS

Mayor J.E. Loucks  
Alderman W.J. Bell  
Alderman R.C. Clark  
Alderman S.J. Dean  
Alderman F.S. Morris  
Alderman B.A. Sharp

STAFF MEMBERS

G.H. Brewer, City Administrator  
B. Hawkshaw, City Clerk  
D.M. Rooke, Assistant City Clerk  
F.A. Smith, Director, Development Services  
R.H. White, Assistant Director, Planning  
A.D. Owen, Director, Purchasing and Property Services  
C. Gale, City Engineer

The meeting was called to order at 5:30 p.m.

PROCLAMATIONS

NIL

1. ADOPTION OF MINUTES

NIL

2. DELEGATIONS

NIL

3. CORRESPONDENCE

(a) Mrs. A.F. Searle, August 10, 1988

Re: S.P.C.A. Park Penalty

Moved by Alderman Dean, seconded by Alderman Clark

THAT the "Dog Tax & Regulation By-law, 1988, No. 5852" be referred to staff and the S.P.C.A., to determine how best to amend the by-law to reflect the following:

- i) lighter penalties;
- ii) waiving the penalty for first offenses;

AND THAT this matter also be referred to the Animal Welfare Committee for their comments and recommendations.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF1 (a) Reconsideration and Final Adoption of Zoning By-laws

Report: City Clerk, August 4, 1988

Moved by Alderman Dean, seconded by Alderman Clark

THAT Section 12 (c) of "Council Procedure Bylaw, 1979, No. 5191" be suspended, in Accordance with Section 30 of the same Bylaw, when dealing with Zoning Bylaws only that do not require staff supervision of development commitments between third reading and final adoption, such as, inter alia, landscape deposits, flooding covenants, or Land Title Act Section 215 Covenants.

DEFEATED2 (b) Hotel North Vancouver Retaining Wall  
166 West Esplanade

Report: Design Engineer, August 2, 1988

Moved by Alderman Dean, seconded by Alderman Clark

THAT Option 5 of the Design Engineer's Report entitled "Hotel North Vancouver Retaining Wall - 166 West Esplanade" dated August 2, 1988, be accepted.

DEFEATED

Moved by Alderman Sharp, seconded by Alderman Clark

THAT an approximate 100 square foot section of the retaining wall attendant to the Hotel North Vancouver be removed and stored at the estimated cost of \$8,000 for incorporation in a future development on the present site as described in Option 4 of the Design Engineer's Report of August 2, 1988;

AND FURTHER THAT the City Engineer be authorized to proceed with the work, funded from general contingency;

AND FURTHER THAT the City Engineer be authorized to retain a materials science firm in consultation with Mr. John Stuart (Heritage Advisory Committee member) to investigate the most appropriate method of arresting any further deterioration of the salvaged wall sections.

CARRIED

Alderman Dean is recorded as voting contrary to the resolution.

3 (c) Brief from Mr. B. Netupsky - Strata Conversion PolicyReport: Assistant Director - Planning  
August 9, 1988

Moved by Alderman Dean, seconded by Alderman Clark

THAT the report of Assistant Director-Planning dated July 22, 1988 entitled "Brief from Mr. B. Netupsky - Strata Conversion Policy" be received and filed;

AND THAT a copy of the report be sent to Mr. Netupsky for his information.

CARRIED UNANIMOUSLY

4. (d) B.C. Humane Education Society

Report: Social Planner, August 17, 1988

Moved by Alderman Morris, seconded by Alderman Bell

THAT the letter dated July 26, 1988 and attachments received from Mr. Ken Hemmerick, Executive Director, B.C. Humane Education Society be received and filed.

CARRIED UNANIMOUSLY(e) Mr. H.J. Churcher's July 11, 1988 letter to Mayor and Council regarding Construction Noise

Report: Mr. Stephen Bennett, Noise Control Office, August 15, 1988

Moved by Alderman Dean, seconded by Alderman Morris

THAT the August 15th, 1988 report of the Noise Control Officer, entitled "Mr. H.J. Churcher's July 11th, 1988 letter to Mayor and Council regarding Construction Noise" be received and filed;

AND THAT Mr. Churcher be provided with a copy of the said report for his information.

CARRIED(f) Application to Rezone - 800 Block West 16th Street and Tobruck Avenue - Westside/Wardle

Report: Assistant Director - Planning, August 12, 1988

Moved by Alderman Morris, seconded by Alderman Sharp

THAT a by-law to amend the Zoning By-law based on Option B, as described in the August 12, 1988 report of the Assistant Director - Planning entitled "Application to Rezone - 800 Block West 16th Street and Tobruck Avenue - Westside/Wardle" be prepared for consideration;

Moved by Alderman Dean, seconded by Alderman Morris

THAT the motion be amended by inserting the following after the words "Option B"

with respect to height and Option A with respect to access and egress of the lane at 16th Street,"

CARRIEDThe motion as amended was then put and CARRIED

- 1
4. (g) Proposed Rezoning Interlude Projects/Lund Highrise - 100 Block East Keith Road

Report: Assistant Director - Planning  
August 10, 1988

Moved by Alderman Dean, seconded by Alderman Morris

THAT the report of the Assistant Director-Planning dated August 10, 1988 entitled "Proposed Rezoning Interlude Projects/Lund Highrise - 100 Block East Keith Road" be referred to the Advisory Planning Commission meeting scheduled for September 14, 1988 for a report.

CARRIED

- 2
- (h) Signage - Czechoslovakian Restaurant (Lumberland Property)

Report: Assistant Director - Inspections  
August 17, 1988

Moved by Alderman Morris, seconded by Alderman Bell

THAT the report of the Assistant Director - Inspections re Directional Sign - Czechoslovakian Restaurant (Lumberland Property) at 160 East 3rd Street, be received and filed;

AND THAT staff be instructed to find a temporary on-street location for the placement of this sign in the same area for a maximum period of one year;

AND FURTHER THAT staff be instructed to submit to Council within the next 9 months a draft of a new sign by-law under the authority of Section 957 of the Municipal Act.

CARRIED

Alderman Dean is recorded as voting contrary to the motion.

- 3
- (i) 1433 Lonsdale Avenue Zoning Amendment Application (Jack Lonsdale's Neighbourhood Pub - Courtyard Seating).

Report: Planning Technician, August 15, 1988

Moved by Alderman Clark, seconded by Alderman Dean

THAT the Mayor and City Clerk be authorized to execute an amendment to the June 30, 1987 development agreement substantially in the form attached to the report of the Planning Technician entitled "1433 Lonsdale Avenue rezoning application (Jack Lonsdale's Neighbourhood Pub - Courtyard Seating)" and dated August 15, 1988;

AND FURTHER THAT the cost of preparation of said amending agreement be that of the applicant.

CARRIED

-5-

(j) 304 Lonsdale Avenue Rezoning Application  
(Kabolyzadeh)

Report: Planning Technician, August 15, 1988

Moved by Alderman Dean, seconded by Alderman Clark

THAT staff be instructed to prepare an Off-site Parking Agreement at the applicant's cost to secure adequate off-street parking for 304 Lonsdale Avenue at 320 Lonsdale Avenue.

Moved by Alderman Morris, seconded by Alderman Dean

THAT this matter be tabled until the first reading of "Zoning By-law, 1967, Amendment By-law, 1988, No. 5937" is reconsidered.

CARRIED

Moved by Alderman Morris, seconded by Alderman Dean

THAT the first reading of "Zoning By-law, 1967, Amendment By-law, 1988, No. 5937" (Kabolyzadeh, 304 Lonsdale Avenue)

be reconsidered.

CARRIED

Moved by Alderman Morris, seconded by Alderman Dean

THAT said By-law No. 5937 be amended under Clause 1(a)(ii) of the by-law to read:

THAT provided live entertainment be prohibited in conjunction with a "B" License Restaurant, licensed under the Liquor Control and Licensing Act.

CARRIED

The motion as amended was then put and CARRIED

The main motion which was earlier tabled was then put and CARRIED

(k) Lighting in City Parks

Report: Assistant City Engineer, August 8, 1988

Moved by Alderman Clark, seconded by Alderman Dean

THAT lighting for security purposes of properties adjacent to or in proximity of City Parks not be considered at this time in accordance with the report of the Assistant City Engineer titled "Lighting in City Parks" dated August 8, 1988;

AND THAT the Clerk be instructed to send copies of the Assistant City Engineer's report dated August 5th to PROMANCO Services and General Equities of Canada, the original applicants;

AND THAT the City Engineer be instructed to advise future applicants of this policy and at the same time request the R.C.M.P. to increase surveillance in requested areas, if appropriate.

CARRIED

Alderman Dean is recorded as voting contrary to the motion.

4. (1) Brody/Crockart, Application to Rezone 890, 896  
904 - 914 Tobruck Avenue

Report: Assistant Director - Inspections  
August 18, 1988

Moved by Alderman Morris, seconded by Alderman Clark

THAT the report of the Planning Technician dated August 16, 1988 entitled "Brody/Crockart, Application to Rezone 890, 896, 904 - 914 Tobruck Avenue" be referred to the Advisory Planning Commission meeting scheduled for September 14, 1988 for a report, provided that the Developer has initiated negotiation with the Land Agent on the closure and purchase of the lane.

CARRIED UNANIMOUSLY

- 2 (m) Metro Vancouver Permits and Licences Committee  
Member Participation 1989 B.C. Home Show -  
Funding Request

Report: Assistant Director - Inspections  
August 18, 1988

Moved by Alderman Bell, seconded by Alderman Morris

THAT the report of the Assistant Director-Inspections re: Metro Vancouver Permits and Licences Committee - Member Participation 1989 B.C. Home Show - Funding Request be received and filed;

THAT Council authorize the \$350.00 expenditure for account #1-3384-19 for purposes of the advance application fee for the Metro Area Permits and Licences Committee participation in the 1989 B.C. Home Show on the understanding that upon confirmation and acceptance of the application, each participating member jurisdiction be billed for their share of this amount.

CARRIED UNANIMOUSLY

Moved by Alderman Morris, seconded by Alderman Dean

THAT Mr. A. Rasmussen, Assistant Director - Inspections be commended for the excellent suggestion outlined in his report.

CARRIED

5. MOTIONS AND NOTICES OF MOTION

- (a) Temporary Commercial Use Permit

3 Moved by Alderman Dean, seconded by Alderman Clark

"THAT a Temporary Commercial Use Permit be issued to the City of North Vancouver to permit the following lands to be used on a temporary basis for public parking purposes:

Lot D, Block 164, D.L. 271 (located on the south side of First Street between Rogers and Chesterfield Avenues)

Lots 16-23, inclusive, Block 164, D.L. 271 (located on the north side of Esplanade, between Rogers and Chesterfield Avenues)"

CARRIED

5. (b) Herbicide Spraying

Moved by Alderman Bell, seconded by Alderman Dean

WHEREAS the recent GVHC herbicide spraying at the Pinewood Housing development was not done with proper consultation with the residents, and was done in a cavalier manner disregarding the tenants' concerns;

AND WHEREAS there are no current Provincial or City of North Vancouver regulations regarding the proper posting, signing and notification procedures regarding herbicide and pesticide spraying;

BE IT RESOLVED that staff be instructed to investigate a bylaw that supplements current Provincial legislation on the commercial use of herbicide and pesticide spraying in the Municipality;

AND BE IT FURTHER RESOLVED THAT Council send a letter to the GVHC expressing its dismay over the way it dealt with the legitimate concerns of the residents of Pinewood; and recommending that it implement a more consultative process when dealing with tenant concerns on the use of herbicides and pesticides.

CARRIED

(c) B.C. Hydro Gas Division - Communications

Moved by Alderman Morris, seconded by Alderman Dean

WHEREAS the Government of the Province of British Columbia had through its Privatization Programme publicly announced its intent to dispose of the Gas Division of B.C. Hydro;

AND WHEREAS a number of municipalities including the City of North Vancouver had, through agreements, rights to acquire ownership of all or part of the gas distribution systems within their municipal boundaries;

AND WHEREAS as the Government of British Columbia, without prior consultation, introduced and gave first reading on June 8, 1988 to Bill 45 (a bill to privatize the Gas Division of B.C. Hydro);

AND WHEREAS Section 21 of Bill 45 extinguishes any rights the municipalities had with respect to the acquisition of the gas distribution system within their municipal boundaries;

AND WHEREAS the Government of the Province of British Columbia without prior notice adopted Bill 45 on June 28th and said Bill received royal assent on June 29th;

AND WHEREAS the City of North Vancouver received notification of adoption of Bill 45 through the media and not through official channels and, in fact, did not receive any written information or documentation from the Government until July 18, 1988;



Item 5(c) continued ...

THEREFORE BE IT RESOLVED THAT the Council of the City of North Vancouver advise the Ministry of Municipal Affairs and the Ministry of Energy, Mines and Petroleum Resources that it takes strong exception to the lack of communication and consultation demonstrated in the passage of Bill 45 and request that the Government examine and restructure their communication systems so as not to repeat this performance in the future.

Moved by Alderman Sharp, seconded by Alderman Morris that the motion be amended by adding

AND FURTHER THAT the Provincial Government provide the municipalities with their amendments to such communications systems.

CARRIED

The motion as amended was then put and CARRIED

(d) Council's Mandate  
(Submitted by Alderman Clark)

WHEREAS the Mayor and Council of the City of North Vancouver were elected to conduct the City's business;

AND WHEREAS several subjects that are "ultra viries" to the City's power have been introduced recently, discussed at length and motions illegitimately passed pertaining thereto;

AND WHEREAS legitimate City business, namely millions of dollars worth of development proposals and zoning by-law amendments have been left not discussed or acted upon to the detriment of the City;

THEREFORE BE IT RESOLVED that at the next Policy Committee Meeting, this situation be addressed with a view to educating members of Council with respect to their mandate.

(e) Council Retreat and Agenda  
(Submitted by Alderman Clark)

BE IT FURTHER RESOLVED that an Agenda for the City Council's planned retreat on October 29 and 30, 1988 be made public two weeks prior to these dates, and that a subsequent summary report detailing the discussions and any actions resulting be made public soon after the retreat.

6. BY-LAWS

(a) Reconsideration and Final Adoption

NIL

6. (b) Introduction and First Three Readings

NIL

(c) Second and Third readings

Moved by Alderman Dean, seconded by Alderman Morris that

- (i) "Zoning By-law, 1967, Amendment by-law, 1988, No. 5909", (Text Amendment, Accessory Home Occupation Use - City of North Vancouver)

be deferred to the next meeting of Council on September 12, 1988.

CARRIED

Moved by Alderman Morris, seconded by Alderman Clark THAT

- (ii) "Zoning By-law, 1967, Amendment by-law, 1988, No. 5930", (Esplanade Cinemas, North-west Corner Esplanade and Chesterfield Avenue - CD-148)

be read a second time in short form.

Moved by Alderman Morris, seconded by Alderman Dean

THAT consideration of the second reading of By-law No. 5930 be deferred until Section 7 of the CD-148 section of the by-law is amended and staff has negotiated a satisfactory solution to the parking shortfall either through:

- (1) the provision of Covenants;
- (2) payment in lieu of parking under Section 964(2) of the Municipal Act, subject to passage of the required Municipal by-laws;
- (3) some other appropriate means.

CARRIED UNANIMOUSLY

Moved by Alderman Clark, seconded by Alderman Sharp

THAT consideration of By-law No. 5930 be deferred to the Council Meeting to be held on September 12, 1988.

CARRIED

Moved by Alderman Clark, seconded by Alderman Sharp THAT

- (iii) "Zoning By-law, 1967, Amendment By-law, 1988, No. 5932", (Meola/Lund, 220 West 17th Street, CD-149)

be deferred to the Council Meeting to be held on September 12, 1988.

CARRIED

7. COUNCIL INQUIRIES

- 1  
 (a) Alcohol Drug Education Service  
 (Inquiry by Alderman Morris)

Alderman Morris requested information with respect to the above as outlined in their letter dated August 12, 1988, and noted on the Council Blue Sheet dated August 19, 1988.

8. ANY OTHER BUSINESS

- 2  
 (a) Heritage Wall

Moved by Alderman Clark seconded by Alderman Sharp

THAT the subject of the Contingency Fund be added to the Agenda, as Item 4(b) has ramifications on same.

CARRIED UNANIMOUSLY

Moved by Alderman Dean, seconded by Alderman Sharp

THAT staff be authorized to transfer the sum of \$3,000.00 from the Grant Contingency to General Contingency to overcome a General Contingency deficit of \$1,400.00.

CARRIED UNANIMOUSLY

9. COMMITTEE OF THE WHOLE (IN-CAMERA)  
CONFIDENTIAL REPORTS

NIL

10. ADJOURNMENT

Moved by Alderman Dean, seconded by Alderman Clark

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 8:47 p.m.

John C. Loucks  
MAYOR

[Signature]  
CITY CLERK