

THE CORPORATION OF THE CITY OF NORTH VANCOUVER

MINUTES of the Regular Meeting of Council held in the Council Chamber, City Hall, 141 West 14th Street, North Vancouver, B.C., on Monday, August 14, 1995 at 6:00 p.m.

COUNCIL MEMBERSSTAFF MEMBERSPRESENT:

Mayor J.E. Loucks
 Councillor W.J. Bell
 Councillor J.B. Braithwaite
 Councillor S.J. Dean
 Councillor D.R. Mussatto
 Councillor B.W. Perrault
 Councillor B.A. Sharp

F.A. Smith, A/City Administrator
 B.A. Hawkshaw, City Clerk
 D.M. Rooke, Assistant City Clerk
 R.H. White, City Planner

The meeting was called to order at 6:02 p.m.

9. CONFIDENTIAL REPORTS

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the meeting recess to the Committee of the Whole to consider confidential reports in camera.

CARRIED

The meeting recessed at 6:03 p.m., and reconvened at 7:39 p.m., with the same personnel present and with the addition of Councillors Braithwaite, Bell and Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Bell

THAT the Minutes of the Regular Council Meeting of July 24, 1995, be adopted as circulated.

CARRIED

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Dean, seconded by Councillor Mussatto that the following recommendation of the Committee of the Whole in camera be ratified:

- (a) Marketing Lower Lonsdale Lands, Report #1
File: 3380-02-L4-04/3380-L4-01

Report: Manager, Lands Division, Development Services
June 7, 1995

THAT the actions taken by the Committee of the Whole in camera, with respect to Marketing Lower Lonsdale Lands, Report #1, be ratified and the wording of the resolution remain in camera;

AND THAT the above report of the Manager, Lands Division, dated June 7th, 1995 remain in camera.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Bell that the following recommendation of the Committee of the Whole in camera, be ratified:

- (c) 173-179 East 8th Street and 750 East Victoria Park
File: 4140-12-02/3300-07-02: 8E 173-179

Report: Land Agent, Development Services, June 12, 1995

PURSUANT to the report of the Land Agent dated June 12, 1995, entitled 173-179 East 8th Street and 750 East Victoria Park Road":

THAT "Highway Stopping Up & Closing Bylaw, 1995, No. 6706" (Victoria Park Avenue East, 100 Block East 8th Street) be considered and referred to a public meeting.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto that the following recommendation of the Committee of the Whole in camera, be ratified:

- (d) Stopping Up and Closing - 19th Street at MacKay Avenue
File: 3375-06-02/4140-10-02 MacKay & 19th Street

Report: Land Agent, Development Services, July 20, 1995

PURSUANT to the report of the Land Agent, dated July 20, 1995, entitled "Stopping Up and Closing - 19th Street at MacKay Avenue":

THAT the Land Agent be instructed to proceed with the preparation of a bylaw for the Stopping Up and Closing of 19th Street between MacKay Avenue and Hamilton Avenue;

AND THAT in the event that the Stopping Up and Closing Bylaw is approved, that the City Clerk be authorized to petition the Minister of Municipal Affairs to raise title in the name of the City of North Vancouver;

AND THAT the Mayor and City Clerk be authorized to execute any documentation necessary to give effect to this motion.

CARRIED

- (e) 166 West Esplanade - Lease Renewal - File:3375-10-02

Report: Property Valuator/Negotiator, Development Services
 August 9, 1995

Moved by Councillor Dean, seconded by Councillor Bell that the following recommendation of the Committee of the Whole in camera, be ratified:

PURSUANT to the report of the Property Valuator/Negotiator, dated August 9, 1995, entitled "166 West Esplanade - Lease Renewal":

THAT staff proceed with a three year lease of 166 West Esplanade substantially in accordance with the terms outlined in the above report, subject to clarification of any restrictions due to a Temporary Use Permit;

AND THAT if a Temporary Use Permit exists, the lease be a 2 year lease in compliance with the Municipal Act;

AND FURTHER THAT the Mayor and Clerk be authorized to execute any documentation required to give effect to this motion.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Dean

THAT the meeting recess until the Public Hearing and Public Meeting scheduled for this evening have concluded.

CARRIED

The meeting recessed at 7:44 p.m. and reconvened at 9:06 p.m., with the same personnel present.

PROCLAMATION

The Mayor read the following Proclamation:

"P.N.E. DAYS" - AUGUST 19, TO SEPTEMBER 4, 1995

2. DELEGATIONS

NIL

3. CORRESPONDENCE

Councillor Sharp left the meeting.

- (a) Ms. Judi Ainsworth, President & Business Information Officer, North Vancouver Chamber of Commerce, July 20, 1995

Re: Contract for Services 1995 - File: 1040-03-N6

Clerk's Recommendation:

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the 1995 Contract for Services between the City of North Vancouver and the North Vancouver Chamber of Commerce be approved;

AND THAT the Mayor and City Clerk be authorized to execute the necessary documents.

CARRIED UNANIMOUSLY

- (b) Greater Vancouver Regional District, July 28, 1995

Re: The Board in Brief - File: 1180-06

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT "The Board in Brief" dated July 28, 1995 received from the Greater Vancouver Regional District, be received and filed.

CARRIED

- (c) Katharine Goldberg, Association for Burlesque Entertainers,
July 19, 1995

Re: Queen vs Mara and East (Lap Dancing) - File: 3045-04-12-01

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the correspondence dated July 19, 1995 received from Katharine Goldbert, Association for Burlesque Entertainers, be received;

AND THAT the City of North Vancouver go on record strongly opposing lap dancing, and indicating that such behaviour will not be tolerated in our community.

CARRIED UNANIMOUSLY

- (d) William E. Rees, PhD, Professor and Director, The University of British Columbia, July 7, 1995

Re: Regional Transportation Conference - File: 1035-06

Moved by Councillor Braithwaite, seconded by Councillor Dean

THAT the correspondence dated July 7, 1995, received from William E. Rees, PhD., Professor and Director, The University of British Columbia, be referred to staff for a report.

CARRIED

Councillor Sharp returned to the meeting.

- (e) Derek Simons, Executive Director, North Vancouver Arts Council,
July 27, 1995

Re: 1995 Conference of the Assembly of B.C. Arts Councils
File: 1085-03-N10-01

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the correspondence dated July 27, 1995 received from Derek Simons, Executive Director, North Vancouver Arts Council be referred to the North Vancouver Arts Commission for comment.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF(a) Municipally Sponsored Child Care Facility - File: 4230-05-01

Report: Social Planner, Development Services, July 28, 1995

Moved by Councillor Bell, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner, dated July 28, 1995, entitled "Municipally Sponsored Child Care Facility":

THAT staff be directed to further investigate the feasibility of constructing a child care facility at the site adjacent to North Shore Neighbourhood House, City Hall, 18th and Jones and other potential locations that may arise;

AND THAT the results of the feasibility study be reported to Council with a recommendation on further action.

CARRIED

Councillor Dean is recorded voting contrary to the motion.

(b) The British Bistro Restaurant - 1552 Lonsdale Avenue - Entertainment (Stage/Dance Floor) Application - File: 3345-02 Lons 1552

Report: Property Use Inspector, Development Services, August 4, 1995

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Property Use Inspector, dated August 4, 1995, entitled "The British Bistro Restaurant - 1552 Lonsdale Avenue - Entertainment (Stage/Dance Floor) Application":

THAT the Liquor Control and Licensing Branch be advised that the City of North Vancouver does not object to the development of a stage and dance floor as an accessory to the principal use of restaurant for the British Bistro Restaurant at 1552 Lonsdale Avenue, North Vancouver, subject to the operation of the business being limited to Thursday, Friday and Saturday evenings and that no lunch time service be provided;

AND THAT the initial License period will be six months and subsequently should all Municipal conditions be complied with the License will become renewable on an annual basis.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the applicant be heard.

CARRIED

Councillor Bell is recorded as voting contrary to the motion.

Mr. Charles Perkins, 240-1240 St. George's Avenue responded to questions from members of Council concerning the type of entertainment provided. Mr. Perkins indicated that under a "B" License, space is limited and dancing would not include lap dancing.

The motion was then put and CARRIED UNANIMOUSLY

(c) Rezoning Application: 439 West 16th Street - File: 3400-05 16W 439

Report: Development Planner, Development Services, August 9, 1995

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Development Planner dated August 9, 1995, entitled "Rezoning Application: 439 West 16th Street":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6718" (Bhardwaj Enterprises Ltd./Palad Designs, 439 West 16th Street, RT-1), attached to the August 9, 1995 report of the Development Planner, be considered and referred to a Public Hearing.

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the rezoning application referenced in the August 9, 1995 report of the Development Planner, be referred back to staff for design refinements.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

2 (a) Development Variance Permit No. 53 - Mr. Bob Cranstoun and Mr. Bob Mann - Lots E 1/2 24 and W 1/2 24, Block 125, D.L. 274, Plan 879 (136-138 West 4th Street) - File: 3358-03 4W 136-138 DVP#53

Moved by Councillor Bell, seconded by Councillor Sharp

THAT Development Variance Permit No. 53 be issued to Mr. Bob Cranstoun and Mr. Bob Mann in accordance with Section 974 of the Municipal Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 53.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

- (b) Notice of Contravention per Section 750.1 Municipal Act at
349 East 24th Street - File: 3345-02 24E 349

Moved by Councillor Dean, seconded by Councillor Bell

THAT Council, by resolution, instruct the City Clerk to file notice in the Land Title Office pursuant to Section 750.1 of the Municipal Act, that:

- (a) a resolution by Council of the City of North Vancouver relating to 349 East 24th Street, Lot "C", Block 218, D.L. 546, Plan 9912 has been made under this section;
- b) information respecting this resolution may be viewed at the offices of the City.

Mayor Loucks invited Mr. Steven Ono, owner, to come forward and show cause why the City Council should not proceed with the above registration against the title. Neither Mr. Ono nor his representative came forward at the invitation of the Mayor.

The motion was then put and CARRIED UNANIMOUSLY

6. BYLAWS

- (a) Reconsideration and Final Adoption

Moved by Councillor Dean, seconded by Councillor Bell that

- (i) "Zoning Bylaw, 1967, Amendment Bylaw, 1995, No. 6712" (Creekside Architects, 124-130 West 22nd Street, CD-298)
- (ii) "Zoning Bylaw, 1967, Amendment Bylaw, 1995, No. 6714" (Text Amendment, City of North Vancouver, 147 East 14th Street, CD-166)
- (iii) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 1995, No. 6716" (General Equipment)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Bell

THAT the said Bylaws Nos. 6712, 6714 and 6716 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

(b) Introduction and First Three Readings

Moved by Councillor Mussatto, seconded by Councillor Bell that

- (i) "Highways Stopping Up and Closing Bylaw, 1995, No. 6706"
(Victoria Park Avenue East, 100 Block East 8th Street)

be introduced and read a first time only in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Dean that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6717"
(Incorporating into Bylaw No. 6700 the following Bylaws: Nos. 6609, 6687, 6688, 6689, 6701, 6702, 6712, 6714)

be introduced and 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 Bell, seconded by Councillor Mussatto

THAT the said Bylaw No. 6717 be read a second time in short form.

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaw No. 6717 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (c) Second and Third Readings

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1967, Amendment Bylaw, 1995, No. 6713" (Tanke Masonry Ltd./Curtis, 209 West Keith Road, CD-299) be read a second time in short form.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Bylaw No. 6713 be amended by striking out clauses 1, 2, 3, and 4 replacing them with the following:

- "1. This bylaw shall be known and cited for all purposes as the "Zoning Bylaw, 1995, No.6700, Amendment Bylaw, 1995, No. 6713" (Tanke Masonry Ltd./Curtis, 209 West Keith Road, CD-299).
2. Division VI: Zoning Map of Document "A" of "Zoning Bylaw, 1995, No. 6700" is hereby amended by reclassifying the following lots as henceforth being transferred, added to and forming part of CD-299 Comprehensive Development 299 Zone.

Lot	Block	D.L.	Plan	
15	112	271/548	1228	from RT-1 Two-Family Residential 1 Zone

3. Part II of Division V: Comprehensive Development Regulations of Document "A" of "Zoning Bylaw, 1995, No. 6700" is hereby amended by:
 - (a) adding the following to Section 1100, thereof, after the designation "CD-298 Comprehensive Development 298":

"CD-299 Comprehensive Development 299"
 - (b) adding the following to Section 1101, thereof, after the "CD-298 Comprehensive Development 298-Zone":

"CD-299 Comprehensive Development 299 Zone"

In the CD-299 Zone, permitted uses, regulations for permitted uses, regulations for the size, shape and siting of buildings and structures and required off-street parking shall be as in the RT-1 Zone, except that:

- (1) The permitted principal use shall be limited to 3 dwelling units;
- (2) The principal buildings shall not exceed a lot coverage of 35 percent;
- (3) The principal buildings shall not exceed a height envelope of 4.572m (15.0ft.), which may increase at an inward angle of 45 degrees to the horizontal to reach a maximum 9.144m (30.0ft.)

6. (c) Second and Third Readings (Continued)

- (4) The principal buildings shall be sited not less than:
 - (a) 7.61m(25feet) from the front lot line;
 - (b) 15.55m(42 feet) from the rear lot line;
 - (c) 1.52m(5 feet) from the interior side lot line;
- (5) The principal buildings shall not exceed a gross floor area of 0.6 times the lot area;
- (6) The minimum number of accessory off-street parking spaces provided shall comply with Part 9, and in no case shall less than five parking spaces be provided on site;
- (7) All open areas not covered by buildings, structures, driveways and parking spaces shall be suitably landscaped and maintained;
- (8) Refuse storage containers shall be readily accessible for pickup and for users and shall be screened on all sides, and shall not be located in required maneuvering aisles, driveways, loading or parking spaces.
- (9) All exterior finishes and landscaping shall be approved by the Advisory Design Panel."

CARRIED

The motion on second reading, as amended, of the said Bylaw No. 6713 was CARRIED

Moved by Councillor Dean, seconded by Councillor Bell,

THAT "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 1995, No. 6713" (Tanke Masonry Ltd./Curtis, 209 West Keith Road, CD-299), as amended, be read a third time in short form and passed subject to reconsideration.

A polled vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Mussatto
Councillor Sharp
Councillor Perrault
Mayor Loucks

Voting against: Councillor Braithwaite
Councillor Bell

The motion was CARRIED by a vote of five to two.

6. (d) Introduction and First Reading Only

Moved by Councillor Bell, seconded by Councillor Sharp that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6718"
(Bhardwaj Enterprises Inc./Palad Design, 439 West 16th Street,
RT-1)

be deleted from the agenda.

CARRIED

Mayor Loucks declared a recess at 9:52 p.m., for the public question period and reconvened at 9:53 p.m.

8. ANY OTHER BUSINESS

NIL

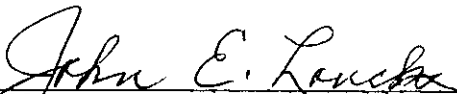
10. ADJOURNMENT

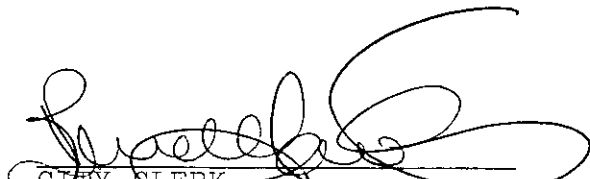
Moved by Councillor Bell, seconded by Councillor Braithwaite

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 9:54 p.m.


MAYOR


CITY CLERK

