



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON MONDAY, FEBRUARY 19, 1996 AT 6:00 P.M.

PRESENT:

COUNCIL MEMBERS

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

STAFF MEMBERS

A.K. Tollstam, City Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk

F.A. Smith, Director, Development Services
R.H. White, City Planner

C.M. Gale, City Engineer

E. Dal Santo, North Vancouver Bicycle
Coordinator

The meeting was called to order at 6:00 p.m.

9. CONFIDENTIAL REPORTS

Moved by Councillor Bell, seconded by Councillor Perrault

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

CARRIED

The meeting recessed at 6:01 p.m. and reconvened at 7:39 p.m., with the same personnel present and with the addition of Councillors Braithwaite, Dean and Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of February 12, 1996 be adopted as circulated.

CARRIED

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(c) Appointment to the Heritage Advisory Commission
File: 1085-03-C2-01/1090-03-03

Report: Mayor J.E. Loucks, February 15, 1996

PURSUANT to the report of Mayor J.E. Loucks dated February 15, 1996, entitled "Appointment to the Heritage Advisory Commission"

THAT Mr. Geoff Triggs be appointed to the Heritage Advisory Commission for a two year term expiring on January 31, 1998.

(CARRIED UNANIMOUSLY)

(d) Extension of Leave of Absence - Personnel Matter - File: 1010-01

Report: Director, Development Services, February 8, 1996

PURSUANT to the report of the Director, Development Services, dated February 8, 1996, entitled "Extension of Leave of Absence - Personnel Matter":

THAT the six month leave of absence granted to Francis Caouette be extended by one month to March 29, 1996.

(CARRIED UNANIMOUSLY)

(h) Outstanding Monies Owed by the Horseshoe Club - File: 4305-03-M1-06

Report: Deputy City Engineer, February 6, 1996

PURSUANT to the report of the Deputy City Engineer dated February 6, 1996, entitled "Outstanding Monies Owed by the Horseshoe Club":

THAT the Horseshoe Club be advised that the City of North Vancouver is willing to forgive the outstanding debt subject to the following:

1. THAT the new "License to Use" Agreement between the City and the Horseshoe Club allows the City the opportunity to seek other uses of the facility at times which do not conflict with the Horseshoe Club's reasonable use of the facility;
2. THAT the "License to Use" Agreement identify a minimum Horseshoe Club membership which is mutually agreed upon with the Horseshoe Club. This level of membership must be sufficient to continue to pay its operating costs. If the Horseshoe Club fails to maintain this level of membership then the City has the option to cancel the "License to Use", after an appropriate notification period;

Continued.....

9.1 (h) Outstanding Monies Owed by the Horseshoe Club - File: 4305-03-M1-06 - Continued

AND THAT the outstanding account receivable of \$34,562. be submitted to the Minister of Municipal Affairs under Section 288 of the Municipal Act for write-off approval;

AND THAT staff report back to Council on the possibilities, costs and benefits of increasing the usage of the Horseshoe Club in line with the City's Community Facility Tenancy Policy.

(CARRIED UNANIMOUSLY)

(j) Lease Renewal of 234A East Esplanade - File: 3345-08-02

Report: Property Valuator/Negotiator, Lands Division, February 9, 1996

PURSUANT to the report of the Property Valuator/Negotiator dated February 9, 1996, entitled "Lease Renewal of 234A East Esplanade":

THAT the Mayor and City Clerk be authorized to execute the lease extension for the space located at 234A East Esplanade, as outlined in the February 7, 1996 letter from Jade Agencies Ltd.

(CARRIED UNANIMOUSLY)

(l) Development Opportunity - File: 3300-07-02 LONS 1545

Report: Director, Development Services, February 13, 1996

PURSUANT to the report of the Director, Development Services, dated February 13, 1996, entitled "Development Opportunity":

THAT Mr. Peter Ward, Manager Real Estate Operations of the Royal Bank of Canada, be thanked for his letter of November 3, 1995, and advised that the City of North Vancouver is not interested in purchasing 1545 Lonsdale Avenue.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the meeting recess to the Public Hearing scheduled for this evening.

CARRIED

The meeting recessed at 7:40 p.m. and reconvened at 7:54 p.m., with the same personnel present.

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

"HERITAGE WEEK", FEBRUARY 19 - 25, 1996

"KIDNEY FOUNDATION MONTH", MARCH, 1996

2. DELEGATIONS

Nil

3. **CORRESPONDENCE**

- (a) **Arun K. Garg, Chair, Board of Governors, British Columbia Institute of Technology, February 9, 1996**

**Re: Cuts in Federal Transfer Payments for Post-Secondary Education
File: 1150-01**

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT staff draft a letter to The Honourable Paul Martin, Federal Minister of Finance and The Honourable Dan Miller, Provincial Minister of Skills, Training and Labour expressing our concern that the anticipated budget cuts do not deprive British Columbians of all post secondary institutions' programs that directly contribute to the well-being of the Province -- programs that give people the skills they need to succeed in today's workplace.

CARRIED UNANIMOUSLY

- (b) **Kim Collett, Executive Director, North Shore Community Services**

**Re: North Shore Community Law Office Closes September 30, 1996
File: 1040-03-N13**

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT a letter be sent by fax to Pindar Cheema, Chair of the Legal Services Society Board from the Mayor and Council of the City of North Vancouver registering their:

1. Concern for the potential closure of the North Shore Community Law Office, resulting in access barriers to legal services for vulnerable members of this community; and
2. Support for development of other budget proposals in conjunction with the North Shore Community Services Society and other local law offices which will enable the retention of legal services to local residents while addressing repayment of the program deficit.

AND THAT the following be so advised:

The Honourable Ujjal Dosanjh, Attorney General of British Columbia
David Schreck, MLA, North Vancouver-Lonsdale
Daniel Jarvis, MLA, North Vancouver-Seymour
Jeremy Dalton, MLA, West Vancouver-Capilano
Linda Reid, MLA, Richmond East, Official Opposition Critic of Attorney General of B.C.
David Duncan, Legal Services Society
R.W. Baker, President, North Shore Community Services

CARRIED UNANIMOUSLY

4. **REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF**

- (a) **1540 St. George's - Rezoning Application (Ramcon/Bardel): Legal Documentation - File: 3400-05 St.GEO 1540**
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Report: Planning Technician, Development Services, January 17, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician, dated January 17, 1996, entitled "1540 St. George's - Rezoning Application (Ramcon/Bardel): Legal Documentation":

THAT the Mayor and City Clerk be authorized to execute the Section 215 Land Title Act Covenant substantially in the form attached to the January 17, 1996 report of the Planning Technician entitled "1540 St. George's - Rezoning Application (Ramcon/Bardel): Legal Documentation", subject to the Third Reading of Bylaw No. 6736 being approved.

Councillor Braithwaite challenged the Chair on its ruling that he was not permitted to speak to the question for a second time.

Voting to sustain the Chair: Councillor Bell
 Councillor Mussatto
 Councillor Sharp

Voting not to sustain the Chair: Councillor Braithwaite
 Councillor Dean
 Councillor Perrault

The Chair was sustained by a vote of three to three.

A recorded vote was taken on the motion.

Voting in favour:
Councillor Bell
Councillor Mussatto
Councillor Sharp
Mayor Loucks

Voting against:
Councillor Braithwaite
Councillor Dean
Councillor Perrault

The motion was **CARRIED** by a vote of four to three.

4. **(b) 557-567 Lonsdale Avenue (Steady House/Camellia)**
 File: 3400-05 LONS 557-567

Report: City Planner, Development Services, January 17, 1996

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated January 17, 1996, entitled "557-567 Lonsdale Avenue (Steady House/Camellia)":

THAT the Mayor and City Clerk be authorized to execute the Agreement substantially in the form attached to said report.

CARRIED UNANIMOUSLY

- (c) **Application for Amendment to the Zoning Bylaw and Official Community Plan - 241 East 23rd Street (Lynn Valley Lions Housing Society) - File: 3400-05 23E 241**

Report: City Planner, Development Services, January 17, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated January 17, 1996, entitled "Application for Amendment to the Zoning Bylaw and Official Community Plan - 241 East 23rd Street (Lynn Valley Lions Housing Society)":

THAT Development Services be directed to process the subject application with referrals to the Advisory Planning Commission, the Social Planning Advisory Committee and the Advisory Design Panel.

A recorded vote was taken on the motion.

Voting in favour:

Councillor Bell
Councillor Mussatto
Councillor Sharp

Voting against:

Councillor Braithwaite
Councillor Dean
Councillor Perrault
Mayor Loucks

The motion was **DEFEATED** by a vote of four to three.

4. (d) **Rezoning Application - 949 West 3rd Street (Urban Concepts Ltd.) - File: 3400-05 3W 949**

Report: City Planner, Development Services, January 15, 1996

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the report of the City Planner, dated January 15, 1996, entitled "Rezoning Application - 949 West 3rd Street (Urban Concepts Ltd.)" be deleted from the agenda.

CARRIED

- (e) **Rezoning Application - 175 East 10th Street (MacLean/Romses) - File: 3400-05 10E 175**

Report: City Planner, Development Services, January 17, 1996

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the City Planner, dated January 17, 1996, entitled "Rezoning Application - 175 East 10th Street (MacLean/Romses)":

THAT Development Services be directed to process the rezoning application received from MacLean Management Ltd. for a four storey residential development on private lands and including the potential closure of portions of East 8th Street, Victoria Park Road East and the lane south of the subject site.

A recorded vote was taken on the motion.

Voting in favour:

Councillor Bell
Councillor Mussatto
Councillor Sharp
Mayor Loucks

Voting against

Councillor Braithwaite
Councillor Dean
Councillor Perrault

The motion was **CARRIED** by a vote of four to three.

(f) **North Vancouver Bicycle Master Plan - File: 1085-03-N20-01**

Report: North Vancouver Bicycle Coordinator, February 14, 1996

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT this item be tabled until later in the meeting.

CARRIED

4. (g) **Canada Health and Social Transfer - 1085-03-S11-01**

Report: Co-Chairs, Social Planning Advisory Committee, January 31, 1996

Moved by Councillor Dean, seconded by Councillor Bell

PURSUANT to the report of the Co-Chairs, Social Planning Advisory Committee dated January 31, 1996 entitled "Canada Health and Social Transfer":

THAT the January 31, 1996 report from the Social Planning Advisory Committee regarding the Canada Health and Social Transfer be received for information.

CARRIED UNANIMOUSLY

(h) **Off-Site Improvements Adjacent to Larson Elementary School - File: 3345-02 LARS 2605**

Report: City Administrator, February 14, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the City Administrator dated February 14, 1996, entitled "Off-Site Improvements Adjacent to Larson Elementary School":

THAT Option 3 of the report of the Development Technician entitled "Off-Site Improvements Adjacent to Larson Elementary School" dated February 13, 1996: "Amend the Bylaw to exempt the School District from providing the required services when renovating an existing school" be endorsed.

Moved by Councillor Bell, seconded by Councillor Sharp that the motion be amended to read as follows:

PURSUANT to the report of the City Administrator dated February 14, 1996, entitled "Off-Site Improvements Adjacent to Larson Elementary School":

THAT Option 4 of the report of the Development Technician entitled "Off-Site Improvements Adjacent to Larson Elementary School" dated February 13, 1996 be endorsed."

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

A recorded vote was taken on the motion, as amended.

Voting in favour:

Councillor Bell
Councillor Braithwaite
Councillor Mussatto
Councillor Sharp
Mayor Loucks

Voting against:

Councillor Dean
Councillor Perrault

The motion, as amended, was **CARRIED** by a vote of five to two.

Continued.....

4. (h) **Off-Site Improvements Adjacent to Larson Elementary School -
File: 3345-02 LARS 2605 - Continued**

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the City of North Vancouver request a Letter of Undertaking from School District No. 44 (North Vancouver) that they will fulfill their obligation to provide the works as required under "Subdivision and Development Control Bylaw, 1991, No. 6200" in the amount of \$103,300. at such time when monies are available.

CARRIED UNANIMOUSLY

(i) **Adult Crossing Guards - Report #3 - File: 1150-03-02**

Report: Assistant City Engineer, February 14, 1996

Moved by Councillor Sharp, seconded by Councillor Braithwaite

PURSUANT to the report of the Assistant City Engineer dated February 14, 1996, entitled "Adult Crossing Guards - Report #3":

THAT \$14,000. be provided to School District No. 44 to maintain the operation of an Adult Crossing Guard Program in the City of North Vancouver for the months of March and April, 1996;

AND THAT funding be provided from the 1996 General Contingency Account;

AND THAT staff report to the Finance Committee of Council in March, 1996 with options for their consideration regarding the provision of Adult Crossing Guards in the City;

AND THAT staff advise the Stakeholder Committee of the April 30, 1996 deadline for the development of a long term solution to the provision of crossing guards;

AND THAT the Stakeholder Committee be advised that there is no provision for the maintenance of Adult Crossing Guards in the 1996 City Budget.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

(j) Rezoning Application: 137 West 17th Street (Niad/Dalla-Lana/Griffin)
File: 3400-05 17W 137-141

Report: City Planner, Development Services, February 14, 1996

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated February 14, 1996, entitled "Rezoning Application: 137 West 17th Street (Niad/Dalla-Lana/Griffin)":

THAT the Mayor and City Clerk be authorized to sign and seal a Section 215 Land Title Act Covenant for the subject site substantially in the form of the covenant attached to said report.

CARRIED UNANIMOUSLY

4. (k) Response to Correspondence from LDP Holdings Inc. Re. Syndicate Block (51-59 Lonsdale Avenue) & Ellwood Block (110-114 West Esplanade) -
File: 3300-07-02

Report: Director, Development Services, February 14, 1996

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Director, Development Services, dated February 14, 1996, entitled "Response to Correspondence from LDP Holdings Inc. Re. Syndicate Block (51-59 Lonsdale Avenue) & Ellwood Block (110-114 West Esplanade)":

THAT the letter attached to said report be forwarded to LDP Holdings Inc. in response to their correspondence to Mayor and Council, dated January 26, 1996.

CARRIED UNANIMOUSLY

(l) Process to Address Citizen Complaints - Complaint from Ms. Eva Bundala, 607 East Sixth Street - File: 1010-02

Report: City Administrator, February 14, 1996

Moved by Councillor Bell, seconded by Councillor Braithwaite

PURSUANT to the report of the City Administrator, dated February 14, 1996, entitled "Process to Address Citizen Complaints - Complaint from Ms. Eva Bundala, 607 East Sixth Street":

THAT the Draft Citizen Complaint Process attached to the February 14, 1996 report of the City Administrator be referred for comment to:

- Canadian Union of Public Employees, Local 389
- Management Committee
- North Vancouver Managerial Association
- International Association of Fire Fighters, Local 914

AND THAT the City Administrator conduct a review of the circumstances surrounding this complaint and report back to Council with a summary of the facts and a recommendation.

CARRIED UNANIMOUSLY

4. (m) North Vancouver Violence Prevention Awards for 1995 Events
File: 4230-24-02

Report: Social Planner, Development Services, February 13, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner, dated February 13, 1996, entitled "North Vancouver Violence Prevention Awards for 1995 Events":

THAT \$250. be allocated from General Contingency for the North Vancouver Violence Prevention Awards Program for 1995 events.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

Nil.

6. BYLAWS

(a) Reconsideration And Final Adoption

Moved by Councillor Bell, seconded by Councillor Braithwaite that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6740" (The Owners, Strata Plan LMS 1025/Stratawest Management Ltd., 557/567 Lonsdale Avenue, CD-203)

be reconsidered.

CARRIED

Moved by Councillor Bell, seconded by Councillor Braithwaite

THAT the said bylaw No. 6740 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Dean that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6742" (Chee/Bill Curtis Design Ltd., 307 East 9th Street, RT-1)

be reconsidered.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Continued.....

6. (a) Reconsideration And Final Adoption - Continued

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the said bylaw No. 6742 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

(b) Introduction And First Three Readings

Moved by Councillor Bell, seconded by Councillor Perrault that

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1996, No. 6762" (Lower Lonsdale Lands Marketing Costs)

be deleted from the agenda.

CARRIED

(c) Second And Third Readings

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6718"
(Brent Developments Ltd./REL Design, 439 West 16th Street, RT-1)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6718 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (c) Second And Third Readings - Continued

Moved by Councillor Bell, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6750"
(Niad Builders Ltd./Dalla-Lana/Griffin Architects, 137 West 17th Street,
CD-309)

be read a second time in short form.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT Bylaw No. 6750 be amended as follows:

- (i) in Clause 2 by striking out the legal reference "Lot 26, Block 30, District Lot 548, Plan 1085";
- (ii) by striking out Clause 3. (2) in its entirety and replacing it with:
"The principal buildings shall not exceed a lot coverage of 80 percent;"
- (iii) by striking out Clause 3. (3) in its entirety and replacing it with:
"The principal buildings shall not exceed a height of 17.37 metres (57 feet), nor five storeys;"
- (iv) by striking out Clause 3. (5) in its entirety and replacing it with:
"The principal buildings shall not exceed a gross floor area 2.23 times the lot area;"
- (v) by striking out Clause 3. (7) in its entirety and replacing it with:

“The minimum number of accessory off-street parking spaces provided shall be 34, and in no case shall less than 34 parking spaces be provided;”

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Dean

Voting against: Councillor Bell
Councillor Mussatto
Councillor Perrault
Councillor Sharp
Mayor Loucks

The motion was **DEFEATED** by a vote of five to two.

The original motion was then **CARRIED**.

Councillors Braithwaite and Dean are recorded as voting contrary to the motion.

Continued.....

6. (c) Second And Third Readings - Continued

Moved by Councillor Bell, seconded by Councillor Perrault

THAT the said Bylaw No. 6750 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillors Braithwaite and Dean are recorded as voting contrary to the motion.

(d) Introduction And First Reading Only

Nil.

4. REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT Item 4.(f) be lifted from the table.

CARRIED

4. (f) North Vancouver Bicycle Master Plan - File: 1085-03-N20-01

Report: North Vancouver Bicycle Coordinator, February 14, 1996

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the letter dated February 17, 1996 from Mosquito Creek Neighbourhood and the letter dated February 19, 1996 from Ms. Karen Milne regarding "North Vancouver Bicycle Master Plan" be referred to the North Vancouver Bicycle Coordinator for a report.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:24 p.m.