



**MINUTES** OF THE **REGULAR MEETING OF COUNCIL** HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON **MONDAY, MARCH 4, 1996 AT 6:00 P.M.**

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**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  
R.A. Spencer, Development Planner  
M. MacFadyen, Manager, Lands

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

**9. CONFIDENTIAL REPORTS**

Moved by Councillor Bell, seconded by Councillor Mussatto

**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 7:25 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 19, 1996 be adopted as circulated.

**CARRIED UNANIMOUSLY**

## 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) Lower Lonsdale Planning Study: Staffing and Site Office - File: 3380-02-L4-03**

Report: City Administrator, February 13, 1996

**PURSUANT** to the report of the City Administrator dated February 13, 1996 entitled "Lower Lonsdale Planning Study: Staffing and Site Office":

**THAT** Development Services be authorized to set up and staff a Lower Lonsdale Planning Study Site Office at the North Vancouver Chamber of Commerce, 131 East 2nd Street, for a period not to exceed two years;

**AND THAT** staffing for the site office be authorized to include a Development Planner and a Planning Technician;

**AND THAT** funding for this site office be considered a marketing cost and capitalized against the sale or lease of City lands in Lower Lonsdale through the Tax Sale Land Reserve.

**(CARRIED)**

**(d) Appointment to the Noise Control Committee - File: 1085-03-N2-01/1090-03-03**

Report: Mayor J.E. Loucks, February 29, 1996

**PURSUANT** to the report of Mayor J.E. Loucks dated February 29, 1996, entitled "Appointment to the Noise Control Committee":

**THAT** Mr. Tony Veschini be appointed to the Noise Control Committee for a three year term expiring on January 31, 1999.

**(CARRIED)**

**(e) Leave of Absence Without Pay Request Silvana Rispoli File: 1880-03-09 /1800-06**

Report: Director of Personnel Services, February 27, 1996

**PURSUANT** to the report of the Director of Personnel Services dated February 27, 1996, entitled "Leave of Absence Without Pay Request Silvana Rispoli":

**THAT** Ms. Silvana Rispoli be granted a Leave of Absence Without Pay for the period February 26, 1996 to March 22, 1996, inclusive;

**AND THAT** authority be granted to extend this Leave of Absence Without Pay further, if requested, provided that satisfactory medical certification is received by staff.

**CARRIED**

Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** Items 6.(a) (i) and (ii) on the agenda be brought forward for consideration at this time.

**CARRIED**

**6. BYLAWS**

**(a) Reconsideration And Final Adoption**

Moved by Councillor Bell, 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 reconsidered.

**CARRIED**

Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** the said Bylaw No. 6718 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

Moved by Councillor Bell, seconded by Councillor Perrault 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 reconsidered.

**CARRIED**

Moved by Councillor Bell, seconded by Councillor Perrault

**THAT** the said Bylaw No. 6750 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED**

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

Moved by Councillor Bell, seconded by Councillor Perrault

**THAT** Item 3.(e) on the agenda be brought forward for consideration at this time.

**CARRIED**

### **3. CORRESPONDENCE**

(e) **Mayor Walter L. Cobb, City of Williams Lake, February 13, 1996**

**Re: Twining with a Quebec Community - File: 1175-04-01**

Moved by Councillor Perrault, seconded by Councillor Mussatto

**WHEREAS** the issue of Canadian Unity is affecting the economics of our Country and creating a misunderstanding among Canadians as to the concern of the uniqueness by those wishing to separate;

**AND WHEREAS** cities in British Columbia twin with communities throughout the world for economic and cultural opportunities;

**THEREFORE BE IT RESOLVED THAT** the Corporation of the City of North Vancouver recommend to the Union of British Columbia Municipalities that all British Columbia communities consider twinning with communities in Quebec to better understand our neighbours and hopefully resolve the issue of Canadian Unity through knowledge and empathy for all concerns.

**CARRIED UNANIMOUSLY**

Moved by Councillor Dean, seconded by Councillor Bell

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

**CARRIED**

The meeting recessed at 7:34 p.m. and reconvened at 9:30 p.m., with the same personnel present.

Moved by Councillor Braithwaite, seconded by Councillor Dean

**THAT** Items 6.(c) (i) and (ii) on the agenda be brought forward for consideration at this time.

**CARRIED UNANIMOUSLY**

**6. BYLAWS - Continued**

**(c) Second And Third Readings**

Moved by Councillor Mussatto, seconded by Councillor Dean that

(i) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1996, No. 6755" (636-652 Queensbury Avenue, Commercial)

be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against:

Councillor Bell  
Councillor Braithwaite

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

Moved by Councillor Mussatto seconded by Councillor Dean

**THAT** the said Bylaw No. 6755 be read a third time in short form and passed subject to reconsideration.

A recorded vote was taken on the motion.

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

Voting against: Councillor Bell  
Councillor Braithwaite

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

Moved by Councillor Mussatto, seconded by Councillor Sharp that

(ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6756"  
(Grossman  
and Stanley, 636-652 Queensbury Avenue, C-2A)

be read a second time in short form.

**CARRIED**

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

**6. (c) Second And Third Readings - Continued**

Moved by Councillor Mussatto seconded by Councillor Sharp

**THAT** the said Bylaw No. 6756 be read a third time in short form and passed subject to reconsideration.

**CARRIED**

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

## 2. DELEGATIONS

### (a) Mr. Mark Barry, Member, Restaurant & Foodservices Association of British Columbia & The Yukon - File: 4230-03

Re: Greater Vancouver Regional District Smoking Ban Committee

Mr. Mark Barry, Member, Restaurant & Foodservices Association of British Columbia & the Yukon advised that the proposal to ban smoking only in restaurants threatens the future of many of these businesses and the jobs that they all support. He advised that the Restaurant Association recommends the following eight regulations to govern smoking in restaurants, neighbourhood pubs, bars, cabarets and other hospitality businesses in the Greater Vancouver Regional District:

1. 70% non-smoking section.
2. Non-smoking section to be adjusted in accordance with changing consumer demand.
3. No minors permitted in smoking section.
4. Employees not permitted to smoke on the premises.
5. Air quality to meet ASHRAE standards within 18 months of implementation.
6. Sale of cigarettes not permitted on premises.
7. Appropriate warning signage posted at entrances and in washrooms.
8. Decals on entrance doors - "non-smoking section provided" or "100% non-smoking".

Mr. Barry then responded to questions from members of Council.

Moved by Councillor Bell, seconded by Councillor Dean

**THAT** Item 4.(a) on the agenda be brought forward for consideration at this time.

**CARRIED**

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

### (a) Business Licence Application - The Joint, 91 Lonsdale Avenue File: 3345-02 LONS 91

Report: City Planner, Development Services, February 27, 1996

Moved by Councillor Bell, seconded by Councillor Dean

**PURSUANT** to the report of the City Planner, dated February 27, 1996, entitled "Business Licence Application - The Joint, 91 Lonsdale Avenue":

**THAT** the City Clerk be directed to place the following resolution on the agenda of an upcoming meeting at which Ryan Mawhinney of "The Joint" shall be given the opportunity to be heard:

"**THAT** pursuant to Section 508 of the Municipal Act the application received from Ryan Mawhinney for a business licence for "The Joint" at 91 Lonsdale Avenue be refused."

**CARRIED UNANIMOUSLY**

**2. DELEGATIONS - Continued**

**(b) Ms. Karen Milne, North Vancouver - File: 4305-03-M3**

Re: Rezoning of Lot 1 adjacent to Mosquito Creek at 3rd Street and Fell Avenue

Ms. Karen Milne, 710 West 17th Street asked those members of Council on the Advisory Planning Commission and the Advisory Design Panel if their respective committees had received a copy of and considered the July 24, 1995 letter from Mr. Bruce J. Reid, Head, Land Use Section, Habitat Management Unit, Fraser River Division, Fisheries and Oceans Canada regarding the Proposed Martial Arts Facility adjacent to Mosquito Creek at 3rd and Fell, North Vancouver, before coming to a decision on said proposal. She requested members of Council to endorse a recommendation that development and rezoning applications identify properties which are within or adjacent to Fisheries Sensitive Areas, which includes habitat boundaries at 15 metres and 30 metres.

Ms. Milne then responded to questions from members of Council.

Moved by Councillor Bell, seconded by Councillor Perrault

**THAT** the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., be waived, and the meeting continue until Item 2.(c) on the agenda has been concluded.



THIRDS

CARRIED BY THE REQUIRED TWO-

PRESENT

MAJORITY OF COUNCIL MEMBERS

2. (c) **Mr. Karl Gustavson, Architect, Mr. T. Bekhuys, Pottinger Gaherty, Environmental Consultant and Mr. Daniel Lo, owner of 238 Fell Avenue**  
**File: 3400-05 FELL 238**
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Re: Rezoning Application: 238 Fell Avenue (Martial Arts Studio)

Mr. Karl Gustavson, Architect, Mr. T. Bekhuys, Pottinger Gaherty Environmental Consultants Ltd., and Mr. Daniel Lo, owner of 238 Fell Avenue, North Vancouver addressed the environmental concerns brought forward by Ms. Karen Milne in her letter of February 19, 1996 regarding the rezoning of Lot 1 adjacent to Mosquito Creek at 3rd and Fell Avenue, North Vancouver for a proposed martial arts centre and outlined their recommendations to enhance the habitat in that area.

Messrs. Gustavson, Bekhuys and Lo then responded to questions from members of Council.

10. ADJOURNMENT

Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** the meeting adjourn.

CARRIED

The meeting adjourned at 10:37 p.m.