



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 11, 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
F. Caouette, Administrative Manager, Development Services
M. MacFadyen, Manager, Lands Division
T. Barber, Assistant City Engineer
B. Granger, Parks Manager
E. Myers, Bull, Housser & Tupper

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

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT Items 4.(p) and 6.(a) (i) on the agenda be brought forward for consideration at this time.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

(p) Project Proposal for a Youth Service Canada Grant - File: 4230-17-01

Report: Social Planner, Development Services, March 6, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner dated March 6, 1996, entitled "Project Proposal for a Youth Service Canada Grant":

WHEREAS the Lower Lonsdale area of the City of North Vancouver has the highest concentration of low income, single parent and immigrant families of all City neighbourhoods;

AND WHEREAS youth constitute an underutilized resource in our community;

AND WHEREAS youths' potential is not being realized in employment which is as much a community as an individual concern;

4. (p) Project Proposal for a Youth Service Canada Grant - File: 4230-17-01

- Continued

AND WHEREAS the cycle of unemployment requires a concerted effort involving community groups, government and business to break down;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver endorses the application by North Shore Neighbourhood House for a Youth Service Canada Project Grant.

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration And Final Adoption

Moved by Councillor Mussatto, seconded by Councillor Bell that

- (i) "Affordable Housing Reserve Fund Bylaw, 1996, No. 6757"

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT the said Bylaw No. 6757 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Mussatto, seconded by Councillor Bell

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

CARRIED

The meeting recessed at 6:02 p.m. and reconvened at 7:19 p.m., with the same personnel present and with the addition of Councillors Braithwaite and Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of March 4, 1996 be adopted as circulated.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT Items 3.(a),(b),(d),(e),(f), 4.(h) and (i) on the agenda be brought forward for consideration at this time.

CARRIED

2. DELEGATIONS

Nil.

3. CORRESPONDENCE

- (a) **Mr. Earl Manning, Executive Director, Restaurant & Foodservices Association of British Columbia , February 26, 1996**

Re: GVRD Smoking Ban - File: 4230-03

Moved by Councillor Dean, seconded by Councillor Bell

THAT the correspondence dated February 26, 1996 from Mr. Earl Manning, Executive Director, Restaurant & Foodservices Association of British Columbia be tabled until Item 4. (d) on the agenda is considered.

CARRIED

- (b) **Greg Halsey-Brandt, Chair, Greater Vancouver Regional District, February 12, 1996**

Re: 100% Smoke-free Indoor Air Bylaw - File: 4230-03

Moved by Councillor Bell, seconded by Councillor Dean

THAT the correspondence dated February 12, 1996 received from Greg Halsey-Brandt, Chair, Greater Vancouver Regional District be tabled until Item 4. (d) on the agenda is considered.

CARRIED

- (d) **Ms. Cheryle Bass, Executive Director, Soo Coalition for Sustainable Forests February 29, 1996**

Re: Area of East Howe Sound is not being considered under the Protected Area Strategy - File: 4010-01/1040-03-L5

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the City of North Vancouver endorses the petition of the Soo Coalition for Sustainable Forests to include the area of East Howe Sound in the 13% protected area;

AND THAT the Public Advisory Group be so advised.

CARRIED UNANIMOUSLY

- 3. (e) Greater Vancouver Regional District "The Board in Brief", March 1, 1996 File: 1180-06**

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Greater Vancouver Regional District "The Board in Brief" dated March 1, 1996, be received and filed.

CARRIED

(f) **J.W. Copland, Municipal Clerk, The Corporation of Delta, February 20, 1996**

Re: Regulated Costing - Alcoholic Beverages - File: 1175-05-01

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the City of North Vancouver supports The Corporation of Delta's petition as set out in the February 20, 1996 correspondence received from J.W. Copland, Municipal Clerk, The Corporation of Delta regarding "Regulated Costing - Alcoholic Beverages".

CARRIED UNANIMOUSLY

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

Councillor Dean declared a conflict of interest with regards to Item 4.(h) because she owns property on the lane and left the meeting.

(h) **Local Improvement Petition - Lane North of East 10th Street bounded by Moody Avenue and Grand Boulevard West - File: 3370-04-01**

Report: Design Technician, Engineering Department, February 28, 1996

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Design Technician, dated February 28, 1996, entitled "Local Improvement Petition - Lane North of East 10th Street bounded by Moody Avenue and Grand Boulevard West":

THAT "Paved Lane, with Speed Arresters, North of East 10th Street bounded by Moody Avenue and West Grand Boulevard, Local Improvement Construction Bylaw, 1996, No. 6766" be considered.

CARRIED UNANIMOUSLY

Councillor Dean returned to the meeting.

4. (i) Mahon Park Trail - Entrance Gate - File: 4305-03-M1

Report: Parks Manager, February 26, 1996

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the Parks Manager, dated February 26, 1996, entitled "Mahon Park Trail - Entrance Gate":

THAT the decayed gate feature at the easterly entrance to Mahon Park Trail, including timbers and concrete footings, be removed for reasons of public safety.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Mussatto

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

CARRIED

6. BYLAWS - Continued

(b) Introduction And First Three Readings

Moved by Councillor Bell, seconded by Councillor Mussatto that

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1996, No. 6762"
(Lower Lonsdale Lands Marketing Costs)
- (ii) "Lease Authorization Bylaw, 1996, No. 6764" (R.C.M.P. Forensic I.D. Section)

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

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6762 and 6764 be read a second time in short form.

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6762 and 6764 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (b) Introduction And First Three Readings - Continued

Councillor Dean declared a conflict of interest with regards to Item 6.(b) (iii) because she owns property on the lane and left the meeting.

Moved by Councillor Bell, seconded by Councillor Mussatto that

- (iii) "Paved Lane, with Speed Arresters, North of East 10th Street bounded by Moody Avenue and West Grand Boulevard, Local Improvement Construction Bylaw, 1966, No. 6766"

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

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaw No. 6766 be read a second time in short form.

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaw No. 6766 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Dean returned to the meeting.

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 7:30 p.m. and reconvened at 8:26 p.m., with the same personnel present.

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT Item 6.(c)(i) on the agenda be brought forward for consideration at this time.

CARRIED

6. BYLAWS - Continued

(c) Second And Third Readings

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6736"
(Ramcon Holdings Ltd./Bardel Holdings Ltd., 1540 St. George's Avenue, CD-306)

be read a second time in short form.

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.

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the said Bylaw No. 6736 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

Moved by Councillor Bell, seconded by Councillor Dean

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

CARRIED

The meeting recessed at 8:42 p.m. and reconvened at 9:17 p.m., with the same personnel present.

Moved by Councillor Dean, seconded by Councillor Braithwaite

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

CARRIED

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

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

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

Mr. Elliott Myers, Bull, Housser & Tupper introduced the issues, described Council's jurisdiction under Section 508 of the Municipal Act and outlined procedures to be followed with respect to Item 4.(a).

Mayor J.E. Loucks invited Mr. Ryan Mawhinney to come forward and show cause why his business licence for "The Joint" should not be refused. Mr. Mawhinney then read from a prepared statement.

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the application received from Ryan Mawhinney for a business licence for "The Joint" at 91 Lonsdale Avenue be approved.

A recorded vote was taken on the motion.

Voting in favour:

Councillor Bell
Councillor Braithwaite
Councillor Mussatto
Councillor Sharp
Mayor Loucks

Voting against:

Councillor Dean
Councillor Perrault

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

Moved by Councillor Bell, seconded by Councillor Mussatto

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

6. BYLAWS - Continued

(c) Second And Third Readings - Continued

Moved by Councillor Dean, seconded by Councillor Perrault that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6760"
(Creekside Architects, 121-137 West 3rd Street, CD-310)

be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaw No. 6760 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 Bell
Councillor Dean
Councillor Mussatto
Councillor Perrault
Councillor Sharp
Mayor Loucks

Voting against:

Councillor Braithwaite

The motion was **CARRIED** by a vote of six to one.

Moved by Councillor Dean, seconded by Councillor Perrault that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6761", (Buron Housing Corporation/Graham Crockart, Architects, 134-152 West 22nd Street, CD-311)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Dean

THAT the said Bylaw No. 6761 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Dean

THAT Items 4.(e) and 5.(a) on the agenda be brought forward for consideration at this time.

CARRIED

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

- (e) **North Shore Studios (555 Brooksbank Avenue) Development Variance Permit Application - File: 3358-03 BROO 555 (DVP No. 60)**

Report: Planner, Development Services, February 28, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planner dated February 28, 1996, entitled "North Shore Studios (555 Brooksbank Avenue) Development Variance Permit Application":

THAT Development Variance Permit No. 60 attached to the February 28, 1996 report of the Planner, be considered for issuance under Section 974 of the Municipal Act;

AND THAT notification be circulated in accordance with Section 980 of the Municipal Act and a Public Meeting be scheduled.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

(a) North Shore Studios - Proposed Use of City Lands - File: 3510-01

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT the following Council Recommendation of February 20, 1995 **be rescinded**:

“**THAT** North Shore Studios be authorized to apply for a Temporary Use Permit for Sunrise Park and that staff be directed to negotiate the amount of money to be generated for the enhancement of Sunrise Park.”

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

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

(q) 607 East 6th Street - Notice of Contravention - File: 3345-10 6E 607

Report: City Administrator, March 6, 1996

Mayor Loucks invited Ms. Bundala, or owner's representative, to come forward and show cause why the City Council should not proceed with the registration against the title.

Ms. Bundala, owner of 607 East 6th Street came forward at this time and referred to the report of the City Administrator dated March 6, 1996.

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

The following resolution that was moved by Councillor Dean, seconded by Councillor Perrault on February 12, 1996, was considered:

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 607 East 6th Street, Lot 2, Block 13, D.L. 273, Plan 1063 has been made under this section;
- b) further information respecting this resolution may be viewed at the offices of the City of North Vancouver.

The motion was **CARRIED UNANIMOUSLY.**

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the City Administrator, dated March 6, 1996, entitled "607 East 6th Street - Notice of Contravention":

THAT staff report back to Council on improvements to the building inspection process.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Mussatto

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

CARRIED

4. (d) **Smoke-Free Indoor Air By-law - File: 3020-03-02-S**

Report: Medical Health Officer, February 28, 1996

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the Medical Health Officer, dated February 28, 1996, entitled "Smoke-Free Indoor Air By-law":

THAT the City of North Vancouver "Smoking By-law, 1987, No. 5788" be amended to effectively prohibit smoking in all indoor public places effective June 1, 1996;

AND THAT the Medical Health Officer be directed not to carry out active enforcement of the by-law until October 1, 1996, to allow for a phased implementation and communication of its provisions.

A recorded vote was taken on the motion.

Voting in favour:

Councillor Braithwaite

Councillor Mussatto

Voting against:

Councillor Bell

Councillor Dean

Councillor Perrault

Councillor Sharp

Mayor Loucks

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

Moved by Councillor Bell, seconded by Councillor Perrault

THAT this item be referred back to staff to come back with a stricter bylaw on smoking than is currently in place, taking into consideration the comments made at this evening's meeting.

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT this motion be deferred until we hear back from the Greater Vancouver Regional District meeting of March 13, 1996.

DEFEATED

The motion was then **CARRIED UNANIMOUSLY.**

Moved by Councillor Perrault, seconded by Councillor Bell

THAT Items 4.(f), (k) and (u) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. (f) **Development Variance Permit Application: 137-155 East 3rd Street**
File: 3358-03 3E 137-155

Report: Development Planner, Development Services, February 28, 1996

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Development Planner, dated February 28, 1996, entitled "Development Variance Permit Application: 137-155 East 3rd":

THAT Development Variance Permit No. 58 attached to the February 28, 1996, report of the Development Planner be considered for issuance under Section 974 of the Municipal Act;

AND THAT notification be circulated in accordance with Section 980 of the Municipal Act and a Public Meeting be scheduled.

CARRIED

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

(k) **Versatile Shipyard Land Use Study: Start-Up - File: 3380-02-V2-01**

Report: Planner, Development Services, February 20, 1996

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the Planner, dated February 20, 1996, entitled "Versatile Shipyard Land Use Study: Start-Up":

THAT Development Services Department staff be authorized to proceed with the Versatile Shipyard Land Use Study as outlined in said report, with funds up to a maximum of \$70,000 to be taken from the Consultant Planning Services Account;

AND THAT staff report back with the Terms of Reference for the Joint Steering Committee;

AND THAT an application be submitted for B.C. Heritage Trust funding assistance of \$15,000.

Moved by Councillor Dean, seconded by Councillor Perrault

THAT this motion be referred to the meeting of the Finance Committee scheduled for Saturday, March 23, 1996.

CARRIED

4. (u) **Policy Committee - Accessibility in Housing - File: 3365-09-02**

Report: Social Planner, Development Services, March 5, 1996

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner, dated March 5, 1996, entitled "Policy Committee - Accessibility In Housing":

THAT a Policy Committee of Council concerning housing accessibility be held on April 29, 1996, to receive presentations and delegations concerning the rationale and issues in providing and implementing accessibility in existing and new dwellings as background for Council's discussion of the following proposed resolutions:

1. **THAT** the concept of "adaptable design" be approved in principle as the basis for City policy development;
2. **AND THAT** staff be directed to report back as soon as is feasible on further definition of "adaptable design", scope of requirement in existing and new developments, draft standards, and implementation procedures and incentives;

AND THAT a tour of adaptable housing units be convened for Members of Council and staff prior to the Policy Committee meeting;

AND THAT while the City is developing the scope and standards of its accessibility policy, members of the Working Committee on Housing Accessibility be requested to act as resource persons to staff and developers or building owners in determining basic elements for accessibility which are Council required aspects of renovations or new developments.

CARRIED

Moved by Councillor Perrault, seconded by Councillor Bell

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

CARRIED

(s) **Proposed New Establishment Agreement for the North Shore Arts Commission - File: 1085-03-N3-01**

Report: Chair, North Shore Arts Commission, February 28, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Chair, North Shore Arts Commission, dated February 28, 1996, entitled "Proposed New Establishment Agreement for the North Shore Arts Commission":

THAT the report of the North Shore Arts Commission, dated February 28, 1996 re the proposed new Establishment Agreement for the North Shore Arts Commission be received;

4. (s) **Proposed New Establishment Agreement for the North Shore Arts Commission - File: 1085-03-N3-01 - Continued**

AND THAT the report entitled "Reaching to the Peaks" and the proposed Establishment Agreement be endorsed in principle;

AND THAT following similar actions by the other two North Shore Municipalities the Agreement be forwarded to the Municipal Solicitor for review and drafting of the necessary bylaw.

CARRIED UNANIMOUSLY

10. **ADJOURNMENT**

Moved by Councillor Dean, seconded by Councillor Bell

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:29 p.m.