



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON MONDAY, APRIL 15, 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  
F.R. Caouette, Administrative Manager, Development Services  
S.E. Durnford, Director of Finance  
C.M. Gale, City Engineer  
H. McKay, Deputy City Engineer  
B. Granger, Parks Manager  
G.D. Young, Director of Recreation

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

**9. CONFIDENTIAL REPORTS**

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

**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 7:42 p.m., with the same personnel present and with the addition of Councillors Bell, Dean and Sharp.

Moved by Councillor Bell, seconded by Councillor Dean

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

**CARRIED**

The meeting recessed at 7:43 p.m. and reconvened at 8:01 p.m., with the same personnel present.

**PROCLAMATIONS**

Mayor Loucks read the following Proclamations:

**“PREVENTION OF VIOLENCE AGAINST WOMEN WEEK”, APRIL 21 - 27, 1996**

**“NATIONAL VOLUNTEER WEEK”, APRIL 21 - 27, 1996**

**“VOLUNTEER SPIRIT DAY”, APRIL 22, 1996**

**1. ADOPTION OF MINUTES**

Moved by Councillor Dean, seconded by Councillor Mussatto

**THAT** the Minutes of the Regular Council Meeting of April 1, 1996 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**9.1 REPORT OF THE COMMITTEE OF THE WHOLE**

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

**(d) Foot of St. Andrew's Avenue, Negotiations with the Vancouver Port Corporation - File: 3375-04-02**

Report: Manager, Lands Division, April 9, 1996

**PURSUANT** to the report of the Manager, Lands Division, dated April 9, 1996, entitled "Foot of St. Andrew's Avenue, Negotiations with the Vancouver Port Corporation":

**THAT** Bylaw No. 3108 dated April 30, 1962 be repealed;

**AND THAT** the City's fee simple interest in Parcel "F", Plan 2585 (as more particularly described in Certificate of Title No. 11742) at the foot of St. Andrew's Avenue, be conveyed to the Vancouver Port Corporation (VPC) in consideration of:

- (i) VPC's conveyance to the City of the fee simple interest in Parcel X shown on Plan 90-52 attached to the April 9, 1996 report;
- (ii) VPC's lease to the City of Parcels Y and Z (Plan 90-52) for a term of 20 years with Rights of Renewal for two additional terms of 20 years each, said lease to reflect the standard terms and conditions of VPC's park leases and permitted uses under said lease to be Park and Open Space, including construction of a viewing pier and moorage of a Fast Response Fireboat;

**AND THAT** the land exchange contemplated herein be on an "as is where is" basis and upon completion of the exchange, both parties will consolidate the parcels with their contiguous lands;

**AND THAT** the City and VPC will enter into a 3 year interim lease for the properties to be exchanged to facilitate the proposed lease by VPC to B.C. Ferries, such lease to be at nominal rates and to terminate upon completion of the property exchange;

**9.1 (d) Foot of St. Andrew's Avenue, Negotiations with the Vancouver Port Corporation - File: 3375-04-02 - Continued**

**AND THAT** the parcels to be exchanged or leased as contemplated herein be subject to legal surveys as required.

**(CARRIED UNANIMOUSLY)**

(e) **Alternate Greater Vancouver Regional District Appointee re: Smoking Bylaw - File: 4230-03**

Verbal Report: Councillor D.R. Mussatto

**THAT** Councillor W.J. Bell be appointed as the alternate City of North Vancouver representative to sit on the Greater Vancouver Regional District organizing Committee to oversee the 100% Smoke-free Indoor Air Bylaw process.

**CARRIED UNANIMOUSLY**

2. **DELEGATIONS**

(a) **Holly Back and Chris Hough, Teachers, Carson Graham Secondary School File: 1150-03-03-CG**

**Re: Proposed Carson Graham Service Mall**

Ms. Holly Back and Mr. Chris Hough, Teachers and Mr. Tim Jones, Vice Principal, Carson Graham Secondary School updated members of Council on the proposed Carson Graham Service Mall as the school's career education facility where students in Career and Vocational Programs can develop skills in their chosen field while working directly with the public. They outlined their process for fund raising for the Service Mall and requested members of Council to support the concept in principle.

Ms. Back, Mr. Hough and Mr. Jones then responded to questions from members of Council.

Moved by Councillor Bell, seconded by Councillor Braithwaite

**THAT** the following items on the agenda be tabled until Mr. Shields arrives at the meeting:

2. (b) **Duncan Shields, Committee Member, United Fishermen and Allied Workers' Union - File: 1155-06-F3-01**

**Re: Minister of Fisheries, Fred Mifflin, plan to reduce commercial Salmon Fleet by some 60%**

3. (b) **United Fishermen and Allied Workers' Union, April 4, 1996**

**Re: Minister of Fisheries, Fred Mifflin, plan to reduce the commercial Salmon Fleet by some 60% - File: 1155-06-F3-01**

**CARRIED**

3. **CORRESPONDENCE**

(a) **Carson Graham Secondary School, March 25, 1996**

**Re: Proposed Carson Graham Service Mall - File: 1150-03-03-CG**

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

**THAT** the City of North Vancouver Council supports in principle the concept of the Service Mall as a new and innovative career education facility at Carson Graham School.

**CARRIED UNANIMOUSLY**

Moved by Councillor Bell, seconded by Councillor Dean

**THAT** the Carson Graham Secondary School Proposed Service Mall Concept to provide a new and innovative career education facility as per their letter of March 25, 1996, be referred to staff for a report.

**CARRIED**

(c) **Angelos Xilinas and Shamira Jetha, Co-Chairs, Social Planning Advisory Committee, March 28, 1996**

**Re: Pitch-In-Week, May 6 - 12, 1996 - File: 1040-03-P8**

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

**THAT** the 1996 Pitch-In-Week campaign be supported by participating in the campaign by requesting the Engineering Department to provide garbage pick up service during the week of May 6 - 12, 1996.

**CARRIED UNANIMOUSLY**

(d) **Gary D. Young, Director of Recreation, North Vancouver Recreation Commission, March 18, 1996**

**Re: Revision to the Joint Recreation Commission Bylaw - File: 4410-07**

Moved by Councillor Bell, seconded by Councillor Dean

**THAT** the Joint Recreation Commission Bylaw No. 6623 be revised in Section D.5 as follows:

**"Fees And Rental Charges**

- D.5 (a) The Commission shall establish admission fees and rental charges for the use of facilities and services.
- (b) The Commission may add to any admission fee or rental charge for the use of a specified facility a capital expenditure surcharge, in an amount and for a period to be determined by the Commission, where an owner municipality has requested a surcharge to assist in funding a capital expenditure for a specified facility.

3. (d) **Gary D. Young, Director of Recreation, North Vancouver Recreation Commission, March 18, 1996**

**Re: Revision to the Joint Recreation Commission Bylaw - File: 4410-07 - Continued**

- (c) The Commission shall collect and remit the surcharge fees to the owner municipality.
- (d) The owner municipality shall retain all surcharge fees collected in a special fund dedicated to capital expenditures for the specified facility."

**CARRIED UNANIMOUSLY**

(e) **Council of Tourism Associations of British Columbia, March 8, 1996**

**Re: Statement of Mutual Recognition and Respect**

**File: 3570-02-03/3520-01**

Moved by Councillor Dean, seconded by Councillor Bell

**THAT** the correspondence dated March 8, 1996 from the Council of Tourism Associations of British Columbia regarding "Statement of Mutual Recognition and Respect" be referred to the North Vancouver Chamber of Commerce for comment.

**CARRIED**

(f) **Greater Vancouver Regional District "THE BOARD IN BRIEF",  
March 29, 1996 - File: 1180-06**

Moved by Councillor Dean, seconded by Councillor Bell

**THAT** the Greater Vancouver Regional District "The Board in Brief" dated March 29, 1996, be received and filed.

**CARRIED UNANIMOUSLY**

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

(a) **Social Plan Update - File: 4230-26-08-02**

Report: Social Planner, Development Services, March 25, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

**PURSUANT** to the report of the Social Planner dated March 25, 1996, entitled "Social Plan Update":

**THAT** said report be received for information.

**CARRIED UNANIMOUSLY**

(b) **Reservation of Additional Cremation Lot - North Vancouver Cemetery  
File: 4215-01**

Report: City Clerk, March 29, 1996

Moved by Councillor Perrault, seconded by Councillor Mussatto

**PURSUANT** to the report of the City Clerk, dated March 29, 1996, entitled "Reservation of Additional Cremation Lot - North Vancouver Cemetery":

**THAT** the City Clerk be authorized to make available Lot 16, Block 684, to be purchased and reserved for future use by Mr. Emil Gomperud.

**CARRIED UNANIMOUSLY**

(c) **BC One Call - File: 4165-03-01**

Report: Deputy City Engineer, April 1, 1996

Moved by Councillor Dean, seconded by Councillor Bell

**PURSUANT** to the report of the Deputy City Engineer, dated April 1, 1996, entitled "BC One Call":

**THAT** the City's membership in BC One Call be approved;

**AND THAT** the Mayor and City Clerk be authorized to sign and seal the BC One Call User's Agreement.

**CARRIED UNANIMOUSLY**

Mayor Loucks advised that this was the last City of North Vancouver Council meeting that Mr. Hugh McKay, Deputy City Engineer will be attending as he will be shortly taking up the position of Municipal Engineer for the District of Saanich. Mayor Loucks thanked Mr. McKay for his contribution to our community and wished him good luck in his new position.

4. (d) **Special Occasion Liquor License - North Shore Hose Reel Festival**  
**File: 1195-11-L2-02-04**

Report: Administrative Manager, Development Services, April 2, 1996

Moved by Councillor Mussatto, seconded by Councillor Sharp

**PURSUANT** to the report of the Administrative Manager, Development Services, dated April 2, 1996, entitled "Special Occasion Liquor License - North Shore Hose Reel Festival":

**THAT** staff be instructed to issue municipal approval for a Special Occasion Liquor License for the North Shore Hose Reel Festival to be held at Mahon Park on May 11, 1996.

**CARRIED UNANIMOUSLY**

(e) **Royal Canadian Legion, Branch No. 118 - Permission for Special Event**  
**File: 1195-11-L2-02-04**

Report: Administrative Manager, Development Services, April 2, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

**PURSUANT** to the report of the Administrative Manager, Development Services, dated April 2, 1996, entitled "Royal Canadian Legion, Branch No. 118 - Permission for Special Event":

**THAT** the Liquor Control and Licensing Branch be advised that the City of North Vancouver has no objection to the request by Royal Canadian Legion, Branch No. 118, to open their bar for sales at 9:00 a.m. on May 11, 1996.

**CARRIED UNANIMOUSLY**

**(f) North Shore Rhapsody Sculpture at Roger's Plaza - File: 4420-03-02-01**

Report: Parks Manager, April 9, 1996

Mr. Bill Granger, Parks Manager, gave a brief slide presentation showing the current condition of the sculpture at Roger's Plaza.

Moved by Councillor Dean, seconded by Councillor Bell

**PURSUANT** to the report of the Parks Manager, dated April 9, 1996, entitled "North Shore Rhapsody Sculpture at Roger's Plaza":

**THAT** the deteriorated sculpture, specifically the seated harpist, be removed for reasons of public safety.

**CARRIED UNANIMOUSLY**

**4. (g) Local Improvement Initiatives - Lane Paving - File: 3370-04-01**

Report: Administrative Assistant-Engineering, April 10, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

**PURSUANT** to the report of the Administrative Assistant-Engineering, dated April 10, 1996, entitled "Local Improvement Initiatives - Lane Paving":

**THAT** the City Clerk be authorized to prepare, publish and cause to be served notice of the intention of the City to undertake as a Local Improvement of the Council without petition under the provision of Section 662 of the Municipal Act, the following lane pavings:

1. Lane South of 29th Street, West of Somerset
2. Lane North of 14th Street, between Jones and Mahon
3. Lane North of 19th Street, between Hamilton and Neilson
4. Lane North of 19th Street, between Neilson and Fell
5. Lane North of 20th Street, between Hamilton and Neilson
6. Lane North of 20th Street, between Neilson and Fell
7. Lane North of 14th Street, between St. Andrew's and Ridgeway
8. Lane North of 14th Street, between Ridgeway and Moody

**AND THAT** subject to the results of the initiative process, staff report back to Council with the final list of projects for approval, funding for which will not exceed the maximum

identified in "Local Improvement Bylaw, 1995, No. 6709", unless additional funding has been specifically identified.

**CARRIED UNANIMOUSLY**

**(h) Children and Youth Initiatives Fund Grant Application - File: 4230-17-08-04**

Report: Social Planner, Development Services, April 10, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

**PURSUANT** to the report of the Social Planner, dated April 10, 1996, entitled "Children and Youth Initiatives Fund Grant Application":

**THAT** the grant application for \$500. from the Children and Youth Initiatives Fund received from Grant McNeil Family Housing Association for a family camping trip be denied.

**CARRIED UNANIMOUSLY**

**4. (i) Rezoning Application: 332/334 East 12th Street - File: 3400-05 12E 332/334**

Report: Planning Technician, Development Services, April 9, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

**PURSUANT** to the report of the Planning Technician, dated April 9, 1996, entitled "Rezoning Application: 332/334 East 12th Street":

**THAT** "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6783" (Patera Project Management & Construction Ltd., 332/334 East 12th Street, RT-1) attached to the April 9, 1996 report of the Planning Technician be considered and referred to a Public Hearing.

**CARRIED**

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

**(j) Rezoning Application - 115 East 6th Street - File: 3400-05 6E 115**

Report: Planning Technician, Development Services, April 10, 1996

Moved by Councillor Dean, seconded by Councillor Braithwaite

**THAT** consideration of the report of the Planning Technician, dated April 10, 1996, entitled "Rezoning Application - 115 East 6th Street" be deferred pending receipt of the report from Mr. Chuck Brook, Consultant, regarding Density Bonusing.

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite



Councillor Dean  
Councillor Perrault

Voting against: Councillor Bell  
Councillor Mussatto  
Councillor Sharp  
Mayor Loucks

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

4. (j) **Rezoning Application - 115 East 6th Street - File: 3400-05 6E 115  
- Continued**

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*The vote upon the following recommendations was taken separately.*

Moved by Councillor Bell, seconded by Councillor Mussatto

**PURSUANT** to the report of the Planning Technician, dated April 10, 1996, entitled  
"Rezoning Application - 115 East 6th Street":

**THAT** "Zoning Bylaw, 1995, 6700, Amendment Bylaw, 1996, No. 6785" (Stanita  
Investment Ltd., 115 East 6th Street, CD-316) be considered and referred to a Public  
Hearing.

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.

**PURSUANT** to the report of the Planning Technician, dated April 10, 1996, entitled  
"Rezoning Application - 115 East 6th Street":

**THAT** one or more units be considered for "adaptable use" subject to review by the North  
Shore Advisory Committee on Disability Issues.

**CARRIED**

**PURSUANT** to the report of the Planning Technician, dated April 10, 1996, entitled  
"Rezoning Application - 115 East 6th Street":

**THAT** a housing agreement be used to ensure compliance with any renovations required for adaptable use and occupancy of the suites by disabled persons.

**CARRIED UNANIMOUSLY**

4. (j) **Rezoning Application - 115 East 6th Street - File: 3400-05 6E 115  
- Continued**

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**PURSUANT** to the report of the Planning Technician, dated April 10, 1996, entitled "Rezoning Application - 115 East 6th Street":

**THAT** Development Services staff be directed to report back to Council on the development of guidelines for the legalization of suites in Multiple Dwelling Developments.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean

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

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Development Variance Permit No. 59 - Mr. Dirk Buttjes of Buttjes Architecture, Inc., on behalf of Eighties Restaurant, Lot 13, Block 49, D.L. 548/549, Plan 750 (110 West 14th Street) - File: 3358-03 14W 110 DVP No. 59**

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Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** Development Variance Permit No. 59 be issued to Mr. Dirk Buttjes of Buttjes Architecture, Inc. on behalf of Eighties Restaurant 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. 59.

**CARRIED**

Moved by Councillor Dean, seconded by Councillor Perrault

**THAT** a Letter of Undertaking be submitted by the applicant making a commitment to close the patio section of the Eighties Restaurant not later than 11:00 P.M.

**CARRIED**

6. **BYLAWS**

(a) **Reconsideration And Final Adoption**

Moved by Councillor Sharp, seconded by Councillor Dean that

- (i) "Lease Authorization Bylaw, 1996, No. 6778" (North Vancouver Lawn Bowling Club)
- (ii) "Lease Authorization Bylaw, 1996, No. 6779" (Change the World Foundation, doing business as The North Shore Harvest Project)
- (iii) "Machinery and Equipment Depreciation and Obsolescence Reserve Expenditure Bylaw, 1996, No. 6780" (Computer Equipment)

be reconsidered.

**CARRIED**

Moved by Councillor Sharp, seconded by Councillor Dean

**THAT** the said Bylaws Nos. 6778, 6779 and 6780 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6782" (Vav's Enterprises/Kroon, 107 West Esplanade, CD-280), as amended.

be reconsidered.

**CARRIED**

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

Moved by Councillor Dean, seconded by Councillor Mussatto

**THAT** the said Bylaw No. 6782, as amended, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

A recorded vote was taken on the motion.

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

Voting against:            Councillor Bell  
                                  Councillor Braithwaite  
                                  Councillor Perrault

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

6. (b) **INTRODUCTION AND FIRST THREE READINGS**

Nil

(c) **SECOND AND THIRD READINGS**

Nil

(d) **Introduction And First Reading Only**

Moved by Councillor Perrault, seconded by Councillor Braithwaite that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6763"  
(CCNV/Karl Gustavson Architect, 238 Fell Avenue, CD-312)

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

A recorded vote was taken on the motion.

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

Voting against: Councillor Bell  
Councillor Dean

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

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6783"  
(Patera Project Management & Construction Ltd., 332/334 East 12th Street,  
RT-1)

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

**CARRIED**

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

Moved by Councillor Bell, seconded by Councillor Mussatto that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6785"  
(Stanita Investments Ltd., 115 East 6th Street, CD-316)

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

**CARRIED**

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

7. **COUNCIL INQUIRIES (Questions of Council Members)**

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Nil.

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

**10. ADJOURNMENT**

Moved by Councillor Bell, seconded by Councillor Dean

**THAT** the meeting adjourn.

**CARRIED**

The meeting adjourned at 9:54 p.m.