



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

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
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
C.M. Gale, City Engineer
S.E. Durnford, Director of Finance

ABSENT:

Councillor W.J. Bell

The meeting was called to order at 6:04 p.m.

Moved by Councillor Dean, seconded by Councillor Perrault

THAT Item 8. Any Other Business, on the agenda be brought forward for consideration at this time.

CARRIED

8. ANY OTHER BUSINESS

(a) Tendering of City Gateway Project - File: 4140-03

Verbal Report: City Engineer

Moved by Councillor Dean seconded by Councillor Perrault

THAT the verbal report of the City Engineer regarding "Tendering of City Gateway Project" be added to the agenda as Item 9.(i), in camera.

CARRIED

Moved by Councillor Dean, 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 6:05 p.m. and reconvened at 8:00 p.m., with the same personnel present and with the addition of Councillor Braithwaite and Councillor Sharp.

Representatives from The Royal Canadian Legion entered the meeting and Mayor Loucks read the following Proclamation:

“VETERANS WEEK”, NOVEMBER 4 - 10, 1996

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the Minutes of the Regular Council Meeting of October 28, 1996 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(c) Fee for Service of Municipal Documents, City of North Vancouver - Contract Renewal, File 3030-03-02

Report: City Clerk, October 21, 1996

PURSUANT to the report of the City Clerk, dated October 21, 1996, entitled “Fee for Service of Municipal Documents, City of North Vancouver - Contract Renewal”:

THAT the fee for serving summonses as recommended in the October 21, 1996 report of the City Clerk be adopted, effective November 1, 1996;

9. (c) **Fee for Service of Municipal Documents, City of North Vancouver - Contract Renewal - File 3030-03-02 - Continued**

AND THAT staff negotiate contract renewals as per "Schedule A - Amended As At November 1, 1996" with Mr. G. McCormack, Mr. S. Tingren, Mr. W. Smith, Mr. M. Yakabushi and Mr. A. Dobson;

AND THAT the Mayor and City Clerk be authorized to execute the necessary contracts with the Process Servers.

(CARRIED UNANIMOUSLY)

(d) **Wide Area Radio System - File: 1180-11-07**

Report: City Administrator, October 21, 1996

PURSUANT to the report of the City Administrator, dated October 21, 1996 entitled "Wide Area Radio System":

THAT the Council of the City of North Vancouver endorse the concept of a wide area radio system;

AND THAT the Council of the City of North Vancouver endorse the concept of the special purpose body to own and manage the wide area radio system;

AND THAT the Council agrees to assign to the wide area radio system its claim to radio spectrum being held by Industry Canada on behalf of the municipality of the City of North Vancouver and the other members of the Municipal Radio function through the Greater Vancouver Regional District subject to the following conditions:

- i) That there be sufficient radio spectrum made available solely for the wide area radio system and adequate provision made in the new wide area radio system to accommodate all potential users among the present members of the Greater Vancouver Regional District;
- ii) The system proceeding after review of the tender documents and further development of the cost sharing and the governance model;
- iii) That the cost sharing model allocate costs on a fair and equitable basis between the City and District of North Vancouver based on geographic area to be covered by each municipality;

9.1 (d) Wide Area Radio System - File: 1180-11-07 - Continued

(iv) That there is a business case to proceed with the new system;

AND THAT the City of North Vancouver does not want to participate in a centralized dispatching for both Police and Fire at this time.

(CARRIED UNANIMOUSLY)

(e) Provision of Funding to the North Shore Child Care Resource Society - File: 1040-03-N11

Report: Social Planner, Development Services, October 11, 1996

PURSUANT to the report of the Social Planner dated October 11, 1996, entitled "Provision of Funding to the North Shore Child Care Resource Society":

THAT \$10,000. from the Child Care Development Enhancement Grant Fund be granted to the North Shore Child Care Resource Society for 1996.

(CARRIED UNANIMOUSLY)

**(g) Agreement With Seaboard Advertising For Bus Shelters
File: 3345-08-04**

Report: Land Agent, Lands Division, October 29, 1996

PURSUANT to the report of the Land Agent dated October 29, 1996, entitled "Agreement With Seaboard Advertising For Bus Shelters":

THAT the recommended changes regarding advertising rates and free community use as outlined in the Land Agent's October 29, 1996 report, be endorsed;

AND THAT the City of North Vancouver encourage Seaboard Advertising to investigate the provision of new bus shelters in the City of North Vancouver.

(CARRIED UNANIMOUSLY)

**9.1 (h) Lease at 232 Lonsdale Avenue, North Vancouver, BC
File: 3345-08-02**

Report: Property Valuator/Negotiator, Lands Division
October 29, 1996

PURSUANT to the report of the Property Valuator/Negotiator dated October 29, 1996, entitled "Lease at 232 Lonsdale Avenue, North Vancouver, BC":

THAT the City of North Vancouver enter into a lease agreement at 232 Lonsdale Avenue for 886 square feet of office space for a 9 month term, commencing January 1, 1997 and ending September 30, 1997, at a net rental rate of \$14.90 per square foot;

AND THAT staff prepare a lease authorization bylaw for 232 Lonsdale Avenue;

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

CARRIED UNANIMOUSLY

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 8:04 p.m. and reconvened at 8:55 p.m., with the same personnel present.

PRESENTATION

**R. N. B. DANCE & THEATRE ARTS HIP HOP CLASS
File: 1670-03-02/1090-01**

Ms. Allison Cousins and Ms. Serena Brahney, R.N.B. Dance & Theatre Arts Hip Hop Class Members, updated members of Council on the group's August, 1996 trip to Las Vegas where they won the 1996 Dance U.S.A. Classic competition. Ms. Cousins and Ms. Brahney presented a photograph of the dancers to members of Council and thanked them for their financial support.

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 9:00 p.m. and reconvened at 9:03 p.m., with the same personnel present.

2. DELEGATIONS

(a) Bart van der Linde, 1741 Mahon Avenue

Re: Application for Business Licence in Print Printing and
Photograph, 940 West 16th Street, North Vancouver,
File: 3045-03 IP

Mr. Bart van der Linde, 1741 Mahon Avenue advised members of Council that he has owned and operated a small print shop in the basement of 940 West 16th Street, North Vancouver, BC for the past 15 years. He requested members of Council to remove the Covenant currently in place with the building owner to enable him to continue with his printing business because said Covenant states that the basement is not to be used for anything other than storage.

Mr. van der Linde then responded to questions from members of Council.

3. CORRESPONDENCE

(a) Bart van der Linde, 1741 Mahon Avenue, North Vancouver, BC October 24, 1996

Re: Application for Business Licence in Print Printing and
Photography, 940 West 16th Street, North Vancouver
File: 3045-03 IP

Moved by Councillor Dean, seconded by Councillor Perrault

THAT staff be directed to find a way to remove the Covenant regarding the 250 square feet of basement for storage, electrical/mechanical use, and bring forward to Council a process for a rezoning application or a development variance permit.

3. (a) **Bart van der Linde, 1741 Mahon Avenue, North Vancouver, BC
October 24, 1996 - Continued**

Moved by Councillor Sharp, seconded by Councillor Dean

THAT Mr. van der Linde be heard at this time.

CARRIED

The motion was then **CARRIED UNANIMOUSLY.**

Councillor Sharp left the meeting.

(b) **Stephen Davis, President, BREATHE - Coalition for a Smoke
Free Environment, October 28, 1996**

Re: Ban of Wood Burning in Fireplaces and Stoves
File: 4230-03

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the correspondence dated October 28, 1996 received from Mr. Stephen Davis, President, BREATHE - Coalition for a Smoke Free Environment regarding "Ban of Wood Burning in Fireplaces and Stoves" be referred to staff for comment.

CARRIED UNANIMOUSLY

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

(a) **Arts Assistance Grant Program 1997 Budget Submission
File: 1670-03-06**

Report: Roger E. Nelson, Secretary-Treasurer,
North Shore Arts Commission, October 25, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the October 25, 1996 report of The North Shore Arts Commission entitled "Arts Assistance Grant Program 1997 Budget Submission" be referred to the 1997 Finance Committee deliberations for discussion.

CARRIED UNANIMOUSLY

4. (b) **Proposed 1997 Work Plan: Committee Budget and Community Grants Budget - File: 1085-03-S11-01**

Report: Co-Chairs, Social Planning Advisory Committee,
October 23, 1996

Moved by Councillor Braithwaite, seconded by Councillor Dean

PURSUANT to the report of the Social Planning Advisory Committee dated October 23, 1996, entitled "Proposed 1997 Work Plan: Committee Budget and Community Grants Budget":

THAT the Proposed 1997 Social Planning Advisory Committee Work Plan be endorsed;

AND THAT the proposed Social Planning Advisory Committee Operating Budget and 1997 Community Grants Budget be presented to the Finance Committee during the 1997 Annual Budget discussion.

CARRIED UNANIMOUSLY

(c) **Public Hearing/Meetings Night - A Special Procedure
File: 1090-13-01**

Report: City Clerk, October 24, 1996

Moved by Councillor Perrault, seconded by Councillor Braithwaite

PURSUANT to the report of the City Clerk dated October 23, 1996, entitled, "Public Hearing/Meetings Night - A Special Procedure":

THAT the City Clerk be permitted to schedule the third Monday of every month as a Council Meeting to exclusively conduct Public Hearings and Public Meetings for the months of January to April, 1997 inclusive.

CARRIED UNANIMOUSLY

4. (d) **Retaining Existing Bus/HOV Lanes on East Keith Road and Brooksbank Avenue - File 4140-04**

Report: Project Engineer, October 28, 1996

Councillor Sharp returned to the meeting.

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Project Engineer dated October 28, 1996, entitled "Retaining Existing Bus/HOV Lanes on East Keith Road and Brooksbank Avenue":

THAT this report be referred to the Policy Committee;

AND THAT the public and known stakeholders be invited to submit their comments to the Policy Committee;

AND THAT following the Policy Committee meeting, staff submit a final report to Council for consideration.

CARRIED

(e) **Development Variance Permit Application: 1357 Lonsdale Avenue (Bank of Nova Scotia/Bunting Coady Architects) File: 3358-03**

Report: Development Planner, Development Services
October 30, 1996

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Development Planner dated October 30, 1996, entitled "Development Variance Permit Application: 1357 Lonsdale Avenue (Bank of Nova Scotia/Bunting Coady Architects)":

THAT Development Variance Permit No. 72 attached to said report, be considered for issuance under Section 974 of the Municipal Act;

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

CARRIED UNANIMOUSLY

4. (f) **Rezoning Application: 225 East 29th Street (McMahon/Synthesis) - File: 3400-05 29E 225**

Report: Development Planner, Development Services,
October 29, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Development Planner, dated October 29, 1996, entitled "Rezoning Application: 225 East 29th Street (McMahon/Synthesis)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6840" (John & Julie McMahon/Synthesis Design Inc./225 East 29th Street/CD-329) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

(g) **Somerset Green Tree Removal - 121 West 29th Street/2800 Chesterfield Avenue - File: 3345-02**

Report: Planning Technician Development Services,
October 30, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician, dated October 30, 1996, entitled "Somerset Green Tree Removal - 121 West 29th Street/2800 Chesterfield Avenue":

THAT Strata Corporation VR1882 be authorized to remove the diseased Mountain Ash Tree on their property at 121 West 29th Street/2800 Chesterfield Avenue, as shown on the plan attached to the October 30, 1996 report of the Planning Technician entitled "Somerset Green Tree Removal-121 West 29th Street/2800 Chesterfield Avenue" and replace the said tree with an appropriate species acceptable to the City Arborist.

CARRIED UNANIMOUSLY

4. (h) Adult Crossing Guards - File: 1150-03-02

Report: Assistant City Engineer, October 30, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Assistant City Engineer dated October 30, 1996, entitled, "Adult Crossing Guards":

THAT the City of North Vancouver continue funding the Adult Crossing Guard Program until the end of 1996;

AND THAT \$5,500 be funded from general contingency;

AND THAT staff report back prior to the end of 1996 with options for the 1997 budget year.

CARRIED UNANIMOUSLY

(i) 1996 Revised Budget - File: 1650-07-01

Report: Manager, Budgets & Payroll, October 30, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Budgets & Payroll, dated October 30, 1996, entitled "1996 Revised Budget":

THAT "Annual Budget Bylaw, 1996, No. 6786, Amendment Bylaw, 1996, No. 6837", (Revised Budget) be brought forward for consideration.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

Nil.

6. **BYLAWS**

(a) **Reconsideration And Final Adoption**

Moved by Councillor Dean, seconded by Councillor Perrault that

- (i) "Heritage Designation Bylaw, 1996, No. 6824" (146 East 3rd Street/Wright/Artian)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaw No. 6824 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6826", (MacLean Management Ltd./Roger Romses Architects, 175 East 10th Street, CD-325)

be deferred until all members of Council are present.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6828", (Mehran Mohtadi/Rafii Architects, 273 East 5th Street, CD-326)

be reconsidered.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Mussatto seconded by Councillor Sharp

THAT the said Bylaw No. 6828 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.

6. (a) Reconsideration And Final Adoption - Continued

Moved by Councillor Mussatto, seconded by Councillor Sharp that

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

be reconsidered.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the said Bylaw No. 6785 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

(b) Introduction And First Three Readings

Moved by Councillor Dean, seconded by Councillor Perrault that

- (i) "Annual Budget Bylaw, 1996, No. 6786, Amendment Bylaw, 1996, No. 6837"
- (ii) "Lease Authorization Bylaw, 1996, No. 6841" (Community Policing Centre, 232 Lonsdale Avenue)

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 Dean, seconded by Councillor Perrault

THAT the said Bylaws Nos. 6837 and 6841 be read a second time in short form.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaws Nos. 6837 and 6841 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(c) Second And Third Readings

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6831", (Noort Developments/Egil Lyngen Architects, 214 -228 East 5th Street, CD-327)

be read a second time in short form.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the said Bylaw No. 6831 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

- (ii) "Zoning Bylaw, 1967, Amendment Bylaw, 1995, No. 6697"
(405 East 4th Street/CD-130 Amendment/Rubin)

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the following motion of Council dated June 26, 1995 which was carried unanimously be rescinded:

"THAT the said Bylaw No. 6697 be read a third time in short form and passed subject to reconsideration".

CARRIED

6. (c) Second And Third Readings - Continued

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the following motion of Council dated June 26, 1995:

“THAT “Zoning Bylaw, 1967, Amendment Bylaw, 1995, No. 6697” (405 East 4th Street/CD-130 Amendment/Rubin) be read a second time in short form”

be amended as follows:

“by striking out Clauses 1 and 2 in their entirety and 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. 6697” (405 East 4th Street/CD-130 Amendment/Rubin).
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-130 Comprehensive Development 130 Zone.

Lot	Block	D.L.	Plan
C	129	274	20677 CD-130 (Two Family Residential 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-129 Comprehensive Development 129”:

“CD-130 Comprehensive Development 130”

- (b) adding the following to Section 1101, thereof, after the “CD-129 Comprehensive Development 129-Zone”:

“CD-130 Comprehensive Development 130 Zone”

6. (c) Second And Third Readings - Continued

In the CD-130 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 RS Zone, except that for a building constructed prior to 1939 and designated a Municipal Heritage Site:

- (1) The principal building shall not exceed a gross floor area of 0.5 times the lot area plus 0.2 times the lot area for basement or cellar floor area.
- (2) An Accessory Secondary Suite shall be permitted in a basement or cellar up to a maximum gross floor area of 0.2 times the lot area.
- (3) The principal building shall not exceed a height of 11m (36 feet);
- (4) The principal buildings shall be sited not less than:
 - (a) 14.3m (47.2 feet) from the front lot line;
 - (b) 4.6m (15.3 feet) from the rear lot line;
 - (c) 3.5m (11.5 feet) from the exterior side lot line reduced to 1.67m (5.48 feet) for the porch structure;
 - (d) 4.5m (14.76 feet) from the interior side lot line;
- (5) Accessory off-street parking requirements for a one-family residential use and an accessory secondary suite use shall be waived in their entirety;
- (6) An accessory building or structure shall be permitted to be sited within 0.61m (2 feet) from the front or interior side lot lines.”

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT Bylaw No. 6697, as amended, be read a second time in short form.

CARRIED

6. (c) Second And Third Readings - Continued

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the said Bylaw No. 6697, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (d) Introduction And First Reading Only

Moved by Councillor Dean, seconded by Councillor Perrault that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6840", (John and Julie McMahon/Synthesis Design Inc., 225 East 29th Street, CD-329)

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

CARRIED

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

10. ADJOURNMENT

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:25 p.m.