



**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 25, 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
R.H. White, City Planner
C.M. Gale, City Engineer
J. Laughlin, Deputy City Engineer
B. Mahood, Utilities Superintendent

The meeting was called to order at 6:01 p.m.

Moved by Councillor Dean, seconded by Councillor Braithwaite

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 Dean, seconded by Councillor Perrault that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1995, No. 6697" (405 East 4th Street/CD-130 Amendment/Rubin)
- (ii) "Heritage Designation Bylaw, 1995, No. 6698" (Rubin, 405 East 4th Street, Henderson House)

be deleted from the agenda.

CARRIED

9. CONFIDENTIAL REPORTS

Moved by Councillor Dean, 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 6:02 p.m. and reconvened at 8:07 p.m., with the same personnel present and with the addition of Councillor Bell, Councillor Mussatto and Councillor Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Sharp, seconded by Councillor Perrault, that the following recommendation of the Committee of the Whole in camera be ratified:

(a) Personnel Issue - File: 1800-01

Report: City Administrator, November 19, 1996

THAT the action taken by the Committee of the Whole in camera, with respect to "Personnel Issue", be ratified, and the wording of the resolution and the November 19, 1996 report of the City Administrator remain in camera.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

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

9.1 (c) Adaffer Holdings Ltd. - File: 3375-10-02 1861-1939 Rufus

Report: Manager, Lands Division, November 14, 1996

PURSUANT to the report of the Manager, Lands Division, dated November 14, 1996, entitled "Adaffer Holdings Ltd.":

THAT the Adaffer Holdings Ltd. offer to donate \$10,000. to the City of North Vancouver in return for permission to increase the density of its rental complex located on lands leased from the City at 1861-1939 Rufus Drive is considered insufficient and is declined;

AND THAT Adaffer Holdings Ltd. be invited to pursue land rental negotiations with the Lands Division if it so wishes;

AND THAT the results of any subsequent land rental negotiations between Adaffer and Lands Division staff be brought back to Council for consideration.

CARRIED UNANIMOUSLY

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

(d) Expressions of Interest - Existing RCMP Building, 160 East 13th Street - File: 3375-07 13E 160

Report: Manager, Lands Division, November 15, 1996

PURSUANT to the report of the Manager, Lands Division, dated November 15, 1996, entitled "Expressions of Interest - Existing RCMP Building, 160 East 13th Street":

THAT staff be directed to expedite the invitation of offers to purchase from the respondents to the Expression of Interest;

AND THAT the report of the Manager, Lands Division, dated November 15, 1996, entitled "Expressions of Interest - Existing RCMP Building, 160 East 13th Street" remain in camera.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“HUMAN RIGHTS DAY”, December 10, 1996

“WHITE RIBBON DAY”, November 29, 1996

“WORLD AIDS DAY”, December 1, 1996

Mayor Loucks presented Mr. Bruce A. Hawkshaw, City Clerk, with a certificate to commemorate his recent achievement of Certified Municipal Clerk by the International Institute of Municipal Clerks.

Moved by Councillor Bell, seconded by Councillor Dean

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

CARRIED

The meeting recessed at 8:13 p.m. and reconvened at 8:59 p.m., with the same personnel present.

Mayor Loucks introduced Kathie Lysne, Troup Skipper, Menolly Lysne and David Lysne, Boswains, Roz Thompson and Tami Graeb, Scouts, all members of the 31st Capilano Sea Scouts who were in attendance at the Council meeting.

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 9:02 p.m. and reconvened at 9:41 p.m., with the same personnel present.

2. DELEGATIONS

Nil.

3. **CORRESPONDENCE**

(a) **Greg Halsey-Brandt, Chairperson, Board of Directors,
Greater Vancouver Regional District, November 6, 1996**

Re: Invitation to Submit Nominations for GVRD Agriculture
Advisory Committee - File: 1180-01

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the correspondence dated November 6, 1996 received from Greg Halsey-Brandt, Chairperson, Board of Directors, Greater Vancouver Regional District regarding "Invitation to Submit Nominations for GVRD Agriculture Advisory Committee" be received and filed.

CARRIED

(b) **Greater Vancouver Regional District, The Board in Brief,
November 1, 1996 - File No: 1180-06**

Moved by Councillor Dean, seconded by Councillor Bell

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

CARRIED

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

(a) **Repeal Section 43 of the Criminal Code - File: 1085-03-N11-01**

Report: North Vancouver Family Court and Youth Justice
Committee, October 30, 1996

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the North Vancouver Family Court and Youth Justice Committee dated October 30, 1996 entitled: "Repeal Section 43 of the Criminal Code":

THAT the North Vancouver City Council supports End Physical Punishment of Children (EPOCH) and the Repeal 43 Committee by advocating the removal of Section 43 of the Criminal Code, which states *'Every school teacher, parent or person standing in place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.'*

CARRIED UNANIMOUSLY

4. (b) **Request for an Amendment to the North Shore Advisory Committee on Disability Issues (ACDI)'s Terms of Reference - File: 1085-03-N17-01**

Report: North Shore Advisory Committee on Disability Issues (ACDI), November 4, 1996

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the North Shore Advisory Committee on Disability Issues (ACDI) dated November 4, 1996 entitled: "Request for an Amendment to the North Shore Advisory Committee on Disability Issues (ACDI)'s Terms of Reference":

THAT the amendment to the ACDI's Terms of Reference be approved by adding the following as Clause 7. under Membership:

- "7. Notwithstanding Clause No. 6, an extension beyond six consecutive years may be granted provided that:
- a. The member who wishes the extension expresses his/her reasons for the extension in a letter to the ACDI; and
 - b. The waiting list for Membership to the ACDI is exhausted; and
 - c. Once the waiting list for Membership to the ACDI is exhausted, the membership is not at capacity; and
 - d. An extension is affirmed by a simple majority vote."

CARRIED UNANIMOUSLY

(c) **CN Rail/Pioneer Grain Terminal Track Expansion**
File: 1085-03-N2-01 and 3345-02 LOWL 801/375/3050-01

Report: Noise Control Committee, November 19, 1996

Moved by Councillor Braithwaite, seconded by Councillor Perrault

PURSUANT to the report of the Noise Control Committee dated November 19, 1996 entitled "CN Rail/Pioneer Grain Terminal Track Expansion":

THAT the following six concerns be conveyed to CN Rail, Pioneer Grain Terminal and Vancouver Port Corporation:

1. As a condition to support the proposed project, CN Rail should also install lubricators in the proximity of its three curved mainlines located immediately south of Low Level Road, between St. David's Avenue and St. Patrick's Avenue to mitigate the wheel squealing noise.

4. (c) **CN Rail/Pioneer Grain Terminal Track Expansion**
File: 1085-03-N2-01 and 3345-02 LOWL 801/375/3050-01 (Cont'd)

2. The Committee is of the opinion that rail car shunting noise will be shifted from the Pioneer grain Terminal area to the area east of the grain elevators, in the proximity of Neptune Crossing. CN Rail staff must adhere to the 4 mph speed limit for the coupling of rail cars and procedure must be in place to ensure that this practice is being observed.
3. Wakefield Acoustics Ltd.'s report (Appendix B of the Project Review Document) failed to mention that residents of the 300 block East 1st Street will face an increase in rail noise as the expanded tracks will be located closer and directly south of the same residents. Mitigation measures should be implemented to protect these residents from the additional rail noise by decreasing the planned curvature, adding lubricators, and giving consideration to other mitigating factors.
4. The Noise Control Committee disagrees with the assessment by Wakefield Acoustics and CN Rail that the overall rail noise impact to the community will be reduced. Rather, the Committee believes the new tracks will enable CN Rail to take on additional rail traffic to the North Shore, thereby increasing the overall rail noise along the City's waterfront.
5. CN Rail/Pioneer Grain Terminal should explore the idea of installing noise-absorbing material on the north side of the terminal structure to reduce the amount of rail noise currently reflected up the embankment.
6. Although not related to "noise", the Committee expressed concerns regarding safety at the traffic entrance to Pioneer Grain Terminal from Low Level Road and advocated that the lighting for the expanded tracks be directed away from residential homes.

CARRIED UNANIMOUSLY

4. (d) Commercial Refuse Collection - File: 4050-09-02

Report: Deputy City Engineer, November 12, 1996

Mr. Brent Mahood, Utilities Superintendent, gave a slide presentation of commercial garbage collection within the City of North Vancouver.

Moved by Councillor Sharp, seconded by Councillor Braithwaite

PURSUANT to the report of the Deputy City Engineer dated November 12 1996, entitled, "Commercial Refuse Collection":

THAT a User Pay System be endorsed for all Commercial Garbage Collection Accounts beginning in January, 1997;

AND THAT the service levels currently being provided to existing Commercial Accounts be maintained.

Moved by Councillor Perrault, seconded by Councillor Bell that the motion be amended by adding the following:

AND THAT this be phased in over a two year period.

CARRIED

The motion, as amended, was **CARRIED.**

(e) Rezoning Application: 145 West 19th Street Housing Agreement - File: 3400-05 19-145W

Report: Planning Technician, Development Services,
November 15, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Planning Technician, dated November 15, 1996, entitled "Rezoning Application: 145 West 19th Street - Housing Agreement":

THAT the "Rezoning Application: 145 West 19th Street Housing Agreement" be referred back to staff for re-negotiation of regulated rent and also the advertising component.

CARRIED UNANIMOUSLY

4. (f) **940 West 16th Street, Commercial Use in Basement**
File: 3400-05 16-940W

Report: Director, Development Services, November 13, 1996

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Director, Development Services, dated November 13, 1996, entitled "940 West 16th Street, Commercial Use in Basement":

THAT the building owner and authorized agent be advised that in order to consider the commercial use of 250 square feet of basement floor area the City requires an amendment to the CD-10 Comprehensive Development Zone and an amendment to the Section 215 Land Titles Act covenant, the costs of said amendments to be borne by the owner or authorized applicant.

Moved by Councillor Braithwaite, seconded by Councillor Perrault that the motion be amended by adding the following:

AND THAT staff be requested to accept the applicant's offer of \$1,500. as payment for these amendments.

A recorded vote was taken on the amendment to the motion.

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

Voting against: Councillor Dean
Councillor Mussatto

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

The motion, as amended, was **CARRIED**.

Councillor Dean is recorded as voting contrary to the motion, as amended.

Moved by Councillor Bell, seconded by Councillor Mussatto

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

CARRIED

6. BYLAWS - Continued

(a) Reconsideration And Final Adoption

Moved by Councillor Mussatto, seconded by Councillor Bell that

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

be reconsidered.

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Dean
Councillor Sharp

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

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT the said Bylaw No. 6826 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 Bell
Councillor Mussatto
Councillor Perrault
Mayor Loucks

Voting against: Councillor Braithwaite
Councillor Dean
Councillor Sharp

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

6. (c) Second and Third Readings

Moved by Councillor Sharp, seconded by Councillor Bell 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 read a second time in short form.

Moved by Councillor Dean, seconded by Councillor Bell

THAT Clause 3. (b)(3) of Bylaw No. 6840 be amended by deleting the phrase "13.9 square metres (150 square feet)" and replacing it with the phrase "27.8 square metres (300 square feet)".

CARRIED UNANIMOUSLY

The motion, as amended, was **CARRIED UNANIMOUSLY.**

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaw No. 6840, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

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

(g) Fees and Charges Bylaw - File: 1660-01

Report: Administrative Manager, Development Services,
November 5, 1996

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Manager, dated November 5, 1996, entitled "Fees and Charges Bylaw":

THAT "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 1996, No. 6836" be considered.

CARRIED UNANIMOUSLY

4. (h) Business License Bylaw - Fee Increase - File: 1660-03-05

Report: Administrative Manager, Development Services,
November 13, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Administrative Manager, Development Services, dated November 13, 1996 entitled "Business License Bylaw - Fee Increase":

THAT "Business License Bylaw, 1973, No. 4513, Amendment Bylaw, 1996, No. 6847" (Fees and Rates) be considered.

CARRIED

Moved by Councillor Bell, seconded by Councillor Mussatto

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

CARRIED

6. BYLAWS - Continued

(a) Reconsideration and Final Adoption

Councillor Bell left the meeting because he had not been in attendance at the Public Hearing for this application, nor had he read the transcript of the Public Hearing.

Moved by Councillor Dean, seconded by Councillor Perrault that

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

be reconsidered.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaw No. 6831 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.

Councillor Bell returned to the meeting.

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

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

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6837 and 6841 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

(b) Introduction And First Three Readings

Moved by Councillor Dean, seconded by Councillor Braithwaite that

- (i) "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 1996, No. 6836" (Fees and Charges)
- (ii) "Business License bylaw, 1973, No. 4513, Amendment Bylaw, 1996, No. 6847" (Fees and Rates)

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 Mussatto

THAT the said Bylaws Nos. 6836 and 6847 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6836 and 6847 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Items 4.(q) and 6.(b)(iii) on the agenda be brought forward for consideration at this time.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL AND STAFF - Continued

(q) The Gerry Brewer Building - Progress Report and Allocation of Funding - File: 1065-07-06-01

Report: Manager, Lands Division, November 20, 1996

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Manager, Lands Division, dated November 20, 1996, entitled "The Gerry Brewer Building - Progress Report and Allocation of Funding":

THAT "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1996, No. 6848" (Gerry Brewer Building) be considered.

CARRIED

6. BYLAWS - Continued

(b) Introduction And First Three Readings

Moved by Councillor Mussatto, seconded by Councillor Dean that

- (iii) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1996, No. 6848" (Gerry Brewer Building)

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 Mussatto

THAT the said Bylaw No. 6848 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6848 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Perrault

THAT Items 4.(j) and 6.(d)(ii) on the agenda be brought forward for consideration at this time.

CARRIED

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 Items 4.(j) and 6.(d)(ii) on the agenda have been concluded.

**CARRIED BY THE REQUIRED TWO-THIRDS
MAJORITY OF COUNCIL MEMBERS PRESENT**

4. REPORTS OF COMMITTEES, COUNCIL AND STAFF - Continued

(j) Rezoning Application: 51-69 Lonsdale Avenue & 110-114 West Esplanade (Syndicate Block/Redekop Properties Inc./Creekside Architects/Heritage Revitalization Agreement) - File: 3400-05

Report: Development Planner, Development Services,
November 20, 1996

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Development Planner dated November 20, 1996, entitled "Rezoning Application: 51-69 Lonsdale Avenue & 110-114 West Esplanade (Syndicate Block/Redekop Properties Inc./Creekside Architects/Heritage Revitalization Agreement)":

THAT "Heritage Revitalization Agreement Bylaw, 1996, No. 6843" (Syndicate Block/Redekop/Creekside Architects, 51-69 Lonsdale Avenue and 110-114 West Esplanade) be considered and referred to a Public Hearing.

CARRIED

6. BYLAWS - CONTINUED

(d) Introduction And First Reading Only

Moved by Councillor Dean, seconded by Councillor Perrault that

- (ii) "Heritage Revitalization Agreement Bylaw, 1996, No. 6843"
(Syndicate Block/Redekop/Creekside Architects, 51-69 Lonsdale Avenue and 110-114 West Esplanade)

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

CARRIED UNANIMOUSLY

Mayor Loucks presented Councillor Bell with an engraved goblet to commemorate his service to the community and his 3 terms on Council from December 7, 1987 to December 1, 1996.

10. ADJOURNMENT

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:32 p.m.