



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET,
NORTH VANCOUVER, B.C., ON MONDAY, FEBRUARY 3, 1997
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor J.B. Braithwaite
Councillor S.J. Dean
Councillor R.J. Fearnley
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. Dowe, Deputy City Clerk
F.A. Smith, Director, Development Services
F. Caouette, Administrative Manager, Dev. Servs
G. Penway, Development Planner
C.M. Gale, City Engineer
S.E. Durnford, Director of Finance

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

9. CONFIDENTIAL REPORTS

Moved by Councillor Perrault, seconded by Councillor Fearnley

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

CARRIED

The meeting recessed at 6:01 p.m. and reconvened at 8:30 p.m., with the same personnel present and with the addition of Councillor Braithwaite, 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 January 27, 1997, be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Personnel Issue - File: 1800-01

Verbal Report: Judi Korbin

THAT the action taken by the Committee of the Whole In Camera with regards to "Personnel Issue", be ratified, and the wording of the resolution and the reports remain in camera.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(b) Dorothy K. MacBeth, Joe's Fireplace Products

Re: 203 East 1st Street, North Vancouver B.C.
File: 3400-05-01E 203

Ms. Dorothy K. MacBeth, owner and operator of Joe's Fireplace Products located at 203 East 1st Street, North Vancouver, requested members of Council to consider changing the rezoning in the 200 Block East 1st Street area to allow the retail of household products from businesses in said area.

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

(c) Rob McCarthy, Senior Vice President, Polygon Development 92 Limited

Re: 147 East 1st Street - File: 3400-05 01E 147

Mr. Rob McCarthy, Senior Vice President, Polygon Development 92 Limited reviewed the design modifications to the exterior development of the project located at 147 East 1st Street. He advised members of Council that the only change to the original design is the architectural and external expression of the building.

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

2. (d) Ken Fraser, President, The Vancouver Ocean Challenge Society

Re: The Vancouver Ocean Challenge Society - File: 1040-01

Mr. Ken Fraser, President, Vancouver Ocean Challenge Society advised members of Council that through sailing/rowing expeditions, skills training and internship positions with maritime employers, that his Society builds self-confidence in and employment opportunities for "at risk" youth.

He wished to make Council aware of the need by the Society for a water lot area in the City of North Vancouver to establish a base for year round operation.

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

(e) David Marshall, Executive Director, Fraser Basin Management Program

Re: Fraser Basin Management Board - File: 4010-01

Mr. David Marshall, Executive Director, introduced Ms. Iona Campagnolo, Chair and Ms. Darlene Marzari, Member of the Board, Fraser Basin Management Program. Ms. Campagnolo outlined the proposal, approved by the Local Government Steering Committee of the Fraser Basin Management Program, for a successor organization. She advised that a local government task force would be charged with coordinating local government input into the establishment of this new entity and requested members of Council to contribute \$4,000. towards membership in said Program.

Ms. Campagnolo, Ms. Marzari and Mr. Marshall then responded to questions from members of Council.

3. **CORRESPONDENCE**

- (a) **Paula Rogers, The North Shore Society for the Education of Children with Specific Learning Disabilities, May 6, 1996**

Re: Location for Independent/Private School - File: 3365-09-01

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the correspondence dated May 6, 1996 received from Paula Rogers, The North Shore Society for the Education of Children with Specific Learning Disabilities regarding "Location for Independent/Private School" be received and filed.

CARRIED

- (b) **Ken Fraser, President, The Vancouver Ocean Challenge Society, January 29, 1997**

Re: The Vancouver Ocean Challenge Society - File: 1040-01

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the correspondence dated January 29, 1997 received from Mr. Ken Fraser, President, The Vancouver Ocean Challenge Society regarding "The Vancouver Ocean Challenge Society" be received and filed.

CARRIED UNANIMOUSLY

- (c) **Ingrid Pollak, President, The Vancouver Humane Society, January 21, 1997**

Re: Welfare of Animals and Consumer Protection
File: 3010-02-01

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the correspondence dated January 21, 1997 received from Ingrid Pollak, President, The Vancouver Humane Society regarding "Welfare of Animals and Consumer Protection" and the January 22, 1997 correspondence received from Tara Carter, Director, Voices for the Animals be referred to the Society for the Prevention of Cruelty to Animals and the Animal Welfare Committee for report.

CARRIED UNANIMOUSLY

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

(a) **Social Plan and the Cultural Diversity Policy - File: 4230-01**

Recommendation: Finance Committee, January 27, 1997

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT Council support a 0.1% increase in the tax base to pursue the Cultural Diversity Policy;

AND THAT the Cultural Diversity Policy and the Social Plan be added to the 1997 Planning Division Work Program.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

(b) **Joe's Fireplace Products - 203 East 1st Street Operating in Contravention of the Zoning Bylaw and the Business License Bylaw - File: 3345-02 01E 203**

Report: Property Use Inspector, January 20, 1997

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Property Use Inspector dated January 20, 1997, entitled "Joe's Fireplace Products - 203 East 1st Street Operating in Contravention of the Zoning Bylaw and the Business License Bylaw":

THAT staff be requested to research and report back to Council on the M-4 Industrial-Commercial Zone East of Lonsdale Avenue due to the future use of the surrounding areas.

A recorded vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Perrault

Voting against: Councillor Braithwaite
Councillor Fearnley
Councillor Mussatto
Councillor Sharp
Mayor Loucks

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

4. (b) **Joe's Fireplace Products - 203 East 1st Street Operating in Contravention of the Zoning Bylaw and the Business License Bylaw - File: 3345-02 01E 203 - Continued**

Report: Property Use Inspector, January 20, 1997

Moved by Councillor Sharp, seconded by Councillor Fearnley

PURSUANT to the report of the Property Use Inspector dated January 20, 1997, entitled "Joe's Fireplace Products - 203 East 1st Street Operating in Contravention of the Zoning Bylaw and the Business License Bylaw":

WHEREAS 203 East 1st Street is being used in contravention of the City of North Vancouver Zoning Bylaw, 1995, No. 6700 and Business License Bylaw, 1973, No. 4513;

THEREFORE BE IT RESOLVED THAT Council authorize staff to seek the appropriate relief, including an injunction, by way of the Supreme Court of British Columbia, thus requiring the removal of the business operating as Joe's Fireplace at 203 East 1st Street.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Dean, 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 all the items on the agenda have been concluded or until 11:00 P.M.

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

4. (c) **139 - 147 East 1st Street: Design Modifications
(Polygon/Chrisdale Homes) - File: 3400-05 01E 139/147**

Report: Development Planner, January 29, 1997

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated January 29, 1997, entitled "139-147 East 1st Street: Design Modifications (Polygon/Chrisdale Homes)":

THAT the Polygon Group and Chrisdale Homes be advised that the City of North Vancouver is disappointed they are unwilling to build either in accordance with the design approved through a rezoning process for this site or, alternatively, revise the approved design in a manner satisfactory to the City;

AND THAT Polygon Group be advised that the current revised design is not considered appropriate at this location;

AND THAT North Vancouver City Council suggest that the Polygon Group modify their plan to create a more contemporary architectural design and that this design be presented to the Advisory Design Panel.

CARRIED UNANIMOUSLY

(d) **Fraser Basin Management Board - File: 4010-10**

Report: Deputy City Engineer, January 6, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Deputy City Engineer dated January 6, 1997 entitled, "Fraser Basin Management Board":

THAT the Greater Vancouver Regional District be advised that in lieu of making any financial contribution for a successor organization to the Fraser Basin Management Board the City of North Vancouver will continue to offer City staff resources, subject to availability, for specific projects.

Continued...

4. (d) Fraser Basin Management Board - File: 4010-10 - Continued

Moved by Councillor Perrault, seconded by Councillor Sharp

THAT the motion be amended to read as follows:

"PURSUANT to the report of the Deputy City Engineer dated January 6, 1997 entitled, "Fraser Basin Management Board":

THAT the City of North Vancouver participate in the Fraser Basin Management Program at an annual cost of \$4,000. to be taken from General Contingency for 1997;

AND THAT the annual cost of membership in the Fraser Basin Management Program be provided for in future annual budgets."

CARRIED UNANIMOUSLY

(e) Illegal Suites at 745 Grand Boulevard - File: 3345-02 GRAN 745

Report: Property Use Inspector, January 20, 1997

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT consideration of the report of the Property Use Inspector dated January 20, 1997, entitled: "Illegal Suites Located at 745 Grand Boulevard" be deferred until the regular meeting of Council scheduled for March 3, 1997;

AND THAT Mr. Dorward be requested to appear as a delegation before Council on March 3, 1997.

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Mussatto
Councillor Sharp

Voting against: Councillor Dean
Councillor Fearnley
Councillor Perrault
Mayor Loucks

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

4. (e) **Illegal Suites at 745 Grand Boulevard - File: 3345-02 GRAN 745
- Continued**

Report: Property Use Inspector, January 20, 1997

Moved by Councillor Fearnley, seconded by Councillor Perrault

PURSUANT to the report of the Property Use Inspector dated January 20, 1997, entitled: "Illegal Suites Located at 745 Grand Boulevard":

WHEREAS 745 Grand Boulevard is being used in contravention of the City of North Vancouver Zoning Bylaw, 1995, No. 6700;

THEREFORE BE IT RESOLVED THAT Council authorize staff to seek the appropriate relief, including an injunction, by way of the Supreme Court of British Columbia, thus requiring the removal of the illegal suites that were found to exist at 745 Grand Boulevard;

AND THAT the report of the Property Use Inspector be referred to the Heritage Advisory Commission for their information.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Items 4.(g), (i), and (k), 5.(a), 6.(a)(i) and (ii), and 6.(b)(i) on the agenda be brought forward for consideration at this time.

CARRIED

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

Report: Development Planner, January 29, 1997

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the January 29, 1997 report of the Development Planner entitled "Development Variance Permit Application: 1357 Lonsdale Avenue (Bank of Nova Scotia/Bunting Coady Architects):

THAT Development Variance Permit No. 72 be varied by deleting the figure "0.01" in clause II 1. (f) and replacing it with the figure "0.018";

AND THAT Development Variance Permit No. 72, as amended, be issued to the Bank of Nova Scotia 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. 72.

CARRIED UNANIMOUSLY

(i) **Versatile Shipyard Land Use Study: Next Steps**
File: 3360-03 VERS

Report: Development Planner, January 29, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Development Planner dated January 29, 1997, entitled "Versatile Shipyard Land Use Study: Next Steps":

THAT a Council Workshop be scheduled for Tuesday, February 11, 1997, at 7:00 p.m. at City Hall.

CARRIED

4. (k) **Amendment to Sewerage and Drainage Utility Bylaw, 1995, No. 6746 - File: 3020-03-03 SEW**

Report: Technical Assistant IV, January 28, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Technical Assistant IV dated January 28, 1997 entitled, "Amendment to Sewerage and Drainage Utility Bylaw, 1995, No. 6746":

THAT "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 1997, No. 6860" (Regional Growth Connection Fee), be considered.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

- (a) **Development Variance Permit No. 75 - Wal-Mart Garden Centre Roof (Gerry Campbell/Stuart Olson Construction) Lots A & 1, Block X, D.L. 265, Plan 15018 & 15657, (925/935 Marine Drive) File: 3358-03 MARINE 925/935**

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Development Permit No. 75 be issued to Cambridge Leaseholds Ltd. 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. 75.

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration and Final Adoption

Moved by Councillor Sharp, seconded by Councillor Dean that

- (i) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6645" (Truck Routes)
- (ii) "Capital Expenditure Program Bylaw, 1996, No. 6787, Amendment Bylaw, 1997, No. 6859"

be reconsidered.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the said Bylaws Nos. 6645 and 6859 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 Sharp that

- (i) "Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 1997, No. 6860" (Regional Growth Connection Fee)

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 Sharp

THAT the said Bylaw No. 6860 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the said Bylaw No. 6860 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

4. (f) Appointment of Auditors For The Year 1997 - File: 1635-01

Report: Director of Finance, January 22, 1997

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the Director of Finance, dated January 22, 1997 entitled "Appointment of Auditors for the Year 1997":

THAT the firm KPMG, Chartered Accountants, be appointed as auditors for the City of North Vancouver for the year 1997 as per their submission dated January 20, 1997.

CARRIED UNANIMOUSLY

(h) Notice of Contravention - 1155 Moody Avenue Lot 13, Block 82, D.L. 550, Plan 1450 - File: 3345-02

Report: Manager, Inspections, January 23, 1997

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Inspections, dated January 23, 1997, entitled "Notice of Contravention - 1155 Moody Avenue, Lot 13, Block 82, D.L. 550, Plan 1450":

THAT Henry and Florence Nicholson, registered owners of 1155 Moody Avenue, be advised that the City Clerk will be instructed to file notice in the Land Titles Office under Section 750.1 of the Municipal Act:

- (a) THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 1155 Moody Avenue, Lot 13, Block 82, D.L. 550, Plan 1450 has been made under this Section;
- (b) AND THAT** further information respecting it may be viewed at the offices of The Corporation of the City of North Vancouver.

CARRIED UNANIMOUSLY

4. (j) **Province of British Columbia Funding Cutbacks to BC Heritage Trust - File: 1085-03-C2-01**

Report: Planner, Development Services, January 27, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Planner dated January 27, 1997, entitled "Province of British Columbia Funding Cutbacks to BC Heritage Trust":

THAT, based on a resolution passed by the Heritage Advisory Commission on December 10, 1996, that Council advise the Minister of Small Business, Tourism, and Culture, the Honourable Jan Pullinger, as per the draft letter attached to said report, that the Government of British Columbia reconsider their decision to further reduce funding to the Heritage Trust.

CARRIED UNANIMOUSLY

(l) **Over Height Fence Constructed at 349 West 17th Street
File: 3345-02 17W 349**

Report: Property Use Inspector, January 29, 1997

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Property Use Inspector dated January 29, 1997, entitled: "Over Height Fence Constructed at 349 West 17th Street":

THAT staff be instructed not to pursue enforcement action with respect to the fence at 349 West 17th Street.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTIONS**

(b) **City of North Vancouver Managing Controls Governing the
Buying or Selling of All Goods and Services - File: 1300-01**

(Submitted by Councillor R.J. Fearnley)

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT Item 5.(b) be deleted from the agenda.

CARRIED

8. ANY OTHER BUSINESS

(a) Thane Creek - File: 4037-01

Verbal Report: City Engineer

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the verbal report of the City Engineer regarding "Thane Creek" be added to the agenda as Item 9.(b).

CARRIED UNANIMOUSLY

Moved by Councillor Dean, 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 10:55 p.m. and did not reconvene as a motion to adjourn at 10:59 p.m., was carried in the Committee of the Whole in camera meeting.