



**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 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
S.E. Dowey, Deputy City Clerk
D.M. Rooke, Assistant City Clerk
F.A. Smith, Director, Development Services
G. Penway, Development Planner
M. MacFadyen, Manager, Lands Division
J. Guenther, Manager, Inspections
C.M. Gale, City Engineer
B. Granger, Manager, Parks & Environment
E. Dal Santo, North Vancouver Bicycle
Coordinator

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

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 6:02 P.M., and reconvened at 7:53 p.m., with the same
personnel present, and with the addition of Councillor Braithwaite, Councillor
Fearnley and Councillor Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Minutes of the Regular Meeting of February 24, 1997
be adopted as circulated.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamation:

“EDUCATION WEEK” March 3-8, 1997

At this time Mayor Loucks invited Inspector J. Graham of the R.C.M.P., to come forward to make a presentation to Councillor Darrell Mussatto in recognition of his pursuit and capture of an armed robbery suspect.

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) 1997 Legal Services - File: 1140-13-01

Report: City Administrator, February 27, 1997

PURSUANT to the report of the City Administrator entitled “1997 Legal Services”, dated February 27, 1997:

THAT the firm of Bull, Housser and Tupper be appointed as the City’s Solicitors for the year ending December 31, 1997;

AND THAT the City’s legal services be reviewed annually.

(CARRIED UNANIMOUSLY)

9.1 (d) School Crossing Guards - File: 1150-03-01/1800-06

Report: Director of Personnel Services, February 26, 1997

PURSUANT to the report of the Director of Personnel Services, dated February 26, 1997, entitled "School Crossing Guards":

THAT the City of North Vancouver continue the status quo funding of the School Crossing Guards Program until the funding problem is resolved.

(CARRIED UNANIMOUSLY)

(e) City-Owned Lots - 600 Block East 21st Street - File: 3375-06-02

Report: Land Agent, Development Services, February 26, 1997

PURSUANT to the report of the Land Agent, dated February 26, 1997, entitled "City-Owned Lots - 600 Block East 21st Street":

THAT the action taken by the Committee of the Whole In Camera with respect to "City-Owned Lots - 600 Block East 21st Street", be ratified and the wording of the resolution and the February 26, 1997 report remain In Camera.

(CARRIED UNANIMOUSLY)

**9.1 (f) Redevelopment Proposal - MacKay Avenue and Marine Drive
- 998 Marine Drive - File: 3300-07-02**

Report: Property Valuator/Negotiator, Development Services,
February 25, 1997

PURSUANT to the report of the Property Valuator/Negotiator, dated February 25, 1997, entitled "Redevelopment Proposal - MacKay Avenue and Marine Drive - 998 Marine Drive":

THAT approvals be given to MacLean Management Ltd., to make application for development of the subject site to permit the construction of a multi-unit apartment complex with commercial component and to provide for the realignment of MacKay Avenue to the present intersection of MacKay Road and Marine Drive;

AND THAT siting requirements adjacent to fisheries sensitive zones and parks works be resolved to the satisfaction of the Manager, Parks and Environment before final approval of the proposed development be granted.

CARRIED UNANIMOUSLY

2. DELEGATIONS

Nil

3. **CORRESPONDENCE**

(a) **Pastor Robert Tarnowski, North Shore Christian Centre,
February 25, 1997**

Re: Development Variance Permit - King's Temple Missionary
Society - File: 3358-03-SUTH-1400

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the letter dated February 25, 1997 received from Pastor Tarnowski, North Shore Christian Centre regarding "Development Variance Permit - King's Temple Missionary Society" be referred to staff for preparation of a Letter of Understanding prior to Council considering the issuance of the Development Variance Permit.

CARRIED UNANIMOUSLY

(b) **C.M. Gale, Chair, Standing Committee on Joint Use of Public
Facilities, February 20, 1997**

Re: Update Report on Joint Use of Public Facilities
File: 1085-03-P12-01

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of C.M. Gale, Chair, Standing Committee on Joint Use of Public Facilities, dated February 20, 1997, entitled "Update Report on Joint Use of Public Facilities":

THAT the Chairs and Chief Administrative Officers, of the Partners, meet with the Standing Committee to address the content of this report;

AND THAT the Chair of the Standing Committee provide a written report to the Partners, with recommendations, on the outcome of the meeting.

CARRIED UNANIMOUSLY

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

(a) **Union of British Columbia Municipalities - Municipal Charter
File: 1040-03-U1-08/1175-05-N1-01**

Report: Administrative Assistant to the Administrator, February
19, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Assistant to the Administrator dated February 19, 1997 entitled "Union of British Columbia Municipalities - Municipal Charter":

THAT the correspondence dated December 16, 1996 received from Mayor Don H. Bell, District of North Vancouver regarding "Union of British Columbia Municipalities - Municipal Charter" be received and filed.

CARRIED UNANIMOUSLY

(b) **Density Bonusing Policy and Procedures - File: 3380-02-C2-02**

Report: City Planner, Development Services,
February 14, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the report of the City Planner dated February 14, 1997 entitled "Density Bonusing Policy and Procedures", be received and filed.

CARRIED

4. (c) **Commercial Bicycle Parking Program - Advertising Policy for the City of North Vancouver - File: 4100-08**

Report: North Vancouver Bicycle Coordinator,
February 14, 1997

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the Bicycle Coordinator dated February 14, 1997 entitled "Commercial Bicycle Parking Program for the City of North Vancouver":

THAT the policy document entitled "Commercial Bicycle Parking Program - Advertising Policy" which reads as follows be adopted:

"The goal of the commercial bicycle parking program from the City's point of view is to increase the number of short term bicycle parking in the City of North Vancouver at minimum cost to the residents as well as to partner with local businesses in this venture.

Listed below are the City guidelines dealing with advertising artwork placed on bicycle racks that are part of the City's Commercial Bicycle Parking Program.

- 1) All advertisements and messages placed on the Bike Racks shall comply with all applicable federal, provincial and municipal statutes, regulations and bylaws and the standards of the Outdoor Advertising Association of Canada and the Canadian Code of Advertising Standards of the Advertising Standards Council of the Canadian Advertising Foundation.
- 2) The company shall forthwith at the request of the City remove any advertisement or message which does not comply with the foregoing or which, in the opinion of the City acting reasonably, is otherwise offensive, inappropriate or contrary to City policy.
- 3) The business owner directly in front of a bicycle rack has first right of refusal.

Continued....

4. (c) **Commercial Bicycle Parking Program - Advertising Policy for the City of North Vancouver - File: 4100-08 - Continued**

- 4) Competitor's advertising will not be posted directly in front of another business.
- 5) When a dispute arises regarding advertising artwork on a rack, all parties will be contacted and consulted before action is taken.
- 6) After the first right of refusal, a competitor still may not post in front of a competitor's business unless there is a written agreement from that business on file at the City."

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the motion be amended by adding the following:

THAT the Company will be immediately responsible for the removal of all graffiti and repair if damages are incurred.

CARRIED

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

(d) **Bid to Host the 2000 BC Festival of The Arts
File: 1085-03-N3-01**

Report: Social Planner, Development Services,
February 14, 1997

Moved by Councillor Perrault, seconded by Councillor Dean

PURSUANT to the report of the Social Planner, dated February 14, 1997, entitled "Bid to Host the 2000 BC Festival of the Arts":

THAT the North Shore Arts Commission be advised of the support of the City of North Vancouver for a North Shore community arts festival to celebrate the year 2000 rather than submit a bid to host the 2000 BC Festival of the Arts.

CARRIED UNANIMOUSLY

4. (e) **Notice of Contravention - 389 East Keith Road, Lot 9, D.L. 273, Plan 1063 - File: 3345-10 E KEI 389**

Report: Manager, Inspections, Development Services,
February 18, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Inspections, dated February 18, 1997, entitled "Notice of Contravention - 389 East Keith Road, Lot 9, D.L. 273, Plan 1063":

THAT Peter Schulhof, registered owner of 389 East Keith Road, 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 389 East Keith Road, Lot 9, D.L. 273, Plan 1063, 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

(f) **Proposed Development at 238 Fell Avenue
File: 3375-07 FELL 238**

Report: Property Valuator-Negotiator, Lands Division, February
24, 1997

Moved by Councillor Sharp, seconded by Councillor Braithwaite

PURSUANT to the report of the Property Valuator - Negotiator dated February 24, 1997, entitled "Proposed Development at 238 Fell Avenue":

THAT the letter attached to the February 24, 1997 report be endorsed by Mayor and Council and a copy be mailed to The Honourable Cathy McGregor, Minister of Environment, Lands and Parks.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

4. (g) **Multiple Unit Building Suite Legalization - Revenue Allocation**
File: 4100-01

Report: Planning Technician, Development Services, February
25, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Planning Technician, dated February 25, 1997, entitled "Multiple Unit Building Suite Legalization - Revenue Allocation":

THAT a Transportation Alternatives fund be created;

THAT revenue previously collected from the legalization of suites in buildings with a parking deficiency be directed to the Transportation Alternatives Fund;

THAT Development Services and Engineering staff be directed to use principal and interest from this fund to develop pedestrian, bicycling and transit improvements in the City;

AND THAT interest and principal from this fund to be used exclusively for capital improvements.

Continued....

4. (g) **Multiple Unit Building Suite Legalization - Revenue Allocation**
File: 4100-01 - Continued

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the motion be referred to the Finance Committee for consideration.

A recorded vote was taken on the referral motion.

Voting in favour Councillor Mussatto
 Councillor Sharp
 Mayor Loucks

Voting against Councillor Braithwaite
 Councillor Perrault
 Councillor Fearnley
 Councillor Dean

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

A recorded vote was taken on the main motion

Voting in favour Councillor Sharp
 Councillor Mussatto

Voting against Councillor Braithwaite
 Councillor Perrault
 Councillor Fearnley
 Councillor Dean
 Mayor Loucks

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

4. (h) **Official Community Plan and Rezoning Application: 636/652
Queensbury Avenue - Final Adoption
File: 3400-05 Queensbury 636/652**

Report: Planning Technician, Development Services, February
26, 1997

Moved by Councillor Braithwaite, seconded by Councillor Sharp

THAT the report of the Planning Technician dated February 26, 1997 entitled "Official Community Plan and Rezoning Application: 636/652 Queensbury Avenue - Final Adoption" be referred back to staff with respect to on going maintenance of the property.

CARRIED UNANIMOUSLY

(i) **A Bylaw to Amend the Parks Regulation Bylaw
File: 3020-03-02**

Report: Administrative Assistant, Engineering, February 26, 1997

Moved by Councillor Fearnley, seconded by Councillor Dean

PURSUANT to the report of the Administrative Assistant, Engineering, dated February 26, 1997 entitled "A Bylaw to Amend the Parks Regulation Bylaw":

THAT "Parks Regulation Bylaw, 1996, No. 6611, Amendment Bylaw, 1997, No. 6858" be considered.

CARRIED UNANIMOUSLY

4. (j) **Construction Bylaw Fee Increases - File: 1660-01**

Report: Manager, Inspections, February 20, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Inspections, dated February 20, 1997, entitled "Construction Bylaw Fee Increases":

THAT "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 1997, No. 6863"; "Electrical Inspection Bylaw, No. 2572, Amendment Bylaw, 1997, No. 6864"; "Plumbing Bylaw, Amendment Bylaw, 1997, No. 6865"; and "Gas Permit Fee Structure Bylaw, 1977, No. 4971, Amendment Bylaw, 1997, No. 6866" be considered.

CARRIED UNANIMOUSLY

(k) **Rezoning Application: 205-209 St. David's Avenue (P. & G. Scott/Bill Curtis) - File: 3400-05 St. David's 205-209**

Report: Development Planner, February 26, 1997

Moved by Councillor Dean, seconded by Councillor

THAT "Rezoning Application: 205-209 St. David's Avenue (P & G. Scott/Bill Curtis)", be referred to staff for a report taking into consideration the comments made at the March 3, 1997 meeting.

CARRIED UNANIMOUSLY

4. (l) **Rezoning Application: 500-524 Chesterfield Avenue (Quayside Co-Housing/Artian Construction/Courtyard Group)
File: 3400-05 CHES-500-524**

Report: Development Planner, February 25, 1997

Moved by Councillor Sharp, seconded by Councillor Braithwaite

PURSUANT to the report of the Development Planner, dated February 25, 1997, entitled "Rezoning Application: 500-524 Chesterfield Avenue (Quayside Co-Housing/Artian Construction/Courtyard Group)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6868" (Quayside Co-Housing/Artian Construction/Courtyard Group, CD-338) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

(m) **Rezoning Application: 319 East 13th Street (C. Decotiis/Gianni Design) - File: 3400-05-13-E-319**

Report: Development Planner, February 26, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated February 26, 1997, entitled "Rezoning Application: 319 East 13th Street (Carmel Decotiis/Gianni Design)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6869" (C. Decotiis/Gianni Design/319 East 13th Street/RT-1) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

4. (n) **Rezoning Application: 308 East 12th Street (T. Decotiis/Gianni Design) - File: 3400-05-12-E-308**

Report: Development Planner, February 26, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated February 26, 1997, entitled "Rezoning Application: 308 East 12th Street (T. Decotiis/Gianni Design)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6870" (T. Decotiis/Gianni Design/308 East 12th Street/RT-1) be considered and referred to a Public Hearing.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

(o) **Rezoning Application: 1427 Mahon Avenue (Cizan Research & Development Ltd./Dave Simmons Design)
File: 3400-05-MAHON-1427**

Report: Development Planner, February 26, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated February 26, 1997, entitled "Rezoning Application: 1427 Mahon Avenue (Cizan Research & Development Ltd./Dave Simmons Design)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6871" (Cizan Research & Development Ltd./Dave Simmons Design, 1427 Mahon Avenue, RT-1) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

4. (p) **Rezoning Application: 651-655 East 7th Street - Mr. and Mrs. Ralph Bower - File: 3400-05-07-E-651-655**

Report: City Planner, February 26, 1997

Moved by Councillor Perrault, seconded by Councillor Braithwaite

PURSUANT to the report of the City Planner, dated February 26, 1997, entitled "Rezoning Application - 651 - 655 East 7th Street - Mr. and Mrs. Ralph Bower":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6873" (Mr. and Mrs. Ralph Bower, 651-655 East 7th Street) be considered;

AND THAT the requirement for a Public Hearing for the said rezoning be waived in accordance with the provisions of Part 29 of the Municipal Act.

CARRIED UNANIMOUSLY

(q) **Social Plan - Request for an Extension to Provincial Grant
File: 4230-26-08-02**

Report: Social Planners, February 17, 1997

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planners, dated February 17, 1997, entitled "Social Plan - Request for an Extension to Provincial Grant":

WHEREAS more than 25% of the work in undertaking a City Social Plan has been completed, and the remainder of the project cannot be completed within the time frame of the original grant approved until March 31, 1997;

THEREFORE BE IT RESOLVED THAT the Ministry of Municipal Affairs be requested to extend for the period of one year, the Special Planning Grant awarded to the City of North Vancouver for the purposes of developing a Social Plan;

Continued....

4. (q) **Social Plan - Request for an Extension to Provincial Grant**
File: 4230-26-08-02 - Continued

AND THAT Development Services be directed to request the Ministry to grant a program revision to clarify that the Social Plan will be considered complete upon Council's endorsement of the document.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

NIL

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1996, No. 6755" (636 - 652 Queensbury Avenue, Commercial).
- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6756" (Grossman and Stanley, 636 - 652 Queensbury Avenue, C-2A).

be deleted from the agenda

CARRIED UNANIMOUSLY

6. (b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Sharp that

- (i) "Parks Regulation Bylaw, 1996, No. 6611, Amendment Bylaw, 1997, No. 6858".
- (ii) "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 1997, No. 6863" (Fee Schedule).
- (iii) "Electrical Inspection Bylaw No. 2572, Amendment Bylaw, 1997, No. 6864" (Fee Schedule).
- (iv) "Plumbing Bylaw, Amendment Bylaw, 1997, No. 6865" (Fee Schedule).
- (v) "Gas Permit Fee Structure Bylaw, 1977, No. 4971, Amendment Bylaw, 1997, No. 6866" (Fee Schedule).

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 Bylaws Nos. 6858, 6863, 6864, 6865 and 6866 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the said Bylaws Nos. 6858, 6863, 6864, 6865 and 6866 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (c) **Second and Third Readings**

Nil

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

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1997, No. 6867" (Patricia and Gary Scott c/o Sager Anderson & Lawrence/Bill Curtis Design, 205 St. David's Avenue).

be deleted from the agenda.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6868" (Artian Construction/Courtyard Group/Co-Housing, 500-524 Chesterfield Avenue, CD-338).

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

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6869" (Carmel Decotiis/Gianni Design, 319 East 13th 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

Councillor Braithwaite is recorded as voting contrary to the motion.

6. (d) Introduction and First Reading Only - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6870", (T. Decotiis/Gianni Design, 308 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

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (v) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6871", (Cizan Research & Development Ltd./Dave Simmons Designer, 1427 Mahon Avenue, 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

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (vi) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6873", (Mr. and Mrs. Ralph Bower, 651-655 East 7th Street).

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

- (vii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6875", (Patricia & Gary Scott, c/o Sager, Anderson, Lawrence/Bill Curtis Designs, 205 St. David's Avenue, CD-337).

be deleted from the agenda.

CARRIED

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil

Mayor Loucks declared a recess at 9:44 p.m. for the public question period and reconvened immediately.

10. ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 9:45 p.m.