



**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 10, 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.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
F. Caouette, Administrative Manager, Dev. Servs
J. Guenther, Manager, Inspections
I. Steward, Property Valuator/Negotiator
R. Kwan, Chief Public Health Inspector

ABSENT:

Councillor B.W. Perrault

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 Braithwaite that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6856", (Sunset Projects, 83 Chesterfield Avenue, Gross House, CD-335)
- (ii) "Heritage Designation Bylaw, 1996, No. 6855" (Gross House, 83 Chesterfield Avenue, Sunset Projects/H. Shirley)

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 6:03 p.m. and reconvened at 7:25 p.m., with the same personnel present and with the addition of Councillor Fearnley and Councillor Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the Minutes of the Regular Council Meeting of March 3, 1997 be adopted as circulated.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

**“International Day For The Elimination Of Racial Discrimination”,
March 21, 1997**

“DeMolay Week”, March 16 - 22, 1997

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

**(a) Demolition of Structure at 350 Low Level Road
File: 3375-10-02 350 LOW L**

Report: Property Valuator/Negotiator, Development Services,
March 5, 1997

PURSUANT to the report of the Property Valuator/Negotiator dated March 5, 1997, entitled "Demolition of Structure at 350 Low Level Road":

THAT staff be directed to use \$65,000. from the Environmental Operating Fund for works to the City property at 350 Low Level Road.

CARRIED UNANIMOUSLY

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

(b) Smoking Regulation Bylaw - File: 4230-03

Report: Administrative Manager, Development Services,
March 5, 1997

PURSUANT to the report of the Administrative Manager, Development Services, dated March 5, 1997, entitled "Smoking Regulation Bylaw":

THAT "Smoking Regulation Bylaw, 1997, No. 6876" be added to the March 10, 1997 regular Council agenda as Item 6.(d)(ii).

DEFEATED

Councillor Dean is recorded as voting contrary to the motion.

(The motion was defeated because a unanimous vote is required to add an item to the agenda).

2. DELEGATIONS

(a) **Mary Yuen, BREATHE - Coalition for a Smoke-Free Environment**

Re: Wood Burning in Fireplaces and Stoves - File: 4000-01

Ms. Mary Yuen representing BREATHE - Coalition for a Smoke-Free Environment and Mr. Jess Martin, 1735 Peters Road, North Vancouver, advised members of Council of the health issues relating to wood burning fireplaces.

They requested members of Council to consider a bylaw to ban wood burning fireplaces in the City of North Vancouver.

Ms. Yuen and Mr. Martin then responded to questions from members of Council.

3. CORRESPONDENCE

(a) **The Council for Sustainability, Whistler Centre for Business and the Arts, received February 28, 1997**

Re: Beyond Agreement - Implementing Complete Communities in The Lower Mainland - File: 1840-03-01

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT attendance by any member of Council at the "Beyond Agreement - Implementing Complete Communities in The Lower Mainland" Forum being held March 24-25, 1997 at the Inn at Westminster Quay, New Westminster, B.C. be approved;

AND THAT expenses be paid in accordance with City Policy;

AND THAT the Council member(s) who attends said Forum report back to Council.

CARRIED UNANIMOUSLY

3. (b) **Richard Neufeld, M.L.A., Peace River North, February 28, 1997**

Re: Airline Travel Points Program for Rural Residents
File: 1195-01

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the correspondence dated February 28, 1997 received from Richard Neufeld, M.L.A., Peace River North regarding "Airline Travel Points Program for Rural Residents" be received and filed.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

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

(a) **Ban of Wood Burning in Fireplaces and Stoves - File: 4000-01**

Report: Dr. B.A. O'Connor, Medical Health Officer, North Shore Health, February 19, 1997

Moved by Councillor Sharp, seconded by Councillor Dean

PURSUANT to the report of the Medical Health Officer, North Shore Health dated February 19, 1997 entitled "Ban of Wood Burning In Fireplaces and Stoves":

THAT the municipality provide a public information program on the harmful health effects of wood smoke to the population in general and more specifically to the sensitive population subgroup, and the proper use of fireplaces and wood stoves to reduce the health and environmental impacts;

AND THAT the Greater Vancouver Regional District be requested to establish a regional air quality advisory program for the purpose of public information and education;

AND THAT the Greater Vancouver Regional District be requested to establish at least one PM₁₀ monitoring station in the City of North Vancouver for the purpose of monitoring the overall PM₁₀ levels in the City.

4. (a) **Ban of Wood Burning in Fireplaces and Stoves - File: 4000-01
- Continued**

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Fearnley

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

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

PURSUANT to the report of the Medical Health Officer, North Shore Health dated February 19, 1997 entitled "Ban of Wood Burning In Fireplaces and Stoves":

THAT the municipality investigate the feasibility of reducing or eliminating the emission of wood smoke within the City of North Vancouver.

Voting in favour: Councillor Braithwaite
Councillor Fearnley
Mayor Loucks

Voting against: Councillor Dean
Councillor Mussatto
Councillor Sharp

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Item 4.(b) on the agenda be brought forward for consideration at this time.

CARRIED

4. **REPORTS OF COMMITTEES, COUNCIL, AND STAFF (Continued)**

(b) **Development Application: 83 Chesterfield Avenue (Legal Covenant) - File: 3400-05 CHES 83**

Report: Development Planner, March 3, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Development Planner, dated March 3, 1997, entitled "Development Application: 83 Chesterfield Avenue (Legal Covenant)":

THAT the Mayor and City Clerk be authorized to execute the Section 215 Land Title Act Covenant substantially in the form attached to said report.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Notice of Contravention per Section 750.1 of the Municipal Act at 1155 Moody Avenue Lot 13, D.L. 550, Plan 1450
File: 3345-10 MOODY 1155**

Moved by Councillor Sharp, seconded by Councillor Fearnley

THAT the City Clerk be instructed to file notice in the Land Title Office pursuant to Section 750.1 of the Municipal Act:

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

Mayor Loucks invited Mr. and Mrs. Henry and Florence Nicholson, owners, or owner's representative to come forward and show cause why the City Council should not proceed with the above registration against the title.

Neither Mr. and Mrs. Henry and Florence Nicholson nor their representative came forward at this time.

The motion was then **CARRIED UNANIMOUSLY.**

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 8:35 p.m. and reconvened at 9:31 p.m., with the same personnel present.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF (Continued)

(c) City of Burnaby Request for Support in Addressing Small Scale Seniors Housing Issues - File: 3365-03-01/1175-04-01

Report: Social Planner, March 5, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner, dated March 5, 1997, entitled "City of Burnaby Request for Support in Addressing Small Scale Seniors Housing Issues":

THAT the Ministry of Health be requested to coordinate a review of the issues concerning small-scale seniors housing options which require changes in legislation, policies, regulations and programs;

THAT the North Shore Regional Health Board be encouraged to facilitate the development of a local model which responds to care issues in conjunction with service providers and City staff;

AND THAT the City of Burnaby be so advised and receive a copy of the subject report.

CARRIED UNANIMOUSLY

4. (d) **Rezoning Application: 157 East 20th Street - Century Court Apartments Ltd. - File: 3400-05 20E 157**

Report: Director, Development Services, March 3, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Director, Development Services, dated March 3, 1997, entitled "Rezoning Application: 157 East 20th Street - Century Court Apartments Ltd.":

THAT Development Services be directed to process the subject rezoning application with a referral to the Advisory Planning Commission provided that the applicant complies with the guidelines;

AND THAT the above-captioned staff report be referred to the applicant, Century Court Apartments Ltd., for a response to the comments regarding appraised value.

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the motion be amended by deleting the words "provided that the applicant complies with the guidelines".

CARRIED

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

A recorded vote was taken on the motion, as amended.

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

Voting against: Councillor Braithwaite

The motion, as amended, was **CARRIED** by a vote of five to one.

4. (e) **Rezoning Application: 153 East 1st Street (Danka Lumber & Development Ltd.) - File: 3400-05 01E 153**

Report: City Planner, March 6, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the City Planner, dated March 6, 1997, entitled "Rezoning Application: 153 East 1st Street (Danka Lumber & Development Ltd.):":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6872" (Danka Lumber & Development Ltd., 153 East 1st Street, CD-339) be considered and referred to a Public Hearing;

AND THAT Danka Lumber & Development Ltd. be required to enter into a Landscape Agreement for the subject site requiring the upgrading of the sidewalk areas in front of 153 East 1st Street.

CARRIED UNANIMOUSLY

(f) **Development Variance Permit Application - 753 Marine Drive (Apex Tire/Galaxie Signs Ltd.) - File: 3358-03 MARI 753**

Report: Administrative Manager, Development Services,
March 5, 1997

Moved by Councillor Sharp, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager, Development Services, dated March 5, 1997, entitled "Development Variance Permit Application - 753 Marine Drive (Apex Tire/Galaxie Signs Ltd.):":

THAT Development Variance Permit No. 80 attached to said report be considered for issuance pursuant to Section 974 of the Municipal Act;

AND THAT the Public Meeting requirement be waived in accordance with the provisions of Division (3) of the Municipal Act.

CARRIED UNANIMOUSLY

4. (g) **Parking Matters In The 200 Block Fell Avenue - File: 4140-12-02**

Report: Property Valuator/Negotiator, March 5, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Property Valuator/Negotiator, dated March 5, 1997, entitled "Parking Matters In The 200 Block Fell Avenue":

THAT "Off-Street Parking Reserve Fund Expenditure Bylaw, 1997, No. 6877" be brought forward for consideration.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean
Councillor Fearnley

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M. be waived, and the meeting continue until 11:00 P.M., if necessary, until all the items on the agenda have been concluded.

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

5. **MOTIONS AND NOTICES OF MOTION (Continued)**

- (b) **Development Variance Permit No. 77 - Caromar Sales Ltd., Lot E, Block 141, D.L. 274, Plan 15720 (212 Lonsdale Avenue) File: 3358-03 LONS 212 DVP No. 77**

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT Development Variance Permit No. 77 be issued to Caromar Sales 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. 77.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the issuance of Development Variance Permit No. 77 be deferred until staff negotiates with Caromar Sales Ltd. a donation towards the Safe Cities Initiative implementation.

CARRIED UNANIMOUSLY

- (c) **Development Variance Permit No. 79 - BBI Group Investments Inc., Lot D, Block 206, D.L. 545, LMP 30841 (130 West 22nd Street) File: 3358-03 22W 130 DVP No. 79**

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Development Variance Permit No. 79 be issued to BBI Group Investments Inc. 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. 79.

CARRIED UNANIMOUSLY

6. BYLAWS - Continued

(a) Reconsideration and Final Adoption

Moved by Councillor Dean, seconded by Councillor Sharp that

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

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the said Bylaws Nos. 6858, 6863, 6864, 6865 and 6866 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 Mussatto, seconded by Councillor Braithwaite that

- (i) "Off-Street Parking Reserve Fund Expenditure Bylaw, 1997, No. 6877"

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

Continued....

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

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the said Bylaw No. 6877 be read a second time in short form.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the said Bylaw No. 6877 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

(c) Second and Third Readings

Nil.

(d) Introduction And First Reading Only

Moved by Councillor Mussatto, seconded by Councillor Fearnley that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6872", (Danka Lumber & Development Ltd., 153 East 1st Street CD-339)

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

CARRIED

10. ADJOURNMENT

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:24 p.m.

MAYOR

CITY CLERK