



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET,
NORTH VANCOUVER, B.C., ON MONDAY, APRIL 7, 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. Dowey, Deputy City Clerk
C.M. Gale, City Engineer
R.H. White, City Planner
M. MacFadyen, Manager, Lands Division
F. Caouette, Administrative Manager, Dev. Servs.
I. Gordon, Acting Director of Finance
R. Bruckshaw, Purchasing Manager

The meeting was called to order at 6:00 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 UNANIMOUSLY

8. ANY OTHER BUSINESS

(a) Attendance at the Sustainable Libraries, Timing is Everything, Conference - File: 1840-02-01

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the subject of "Attendance at the Sustainable Libraries, Timing is Everything Conference" be added to the agenda.

CARRIED UNANIMOUSLY

8. (a) Attendance at the Sustainable Libraries, Timing is Everything, Conference - File: 1840-02-01

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Councillor B.W. Perrault be authorized to attend the "Sustainable Libraries, Timing is Everything" Conference to be held in Prince George, BC on May 22 - 25, 1997;

AND THAT registration fees and expenses be paid in accordance with City Policy.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Items 9.(d) and (e), 4.(v),(w),(x), 6.(b)(v),(vi),(vii),(viii) and (ix) be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

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

CARRIED

The meeting recessed at 6:06 p.m. and reconvened at 8:20 p.m., with the same personnel present and with the addition of Councillor Mussatto and Councillor Sharp.

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT Items 4.(a) and (d) and 5.(b) on the agenda be brought forward for consideration at this time.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Lower Lonsdale Planning Study - File: 3380-02-L4-03

Report: Development Planner, March 11, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Development Planner, dated March 11, 1997, entitled "Lower Lonsdale Planning Study":

THAT the Development Services Department not proceed immediately to initiate all procedural measures required to enable the marketing of Lot F, Block 139.

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Dean
Councillor Fearnley

Voting against: Councillor Mussatto
Councillor Perrault
Councillor Sharp
Mayor Loucks

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

(d) Surface Treatment of Proposed Parking Area - 200 Block Fell Avenue - File: 4140-10-02

Report: Deputy City Engineer, March 19, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT consideration of "Surface Treatment of Proposed Parking Area - 200 Block Fell Avenue" be deferred until we receive and read the report from the United States Department of Natural Resources, Seattle, Washington, as well as the report from the individual with the British Columbia Ministry of Environment who has experienced using permeable surface materials in the Province of Ontario.

4. (d) **Surface Treatment of Proposed Parking Area - 200 Block Fell Avenue - File: 4140-10-02 - Continued**

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Perrault
Mayor Loucks

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

5. **MOTIONS AND NOTICES OF MOTIONS**

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

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the resolution of February 10, 1997 which reads as follows:

"**THAT** staff be instructed to prepare a Smoking Regulation Bylaw which requires 100% non-smoking in restaurants, pubs, and other adult oriented premises by January 1, 1998"

be rescinded;

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Mussatto

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

5. (b) **Smoking Regulation Bylaw - File: 4230-03 - Continued**

Moved by Councillor Perrault, seconded by Councillor Braithwaite

WHEREAS it is a recognized fact that smoking is a serious public health issue;

AND WHEREAS an immediate 100% smoke free Bylaw would have a major economic impact on many businesses in our community;

AND WHEREAS according to the North Shore Health Board 65%-70% of the people in our community have stated that they do not wish to be exposed to second-hand smoke in public places;

AND WHEREAS it is vital to protect children from second hand smoke;

THAT restaurants in the City of North Vancouver will be 100% smoke-free;

AND THAT pubs, bars, casinos, bingo halls and other adult oriented establishments will be 30% smoke-free until the year 2000;

AND THAT taxi cabs, malls and public places shall be 100% smoke-free;

AND THAT six months prior to the year 2000, a public review process shall take place and implementation of a 100% Smoke Free policy will occur with the proviso that all municipalities contiguous to the City of North Vancouver enact the same Bylaw.

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the motion be amended by deleting the final paragraph which reads as follows:

“**AND THAT** six months prior to the year 2000, a public review process shall take place and implementation of a 100% Smoke Free policy will occur with the proviso that all municipalities contiguous to the City of North Vancouver enact the same Bylaw.”

CARRIED

Councillor Perrault is recorded as voting contrary to the amendment to the motion.

5. (b) Smoking Regulation Bylaw - File: 4230-03 - Continued

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the paragraph of the motion which reads “**THAT** restaurants in the City of North Vancouver will be 100% smoke-free” be amended to read:

THAT restaurants in the City of North Vancouver will be 70% smoke-free and phased in to 100% smoke-free by the year 2000.

A recorded vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Perrault
Mayor Loucks

Voting against: Councillor Braithwaite
Councillor Fearnley
Councillor Mussatto
Councillor Sharp

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

A separate vote was taken on the following:

THAT restaurants in the City of North Vancouver will be 100% smoke-free.

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Fearnley
Councillor Mussatto

Voting against: Councillor Dean
Councillor Perrault
Councillor Sharp
Mayor Loucks

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

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT restaurants in the City of North Vancouver will be 70% smoke-free providing that the restaurants provide a separate smoking room for 30% smoking until the year 2000.

5. (b) Smoking Regulation Bylaw - File: 4230-03 - Continued

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Perrault
Councillor Sharp
Mayor Loucks

Voting against: Councillor Braithwaite
Councillor Dean
Councillor Mussatto

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

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the motion which reads:

“AND THAT pubs, bars, casinos, bingo halls and other adult oriented establishments will be 30% smoke-free until the year 2000”.

be amended to read:

“AND THAT pubs, bars, casinos, bingo halls and other adult oriented establishments will be 30% smoke-free phased in to 100% smoke-free by the year 2000”.

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Perrault
Councillor Sharp

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

The vote was taken separately on the following:

AND THAT taxi cabs, malls and public places shall be 100% smoke-free.

CARRIED UNANIMOUSLY

5. (b) **Smoking Regulation Bylaw - File: 4230-03 - Continued**

The motion now reads as follows:

THAT restaurants in the City of North Vancouver will be 70% smoke-free providing that the restaurants provide a separate smoking room for 30% smoking until the year 2000;

AND THAT pubs, bars, casinos, bingo halls and other adult oriented establishments will be 30% smoke-free phased in to 100% smoke-free by the year 2000;

AND THAT taxi cabs, malls and public places shall be 100% smoke-free.

1. **ADOPTION OF MINUTES**

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the following Minutes:

(a) Regular Council Meeting, March 17, 1997

(b) Regular Council Meeting, March 24, 1997

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:

(b) **North Shore Economic Development Commission**
File: 1085-03-N4-01

Report: City Administrator, March 12, 1997

PURSUANT to the report of the City Administrator dated March 12, 1997, entitled "North Shore Economic Development Commission":

THAT staff be requested to explore a business plan with respect to Economic Development;

Continued...

**9.1 (b) North Shore Economic Development Commission
File: 1085-03-N4-01 - Continued**

AND THAT the amount be allocated that Council normally designates for the Economic Development Commission, plus any surpluses available, towards the business plan, including hiring of a professional to provide said plan;

AND THAT the North Shore Economic Development Commission be advised that the City of North Vancouver agrees with its motion to wind down its activities;

AND THAT the City Administrator work with the District of North Vancouver Municipal Manager on the disposal and distribution of the assets of the North Shore Economic Development Commission, including surplus monies held by the District of North Vancouver.

(CARRIED UNANIMOUSLY)

(f) Appointment to the North Shore Family Court & Youth Justice Committee File: 1085-03-N11/1090-03-03

Report: Mayor J.E. Loucks, March 26, 1997

PURSUANT to the report of Mayor J.E. Loucks dated March 26, 1997, entitled "Appointment to the North Shore Family Court & Youth Justice Committee":

THAT Tricia Andrew be appointed to the North Shore Family Court & Youth Justice Committee for the remainder of Mr. Martin's one year term which expires on December 31, 1997.

(CARRIED UNANIMOUSLY)

**(g) Appointment to the North Vancouver City Library Board
File: 1085-03-N9/1090-03-03**

Report: Mayor J.E. Loucks, March 26, 1997

PURSUANT to the report of Mayor J.E. Loucks dated March 26, 1997, entitled "Appointment to the North Vancouver City Library Board":

THAT Richard Gauntlett be appointed to the North Vancouver City Library Board for the remainder of Mr. Jahanshahi's term which expires on December 31, 1998.

(CARRIED UNANIMOUSLY)

9.1 (h) School Crossing Guards - File: 1150-03-01/1850-06

Report: Mayor J.E. Loucks, March 26, 1997

PURSUANT to the report of Mayor J.E. Loucks dated March 26, 1997, entitled "School Crossing Guards":

THAT the City of North Vancouver continue status quo funding of the School Crossing Guard Program until the end of the current school year, that is, June, 1997;

AND THAT the City Engineer be requested to consider and report back to City Council on the merits and costs of installing various mechanized traffic crossing controls and/or pedestrian overpasses at each of the six Crossing Guard locations in the City of North Vancouver;

AND THAT upon receipt of the report of the City Engineer, City Council consider the disposition of the School Crossing Guard Program for the 1997-1998 school year.

(CARRIED UNANIMOUSLY)

(i) Proposed Road Exchange to Realign Lane at 16th Street and Lonsdale - File: 3375-07

Report: Property Valuator/Negotiator, Lands Division,
March 27, 1997

PURSUANT to the report of the Property Valuator/Negotiator dated March 27, 1997, entitled "Proposed Road Exchange to Realign Lane at 16th Street and Lonsdale":

THAT the proposed land exchange involving the realignment of the lane at the back of 16th Street and Lonsdale Avenue, be endorsed;

AND THAT West Coast Projects be permitted to make an application for a Building Permit over a site which includes the 10' x 100' wide laneway located at the back of Lots 10 and 11 on 16th Street and Lonsdale Avenue.

(CARRIED UNANIMOUSLY)

9.1 (j) **1997 New Items and 1997 Tax Rate Options, Second Report
File: 1650-06**

Report: Acting Director of Finance, April 3, 1997

PURSUANT to the report of the Acting Director of Finance dated April 3, 1997, entitled "1997 New Items and 1997 Tax Rate Options, Second Report":

THAT funding for the following 1997 New Items be included in the 1997 Annual Budget:

Those ranked "A" and "B" on Attachment 2 to the April 3, 1997 report;

AND THAT Tax Option 2 on Attachment 1 to the April 3, 1997 report, being a general tax increase of 3.40%, be reflected in the 1997 Annual Budget and tax rates;

AND THAT the addition of the following staff positions, funded as indicated on Attachment 2 to the April 3, 1997 report, be authorized;

1. Computer Services, Clerical, permanent part-time, 2 days per week.
2. Engineering, Clerical, permanent full-time (replaces part-time 3 days per week).
3. Development Services, Planning, Junior Plan Checker, temporary full-time (12 months).
4. R.C.M. Police, Neighbourhood Constable, permanent full-time.
5. Engineering, Streets, Parks, two summer student positions.

AND THAT Attachment 2 to the April 3, 1997 report be amended on Line 38 - Presentation House - Salary Increase by moving \$500. from Rank C to Rank B;

AND THAT Attachment 2 to the April 3, 1997 report be amended on Line 37 - BC Photographic/Media Arts Salary by moving \$1,308. from Rank C to Rank B.

CARRIED UNANIMOUSLY

2. **DELEGATIONS**

Nil.

3. **CORRESPONDENCE**

- (a) **Janine Robinson, Chair, Southwest Region Council, Trails B.C.,
March 5, 1997**

Re: Development of Trans Canada Trail - File: 4300-13

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the March 5, 1997 correspondence received from Trails B.C. regarding "Development of Trans Canada Trail" be referred to the Manager, Parks and Environment for comment and recommendation.

CARRIED UNANIMOUSLY

- (b) **Mrs. D.R. Comis, City Clerk, City of Burnaby, March 19, 1997**

Re: Extension of Residential Rehabilitation Program
File: 1175-04-01

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

WHEREAS the City of North Vancouver has used the City of Burnaby's resources for the delivery of the Residential Rehabilitation Assistance Program (RRAP);

THEREFORE the Mayor, on behalf of Council, write the Minister Responsible for CMHC to;

- a) express the City's appreciation for the decision to extend the RRAP for an additional year; and
- b) reiterate the City of Burnaby's past requests that the program be assured of stable multi-year funding, and that it be strengthened and enhanced in the future through such means as;

Continued....

3. (b) **Mrs. D.R. Comis, City Clerk, City of Burnaby, March 19, 1997**

Re: Extension of Residential Rehabilitation Program
File: 1175-04-01 - Continued

- ◆ increasing the program's overall annual budget allocation;
- ◆ raising the income ceilings and forgivable loan amounts for disabled applicants; and
- ◆ either eliminating or increasing the RRAP's property assessment guideline in order to make the program more effective and relevant for Lower Mainland municipalities.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

(c) **Tom Tevlin, Executive Director, Forest Alliance of B.C.,
March 14, 1997**

Re: Endangered Species Act (Bill C-65) - File: 3520-01

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the correspondence dated March 14, 1997 received from Tom Tevlin, Executive Director, Forest Alliance of B.C., regarding "Endangered Species Act (Bill C-65) be referred to staff for more information.

CARRIED

(d) **Craig Clark, Chair, North Vancouver Canada Day Committee,
March 19, 1997**

Re: Sponsorship Request - File: 4455-03-C3

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the correspondence dated March 19, 1997 received from the North Vancouver Canada Day Committee:

THAT \$2,000.00 be provided to the North Vancouver Canada Day Committee to assist with the sponsorship of the Canada Day Celebrations at Waterfront Park;

AND THAT the funds be provided from the 1997 Community Special Events Account.

CARRIED UNANIMOUSLY

3. (e) Vancouver and District Labour Council, March 25, 1997

Re: Planned Closure of the Vancouver EI Appeal Board Centre
File: 1180-14

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT the City of North Vancouver call on the Federal Government to instruct the Employment Insurance Commission not to proceed with their plan to close the Vancouver Board of Appeal Centre;

AND THAT the City of North Vancouver call on the Canadian Labour Congress, the B.C. Federation of Labour, the Provincial NDP Government, and local municipal governments to support the call to preserve a Vancouver Board of Referees Appeal Centre in Vancouver.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

**(f) Judi Ainsworth, North Vancouver Chamber of Commerce,
March 26, 1997**

Re: Invitation to Shirt Sleeves Session - File: 1040-03-N6

Moved by Councillor Sharp, seconded by Councillor Fearnley

THAT a meeting be scheduled with the Board of Directors of the North Vancouver Chamber of Commerce on Tuesday, May 6, 1997 in the Chamber of Commerce Boardroom from 5:30 p.m. to 7:30 p.m.

CARRIED UNANIMOUSLY

(g) Luc Desrochers, North Vancouver, BC, March 18, 1997

Re: Crosswalk at 13th Street and Mahon Avenue - File: 4100-06

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the correspondence dated March 18, 1997 received from Luc Desrochers, North Vancouver, BC., regarding "Crosswalk at 13th Street and Mahon Avenue", be received and filed.

CARRIED UNANIMOUSLY

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

(b) **Lower Lonsdale Planning Study - File: 3380-02-L4-03**

Report: Development Planner, March 11, 1997

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the motion adopted by Council on March 17, 1997, which reads as follows:

"PURSUANT to the report of the Development Planner, dated March 11, 1997, entitled "Lower Lonsdale Planning Study":

THAT the Development Services Department be directed to select a consultant to design and lead a process of public involvement described in Attachment 4 (2)(c) of the Development Planner's report of March 11, 1997, to identify community response to two alternative urban design options for Lower Lonsdale, as follows:

- i) maximized density with adherence to Official Community Plan height limits north of Esplanade;
- ii) maximized density with view sensitive relaxations to Official Community Plan height limits"

be amended by deleting 4.(2)(c) and replacing it with 4.(2)(b).

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

(c) **Proposed Light Industrial Zoning Study - Edgecombe Realty Advisors Inc. - File: 3380-02-L1-01**

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT the motion adopted by Council on March 17, 1997, which reads as follows:

"PURSUANT to the report of the City Planner, dated March 11, 1997, entitled "Proposed Light Industrial Zoning Study - Edgecombe Realty Advisors Inc.":

Continued...

4. (c) **Proposed Light Industrial Zoning Study - Edgecombe Realty Advisors Inc. - File: 3380-02-L1-01 - Continued**

THAT Edgecombe Realty Advisors Inc. be thanked for its offer to participate in the development of new Light Industrial zoning regulations and be advised that this study will be considered for inclusion in the 1997 Work Program of the Planning Division;

AND THAT Morrow and Associates Engineering be allowed to remain in Capilano Business Park until January 1, 1998, or until they are able to obtain a business licence under existing regulations, whichever is the earlier."

be amended by deleting 1997 and replacing it with 1998 in the first paragraph and deleting 1998 and replacing it with 1999 in the final paragraph.

CARRIED

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

(e) **Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6883 - File: 3020-03-02-ST**

Report: Administrative Assistant-Engineering, March 17, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Assistant-Engineering dated March 17, 1997 entitled, "Street and Traffic Bylaw, 1991, No. 6234 Amendment Bylaw, 1997 No. 6883":

THAT "Street and Traffic Bylaw, 1991, No. 6234 Amendment Bylaw, 1997, No. 6883" (Application to plant trees on City Property) be considered.

CARRIED UNANIMOUSLY

4. (f) 1997 New Items - File: 1665-06

Recommendation: Finance Committee, March 17, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT \$30,000.00 be provided for the Affordable Housing Task Force from the 1997 funding of the Housing Initiatives Grants Program.

CARRIED UNANIMOUSLY

(g) Affordable Housing Reserve: 1997 Funding for Housing Initiatives Grant Program - File: 1665-06

Report: Acting Director of Finance, April 2, 1997

Moved by Councillor Sharp, seconded by Councillor Braithwaite

PURSUANT to the report of the Acting Director of Finance dated April 2, 1997, entitled "Affordable Housing Reserve: 1997 Funding for Housing Initiatives Grant Program":

THAT "Affordable Housing Reserve, Housing Initiatives Grant Program Bylaw, 1997, No. 6899" (1997 Housing Initiatives Grant Program), be brought forward for consideration.

CARRIED UNANIMOUSLY

**(h) Lower Lonsdale Lands Planning and Marketing Costs
File: 3380-02-04-06-02**

Report: Administrative Manager, April 2, 1997

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the Administrative Manager, dated April 2, 1997, entitled "Lower Lonsdale Lands, Planning and Marketing Costs":

THAT "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1997, No. 6900" (Lower Lonsdale Lands Planning and Marketing Costs) be considered.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

4. (i) **Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6901 (Utility Access Agreement) - File: 3020-03-02-ST**

Report: Technical Assistant IV, Engineering Department,
April 2, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Technical Assistant IV, dated April 2, 1997 entitled, "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6901 (Utility Access Agreement)":

THAT the "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6901" (Utility Access Agreement), be considered.

CARRIED UNANIMOUSLY

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

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

(j) **Chrisdale Homes Ltd.'s Request for Exemption Under Section 301 of the City's Noise Control Bylaw No. 5819
File: 3400-05 1E 135-147**

Report: Public Health Inspector, April 2, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Public Health Inspector, dated April 2, 1997, entitled "Chrisdale Homes Ltd.'s Request for Exemption Under Section 301 of the City's Noise Control Bylaw No. 5819":

THAT Chrisdale Homes Ltd.'s application for exemption under Section 301 of the Noise Control Bylaw be granted subject to the following conditions:

1. **THAT** the exemption is for three days from this date until May 30, 1997.

Continued....

4. (j) **Chrisdale Homes Ltd.'s Request for Exemption Under Section 301 of the City's Noise Control Bylaw No. 5819**
File: 3400-05 1E 135-147 - Continued

2. **THAT** none of the exempted days occur on Saturday or Sunday or on any Public holiday.
3. **THAT** no construction noise is to occur on site prior to 7:00 a.m. nor after 11:00 p.m.
4. **THAT** street preparation work be permitted from 6:00 a.m. to 7:00 a.m. on those 3 days.
5. **THAT** the residents of 145 St. George's Avenue, 111 East 1st Street, and 130 East 2nd Street, be notified in writing of the constructional work outside of the bylaw permissible hours at least two days in advance of the exempted dates.

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the motion be amended by deleting 11:00 p.m. and replacing it with 10:00 p.m. in No. 3.

CARRIED

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

(k) **Development Cost Charges Bylaw - File: 3020-03-02-D**

Report: City Engineer, March 21, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the City Engineer dated March 21, 1997 entitled "Development Cost Charges Bylaw":

THAT the Third Reading of "Development Cost Charges Bylaw, 1997, No. 6814" be rescinded;

AND THAT the amended "Development Cost Charges Bylaw, 1997, No. 6814" be brought forward and read a third time;

AND THAT the "Development Cost Charges Bylaw, 1997, No. 6814", as amended, be forwarded to the Ministry of Municipal Affairs and Housing for approval.

CARRIED UNANIMOUSLY

4. (l) **Municipal Administration Training Institute - City of North Vancouver Candidate - File: 1650-05-03-02**

Report: Director, Development Services, March 27, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Director, Development Services, dated March 27, 1997, entitled "Municipal Administration Training Institute - City of North Vancouver Candidate":

THAT Mr. Francis Caouette, Administrative Manager, Development Services Department, be authorized to attend the 1997 Municipal Administration Training Institute to be held August 17, 1997 to August 22, 1997, in Victoria, B.C.;

AND THAT the Mayor be requested to seek the support of the MATI Program Committee for a Staples, McDannold, Stewart scholarship for registration and travel costs related to "MATI 97" or, in the alternative, upon the acceptance of Mr. Caouette as a participant, to seek the support of the Provincial Board of Examiners for a UBCM Commemorative Scholarship, substantially in the form of Attachment No. 2 to the said report.

CARRIED UNANIMOUSLY

(m) **Rezoning Application: 305-341 Lonsdale Avenue (Wedgewood/MacLean/Romses) - File: 3400-05 LONS 305-341**

Report: Development Planner, March 27, 1997

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated March 27, 1997, entitled "Rezoning Application: 305-341 Lonsdale Avenue (Wedgewood/MacLean/Romses)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6879" (Wedgewood Developments/MacLean Management/Roger Romses Architect; 341 Lonsdale Avenue, CD-341) be considered and referred to a Public Hearing;

AND THAT Lands Division staff report back with a draft covenant securing the provision of the Public Amenity Space.

CARRIED UNANIMOUSLY

4. (n) **Neighbourhood Pub Application, 850 Marine Drive
File: 3400-05 MARI 850**

Report: Administrative Manager, April 2, 1997

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Manager, dated April 2, 1997, entitled "Neighbourhood Pub Application - 850 Marine Drive":

THAT the applicant for a Neighbourhood Public House at 850 Marine Drive, North Vancouver, be requested to conduct a survey of the residents and businesses located in an 800 metre radius of the proposed site in accordance with the proposal prepared by MarkTrend Research, dated March 25, 1997;

AND THAT the District of North Vancouver be informed that a survey is being conducted and that District businesses and residents which lie within the survey boundaries will not be contacted;

AND THAT the City of North Vancouver considers that a minimum of 60% of the residents and business operators who cast a ballot must be in favour of the development proposal.

CARRIED

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

(o) **Accessory Mobile Food Vending Use - File: 3045-04-18**

Report: Property Use Inspector, April 2, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Property Use Inspector, dated April 2, 1997, entitled: "Accessory Mobile Food Vending Use":

THAT the operator of Mr. Tubesteak be offered an opportunity to submit an application to amend the Zoning Bylaw to expand the permitted locations for Accessory Mobile Food Vending Use within the M-3 Industrial Zone.

CARRIED

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

4. (p) **Canada Infrastructure Grant Program - File: 4200-03**

Report: Deputy City Engineer, March 25, 1997

Moved by Councillor Braithwaite, seconded by Councillor Perrault

PURSUANT to the report of the Deputy City Engineer dated March 25, 1997 entitled, "Canada Infrastructure Grant Program":

THAT Council endorse the priority list of Engineering and Parks projects as contained to the March 25, 1997 report and forward same for consideration of Canada Infrastructure Grant Program funding.

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the motion be amended by deleting the words "in Mahon Park" from No. 7 of the priority list attached to the March 25, 1997 report.

DEFEATED

The original motion was **CARRIED.**

Councillor Fearnley is recorded as voting contrary to the original motion.

(q) **Revenue Generation Committee Status Report - File: 1085-03**

Report: Director of Finance, March 20, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Director of Finance dated March 20, 1997, entitled "Revenue Generation Committee Status Report":

THAT the Revenue Generation Committee continue as a Committee to review new ideas from staff on an "as required basis".

CARRIED UNANIMOUSLY

4. (r) North Vancouver Violence Prevention Awards Program - 1996 Awards - File: 4230-24-02

Report: Social Planner, March 24, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner, dated March 24, 1997, entitled "North Vancouver Violence Prevention Awards Program - 1996 Awards":

THAT up to \$200.00 be allocated from General Contingency for the City's share of the cost for the 1996 North Vancouver Violence Prevention Awards.

CARRIED UNANIMOUSLY

(s) Upgrading Council Laptops - File: 1325-03-03

Report: Director of Computer Services, April 2, 1997

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Director of Computer Services, dated April 2, 1997, entitled, "Upgrading Council Laptops":

THAT no member of Council receive a new Laptop at this time;

AND THAT staff be requested to report back in 1998 with possible purchasing of new laptops for Council Members.

CARRIED

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Items 5.(a), 6.(a),(i),(ii),(iii) and (iv), 6.(b)(i),(ii),(iii) and (iv), 6.(c)(i),(ii) and (iii) and 6.(d)(i),(ii) and (iii) on the agenda be brought forward for consideration at this time.

CARRIED

5. **MOTIONS AND NOTICES OF MOTION - Continued**

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Development Variance Permit No. 80 be issued to H & M Development and Apex Tire Co. 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. 80.

CARRIED UNANIMOUSLY

6. **BYLAWS**

- (a) **Reconsideration and Final Adoption**

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6869", (Carmel Decotiis/Gianni Design, 319 East 13th Street, RT-1)

be reconsidered.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 6869 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6870", (T. Decotiis/Gianni Design, 308 East 12th Street, RT-1)

be reconsidered.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6870 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6871", (Cizan Research & Development Ltd./Dave Simmons Designer, 1427 Mahon Avenue, RT-1)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6871 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iv) "Cemetery Bylaw, 1992, No. 6343, Amendment Bylaw, 1997, No. 6874" (Revised Tariff and Double Deep Grave Interment)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6874 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

6. (b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997, No. 6883" (Application to plant trees on City Property)

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. 6883 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6883 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

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

Moved by Councillor Sharp, seconded by Councillor Braithwaite that

- (ii) "Affordable Housing Reserve Fund Expenditure Bylaw, 1997, No. 6899" (1997 Housing Initiatives Grant Program)
- (iii) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 1997, No. 6900" (Lower Lonsdale Lands Planning and Marketing Costs)
- (iv) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1997 No. 6901" (Utility Access Agreement)

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 Sharp, seconded by Councillor Braithwaite

THAT the said Bylaws Nos. 6899, 6900 and 6901 be read a second time in short form.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT the said Bylaws Nos. 6899, 6900 and 6901 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(c) Second and Third Readings

- (i) "Development Cost Charges Bylaw, 1997, No. 6814"

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the following resolution of January 27, 1997 be rescinded:

"**THAT** Bylaw No. 6814 be read a third time in short form and passed subject to reconsideration".

CARRIED

6. (c) Second and Third Readings - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT "Development Cost Charges Bylaw, 1997, No. 6814" be amended by deleting Schedules "A", "B-1" and "B-2" in their entirety and replacing them with Schedules "A", "B-1" and "B-2" attached to the March 21, 1997 report of the City Engineer entitled "Development Cost Charges Bylaw".

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT "Development Cost Charges Bylaw, 1997, No. 6814", as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6842", (Area Development Ltd./Egil Lyngen, Architect, 275-279 East Keith Road, CD-330)

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6842" Area Developments Ltd. (Egil Lyngen, Architect, 275-279 East Keith Road, CD-330) be read a second time in short form.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Bylaw No. 6842 be amended by deleting Section 3(b)(3) in its entirety and replacing it with:

- "(3) The principal buildings shall not exceed geodetic heights of the following:

For the northerly building, 83.2 metres (272.9 feet) with one ridge projection to a maximum geodetic height of 84.4 metres (276.9 feet).

For the southerly building, 81.96 metres (268.9 feet)";

and by adding the following Sections 3(b)(12), 3(b)(13), 3(b)(14);

Continued....

6. (c) Second and Third Readings - Continued

- "(12) Section 906 (4)(c)(i) Limitation of Access, shall be waived, to the extent necessary to permit one driveway from St. Andrew's Avenue.
- (13) Section 906(4)(h) Vision Clearance, shall be waived.
- (14) Section 906 (4) (d) Stall Access Directly From Lane, shall be varied to permit two parallel parking stalls to be accessed directly off the lane".

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6842, as amended, be read a second time in short form.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6842, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Perrault that

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

be read a second time in short form.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the said Bylaw No. 6873 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 Mussatto, seconded by Councillor Sharp that

- (i) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1997, No. 6867"

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

Moved by Councillor Sharp, seconded by Councillor Fearnley

THAT the meeting continue after 11:00 P.M., until Items 6.(d)(i), (ii) and (iii) on the agenda have been concluded.

(Unanimous approval is required to continue after 11:00 p.m., therefore the motion was DEFEATED).

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Item 6.(d)(iii) on the agenda be brought forward for consideration at this time.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6879" (Wedgewood Developments/MacLean Management/ Roger Romses Architect; 341 Lonsdale Avenue, CD-341)

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

The hour having passed beyond 11:00 P.M., the meeting stood adjourned, sine die.