



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET,
NORTH VANCOUVER, B.C., ON MONDAY, JUNE 2, 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

C.M. Gale, Acting City Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
F.A. Smith, Director, Development Services
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
J. Guenther, Manager, Inspections
C. Kathler, Social Planner

The meeting was called to order at 6:04 p.m.

Moved by Councillor Braithwaite, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

4. (I) Land Use Review - File: 3380-02-F3-02-97

Report: City Planner, Development Services, May 26, 1997

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT Item 4.(I) be considered by the Committee of the Whole, In Camera, this evening.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT Item 8. Any Other Business on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

8. ANY OTHER BUSINESS

- (a) Lions Gate Bridge: Brief Notes Seeking a General Agreement on Steps to be Taken with the Lions Gate Bridge - File: 4110-02-L2**

Report: Mayor J.E. Loucks, June 2, 1997

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT the report of Mayor J.E. Loucks dated June 2, 1997 be added to the agenda as Item 9.(n).

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

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

CARRIED UNANIMOUSLY

- 4. (j) 1997 Children and Youth Initiatives Fund Special Projects Grant Applications - File: 4230-17-08-04**

Report: Youth Development Worker, Development Services,
May 22, 1997

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT Item 4.(j) be considered by the Committee of the Whole, In Camera, this evening.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Braithwaite, seconded by Councillor Perrault

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

CARRIED

The meeting recessed at 6:07 p.m. and reconvened at 8:45 p.m., with the same personnel present, and with the addition of Councillor Dean, Councillor Mussatto and Councillor Sharp.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Item 5.(a) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

**(a) Notice of Contravention per Section 750.1 of the Municipal Act at 1849 Grand Boulevard, Lot 8, Block 14, D.L. 550, Plan 2642
File: 3345-10 GRAND 1849**

Mayor Loucks invited Mr. Terry Grimwood, owner, or owner's representative to come forward and show cause why the City Council should not proceed with the registration against the title.

Mr. Terry Grimwood, owner, came forward and requested members of Council to delay this item until he reviews the independent Engineer's report regarding his property located at 1849 Grand Boulevard.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT Mr. Terry Grimwood be granted six weeks, which means by the July 14, 1997 Council meeting, in order to rectify the contraventions with regards to his property located at 1849 Grand Boulevard.

Moved by Councillor Braithwaite, seconded by Councillor Dean

THAT Mr. Terry Grimwood be heard at this time.

CARRIED

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Dean
Councillor Fearnley
Councillor Perrault
Councillor Sharp

Voting against: Councillor Mussatto
Mayor Loucks

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Items 2.(a) and (b) on the agenda be brought forward for consideration at this time.

CARRIED

2. DELEGATIONS

(a) Nick Vavaris, Owner, Vav's Enterprises Ltd., P. Daniel Le Dressay, Solicitor for Nick Vavaris

Re: 107-111 West Esplanade (Coronation Block), Vav's Enterprises Ltd. Application for Neighbourhood Public House
File: 3400-05 Espl.W 107-111

Mr. P. Daniel Le Dressay, Solicitor for Nick Vavaris reviewed his June 2, 1997 written submission to Council and requested that Council adopt the following resolution:

“THAT Council do declare that it is their opinion that a majority of the residents affected by the application brought by Vav’s Enterprises Ltd., being an application to the Liquor Control and Licensing Branch, filed under No. LLC96-82, support this application.”

Mr. Le Dressay then responded to questions from members of Council.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT Item 3.(a) on the agenda be brought forward for consideration at this time.

CARRIED

Councillor Fearnley left the meeting at this time.

3. CORRESPONDENCE

**(a) Nick Vavaris, Owner, Vav's Enterprises Ltd., P. Daniel
Le Dressay, Solicitor for Nick Vavaris, May 12, 1997**

Re: 107-111 West Esplanade (Coronation Block), Vav's
Enterprises Ltd. Application for Neighbourhood Public House
File: 3400-05 Espl.W 107-111

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Council do declare that it is their opinion that a majority of the residents affected by the application brought by Vav's Enterprises Ltd., being an application to the Liquor Control and Licensing Branch, filed under No. LLC96-82, support this application.

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT consideration of the motion be deferred to the next regular meeting of Council when all members of Council are present and that no other delegation be received regarding this subject.

DEFEATED

A recorded vote was taken on the original motion.

Voting in favour: Councillor Dean
Councillor Mussatto
Councillor Sharp

Voting against: Councillor Braithwaite
Councillor Perrault
Mayor Loucks

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

Councillor Fearnley returned to the meeting.

Moved by Councillor Sharp, seconded by Councillor Mussatto

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

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(j) **1997 Children and Youth Initiatives Fund Special Projects Grant Applications - File: 4230-17-08-04**

Report: Youth Development Worker, Development Services, May 22, 1997

Ms. Lisa McCarthy, Youth Development Worker and Mr. Milan Milenkovic, student, Carson Graham School responded to questions from members of Council.

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Youth Development Worker dated May 22, 1997 entitled "1997 Children and Youth Initiatives Fund Special Projects Grant Applications":

THAT the following Children and Youth Initiatives Fund grant allocations for 1997 be approved:

| | |
|------------------------------------------------------------------------------|------------------|
| • Westview Elementary School - Employment Awareness Program | \$ 2,000 |
| • Lonsdale RecCentre - Northside Skaters | 1,500 |
| • Carson Graham School - International Conference | 500 |
| • North Shore Multicultural Society - Drama and Lifeskills Program | 550 |
| • Capilano Community Services - 1997 Youth Services Directory | 2,000 |
| • Grant McNeil Family Housing Association - Summer Day Camp | 2,500 |
| • Lonsdale RecCentre - Outer Limits Youth Lounge | 1,500 |
| • North Vancouver Youth Band - Bursary Program | 450 |
| • Family Services of the North Shore - Children and Parenting Drop-in | 2,000 |
| • North Shore Neighbourhood House - Coffee House Program | 1,750 |
| • North Shore Neighbourhood House - Summer Outings for At-Risk-Youth | 1,500 |
| • North Shore Neighbourhood House - Teen Mom's Cooking and Nutrition Program | 1,750 |
| TOTAL | \$ 18,000 |

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the following applications for grants from the 1997 Children and Youth Initiatives Fund be denied:

| | |
|----------------------------------------------------------------|----------|
| • Queen Mary Community Garden - Gazebo | \$ 3,000 |
| • The Learning Together Program - Program Coordinator Position | 3,000 |
| • North Shore Neighbourhood House - Pre-Teen Drop-In | 3,000 |
| • Keith Lynn Alternate Secondary School - Covered Outdoor Area | 1,000 |
| • Royal Canadian Air Cadets - Airplane Usage Fees | 3,000 |
| • Presentation House Gallery - Art and War Project | 3,000 |

CARRIED UNANIMOUSLY

2. **DELEGATIONS - Continued**

(b) **Trish Gauntlett, Lower Lonsdale Community Action Network,
North Shore Neighbourhood House**

Re: Lower Lonsdale Community Celebration Day
File: 4455-03-L2

Ms. Trish Gauntlett, Lower Lonsdale Community Action Network, North Shore Neighbourhood House and Ms. Julie Anderson, Coordinator, Lower Lonsdale Community Action Network reviewed the programme for Lower Lonsdale Community Celebration Days, June 20 and June 21, 1997.

They asked members of Council to request Engineering Department staff to provide transportation, set-up and take-down services of the stage, tents, tables, chairs and garbage cans for this event.

Ms. Gauntlett and Ms. Anderson then responded to questions from members of Council.

Moved by Councillor Sharp, 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.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean
Councillor Fearnley

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

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT Item 3.(b) on the agenda be brought forward for consideration at this time.

CARRIED

3. **CORRESPONDENCE - Continued**

(b) **Trish Gauntlett, Lower Lonsdale Community Action Network,
North Shore Neighbourhood House, May 15, 1997**

Re: Lower Lonsdale Community Celebration Day - File: 4455-03-L2

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the funding for the Lower Lonsdale Community Celebration Days, June 20 and June 21, 1997 be approved and this item be referred to Engineering Department staff for action;

AND THAT the said funding of approximately \$3,000. be taken from the General Contingency Account.

CARRIED UNANIMOUSLY

9.1 **REPORT OF THE COMMITTEE OF THE WHOLE**

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

(d) **Correspondence: Ron Blakely, Vice-President Human Resources and Public Affairs, Shell Canada Limited, May 27, 1997**

Re: Ogoni Solidarity Network/Shell in Nigeria
File: 1145-01/1300-01

THAT the correspondence dated May 27, 1997 received from Mr. Ron Blakely, Vice-President Human Resources and Public Affairs, Shell Canada Limited regarding "Ogoni Solidarity Network/Shell in Nigeria" be received and filed.

(CARRIED UNANIMOUSLY)

(e) **Correspondence: Diana Hutchinson, Chair, North Shore Health Board, May 13, 1997**

Re: Appointment of Council Member to Liaison Group of Municipal Councils, Unincorporated Area of Bowen Island, The Village of Lions Bay, and School Boards - File: 1085-03-N2-01

THAT Councillor R.J. Fearnley be appointed as the City of North Vancouver Council representative to the North Shore Health Region Municipal/School Board Liaison Group.

(CARRIED UNANIMOUSLY)

**9.1 (f) Environmental Clean-Up Fund - City Works Yard
File: 1065-04-01**

Report: Manager of Parks and Environment, May 17, 1997

PURSUANT to the report of the Manager of Parks and Environment dated May 17, 1997 entitled "Environmental Clean-Up Fund - City Works Yard":

THAT an additional \$22,000. be made available from the Environmental Operating Reserve Fund to undertake additional water and soils testing at the City Works Yard.

(CARRIED UNANIMOUSLY)

**(g) Road Exchange at West 16th Street and Lonsdale Avenue
File: 3375-07**

Report: Property Valuator/Negotiator, Lands Division, May 21, 1997

PURSUANT to the report of the Property Valuator/Negotiator, Lands Division, dated May 21, 1997, entitled "Road Exchange at West 16th Street and Lonsdale Avenue":

THAT Step 1 of the road exchange at 16th and Lonsdale be the dedication of the existing lane, comprising of two parcels and legally described as "that Part of Lot A (Explanatory Plan 1287) in Explanatory Plan 6004 of Lot 12, Block 38, District Lot 548, Plan 1121" and "Lot 12, Except Lot A (Explanatory Plan 1287), Block 38, District Lot 548, Plan 1121", both located at West 16th and Lonsdale;

THAT Step 2 of the road exchange be the adoption of "Highway Closing and Exchange Bylaw, 1997, No. 6921" (Portion of Lane at West 16th Street and Lonsdale Avenue) for the closing and disposing, pursuant to Section 574 of the Municipal Act, of a portion of the lane dedicated in Step 1 above, containing 93.0m² more or less, and lying to the west of Lot 11 and Amended Lot 10, Block 38, District Lot 548, Plan 1121 in exchange for land, containing 278.8m² more or less, to be dedicated as road;

AND THAT the Mayor and City Clerk be authorized to execute any and all documents required to give effect to this motion.

(CARRIED UNANIMOUSLY)

9.1 (h) Kiwanis Senior Citizen Homes - File: 3300-07-02/3375-08-02

Report: Manager, Lands Division, May 21, 1997

PURSUANT to the report of the Manager, Lands Division, dated May 21, 1997, entitled "Kiwanis Senior Citizen Homes":

THAT Kiwanis Senior Citizen Homes Ltd. be advised that their offer to take a prepaid 60 year land lease based on 75% of market value for the City-owned site known as Lot F, situated at 150 West 2nd Street, for the purposes of low rental senior citizen housing provided:

- (a) that the said land lease provide Kiwanis with the option to purchase Lot F during the 30th year of the term;
- (b) that the option would provide that any unamortized portion of the prepaid land rent would be applied to the purchase price; and,
- (c) that the City contribute a \$700,000. grant to the project;

is not acceptable and is declined.

CARRIED UNANIMOUSLY

(i) Proposal to Stop up and Close a Portion of the Lane Immediately to the East of McEvoy Park - File: 4140-12-02

Report: Land Agent, May 27, 1997

PURSUANT to the report of the Land Agent, dated May 27, 1997, entitled "Proposal to Stop Up and Close a Portion of the Lane Immediately to the East of McEvoy Park":

THAT Lands Division staff be directed to proceed with the lane closure for a portion of the lane immediately to the East of McEvoy Park;

THAT staff be instructed to proceed with the preparation of a Highways Stopping Up and Closing Bylaw for Council's consideration;

AND THAT the City Clerk be authorized to petition the Minister of Municipal Affairs to vest title in the City's name.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

"CLEAN AIR DAY", June 4, 1997

"SENIORS' STRUT DAY", June 5, 1997

"NATIONAL ABORIGINAL DAY", June 21, 1997

"LOWER LONSDALE COMMUNITY CELEBRATION DAY", June 21, 1997

"BIKE TO WORK WEEK", June 1-8, 1997

"A.L.S. MONTH", June 1997

"SPINA BIFIDA MONTH", June 1997

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT Items 3. (c), 4.(e),(g),(i),(m), 5.(b), 6.(b)(i), 6.(c)(i) and 6.(d)(i) on the agenda be brought forward for consideration at this time.

CARRIED

3. CORRESPONDENCE - Continued

(c) Daniel R. Bennett, Bull, Housser & Tupper, May 29, 1997

Re: The Member of Groups of the Wild Salmon Coalition and Karen Milne v. The Corporation of the City of North Vancouver and Vortex Developments Ltd. - Court of Appeal Action No. 22272 - File: 1140-10/3400-05 Fell 238

Moved by Councillor Sharp, seconded by Councillor Dean

PURSUANT to the May 27, 1997 correspondence received from Daniel R. Bennett, Bull, Housser & Tupper, City Solicitor regarding "The Member of Groups of the Wild Salmon Coalition and Karen Milne v. The Corporation of the City of North Vancouver and Vortex Developments Ltd. - Court of Appeal Action No. 22272":

THAT the City of North Vancouver authorize the City Solicitor, Bull, Housser & Tupper to not pursue the collection of the costs estimated at \$2,600.00 which were awarded by the Supreme Court in consideration of the Member of the Groups of the Wild Salmon Coalition and Karen Milne abandoning their appeal.

CARRIED UNANIMOUSLY

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

**(e) Rezoning Application: 203 East 1st Street, Timewell
File: 3400-05 E1 203**

Report: City Planner, Development Services, May 20, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner dated May 20, 1997 entitled "Rezoning Application: 203 East 1st Street, Timewell":

THAT Development Services be directed to process a rezoning application for the subject industrial site, which is on the border of the City's Town Centre, which will allow a wider range of service commercial uses and a smaller range of industrial uses.

CARRIED

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

**(g) Official Community Plan Amendment - Proposed Regional
Context Statement - File: 1180-20-01**

Report: Planner, Development Services, May 27, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planner dated May 27, 1997 entitled "Official Community Plan Amendment - Proposed Regional Context Statement":

THAT "Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1997, No. 6922", be considered, referred to the Greater Vancouver Regional District and the District of North Vancouver for their comments, and referred to a Public Hearing.

CARRIED UNANIMOUSLY

4. (i) **105-111 West Esplanade - Development Variance Permit No, 85 Application (Rogers Cantel Inc.) - File: 3358-03 ESPLW 105**

Report: Planner, Development Services, May 28, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planner dated May 28, 1997 entitled "105-111 West Esplanade - Development Variance Permit No. 85 Application (Rogers Cantel Inc.)":

THAT Development Variance Permit No. 85 (Rogers Cable Inc.) attached to the May 28, 1997, report of the Planner be considered for issuance to Marini Investments Ltd. under Section 974 of the Municipal Act;

AND THAT notification be circulated in accordance with Section 980 of the Municipal Act and a Public Meeting be scheduled.

CARRIED UNANIMOUSLY

(m) **1996 Local Improvement Initiatives - File: 3370-04-01**

Report: Administrative Assistant - Engineering, May 27, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Assistant-Engineering dated May 27, 1997 entitled "1996 Local Improvement Initiatives":

THAT the City Clerk be authorized to prepare, publish and cause to be served notice of the intention of the City to undertake as a Local Improvement of the Council without petition, under the provision of Section 662 of the Municipal Act, the following lane paving work:

1. Lane North of 14th Street between Bewicke Avenue and Mahon Park
2. Lane North of 8th Street between Moody Avenue and West Grand Boulevard
3. Lane North of 12th Street between St. Andrew's and Ridgeway Avenues
4. Lane North of 13th Street between Ridgeway and Moody Avenues
5. Lane North of 18th Street between St. George's and St. Andrews Avenues
6. Lane North of 12th Street between Ridgeway and Moody Avenues:

Continued....

4. (m) **1996 Local Improvement Initiatives - File: 3370-04-01 - Continued**

AND THAT subject to the results of the initiative process, staff report back to Council with the final list of projects for approval.

CARRIED UNANIMOUSLY

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

(b) **Temporary Use Permit No. 16: Park and Tilford Shopping Centre - File: 3395-02-P3**

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Temporary Use Permit No. 16 be issued to Morguard Investments Ltd. on behalf of Park & Tilford Shopping Centre in accordance with Section 975 of the Municipal Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Temporary Use Permit No. 16.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Nil.

(b) **Introduction and First Three Readings**

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Highway Closing and Exchange Bylaw, 1997, No. 6921" (Portion of Lane at West 16th Street and Lonsdale Avenue)

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

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6921 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6921 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (c) Second and Third Readings

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

- (i) "Lease Authorization Bylaw, 1997, No. 6918" (C.H. Cates & Sons Ltd., 115 Carrie Cates Court)

be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite
Councillor Dean

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

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 6918 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

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. 6922"

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

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

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

CARRIED

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT the meeting continue after 11:00 P.M., if necessary until Item 4.(h) on the agenda has been concluded.

DEFEATED

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

(h) Social Plan Update - File: 4230-26-08-01

Report: Social Planners, May 28, 1997

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Social Planners dated May 28, 1997 entitled "Social Plan Update":

THAT the Terms of Reference for the Social Plan Working Group comprised of citizen representatives, as attached to the said report, be approved;

AND THAT staff be directed to proceed with membership recruitment for appointment by Council to the Social Plan Working Group.

CARRIED

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

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:59 p.m.