



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 23, 1997 AT 6:00 P.M.

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor S.J. Dean
Councillor F.J. Fearnley
Councillor D.R. Mussatto
Councillor B.W. Perrault
Councillor B.A. Sharp

ABSENT:

Councillor J.B. Braithwaite

STAFF MEMBERS

A.K. Tollstam, 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
B. Tulloch, Deputy Director of Finance
C.M. Gale, City Engineer
J. Laughlin, Deputy City Engineer
T. Barber, Assistant City Engineer
R. Bruckshaw, Purchasing Manager
F. Caouette, Administrative Manager, Dev. Servs.
J. Guenther, Manager, Inspections
L. Orr, Social Planner
C. Kathler, Social Planner

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

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Items 4.(g), (n), (o), 6.(a)(iii), 3.(c) and 4.(d) on the agenda be brought forward for consideration at this time.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(g) Purchase Contracts Report – File: 1375-01

Report: Purchasing Manager, June 11, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT consideration of the report of the Purchasing Manager dated June 11, 1997 entitled “Purchase Contracts Report” be deferred to the next regular meeting of Council scheduled for July 14, 1997.

CARRIED UNANIMOUSLY

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

Report: Deputy City Engineer, June 18, 1997

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Deputy City Engineer dated June 18, 1997 entitled "Surface Treatment of Proposed Parking Area - 200 Block Fell Avenue":

THAT the surface treatment for the proposed parking area in the 200 block of Fell Avenue be asphalt pavement, complete with containment, oil and grease separator and discharge to the municipal storm sewer system;

AND THAT staff be directed to give consideration to all future opportunities for alternative parking surfaces;

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

Councillor Mussatto entered the meeting.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Perrault
Mayor Loucks

Voting against: Councillor Dean
Councillor Fearnley

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

4. (o) **Revised Sidewalk Standards for the Lonsdale Area Between 13th and 17th Streets - File: 4150-15-03**

Report: Deputy City Engineer, June 18, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT consideration of the report of the Deputy City Engineer dated June 18, 1997 entitled "Revised Sidewalk Standards for the Lonsdale Area Between 13th and 17th Streets" be deferred to the next regular meeting of Council scheduled for July 14, 1997.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Perrault, seconded by Councillor Mussatto that

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

be reconsidered.

CARRIED

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the said Bylaw No. 6877 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

The motion was **DEFEATED** because the required five votes for approval were not received.

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

3. CORRESPONDENCE

(c) Mayor Don H. Bell, District of North Vancouver, April 9, 1997

Re: Freedom of the Press - File: 1175-05-02-N1-01

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT Council hereby reaffirms its belief in the principle of free speech by condemning the restriction on free speech contained in the amendment to the Human Rights Act.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT consideration of the motion be deferred to the next regular meeting of Council scheduled for July 14, 1997.

CARRIED UNANIMOUSLY

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

(d) Parking Policy - File: 3380-02

Report: Director, Development Services, May 15, 1997

Moved by Councillor Mussatto seconded by Councillor Perrault

PURSUANT to the report of the Director, Development Services dated May 15, 1997 entitled "Parking Policy":

THAT the following issues be referred to a Policy Committee in the Fall of 1997:

- Pay parking (on-street) in the business core;
- Municipal Parking in Lower Lonsdale.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 6:20 p.m., and reconvened at 7:45 p.m., with the same personnel present and with the addition of Councillor Sharp and with the absence of Councillor Dean.

1. ADOPTION OF MINUTES

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the Minutes of the Regular Council Meeting of June 16, 1997 be adopted as circulated.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

"ST. JOHN AMBULANCE WEEK", June 21 - 28, 1997

"CHRISTMAS IN JULY FOOD BANK MONTH", July, 1997

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Inspection Division Staffing and Presentation (Development Services) - File: 1010-01

Report: Manager, Inspections, June 11, 1997

PURSUANT to the report of the Manager, Inspections, dated June 11, 1997, entitled "Inspection Division Staffing and Presentation (Development Services)":

THAT the extension of employment of the temporary full-time Assistant Plan Checker position to the end of 1997 be referred to the Finance Committee;

AND THAT staff report back to Council at the 1998 Provisional Budget regarding a permanent full-time Plan Checker and full-time Building Inspector.

(CARRIED UNANIMOUSLY)

**9.1 (b) Lions Gate Bridge - Major Participants Consultative Process
File: 4110-02-L2**

Report: City Engineer, June 16, 1997

PURSUANT to the report of the City Engineer, dated June 16, 1997, entitled "Lions Gate Bridge – Major Participants Consultative Process":

THAT the City of North Vancouver participates in the Major Participants Consultative Process as an observer;

AND THAT the following appointment be made to the Major Participants Consultative Process:

Observer - Mr. C.M. Gale, City Engineer

AND THAT the appointed representative keep the Mayor and/or Council informed of significant issues regarding the politics or progress of the project at all significant milestones.

(CARRIED UNANIMOUSLY)

**(c) 14th Street Corridor Enhancement/Pay Parking
File: 3380-02-F2/4120-02-05**

Report: Property Valuator/Negotiator, Lands Division,
June 16, 1997

PURSUANT to the report of the Property Valuator/Negotiator, dated June 16, 1997, entitled "14th Street Corridor Enhancement/Pay Parking":

THAT "Off-Street Parking Reserve Fund Expenditure Bylaw, 1997, No. 6928" (Parking Meters) be brought forward for consideration.

(CARRIED UNANIMOUSLY)

(d) 665 East 2nd Street - Kiernan Residence - File: 1350-06

Report: Purchasing Manager, June 10, 1997

PURSUANT to the report of the Purchasing Manager dated June 10, 1997, entitled "665 East 2nd Street – Kiernan Residence":

THAT the Kiernan claim be considered closed.

(CARRIED UNANIMOUSLY)

9.1 (e) Grant of Access Easement Over the Gerry Brewer Building Site to serve the Old RCMP Building Site - File: 3375-07 13E 160

Report: Manager, Lands Division, Development Services,
May 14, 1997

PURSUANT to the report of the Manager, Lands Division, dated May 14, 1997, entitled "Grant of Access Easement Over the Gerry Brewer Building Site to serve the Old RCMP Building Site":

THAT an easement for access purposes appurtenant to Lot K, Block 61, D.L. 549, Plan LMP 31188 be granted over that 113.6 square metre part of Lot J, Block 61, D.L. 549, Plan LMP 31188 shown on explanatory plan of easement prepared by J. Neil Bennett, B.C.L.S. and dated the 12th of May, 1997;

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

(CARRIED UNANIMOUSLY)

(f) 1997 Community Grants - File: 1085-03-01/1670-03-04

Report: Co-Chairs, Social Planning Advisory Committee,
May 28, 1997

PURSUANT to the report of the Co-Chairs, Social Planning Advisory Committee dated May 28, 1997, entitled "1997 Community Grants":

THAT grants be allocated to the following organizations from the 1997 Community Grants Budget:

Arthritis Society (North Shore Branch).....	\$	250.00
B.C. Paraplegic Association	\$	500.00
Big Brothers.....	\$	500.00
Big Sisters	\$	1,300.00

Continued...

9.1 (f) 1997 Community Grants - File: 1085-03-01/1670-03-04 - Continued

Canadian Hard of Hearing Association	\$ 800.00
Canadian Mental Health Association.....	\$ 1,000.00
Capilano Community Services Society (Seniors Hub).....	\$ 5,800.00
Capilano Community Services Society (Youth Worker)	\$ 11,800.00
Co-Pro North Shore Projects.....	\$ 1,200.00
Crisis Centre.....	\$ 900.00
Family Services	\$ 2,700.00
Lionsview Seniors' Planning Society (Services)	\$ 300.00
North Shore Association for Mentally Handicapped	\$ 500.00
North Shore Childcare Resource Society	\$ 1,500.00
North Shore Community Services Network	\$ 200.00
North Shore Community Services (Info. & Referral).....	\$ 1,200.00
North Shore Community Services (Operating)	\$ 1,300.00
North Shore Community Services (Volunteer Centre).....	\$ 1,200.00
North Shore Community Services (Housing Info).....	\$ 1,000.00
North Shore Counselling Centre.....	\$ 1,500.00
North Shore Crisis Services Society	\$ 6,800.00
North Shore Disability Resource Centre.....	\$ 1,300.00
North Shore Home Support Society	\$ 2,500.00
North Shore Meals on Wheels	\$ 500.00
North Shore Multicultural Society (Settlement Services)	\$ 2,500.00
North Shore Neighbourhood House (Peer Counselling).....	\$ 300.00
North Shore Neighbourhood House (Family Ties).....	\$ 500.00
North Shore Safety Council.....	\$ 1,000.00
North Shore Stroke Recovery Club	\$ 1,500.00
North Shore Veterans Council.....	\$ 200.00
North Shore Volunteers for Seniors.....	\$ 1,000.00
North Shore Women's Centre	\$ 1,000.00
Pacific Post Partum Support Society.....	\$ 300.00
West Coast Alternative Society	\$ 1,000.00
TOTAL.....	\$55,850.00

AND THAT the following organizations be notified that their application for a 1997 Community Grant has been denied:

- B.C. Pets & Friends
- B.C. Special Olympics
- Canadian Red Cross
- Capilano Community Services Society (Operating)
- Greater Vancouver Law Students
- Kaylela Family Centre
- Lionsview Seniors' Planning Society (Operating)
- North Shore Grief & Loss Resource Centre

Continued....

9.1 (f) 1997 Community Grants - File: 1085-03-01/1670-03-04 - Continued

North Shore Lifeboat Society
North Shore Multicultural Society (Operating)
North Shore Neighbourhood House (Seniors Outreach)
North Shore Y.M.C.A.
Norgate House Society
Save St. Paul's Indian Church Society
St. John Ambulance
Tetra Society of North America

(CARRIED UNANIMOUSLY)

**(g) Relocation of the Lower Lonsdale Community Policing Centre
File: 3375-06-02 LONS 304**

Report: Superintendent, O.I.C. North Vancouver Detachment, R.C.M.P.,
June 19, 1997

PURSUANT to the report of the Superintendent, O.I.C., North Vancouver Detachment, R.C.M.P., dated June 19, 1997, entitled "Relocation of the Lower Lonsdale Community Policing Centre":

THAT the Lower Lonsdale Community Policing Centre be relocated to the new community amenity space at the Redekop development at 3rd Street and Lonsdale Avenue;

AND THAT Council approve an additional \$15,000. in funding from General Contingency to allow for fit-up of the space for the Community Policing Centre.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) W.L. Hamson, North Shore Parts & Industrial Supplies Ltd.

Re: Development Variance Permit Application No. 82 - 850 West 1st Street, North Shore Parts/Pacific Sign & Design Ltd.
File: 3358-03

Mr. Bill Hamson, owner, North Shore Parts & Industrial Supplies Ltd., gave a slide presentation showing the location of his building at 850 West 1st Street and the difficulty people have in seeing his building from 1st Street.

He requested members of Council to approve his Development Variance Application for a 20 foot sign and 64 sq. feet of sign area.

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

(c) Maureen Greenlees, Chair, Strata Council VR159

Re: Ristes Project at 104 East 5th Street - File: 3358-03-06

Mr. Jim Ramsay, on behalf of The Lonsdale Citizens' Association and Strata Council VR159 requested members of Council to arrange a meeting with Mr. George Riste, owner of 104 East 5th Street to request him to complete the exterior and landscaping of his apartment building which has been under construction for approximately 3 ½ years and has become an eyesore to the neighbourhood.

Mr. Ed Street, 402 – 540 Lonsdale Avenue gave a slide presentation showing the present condition of the building and expressed his concerns regarding noise from the tarpaulins and the infestation of pigeons in the building.

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

(b) Bob Brown, C.F.O., Chemex Labs Ltd.

Re: Parking on Brooksbank Avenue - File: 4120-02-01/4140-04

Mr. Bob Brown, C.F.O., Chemex Labs Ltd., requested members of Council to restore the parking and reinstall the signage on the East side of Brooksbank Avenue that was in effect prior to the repair work to the Second Narrows Bridge.

Ms. Sylvia Cromack, business owner, requested that restricted parking be introduced to the Brooksbank and 4th Street area in order to allow for customer parking in front of her business.

Mr. Brown and Ms. Cromack then responded to questions from members of Council.

2. (d) Mike Rakis, Owner, Jack Lonsdale's Neighbourhood Pub, and Phil Marsh

Re: Jack Lonsdale's Neighbourhood Pub - Outdoor Dining Request -
File: 3300-07-02 LONS 1433

Mr. Phil Marsh, representing Jack Lonsdale's Neighbourhood Pub, 1433 Lonsdale Avenue advised members of Council of the Pub's desire to install an outdoor on-street patio at 1433 Lonsdale and provided details of said patio. He requested members of Council to support the outdoor dining application.

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

3. CORRESPONDENCE

(a) Bob Brown, C.F.O., Chemex Labs Ltd., August 9, 1996

Re: Parking on Brooksbank Avenue - File: 4120-02-01/4140-04

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT staff be requested to meet with the businesses affected by the traffic situation in the Brooksbank Avenue area so that the City can come up with some dialogue and solutions to the problem;

AND THAT the ideas of restricted parking and centre turning lanes be considered.

CARRIED UNANIMOUSLY

**(b) Maureen Greenlees, Chair, Strata Council VR159,
June 13, 1997**

Re: Ristes Project at 104 East 5th Street - File: 3358-03-06

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT staff be requested to bring forward a motion and report that would declare the project located at 104 East 5th Street a nuisance and that the said report include other measures that will prevent this problem from happening again;

Continued....

3. (b) **Maureen Greenlees, Chair, Strata Council VR159,
June 13, 1997**

Re: Ristes Project at 104 East 5th Street - File: 3358-03-06
- Continued

AND THAT Mr. George Riste be invited to appear before Council with regards to the problems with his project at 104 East 5th Street;

AND THAT the Health Officer be requested to survey the project to determine if there is a health hazard with regards to infestation of pigeons and debris.

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the motion be amended by deleting the first and final paragraphs.

A recorded vote was taken on the amendment to the motion.

Voting in favour: Councillor Mussatto
Councillor Sharp

Voting against: Councillor Fearnley
Councillor Perrault
Mayor Loucks

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

The original motion was then **CARRIED**.

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

Moved by Councillor Perrault, seconded by Councillor Mussatto

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

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

(e) **Development Variance Permit Application No. 82 - 850 West 1st Street (North Shore Auto Parts/Pacific Sign & Design)
File: 3358-03 01W 850**

Report: Administrative Manager, Development Services,
May 28, 1997

Moved by Councillor Sharp, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager, Development Services dated May 28, 1997 entitled "Development Variance Permit Application No. 82 Application - 850 West 1st Street (North Shore Auto Parts/Pacific Sign & Design)

THAT Development Variance Permit No. 82 attached to the May 28, 1997 report of the Administrative Manager be considered for issuance to North Shore Parts & Industrial Supplies Ltd. 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

Councillor Perrault is recorded as voting contrary to the motion.

3. **CORRESPONDENCE – Continued**

(d) (i) **Mayor Don H. Bell, District of North Vancouver, June 3, 1997**

Re: Lions Gate Bridge - File: 4110-02-L2

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the correspondence dated June 3, 1997 received from Mayor Don H. Bell, District of North Vancouver regarding "Lions Gate Bridge", be received and filed.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Sharp

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

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL AND STAFF – Continued

**(k) Bylaw to Amend the Capilano Mall Land-Use Contract
File: 3355-03 MARI 935**

Report: Social Planner, Development Services, June 11, 1997

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Social Planner, dated June 11, 1997 entitled "Bylaw to Amend the Capilano Mall Land-Use Contract":

THAT "Land Use Contract Bylaw No. 5, 1972, Amendment Bylaw, 1997, No. 6923" be considered;

AND THAT the Public Hearing be waived in accordance with provisions of Part 29 of the Municipal Act;

AND THAT the Land Use Contract amendment fee of \$3,000. be waived.

CARRIED UNANIMOUSLY

**(h) Jack Lonsdale's Neighbourhood Pub - Outdoor Dining
Request - File: 3300-07-02 LONS 1433**

Report: Administrative Manager, June 18, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Administrative Manager dated June 18, 1997 entitled "Jack Lonsdale's Neighbourhood Pub - Outdoor Dining Request":

THAT an outdoor, on-street patio for Jack Lonsdale's Neighbourhood Pub at 1433 Lonsdale Avenue, North Vancouver, be approved for a 3 year term, subject to compliance with the City's Outdoor Dining Policy;

AND THAT signage be installed stating that customer access to the outdoor dining area be with food and beverage service only.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE – Continued

**(d) (ii) Katherine Whittred, MLA, North Vancouver-Lonsdale,
June 5, 1997**

Re: Lions Gate Bridge - File: 4110-02-L2

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the correspondence dated June 5, 1997 received from Katherine Whittred, M.L.A., North Vancouver-Lonsdale, regarding “Lions Gate Bridge”, be received and filed.

CARRIED UNANIMOUSLY

**(d) (iii) Jeremy Dalton, MLA, West Vancouver-Capilano,
June 14, 1997**

Re: Lions Gate Bridge - File: 4110-02-L2

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the correspondence dated June 14, 1997 received from Jeremy Dalton, M.L.A., West Vancouver-Capilano, regarding “Lions Gate Bridge”, be received and filed.

CARRIED UNANIMOUSLY

Moved by 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.

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

3. (e) George Puil, Chair, Board of Directors, Greater Vancouver Regional District, June 12, 1997

Re: Results of Workshop on Transportation Governance and Funding May 24, 1997 - File: 1180-20-04

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the correspondence dated June 12, 1997 received from George Puil, Chair, Board of Directors, Greater Vancouver Regional District regarding "Results of Workshop on Transportation Governance and Funding, May 24, 1997", be received and filed.

CARRIED

(f) Anthony Housefather, Councillor, Town of Hampstead, May, 1997

Re: Proposed Draft Resolution – Quebec to Remain Part of Canada - File: 1155-01/1175-05-01

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the correspondence dated May, 1997 received from Anthony Housefather, Councillor, Town of Hampstead regarding "Proposed Draft Resolution – Quebec to Remain Part of Canada", be received and filed.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

(g) Greater Vancouver Regional District, May 2, 1997

Re: The Board in Brief - File: 1180-06

(h) Greater Vancouver Regional District, May 30, 1997

Re: The Board in Brief - File: 1180-06

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the Greater Vancouver Regional District, The Board in Brief dated May 2, 1997 and May 30, 1997, be received and filed.

CARRIED UNANIMOUSLY

3. (i) **Val Mason, Managing Director, Presentation House Arts Centre, June 12, 1997**

Re: Financial Assistance Request for Management Development Course - File: 4210-02-P1-01/1840-03-01

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT \$1,990. be allocated to the Presentation House Arts Centre from 1997 General Contingency for the 1997 Management Development Course at The Banff Centre for Management.

CARRIED UNANIMOUSLY

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

(a) **Family Court and Youth Justice Committee - Terms of Reference - File: 1085-03-N11-01**

Report: Family Court and Youth Justice Committee,
May 14, 1997

Moved by Councillor Sharp, seconded by Councillor Fearnley

PURSUANT to the report of the Family Court and Youth Justice Committee, dated May 14, 1997 entitled "Family Court and Youth Justice Committee - Terms of Reference":

THAT the North Vancouver Family Court and Youth Justice Committee Terms of Reference dated April 17, 1997 be approved.

CARRIED UNANIMOUSLY

4. (b) **Greater Vancouver Regional District Intergovernmental Advisory Committee - File: 1180-36**

Report: City Administrator, May 21, 1997

Moved by Councillor Fearnley, seconded by Councillor Perrault

PURSUANT to the report of the City Administrator dated May 21, 1997 entitled "Greater Vancouver Regional District Intergovernmental Advisory Committee":

THAT the City Administrator be appointed to serve as the City of North Vancouver's representative on the Intergovernmental Advisory Committee of the Greater Vancouver Regional District, and that the Greater Vancouver Regional District be so advised.

CARRIED UNANIMOUSLY

(c) **Surplus Equipment Disposal - Computers - File: 1335-01**

Report: Purchasing Manager, May 12, 1997

Moved by Councillor Fearnley, seconded by Councillor Sharp

PURSUANT to the report of the Purchasing Manager dated May 12, 1997 entitled "Surplus Equipment Disposal - Computers":

THAT the Purchasing Manager, after offering surplus computers to staff and others who qualify, be authorized to donate any remaining surplus computer equipment to North Vancouver School District No. 44 to be used in schools located in the City of North Vancouver.

Moved by Councillor Perrault, seconded by Councillor Sharp

THAT the motion be amended by adding the following:

AND THAT one computer be donated to Emily Murphy House.

CARRIED UNANIMOUSLY

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

4. (f) **Local Improvement Initiative - Underground Conversion of Utilities, East 8th Street Between Lonsdale Avenue and St. George's Avenue - File: 3370-04-08**

Report: Engineering Technician, May 23, 1997

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Engineering Technician dated May 23, 1997 entitled "Local Improvement Initiative - Underground Conversion of Utilities, East 8th Street between Lonsdale Avenue and St. George's Avenue":

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 provisions of Section 629 of the Municipal Act, RSBC 1996, c.323, the underground conversion of overhead distribution lines on East 8th Street between Lonsdale Avenue and St. George's Avenue.

CARRIED UNANIMOUSLY

(i) **Smoking Bylaw - File: 4230-03**

Report: Administrative Manager, Development Services, and Senior Public Health Inspector, June 18, 1997

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager and the Senior Public Health Inspector dated June 18, 1997 entitled "Smoking Bylaw":

THAT "Smoking Regulation Bylaw, 1997, No. 6876" be considered.

CARRIED

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

4. (j) **Proposed Adaptable Design Guidelines - File: 3365-10-01**

Report: Social Planner, Development Services, June 17, 1997

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the Social Planner dated June 17, 1997 entitled "Proposed Adaptable Design Guidelines":

THAT the proposed Adaptable Design Guidelines be endorsed on a voluntary basis for a trial period of one year and staff report back thereafter with an assessment of the Guidelines, recommended revisions and implementation procedures;

AND THAT Development Services staff be directed to develop procedures which allow adaptability issues to be addressed by developers prior to submission of building permit applications;

AND THAT the Adaptable Design Guidelines be circulated to appropriate City staff and members of the Advisory Design Panel and Advisory Planning Commission for their use in reviewing for residential accessibility;

AND THAT development applications which include Adaptable Design be reviewed whenever possible by members of the North Shore Advisory Committee on Disability Issues to ensure accessibility;

AND THAT staff be directed to report back on a series of potential Adaptable Design training sessions for members of City staff and advisory bodies;

AND THAT the report and Guidelines be circulated to the Advisory Planning Commission, the Social Planning Advisory Committee and the North Shore Disability Issues Committee for their review and comments;

AND THAT the Ministry of Municipal Affairs and Housing be requested to incorporate accessible housing design criteria within the B.C. Building Code.

CARRIED UNANIMOUSLY

4. (l) **North Vancouver Recreation Commission Request for Re-allocation of 1997 Budget Funding - File: 4010-01**

Report: Manager, Budgets & Payroll, June 16, 1997

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Budgets & Payroll dated June 16, 1997 entitled "North Vancouver Recreation Commission Request for Re-allocation of 1997 Budget Funding":

THAT the re-allocation of a portion of the North Vancouver Recreation Commission's 1997 budget for rental of ice time from the proposed rinks in Seymour for utilization towards renting ice for Children and Youth Ice Users for Fall of 1997 and Winter of 1998 be approved.

CARRIED UNANIMOUSLY

(m) **Sport and Recreation Travel Grant Program**
File: 4400-01/1670-03-07

Report: Community Services Co-ordinator, North Vancouver Recreation Centre, June 5, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the report of the Community Services Co-ordinator, North Vancouver Recreation Centre dated June 5, 1997 entitled "Sport and Recreation Travel Grant Program" be referred to the Finance Committee.

CARRIED UNANIMOUSLY

4. (p) **Rezoning Application – 116 - 128 West 3rd Street (Bogner Development Group/Gomberoff) - File: 3400-05 03W 116-128**

Report: Development Planner, June 18, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Development Planner dated June 18, 1997 entitled “Rezoning Application - 116-128 West 3rd Street (Bogner Development Group/Gomberoff)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6919” (Bogner Development Group/Gomberoff/116-128 West 3rd Street, CD-345) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

(q) **Community Energy Study Tour - File: 4165-05**

Report: Project Engineer, June 13, 1997

Moved by Councillor Sharp, seconded by Councillor Perrault

PURSUANT to the report of the Project Engineer dated June 13, 1997 entitled “Community Energy Study Tour”:

THAT the following persons be invited to attend:

Councillor R.J. Fearnley and Councillor D.R. Mussatto as the elected representatives; and

Ray Fung, Project Engineer, as the City staff and Community Energy Steering Community representative;

AND THAT expenses for this tour be provided from the General Contingency Account.

CARRIED UNANIMOUSLY

Councillor Perrault left the meeting declaring a conflict of interest regarding Item 4. (r) on the agenda, as the company she works for has some connections with the emergency radio equipment company.

**4. (r) The North & West Vancouver Emergency Program Executive Committee Request for Use of 1996 Operating Surplus
File: 3125-09-01**

Report: Manager, Budgets and Payroll, June 18, 1997

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Budgets and Payroll dated June 18, 1997 entitled "The North & West Vancouver Emergency Program Executive Committee Request For Use of 1996 Operating Surplus":

THAT the one time allocation of the City of North Vancouver's portion of the 1996 accumulated operating surplus of the program to fund the emergency radio equipment and installation costs, subject to both the Districts of North and West Vancouver also dedicating their portion of the 1996 surplus for this purpose, be approved.

CARRIED UNANIMOUSLY

Councillor Perrault returned to the meeting.

5. MOTIONS AND NOTICES OF MOTION

(a) Investigating New Home Warranty on all Future Residential Construction - File: 3310-04-01

Moved by Councillor Fearnley, seconded by Councillor Mussatto

WHEREAS the City of North Vancouver has experienced significant liability issues related to new home construction quality;

AND WHEREAS the cost of fixing faulty residential construction represents a major hidden cost to some homebuyers;

THEREFORE BE IT RESOLVED that the City of North Vancouver investigate requiring new home warranties on all future residential construction;

Continued...

5. (a) **Investigating New Home Warranty on all Future Residential Construction - File: 3310-04-01 - Continued**

AND FURTHER THAT the concept of the City of North Vancouver requiring new home warranties on all future residential construction be directed to the Advisory Planning Commission and the Advisory Design Panel for comment.

CARRIED UNANIMOUSLY

(b) **Provincial Legislation re Smoking Bylaws – File: 4230-03**

Moved by Councillor Sharp, seconded by Councillor Perrault

WHEREAS the Provincial government is taking a very strong stand regarding smoking and its ill effects on both those individuals who smoke as well as those who do not smoke but are exposed to second hand smoke;

AND WHEREAS the Provincial government's stand recognizes the \$500 million in direct health care costs, and twice that amount in indirect costs such as absenteeism, asthma in kids, and ailments caused by second-hand smoke;

AND WHEREAS the Provincial government encourages the tobacco industry to stop targeting children, provide full disclosure on health dangers from tobacco, and be accountable for tobacco related health care costs;

AND WHEREAS Municipal governments have been unable to come to an agreement on the banning of cigarettes in public places;

AND WHEREAS such lack of agreement has caused tobacco to be used at random in differing percentages and in varying public places where there are non smoking members of the public, and such exposure is detrimental to a persons health;

THEREFORE BE IT RESOLVED that the Provincial government assist the municipalities in achieving an agreement on tobacco use by ensuring all municipalities have the same regulations by taking the responsible leadership role and enacting whatever necessary legislation that must be enacted;

AND BE IT FURTHER RESOLVED such legislation incorporate the ability to have both smoke free rooms as well as rooms designated for smoking only;

Continued...

5. (b) **Provincial Legislation re Smoking Bylaws – File: 4230-03
- Continued**

AND THAT copies of the motion be forwarded to the Union of British Columbia Municipalities, the Honourable Joy K. MacPhail, Minister of Health & Minister Responsible for Seniors, Katherine Whittred, M.L.A., North Vancouver-Lonsdale and Jeremy Dalton, M.L.A., West Vancouver-Capilano.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Sharp, seconded by Councillor Perrault that

- (i) “City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1997, No. 6867” (Patricia & Gary Scott, c/o Sager, Anderson, Lawrence/Bill Curtis Designs, 205 St. David’s Avenue)
- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6881”, (Patricia & Gary Scott, c/o Sager, Anderson, Lawrence/Bill Curtis Designs, 205 St. David’s Avenue, CD-337)

be reconsidered.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT the said Bylaws Nos. 6867 and 6881 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 Sharp, seconded by Councillor Mussatto that

- (iv) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1996, No. 6882”, (Pasquali Ciambrelli, 302 East 11th Street, CD-342)

be reconsidered.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the said Bylaw No. 6882 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Councillor Mussatto that

- (v) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6908”, (Marion, Alan and Heather Gauer, 255 West Keith Road, CD-343)

be deleted from the agenda.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Fearnley that

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

be reconsidered.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 6921 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 Fearnley, seconded by Councillor Sharp that

- (vii) “Tax Sale Lands Reserve Fund Expenditure Bylaw, 1997, No. 6924”
(Capital Works - 100 Block West 22nd/23rd Streets)

be reconsidered.

CARRIED

Moved by Councillor Fearnley, seconded by Councillor Sharp

THAT the said Bylaw No. 6924 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 Fearnley that

- (i) “Smoking Regulation Bylaw, 1997, No. 6876”

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 6876 be read a second time in short form.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Mussatto
Mayor Loucks

Voting against: Councillor Perrault
Councillor Sharp

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

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 6876 be read a third time in short form and passed subject to reconsideration.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Mussatto
Mayor Loucks

Voting against: Councillor Perrault
Councillor Sharp

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

Moved by Councillor Mussatto, seconded by Councillor Sharp that

(ii) “Off-Street Parking Reserve Fund Expenditure Bylaw, 1997, No. 6928”
(Parking Meters)

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 Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 6928 be read a second time in short form.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 6928 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(c) Second and Third Readings

Nil.

6. (d) Introduction And First Reading Only

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

- (i) "Land Use Contract Bylaw No. 5, 1972, Amendment Bylaw, 1997, No. 6923"

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 Fearnley, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1997, No. 6919", (Bognar Development Group/Gomberoff, 116-128 West 3rd Street, CD-345)

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

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

10. ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:21 p.m.