



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON MONDAY, JULY 28, 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
F.A. Smith, Director, Development Services
R.H. White, City Planner
I. Gordon, Acting Director of Finance
C.M. Gale, City Engineer
B. Granger, Manager, Parks and Environment
D. Hutch, Park Design Technician

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

Moved by Councillor Dean, seconded by Councillor Perrault

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 700 of the Municipal Act RSBC 1996, c.323, at 1849 Grand Boulevard, Lot 8, Block 14, D.L. 550, Plan 2642 - File: 3345-02 GRAND 1849

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the City Clerk be instructed to file notice in the Land Title Office pursuant to Section 700 of the Municipal Act:

- a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 1849 Grand Boulevard, Lot 8, Block 14, D.L. 550, Plan 2642 has been made under this Section;
- b) **AND THAT** further information respecting it may be viewed in the offices of The Corporation of the City of North Vancouver.

Continued....

5. (a) Notice of Contravention per Section 700 of the Municipal Act

Moved by Councillor Dean, seconded by Councillor Perrault

THAT consideration of the motion be deferred to the August 11, 1997 regular meeting of Council.

CARRIED

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 UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 7:10 p.m., with the same personnel present and with the addition of Councillor Braithwaite and Councillor Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of July 14, 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:

(a) Low Level Route Diversion – File: 4145-02-L6-01

Report: City Engineer, July 22, 1997

THAT the action taken by the Committee of the Whole in camera, with respect to “Low Level Route Diversion”, be ratified and the wording of the resolution and the July 22, 1997 report remain in camera.

(CARRIED)

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

Report: Land Agent, July 23, 1997

THAT the action taken by the Committee of the Whole in camera, with respect to “City-Owned Lots: 600 Block East 21st Street” be ratified and the wording of the resolution and the July 23, 1997 report remain in camera.

CARRIED

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

**(b) Land Exchange and Sale for the Construction of the Lower Level Route (Sorensen Equipment, 701 West 2nd Street)
File: 3375-07 2W 701**

Report: Land Agent, July 22, 1997

PURSUANT to the report of the Land Agent dated July 22, 1997, entitled “Land Exchange and Sale for the Construction of the Lower Level Route (Sorensen Equipment, 701 West 2nd Street)”:

THAT the Lands Division be authorized to proceed with the land exchange and sale as outlined in the July 22, 1997 report;

AND THAT the Mayor and City Clerk be authorized to execute the necessary documents to transfer title in the land and execute the required statutory right-of-way;

AND THAT the net proceeds from the sale from the additional land being acquired by Mr. A. Sorensen or his nominee be used for the renovations of the Works Yard as part of the Low Level Route Diversion Project;

AND THAT the Manager, Lands Division, be authorized to apply for the necessary changes to the City’s Official Community Plan and Zoning Bylaw.

(CARRIED)

**9.1 (c) North Vancouver City Library - Use of 1996 Surplus
File: 1065-06-01**

Report: Acting Manager, Budgets and Payroll, July 7, 1997

PURSUANT to the report of the Acting Manager, Budgets and Payroll dated July 7, 1997, entitled "North Vancouver City Library – Use of 1996 Surplus":

THAT the request by the North Vancouver City Library Board to re-allocate the Library's accumulated surplus of \$15,741.00 to the Materials Acquisition Fund, contingent on the results of an independent financial review of the Library accounting function be approved.

(CARRIED)

**(d) North Shore Arts Commission - Establishment Amending Agreement
and 1997 Revised Budget - File: 1085-03-N3-01**

Report: Acting Manager, Budgets and Payroll, July 7, 1997

PURSUANT to the report of the Acting Manager, Budgets and Payroll dated July 7, 1997, entitled "North Shore Arts Commission – Establishment Amending Agreement and 1997 Revised Budget":

THAT the "North Shore Arts Commission Agreement Bylaw, 1997, No. 6933" be brought forward for consideration;

AND THAT the 1997 Revised Budget for the North Shore Arts Commission based on the Bi-Municipal Establishment Amending Agreement be approved;

AND THAT Council provide additional funding of \$14,468.00 for the 1997 North Shore Arts Commission Revised Budget, to be allocated from General Contingency.

CARRIED

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

9.1 (f) 253 East 14th Street – File: 3375-04-02 14E 253

Report: Manager, Lands Division, July 18, 1997

PURSUANT to the report of the Manager, Lands Division dated July 18, 1997, entitled “253 East 14th Street”:

THAT staff be authorized to enter into negotiations leading to a lease, sale, or land exchange, of the premises located at 253 East 14th Street to the North Shore Health Board.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

6. BYLAWS

(a) Reconsideration and Final Adoption

Councillor Fearnley left the meeting.

Moved by Councillor Dean, seconded by Councillor Perrault that

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

be deferred until there are three signatures to the agreement.

CARRIED UNANIMOUSLY

Councillor Fearnley returned to the meeting.

6. (a) Reconsideration and Final Adoption – Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

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

be reconsidered.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6919 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (iv) “Land Use Contract Bylaw No. 5, 1972, Amendment Bylaw 1997, No.
6923”

be reconsidered.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 6923 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

6. (a) Reconsideration and Final Adoption – Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (v) "Lease Authorization Bylaw, 1997, No. 6929" (Presentation House, 333 Chesterfield Avenue)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 6929 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 Perrault, seconded by Councillor Dean that

- (i) "North Shore Arts Commission Agreement Bylaw, 1997, No. 6933"

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 Perrault, seconded by Councillor Dean

THAT the said Bylaw No. 6933 be read a second time in short form.

CARRIED

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the said Bylaw No. 6933 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED

3. **CORRESPONDENCE**

(b) **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.

The vote upon the motion was taken separately as follows:

THAT Council hereby reaffirms its belief in the principle of free speech.

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the meeting recess to the Recessed Public Hearing and the Public Hearing scheduled for this evening.

CARRIED

The meeting recessed at 7:40 p.m., and reconvened at 7:41 p.m., with the same personnel present.

THAT Council condemns the restriction on free speech contained in the amendment to the Human Rights Act.

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.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the meeting recess to the Recessed Public Hearing and the Public Hearing scheduled for this evening.

CARRIED

The meeting recessed at 7:49 p.m., and reconvened at 8:21 p.m., with the same personnel present.

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the meeting recess to the Parks and Recreation Committee meeting scheduled for this evening.

CARRIED

The meeting recessed at 8:22 p.m., and reconvened at 9:45 p.m., with the same personnel present.

2. DELEGATIONS

(a) J.A. MacCarthy, Co-Chair, Coho Festival Society of the North Shore

Re: Coho Festival XVIII - File: 4455-03-C4

Mr. J.A. MacCarthy, Co-Chair, Coho Festival Society of the North Shore introduced Ms. Ann Morton, Director, and gave a brief overview of the Society's plans for the 1997 Coho Festival scheduled for September 3 – 7, 1997. He also advised members of Council of the Society's recent activities for revitalizing the North Shore streams in the months ahead.

Mr. MacCarthy presented Mayor Loucks and members of Council with a framed print entitled "Spirit of the Coho".

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

3. CORRESPONDENCE - Continued

(a) J.A. MacCarthy, Co-Chair, Coho Festival Society of the North Shore, July 21, 1997

Re: Coho Festival XVIII - File: 4455-03-C4

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Council extend a thank-you to Mr. MacCarthy, Co-Chair, Coho Festival Society of the North Shore for his presentation this evening as well as the gift for the City of North Vancouver.

CARRIED UNANIMOUSLY

6. BYLAWS - Continued

(c) Third Reading Only

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (ii) "City of North Vancouver Official Community Plan Bylaw, 1992, No. 6288, Amendment Bylaw, 1997, No. 6922", as amended

be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE - Continued

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

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

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the City of North Vancouver, after much debate, condemns the restriction of Free Speech and requests the Provincial Government to repeal the Human Rights Amendment Act of 1993.

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Dean
Councillor Perrault

Voting against: Councillor Braithwaite
Councillor Mussatto
Councillor Sharp
Mayor Loucks

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

**(c) Greater Vancouver Regional District, The Board in Brief,
June 27, 1997 – File: 1180-06**

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the Greater Vancouver Regional District, The Board in Brief, dated June 27, 1997, be received and filed.

CARRIED

**(d) George Bartel, President, Inside Passage Cruises Inc.,
July 14, 1997**

Re: Destination Casino Onboard the Pacific Aurora
File: 3410-02-49

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the correspondence dated July 14, 1997 received from George Bartel, President, Inside Passage Cruises Inc., regarding “Destination Casino Onboard the Pacific Aurora”, be received and filed.

CARRIED

3. (e) Larry Donohoe, President, James Buchanan Memorial Scholarship Fund, July 17, 1997

Re: Permission to Use Kinsmen Stadium for the
11th Annual Buchanan Bowl – File: 4305-03-M1-05

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT permission be given to Mr. Larry Donohoe, President, James Buchanan Memorial Scholarship Fund to use Kinsmen Stadium for the 11th Annual Buchanan Bowl scheduled for Saturday, September 13, 1997.

CARRIED UNANIMOUSLY

(f)i) Pat Heal, Trustee, North Vancouver School District No. 44, July 18, 1997

(f)ii) Guy Heywood, Chair, Board of Trustees, North Vancouver School District No. 44, July 22, 1997

Re: North Shore Children's House and The Pemberton Heights Family Support Society - File: 1150-03-02

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the correspondence dated July 18, 1997 from Pat Heal, Trustee, North Shore School District No. 44 and dated July 22, 1997 from Mr. Guy Heywood, Chair, Board of Trustees, North Vancouver School District No. 44, regarding "North Shore Children's House and The Pemberton Heights Family Support Society", be received and filed.

CARRIED UNANIMOUSLY

(g) Daniel Jarvis, M.L.A., North Vancouver-Seymour, July 18, 1997

Re: Lions Gate Project Estimates – File: 4110-02-L2

Moved by Councillor Sharp, seconded by Councillor Dean

THAT the correspondence dated July 18, 1997 from Daniel Jarvis, M.L.A., North Vancouver-Seymour regarding "Lions Gate Project Estimates", be received and filed.

CARRIED UNANIMOUSLY

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

(a) **Official Community Plan and Rezoning Application: Fullerton Site (Greystone/Brook Development Planning Inc.)
File: 3380-02-F3**

Report: City Planner, July 22, 1997

Moved by Councillor Sharp, seconded by Councillor Perrault

PURSUANT to the report of the City Planner dated July 22, 1997, entitled "Official Community Plan and Rezoning Application: Fullerton Site (Greystone/Brook Development Planning Inc.)":

THAT Development Services be directed to use the "Fullerton Land Use Study", prepared by Brook Development Planning Inc., attached to the July 22, 1997 report, as the basis for the processing of the Official Community Plan and Rezoning Application for the Fullerton Site submitted by Greystone Properties Ltd.;

AND THAT staff be directed to use the general park and open space distribution shown in "Figure 1 – Selected Development Concept" as the basis for park and open space planning within the site;

AND THAT the Vancouver Port Corporation be advised of this decision and invited to provide comment on the ways in which this general open space plan could be refined to accommodate the future plans of the Port.

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT Mr. Peter Martin, Greystone Properties be heard at this time.

CARRIED UNANIMOUSLY

A recorded vote was taken on the original motion.

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

Voting against: Councillor Fearnley

The original motion was **CARRIED** by a vote of six to one.

Moved by Councillor Braithwaite, seconded by Councillor Dean

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**

4. (b) **OCP Amendment - Rezoning Application 980 Marine Drive
(MacLean/Crockart: Public Meeting Follow-up Information)
File: 3400-05-MARI-980-998**

Report: Development Planner, July 9, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the report of the Development Planner, dated July 9, 1997 entitled "OCP Amendment - Rezoning Application 980 Marine Drive (MacLean/Crockart: Public Meeting Follow-up Information)" be received and filed.

CARRIED

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

**4. (c) Thain Creek Culvert Replacement and Enhancement Options
File: 4005-03**

Report: Assistant City Engineer, July 18, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Assistant City Engineer dated July 18, 1997, entitled "Thain Creek Culvert Replacement and Enhancement Options":

THAT staff proceed with the design of drainage improvements, including:

1. Culvert Replacement
2. Downstream Channel Stabilization

THAT staff report on the costs and benefits of enhancement options for Thain Creek Replacement Project, including:

3. Greenway Restoration
4. Fisheries Enhancement, and
5. Mission Creek Enhancement

THAT following assessment of the design by approving agencies, staff report to the Finance Committee on the cost and timing for the culvert replacement and enhancement options, including the cost and timing of a public information process for those directly impacted by the project;

AND THAT the Thain Creek Culvert Replacement and Enhancement Options report be referred to the Environmental Protection Program Committee for comment.

CARRIED UNANIMOUSLY

(d) School Crossing Strategies – File: 1150-03-02

Report: Assistant City Engineer, July 22, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT consideration of the report of the Assistant City Engineer dated July 22, 1997, entitled "School Crossing Strategies" be deferred to the next regular meeting of Council scheduled for August 11, 1997.

CARRIED

4. (e) **Community Grant Contingency Fund Allocations: North Shore Women's Centre – File: 1670-03-02**

Report: Social Planner, July 22, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner dated July 22, 1997, entitled "Community Grant Contingency Fund Allocations: North Shore Women's Centre":

THAT the Finance Department be directed to release \$1,000.00 from the Community Grant Contingency Fund to the North Shore Women's Centre.

CARRIED UNANIMOUSLY

(f) **Annual Budget Strategies – File: 1650-05-01**

Report: Acting Manager, Budgets and Payroll, July 22, 1997

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Acting Manager, Budgets and Payroll dated July 22, 1997, entitled "Annual Budget Strategies":

THAT the Management Committee review the 1997 strategies and develop a set of recommended 1998 strategies to be reviewed by the Finance Committee of Council;

AND THAT Council hear 1998 budget presentations by Joint Boards, Agencies and Advisory Committees on Monday, September 29, 1997.

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the motion be amended by adding the following:

AND THAT the City of North Vancouver aim for and promote a zero percentage tax rate increase in the next tax year.

Continued...

4. (f) Annual Budget Strategies – File: 1650-05-01 - Continued

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

Voting in favour: Councillor Dean
Councillor Fearnley

Voting against: Councillor Braithwaite
Councillor Mussatto
Councillor Perrault
Councillor Sharp
Mayor Loucks

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

The original motion was then **CARRIED UNANIMOUSLY.**

(g) Reduction in the Use of the Single Occupant Vehicle by City Employees – File: 4010-11

Report: Director, Development Services, Director, Personnel Services and Property Valuator/Negotiator, July 16, 1997

Moved by Councillor Sharp, seconded by Councillor Dean

THAT consideration of the report of the Director, Development Services, Director, Personnel Services and Property Valuator/Negotiator, dated July 16, 1997, entitled “Reduction in the Use of the Single Occupant Vehicle by City Employees” be deferred to a future regular meeting of Council.

CARRIED

(h) Rezoning Application: 745 Grand Boulevard (Brian A.J. Dorward) - File: 3400-05 GRAND 745

Report: Planner, Development Services, July 23, 1997

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the rezoning application received from Brian A.J. Dorward for 745 Grand Boulevard be rejected.

CARRIED

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

4. (i) **Development Variance Permit Application: 144 West 14th Street - File: 3358-03 14W 144**

Report: Planning Technician, July 23, 1997

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician dated July 23, 1997, entitled "Development Variance Permit Application: 144 West 14th Street":

THAT Development Variance Permit No. 83 attached to the July 23, 1997 report of the Planning Technician be considered for issuance to Hollyburn Properties Ltd. pursuant to Section 922 of the Municipal Act;

AND THAT notification be circulated in accordance with Section 922 of the Municipal Act and a Public Meeting be scheduled.

DEFEATED

10. **ADJOURNMENT**

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