



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, OCTOBER 6, 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
D.M. Rooke, Assistant City Clerk
F.A. Smith, Director, Development Services
R.H. White, City Planner
F. Caouette, Administrative Manager, Dev.Servs.
I. Gordon, Acting Director of Finance
J. Laughlin, Acting City Engineer
R. Fung, Project Engineer

The meeting was called to order at 6:00 p.m.

9. CONFIDENTIAL REPORTS

Moved by Councillor Perrault, seconded by Councillor Dean

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

CARRIED

The meeting recessed at 6:01 p.m., and reconvened at 6:21 p.m., with the same personnel present and with the addition of Councillors Fearnley and Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the Minutes of the Regular Council Meeting of September 22, 1997 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(b) Affordable Housing Task Force Membership – File:3365-05-08

Report: Social Planner, Developments Services,
September 25, 1997

PURSUANT to the report of the Social Planner, dated September 25, 1997, entitled “Affordable Housing Task Force Membership”:

THAT the following persons be appointed to the Affordable Housing Task Force:

Mr. J.W. Kirkland
Mr. Roger A. Warner
Mr. David A. Fawley
Mr. Brian Miltimore
Ms. Maureen Gabriel
Ms. Marjorie E. Wilson
Ms. Pam Horton
Mr. Roger T. Kishi
Ms. Joyce Pearson

CARRIED UNANIMOUSLY

(c) City Parking Lots – Service Contract – File: 3060-03-04

Report: Property Valuator/Negotiator, Development Services
September 30, 1997

PURSUANT to the report of the Property Valuator/Negotiator dated September 30, 1997, entitled “City Parking Lots – Service Contract”:

THAT staff be authorized to negotiate a personal services contract with Mr. E. Mahon for a period from October 1, 1997 to September 30, 1998, substantially as outlined in the September 30, 1997 report of the Property Valuator/Negotiator entitled “City Parking Lots – Service Contract”;

AND THAT the Mayor and City Clerk be authorized to sign and execute the said contract.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“FIRE PREVENTION WEEK”, October 5 – 11 , 1997

“FIRE SERVICE RECOGNITION DAY”, October 11, 1997

“NATIONAL FAMILY WEEK”, October 6 – 12, 1997

“MENOPAUSE AWARENESS MONTH”, October 1997

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Local Agenda 21 Action Plan – File: 3325-09-03

Report: Project Engineer, Engineering Department,
September 16, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Project Engineer, dated September 16, 1997, entitled “Local Agenda 21 Action Plan”:

THAT the Local Agenda 21 Action Plan initiative which recognizes the City’s commitment to sustainable development principles be endorsed;

AND THAT a copy of the report be referred to the Environmental Protection Program Committee, the Advisory Planning Commission, and the Social Planning Advisory Committee for their information.

CARRIED UNANIMOUSLY

4. (b) **Federation of Canadian Municipalities 20% Club**
File: 1040-03-F1-01

Report: Project Engineer, Engineering Department,
September 15, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Project Engineer, dated September 15, 1997, entitled "Federation of Canadian Municipalities 20% Club":

THAT the City of North Vancouver join the Federation of Canadian Municipalities 20% Club;

AND THAT the Mayor be requested to sign the Federation of Canadian Municipalities resolution expressing Council's support;

AND THAT the report be forwarded to the Environmental Protection Program Committee for information and feedback.

CARRIED UNANIMOUSLY

(c) **International Council for Local Environmental Initiatives**
(ICLEI) – File: 1040-03-I11

Report: Project Engineer, Engineering Department,
September 15, 1997

Moved by Councillor Dean seconded by Councillor Sharp

PURSUANT to the report of the Project Engineer, dated September 15, 1997, entitled "International Council for Local Environmental Initiatives":

THAT the City of North Vancouver become a member of the International Council for Local Environmental Initiatives.

CARRIED UNANIMOUSLY

4. (d) **Stage 1 Community Energy System Feasibility Study**
File: 4165-05

Report: Project Engineer, Engineering Department,
October 2, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Project Engineer dated October 2, 1997,
entitled "Stage 1 Community Energy System Feasibility Study":

THAT a City contribution of \$20,000 be approved for a Stage 1
Community Energy System Feasibility Study to be co-funded with BC Gas
and BC Hydro, subject to the receipt of \$20,000 each from these two
energy companies.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT Item 6 (a)(i) be tabled until all members of Council are present.

CARRIED UNANIMOUSLY

Moved by Councillor Dean seconded by Councillor Fearnley that

(ii) "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw,
1997, No. 6948" (Engineering Fees & Charges)

be reconsidered.

CARRIED

Moved by Councillor Dean seconded by Councillor Fearnley

THAT the said Bylaw No. 6948 be finally adopted, signed by the Mayor
and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Braithwaite

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

CARRIED UNANIMOUSLY

3. **CORRESPONDENCE**

(b) **Jeremy Dalton, MLA, West Vancouver-Capilano,
September 23, 1997**

Re: Lions Gate Hospital and Regional Health Board
File: 1085-03-N22-01

Moved by Councillor Dean, seconded by Councillor Perrault

THAT Mayor Pat Boname, District of West Vancouver; Mayor Don Bell, District of North Vancouver, Mayor Jack Loucks, City of North Vancouver, and M.L.A.'s Katherine Whittred, North Vancouver-Lonsdale; Ted Nebbeling, West Vancouver-Garibaldi, Jeremy Dalton, North Vancouver-Capilano, and Dan Jarvis, North Vancouver, meet with Diana Hutchinson, Chair of the Regional Health Board to discuss the impasse between the physicians at Lions Gate Hospital and the Regional Health Board.

Councillor Mussatto entered the meeting at 7:17 p.m.

A recorded vote was taken on the motion.

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

Voting against: Councillor Mussatto
Councillor Sharp
Councillor Braithwaite

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT Item 6(a)(i) be lifted from the table.

CARRIED

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

(i) "Smoking Regulation Bylaw, 1997, No. 6876"

be reconsidered.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean
Councillor Sharp
Councillor Braithwaite

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the said Bylaw No. 6876 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Fearnley
Mayor Loucks

Voting against: Councillor Dean
Councillor Sharp
Councillor Braithwaite
Councillor Perrault

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

2. **DELEGATIONS**

(a) **Brian Dorward, 745 Grand Boulevard, North Vancouver**

Re: 745 Grand Boulevard – File: 3400-05 GB745

Mr. Brian Dorward provided some history regarding his residence at 745 Grand Boulevard. He advised there were 7 suites in the house when he purchased the property in 1989.

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

3. **CORRESPONDENCE - Continued**

(a) **Brian Dorward, Owner/Resident, 745 Grand Boulevard
July 30, 1997**

Re: 745 Grand Boulevard – File: 3400-05 GB 745

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Mr. Dorward be heard.

CARRIED UNANIMOUSLY

Mr. Dorward provided further information to the members of Council with respect to what action he was prepared to take in order to rectify the problem of 7 suites in a single family area.

Moved by Councillor Dean seconded by Councillor Sharp

THAT Council endorse up to 3 units at 745 Grand Boulevard, provided that a Heritage Designation can be achieved;

AND THAT staff meet with Mr. Dorward and report back to Council.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Dean
Councillor Sharp

Voting against Councillor Braithwaite
Councillor Fearnley
Councillor Mussatto
Mayor Loucks

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

3. (a) **Brian Dorward, Owner/Resident, 745 Grand Boulevard
July 30, 1997 – Continued**

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT staff report back with an appropriate number of units that might be suitable in the premises at 745 Grand Boulevard;

AND THAT staff meet with Mr. Dorward and bring forward a report, taking into consideration the comments made this evening.

A recorded vote was taken on the motion.

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

Voting against Councillor Dean
Councillor Sharp
Councillor Perrault

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

3. CORRESPONDENCE – Continued

Councillor Perrault left the meeting declaring a Conflict of Interest regarding Item 3(c) on the agenda, as her business associate is involved with the project.

(c) Mary Henderson, Executive Director, Recycling Council of British Columbia, September 26, 1997

Re: Bulletin on Beverage Container Deposits – File: 4050-04-10-01

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT with respect to the correspondence dated September 26, 1997 from Mary Henderson, Executive Director, Recycling Council of British Columbia, advise that the Council of the City of North Vancouver is on record as supporting expanded bottle deposit legislation.

CARRIED

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

THAT given the need to protect public sector interests on the Beverage Management Board from being overwhelmed by industry concerns, it is crucial that this legislated Board be constituted with a balance of representation from the public and private sectors.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Councillor Perrault returned to the meeting.

3. (d) **Doug Collins, West Vancouver, September 28, 1997**

Re: Dr. Lionel Kenner's Delegation of September 22, 1997 on
the subject of Amendments to the Human Rights Act
File: 1155-06-C5/1175-05-2-N1-01

Moved by Councillor Sharp seconded by Councillor Dean

THAT Mr. Doug Collins be invited to attend a future Council meeting as a delegation as requested in his correspondence dated September 28, 1997 regarding the issue of free speech.

A recorded vote was taken on the motion.

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

The motion was **CARRIED UNANIMOUSLY** seven to zero.

(e) **Ilana Mercer, North Vancouver, September 29, 1997**

Re: Dr. Lionel Kenner's Delegation of September 22, 1997 on
the subject of Amendments to the Human Rights Act
File: 1155-06-C5/1175-05-02-N1-01

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the correspondence dated September 29, 1997 received from Ilana Mercer regarding Amendments to the Human Rights Act, be received and filed.

CARRIED UNANIMOUSLY

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

(e) **Amendments to Per Diem Allowance and Casual Mileage Rates – File: 1845-02**

Recommendation: Finance Committee, September 22, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the City Administrator dated July 9, 1997, entitled “Amendments to Per Diem Allowance and Casual Mileage Rates”:

THAT City of North Vancouver Travel Policy No. 1401 be amended to reflect an increase in the per diem allowance from \$55.00 per day to \$60.00 per day, with such allowance for an event occurring outside Canada to be paid in U.S. dollars;

AND THAT City of North Vancouver Training and Development Policy be amended to incorporate identical per diem allowance provisions as contained in Travel Policy No. 1401;

AND THAT the Casual Mileage Rate provisions contained in City of North Vancouver Vehicle Policy No. 603 be amended to provide a dual rate, as follows:

- **Rate A:** 0.416¢/Km for travel within those areas west and north of the Pitt and Fraser Rivers, including Richmond, Burnaby, Vancouver, New Westminister, Port Coquitlam, Coquitlam, Port Moody, North Vancouver, West Vancouver, Bowen Island and to Lions Bay on the north;
- **Rate B:** 0.30¢/Km for travel beyond the above boundaries, including Delta, Surrey, Pitt Meadows, Maple Ridge, Langley, the rest of the Province, and Washington State.

AND THAT Travel Policy No. 1401 and City of North Vancouver Training and Development Policy be amended to state that when travel by personal vehicle is more practical than travel by airline, actual mileage will be paid in accordance with the restrictions applicable for Casual Mileage Rate B.

CARRIED UNANIMOUSLY

4. (f) **Permissive Taxation Exemption – Municipal Act, Section 341
File: 1625-04-01**

Report: City Clerk, September 30, 1997

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the City Clerk, dated September 30, 1997, entitled “Permissive Taxation Exemption – Municipal Act, Section 341”:

THAT “Taxation Exemption Bylaw, 1997, No. 6946”, be considered.

CARRIED UNANIMOUSLY

(g) **Low Level Road East Bikeway – Update - File: 4100-05-09**

Report: Acting City Engineer, September 27, 1997

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Acting City Engineer, dated September 27, 1997, entitled “Low Level Road East Bikeway – Update”:

THAT in light of safety and other concerns Option 5, Low Level Road/Alder Street Alignment be discontinued as the Low Level Corridor Bicycle Alignment;

AND THAT staff meet with senior governments to reallocate current grant funding to be applied against alternative bike route options for the Low Level Bicycle Corridor.

CARRIED UNANIMOUSLY

Councillor Mussatto is recorded as voting contrary to the motion.

4. (h) **Appointment of Property Use Inspector – File: 1855-02**

Report: Administrative Manager, Development Services,
September 30, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Manager, dated September 30, 1997, entitled “Appointment of Property Use Inspector”:

THAT Mr. Anthony Wilson be appointed as Building Inspector and Business License Inspector for The Corporation of the City of North Vancouver.

CARRIED UNANIMOUSLY

(i) **Funding of the North Shore Childcare Resource Society
File: 1040-03-N11**

Report: Acting Director of Finance, October 1, 1997

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Acting Director of Finance, dated October 1, 1997, entitled “Funding of the North Shore Childcare Resource Society”:

THAT a grant of \$10,000 be made to the Society as part of the City’s 1997 Revised Budget.

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT consideration of this item be deferred to staff for a report, taking into consideration the comments made this evening.

Moved by Councillor Fearnley, seconded by Councillor Sharp

THAT the deferral motion be amended by adding the following:

“**AND THAT** the applicant be requested to appear as a delegation when the staff report is available in order to have the concerns of Council addressed.”

CARRIED

The deferral motion as amended was then **CARRIED.**

Councillor Mussatto is recorded as voting contrary to the motion.

4. (j) **Voluntary Guidelines for Child Care Facilities in Commercial And Industrial Zones – File: 4230-05-08-02**

Report: Social Planner, Development Services
September 24, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Social Planner, dated September 24, 1997, entitled “Voluntary Guidelines for Child Care Facilities in Commercial and Industrial Zones”:

THAT the voluntary guidelines described in the September 24, 1997 report be adopted and circulated with related documents to the interested public.

CARRIED UNANIMOUSLY

(k) **Neighbourhood Pub Application – 850 Marine Drive, North Vancouver – Development Procedures Bylaw
File: 3400-05 MARI 850**

Report: Administrative Manager, Development Services,
September 29, 1997

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager, dated September 29, 1997, entitled “Neighbourhood Pub Application – 850 Marine Drive, North Vancouver – Development Procedures Bylaw”:

THAT pursuant to Section 895 (3) of the Municipal Act, Section 10 of the Development Procedures Bylaw is hereby varied to permit the submission of a development application for a neighbourhood pub at 850 Marine Drive, North Vancouver.

A recorded vote was taken on the motion.

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

Voting against Councillor Dean
 Councillor Braithwaite

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

4. (l) **Proposed Mixed Use/Affordable Housing Development, 121-133 West 15th Street – Royal Canadian Legion No. 118/Bel Tar Holdings Ltd. - File: 3300-07-02 15W 121-133**

Report: City Planner, Development Services,
September 30, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated September 30, 1997, entitled "Proposed Mixed Use/Affordable Housing Development, 121-133 West 15th Street – Royal Canadian Legion No. 118/Bel Tar Holdings Ltd.":

THAT Bel Tar Holdings be requested to investigate ways in which the density of the redevelopment proposal could be reduced.

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT Mr. Ivanore or Bel Tar Holdings be heard.

CARRIED UNANIMOUSLY

Mr. Ivanore responded to questions from members of Council.

The motion was then put and **CARRIED**

Councillor Perrault is recorded as voting contrary to the motion.

4. (m) **Proposed Parking Revision: 238 Fell Avenue**
File: 3400-05 Fell 238

Report: City Planner, Development Services, October 2, 1997

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the City Planner, dated October 2, 1997, entitled "Proposed Parking Revision: 238 Fell Avenue":

THAT Development Services be directed to require the applicant to contribute \$14,500 for each of the two parking stalls, to be put into to the Parking Reserve Fund.

A polled vote was taken on the motion.

Voting in favour	Councillor Dean
Voting against	Councillor Mussatto Councillor Sharp Councillor Braithwaite Councillor Perrault Councillor Fearnley Mayor Loucks

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

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the City Planner, dated October 2, 1997, entitled "Proposed Parking Revision: 238 Fell Avenue":

WHEREAS Fisheries and Oceans Canada, prior to issuing an Authorization for Works Affecting Fish Habitat to permit the construction of a Martial Arts Studio at 238 Fell Avenue, has required the deletion of two required on-site parking spaces, which cannot be replaced on-site;

AND WHEREAS considerable off-site parking is available in the area;

Continued....

4. (m) **Proposed Parking Revision: 238 Fell Avenue
File: 3400-05 Fell 238 - Continued**

Report: City Planner, Development Services, October 2, 1997

THEREFORE BE IT RESOLVED THAT Development Services be directed not to require the provision of the two parking spaces at 238 Fell Avenue deleted at the direction of Fisheries and Oceans Canada, at the present time

A polled vote was taken on the motion.

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

Voting against Councillor Dean

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

(n) **OCP Amendment/Rezoning Application Revised Option: 980-998 Marine Drive (MacLean Management/Peter Chiu/G. Crockart) - File: 3400-05 Mari 980**

Report: Development Planner, Development Services
October 2, 1997

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Development Planner, dated October 2, 1997, entitled "OCP Amendment/Rezoning Application Revised Option: 980-998 Marine Drive (MacLean Management/Peter Chiu/G. Crockart)":

THAT the applicant be directed to proceed with the revised development concept that retains the existing traffic configuration for Mackay Avenue and 17th Street with no vehicular access from either 17th Street or Mackay Avenue, a maximum floor space ratio of 1.4;

AND THAT a traffic study be conducted of affected intersections;

AND THAT a gateway treatment be incorporated.

CARRIED UNANIMOUSLY

4. (o) **Rezoning Application: 155-165 West 23rd Street
(Sabor/G. Dumbleton Architect) – File:3400-05 23W 165**

Report: Development Planner, Development Services
October 1, 1997

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Development Planner, dated October 1, 1997, entitled “Rezoning Application: 155-165 West 23rd Street (Sabor/ G. Dumbleton Architect)”:

THAT staff be directed to process this rezoning application based upon a reduced Floor Space Ratio.

A recorded vote was taken on the motion.

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

Voting against Councillor Mussatto

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

Moved by Councillor Sharp, seconded by Councillor Dean

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

CARRIED

5. **MOTIONS AND NOTICES OF MOTION**

- (c) **Notice of Contravention per Section 700 of the Municipal Act RSBC 1996, c.323, at 543 West 21st Street, Lot 36/37, Block 1, D.L. 547, Plan 4195 – File: 3345-02 21W 543**

Mayor Loucks invited Paul and Jennie Loik, owner, or owner's representative to come forward and show cause why the City Council should not proceed with the above registration against the title.

Mr. & Mrs. Loik responded to questions from members of Council, and advised that they would consider insulating the ceiling in the storage area, and noted that material to complete other items to the satisfaction of the Building Inspector had been ordered.

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT this item be deferred to October 27, 1997.

CARRIED

Moved by Councillor Perrault, 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.

The motion was **CARRIED BY THE REQUIRED 2/3RDS MAJORITY.**

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT the following items be brought forward at this time:

Items 4(p),(r), (u),(v),(w);
Items 5(a),(b),(d),(e);
Items 6(b)(i),(iii),(iv),(v),(vi),(vii) and (ii)

CARRIED

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

- (p) **Notice of Contravention – 349 East 21st Street, Lot G, Block 9, D.L. 550, Plan 9912 – File: 3345-02 21E 349/3345-10**

Report: Manager, Inspections, Development Services,
September 23, 1997

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Inspections, dated September 23, 1997, entitled “Notice of Contravention – 349 East 21st Street, Lot G, Block 9, D.L. 550, Plan 9912”:

THAT Teresa Heard, registered owner of 349 East 21st Street be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act:

- (a) **THAT** a resolution by the Council of the Corporation of the City of North Vancouver related to 349 East 21st Street, Lot G, Block 9, D.L. 550, Plan 9912, has been made under this Section;
- (b) **AND THAT** further information respecting it may be viewed at the offices of The Corporation of the City of North Vancouver.

CARRIED

- (r) **1996 Local Improvement Initiatives – Construction Bylaws
File: 3370-04-01**

Report: Administrative Assistant-Engineering,
September 25, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Administrative Assistant-Engineering, dated September 25, 1997, entitled “1996 Local Improvement Initiatives – Construction Bylaws”:

THAT paving of the following lanes be approved by Local Improvement Initiative, as follows:

Continued.....

4. (r) **1996 Local Improvement Initiatives – Construction Bylaws
File: 3370-04-01 - Continued**

Report: Administrative Assistant-Engineering,
September 25, 1997

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

AND THAT the necessary Construction Bylaws for these Initiatives be considered.

CARRIED UNANIMOUSLY

(u) **Mural Contest Winners – File: 3310-15-02**

Report: Planning Technician, Development Services,
October 1, 1997

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician, dated October 1, 1997, entitled "Mural Contest Winners":

THAT the following murals of the 4 winners of the North Van Go Art Mural Contest be approved for application at the following locations, as recommended by the Mural Review Committee:

1. "The Inookshook" by Madeleine Shane at 339 West 2nd Street (west façade)
2. "City Life" by Kirk Farrell at 129 West 1st Street (west façade)
3. "Wind and Waves" by Eleanor Rosenberg at 132 West Esplanade (west façade)
4. "Seymour Forest" by Eleanor Rosenberg at 1124 Lonsdale (rear, north façade)

4. (u) Mural Contest Winners – File: 3310-15-02

Report: Planning Technician, Development Services,
October 1, 1997

Moved by Councillor Perrault, seconded by Councillor Dean

THAT this item be referred to the North Shore Arts Commission, Public Arts Review Committee for consideration.

DEFEATED

The main motion was then **CARRIED**

**(v) Proposal for a Mural Project in the City of North Vancouver
File: 3310-15-02**

Report: Chair, North Shore Arts Commission,
September 26, 1997

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT the September 26, 1997 report of the Chair, North Shore Arts Commission entitled “Proposal for a Mural Project in the City of North Vancouver” be referred to staff for a report.

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT Mr. Robert Sutherland be heard.

CARRIED UNANIMOUSLY

Mr. Sutherland responded to questions from members of Council.

The motion was put and **CARRIED UNANIMOUSLY**

4. (w) **North Shore Rescue Team – Storage Area – File: 3125-17**

Report: Supervisor, Engineering Operations,
September 30, 1997

Moved by Councillor Sharp, seconded by Councillor Dean

PURSUANT to the report of the Supervisor, Engineering Operations, dated September 30, 1997, entitled “North Shore Rescue Team – Storage Area”:

THAT the efforts of North Shore Rescue Team in finding a more appropriate storage area be supported;

AND THAT staff and North Shore Rescue representatives continue to have discussions with the District of North Vancouver and District of West Vancouver regarding potential contributions to the cost of meeting this objective;

AND THAT in recognizing the benefits of providing a facility for the North Shore Rescue Team at the City Operations Yard, and providing the Parks Branch operations with a more appropriate storage area, funding for this project be referred to the Finance Committee for review.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

- (a) **Notice of Contravention per Section 700 of the Municipal Act RSBC 1996, c.323, at 316 East 27th Street, Lot 14, Block 236, D.L. 546, Plan 3292 – File: 3345-02 27E 316**

Moved by Councillor Braithwaite, 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 316 East 27th Street, Lot 14, Block 236, D.L. 546, Plan 3292 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.

Mayor Loucks invited Caitana Lane, owner, or owner's representative to come forward and show cause why the City Council should not proceed with the above registration against the title. Neither Ms. Caitana Lane, nor her representative came forward at the invitation of the Mayor.

CARRIED

Councillor Dean is recorded as voting contrary to the motion

- (b) **Notice of Contravention per Section 700 of the Municipal Act RSBC 1996, c.323, at 329 West 23rd Street, Lot AM31, Block 204A, D.L. 544, Plan 2837 – File: 3345-02 23W 329**

Moved by Councillor Fearnley, seconded by Councillor Mussatto

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 329 West 23rd Street, Lot AM31, Block 204A, D.L. 544, Plan 2837 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.

Mayor Loucks invited Leonard and Dorothy Procaccini, owners, or owner's representative to come forward and show cause why the City Council should not proceed with the above registration against the title. Neither Mr. or Mrs. Procaccini, nor their representative came forward at the invitation of the Mayor.

CARRIED UNANIMOUSLY

5. (d) **Development Variance Permit No. 87 – Imperial Oil Limited, Lot A, Block 223, D.L. 544, Plan 2847 (located at 2501 Westview Drive) – File: 3358-03 Westview 2501**

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Development Variance Permit No. 87 be issued to Imperial Oil Limited in accordance with Section 922 of the Municipal Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 87.

CARRIED UNANIMOUSLY

- (e) **Development Variance Permit No. 88 – 372333 B.C. Ltd., Lot F, Block 256, D.L. 544, Plan 21427 (located at 2601 Westview Drive) – File: 3358-03 Westview 2601**

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT Development Variance Permit No. 88 be issued to 372333 B.C. Ltd. in accordance with Section 922 of the Municipal Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 88.

CARRIED UNANIMOUSLY

6. **BYLAWS - Continued**

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

Moved by Councillor Dean, seconded by Councillor Fearnley that

- (i) "Taxation Exemption Bylaw, 1997, No. 6946"

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 Fearnley

THAT the said Bylaw No. 6946 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the said Bylaw No. 6946 be read a third time in short form and passed subject to reconsideration.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (iii) "Lane North of West 14th Street between Bewicke Avenue and Mahon Park, Local Improvement Initiative Construction Bylaw, 1997, No. 6950"
- (iv) "Lane North of East 8th Street between Moody Avenue and the West-side of Grand Boulevard, Local Improvement Initiative Construction Bylaw, 1997, No. 6951"
- (v) "Lane North of East 13th Street between Ridgeway and Moody Avenues, Local Improvement Initiative Construction Bylaw, 1997, No. 6952"
- (vi) "Lane North of East 18th Street between St. George's and St. Andrew's Avenues, Local Improvement Initiative Construction Bylaw, 1997, No. 6953"
- (vii) "Lane North of East 12th Street between St. Andrew's and Ridgeway Avenues, Local Improvement Initiative Construction Bylaw, 1997, No. 6954"

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 Bylaws Nos. 6950, 6951, 6952, 6953 and 6954 be read a second time in short form.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6950, 6951, 6952, 6953 and 6954 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Perrault that

(ii) "Council Indemnity Bylaw, 1997, No. 6955"

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 Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT the said Bylaw No. 6955 be read a second time in short form.

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the retroactive component of Bylaw No. 6955, Clause 6 which reads:

"Upon final adoption, this Bylaw shall be effective as of January 1, 1996".

be deleted in its entirety.

A recorded vote was taken on the motion.

Voting in favour Councillor Dean
 Councillor Fearnley

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

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

The second reading of Bylaw No. 6955 was then **CARRIED**

Councillor Fearnley is recorded as voting contrary to the motion.

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

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT the said Bylaw No. 6955 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the requirements of the Procedure Bylaw to continue the meeting after 11:00 p.m., be waived, and the meeting continue to complete Items 4(s) and 4(t) on the agenda.

The motion was **DEFEATED** as it did not receive the required unanimous consent

10. ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 11:00 p.m.