



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH
STREET, NORTH VANCOUVER, B.C., ON MONDAY, MARCH 9,
1998 AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor S.J. Dean
Councillor R.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
F. Caouette, Administrative Manager, Dev. Servs.
J. Laughlin, City Engineer
B. Spencer, Development Planner
G. Penway, Development Planner
Fire Chief T. Cumming
D. Burgess, Chief Fire Prevention Officer

The meeting was called to order at 6:08 p.m.

Moved by Councillor Mussatto, seconded by Councillor Perrault

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

CARRIED

The meeting recessed at 6:09 p.m., and reconvened at 7:00 p.m., with the same personnel present.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the Minutes of the Regular Council Meeting of March 2, 1998 be adopted as circulated.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“International Day For The Elimination Of Racial Discrimination”, March 21, 1998

“World Water Day”, March 22, 1998

PRESENTATION

Advisory Design Panel Awards - File: 1085-03-A1-01

Mayor Loucks and Councillor Perrault presented the following awards:

Award of Excellence

1801 Grand Boulevard
Creative Urban Developments
Charles Moorhead, Architect

Honourable Mention

1111 Lonsdale Avenue

V-1500 Holdings Inc.
Graham F. Crockart Architect Inc.
Forma Design Inc.

119 East 6th Street

Besharat Friars Architects
Keith Koroluk, Landscape Architect
Inlet View Development Ltd.

2. DELEGATIONS

Nil.

3. CORRESPONDENCE

- (a) Richard Littlemore, Chair, Communications, Education and Cultural Committee, Greater Vancouver Regional District
January 16, 1998**

Re: Referral of the report “Arts and Culture in Greater Vancouver: Contributing to the Livable Region”
File: 1180-20-01

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the City of North Vancouver accept the interim report of the Regional Cultural Plan Steering Committee entitled “Arts and Culture in Greater Vancouver: Contributing to the Livable Region” and support its recommendations for Phase II;

Continued...

3. (a) **Richard Littlemore, Chair, Communications, Education and Cultural Committee, Greater Vancouver Regional District
January 16, 1998 - Continued**

AND THAT the City of North Vancouver request that the North Shore Arts Commission take a leadership role with Cultural Services staff in implementing the public consultation process to guarantee a strong North Vancouver community voice in the development of the final framework and proposals of the Regional Cultural Plan;

AND THAT Ms. Oksana Dexter, Cultural Services Coordinator, be invited to make a presentation to City Council.

CARRIED UNANIMOUSLY

(b) **Byron Cook, Development Specialist, Petro-Canada,
March 4, 1998**

Re: Rezoning Application: 1245 Lonsdale Avenue
File: 3400-05 LONS 1245

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the correspondence dated March 4, 1998 received from Mr. Byron Cook, Development Specialist, Petro-Canada, regarding "Rezoning Application: 1245 Lonsdale Avenue" be received and filed.

CARRIED

(c) **Tony L. Rushworth, President, Neighbourhood Pub Owners'
Association of British Columbia, March 4, 1998**

Re: Proposed Bylaw for 100% Non-Smoking in all Public Places
File: 4230-03

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the correspondence dated March 4, 1998 received from Mr. Tony L. Rushworth, President, Neighbourhood Pub Owners' Association of British Columbia, regarding "Proposed Bylaw for 100% Non-Smoking in all Public Places" be received and filed.

CARRIED UNANIMOUSLY

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

(a) **Lower Lonsdale Community Benefits: Evaluation and Prioritization - File: 3380-02-L4-05-01**

Report: Development Planner, Development Services,
February 18, 1998

Moved by Councillor Fearnley, seconded by Councillor Dean

PURSUANT to the report of the Development Planner, dated February 18, 1998, entitled "Lower Lonsdale Community Benefits: Evaluation and Prioritization":

THAT Lands Division staff be directed to report back with a Terms of Reference, a budget and a proposed source of funds for a Lower Lonsdale Community Facilities Study substantially as outlined in said report;

AND THAT consideration of the provision of Affordable/Adaptable Rental Housing be deferred pending the final report of the Affordable Housing Task Force, after which Development Services staff report back to Council with options to address this issue with a portion of funds obtained through the Lower Lonsdale Community Amenity Fund and/or other non-monetary means;

AND THAT the said report be referred to the Affordable Housing Task Force and Advisory Planning Commission for information.

The City Clerk read out a prepared statement submitted by Councillor Braithwaite in the latter's absence from the meeting.

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT consideration of the motion be deferred until all members of Council are present.

A recorded vote was taken on the deferral motion.

Voting in favour: Councillor Mussatto
Councillor Sharp
Councillor Perrault

Voting against: Councillor Dean
Councillor Fearnley
Mayor Loucks

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

Continued....

4. (a) **Lower Lonsdale Community Benefits: Evaluation and Prioritization - File: 3380-02-L4-05-01 - Continued**

A recorded vote was taken on the original motion.

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

Voting against: Councillor Dean
Councillor Sharp

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

(b) **Reallocation of Film Fees - Heritage Contribution Account
File: 3510-01/1085-03-C2-01**

Report: City Clerk, February 24, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the City Clerk, dated February 24, 1998, entitled, "Reallocation of Film Fees - Heritage Contribution Account":

THAT effective January 1, 1998, a City Policy be established specifying that the revenue received from the fees generated by film production companies for the use of City-owned heritage buildings be allocated to the City's Heritage Contribution Account.

CARRIED UNANIMOUSLY

4. (c) **Development Variance Permit Application: 86 Semisch Avenue/233 West 1st Street (Sailor Hagar's Neighbourhood Pub/Reidlinger) - File: 3400-05 SEM 86**

Report: Development Planner, Development Services,
February 25, 1998

Moved by Councillor Fearnley, seconded by Councillor Perrault

PURSUANT to the report of the Development Planner, dated February 25, 1998, entitled "Development Variance Permit Application: 86 Semisch Avenue/233 West 1st Street (Sailor Hagar's Neighbourhood Pub/Reidlinger)":

THAT Development Variance Permit No. 97 attached to said report be considered for issuance pursuant to Section 922 of the Municipal Act;

AND THAT notification be circulated in accordance with Section 922 of the Municipal Act;

AND THAT the Public Meeting requirement be waived.

CARRIED UNANIMOUSLY

(d) **Notice of Contravention - 638 East 7th Street, Lot 19, Exc.N10, Block 3, D.L. 273, Plan 1063 - File: 3345-10 7E 638**

Report: Manager, Inspections, Development Services,
March 4, 1998

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Manager, Inspections, dated March 4, 1998, entitled "Notice of Contravention – 638 East 7th Street, Lot 19, Exc.N10, Block 3, D.L. 273, Plan 1063":

THAT Janet L. Warren and Colin Worth, registered owners of 638 East 7th Street, be advised that the City Clerk will be instructed to file notice in the Land Titles 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 638 East 7th Street, Lot 19, Exc.N10, Block 3, D.L. 273, Plan 1063, 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 UNANIMOUSLY

4. (e) **Standards for Outdoor Play and Congregation Space at Independent Schools - File: 3400-05 SUTH1400**

Report: Social Planner, Development Services,
February 25, 1998

Moved by Councillor Fearnley, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner, dated February 25, 1998, entitled "Standards for Outdoor Play and Congregation Space at Independent Schools":

THAT this report be referred to the Advisory Planning Commission for a recommendation.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

(f) **Heritage Plaque Program - File: 3360-10**

Report: Planner, Development Services, March 3, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Planner, dated March 3, 1998, entitled "Heritage Plaque Program":

THAT staff be requested to implement a Heritage Plaque Program based upon the eligibility requirements and distribution guidelines attached to the March 3, 1998 report;

AND THAT staff be requested to obtain funds for this program from the existing Heritage Program account.

CARRIED UNANIMOUSLY

4. (g) **Large Lot Single Family Development and Potential Subdivision - File: 3410-01**

Report: Development Planner, Development Services,
March 4, 1998

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated March 4, 1998, entitled "Large Lot Single Family Development & Potential Subdivision":

THAT Planning Division staff be directed to report back with an evaluation of a new minimum lot size standard for the RS-1 (One Family Residential Zone).

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

(h) **Density Bonusing and Affordable Housing**
File: 3365-05-04/3380-02-C2-02

Report: Property Valuator/Negotiator, Lands Division,
Development Services, March 4, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Property Valuator/Negotiator, dated March 4, 1998, entitled "Density Bonusing and Affordable Housing":

THAT the said report be received and filed.

CARRIED UNANIMOUSLY

4. (i) **Standards of Maintenance - Residential Premises**
File: 3020-03-02

Report: Administrative Manager, Development Services,
March 4, 1998

Moved by Councillor Fearnley, seconded by Councillor Sharp

PURSUANT to the report of the Administrative Manager, dated March 4, 1998, entitled "Standards of Maintenance - Residential Premises":

THAT "Rental Premises Standards of Maintenance Bylaw, 1998, No. 6996" and "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 1998, No. 6997" (Standards of Maintenance), be considered.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean

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

(j) **Proposed Zoning Bylaw Amendment - Crawlspace Definition**
File: 3410-01

Report: Planning Technician, Development Services,
March 4, 1998

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Planning Technician dated, March 4, 1998, entitled "Proposed Zoning Bylaw Amendment - Crawlspace Interpretation":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6999" (Crawlspace Definition) be considered and referred to a Public Hearing.

Continued...

4. (j) **Proposed Zoning Bylaw Amendment - Crawlspace Definition
File: 3410-01 – Continued**

Moved by Councillor Dean, seconded by Councillor Perrault

THAT consideration of the motion be deferred until Mr. John Guenther, Manager, Inspections, Development Services Department, is present.

CARRIED

(k) **New Development Procedures Bylaw No. 7000 - File: 3357-02**

Report: Development Planner, Development Services,
March 3, 1998

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated March 3, 1998, entitled "New Development Procedures Bylaw, No. 7000":

THAT "Development Procedures Bylaw, 1998, No. 7000" be considered.

CARRIED UNANIMOUSLY

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

Report: Administrative Manager, Development Services,
March 4, 1998

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the Smoking Bylaw, as contained in the District of North Vancouver's "Smoking Regulation Bylaw, No. 6858" be considered;

AND THAT this item be placed on the agenda of Monday, May 11, 1998 when all members of Council are present.

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

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

4. (m) Construction Bylaws - Fee Increase - File: 1660-01

Report: Manager, Inspections, Development Services,
March 4, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Inspections, dated March 4, 1998, entitled "Construction Bylaws – Fee Increase":

THAT "Electrical Bylaw, No. 2572, Amendment Bylaw, 1998, No. 7002" (Fee Schedule) be considered.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

(a) Courts of Revision - Local Improvement Frontage Tax and Sewer Parcel Tax - File: 1625-03-02

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT a Court of Revision be held on Monday, April 27, 1998 at 7:00 P.M., in the Council Chamber, City Hall, to consider and deal with the frontage tax rolls with respect to local improvement works constructed under the provisions of Part 11 of the Municipal Act;

AND THAT a further Court of Revision be held on Monday, April 27, 1998 at 7:15 P.M., in the Council Chamber, City Hall, to consider and deal with the parcel tax rolls with respect to sewers under the provisions of Section 433 and Section 575 (1) (b) of the Municipal Act.

CARRIED UNANIMOUSLY

(b) Selling Cigarettes to Children and Adolescents - File: 4230-03

Councillor Fearnley advised that he will present the following motion at the next regular meeting of Council:

WHEREAS most smokers start smoking as children or adolescents;

AND WHEREAS over 50% of those persons will die of smoking related diseases;

AND WHEREAS it is illegal to sell cigarettes to underage persons;

Continued...

5. (b) **Selling Cigarettes to Children and Adolescents - File: 4230-03
Continued**

AND WHEREAS in recent compliance checks carried out by the North Shore Health Region, 21 out of 46 shops checked in the City of North Vancouver were willing to sell cigarettes to underage persons;

THEREFORE BE IT RESOLVED THAT staff prepare a report, including a policy guideline and other measures, for removing licenses to do business in the City of North Vancouver, when a business is shown to be selling cigarettes to underage persons;

AND THAT the City of North Vancouver ask officials of the North Shore Health Region and the R.C.M. Police to help it actively seek out businesses selling cigarettes to underage persons;

AND THAT this motion be referred to the next meeting of the Joint Police Liaison Committee for comment and possible referral to the District of North Vancouver for similar action.

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (i) "Highways Stopping Up and Closing Bylaw, 1997, No. 6981" (A portion of the 300 Block East 1st Street)

be reconsidered.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 6981 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

6. (b) Introduction and First Three Readings

Moved by Councillor Sharp, seconded by Councillor Fearnley that

- (i) "Rental Premises Standards of Maintenance Bylaw, 1998, No. 6996"
- (ii) "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 1998, No. 6997" (Standards of Maintenance)

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

CARRIED

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 6996 and 6997 be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean

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

Moved by Councillor Sharp, seconded by Councillor Fearnley

THAT the said Bylaws Nos. 6996 and 6997 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

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

Moved by Councillor Dean, seconded by Councillor Perrault that

- (iii) “Development Procedures Bylaw, 1998, No. 7000”
- (v) “Electrical Inspection Bylaw, No. 2572, Amendment Bylaw, 1998, No. 7002” (Fee Schedule)

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 Perrault

THAT the said Bylaws Nos. 7000 and 7002 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the said Bylaws Nos. 7000 and 7002 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Fearnley that

- (iv) “Smoking Regulation Bylaw, 1998, No. 7001”

be deleted from the agenda.

CARRIED

(c) Second and Third Readings

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6941” (CCNV, 150 West 2nd Street, CD-344)

be read a second time in short form.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the said Bylaw No. 6941 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

6. (c) Second and Third Readings – Continued

Moved by Councillor Perrault, seconded by Councillor Fearnley that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6965” (CCNV, 124 West First Street, CD-357)

be read a second time in short form.

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT Bylaw No. 6965 be amended by striking out the figure “40” and replacing it with the figure “45” in section 3.(b)(2).

CARRIED

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

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the said Bylaw No. 6965, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(d) Introduction And First Reading Only

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6999” (Crawlspace Definition)

be deleted from the agenda.

CARRIED UNANIMOUSLY

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

Mayor Loucks declared a recess at 9:04 p.m., for the public question period and reconvened the meeting immediately.

8. ANY OTHER BUSINESS

Nil.

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 9:05 p.m., and reconvened at 10:56 p.m., with the same personnel present but with the exception of Councillor Dean.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Recruitment - Director of Finance - File: 1800-06/1900-01-TR-DF

Report: City Administrator and Director of Personnel Services,
March 4, 1998

THAT the action taken by the Committee of the Whole in camera, with regards to "Recruitment - Director of Finance", be ratified, and the wording of the resolution and the March 4, 1998 report of the City Administrator and Director of Personnel Services, remain in camera.

CARRIED UNANIMOUSLY

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

(d) 14th Street Civic Corridor Plaza - File: 3380-02-F2

Report: City Engineer, March 4, 1998

PURSUANT to the report of the City Engineer dated March 4, 1998, entitled "14th Street Civic Corridor Plaza":

THAT staff proceed with a detailed design and construction of Phase One of the 14th Street Civic Corridor Project at a projected cost of \$578,000. including design and contingencies;

AND THAT funding for Phase One of the 14th Street Civic Corridor Project be included in the 1998 capital budget;

AND THAT this be referred to the Finance Committee.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

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

9.1 (f) Appointment to the Environmental Protection Program Committee - File: 1085-03-E1

Report: Environmental Protection Program Committee,
February 16, 1998

PURSUANT to the report of the Environmental Protection Program Committee dated February 16, 1998 entitled "Appointment to the Environmental Protection Program Committee":

THAT Mr. Barry Chilibeck and Ms. Maxine Adam be appointed to the Environmental Protection Program Committee;

AND THAT the membership of the Environmental Protection Program Committee be increased from seven to eight City of North Vancouver residents.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:58 p.m.