

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 23, 1998 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

ABSENT:

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 J. Guenther, Manager, Inspections

- J. Laughlin, City Engineer
- A. Lynch, Recycling Coordinator
- B. Mahood, Superintendent Utilities
- Fire Chief T. Cumming
- D. Burgess, Chief Fire Prevention Officer

Acting Mayor Mussatto called the meeting to order at 6:04 p.m.

Moved by Councillor Dean, seconded by Councillor Fearnley

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

CARRIED UNANIMOUSLY

8. ANY OTHER BUSINESS

(a) Draft Social Plan – File: 4230-26-08-01

Report: Policy Committee, March 23, 1998

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the report of the Policy Committee of March 23, 1998 regarding the "Draft Social Plan" be added to the agenda as Item 4.(n).

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the meeting recess to the Reconvened Policy Committee meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 6:05 p.m., and reconvened at 7:33 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 16, 1998 be adopted as circulated.

CARRIED UNANIMOUSLY

2. <u>DELEGATIONS</u>

Nil.

3. <u>CORRESPONDENCE</u>

(a) Greater Vancouver Regional District "The Board in Brief", February 27, 1998 - File: 1180-06

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the Greater Vancouver Regional District "The Board in Brief", dated February 27, 1998, be received and filed.

CARRIED UNANIMOUSLY

Councillor Fearnley left the meeting.

(b) Jonathan Baker, Jonathan Baker & Associates, March 17, 1998

Re: Vav's Enterprises and Nicholas Vavaris File: 3400-05 ESP W 107

Moved by Councillor Dean, seconded by Councillor Perrault

THAT Item 3.(b) on the agenda be tabled until Mayor Loucks arrives at the meeting.

CARRIED UNANIMOUSLY

Councillor Fearnley returned to the meeting.

4. <u>REPORTS OF COMMITTEES, COUNCIL, AND STAFF</u>

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

The following motion was moved by Councillor Sharp, seconded by Councillor Mussatto on March 9, 1998:

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.

CARRIED UNANIMOUSLY

(b) Notice of Contravention: 563 East 4th Street, Lot 13, Block 22, D.L. 273, Plan 1063 - File: 3345-10 4E 563

Report: Manager, Inspections, Development Services, March 11, 1998

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

PURSUANT to the report of the Manager, Inspections, dated March 11, 1998, entitled "Notice of Contravention: 563 East 4th Street, Lot 13, Block 22, D.L. 273, Plan 1063":

THAT Mr. Robert Speight and Mrs. Kim Speight, registered owners of 563 East 4th 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 563 East 4th Street, Lot 13, Block 22, 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.

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

4. (c) Notice of Contravention: 365 East 14th Street, Lot 13, Exc. S.10', Block 59, D.L. 550, Plan 1363 - File: 3345-10 14E 365

Report: Manager, Inspectors, Development Services, March 11, 1998

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Inspections, dated March 11, 1998, entitled "Notice of Contravention: 365 East 14th Street, Lot 13, Exc.S.10', Block 59, D.L. 550, Plan 1363":

THAT Colin Wills and Tina Johnsen, registered owners of 365 East 14th 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 365 East 14th Street, Lot 13, Exc.S.10', Block 59, D.L. 550, Plan 1363 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

(d) North Shore Rescue Team Society Equipment Maintenance Facility - File: 1065-04-01

Report: Supervisor, Engineering Operations, March 10, 1998

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Supervisor, Engineering Operations, dated March 10, 1998, entitled "North Shore Rescue Team Society Equipment Maintenance Facility":

THAT support for the North Shore Rescue Team Society be confirmed through the provision of a storage facility;

AND THAT Councillor Sharp, North Shore Rescue Team members and staff be recognized for their efforts in pursuing funding from the other North Shore municipalities for this project;

AND THAT support and commitment for a \$25,000 contribution be obtained from both the District of West Vancouver and the District of North Vancouver towards the provision of a storage facility to be constructed at the City of North Vancouver Operations Yard;

Continued...

4. (d) North Shore Rescue Team Society Equipment Maintenance Facility - File: 1065-04-01 - Continued

AND THAT funding for the City's portion of this project, \$25,000, be referred to the Finance Committee for approval and inclusion as part of the 1998 Capital Budget.

CARRIED UNANIMOUSLY

(e) Children and Youth Initiatives Fund Grant: North Shore Neighbourhood House Teen Program - File: 4230-17-08-04

Report: Social Planner, Development Services, March 12, 1998

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Social Planner, dated March 12, 1998, entitled "Children and Youth Initiatives Fund Grant: North Shore Neighbourhood House Teen Program":

THAT a \$500. grant be allocated for a teen dance.

CARRIED UNANIMOUSLY

(f) Request for Financial Support for Pitch-In British Columbia File: 4050-01

Report: Manager, Parks and Environment, March 17, 1998

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Parks and Environment, dated March 17, 1998, entitled "Request for Financial Support for Pitch-In British Columbia":

THAT financial support be provided in the amount of \$400.00 to the Pitch-In Week 1998 campaign;

AND THAT this funding be provided from the General Contingency account.

4. (g) Request for Street Tree Removal on Cotton Road Boulevard File: 4310-05

Report: Manager, Parks and Environment, March 17, 1998

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the Manager Parks and Environment, dated March 17, 1998, entitled "Request for Street Tree Removal on Cotton Road Boulevard":

THAT no further action be taken at this time;

AND THAT staff at the Park and Tilford Gardens be requested to convene a site meeting with the Park and Tilford Gardens Review Board to view the trees in full foliage;

AND THAT all members of Council be invited to attend the site meeting when so convened.

CARRIED UNANIMOUSLY

(h) Rezoning Application: 18 Gostick Place - File: 3400-05 GOST18

Report: Planning Technician, Development Services, March 18, 1998

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT staff be requested to explore ways that Development Cost Charges and pay-in-lieu of parking could be implemented.

DEFEATED

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT the "Rezoning Application: 18 Gostick Place" be referred back to staff for a report taking into consideration the comments made at the March 23, 1998 meeting.

CARRIED UNANIMOUSLY

Acting Mayor Mussatto recessed the meeting at 8:23 p.m.

*The meeting reconvened at 8:30 p.m., with the same personnel present and with the addition of Mayor J.E. Loucks.

Councillor Fearnley left the meeting.

3. CORRESPONDENCE - Continued

(b) Jonathan Baker, Jonathan Baker & Associates, March 17, 1998

Re: Vav's Enterprises and Nicholas Vavaris - File: 3400-05 ESP W 107

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT Item 3.(b) be lifted from the table.

CARRIED

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT the correspondence dated March 17, 1998 received from Jonathan Baker, Jonathan Baker & Associates, regarding "Vav's Enterprises and Nicholas Vavaris" be received and filed.

A recorded vote was taken on the motion.

- Voting in favour: Councillor Braithwaite Councillor Perrault Mayor Loucks
- Voting against: Councillor Dean Councillor Mussatto

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

Councillor Fearnley returned to the meeting.

4. (i) Rezoning Application: 449 West 16th Street (Triplex/R. Sabor Enterprises/H. Najian & Associates) - File: 3400-05 16W 449

Report: Development Planner, March 17, 1998

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the Development Planner, dated March 17, 1998, entitled "Rezoning Application: 449 West 16th Street (Triplex, R. Sabor Enterprises/H. Najian & Associates)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7003" (H. Najian & Associate Design and Planning Consultants, 449 West 16th Street, CD-367), be considered and referred to a Public Hearing.

<u>CARRIED</u>

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

4. (j) Rezoning Application: 120-122 West 21st Street (Courtyard Architects/Pezzente Holdings Inc.) - File: 3400-05 21W 120/122

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated March 18, 1998, entitled "Rezoning Application: 120-122 West 21st Street (Courtyard Architects/Pezzente Holdings Inc.)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7004" (Pezzente Holdings Inc./The Courtyard Architects, 120-122 West 21st Street, CD-368) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

(k) 1998 Garbage and Recycling Rates - File: 1630-03-02

Report: City Engineer, March 18, 1998

Moved by Councillor Dean, seconded by Councillor Braithwaite

PURSUANT to the report of the City Engineer, dated March 18, 1998, entitled "1998 Garbage and Recycling Rates":

THAT beginning May 1, 1998, expanded recycling initiatives be introduced that will provide for the curbside collection of:

- 1. Mixed paper
- 2. Additional plastic material

AND THAT beginning April 1, 1998, expanded recycling initiatives be introduced that will provide for curbside collection of yard waste;

AND THAT staff be directed to monitor the yard waste program and report back to Council later in the year;

AND THAT beginning May 1, 1998, the "standard service" for residential garbage collection be amended to provide for two bags/cans per week;

AND THAT the 1998 combined residential garbage and yard trimmings collection rate be set at \$125.00 per household;

AND THAT the general recycling rate be set at \$24.50 per household;

AND THAT the cost of residential tags for additional garbage bags/cans remain at \$1.00 per tag;

AND THAT "A Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 1998, No. 6995" be considered.

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

4. (I) Development Variance Permit Application: 328 West 18th Street – Mortensen/Curtis - File: 3358-03 18W 328 DVP No. 98

Report: City Planner, March 18, 1998

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the City Planner, dated March 18, 1998, entitled "Development Variance Permit Application: 328 West 18th Street – Mortensen/Curtis":

THAT Development Variance Permit No. 98 (328 West 18th Street Mortensen/Curtis) attached to the March 18, 1998 report of the City Planner 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 a Public Meeting be scheduled.

CARRIED UNANIMOUSLY

(m) Rezoning Application: 1400-1434 Lonsdale Avenue (Fairmont Lonsdale Development Ltd./Buttjes Architects) File: 3400-05 LONS 1400/1434

Report: Development Planner, March 18, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner, dated March 18, 1998, entitled "Rezoning Application: 1400-1434 Lonsdale Avenue (Fairmont Lonsdale Development Ltd./Buttjes Architects)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7005" (Fairmont Lonsdale Development Ltd./Buttjes Architecture Inc., 1400-1434 Lonsdale Avenue, CD-369) be considered;

AND THAT a Public Hearing be waived in accordance with Section 890 (4) and notice be sent in accordance with Section 893 of the Municipal Act.

4. (n) Draft Social Plan – File: 4230-26-08-01

Report: Policy Committee, March 23, 1998

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT the draft Social Plan vision, value statements, goals and objectives as presented in the report of the Social Planners dated March 10, 1998, be approved in principle;

AND THAT staff be directed to report back with a Social Plan Implementation Strategy for Council approval;

AND THAT the members of the Social Plan Working Group be thanked for their dedication and work on the draft Social Plan.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

(a) Notice of Contravention – 556 & 558 West 28th Street, Lots 7 & 8, Block 243A, D.L. 544, Plan 3143 – File: 3345-02 28W 556 & 558

Moved by Councillor Dean, 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 Council of the City of North Vancouver relating to 556 & 558 West 28th Street, Lots 7 & 8, Block 243A, D.L. 544, Plan 3143 has been made under this Section;
- (b) **AND THAT** further information respecting this resolution may be viewed at the offices of the City of North Vancouver.

Mayor Loucks invited Mr. Davood Salimian, 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 Mr. Salimian nor his representative came forward at the invitation of the Mayor.

The motion was then CARRIED UNANIMOUSLY.

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

Moved by Councillor Fearnley, seconded by Councillor Dean

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;

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.

CARRIED UNANIMOUSLY

(c) Emergency Communications System (E-Comm) - File: 3125-09-01

Moved by Councillor Mussatto, seconded by Councillor Dean

WHEREAS the City of Vancouver is in the process of designing and building an emergency communication centre to meet their needs and the assumed needs of other Lower Mainland municipalities;

AND WHEREAS the City of Vancouver has asked the City of North Vancouver to be a member municipality without any direct input from the City of North Vancouver;

AND WHEREAS the system being proposed by the City of Vancouver may or may not meet our needs in the short or long term;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver or other suitable persons, conduct a needs assessment to ascertain how the new E-Comm System being proposed will meet the needs of the City of North Vancouver in the short or long term.

Continued...

5. (c) Emergency Communications System (E-Comm) - File: 3125-09-01 Continued

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT consideration of the motion be deferred until Councillor Sharp is present and the report from staff has been completed.

DEFEATED

The original motion was then CARRIED.

Councillor Perrault is recorded as voting contrary to the motion.

6. <u>BYLAWS</u>

(a) Reconsideration and Final Adoption

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

 "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No.
6988" (Ledingham McAllister Developments/G. Crockart Architect Inc., 331/371 East 1st Street, CD-363), as amended

be reconsidered.

CARRIED

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the said Bylaw No. 6988, as amended, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Dean, seconded by Councillor Mussatto that

(ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6993" (Handmade Developments Ltd./John Dow Medland, Architect, 236 East 10th Street, CD-364)

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. 6993 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.

(b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Fearnley that

(i) "A Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 1998, No. 6995"

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. 6995 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the said Bylaw No. 6995 be read a third time in short form and passed subject to reconsideration.

6. (c) Second and Third Readings

Nil.

(d) Introduction And First Reading Only

Moved by Councillor Dean, seconded by Councillor Perrault that

(i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 6999" (Crawlspace Definition)

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

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Perrault that

 "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No.
6998" (497906 B.C. Ltd./Urban Design and Development Consulting Ltd., 18 Gostick Place, CD-366)

be deleted from the agenda.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto that

(iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7003" (H. Najian & Associate Design and Planning Consultants, 449 West 16th Street, CD-367)

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

Moved by Councillor Mussatto, seconded by Councillor Perrault that

 (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7004" (Pezzente Holdings Inc./The Courtyard Architects, 120-122 West 21st Street, CD-368)

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

6. (d) Introduction And First Reading Only - Continued

Moved by Councillor Dean, seconded by Councillor Fearnley that

 (v) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7005" (Fairmont Lonsdale Development Ltd./Buttjes Architecture Inc., 1400-1434 Lonsdale Avenue, CD-369)

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)

(a) Municipal Partnership Program - File: 1040-03-F1-01

Councillor Fearnley inquired as to when the report will be received from Councillor Perrault regarding the Municipal Partnership Program.

Councillor Perrault advised that she will be bringing forward her report when Councillor Sharp is in attendance at the Council meeting.

Mayor Loucks declared a recess at 9:40 p.m., for the public question period and reconvened the meeting immediately.

8. ANY OTHER BUSINESS – Continued

Nil.

9. <u>CONFIDENTIAL REPORTS</u>

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 9:41 p.m., and reconvened at 10:35 p.m., with the same personnel present but with the exception of Councillor Fearnley.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Utility Right-of-Way Management Plan - File: 4165-03-06

Report: City Engineer, March 18, 1998

PURSUANT to the report of the City Engineer, dated March 18, 1998, entitled "Utility Right-of-Way Management Plan":

THAT the City of North Vancouver pursue a "Facilitator Role" through public-private partnerships;

AND THAT the Engineering Department proceed with the development of a strategic communications plan in order to initiate discussions with telecommunications service providers;

AND THAT funding for a strategic telecommunications plan be referred to the Finance Committee for consideration.

(CARRIED UNANIMOUSLY)

(f) Seymour Area Ice Rink Facility - File: 4410-01

Report: Acting Director of Finance, March 4, 1998

PURSUANT to the report of the Acting Director of Finance dated March 4, 1998, entitled "Seymour Area Ice Rink Facility":

THAT the City of North Vancouver endorses in principle the concept of a North Vancouver Recreation Commission facility lease of a new recreational ice rink facility to be constructed in the Seymour area;

AND THAT in keeping with the spirit of Section 3 (c) of the Joint Recreation Commission Bylaw, the City of North Vancouver endorses the addition of the proposed Seymour ice rink recreational facility lease to the operational budget of the North Vancouver Recreation Commission, on the basis of a 15% City of North Vancouver, 85% District of North Vancouver cost-sharing in the first and second years of operation, with a rate based on actual facility user statistics to be established thereafter.

10. ADJOURNMENT

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:36 p.m.