



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, AUGUST 10, 1998**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor J.B. Braithwaite
Councillor S.J. Dean
Councillor D.R. Mussatto
Councillor B.W. Perrault

ABSENT:

Councillor R.J. Fearnley
Councillor B.A. Sharp

STAFF MEMBERS

A.K. Tollstam, City Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
I. Gordon, Manager, Financial Planning
R.H. White, City Planner
G. Penway, Development Planner
J. Guenther, Manager, Inspections
J. Laughlin, City Engineer
B. Susak, Deputy City Engineer
B. Granger, Manager, Parks & Environment
T. Cumming, Fire Chief
B. Penman, Assistant Chief – Operations

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

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the following item be deleted from the agenda:

4. (a) Development Application Processing – File: 3357-02/3380-01

Report: City Planner, Development Services, April 22, 1998

CARRIED UNANIMOUSLY

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 6:02 p.m., and reconvened at 6:25 p.m., with the same personnel present and with the addition of Councillor Mussatto.

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Dean

THAT the Minutes of the Regular Council Meeting of July 27, 1998 and the Minutes of the Reconvened Council Meeting of July 28, 1998, be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Lease Negotiations - File: 3375-10-02

Report: Property Valuator/Negotiator, Development Services,
July 29, 1998

THAT the action taken by the Committee of the Whole in camera, regarding "Lease Negotiations", be ratified, and the wording of the resolution and the July 29, 1998 report of the Property Valuator/Negotiator remain in camera.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

(a) Margaret K. Warwick, Municipal Clerk, District of West Vancouver, July 14, 1998

Re: Park Royal Area Traffic Study - File: 1175-05-W1-01

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the correspondence dated July 14, 1998 received from Margaret K. Warwick, Municipal Clerk, District of West Vancouver regarding "Park Royal Area Traffic Study" be received and filed.

CARRIED UNANIMOUSLY

3. (b) Mayor Greg Halsey-Brandt, City of Richmond, July 21, 1998

Re: Municipal Grants Act – File: 1670-03-01/1675-06-02

Moved by Councillor Perrault, seconded by Councillor Dean

THAT Mayor Loucks send a letter to the Minister of Public Works and Government Services, Alfonso Gagliano, endorsing the correspondence dated July 21, 1998 received from Mayor Greg Halsey-Brandt, City of Richmond regarding “Municipal Grants”;

AND THAT a copy of said letter be forwarded to Lou Sekora, M.P.

CARRIED UNANIMOUSLY

(c) Jim Thomson, President, Canadian Home Builders’ Association of B.C. , July 27, 1998

Re: “Where we Stand on Housing Affordability” – File:3365-01

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the correspondence dated July 27, 1998 received from Jim Thomson, President, Canadian Home Builders’ Association of B.C., regarding “Where we Stand on Housing Affordability” be received and filed.

CARRIED UNANIMOUSLY

(d) Larry Donohoe, President, James Buchanan Memorial Scholarship Fund, Buchanan Bowl, July 14, 1998

Re: Permission to use Kinsmen Stadium for the
12th Annual Buchanan Bowl, September 19th, 1998
File: 4425-07-01/4305-03-M1-05

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT permission be given to Mr. Larry Donohoe, President, James Buchanan Memorial Scholarship Fund to use Kinsmen Stadium for the 12th Annual Buchanan Bowl scheduled for Saturday, September 19, 1998.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) **Gary W. Batt, Director, Pet Industry Joint Advisory Council**

Re: Pet Establishment Regulation Bylaw – File: 3010-01

Mr. Gary Batt, Director, Pet Industry Joint Advisory Council (PIJAC), referred to the City's "Pet Establishment Regulation Bylaw, 1998, No. 7040". He requested members of Council to amend Bylaw 7040 as follows:

- Section 3 – delete the exclusion of municipal pounds and S.P.C.A. shelters.
- Include a new Section with regards to dogs and cats that they be properly vaccinated by a licensed veterinarian and that proper deworming be carried out and that such record be given to the purchaser.
- Section 8 – the requirement for a register to match "other animals" such as budgies, hamsters, etc., to a purchaser cannot be achieved.
- Section 12 – posting public notices for each animal to include the name of the breeder or supplier may cause potential purchasers to bypass the Pet Stores and go directly to the breeder or supplier.

Mr. Batt requested that members of Council defer further consideration of Bylaw No. 7040 and request staff to examine the proposed amendments put forward by PIJAC.

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

(b) **Brian T. Stone, P.Eng., Project Director, Major Projects, Ministry of Transportation and Highways**

Re: Trans Canada Highway HOV Project – File: 4145-02-T2/4140-04

Ms. Pamela Ryan, Marketing Coordinator, Ministry of Transportation and Highways made a brief presentation about the Trans Canada Highway, High Occupancy Vehicle (HOV) lanes that will be opening in the Fall, 1998.

Ms. Ryan outlined the purpose and anticipated benefits of the HOV lanes; regulations for use; and, the marketing and community relations efforts that will be employed to educate the public about the importance of HOV lanes.

Ms. Ryan then responded to questions from members of Council.

3. CORRESPONDENCE - Continued

- (e) Gary W. Batt, Director, Pet Industry Joint Advisory Council, August 4, 1998**

Re: Pet Establishment Regulation Bylaw – File: 3010-01

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the August 10, 1998 presentation by Gary W. Batt, Director, Pet Industry Joint Advisory Council regarding “Pet Establishment Regulation Bylaw” be referred to staff for comment.

CARRIED UNANIMOUSLY

- (f) Brian T. Stone, P.Eng., Project Director, Major Projects, Ministry of Transportation and Highways, June 2, 1998**

Re: Trans Canada Highway HOV Project – File: 4145-02-T2/4140-04

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the correspondence dated June 2, 1998 received from Brian T. Stone, P.Eng., Project Director, Major Projects, Ministry of Transportation and Highways regarding “Trans Canada Highway HOV Project” be received and filed.

CARRIED UNANIMOUSLY

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

- (b) Vehicle Replacement – Fire & Rescue – File: 3130-10**

Report: Assistant Chief – Operations, August 5, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

PURSUANT to the report of the Assistant Chief – Operations, dated August 5, 1998, entitled “Vehicle Replacement – Fire & Rescue”:

THAT “Machinery and Equipment Depreciation and Obsolescence Reserve Fund Expenditure Bylaw, 1998, No. 7062” (Fire) be considered.

CARRIED UNANIMOUSLY

4. (c) **1999 Annual Budget Objectives and Guidelines – File: 1650-05-01**

Report: Manager, Financial Planning, August 4, 1998

Moved by Councillor Mussatto, seconded by Mayor Loucks

PURSUANT to the report of the Manager, Financial Planning, dated August 4, 1998, entitled “1999 Annual Budget Objectives and Guidelines”:

THAT the proposed 1999 Annual Budget Objectives and Guidelines, which read as follows, be endorsed:

“1999 OPERATIONAL FUNDING OBJECTIVES

Operational Funding Objective 1

THAT all City funded operations, including departments, utilities, committees, agencies, and joint boards be given a 0% increase in Provisional Budget base operating funding.

Operational Funding Objective 2

THAT funding for new and non-recurring items, projects, studies, and services, be provided only out of “New Items” funding as determined by Council, as part of the 1999 Budget Process.

Operational Funding Objective 3

THAT all additional investment and permit revenue earned beyond allocations to fund operations in the Annual or Revised budgets be assigned to an “urgent items” fund for new and non-recurring items, projects, and studies, in the following year.

Operational Funding Objective 4

THAT the City continue its policy of encouraging the establishment of appropriate user fees in all cases where service is provided for the particular benefit of an individual or group, as opposed to the public generally.

Operational Funding Objective 5

THAT the City begin the development and reporting of performance measures for all significant City programs.

Continued....

4. (c) **1999 Annual Budget Objectives and Guidelines – File: 1650-05-01
Continued**

1999 CAPITAL FUNDING OBJECTIVES

Capital Funding Objective 1

THAT the City Budget continue to reflect an ongoing commitment to the funding of capital reserves as a means to support long-term capital planning, and that reserve funding be based on the level necessary to support anticipated long-term requirements.

Capital Funding Objective 2

THAT as a first step in meeting Capital Funding Objective 1, and to facilitate all the City's long-range financial planning, that the City commit to the development of a comprehensive fixed asset ledger and a detailed ten-year capital requirements and funding plan for the years 1999 – 2008.

Capital Funding Objective 3

THAT 3.00% of the City's existing tax revenues be dedicated to capital funding in 1999 (an increase of 0.5% over current funding), with an eventual goal of 10% to be so dedicated by the year 2008, or earlier, if possible."

AND THAT a Finance Committee meeting be scheduled for the evening of Monday, November 30, 1998 to hear 1999 Annual Budget submissions by the City's jointly funded Commissions, Boards and Agencies.

A recorded vote was taken on the motion.

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

Voting against: Councillor Dean

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

4. (d) **Building Permit Application: 133-145 West 15th Street (Nova 16/ Besharat Friars Architects) – File: 3400-05 15W 133-145**

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

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Development Planner, dated August 4, 1998, entitled “Building Permit Application: 133-145 West 15th Street (Nova 16/Besharat Friars Architects)”:

THAT the Mayor and City Clerk be authorized to execute the Section 219 of the Land Title Act Covenant substantially in the form attached to said report.

CARRIED UNANIMOUSLY

(e) **Vancouver Port Corporation Permitting Process and Memorandum of Understanding – File: 1155-06-01-11**

Report: Manager, Inspections, Development Services,
July 30, 1998

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Manager, Inspections, dated July 30, 1998, entitled “Vancouver Port Corporation Permitting Process and Memorandum of Understanding”:

THAT the City enter into an agreement with the Vancouver Port Corporation (VPC) through the enclosed Memorandum of Understanding which allows the City to administer permits on VPC property;

AND THAT the Vancouver Port Corporation prepare a final Memorandum of Understanding;

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

CARRIED UNANIMOUSLY

4. (f) **Pinc Systems Inc. – File: 3345-02 BROOK 440**

Report: Property Use Inspector, Development Services,
August 5, 1998

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

PURSUANT to the report of the Property Use Inspector, dated August 4, 1998, entitled “Pinc Systems Inc”:

WHEREAS Pinc Systems Inc. are retailing to the general public, in contravention of the City of North Vancouver “Zoning Bylaw, 1995, No. 6700”;

THEREFORE BE IT RESOLVED THAT staff be directed to proceed to seek an injunction in the Supreme Court of British Columbia requiring compliance with the City’s Zoning Bylaw for the property occupied by Pinc Systems Inc. at 440 Brooksbank Avenue, City of North Vancouver.

Moved by Councillor Dean, seconded by Councillor Perrault

THAT consideration of the motion be deferred until all the information is received pertaining to this issue.

DEFEATED

The original motion was then **CARRIED.**

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

(g) **Development Variance Permit Application: 160 East 13th Street (Bosa Ventures (NV) Inc./The Grande) – File: 3358-03 13E 160**

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

Moved by Councillor Mussatto, seconded by Mayor Loucks

PURSUANT to the report of the Development Planner, dated August 4, 1998, entitled “Development Variance Application: 160 East 13th Street (Bosa Ventures (NV) Inc./The Grande)”:

THAT Development Variance Permit No. 102 (Bosa Ventures (NV) Inc./The Grande) be considered for issuance under Section 922 of the Municipal Act;

AND THAT the Public Meeting requirement be waived.

Continued....

4. (g) **Development Variance Permit Application: 160 East 13th Street (Bosa Ventures (NV) Inc./The Grande) – File: 3358-03 13E 160 Continued**

Moved by Councillor Perrault, seconded by Councillor Dean

THAT “Development Variance Permit Application: 160 East 13th Street (Bosa Ventures (NV) Inc./The Grande)” be referred back to staff for further information taking into consideration the comments made at the August 10, 1998 meeting.

CARRIED

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

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Development Variance Permit Application No. 101, Lot E, Block 49, D.L. 548, Plan 14222, 144 West 14th Street (Microcell Connexions Inc.) – File: 3358-03 14W 144 DVP No. 101**

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Development Variance Permit No. 101 be issued to Hollyburn Properties (Alberta) 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. 101.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto, seconded by Mayor Loucks that

- (i) “Tax Sale Lands Reserve Fund Expenditure Bylaw, 1998, No. 7064” (Victoria Park East)

be reconsidered.

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

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT reconsideration of Bylaw No. 7064 be deferred until all members of Council are present.

CARRIED

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. 7046” (Service Station Full Service Pump Requirement)

be reconsidered.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 7046 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

(b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Braithwaite that

- (i) “Machinery and Equipment Depreciation and Obsolescence Reserve Fund Expenditure Bylaw, 1998, No. 7062” (Fire)

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 Bylaw No. 7062 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 7062 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

Mayor Loucks declared a recess at 8:32 p.m., for the public question period and reconvened the meeting immediately.

8. ANY OTHER BUSINESS

Nil.

Moved by Councillor Perrault, seconded by Councillor Mussatto

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

CARRIED

The meeting recessed at 8:34 p.m., and reconvened at 10:12 p.m., with the same personnel present.

5. MOTIONS AND NOTICES OF MOTION - Continued

(b) Development Variance Permit Application No. 83: Hollyburn Properties (Alberta) Ltd., Lot E, Block 49, D.L. 548, Plan 14222, 144 West 14th Street – File: 3358-03 14W 144 DVP No. 83

Moved by Councillor Mussatto, seconded by Mayor Loucks

THAT Development Variance Permit No. 83 be issued to Hollyburn Properties (Alberta) 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. 83.

DEFEATED

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

Moved by Councillor Dean, 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, until Items 6.(c)(i), (ii) and (iii) on the agenda have been concluded.

CARRIED UNANIMOUSLY

6. **BYLAWS - Continued**

(c) **Second and Third Readings**

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7052" (Cardinal Management Ltd./Edward Dodson Architect Ltd., 850 Marine Drive, CD-376)

be deferred until all members of Council are present.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7060" (Babalos/Graham Crockart Architect/01 Lonsdale Avenue/CD-377)

be read a second time in short form.

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the said Bylaw No. 7060 be referred back to staff for comment, taking into consideration the concerns raised this evening.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Braithwaite that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7061" (Tavakoli/Hatch, 908 West 16th Street, CD-378)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the said Bylaw No. 7061 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 10:40 p.m.