



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH V. VANCOUVER, B.C., ON **MONDAY, SEPTEMBER 14, 1998 AT 6 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
S.E. Dowey, Deputy City Clerk
D.M. Rooke, Assistant City Clerk
F.A. Smith, Director, Development Services
G. Penway, Development Planner
M. MacFadyen, Manager, Lands Division
B. Susak, Deputy City Engineer
L. Orr, Social Planner
C. Kathler, Social Planner
I. Gordon, Manager, Financial Planning
D. Hutch, Park Design Technician
B. Taylor, Bull, Housser and Tupper

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

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the Minutes of the Regular Council Meeting of August 24, and the Reconvened Council Meeting of August 27, 1998, be adopted as circulated.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) Mark S. Thompson, Allard and Company

Re: 801 West 1st Street, North Vancouver – Overpass on Fell Avenue – File: 3400-05 FELL 02

Mr. David Reilly, on behalf of Strata Corporation VR2193, located at 801 West 1st Street, reviewed concerns addressed in his correspondence to the City of North Vancouver dated August 10, 1998, regarding the overpass on Fell Avenue. Mr. Reilly requested Council to consider the alternative of an underpass, citing safety concerns, decreased property values, and the lack of public input in this regard.

Councillor Sharp and Councillor Mussatto entered the meeting.

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

3. CORRESPONDENCE

(a) Mark S. Thompson, Allard and Company, August 21, 1998

Re: 801 West 1st Street, North Vancouver – Overpass on Fell Avenue – File: 3400-05 FELL 02

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the correspondence dated August 21, 1998 received from Mark S. Thompson, Allard and Company regarding “801 West 1st Street, North Vancouver – Overpass on Fell Avenue”, be referred to staff for a report.

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Councillor Perrault,

THAT Items 4(e) and 6(a)(iii) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(e) Legal Agreements/123 West 15th Street (Bel-Tar Holdings Ltd./ Royal Canadian Legion/Continuum Architects) – File: 3400-05 15W 123

Report: Development Planner, Development Services
September 9, 1998

Moved by Councillor Braithwaite, seconded by Councillor Sharp

PURSUANT to the report of the Development Planner, dated September 9, 1998, entitled “Legal Agreements/123 West 15th Street (Bel-Tar Holdings Ltd./Royal Canadian Legion/Continuum Architects)”:

THAT the Mayor and City Clerk be authorized to execute the legal documents substantially in the form attached to said report.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Braithwaite, seconded by Councillor Dean that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7025" (Bel-Tar Holdings Ltd./Royal Canadian Legion/ Continuum Architects, 123 West 15th Street, CD-373), **as amended**

be reconsidered.

CARRIED

Moved by Councillor Dean seconded by Councillor Braithwaite

THAT the said Bylaw No. 7025 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

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

(a) **Social Plan & Implementation Strategy – File: 4230-26-08-01**

Report: Social Planners, Development Services
July 31, 1998

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Social Planners, dated July 31, 1998, entitled "Social Plan & Implementation Strategy":

THAT the Social Plan and the Implementation Strategy be approved;

AND THAT copies of the Plan be distributed to agencies, organizations and individuals consulted during the Plan's development, and made available to the public at City Hall and via the City's WEB page.

CARRIED UNANIMOUSLY

4. (b) Pedestrian Access Guidelines – File: 4230-06-02/1085-03-N18-01

Report: Social Planner, Development Services
September 2, 1998

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the Social Planner, dated September 2, 1998, entitled “Pedestrian Access Guidelines”:

THAT the “Pedestrian Access Guidelines” submitted by the Advisory Committee on Disability Issues be adopted as City policy and circulated to appropriate staff for application to proposed developments, and in evaluating existing areas of remedial work;

AND THAT the Guidelines be circulated for information to the Advisory Design Panel, Advisory Planning Commission, Social Planning Advisory Committee, and all City departments, and be made available to the public at the Development Services and Engineering departments;

AND THAT the Advisory Committee on Disability Issues be thanked for facilitating this important policy work, and for their continuing role in assisting the City in implementing improvements to residential and public environments.

CARRIED UNANIMOUSLY

(c) Lower Mainland Regional Drug Strategy – File: 4230-01

Report: Social Planner, Development Services
September 2, 1998

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the Social Planner, dated September 2, 1998, entitled “Lower Mainland Regional Drug Strategy”:

THAT Council supports the Lower Mainland Municipal Association (LMMA) application for funding to the Federal Crime Prevention Program to develop a Lower Mainland Regional Drug Strategy.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“B.C. RIVERS DAY”, SEPTEMBER 27, 1998

“MAHATMA GANDHI DAY”, OCTOBER 2, 1998

“NORTH SHORE COMMUNITY LIVING DAY”, OCTOBER 3, 1998

“WORLD TEACHERS’ DAY”, OCTOBER 5, 1998

“TERRY FOX WEEK”, SEPTEMBER 13 – 20, 1998

“FIRE PREVENTION WEEK”, OCTOBER 4 – 10, 1998

“FIRE SERVICE RECOGNITION DAY”, OCTOBER 10, 1998

2. DELEGATIONS *continued*

(b) Sue Bauman, Domestic Violence Coordinator, North Shore Family Court & Youth Justice Committee

Re: North Vancouver Family Court & Youth Justice Committee
Presentation of the 1997 Annual Report – File: 1085-03-N11-01

Ms. Mimi Hudson, Chair, and Ms. Sue Bauman, Domestic Violence Coordinator, North Shore Family Court and Youth Justice Committee, briefly reviewed the 1997 Annual Report, and requested Council to endorse the recommendations as set out on Page 3 of said report.

The delegation then responded to questions from members of Council.

Moved by Councillor Sharp, seconded by Councillor Dean

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

CARRIED UNANIMOUSLY

3. **CORRESPONDENCE** *continued*

(b) **North Shore Family Court & Youth Justice Committee,
June 15, 1998**

Re: North Vancouver Family Court & Youth Justice Committee
Presentation of the 1997 Annual Report – File: 1085-03-N11-01

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the correspondence dated June 15, 1998, and the 1997 Annual Report of the North Shore Family Court & Youth Justice Committee be received;

AND THAT the recommendations contained in Page 3 of the 1997 Annual Report, be endorsed, which read as follows:

- 1 THAT the City of North Vancouver write the Attorney General and express support for the fast tracking of domestic violence files to ensure that the cases are finished within 45 days.
2. THAT the City of North Vancouver write the Attorney General and request a fast tracking system to ensure that youth files are set for trial as soon as possible and finished within three months.
3. THAT the City of North Vancouver write Legal Services Society, expressing concern about the impact of legal aid cutbacks.
4. THAT the City of North Vancouver write the Minister responsible for Ministry for Children and Families outlining:
 - i) That experienced legal counsel represent the families, and particularly prepare them for the case conference process.
 - ii) That mediation, not trial, continue to play a role in determining the best interests of a child.
 - iii) That appropriate services be made available to all families who are striving to rehabilitate and reunite.
 - iv) That appropriate services be available for families who have experienced violence.

3. (b) **North Shore Family Court & Youth Justice Committee,
June 15, 1998 - *continued***

Re: North Vancouver Family Court & Youth Justice Committee
Presentation of the 1997 Annual Report – File: 1085-03-N11-01

5. THAT the City of North Vancouver write the Attorney General to support the following, in cases of domestic violence:
- i) Peace bonds should not be used as an alternative to criminal proceedings.
 - ii) A jail sentence should be considered in second offences, to deter violent behaviour and to send a strong message to the community about the seriousness of domestic violence.”

CARRIED UNANIMOUSLY

2. **DELEGATIONS - *continued***

(c) **A.K. Ansari, P.Eng, Ansari California Marketing Corp. Inc.**

Re: Visitor and Commercial Parking at the “Grande”
File: 3400-05 13E 160

Mr. A.K. Ansari advised Council he had made an offer for two strata lots at the “Grande”, located at 160 East 13th Street, and he felt it was unfair for the developers to request time -shared parking for the commercial lots, while the residential parking was available 24 hours per day. He requested Council to endorse 24 hours per day parking space for all commercial tenants.

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

(d) **Andre Chilcott, Senior Development Manager, Bosa Construction**

Re: Final clarification for The Grande at the corner of East 13th Street and St. George’s Avenue regarding: the relocation of the security gate for The Grande and time-shared parking for residential visitor and commercial - File: 3400-05 13E 160

Mr. Andre Chilcott, Senior Development Manager, Bosa Construction and Mr. Ross Forman, Royal LePage provided information regarding the relocation of the security gate for the lower level parking area, as well as an explanation concerning the time-shared parking arrangements for residential and commercial uses.

Mr. Chilcott requested that Development Variance Permit No. 102 be amended by deleting the figures “27” and “17” in Section II 1(a), and replacing them with the figures “23” and “13” respectively.

The delegation then responded to questions from members of Council.

5. **MOTIONS AND NOTICES OF MOTION**

- (a) **Development Variance Permit Application No. 102: Bosa Ventures (N.V.)Inc./The Grande, Lot K, Block 61, D.L. 549, Plan LMP 31188, 160 East 13th Street – File: 3358-03 13E 160 DVP No. 102 (Bosa Ventures (N.V.)Inc./The Grande)**

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT Development Variance Permit No. 102 be varied by deleting the figures “27” and “17” in Section II 1(a), and replacing them with the figures “23” and “13” respectively;

AND THAT Development Variance Permit No. 102, as amended, be issued to Bosa Ventures (N.V.) Inc. 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. 102;

AND THAT a Covenant will be provided with respect to visitor stalls etc., that they will not be sold.

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
 Councillor Braithwaite

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

3. **CORRESPONDENCE** –*continued*

(c) **Kim MacPherson, Event-Coordinator, Community Living Day Celebration, North Shore Association for the Mentally Handicapped, September 1, 1998**

Re: Donation of a mural to the City of North Vancouver, and Request donation of \$500 to assist with supplies for the painting of the mural – File: 1670-03-01

Moved by Councillor Perrault, seconded by Councillor Sharp

THAT a donation of \$500.00 be provided to the North Shore Association for the Mentally Handicapped, Community Living Day Celebration, to assist with supplies for the painting of a mural;

AND THAT the funds be taken from the Cultural Grants Contingency Account.

CARRIED UNANIMOUSLY

(d) **District of North Vancouver, August 19, 1998**

Re: Pay Parking in Regional Parks – File: 1175-05-02-N1-01

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the City of North Vancouver endorse the District of North Vancouver's resolution of August 17, 1998, that there will be no parking fees in Regional Parks.

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT consideration of the motion be deferred pending receipt of a report from Mayor Loucks.

CARRIED

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

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

(d) **Sunrise Park Issue – Parks & Parking – File: 3358-03
BROO 555 DVP No. 105**

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the Information Reports of the City Planner, dated August 20, 1998 and the Manager, Parks and Environment, dated August 19, 1998, be received and filed.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Perrault

THAT the following recommendation of June 22, 1998 **be rescinded:**

“PURSUANT to the report of the City Planner, dated May 22, 1998, entitled “Parking Proposal – Sunrise Park”:

THAT staff be directed to find a site within Sunrise Park and establish a value for a temporary parking area to accommodate parking for Lions Gate Studio while the studio develops an on-site parking garage with proceeds from any parking use directed to Sunrise Park Improvements.”

Moved by Councillor Sharp, seconded by Councillor Fearnley

THAT we defer the motion on the rescinding motion until a further report is received from staff, based on the Lions Gate Studio letter dated August 20, 1998.

CARRIED

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

4. (f) Rezoning Application: 1957 Sutherland Avenue – Secondary Suite Use and Child Care Use – File: 3400-05 SUTH 1957

Report: Planning Technician, Development Services
September 9, 1998

Moved by Councillor Sharp, seconded by Councillor Dean

PURSUANT to the report of the Planning Technician, dated September 9, 1998, entitled “Rezoning Application: 1957 Sutherland Avenue – Secondary Suite Use and Child Care Use”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7066” (1957 Sutherland Avenue, David Pleasance/Gabriele Sinclair, CD-379) be referred to a Public Hearing.

CARRIED UNANIMOUSLY

(g) 1998 Planning Division Work Program Update – File: 1010-04 PL

Report: City Planner, Development Services
September 8, 1998

Moved by Councillor Dean, seconded by Councillor Sharp

PURSUANT to the report of the City Planner, dated September 8, 1998, entitled “1998 Planning Division Work Program Update”:

THAT Development Services 1998 Planning Division Work Program be received and filed.

CARRIED UNANIMOUSLY

(h) Amendment to the Street and Traffic Bylaw – File: 3020-03-02 ST

Report: Administrative Assistant-Engineering
September 8, 1998

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Assistant-Engineering, dated September 8, 1998, entitled “Amendment to the Street and Traffic Bylaw”:

THAT “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1998, No. 7067” be considered.

CARRIED UNANIMOUSLY

4. (i) **Parks and Environment Signage Program – File: 4300-10**

Report: Parks Design Technician, Engineering Department
August 10, 1998

Moved by Councillor Sharp, seconded by Councillor Dean

PURSUANT to the report of the Parks Design Technician, dated August 10, 1998, entitled “Parks and Environment Signage Program”:

THAT the Parks and Environment Signage System, as outlined in Attachment B of the August 10, 1998 report, be endorsed as the park identity signage for the City of North Vancouver’s park system.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION** *continued*

(b) **Insurance Corporation of British Columbia Crossing Guard Subsidy – File: 4100-06**

Moved by Councillor Sharp, seconded by Councillor Perrault

WHEREAS the City of North Vancouver has demonstrated its support both fiscally and in principle for the program for North Shore crossing guards;

AND WHEREAS the crossing guards have been a valuable asset towards the safety of our children;

AND WHEREAS the Insurance Corporation of British Columbia has recognized this valuable program by providing funding to other municipalities;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver request the Insurance Corporation of British Columbia provide the same funding to the program in the City of North Vancouver;

AND BE IT FURTHER RESOLVED THAT this motion be submitted to the person responsible for grants at the Insurance Corporation of British Columbia and the Minister responsible for the Insurance Corporation of British Columbia

CARRIED UNANIMOUSLY

6. **BYLAWS** -continued

(a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto seconded by Councillor Sharp that

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

be reconsidered.

CARRIED

Moved by Councillor Mussatto seconded by Councillor Sharp

THAT the said Bylaw No. 7064 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 Mussatto that

- (ii) "Church Lands and Buildings Exemption Bylaw, 1951, Amendment Bylaw, 1998, No. 7065" (North Shore Alliance Church)

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. 7065 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 Dean
Councillor Mussatto
Councillor Sharp
Councillor Braithwaite
Councillor Fearnley
Mayor Loucks

Voting against Councillor Perrault

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

6. (a) Reconsideration and Final Adoption

Moved by Councillor Sharp seconded by Councillor Fearnley that

- (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7063"
(Quayside Village Cohousing Ltd./506 Chesterfield Avenue, CD-338
Text Amendment)

be reconsidered.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT the said Bylaw No. 7063 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

(b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Mussatto that

- (i) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1998,
No. 7067"

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. 7067 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the said Bylaw No. 7067 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

6. (c) Second and Third Readings

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the following resolution of Council on August 24, 1998 be rescinded:

"THAT the said Bylaw No. 7052 be read a third time in short form and passed subject to reconsideration."

Moved by Councillor Braithwaite, seconded by Councillor Dean

THAT this item be deferred until staff report back with more information.

A recorded vote was taken on the deferral motion.

Voting in favour: Councillor Dean
Councillor Braithwaite

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

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

The motion to rescind Third Reading of Bylaw 7052 was then **CARRIED**.

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the second reading of Bylaw No. 7052 be amended by:

- (1) adding the following words to clause 3(b)(2)(a):

"or 3.048 metres (10 feet) from the Special Setback Line referenced in Section 411(i)";
- (2) by striking out clause 3(b)(3) in its entirety and replacing it with:

"3(b)(3) Section 1001, Loading, shall be waived"; and

6. (c) Second and Third Readings - continued

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

(3) by adding the following clause:

"3(b)(9) Outdoor seating ancillary to a Class "D" Licensed Facility shall only be permitted directly south of the principal building".

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
Councillor Braithwaite

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the said Bylaw No.7052, as amended, be read a third time and passed subject to reconsideration.

CARRIED

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

(d) Introduction And First Reading Only

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7066" (David Pleasance/Gabriele Sinclair, 1957 Sutherland Avenue, CD-379)

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

RECESS

The Mayor declared a recess at 9:58 p.m, for the public question period, and reconvened immediately.

7. COUNCIL INQUIRIES

(a) Police Costs – World Cup Soccer Parade – File: 3200-01

Councillor Perrault inquired if information regarding Police Costs incurred as a result of an impromptu World Cup Soccer parade, could be supplied to Members of Council.

Mayor Loucks advised that he would supply this information.

Moved by Councillor Perrault, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

The meeting recessed at 9:58 p.m., and reconvened at 10:16 p.m., with the same personnel present, but with the exception of Councillors Dean and Fearnley.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) (i), (ii) Community Leaders Partnership Program, Federation of Canadian Municipalities – File: 10404-03-F1-01

Reports: City Administrator, April 22, and July 23, 1998

PURSUANT to the reports of the City Administrator dated April 22, 1998 and July 23, 1998, entitled “Community Leaders Partnership Program, Federation of Canadian Municipalities”, indicating a suggested list of participants:

THAT the City of North Vancouver indicate to the Federation of Canadian Municipalities, interest in a potential Community Leaders Partnership Program with the community of Valleyfield in the Province of Quebec.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:17 p.m.