



**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 5, 1998.**

PRESENT:

COUNCIL MEMBERS

Mayor J.E. Loucks
Councillor J.B. Braithwaite
Councillor R.J. Fearnley
Councillor D.R. Mussatto
Councillor B.W. Perrault
Councillor B.A. Sharp

ABSENT:

Councillor S.J. Dean

STAFF MEMBERS

A.K. Tollstam, City Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
G.T. Tulloch, Deputy Director of Finance
I. Gordon, Manager, Financial Planning
J. Laughlin, City Engineer
B. Susak, Deputy City Engineer
B. Granger, Manager, Parks & Environment
G. Penway, Development Planner
M. MacFadyen, Manager, Lands Division
F. Caouette, Administrative Manager, Dev. Servs.
J. Guenther, Manager, Inspections
G. Young, Director of Recreation
R. Inglis, Director, North Vancouver Museum & Archives

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

PRESENTATIONS:

1. Mr. Allan Grant, BC Hydro power planning specialist and Chair of the Provincial Energy Aware Committee and Mr. Donald Rankin, Manager, External Relations, B.C. Gas, presented the inaugural Award of Excellence for Community Energy Planning to Mayor Loucks and Members of Council in recognition of Exemplary Leadership in Planning for Sustainable Communities in British Columbia.

The City of North Vancouver received the 1998 Community Energy Planning Award for integrating energy planning into its redevelopment of the Lower Lonsdale Area.

2. Mr. Don Williams, Chair, North Shore Arts Commission, gave an update on Ms. Donna Oseen's work with the arts.

Mayor Loucks then presented the "Judy Dennis Award" to Ms. Oseen who has been chosen as this year's recipient in recognition of outstanding work and sincere devotion to supporting and promoting the arts on the North Shore.

1. ADOPTION OF MINUTES

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of September 28, 1998 be adopted as circulated.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) **Michel Léveillé, Renovations Chairperson, Flicka Gymnastics Club**

Re: Larger Facility for Flicka Gymnastic Club – File: 4410-01

Mr. Michel Léveillé, Renovations Chairperson, Flicka Gymnastics Club, outlined the need for a new facility for the Club that will enable all gymnasts to safely meet their personal gymnastic goals. He outlined the activities and scope of the Club within the community as well as the need for a larger facility.

He advised that his Club would be willing to locate to the Curling Rink facility if the North Vancouver Curling Club moves to the North Shore Winter Club.

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

(b) **Irene Mandzuk, President, North Vancouver Curling Club**

Re: North Vancouver Curling Club – File: 4410-01

Irene Mandzuk, President, introduced Mr. Paul Duncan, Vice-President, North Vancouver Curling Club. Mr. Duncan advised that the Curling Club did not wish to move to the North Shore Winter Club and requested members of Council to defeat the recommendation contained in the September 30, 1998 report of the Deputy Director of Finance.

Mr. Shane Dunlop, member of the North Vancouver Curling Club, referred to his correspondence dated October 5, 1998 and also requested that the staff recommendation be defeated.

Members of the delegation then responded to questions from members of Council.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Future of Curling – File: 4410-01

Report: Deputy Director of Finance, September 30, 1998

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT consideration of the report of the Deputy Director of Finance, dated September 30, 1998, entitled “Future of Curling” be deferred until the end of December, 1998.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Mussatto, seconded by Councillor Perrault

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

CARRIED

The meeting recessed at 7:16 p.m., and reconvened at 8:47 p.m., with the same personnel present.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Pat Heal, Board Chair, North Vancouver School District No. 44

Re: Joint Use of Schools – File: 1150-03-01

THAT the City of North Vancouver Council enter into, and sign, the Master Agreement on the Joint Use of Public Facilities with the North Vancouver Recreation Commission and the North Vancouver School Board.

CARRIED UNANIMOUSLY

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

9.1 (c) Proposed Exchange of Waterlots with the Vancouver Port Corporation – File: 3375-07 Ft. of Fell

Report: Manager, Lands Division, Development Services,
September 18, 1998

PURSUANT to the report of the Manager, Lands Division, dated September 18, 1998, entitled “Proposed Exchange of Waterlots with the Vancouver Port Corporation”:

THAT the City of North Vancouver’s fee simple interest in Lot D (Reference Plan 2583) of the bed and foreshore of Burrard Inlet lying in front of District Lot 265, Group 1, New Westminster District located at the foot of the extension of Fell Avenue, be conveyed to the Vancouver Port Corporation (VPC) in consideration of:

- (i) VPC’s conveyance to the City of North Vancouver of the fee simple interest of a portion of the bed and foreshore of Burrard Inlet fronting Block 1 of the bed and foreshore of Burrard Inlet lying in front of District Lot 265, Plan 14332 of at least equal area to the said Lot D;
- (ii) VPC’s grant to the City of North Vancouver of a lease or license for nominal consideration to allow public access to some or all of any pier or wharf which may be constructed on the said Lot D;
- (iii) VPC’s grant to the City of North Vancouver of a twenty year lease at nominal rent to allow public access to the foreshore of Burrard Inlet fronting the said Block 1.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Councillor Sharp and Councillor Perrault entered the meeting.

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

9.1 (d) WCB - Experience Rating Assessment (ERA)
File: 1810-03-01/1800-06

Report: Director of Personnel Services, September 25, 1998

PURSUANT to the report of the Director of Personnel Services dated September 25, 1998, entitled "WCB – Experience Rating Assessment (ERA)":

THAT the letter of the Manager, Personnel & Labour Relations, Greater Vancouver Regional District dated August 14, 1998 attached to the September 25, 1998 report, which outlines preliminary comments to WCB proposals for revisions to the Experience Rated Assessment (ERA) System be endorsed;

AND THAT the endorsement be communicated to the Labour Relations Bureau at its regular meeting scheduled for October 15, 1998.

CARRIED UNANIMOUSLY

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

(e) Greater Vancouver Transportation Authority (GVTA)
File: 1180-37

Report: City Administrator, September 30, 1998

PURSUANT to the report of the City Administrator dated September 30, 1998, entitled "Greater Vancouver Transportation Authority (GVTA)":

THAT all Joint North Shore Council meetings dealing with the Greater Vancouver Transportation Authority issues be held in public, other than for those matters that are consistent with in camera policy.

CARRIED UNANIMOUSLY

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

PURSUANT to the report of the City Administrator dated September 30, 1998, entitled "Greater Vancouver Transportation Authority (GVTA)":

THAT each elected official in attendance at such meetings have only one vote, with no municipality having the right to veto.

CARRIED UNANIMOUSLY

**9.1 (e) Greater Vancouver Transportation Authority (GVTA)
File: 1180-37 – Continued**

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

PURSUANT to the report of the City Administrator dated September 30, 1998, entitled “Greater Vancouver Transportation Authority (GVTA)”:

THAT any future Greater Vancouver Transportation Authority meetings between the five Jurisdictions (City of North Vancouver, District of North Vancouver, District of West Vancouver, Lions Bay and Bowen Island), as far as the City of North Vancouver is concerned, have a majority of the City of North Vancouver Council members in attendance in order to convene said meetings.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“NATIONAL SPACE DAY”, October 16, 1998

“NATIONAL FAMILY WEEK”, October 5-11, 1998

“RONALD MCDONALD HOUSE WEEK”, October 21 – 27, 1998

“NATIONAL IMMUNIZATION WEEK”, October 25 – November 1, 1998

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Items 5.(a), 6.(a)(i), 2.(c),(d),(e) and (f), 3.(b) and (c) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

- (a) **Notice of Contravention: 705 West 15th Street, Lot 14, Block 9, D.L. 265, Plan 1406 – File: 3345-10 15W 705**

Mayor Loucks invited John and Helen Baraskso, owners or owner's representative to come forward and show cause why the City Council should not proceed with the registration against the title. Neither John and Helen Baraskso nor their representative came forward at the invitation of the Mayor.

Moved by Councillor Mussatto, seconded by Councillor Sharp

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 705 West 15th Street, Lot 14, Block 9, D.L. 265, Plan 1406 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

6. **BYLAWS**

- (a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (i) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 1998, No. 7068" (Automatic devices to issue Bylaw Violation Tickets)

be reconsidered.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 7068 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(c) Mrs. Ann Ruth, North Vancouver

Re: 361 East 15th Street – File: 3030-06-03 15E 361

Ms. Ann Ruth, North Vancouver, advised that although she is the owner of 361 East 15th Street, she does not live at that address but at 339 East 15th Street. She requested members of Council to waive the owner occupancy requirement for secondary suites so that she can continue having her tenant of 13 years live at 361 East 15th Street.

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

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT Item 4.(j) on the agenda be brought forward for consideration at this time.

CARRIED

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF – Continued

(j) Secondary Suites – Owner Occupancy Requirement, 361 East 15th Street, North Vancouver – File: 3345-02/3030-06-03 15E 361

Report: Administrative Manager, Development Services,
September 30, 1998

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager, dated September 30, 1998, entitled “Secondary Suites – Owner Occupancy Requirement, 361 East 15th Street, North Vancouver, BC”:

THAT this report be referred to the Social Planning Advisory Committee, the Advisory Planning Commission, the Affordable Housing Task Force and the City Solicitor for comment.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(d) **F.M. Rany Ratushny, Vice President, Pacific Asset Management Corporation**

Re: 365 East 2nd Street, North Vancouver – File: 3400-05 2E 365

Mr. Rany Ratushny, Vice President, Pacific Asset Management Corporation, gave a brief history of the Westbrook Apartments located at 365 East 2nd Street, North Vancouver.

He advised that the property owner is not prepared to pay monies to the Affordable Housing Fund under the terms currently outlined in the City's Multiple Unit Building Suite Conversion Guidelines.

He requested that members of Council endorse the City Planner's alternate resolution:

“THAT Development Services be directed to process the rezoning application to legalize five additional suites at 365 East 2nd Street.”

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

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT Item 4.(k) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF – Continued

(k) **Rezoning Application – Proposed Legalization of Additional Suites in a Multiple Unit Building at 365 East 2nd Street – Pacific Asset Management Corporation – File: 3400-05 2E 365**

Report: City Planner, Development Services, August 31, 1998

Moved by Councillor Sharp, seconded by Councillor Braithwaite

THAT the “Rezoning Application – Proposed Legalization of Additional Suites in a Multiple Unit Building at 365 East 2nd Street – Pacific Asset Management Corporation” be referred back to staff for a report with respect to the issue of value.

Continued....

4. (k) **Rezoning Application – Proposed Legalization of Additional Suites in a Multiple Unit Building at 365 East 2nd Street – Pacific Asset Management Corporation – File: 3400-05 2E 365 - Continued**

A recorded vote was taken on the motion.

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

Voting against: Councillor Mussatto
Councillor Fearnley

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

2. **DELEGATIONS - Continued**

(e) **Denis Braun, President, Celebration Gardens**

Re: Columbaria Niches – File: 4215-01

Mr. Denis Braun, President, Celebration Gardens, presented a model of interlocking urn columbariums for cremated remains. He advised that civic plazas, library and museum grounds, church courtyards, university commons, golf courses, and ballparks are appropriate sites for his Gardens.

He advised that he would be considering Hamersley House as a suitable site for a memorial garden in a future presentation to Council.

Mr. Braun circulated photographs of the City of North Vancouver cemetery.

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

(f) **Patrick and Debbie Kinney, Cycle-stop Displays**

Re: Cycle-stop Program – File: 4150-15-02

Patrick and Debbie Kinney, Cycle-stop Displays, updated members of Council on the service they have provided to the City of North Vancouver with free bicycle parking for the last 2 years.

They requested that the City of North Vancouver extend their contract for an additional three years.

Members of the delegation then responded to questions from members of Council.

3. CORRESPONDENCE

(b) Denis Braun, President, Celebration Gardens, August 31, 1998

Re: Columbaria Niches – File: 4215-01

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the correspondence dated August 31, 1998 received from Denis Braun, President, Celebration Gardens regarding “Columbaria Niches” be received and filed.

CARRIED UNANIMOUSLY

(c) Debbie Kinney, Cycle-stop Displays, received June 16, 1998

Re: Cycle-stop Program – File: 4150-15-02

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the correspondence received June 16, 1998 from Cycle-stop Displays regarding “Cycle-stop Program” be referred to the City Engineer for a report.

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT Items 3(a), 4(b), (d), (i), 5(b), 6.(c)(i), 4.(l), (m) and 3(d) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE – Continued

**(a) George Fiala, President, Quest Outreach Society,
September 20, 1998**

Re: Special Thanksgiving Dinner Donation – File: 1670-03-01

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT a donation of \$100. be forwarded to the Quest Outreach Society to assist with the cost of putting on a special Thanksgiving Dinner for needy persons;

AND THAT the funding be taken from the General Contingency Account.

CARRIED UNANIMOUSLY

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

(b) **Proposed Family Recreation Centre, Arcade – File: 3045-04-01**

Report: Property Use Inspector, Development Services,
September 30, 1998

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Property Use Inspector, dated September 30, 1998, entitled “Proposed Family Recreation Centre”:

THAT the correspondence dated August 19, 1998, received from AliMohammad Goldan and Zia Rahimi be received and filed.

CARRIED UNANIMOUSLY

(d) **Pet Establishment Bylaw – File: 3010-01**

Report: Property Use Inspector, Development Services,
September 22, 1998

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Property Use Inspector, dated September 22, 1998, entitled “Pet Establishment Bylaw”:

THAT the “Pet Establishment Regulation Bylaw, 1998, No. 7040” be amended.

CARRIED UNANIMOUSLY

(i) **Heritage Services Centre and the District of North Vancouver Library in Lynn Valley – File: 1085-03-N5-01**

Report: Director, North Vancouver Museum & Archives,
September 30, 1998

Moved by Councillor Perrault, seconded by Councillor Sharp

PURSUANT to the report of the Director, North Vancouver Museum & Archives, dated September 30, 1998, entitled “Heritage Services Centre and the District of North Vancouver Library in Lynn Valley”:

THAT the concept of moving the “Heritage Services” operations of the North Vancouver Museum and Archives to a facility in Lynn Valley in the District of North Vancouver is supported in principle, including the relocation of portions of the Museum and the Archives’ collections which will continue to be owned by the City of North Vancouver and held in trust by the North Vancouver Museum and Archives Commission for the education and enjoyment of all citizens of North Vancouver;

Continued....

4. (i) **Heritage Services Centre and the District of North Vancouver Library in Lynn Valley – File: 1085-03-N5-01 - Continued**

PROVIDED THAT the corporate municipal records of the City of North Vancouver remain in the City and accessible to the public as best determined through an operational agreement between the City Clerk, the Archivist of the North Vancouver Museum and Archives Commission, and the City Librarian;

THAT the City of North Vancouver expects the District of North Vancouver, in partnership with the North Vancouver Museum and Archives Commission, to fund the capital costs of the proposed Heritage Services Centre as part of the new District Library Building in Lynn Valley;

THAT the City of North Vancouver expects to continue its 25-year commitment to the operations of the Museum and Archives and to share in funding the annual operating costs of the Museum and Archives as per the North Vancouver Museum and Archives Commission Establishment Bylaw 6719 (November 1995);

THAT the North Vancouver Museum and Archives Commission be requested to report from time to time on the progress of the proposed Lynn Valley Library/Heritage Services Centre building project, particularly with respect to future operating costs;

AND THAT at an appropriate time and if the move of all or part of the operations of the Museum and Archives seems likely, the Presentation House Cultural Society be asked to report to Council concerning the potential use of any vacant space in Presentation House and the financial impact on the Society and other organizations presently working out of Presentation House.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION - Continued**

(b) **Public Education about the Nisga'a Treaty – File: 1195-11-A6/1155-06-11**

Moved by Councillor Sharp, seconded by Councillor Mussatto

WHEREAS the City of North Vancouver takes its' responsibility seriously regarding the provision of information that may directly affect its' citizens;

AND WHEREAS the proposed treaty with the Nisga'a people may have an impact on the City's citizens;

AND WHEREAS there is conflicting information in the newsprint and through political leaders regarding the proposed terms and conditions of this Nisga'a Treaty;

Continued....

5. (b) **Public Education about the Nisga'a Treaty – File: 1195-11-A6/1155-06-I1 - Continued**

AND WHEREAS certain exchanges of information will assist the public in obtaining facts upon which they can then make their own choices;

AND WHEREAS it is also imperative that the Council of the City of North Vancouver also have such information at its' disposal;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver provide a public meeting for the purpose of exchanging information on this important issue of the Nisga'a Treaty;

AND BE IT FURTHER RESOLVED THAT such public meeting invite Mr. Jack Ebbels, Deputy Minister of Aboriginal Affairs who was the chief negotiator for the Province of British Columbia, Mr. John Watson, Regional Director for Indian and Northern Affairs Canada, and a further representative of the Nisga'a people, of their choice;

AND THAT the Provincial Government, Federal Government, Native Groups, other groups and individuals, be invited to display and distribute copies of the Nisga'a Land Claims Agreement and related materials in the lobby of the City Hall until the date of the Special Public Meeting;

AND THAT access to the Nisga'a Land Claims Agreement and appendixes be provided in electronic format on the City of North Vancouver's web page at www.cnv.org.

CARRIED UNANIMOUSLY

6. **BYLAWS – Continued**

(c) **Second and Third Readings**

(i) "Pet Establishment Regulation Bylaw, 1998, No. 7040"

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT the July 20, 1998 resolution of Council which reads as follows **be rescinded**:

"**THAT** the said Bylaw No. 7040, as amended, be read a third time and passed subject to reconsideration."

CARRIED UNANIMOUSLY

Continued....

6. (c) Second and Third Readings – Continued

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT the second reading of Bylaw No. 7040 be amended by:

- (1) adding a new Clause (e) to Section 11. i.:
“(e) A certificate, signed by a veterinarian, which indicates proof of inoculation and de-worming.”
- (2) adding the following words to Section 13. (b):
“except for those birds separated for the purpose of hand feeding.”
- (3) adding the following words to Section 13.(c):
“except in the case of Canaries”.
- (4) deleting the wording in Section 5.(ii)(d) in its entirety and replacing it with the following wording:
“For puppies; each puppy shall be kenneled in a housing unit which shall have a floor with an impermeable surface and of solid construction which will support the puppy’s weight without bending and be of such construction that it can be easily cleaned and sanitized;”
- (5) adding a new Clause (f) to Section 13:
“(f) any amphibians or reptiles to be sold, offered for sale, or displayed to the public;”

The vote was taken separately on the following recommendation:

THAT the second reading of Bylaw No. 7040 be amended by:

- (1) adding a new Clause (e) to Section 11. i.:
“(e) A certificate, signed by a veterinarian, which indicates proof of inoculation and de-worming.”
- (2) adding the following words to Section 13. (b):
“except for those birds separated for the purpose of hand feeding.”
- (3) adding the following words to Section 13.(c):
“except in the case of Canaries”.

Continued....

6. (c) **Second and Third Readings – Continued**

- (4) deleting the wording in Section 5.(ii)(d) in its entirety and replacing it with the following wording:

“For puppies; each puppy shall be kenneled in a housing unit which shall have a floor with an impermeable surface and of solid construction which will support the puppy’s weight without bending and be of such construction that it can be easily cleaned and sanitized;”

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Sharp

THAT the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., be waived, and the meeting continue to 11:00 P.M., or until Items 6.(c)(i), 4.(l), 4.(m) and 3.(d) on the agenda have been concluded.

Carried by the Required Two-Thirds Majority of Council Members Present.

The vote was taken separately on the following recommendation:

THAT the second reading of Bylaw No. 7040 be amended by:

- (5) adding a new Clause (f) to Section 13:

“(f) any amphibians or reptiles to be sold, offered for sale, or displayed to the public;”

A recorded vote was taken on the motion.

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

Voting against: Councillor Mussatto
Councillor Fearnley

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

The motion on second reading, as amended, of Bylaw No. 7040 was **CARRIED.**

Councillor Fearnley and Councillor Mussatto are recorded as voting contrary to the motion, as amended.

6. (c) Second and Third Readings – Continued

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT the said Bylaw No. 7040, as amended, be read a third time, and passed subject to reconsideration.

CARRIED

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT reconsideration and final adoption of “Pet Establishment Regulation Bylaw, 1998, No. 7040”, as amended, be deferred until the Pet Store owners and other interested members of the community have been invited to appear before Council.

CARRIED UNANIMOUSLY

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

(I) Neighbourhood Pub Application: 850 Marine Drive, North Vancouver – File: 3400-05 MARI 850

Report: Administrative Manager, Development Services,
September 30, 1998

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Administrative Manager, dated September 30, 1998, entitled “Neighbourhood Pub Application: 850 Marine Drive, North Vancouver”:

WHEREAS the City of North Vancouver has considered an application submitted by Cardinal Management Ltd. to amend the City of North Vancouver Zoning Bylaw No. 6700 in order to permit a neighbourhood public house liquor license at 850 Marine Drive, North Vancouver;

AND WHEREAS a neighbourhood survey of residents and businesses within an 800-metre radius of the said site was conducted which resulted in 61.7% of the respondents supporting the issuance of the license;

AND WHEREAS a public hearing, pursuant to Section 890 of the Municipal Act was held on July 13, 1998 and August 10, 1998;

AND WHEREAS the Council of the City of North Vancouver has adopted “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7052” that permits a neighbourhood public house at the said property;

Continued....

4. (l) **Neighbourhood Pub Application: 850 Marine Drive, North Vancouver – File: 3400-05 MARI 850 – Continued**

THEREFORE BE IT RESOLVED THAT:

1. The Council of the City of North Vancouver considers the majority of residents to be in favour of the license being granted;
2. The Council's views on the proposed location are as follows:
 - (a) The site is located in a commercial zone that is approximately 60 metres from residential property and is buffered from the residential property by other commercial buildings. The nearest “drinking establishment” is located approximately 300 metres away (The Avalon Hotel at 1025 Marine Drive)
 - (b) The site is located on a major arterial in the City of North Vancouver and is well served by public transit. Sixteen (16) parking spaces are provided on site.
 - (c) Council has considered noise impacts on the residential property in the area and has attempted to mitigate the impact by having the outdoor patio space located on the south side of the building, away from the residences. Further, the City of North Vancouver has considered the appearance and landscaping of the proposed building and has sought the input of the Advisory Design Panel.
 - (d) The City of North Vancouver recommends that the permitted hours of operation should be consistent with other Class D licensed facilities, namely 11:00 a.m. until 12:00 midnight;

AND THAT a copy of the said report and the report by MarkTrend Research following the neighbourhood survey be forwarded to the Liquor Control and Licensing Branch.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

4. (m) **Application for Funding from the Child Care Capital Improvement Fund – File: 4230-05-02**

Report: Social Planner, Development Services,
September 28, 1998

Moved by Councillor Sharp, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner, dated September 28, 1998, entitled “Application for Funding from the Child Care Capital Improvement Fund”:

THAT the Queen Mary community Services Association receive a grant equal to 50% of the capital improvements to their pre-school and out-of-school care programs up to a maximum of \$7,500 from the Child Care Capital Improvement Fund.

CARRIED UNANIMOUSLY

3. **CORRESPONDENCE - Continued**

(d) **Gary Young, Director of Recreation, North Vancouver Recreation Commission, September 21, 1998**

Re: Sport Travel Grants – File: 4410-01/1670-03-07

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT Sport and Recreation Travel Grants be awarded to:

- Thirteen members of the North Shore In-Line Hockey League Under-12, Under-14, and Under-16 teams for competing in the Canada Cup, in Edmonton, August 14 – 16, 1998, \$30. each for a total of **\$390.00**, and
- Ten members of the North Shore Selects Under-15 Boys, Under-17 Boys, and Under 19 Girls who have qualified to compete in their respective Canadian Soccer Championships in October, 1998, \$30. each for a total of **\$300.00**.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Sharp

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

CARRIED UNANIMOUSLY

3. **CORRESPONDENCE - Continued**

- (e) **Maureen Curtis, Chair, North Vancouver Recreation Commission, September 21, 1998**

Re: Alliance Church – File: 4410-01/3400-05 23E 201-241

Moved by Councillor Sharp, seconded by Councillor Mussatto

THAT the correspondence dated September 21, 1998 received from the North Vancouver Recreation Commission regarding “Alliance Church”, be referred to staff for comment.

CARRIED UNANIMOUSLY

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:46 p.m.