



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>TH</sup> STREET, NORTH VANCOUVER, B.C., ON **MONDAY, DECEMBER 7, 1998 AT 6:00 PM****

**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  
B.A. Hawkshaw, City Clerk  
D.M. Rooke, Assistant City Clerk  
R.H. White, City Planner  
G. Penway, Development Planner  
F. Caouette, Administrative Manager  
M. MacFadyen, Manager, Lands  
T. Christie, Director of Finance  
B. Tulloch, Deputy Director – Finance  
I. Gordon, Manager, Financial Planning

The meeting was called to order at 6:00 p.m.

Moved by Councillor Sharp, seconded by Councillor Dean

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

**CARRIED UNANIMOUSLY**

**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 Dean

**THAT** this item be deferred until the next Regular Meeting of Council on December 14, 1998.

**CARRIED UNANIMOUSLY**

Moved by Councillor Dean, seconded by Councillor Sharp

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

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:02 p.m., and reconvened at 7:32 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 November 23, 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 recommendations of the Committee of the Whole in camera be ratified:

**(a) Appointment to GVTA Public Advisory Committee – File: 1180-37**

Report: City Clerk, December 1, 1998

**PURSUANT** to the report of the City Clerk, dated December 1, 1998, entitled “Appointment to GVTA Public Advisory Committee”:

**THAT** Ms. Ramona Materi be appointed as the City of North Vancouver representative to the Greater Vancouver Transportation Authority Public Advisory Committee for a one year term to conclude December 31, 1999.

**(CARRIED UNANIMOUSLY)**

**(b) Council Appointment to Public Art Steering Committee  
File: 1085-03-N3-01**

**PURSUANT** to the correspondence from the North Shore Arts Commission dated November 25, 1998, entitled “Committee Appointments – Public Art Steering Committee:

**THAT** Councillor B.A. Sharp be appointed as the City of North Vancouver Ex-Officio representative to the Public Art Steering Committee – Phase II.

**(CARRIED UNANIMOUSLY)**

**9.1 (c) Appointment of Deputy City Administrator – File: 1845-01 AD**

**PURSUANT** to the report of the City Administrator dated December 1, 1998 entitled “Appointment of Deputy City Administrator”:

**THAT** Mr. F.A. Smith be appointed as Deputy City Administrator for the period December 1, 1998 to November 30, 1999.

**CARRIED UNANIMOUSLY**

**6. BYLAWS**

**(a) Reconsideration and Final Adoption**

Moved by Councillor Dean, seconded by Councillor Braithwaite that

- (i) “Annual Budget Bylaw, 1998, No. 7017, Amendment Bylaw, 1998, No. 7077”
- (ii) “Dog and Tax Regulation Bylaw, 1988, No. 5852, Amendment Bylaw, 1998, No. 7078” (License Fee Increase)

be reconsidered.

**CARRIED UNANIMOUSLY**

Moved by Councillor Dean, seconded by Councillor Braithwaite

**THAT** the said Bylaw Nos. 7077 and 7078 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** the meeting recess to the Finance Committee Meeting scheduled for this evening.

**CARRIED**

The meeting recessed at 7:37 p.m., and reconvened at 8:13 p.m., with the same personnel present.

## 2. DELEGATIONS

### (a) **David Rickert, 111 East 12<sup>th</sup> Street – File: 3345-10 12E 111**

Re: Application respecting patio decking on sidewalk outside  
111 East 12<sup>th</sup> Street,

Mr. David Rickert provided information including a petition regarding the removal of the patio on the sidewalk at North Van Laundry Services, located at 111 East 12<sup>th</sup> Street. Mr. Rickert advised that although the patio deck contravenes existing bylaws and regulations, he indicated that the deck provides expanded seating facilities for customers waiting for up to 2 hours, as well as pedestrians, particularly seniors, looking for a place to rest. Mr. Rickert requested that Council permit the patio to stay in place.

The delegation then responded to questions from members of Council.

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

### (b) **Unapproved Outdoor Structure – File: 3345-02 12E 111**

Report: Property Use Inspector, Development Services  
November 9, 1998

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**PURSUANT** to the report of the Property Use Inspector, dated November 9, 1998, entitled “Unapproved Outdoor Structure”:

**THAT** staff be directed to try and reach an accommodation with Mr. Rickert, including some sort of rental arrangement and beautification of the sidewalk in front of North Van Laundry located at 111 East 12<sup>th</sup> Street;

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto  
Councillor Sharp  
Councillor Braithwaite  
Councillor Perrault  
Councillor Fearnley

Voting against Councillor Dean  
Mayor Loucks

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

4. (b) **Unapproved Outdoor Structure – File: 3345-02 12E 111**

Report: Property Use Inspector, Development Services  
November 9, 1998

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**PURSUANT** to the report of the Property Use Inspector, dated November 9, 1998, entitled “Unapproved Outdoor Structure”:

**THAT** staff study the possibility of broadening the guidelines City-wide, and particularly with respect to Central and Lower Lonsdale, for non-dining establishments regarding the use of patios or decks on the sidewalk, to provide animation to streets.

**CARRIED**

Councillor Dean is recorded as voting contrary to the motion.

(c) **Financial Implications of Density Bonusing – File: 3310-01**

Report: Director of Finance and Manager, Lands Division  
December 3, 1998

Moved by Coucillor Braithwaite, seconded by Councillor Mussatto

**PURSUANT** to the report of the Director of Finance and Manager, Lands Division, dated November 3, 1998, entitled “Financial Implications of Density Bonusing”:

**THAT** staff be directed to convene a workshop with Mayor and Council and the City Solicitor to consider the following recommendations of the Finance Department and Lands Division and determine their preferences for implementation of the Density Bonusing Program:

1. **THAT** staff be directed to prepare a schedule to be attached to our Density Bonusing Bylaw which lists and details by zone and area the specific amenities, identifying type (which might be cash in lieu), possible location and size. The schedule would also reference parking requirements, construction standards and the level of fit up and finish for the particular type of amenity.
2. **THAT** staff be directed to draft its Density Bonusing Bylaw so that the City can offer developers (and encourage, when in the City’s best interest) an alternative to pay cash in lieu of physical amenities at an amount of 90% of the calculated amenity value.

Continued...

4. (c) **Financial Implications of Density Bonusing – File: 3310-01  
Continued**

Report: Director of Finance and Manager, Lands Division  
December 3, 1998

3. **THAT** the Density Bonusing Program be implemented such that:
  - a) Developers be responsible for the appraisal of lands.
  - b) Land values be discounted 20% for developers (as opposed to 25% recommended in the Brook Report).
  - c) Developers be responsible for providing the City with an acceptable report attesting to the value of the amenity.
  - d) That any shortfall in the value of the amenity contribution be made up by having the developer provide some form of consideration equal to the shortfall, examples of which might include: prepaid strata fees, the provision of furniture, providing contributions toward fit up costs, or provision for ongoing maintenance for a specified period of time
  - e) That a sub-committee of Development Liaison Committee (DLC), to include a member of the Finance Department, be created to consider development proposals and amenities to be provided by developers, with final approval being made by DLC. The Finance Department will provide commentary to DLC on the financial implications of density bonusing projects.
4. **THAT** the conditions of any amenity agreement make clear that the City will have the right to sell amenities in the future, if it so wishes.
5. **THAT** developers be required to demonstrate to the City that the amenities provided meet required construction, safety and usage standards.

**CARRIED UNANIMOUSLY**

Continued...

4. (c) **Financial Implications of Density Bonusing – File: 3310-01  
Continued**

Report: Director of Finance and Manager, Lands Division  
December 3, 1998

**PURSUANT** to the report of the Director of Finance and Manager, Lands Division, dated November 3, 1998, entitled “Financial Implications of Density Bonusing”:

**THAT** staff be directed to convene a workshop with Mayor and Council and the City Solicitor to consider the following recommendations of the Finance Department and Lands Division and determine their preferences for implementation of the Density Bonusing Program:

6. **AND THAT** the City reconsider the implementation of the Density Bonusing Bylaw in selected zones and implement it City wide. The Council resolution of May 11, 1998, which establishes new density bonusing provisions for the C-1A and C-1B zones, would need to be rescinded and staff would need to be directed to prepare draft zoning amendments for all but the City’s LL zones.

Moved by Councillor Dean, seconded by Councillor Mussatto

**THAT** resolution No. 6 be amended by adding the words “for all zones at the same time, with the exception of the Lower Lonsdale zones.”, after the words “City-wide”.

A recorded vote was taken on the amendment to the motion.

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

Voting against Councillor Braithwaite

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

The amendment to the motion was then **CARRIED.**

Councillor Braithwaite is recorded as voting contrary to the motion.

**4. (d) Waterfront Industry Noise Control Committee – File: 1085-03-N2-05**

Report: City Clerk, November 30, 1998

Moved by Councillor Braithwaite, seconded by Councillor Dean

**PURSUANT** to the report of the City Clerk, dated November 30, 1998, entitled “Waterfront Industry Noise Control Committee”:

**THAT** the Noise Control Committee be renamed the “Waterfront Industry Noise Control Committee” and the Terms of Reference be amended to reflect the name change.

**CARRIED UNANIMOUSLY**

**(e) Streamline House Development – Stratification – File: 3365-08-03**

Report: Planning Technician, Development Services  
November 24, 1998

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**PURSUANT** to the report of the Planning Technician, dated November 24, 1998, entitled “Streamline House Development – Stratification”:

**THAT** the application to stratify Lot D, Block 118, District Lot 274, Plan LMP 37873 into 10 strata lots be approved subject to the building meeting substantial compliance with the B.C. Building Code;

**AND THAT** the Mayor and the City Clerk be authorized to sign the necessary documents.

**CARRIED UNANIMOUSLY**



4. (f) **North Shore Transit Issues – File: 1180-037-02**

Report: Deputy City Engineer, December 2, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

**PURSUANT** to the report of the Deputy City Engineer, dated December 2, 1998, entitled “North Shore Transit Issues”:

**THAT** Council, notwithstanding the Greater Vancouver Transportation Authority’s (GVTA) potential organizational structure, request Mayor Loucks, the North Shore GVTA representative to formally request the GVTA Board to:

- Implement improvements to North Shore East-West transit routes and schedules;
- Support optimal utilization of bus depot facilities on the North Shore;
- Confirm that all North Shore buses, other than those currently stored in Burnaby, will be stored on the North Shore;
- Provide funds for a third Seabus in the GVTA capital budget by the year 2005; and
- Provide the necessary capital funds for replacement or extended life refit of existing Seabuses by the year 2005.
- Provide the necessary funding to clean up and paint the interior of the B.C. Transit interchange below the ICBC Building.

**CARRIED UNANIMOUSLY**

(g) **Requested Funding for School Playgrounds in the City of North Vancouver – File: 1150-03-03 Q**

Report: Manager, Parks and Environment, November 30, 1998

Moved by Councillor Fearnley, seconded by Councillor Dean

**PURSUANT** to the report of the Manager, Parks and Environment, dated November 30, 1998, entitled “Requested Funding for School Playgrounds in the City of North Vancouver”:

**THAT** School District No. 44 (North Vancouver), be requested to enter into, and sign, the Master Agreement on the Joint Use of Public Facilities with the City of North Vancouver and the North Vancouver Recreation Commission;

**AND THAT** until the Master Agreement and a specific Joint Use Agreement for each playground between the City of North Vancouver and School District No. 44 (North Vancouver) is finalized and signed, consideration of any request for funding to provide facilities on school lands be deferred;

Continued...

4. (g) **Requested Funding for School Playgrounds in the City of North Vancouver – File: 1150-03-03 Q - Continued**

Report: Manager, Parks and Environment, November 30, 1998

**PURSUANT** to the report of the Manager, Parks and Environment, dated November 30, 1998, entitled “Requested Funding for School Playgrounds in the City of North Vancouver”:

**AND THAT** Mayor J.E. Loucks send a letter to the Chair of School District No.44 North Vancouver), and request a meeting to discuss the Master Agreement between the City of North Vancouver, the North Vancouver Recreation Commission, and School District No. 44 (North Vancouver).

**AND THAT** the Queensbury Elementary Parent Advisory Council and the Ridgeway Annex Parent Advisory Council representatives be so informed.

**CARRIED UNANIMOUSLY**

(h) **Requested Area for Dogs to Run Off-Leash in Parks – File: 4300-72**

Report: Manager, Parks and Environment, November 30, 1998

Moved by Councillor Braithwaite, seconded by Councillor Perrault

**PURSUANT** to the report of the Manager, Parks and Environment, dated November 30, 1998, entitled “Requested Area for Dogs to Run Off-Leash in Parks”:

**THAT** any proposed expansion of Dogs Off-leash areas be referred to the Parks and Recreation Committee for consideration at a public meeting.

**CARRIED**

Councillor Dean is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Perrault

**THAT** the requirement 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 to complete the agenda.

**DEFEATED**

Moved by Councillor Mussatto, seconded by Councillor Perrault

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

**CARRIED UNANIMOUSLY**

4. (o) **720 West 2<sup>nd</sup> Street – Request to Waive Zoning Bylaw**  
**File: 3345-02 2W 720**

Report: Planning Technician, Development Services  
November 30, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

**PURSUANT** to the report of the Planning Technician, dated November 30, 1998 entitled “720 West 2<sup>nd</sup> Street – Request to Waive Zoning Bylaw”:

**THAT** the Manager, Inspections be directed to issue a building permit for a header house building on the Works Yard site at variance with the requirements of the Zoning Bylaw, and based on the Stopping Up and Closing of a portion of West Third Street road allowance, as outlined in the subject report.

**CARRIED UNANIMOUSLY**

(i) **Request of the North Shore BMX Club for a Permanent BMX Bicycling Facility – File: 4425-01**

Report: Manager, Parks and Environment, November 30, 1998

Moved by Councillor Mussatto, seconded by Councillor Sharp

**PURSUANT** to the report of the Manager, Parks and Environment, dated November 30, 1998, entitled “Request of the North Shore BMX Club for a Permanent BMX Bicycling Facility”:

**THAT** the request, attached to the November 30, 1998 report, from the North Shore BMX Club be referred to the Recreation Commission, Sports Council, and Outdoor Recreation Advisory Committee for comment.

**CARRIED UNANIMOUSLY**

**4. (j) Commercial Refuse Collection – 1999 Tag Fee – File: 4050-09-02**

Report: City Engineer, December 1, 1998

Moved by Councillor Mussatto, seconded by Councillor Fearnley

**PURSUANT** to the report of the City Engineer, dated December 1, 1998, entitled “Commercial Refuse Collection – 1999 Tag Fee”:

**THAT** the cost of a Commercial Refuse Tag be increased in accordance with the three-year phase-in program approved in 1998 as follows:

1998	\$1.30
1999	\$1.70
2000	\$2.30

**CARRIED UNANIMOUSLY**

**(k) Lower Lonsdale Sidewalk Standards – File: 4150-15-03**

Report: Technical Assistant IV, Engineering Department  
November 24, 1998

Moved by Councillor Dean, seconded by Councillor Mussatto

**PURSUANT** to the report of the Technical Assistant IV, dated November 24, 1998, entitled “Lower Lonsdale Sidewalk Standards”:

**THAT** the proposed interim minimum sidewalk standards be adopted;

**AND THAT** staff be directed to present finalized standards subsequent to detailed design of the selected 1<sup>st</sup> Street Plaza concept.

**CARRIED**

**10. ADJOURNMENT**

Moved by Councillor Dean, seconded by Councillor Sharp

**THAT** the meeting adjourn.

**CARRIED**

The meeting adjourned at 10:30 p.m.