



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON MONDAY, APRIL 12, 1999 AT 6:00 P.M.

PRESENT:

COUNCIL MEMBERS

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

STAFF MEMBERS

A.K. Tollstam, City Administrator
B.A. Hawkshaw, City Clerk
D.M. Rooke, Assistant City Clerk
F.A. Smith, Director, Development Servs.
R.H. White, City Planner
J. Laughlin, City Engineer
G. Penway, Development Planner
B. Spencer, Development Planner
B. Granger, Manager, Parks & Environment
F. Caouette, Administrative Manager

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

Moved by Councillor Dean, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

8. ANY OTHER BUSINESS

(a) Municipal Role in Energy Planning – File: 4165-05

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the subject of the “Municipal Role in Energy Planning”, be added to the agenda as Item 8(a).

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, 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 6:03 p.m., and reconvened at 7:02 p.m., with the same personnel present and with the addition of Councillor Braithwaite, Councillor Perrault and Councillor Sharp.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of March 29, 1999 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Cemetery Master Plan Update – File: 4215-01

Report: Planner, Engineering Department, April 8, 1999

PURSUANT to the report of the Planner dated April 8, 1999, entitled “Cemetery Master Plan Update”:

THAT Councillor S.J. Dean be appointed to participate as a member of a newly established Cemetery Focus Group for the duration of the Master Plan Process.

(CARRIED UNANIMOUSLY)

(b) Personnel Matter – File: 1805-01

Verbal Report: City Administrator

THAT the action taken by the Committee of the Whole in camera with respect to a Personnel matter, be ratified;

AND THAT the wording of the resolution remain in camera.

(CARRIED UNANIMOUSLY)

9.1 (c) Amend Terms of Reference for North Shore Family Court & Youth Justice Committee – File: 1085-03-N11-01

Correspondence: Chair, North Shore Family Court & Youth Justice Committee, February 23, 1999

PURSUANT to the correspondence dated February 23, 1999 from the Chair, North Shore Family Court & Youth Justice Committee, entitled “Amend Terms of Reference for North Shore Family Court & Youth Justice Committee”:

AND THAT the Terms of Reference of this Committee be amended as and where necessary to allow an increase of professional members from six to eight.

(CARRIED UNANIMOUSLY)

(d) Appointments to the North Shore Family Court & Youth Justice Committee – File: 1085-03-N11-01

Report: City Clerk’s Department, April 6, 1999

PURSUANT to the report of the City Clerk’s Department, dated April 6, 1999, entitled “Appointments to the North Shore Family Court & Youth Justice Committee”:

THAT the following appointments be made to the North Shore Family Court & Youth Justice Committee for a one year term to expire on December 31, 1999:

Mr. David Walsoff (Lawyer/Justice System)
Ms. Diane Whiteley (Education),

and City of North Vancouver Member at Large:
Ms. Stephanie Samaridis

(CARRIED UNANIMOUSLY)

9.1 (e) Future UBCM Convention Locations – File: 1040-03-U1-02

Memorandum: UBCM Convention Committee, March 23, 1999

PURSUANT to the memorandum from the UBCM Convention Committee dated March 23, 1999, entitled “Future UBCM Convention Locations”:

THAT Option 2 be selected, which indicates the location schedule to be modified as follows:

1998	Penticton	2003	Penticton
1999	Vancouver	2004	Vancouver
2000	Victoria	2005	Victoria
2001	Whistler	2006	Whistler
2002	Kelowna	2007	Kelowna

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration and Final Adoption

Moved by Councillor Dean, seconded by Councillor Sharp that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7110”
(Rubin, 405 East 4th Street, Text Amendment to CD-130)

be reconsidered.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor

THAT the said Bylaw No. 7110, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the meeting recess to the Court of Revision scheduled for this evening.

CARRIED

The meeting recessed at 7:06 p.m., and reconvened at 7:13 p.m. with the same personnel present.

6. BYLAWS continued

(b) Introduction and First Three Readings

Moved by Councillor Dean, seconded by Councillor Sharp that

- (i) "Lane North of East 13th Street between Ridgeway and Moody Avenues, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7113"
- (ii) "Lane North of East 18th Street Between St. George's and St. Andrew's Avenues, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7114"
- (iii) Lane with Speed Arrestors North of East 12th Street between St. Andrew's and Ridgeway Avenues, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7115"
- (iv) "Lane North of East 8th Street between Moody Avenue and the West-side of Grand Boulevard, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7116"
- (v) "Lane North of West 14th Street between Bewicke Avenue and Mahon Park, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7117"
- (vi) "Lane North of West 14th Street, West of Forbes Avenue, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7118"
- (vii) "Lane with Speed Arrestors on the North/South Portion of the Lane North of East 13th Street between Sutherland Avenue and East Grand Boulevard, Local Improvement Initiative Frontage-tax Bylaw, 1999, No. 7119"

be introduced and read for 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 Sharp

THAT the said Bylaws Nos. 7113, 7114, 7115, 7116, 7117, 7118 and 7119 be read a second time in short form.

CARRIED

continued..

6. (b) Introduction and First Three Readings - *continued*

Moved by Councillor Dean, seconded by Councillor Sharp

THAT the said Bylaws Nos. 7113, 7114, 7115, 7116, 7117, 7118 and 7119 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

PROCLAMATIONS

The Mayor read the following Proclamations:

“CANADA BOOK DAY, APRIL 23, 1999

“ARMENIAN MEMORIAL DAY”, APRIL 24, 1999

“DAY OF MOURNING”, APRIL 28, 1999

“NATIONAL VOLUNTEER WEEK”, APRIL 18-24, 1999

“NV YOUTH BAND WEEK”, MAY 2-8, 1999

“CHILD CARE MONTH”, MAY, 1999

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

(a) **Street Vending – File: 3045-04-18**

Policy Committee Recommendation, March 29, 1999:

Moved by Councillor Fearnley, seconded by Councillor Sharp

PURSUANT to the report of the Property Use Inspector, dated March 24, 1999, entitled “Street Vending”:

THAT staff be directed to report back to Council with more options related to fairness to businesses and the fees to be charged.

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT Ms. Gisele Yasmeen be heard.

CARRIED UNANIMOUSLY

continued...

4. (a) Street Vending – File: 3045-04-18 - *continued*

Policy Committee Recommendation, March 29, 1999:

Ms. Yasmeen advised that she has been studying the impact of street foods on urbanisation, entrepreneurship and the quality of public life.

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

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.

(b) Tree Policy – File: 4310-08

Policy Committee Recommendation, March 29, 1999:

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the Manager, Parks and Environment, dated March 12, 1999, entitled “City of North Vancouver Tree Policy”:

THAT the “Tree Policy”, and the summary document detailing the issues and responses that were received by the Engineering Department on the “Draft Tree Policy”, be endorsed.

CARRIED UNANIMOUSLY

(c) Adaptable Design Guidelines – Cost Study – File: 3365-10-01

Report: Social Planner, Development Services, April 6, 1999

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner, dated April 6, 1999, entitled “Adaptable Design Guidelines – Cost Study”:

continued...

4. (c) **Adaptable Design Guidelines – Cost Study – File: 3365-10-01**

Report: Social Planner, Development Services, April 6, 1999

THAT the Level 2 and Level 3 Adaptable Design Guidelines continue to be implemented on a voluntary or negotiated basis for one year of monitoring during the construction of several developments incorporating Adaptable Design;

AND THAT a summary of the Cost Study be made available for public use;

AND THAT this report and attachments be sent to the Advisory Design Panel, Advisory Planning Commission, the Social Planning Advisory Committee and the Advisory Committee on Disability Issues for their information;

AND THAT these advisory bodies be requested to participate in the review of the Guidelines after the year of monitoring Adaptable Design developments.

CARRIED UNANIMOUSLY

(d) **Community Heroes Award Program – File: 1085-01**

Report: Social Planner, Development Services, April 1, 1999

Moved by Councillor Mussatto, seconded by Councillor Dean

PURSUANT to the report of the Social Planner, dated April 1, 1999, entitled “Community Heroes Award Program”:

THAT the Community Heroes Award Program nomination process and form noted in the said report be adopted and implemented.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the meeting recess to the Public Meeting scheduled for this evening.

CARRIED

The meeting recessed at 8:03 p.m., and reconvened at 10:00 p.m., with the same personnel present.

Moved by Councillor Dean, seconded by Councillor Perrault

THAT Item 6(c) on the agenda, be brought forward for consideration at this time.

CARRIED

6. **BYLAWS continued**

(c) **Second Reading Only**

Moved by Councillor Dean, seconded by Councillor Perrault, that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7129"
(Michael Katz/Katz Architecture Ltd./201-205 Lonsdale Avenue,
Barraclough Block, CD-383)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Dean, seconded by Councillor Perrault

THAT the March 29, 1999 resolution authorizing a Public Hearing be amended to read:

THAT the Public Hearing to consider "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7129" (Michael Katz/Katz Architecture Ltd./ 201-205 Lonsdale Avenue, Barraclough Block, CD-383) be waived.

CARRIED

Moved by Councillor Perrault, seconded by Councillor Fearnley that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7130"
(Moodyville Development Corp./Darrell Epp Architect Ltd., 78/90
Lonsdale Avenue, Aberdeen Block, CD-384)

be read a second time in short form.

Moved by Councillor Mussatto, seconded by Councillor Dean

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 to complete the agenda.

CARRIED UNANIMOUSLY

continued...

6. **BYLAWS continued**

(c) **Second Reading Only - continued**

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7130"
(Moodyville Development Corp./Darrell Epp Architect Ltd., 78/90
Lonsdale Avenue, Aberdeen Block, CD-384)

A recorded vote was taken on the motion.

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

Voting against: Councillor Mussatto
Councillor Sharp
Councillor Braithwaite

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

Moved by Councillor Fearnley, seconded by Councillor Dean

THAT the March 29, 1999 resolution authorizing a Public Hearing be amended to read:

THAT the Public Hearing to consider "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7130" (Moodyville Development Corp./Darrell Epp Architect Ltd., 78/90 Lonsdale Avenue, Aberdeen Block, CD-384) be waived.

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite

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

continued..

6. (c) Second Reading Only - *continued*

Moved by Councillor Braithwaite, seconded by Councillor Dean that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7131" (Lions Gate Studios, 555 Brooksbank Avenue, Text Amendment, CD-132)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Dean

THAT the March 29, 1999 resolution authorizing a Public Hearing be amended to read:

THAT the Public Hearing to consider "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7131" (Lions Gate Studios, 555 Brooksbank Avenue, Text Amendment, CD-132) be waived.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

(a) David W. Nichols Architect Ltd., April 7, 1999

Re: West Addition and Staged Renovations – City Hall
File: 1065-02-06-01

Moved by Councillor Sharp, seconded by Councillor Perrault

PURSUANT to the correspondence dated April 7, 1999 received from David W. Nichols Architect Ltd., entitled "West Addition and Staged Renovations – City Hall":

THAT this correspondence be received and filed.

CARRIED UNANIMOUSLY

Moved by Councillor Sharp, seconded by Mayor Loucks

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 p.m., be waived and the meeting continue after 11:00 p.m., to complete items on the agenda.

Continued....

A recorded vote was taken on the motion.

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

Voting against: Councillor Braithwaite

The motion was **DEFEATED** because the required unanimous approval of Council members present was not received.

Moved by Councillor Mussatto, seconded by Mayor Loucks

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 p.m., be waived and the meeting continue past 11:00 p.m., to complete urgent items only.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the following items on the agenda be brought forward for consideration at this time:

Item 4(e)
Items 6(a)(ii) and 6(a)(iii)
Items 4(g), 4(k)
Item 6(b)(ix)
Item 8(a)

CARRIED UNANIMOUSLY

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

(e) **Civic Centre Renovation Project; Costs and Funding**
– File: 1065-02-06-01

Report: Deputy Director of Finance, April 7, 1999

Moved by Councillor Mussatto, seconded by Councillor Sharp

PURSUANT to the report of the Deputy Director of Finance, dated April 7, 1999, entitled “Civic Centre Renovation Project; Costs and Funding”:

THAT this report be received and filed.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

6. **BYLAWS** *continued*

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

Moved by Councillor Mussatto, seconded by Councillor Sharp that

- (ii) “Tax Sale Lands Reserve Fund Expenditure Bylaw, 1999, No. 7120” (1999 Capital Works Program)

be reconsidered.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the said Bylaw No. 7120 be finally adopted, signed by the Mayor and City Clerk, and sealed with the Corporate Seal.

CARRIED

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

6. (a) Reconsideration and Final Adoption - *continued*

Moved by Councillor Mussatto, seconded by Councillor Fearnley that

- (iii) "General Building Reserve Fund Expenditure Bylaw, 1999, No. 7121" (1999 Capital Works Program)

be reconsidered.

CARRIED

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 7121 be finally adopted, signed by the Mayor and City Clerk, and sealed with the Corporate Seal.

CARRIED

Councillor Dean is recorded as voting contrary to the motion.

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

- (g) **City of North Vancouver Ticketing Information Utilization Bylaw Amendment, Smoking Regulation Bylaw – File: 4230-03**

Report: Property Use Inspector, Development Services
April 6, 1999

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Property Use Inspector, dated April 6, 1999, entitled "City of North Vancouver Ticketing Information Utilization Bylaw Amendment, Smoking Regulation Bylaw":

THAT "City of North Vancouver Ticketing Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 1999, No. 7134" (Smoking), be considered

CARRIED UNANIMOUSLY

4. (k) **Thain Creek Culvert Replacement – Selection of Final Design
File: 4037-03-T1**

Report: Assistant City Engineer, April 7, 1999

Moved by Councillor Fearnley, seconded by Councillor Sharp

PURSUANT to the report of the Assistant City Engineer, dated April 7, 1999, entitled “Thain Creek Culvert Replacement – Selection of Final Design”:

THAT the Open Channel Design Option No. 4 be endorsed subject to acquisition of suitable right-of-way and maintenance access agreements with private properties and senior government agencies as necessary.

CARRIED UNANIMOUSLY

6. **BYLAWS continued**

(b) **Introduction and First Three Readings - continued**

Moved by Councillor Dean, seconded by Councillor Fearnley that

- (ix) “City of North Vancouver Ticketing Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 1999, No. 7134” (Smoking)

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

CARRIED

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the said Bylaw No. 7134 be read a second time in short form.

CARRIED

Moved by Councillor Dean, seconded by Councillor Fearnley

THAT the said Bylaw No. 7134 be read a third time in short form and passed subject to reconsideration.

CARRIED

8. **ANY OTHER BUSINESS - Continued**

(a) **Municipal Role in Energy Planning – File: 4165-05**

Moved by Councillor Fearnley, seconded by Councillor Dean

WHEREAS British Columbia municipalities believe in energy efficiency and energy planning;

AND WHEREAS a number of Councillors from various Greater Vancouver Regional District municipalities, including the City of North Vancouver, are meeting on a regular basis to discuss energy planning matters;

AND WHEREAS all informed persons are concerned about greenhouse gases and global warming;

THEREFORE BE IT RESOLVED THAT the Union of British Columbia Municipalities petition the Minister responsible for Municipal Affairs to allow statements concerning energy efficiency and energy planning in Official Community Plans;

AND THAT the Union of British Columbia Municipalities forms a sub-committee to deal with energy planning matters;

AND THAT the Union of British Columbia Municipalities petition the Minister responsible for Municipal Affairs for changes to the Municipal Act to allow municipalities the power to implement energy planning and energy efficiency standards in their communities.

CARRIED

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Dean

THAT the meeting adjourn.

CARRIED

The meeting adjourned at 11:10 p.m.