



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, SEPTEMBER 27,**
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
S.E. Dowey, Deputy City Clerk
J. Laughlin, City Engineer
F.A. Smith, Director, Development Services
T. Christie, Director of Finance
R.H. White, City Planner
F. Caouette, Administrative Manager, Dev. Servs.
B. Granger, Manager, Parks & Environment
K. Russell, Planner, Engineering Department
D. Turner, Parks Superintendent
P. Melville, Acting Manager, Inspections
B. Penman, Acting Fire Chief
D. Burgess, Assistant Chief, Fire Prevention
R. Inglis, Director, North Vancouver Museum & Archives

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

9. CONFIDENTIAL REPORTS

Moved by Councillor Dean, seconded by Councillor Fearnley

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

CARRIED UNANIMOUSLY

The meeting recessed at 6:01 p.m., and reconvened at 7:43 p.m., with the same personnel present and with the addition of Councillor Braithwaite.

1. ADOPTION OF MINUTES

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of September 20, 1999 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(b) **Hamersley House – 350 East 2nd Street – File: 3375-10-02**

Report: Property Valuator/Negotiator, Development Services,
September 21, 1999

PURSUANT to the report of the Property Valuator/Negotiator dated September 21, 1999, entitled “Hamersley House – 350 East 2nd Street”:

THAT staff report back on specific details, strategy and timing of a multi-phase project which contemplates:

- A reconfiguration of the Hamersley House Site as described in the September 21, 1999 report.

Councillor Perrault and Councillor Sharp entered the meeting.

CARRIED UNANIMOUSLY

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

PURSUANT to the report of the Property Valuator/Negotiator dated September 21, 1999, entitled “Hamersley House – 350 East 2nd Street”:

THAT staff report back on specific details, strategy and timing of a multi-phase project which contemplates:

- The marketing of a portion of the reconfigured Hamersley House site for in-fill development.

A recorded vote was taken on the motion.

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

Voting against: Councillor Fearnley
Councillor Dean

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

**9.1 (b) Hamersley House – 350 East 2nd Street – File: 3375-10-02
- Continued**

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

PURSUANT to the report of the Property Valuator/Negotiator dated September 21, 1999, entitled “Hamersley House – 350 East 2nd Street”:

THAT staff report back on specific details, strategy and timing of a multi-phase project which contemplates:

- A Request for Proposals for the re-use of the Hamersley House for Public Use.

A recorded vote was taken on the motion.

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

Voting against: Nil

The motion was **CARRIED UNANIMOUSLY** by a vote of seven to nil.

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

PURSUANT to the report of the Property Valuator/Negotiator dated September 21, 1999, entitled “Hamersley House – 350 East 2nd Street”:

THAT staff report back on specific details, strategy and timing of a multi-phase project which contemplates:

- Other potential areas of funding in order that the City may maintain ownership and upgrades as it currently stands, including the land;

AND THAT a copy of the September 21, 1999 report and the Robert Lemon report be provided to the Heritage Advisory Commission for their review and comments.

CARRIED UNANIMOUSLY

9.1 (b) **Hamersley House – 350 East 2nd Street – File: 3375-10-02
- Continued**

The resolution now reads as follows:

“PURSUANT to the report of the Property Valuator/Negotiator dated September 21, 1999, entitled “Hamersley House – 350 East 2nd Street”:

THAT staff report back on specific details, strategy and timing of a multi-phase project which contemplates:

- A reconfiguration of the Hamersley House Site as described in the September 21, 1999 report;
- The marketing of a portion of the reconfigured Hamersley House site for in-fill development;
- A Request for Proposals for the re-use of the Hamersley House for Public Use;
- Other potential areas of funding in order that the City may maintain ownership and upgrades as it currently stands, including the land;

AND THAT a copy of the September 21, 1999 report and the Robert Lemon report be provided to the Heritage Advisory Commission for their review and comments.”

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

(c) **North Shore Health Region Liaison Meeting Update –
File: 1085-03-N22-01**

Verbal Report: Councillor R.J. Fearnley

THAT the North Shore Health Regional Board be invited to come before Council, in camera, to make a presentation regarding their future plans;

AND THAT the Director of Development Services be requested to provide Council with a map of that area to the east of St. Andrew’s Avenue indicating the zoning and the Official Community Plan designation of the hospital owned lands.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Loucks read the following Proclamations:

“MAHATMA GANDHI DAY”, OCTOBER 2, 1999

“FIRE SERVICE RECOGNITION DAY”, OCTOBER 9, 1999

“FIRE PREVENTION WEEK”, OCTOBER 3 – 9, 1999

“RENOVATION MONTH”, OCTOBER, 1999

“UNICEF MONTH”, OCTOBER, 1999

2. DELEGATIONS

(a) Mr. Chuck Brook, Consultant, Brook Development Planning Inc.

Re: Windmill Structure, 2311 Mahon Avenue – File: 3345-02

Mr. Chuck Brook, Consultant, Brook Development Planning Inc., appeared on behalf of Mr. Rodney Phelps, resident of 2311 Mahon Avenue and requested members of Council to direct staff to undertake a neighbourhood survey to determine the level of support or opposition to the windmill structure located at 2311 Mahon Avenue.

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

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Windmill Structure–2311 Mahon Avenue – File: 3345-02

Report: Property Use Inspector, Development Services,
September 9, 1999

Moved by Councillor Fearnley seconded by Councillor Mussatto

PURSUANT to the report of the Property Use Inspector, dated September 9, 1999, entitled “Windmill Structure – 2311 Mahon Avenue”:

THAT Option 2 of the September 9, 1999 report, which reads as follows, be endorsed:

“THAT subject to the submission of structural drawings with Letters of Assurance and a neighbourhood staff survey indicating majority approval, the wooden windmill structure be allowed to remain as a height exception to the “Zoning Bylaw, 1995, No. 6700”.”

CARRIED UNANIMOUSLY

4. (b) Cemetery Master Plan – File: 4215-09

PRESENTATION: Karen Russell, Planner, Engineering Department

Ms. Karen Russell, Planner, Engineering Department, gave a brief overview of the “North Vancouver Cemetery Master Plan” dated September, 1999.

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

Moved by Councillor Dean, seconded by Councillor Mussatto

THAT Item 4.(b) be tabled until Items 2.(b) and 3.(a) on the agenda have been concluded.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(b) The Sordal Family

Re: North Vancouver Cemetery – File: 4215-01

Mr. Geir Sordal referred to his September 22, 1999 correspondence and expressed his concerns about the proposed revisions to “Cemetery Bylaw, 1992, No. 6343”, Part 12, Memorial Markers and Part 14, General Regulations.

He advised that the families of the deceased should be able to determine what type of memorials would be suitable for their loved ones.

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

3. CORRESPONDENCE

(a) Geir Sordal, September 22, 1999

Re: North Vancouver Cemetery – File: 4215-01

Moved by Councillor Mussatto, seconded by Councillor Sharp

THAT the correspondence dated September 22, 1999 received from Geir Sordal regarding “North Vancouver Cemetery” be referred to staff for a report.

CARRIED

Moved by Councillor Sharp, seconded by Councillor Perrault

THAT Item 4.(b) be lifted from the table.

CARRIED UNANIMOUSLY

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

(b) Cemetery Master Plan – File: 4215-09

Report: Planner, Engineering Department, September 22, 1999

Moved by Councillor Mussatto, seconded by Councillor Perrault

PURSUANT to the report of the Planner, dated September 22, 1999, entitled “Cemetery Master Plan”:

THAT “Option 2: Monashee Drive (Alternate Access)” within the Cemetery Master Plan be endorsed;

AND THAT staff be directed to implement the recommendations as presented in this plan;

AND THAT the concept of a Cemetery Board of Trustees be approved;

AND THAT staff be directed to prepare Terms of Reference for the Cemetery Board and subsequent Council approval;

AND THAT staff be directed to prepare a new Cemetery Bylaw to conform with the recommendations in the Master Plan;

AND THAT the Master Plan be distributed to the Heritage Advisory Commission for their reference and to seek their support for the formation of a sub-committee (“Cemetery Conservation Committee”) to assist with the implementation of a Conservation Management Program in the Cemetery.

CARRIED UNANIMOUSLY

Councillor Mussatto left the meeting.

2. DELEGATIONS – Continued

(c) Alireza Abedi Tameh and Farangis Ataee

Re: Illegal Suite – 500 West 21st Street – File: 3030-06-03

Ms. Farangis Ataee requested members of Council to approve the application for a Business Licence for a home based business at 500 West 21st Street. She also requested that the second cooking facility located at 500 West 21st Street be allowed to remain without legalizing an unwanted secondary suite.

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

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

(c) **Illegal Suite – 500 West 21st Street – File: 3030-06-03**

Report: Property Use Inspector, Development Services,
August 30, 1999

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT the owners of 500 West 21st Street be allowed to retain their dwelling in its present configuration and that removal of the second cooking facility is not required;

AND THAT staff be instructed to report to Council with recommendations on methods to process and administer this application.

A recorded vote was taken on the motion.

Voting in favour: Councillor Dean
Councillor Sharp
Councillor Braithwaite
Councillor Fearnley

Voting against: Councillor Perrault
Mayor Loucks

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

(d) **Stern and Engine from Cape Breton (ex HMS Flamborough Head) - File: 1085-03-N5-09**

Report: Director, North Vancouver Museum and Archives
Commission, September 14, 1999

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Director, North Vancouver Museum and Archives Commission, dated September 14, 1999, entitled “Stern and Engine from Cape Breton (ex HMS Flamborough Head)”:

THAT the North Vancouver Museum and Archives Commission be granted up to \$10,000 from the New Museum Building Fund to assist in covering the costs of a study of how, by whom and at what cost, a stern portion of the Cape Breton and the ship’s triple-expansion engine could be removed from the ship (currently docked at the Versatile Shipyard pier) for future display in the proposed waterfront museum facility.

CARRIED UNANIMOUSLY

4. (e) **Proposed Rezoning – Hamilton Building and Aberdeen Block, 78/92 Lonsdale Avenue – File: 3400-05 LONS 78/92**

Report: Development Planner, Development Services,
September 21, 1999

Moved by Councillor Dean, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner, dated September 21, 1999, entitled “Proposed Rezoning – Hamilton Building and Aberdeen Block, 78/92 Lonsdale Avenue”:

THAT staff continue to process the subject application for an amendment to the Official Community Plan and a rezoning preparatory to a Public Hearing;

AND THAT the applicant be requested to provide a detailed pro forma in support of the application.

CARRIED

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

Moved by Councillor Sharp, seconded by Councillor Perrault that Items 4.(f),(g),(h),(i) and (j) be endorsed as follows:

(f) **Notice of Contravention – 917 East Keith Road, Lot 4, Block 3, DL 2725, Plan 3875 - File: 3345-10 KEI E 917**

Report: Acting Manager, Inspections, Development Services,
September 21, 1999

PURSUANT to the report of the Acting Manager, Inspections, dated September 21, 1999, entitled “Notice of Contravention – 917 East Keith Road, Lot 4, Block 3, DL 2725, Plan 3875”:

THAT Kenneth A. Bazin, registered owner of 917 East Keith Road, be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act;

a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 917 East Keith Road, Lot 4, Block 3, DL 2725, Plan 3875 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)

4. (g) **Notice of Contravention – 509 East 5th Street, Lot 2, Block 19, DL 273, Plan 1063 – File: 3345-10 5E 509**

Report: Acting Manager, Inspections, Development Services,
September 21, 1999

PURSUANT to the report of the Acting Manager, Inspections, dated September 21, 1999, entitled “Notice of Contravention – 509 East 5th Street, Lot 2, Block 19, DL 273, Plan 1063”:

THAT Mr. Arthur Tichauer and Mrs. Ortrun Tichauer, registered owners of 509 East 5th Street, be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act;

- a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 509 East 5th Street, Lot 2, Block 19, DL 273, Plan 1063, 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)

(h) **Notice of Contravention, 464 East 10th Street, Lot 10, Block 90, DL 550, Plan 1232 – File: 3345-10 10E 464**

Report: Acting Manager, Inspections, Development Services,
September 21, 1999

PURSUANT to the report of the Acting Manager, Inspections, dated September 21, 1999, entitled “Notice of Contravention, 464 East 10th Street, Lot 10, Block 90, DL 550, Plan 1232”:

THAT Mr. Dennis Crookshanks and Mrs. Donna Crookshanks, registered owners of 464 East 10th Street, be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act;

- a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 464 East 10th Street, Lot 10, Block 90, DL 550, Plan 1232 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)

4. (i) **Notice of Contravention – 250 East 17th Street, Lot 4, Resub 3 and 4, Block 17, DL 549, Plan 1290 – File: 3345-10 17E 250**

Report: Acting Manager, Inspections, Development Services,
September 21, 1999

PURSUANT to the report of the Acting Manager, Inspections, dated September 21, 1999, entitled “Notice of Contravention – 250 East 17th Street, Lot 4 Resub 3 and 4, Block 17, DL 549, Plan 1290”:

THAT Stanislav Puskas, registered owner of 250 East 17th Street, be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act;

- a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 250 East 17th Street, Lot 4, Resub 3 and 4, Block 17, DL 549, Plan 1290 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)

(j) **Notice of Contravention – 360 West 27th Street (Lot 42, Block 241, DL 544, Plan 2842) – File: 3345-10 27W 360**

Report: Acting Manager, Inspections, Development Services,
September 21, 1999

PURSUANT to the report of the Acting Manager, Inspections, dated September 21, 1999, entitled “Notice of Contravention – 360 West 27th Street (Lot 42, Block 241, DL 544, Plan 2842)”:

THAT Lester D. Steeves, registered owner of 360 West 27th Street, be advised that the City Clerk will be instructed to file notice in the Land Title Office under Section 700 of the Municipal Act;

- a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver related to 360 West 27th Street, Lot 42, Block 241, DL 544, Plan 2842 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

4. (k) **Illegal Suites/Unauthorized Construction – 403 Alder Street
File: 3345-02 ALD 403**

Report: Acting Manager, Inspections, Development Services,
September 23, 1999

Moved by Councillor Dean, seconded by Councillor Perrault

THAT Ms. Krista Johnson and Ms. Erika Warkentin, owners of 403 Alder Street, be heard at this time.

CARRIED UNANIMOUSLY

Ms. Warkentin referred to her correspondence dated September 27, 1999 and requested that she be allowed until November 3, 1999 to remove the second cooking facility and the alternations that were added to the unit.

Ms. Warkentin and Ms. Johnson then responded to questions from members of Council.

Moved by Councillor Dean, seconded by Councillor Perrault

PURSUANT to the report of the Acting Manager, Inspections, dated September 23, 1999, entitled “Illegal Suites/Unauthorized Construction – 403 Alder Street”:

THAT 403 Alder Street is being used in contravention of the City of North Vancouver “Zoning Bylaw, 1995, No. 6700” as follows:

491265 B.C. Ltd. (Bob Mann)

AND THAT staff be authorized to seek an injunction in the Supreme Court of British Columbia requiring compliance with the City’s Zoning and Building Bylaws for the two-family dwelling located at 403 Alder Street, Lot 2, Block 170, District Lot 274, Plan 972, City of North Vancouver.

Moved by Councillor Braithwaite, seconded by Councillor Dean

THAT Ms. Krista Johnson and Ms. Erika Warkentin, owners of 403 Alder Street, be heard at this time.

CARRIED UNANIMOUSLY

Ms. Krista Johnson and Ms. Erika Warkentin explained that Mr. Bob Mann, previous owner of 403 Alder Street, had explained to them that the present use of the property was in contravention of the City’s “Zoning Bylaw, 1995, No. 6700”.

The original motion was then **CARRIED UNANIMOUSLY.**

Moved by Councillor Perrault, seconded by Councillor Fearnley

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., if necessary, to conclude the remainder of the agenda.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Electors Proof of Citizenship – File: 3035-04-02**

Submitted by Councillor B.W. Perrault

Moved by Councillor Perrault, seconded by Councillor Dean

WHEREAS to register and vote as a resident elector in a municipal election it is not necessary to show proof of Canadian citizenship;

AND WHEREAS a written declaration without satisfactory proof of citizenship is currently accepted;

AND WHEREAS proof of citizenship is indicated by possessing a Birth Certificate, a Canadian passport or a certificate of naturalized Canadian citizenship and therefore is not arduous to provide;

AND WHEREAS in order to vote in a provincial or federal election one must be a Canadian Citizen;

AND WHEREAS because of the importance of a civic election and the democratic right and responsibility to vote;

THEREFORE BE IT RESOLVED THAT the provincial government be requested to amend the Municipal Act to insert the provision that proof of Canadian citizenship is required before an application to register as an elector will be accepted;

AND THAT this be referred to the Union of B.C. Municipalities and the Lower Mainland Municipal Association for endorsement in the year 2000.

CARRIED UNANIMOUSLY

6. BYLAWS

(a) Reconsideration and Final Adoption

Moved by Councillor Dean, seconded by Councillor Braithwaite that

- (i) "Paved Lane North of West 22nd Street – Westview West to Mosquito Creek, Local Improvement Initiative Construction Bylaw, 1999, No. 7147"
- (ii) "Council Indemnity Bylaw, 1999, No. 7171" (Council Indemnity for the years 1997, 1998 and 1999)

be reconsidered.

CARRIED

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the said Bylaws Nos. 7147 and 7171 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Dean, seconded by Councillor Braithwaite

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:34 p.m.