



**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, NOVEMBER 15, 1999**  
**AT 6:00 P.M.****

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**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  
F.A. Smith, Director, Development Services  
J. Laughlin, City Engineer  
D. Burgess, Assistant Fire Chief  
B. Penman, Assistant Fire Chief  
I. Gordon, Deputy Director of Finance  
J. Aver, Manager, Financial Services  
R. Bruckshaw, Manager, Purchasing  
F. Caouette, Administrative Manager, Dev. Servs.  
G. Penway, Development Planner  
R. Inglis, Director, Museum and Archives  
C. Kathler, Social Planner  
G. Young, Director of Recreation

The meeting was called to order at 6:02 p.m.

**9. CONFIDENTIAL REPORTS**

Moved by Councillor Perrault, seconded by Councillor Mussatto

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

**CARRIED UNANIMOUSLY**

The meeting recessed at 6:03 p.m., and reconvened at 7:40 p.m., with the same personnel present and with the addition of Councillor Sharp and Councillor Braithwaite.

Moved by Councillor Braithwaite, seconded by Councillor Mussatto

**THAT** the meeting recess to the Recessed Council Meeting scheduled for this evening.

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:41 p.m., and reconvened at 10:28 p.m., with the same personnel present.

Moved by Councillor Mussatto, 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., if necessary.

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

The meeting recessed at 10:29 p.m., and reconvened at 10:36 p.m., with the same personnel present.

## **1. ADOPTION OF MINUTES**

Moved by Councillor Dean, seconded by Councillor Mussatto

**THAT** the Minutes of the Regular Council meeting of November 8, 1999 be adopted as circulated.

**CARRIED UNANIMOUSLY**

Councillor Dean left the meeting.

## **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) Site 6 – Next Steps – File: 3365-04-02**

Report: Social Planner, Development Services,  
November 8, 1999

**PURSUANT** to the report of the Social Planner dated November 8, 1999, entitled: "Site 6 – Next Steps":

**THAT** staff be directed to prepare and distribute a Request for Proposals substantially in the form of the document attached to the November 8, 1999 report, for a Site 6 Non-Profit Housing project in accordance with City and Homes BC requirements;

Continued....

**9.1 (a) Site 6 – Next Steps – File: 3365-04-02 - Continued**

**AND THAT** a ground lease for Site 6 be drafted such that it includes a statement that the land lease payment will not be made until construction is substantially complete;

**AND THAT** non-profit societies participating in the July, 1999 Affordable Housing Workshop be advised of the call for proposals.

A recorded vote was taken on the motion.

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

Voting against: Councillor Perrault  
Councillor Fearnley

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

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

**(b) CORRESPONDENCE: Mr. Murray Braaten, Barrister & Solicitor, Lando & Company, November 9, 1999**

Re: Lack of Occupancy Approval and Visitor Parking at “The Seascape” – 131 West Third Street – File: 3345-02 03W 131

**PURSUANT** to the report of the Director, Development Services, dated July 6, 1999, entitled “Lack of Occupancy Approval and Visitor Parking at “The Seascape” – 131 West Third Street”:

**THAT** staff be directed to work with the City Solicitor to formulate an action plan which would be likely to have the greatest success in restoring the visitor parking stalls to common property, recognizing that it is the City’s intent:

- (a) To be in a position to legitimately issue a Certificate of Occupancy at the earliest possible date, subject to current bylaws and policy; and
- (b) That the developer, Boxtree Developments, be required to restore the visitor parking by whatever legitimate means are available to them; and

Continued....

9.1 (b) **CORRESPONDENCE: Mr. Murray Braaten, Barrister & Solicitor, Lando & Company, November 9, 1999 - Continued**

- (c) That the funds on deposit (estimated at \$30,000) be withheld until there is a resolution of the visitor parking issue to the satisfaction of the City; and
- (d) That the Strata Council of the Seascope be encouraged to take whatever legal action it deems necessary or feasible to require the developer to restore the visitor parking; and
- (e) That should legal action by the Strata Corporation fail to result in the restoration of the visitor parking stalls, the City initiate a Development Permit process or Zoning Amendments which would have the effect of removing the requirement for visitor parking stalls at this site only, and that this process be at no cost to the Strata Corporation;

**AND THAT** staff be requested to build a requirement into the rezoning applications for a Covenant to protect visitor parking spaces.

**CARRIED**

Councillor Fearnley is recorded as voting contrary to the motion.

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

(c) **Civic Centre Study – File: 3380-02-B7**

Report: City Administrator, November 9, 1999

**PURSUANT** to the report of the City Administrator dated November 9, 1999, entitled “Civic Centre Study”:

**THAT** steps be taken immediately to retain a consultant to conduct a comprehensive study as outlined in the November 9, 1999 report of the City Administrator, entitled “Civic Centre Study”, with funding to be taken from the Contingency – Administration Account;

**AND THAT** all capital building projects, including the structural upgrade of Fire Hall No. 1, and new rentals of City-owned properties within the study area, be deferred until the consultant’s report is considered by Council;

**AND THAT** funding for the installation of a vehicle exhaust extraction system for Fire Hall No. 1 be referred to Finance Committee for consideration in the 2000 Annual Budget.

**CARRIED UNANIMOUSLY**

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

**9.1 (d) Squamish Nation Negotiations – File: 1185-03-05**

Report: City Administrator, November 9, 1999

**THAT** the action taken by the Committee of the Whole in camera, regarding “Squamish Nation Negotiations”, be ratified, and the wording of the resolution and the report of the City Administrator dated November 9, 1999, entitled “Squamish Nation Negotiations” remain in camera.

**CARRIED UNANIMOUSLY**

Councillor Sharp left the meeting because of a perception of bias pertaining to Item 9.1 (e).

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

**(e) Legal Opinion dated March 11, 1991**

Re: Conflict of Interest – File: 1140-04-02-C1

**Requested by Councillor B.A. Sharp**

**THAT** the legal opinion dated March 11, 1991 received from Brian E. Taylor, Bull, Housser & Tupper, regarding “Conflict of Interest” be released for public information.

A recorded vote was taken on the motion.

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

Voting against: Councillor Fearnley

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

Councillor Sharp returned to the meeting.

## **PROCLAMATIONS**

Mayor Loucks read the following Proclamation:

**“White Ribbon Week”, November 25 to December 6, 1999**

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

- (a) Legal Agreements – 133 West 15<sup>th</sup> Street (Waterford Park Enterprises Corp./Besharat Friars Architects) – File: 3400-05 15W 133**

Report: Social Planner, Development Services,  
November 9, 1999

Moved by Councillor Perrault, seconded by Councillor Mussatto

**PURSUANT** to the report of the Social Planner, dated November 9, 1999, entitled “Legal Agreements – 133 West 15<sup>th</sup> Street (Waterford Park Enterprises Corp./Besharat Friars Architects)”:

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

**CARRIED UNANIMOUSLY**

### **6. BYLAWS**

- (a) Reconsideration and Final Adoption**

Moved by Councillor Perrault, seconded by Councillor Mussatto that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7164”  
(Waterford Park Enterprises Corp./Besharat Friars Architects, 135/145  
West 15<sup>th</sup> Street, CD-390)**

be reconsidered.

**CARRIED**

Moved by Councillor Perrault, seconded by Councillor Mussatto

**THAT** the said Bylaw No. 7164 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

**CARRIED UNANIMOUSLY**

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

(b) **Civic Public Art Policy – Policy and Procedures Document  
Report of North Shore Arts Commission dated November 8, 1999  
File: 1085-03-N3-01/4420-03-01**

Report: City Clerk, November 10, 1999

Moved by Councillor Perrault, seconded by Councillor Sharp

**PURSUANT** to the report of the North Shore Arts Commission, dated November 9, 1999, entitled “Civic Public Art Policy – Policy and Procedures Document”:

**THAT** Council endorse the Civic Policy and Procedures Document – Phase II of the Public Art Program as a working document for the Public Art Program Steering Committee and the Public Art Coordinator;

**AND THAT** the Districts of North Vancouver and West Vancouver be provided with the report for their information.

**CARRIED UNANIMOUSLY**

(c) **Public Art – Private Sector Policy Report of the North Shore Arts  
Commission dated November 8, 1999 – File: 1085-03-N3-01/4420-03-01**

Report: City Clerk, November 10, 1999

Moved by Councillor Sharp, seconded by Councillor Perrault

**PURSUANT** to the report of the North Shore Arts Commission, dated November 8, 1999, entitled “Public Art – Private Sector Policy Report of the North Shore Arts Commission dated November 8, 1999”:

**THAT** the City of North Vancouver initiate a voluntary private sector public art program for a two year period based on 1% of total construction costs (based on development permit) which applies to:

- Residential Housing that has more than 10 units; and
- Non-residential uses with a total floor area of 1,000 square metres

**AND THAT** an artist be added to the Advisory Design Panel prior to the end of 1999;

**AND THAT** the Districts of North Vancouver and West Vancouver be provided a copy of the said report for their information.

**CARRIED UNANIMOUSLY**

4. (d) **Local Improvement Petition – Concrete Curbing on the North-side of the 200 Block East 11<sup>th</sup> Street between St. George’s and St. Andrew’s Avenues – File: 3370-04-01-820**

Report: Administrative Assistant-Engineering, November 2, 1999

Moved by Councillor Mussatto, seconded by Councillor Fearnley

**PURSUANT** to the report of the Administrative Assistant-Engineering, dated November 2, 1999, entitled “Local Improvement Petition – Concrete Curbing on the North-side of the 200 Block East 11<sup>th</sup> Street between St. George’s and St. Andrew’s Avenues”:

**THAT** the Bylaw known as “Concrete Curbing for 110 metres of New Curb on the North-side of the 200 Block of East 11<sup>th</sup> Street between St. George’s and St. Andrew’s Avenues, Local Improvement Construction Bylaw, 1999, No. 7186” be considered.

**CARRIED UNANIMOUSLY**

Moved by Councillor Mussatto, seconded by Councillor Fearnley

**THAT** Item 6.(b)(i) on the agenda be brought forward for consideration at this time.

**CARRIED**

6. **BYLAWS - Continued**

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley that

- (i) “Concrete Curbing for 110 metres of New Curb on the North-side of the 200 Block of East 11<sup>th</sup> Street between St. George’s and St. Andrew’s Avenues, Local Improvement Construction Bylaw, 1999, No. 7186”

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 Mussatto, seconded by Councillor Fearnley

**THAT** the said Bylaw No. 7186 be read a second time in short form.

**CARRIED**

Continued....

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley

**THAT** the said Bylaw No. 7186 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

Moved by Councillor Braithwaite, seconded by Councillor Perrault

**THAT** Item 5. Motions and Notices of Motions on the agenda be brought forward for consideration at this time.

**CARRIED**

**5. MOTIONS AND NOTICES OF MOTIONS**

**(a) Jack Loucks Court or Jack Loucks Green – File: 4140-06-03**

Councillor Perrault advised that she will present the following motion at the next regular meeting of Council:

**WHEREAS** a neighbourhood open space is to be built in Lower Lonsdale in the 100 Block of West 1st Street that will become an integral part of the Lonsdale Regional Town Centre and is intended to be for the benefit of all North Vancouver City residents, workers and visitors;

**AND WHEREAS** this will be a place of beauty to serve the public for generations to come including public art, water features, seating and landscaping deserving of a special name;

**AND WHEREAS** Jack Loucks has dedicated 25 years of his life to the people of North Vancouver City by serving as their Mayor for 22 years and Alderman for 3 years;

**AND WHEREAS** during that time Jack Loucks has in so many ways made an outstanding contribution to the quality of life of this community;

**AND WHEREAS** it is deemed appropriate by Council and the community to recognize and honour an individual who has served the residents well;

**THEREFORE BE IT RESOLVED** that the name of the public open street space at 100 Block West 1<sup>st</sup> Street be known formally as:

**JACK LOUCKS COURT  
OR  
JACK LOUCKS GREEN**

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

(e) **Centennial Theatre Renovation Project, Additional Funding  
File: 4415-04**

Report: Deputy Director of Finance, November 9, 1999

Moved by Councillor Mussatto, seconded by Councillor Perrault

**PURSUANT** to the report of the Deputy Director of Finance, dated November 9, 1999, entitled "Centennial Theatre Renovation Project, Additional Funding":

**THAT** City Council approve the detailed theatre project budget of \$2.0 million and direct the North Vancouver Recreation Commission to proceed with the Centennial Theatre renovation;

**AND THAT** City Council direct the Recreation Commission to extend the ticket surcharge program by an additional \$200,000 for a total of \$514,000 to fund the increased requirements of the renovation;

**AND THAT** the ticket surcharge funds so collected be used to repay a further \$200,000 to the Community Enhancement Fund, making a total principal amount to be repaid of \$400,000;

**AND THAT** "Community Enhancement Reserve Fund Expenditure Bylaw No. 7188" (Centennial Theatre Renovation, Additional Funding), which gives effect to this additional \$200,000 loan from the Community Enhancement Fund, be considered;

**AND THAT** Council refer the funding for the Gateway Plaza project on the north-east corner of 23<sup>rd</sup> and Lonsdale, estimated at \$210,000, to the 2000 Capital Budget;

**AND THAT** current funding of \$100,000 for the media upgrade equipment be redirected to the construction budget and Centennial staff be instructed to bring back a business plan with detailed budget for media upgrades to be considered as part of the 2000 Capital Budget.

Moved by Councillor Mussatto, seconded by Councillor Perrault

**THAT** the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue until Items 4.(e) and 6.(b)(ii) on the agenda have been concluded.

**CARRIED UNANIMOUSLY**

The motion regarding Item 4.(e) was then **CARRIED UNANIMOUSLY.**

**6. BYLAWS - Continued**

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

Moved by Councillor Mussatto, seconded by Mayor Loucks that

- (ii) "Community Enhancement Reserve Fund Expenditure Bylaw, 1999, No. 7188" (Centennial Theatre Renovation, Additional Funding)

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 Mussatto, seconded by Mayor Loucks

**THAT** the said Bylaw No. 7188 be read a second time in short form.

**CARRIED**

Moved by Councillor Mussatto, seconded by Mayor Loucks

**THAT** the said Bylaw No. 7188 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

**10. ADJOURNMENT**

Moved by Councillor Fearnley, seconded by Councillor Sharp

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 11:10 p.m.