



SEARCH

## Regular Council Minutes of July 17, 2000



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14<sup>TH</sup> STREET, NORTH VANCOUVER, BC ON MONDAY, JULY 17, 2000 AT 6:00 P.M.

### PRESENT:

#### COUNCIL MEMBERS

Mayor B.A. Sharp  
Councillor W.J. Bell  
Councillor J.B. Braithwaite  
Councillor R.J. Fearnley  
Councillor C.R. Keating  
Councillor D.R. Mussatto  
Councillor B.W. Perrault

#### STAFF MEMBERS

A.K. Tollstam, City Manager  
B.A. Hawkshaw, City Clerk  
D.M. Rooke, Assistant City Clerk  
F.A. Smith, Director, Development Services  
J. Laughlin, City Engineer  
T. Christie, Director of Finance  
G. Penway, Development Planner  
B. Granger, Manager, Parks & Environment  
F. Caouette, Manager, Special Projects  
L. Zwarn, Manager, Administrative Services  
I. Gordon, Deputy Director of Finance

The meeting was called to order at 6:01 p.m.

### 1. ADOPTION OF MINUTES

Moved by Councillor Keating, seconded by Councillor Bell

THAT the Minutes of the Regular Council Meeting of June 26, 2000, and the Special Council Meeting of July 6, 2000, be adopted as circulated.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Braithwaite

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

CARRIED UNANIMOUSLY

### 3. CORRESPONDENCE

(b) Mr. Richard Rochard, Chair, Trinidad and Tobago Cultural Society of B.C., July 4, 2000 – File: 3040-07

Moved by Councillor Keating, seconded by Councillor Braithwaite

PURSUANT to the correspondence dated May 24, 2000 from Mayor Sharp to the Trinidad and Tobago Cultural Society of B.C.;

THAT the Caribbean Days Festival Parade Permit for a parade on Saturday, July 29, 2000 from 10:00 a.m. to 11:00 a.m. from Victoria Park to Waterfront Park be approved;

AND THAT the subject of Parades, Rally's, Processions be referred to the City Engineer to provide a report on the permit process for such events.

CARRIED

PRESENTATION - City Lighting Masterplan – File: 4140-11-03

Phil Gabriel, Gabriel/Design Inc., and Tania Sagoo, TSLD,  
Lighting Design Consultants

Mr. Phil Gabriel reviewed the Lighting Master Strategy Study, outlining a long-term approach to provide a safe, effective and sustainable night environment for the entire community. He advised that the study is intended to compliment the ongoing process of developmental planning currently underway in North Vancouver, and that all aspects of the exterior lighting strategy should be designed to work in conjunction with the planning, landscaping and improvement goals of the City.

The delegation then responded to questions from members of Council.

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

(a) City Lighting Master Strategy – File: 4140-11-03

Report: City Engineer, July 12, 2000

Moved by Councillor Bell, seconded by Councillor Perrault

PURSUANT to the report of the City Engineer, dated July 12, 2000, entitled "City Lighting Master Strategy":

THAT the Phase One, "Inventory and Analysis" of the City Lighting Master Strategy be received and adopted;

AND THAT staff be directed to proceed with Phase Two "Concept and Strategy".

CARRIED UNANIMOUSLY

**PRESENTATION**

## **Environmental Protection Program – File: 1085-03-E1**

Bill Granger, Manager Parks and Environment, Erika Britney, Chair, and Members of the Environmental Protection Program Committee

Speaking on behalf of the City of North Vancouver and the members of the Environmental Protection Program Committee, Mr. B. Granger, Manager, Parks and Environment, together with Consultants, Mr. Mike Currie, P. Eng., Kerr Wood Leidel, and Mr. David Reid, Landscape Architect, Lanarc Consultants, reviewed the Environmental Protection Program report outlining concerns with respect to the cumulative effects of increasing urbanization, loss of habitat, further encroachment into fish-bearing streams, the need for public education and stewardship of the City's environment, and urged Council to adopt the Program.

The delegation then responded to questions from members of Council.

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

#### **(b) Environmental Protection Program – File: 1085-03-E1**

Report: Manager, Parks and Environment, July 10, 2000

Moved by Councillor Keating, seconded by Councillor Bell

PURSUANT to the report of the Manager, Parks and Environment, dated July 10, 2000, entitled "Environmental Protection Program":

THAT the recommended Environmental Protection Program be adopted in principle and incorporated into future City work programs, for annual consideration as a new Program by the Finance Committee;

AND THAT the Environmental Protection Program material be considered for inclusion in the Official Community Plan Review, with respect to sustainable City issues and environmental protection;

AND THAT this report and recommendations be forwarded to the Advisory Planning Commission, the Advisory Design Panel, and the Social Planning Advisory Committee and circulated to City departments for comment;

AND THAT the members of the Environmental Protection Program Committee be thanked for their valuable participation in the preparation of the Environmental Protection Program;

AND THAT a revised Terms of Reference for the continuing work of the Environmental Protection Program Committee be drafted with the assistance of the Committee Members and submitted for consideration by Council;

AND THAT the Public Involvement Process start off with a Public Meeting presentation for the public.

Moved by Councillor Fearnley, seconded by Councillor Bell

THAT this be deferred until the Strategic Planning Session has been held.

DEFEATED

The main motion was then put and CARRIED UNANIMOUSLY.

Moved by Councillor Perrault, seconded by Councillor Bell

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:59 p.m., and reconvened at 8:17 p.m., with the same personnel present.

## 2. DELEGATIONS

(a) Mr. F.M. Rany Ratushny, Vice President, Pacific Asset Management Corporation

Re: Wesbrook Apartments, 365 East 2<sup>nd</sup> Street  
– File: 3400-05 2E 365

Mr. Ratushny requested Council to review the situation with respect to the Density Bonus payment of \$110,000 in five equal installments with the first \$22,000 being paid in November 1999 and the remainder being secured by a descending value Letter of Credit over 4 years. Mr. Ratushny felt that consideration should be given to revoking the Letter of Credit and refunding the \$22,000.00 already paid.

The delegation then responded to questions from members of Council.

## 3. CORRESPONDENCE

(a) Mr. F.M. Rany Ratushny, Vice President, Pacific Asset Management Corporation, July 12, 2000

Re: Wesbrook Apartments, 365 East 2<sup>nd</sup> Street  
– File: 3400-05 2E 365

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT the correspondence dated July 12, 2000 received from Mr. F.M. Rany Ratushny, Vice President, Pacific Asset Management Corporation regarding the Wesbrook Apartments at 365 East 2<sup>nd</sup> Street be received and filed.

Voting in favour: Councillor Fearnley  
Councillor Braithwaite  
Mayor Sharp

Voting against: Councillor Mussatto  
Councillor Keating  
Councillor Perrault  
Councillor Bell

The motion was DEFEATED by a vote of four to three.

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the Letter of Credit be revoked, and the \$22,000 be returned to the owner;

AND THAT staff find alternative methods of financing the repayment from the City's Affordable Housing Fund.

Moved by Councillor Bell, seconded by Councillor Keating

THAT this matter be deferred until the Council meeting of August 28, 2000 for a report from staff regarding the financial impact on the Affordable Housing Fund.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

3. (c) Fraser Basin Council, received July 10, 2000

Re: State of the Fraser Basin Conference 2000  
– File: 1840-03-01

Moved by Councillor Perrault, seconded by Councillor Keating

THAT Council and staff be authorized to attend the State of the Fraser Basin Conference 2000 to be held at the Best Western Richmond Inn, November 24 and 25, 2000;

AND THAT the expenses be covered in accordance with City policy;

**AND THAT** the funds be provided from the Legislative Conference Account.

**CARRIED UNANIMOUSLY**

Moved by Councillor Braithwaite, seconded by Councillor Keating

THAT Items 6(c)(i) and (ii) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

6. BYLAWS

(c) Second and Third Readings

Moved by Councillor Braithwaite, seconded by Councillor Fearnley that

(i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7240" (Eleana Ho, 1409 Forbes Avenue, CD-402)

be read a second time in short form.

CARRIED

Councillor Mussatto is recorded as voting contrary to the motion

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

THAT the said Bylaw No. 7240 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Mussatto is recorded as voting contrary to the motion.

6. (c) Second and Third Readings

Moved by Councillor Perrault, seconded by Councillor Braithwaite that

(ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7258" (Pawnbroker Use Prohibition)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

THAT the said Bylaw No. 7258 be read a third time in short form and passed subject to reconsideration.

**CARRIED UNANIMOUSLY**

3. **CORRESPONDENCE** - Continued

(d) **Mayor Fred Busch, District of Sicamous, June 28, 2000**

Re: Bill 3 (Budget Measures Implementation Act) – Section 56  
File: 1040-03-U1-01-08

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the correspondence dated June 28, 2000 received from Mayor Fred Busch, District of Sicamous, regarding Bill 3 (Budget Measures

Implementation Act) – Section 56 be received and the attached resolution endorsed.

CARRIED UNANIMOUSLY

2. DELEGATIONS *continued*

(b) Phil Marsh, Jack Lonsdales Pub

Re: 1552 Lonsdale Avenue (downstairs) – File: 3045-03 BRIT

Mr. Phil Marsh, Jack Lonsdales Pub, stated that The Brit was ignoring Municipal bylaws and Provincial Liquor laws, and requested Council review the situation.

The delegation then responded to questions from members of Council

2. (c) Chris Bradley, The Brit

Re: The Brit, 1552 Lonsdale Avenue – File: 3045-03 BRIT

Mr. Chris Bradley, owner of The Brit indicated that the information provided to Council by the Property Use Inspector was incorrect and based on hearsay inspired by a competitor's repeated complaints. He urged Council not to take the action recommended, and that in future he would be more proactive regarding the smoking regulations.

The delegation then responded to questions from members of Council.

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

(c) The Brit Restaurant – File: 3045-03 The Brit

Report: Property Use Inspector, Development Services,  
July 6, 2000

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the Property Use Inspector, dated July 6, 2000, entitled "The Brit Restaurant":

THAT Mr. Bradley be required to provide a letter of undertaking assuring City Council of his commitment to full compliance with the City's "Smoking Regulation Bylaw, 1998, No. 7026", and that all outstanding fines and tickets be paid;

AND THAT further contravention of the City's Smoking Bylaw be referred back to Council for consideration of a suspension of their Business Licence.

CARRIED UNANIMOUSLY

Moved by Councillor Bell seconded by Councillor Keating

THAT notwithstanding that the B.C. Government is currently undergoing a Liquor Review , that Council ask the Liquor Control and Licensing Branch to strictly enforce its current laws and regulations regarding licensing of restaurants in the City of North Vancouver.

CARRIED UNANIMOUSLY

2. DELEGATIONS *continued*

(d) Mr. David J. Brant, Cardinal Management Ltd.

Re: Pub Development, 850 Marine Drive, North Vancouver  
Proposed increase of allowed seating from 65 to 98 + 20 patio seats – File:  
3400-05 MARI 850

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT this item be deleted from the agenda.

CARRIED UNANIMOUSLY

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

(d) 850 Marine Drive – Neighbourhood Pub (Cardinal Management Ltd./ David Brant) – File: 3400-05 MARI 850

Report: Development Planner, Development Services  
June 26, 2000

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Development Planner, dated June 26, 2000, entitled “850 Marine Drive – Neighbourhood Pub (Cardinal Management Ltd./David Brant)”:

THAT the City of North Vancouver is not prepared to consider any requests for increases in the seating capacity of any “D” licensed neighbourhood pub facilities prior to the release of provincial regulations governing such potential expansions;

AND THAT upon the release of said regulations, Development Services be directed to report describing the regulations and presenting options on how the City might wish to respond to them on a policy basis;

AND THAT Cardinal Management Ltd. be advised that the City is not prepared to consider an increase in pub seating for any neighbourhood pub that has not been in operation for at least three years, so as to understand its operations, impacts on neighbourhoods, and potential issues associated with a seating expansion;



AND THAT this report be forwarded to the Liquor Control and Licensing Branch for information.

CARRIED UNANIMOUSLY

4. (e) Commemorating the Lost Community of Moodyville  
File: 3360-04 MOODYVILLE

Report: Development Planner, Development Services  
July 10, 2000

Moved by Councillor Perrault, seconded by Councillor Keating

PURSUANT to the report of the Development Planner, dated July 10, 2000, entitled "Commemorating the Lost Community of Moodyville":

THAT Planning & Engineering Parks and Environment Department staff be directed to investigate the following five initiatives to document and commemorate the history and location of Moodyville and report back with specific proposals, funding options and timing:

1. The publishing of a written history of Moodyville with photographs, maps, etc.;
2. The renaming of "Low Level Road" to "Moodyville Road";
3. The placement of roadside markers and/or interpretive plaques at selected locations along Lower Level Road to locate and commemorate the Moodyville mills, docks and company town;
4. Moodyville Interpretive Signage in the vicinity of the Moodyville mills and town site on City lands above the Low Level Road and Moodyville Park;
5. The naming of "Hugh Nelson Lane";

AND THAT staff seek input on these commemoration initiatives from the Street Naming Committee, Heritage Advisory Commission, Advisory Planning Commission, Advisory Design Panel, Joint Bicycle Advisory Committee, North Vancouver Museum & Archives Commission, Public Art Program Steering Committee, Vancouver Port Authority and adjacent port industries, as appropriate;

AND THAT a Public Involvement Process be prepared for Initiative No. 4, "Moodyville Interpretive Signage" to accommodate input from local residents, The Cloverley Residents Association, Queensbury Enhancement Association, adjacent harbour industries, Vancouver Port Authority and other members of the public.

CARRIED UNANIMOUSLY

4. (f) Public Art for Moodyville – File: 3360-04 Moodyville

Report: Public Art Coordinator, June 13, 2000

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Public Art Coordinator, dated June 13, 2000, entitled “Public Art for Moodyville”:

THAT Council endorse utilizing \$10,000 from the Legacy Fund, which is to be supplemented with an additional \$5,000 from General Infrastructure Projects to create a gateway public art project for Moodyville and the bicycle path for Lower Level Road;

AND THAT \$7,500.00 be endorsed from the Community Public Art budget to provide commemorative markers and or signage designed created by the community with the help of an artist.

CARRIED UNANIMOUSLY

(g) Harbourside Automall, Advisory Design Panel Concerns  
File: 3342-02 HARB 788/3400-05 FELL 02

Report: Development Planner, Development Services  
June 28, 2000

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT consideration of the report of the Development Planner, dated June 28, 2000, entitled “Harbourside Automall, Advisory Design Panel Concerns” be deferred to the regular Council Meeting scheduled for July 24, 2000.

CARRIED UNANIMOUSLY

(h) 1999 Local Improvement Initiatives – File: 3370-04-01

Report: Administrative Assistant-Engineering, June 28,  
2000

Moved by Councillor Braithwaite, seconded by Councillor Bell

PURSUANT to the report of the Administrative Assistant-Engineering, dated June 28, 2000, entitled “1999 Local Improvement Initiatives”:

THAT the City Clerk be authorized to prepare, publish and cause to be served, notice of the intention of the City to undertake, as a Local Improvement of the Council without petition, under the provision of Section 623 of the Municipal Act, the following work:

Paving in the lane East of East Grand Boulevard, between East Keith Road and 8<sup>th</sup> Street

Paving in the lane North of 19<sup>th</sup> Street, between St. Andrew's and Ridgeway Avenues

Paving in the T lane North of 15<sup>th</sup> Street, between Sutherland and Williams Avenues

Paving in the T lane East of East Grand Boulevard, between 12<sup>th</sup> and 13<sup>th</sup> Streets

Paving in the lane North of East 11<sup>th</sup> Street, between St. Andrew's and Ridgeway Avenues;

AND THAT subject to the results of the initiative process, staff report back to Council with the final list of projects for approval.

CARRIED UNANIMOUSLY

(i) Massage and Body Rub – File: 3045-04-22

Report: Property Use Inspector, Development Services  
June 22, 2000

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Property Use Inspector, dated June 22, 2000, entitled "Massage and Body Rub":

THAT "Business License Bylaw, 1973, No. 4513, Amendment Bylaw, 2000, No. 7255" (Massage and Body Rub) be considered;

AND THAT "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2000, No. 7256" (Business License Bylaw – Massage and Body Rub) be considered and referred to the Chief Judge of the Provincial Court to approve the fines;

AND THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7261" (Body Rub) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

4. (j) Rezoning Application – Text Amendment: 363 West 4<sup>th</sup> Street – Multiple Unit Building Suite Legalization – File: 3400-05 4W 363

Report: Planning Technician, Development Services  
July 12, 2000

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Planning Technician, dated July 12, 2000, entitled "Rezoning Application – Text Amendment: 363 West 4<sup>th</sup> Street – Multiple Unit Building Suite Legalization":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment, 2000, No. 7263" (David Bellamy, 363 West 4<sup>th</sup> Street, Text Amendment, CD-215) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

- (k) Solid Waste Statistics – 1999 and January to March, 2000  
File: 4050-04-10-01

Report: Manager, Waste Reduction, North Shore Recycling Program, July 6, 2000

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Waste Reduction, North Shore Recycling Program, dated July 6, 2000, entitled “Solid Waste Statistics – 1999 and January to March, 2000”:

THAT this report be received for information.

CARRIED UNANIMOUSLY

- (l) Intersection of Chesterfield Avenue and 17<sup>th</sup> Street  
File: 4145-02-C1-07

Report: Transportation Planning Engineer, July 6, 2000

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Transportation Planning Engineer, dated July 6, 2000, entitled “Intersection of Chesterfield Avenue and 17<sup>th</sup> Street”:

THAT this report be received for information.

CARRIED UNANIMOUSLY

## 5. MOTIONS AND NOTICES OF MOTION

- (a) Development Variance Permit No. 125, The Board of School Trustees – School District No. 44, 2145 Jones Avenue, Block 258, D.L. 544/547, Plan 11896 – File: 3380-03 JONES 2145 DVP No. 125

Moved by Councillor Mussatto, seconded by Councillor Keating,

THAT Development Variance Permit No. 125 be issued to The Board of School Trustees – School District No. 44, 2145 Jones Avenue, Block 258, D.L. 544/547, Plan 11896, in accordance with Section 922 of the Municipal Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 125.

CARRIED UNANIMOUSLY

6. BYLAWS - Continued

(a) Reconsideration and Final Adoption

Moved by Councillor Mussatto, seconded by Councillor Keating that

(i) "Highways Stopping Up and Closing and Exchange Bylaw, 2000, No. 7260" (Stopping Up and Closing a portion of Auto Mall Drive and Exchange of a portion of Lot 28, District Lot 2654 and of the Public Harbour of Burrard Inlet in Plan LMP 45092)

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7260 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

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 BY A TWO-THIRDS MAJORITY  
OF THE COUNCIL MEMBERS PRESENT

6. (b) Introduction and First Three Readings

Moved by Councillor Keating, seconded by Councillor Mussatto that

(i) "Business License Bylaw, 1973, No. 4513, Amendment Bylaw, 2000, No. 7255" (Massage and Body Rub)

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

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7255 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the said Bylaw No. 7255 be read a third time in short form form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(d) Introduction And First Reading Only

Moved by Councillor Keating, seconded by Councillor Mussatto that

(i) “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2000, No. 7256” (Business License Bylaw – Massage and Body Rub)

(ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7261” (Body Rub)

(iii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7263” (R. David Bellamy, Multiple Unit Building Suite Legalization/Text Amendment, 363 West 4<sup>th</sup> Street, CD-215)

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

CARRIED UNANIMOUSLY

10. ADJOURNMENT

Moved by Councillor Bell, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:00 p.m