



**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, JANUARY 17, 2000 AT 6:00 P.M.**

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**PRESENT:**

**COUNCIL MEMBERS**

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

**ABSENT:**

Councillor J.B. Braithwaite

**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  
B. Spencer, Development Planner  
B. Susak, Deputy City Engineer  
L. Orr, Social Planner

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

Moved by Councillor Bell, 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**

Moved by Councillor Bell, seconded by Councillor Mussatto

**THAT** the subjects of "Appointment to Coho Festival Committee"; "Appointment of Alternates to the Committees of Councillor Braithwaite", and "Request for Legal Opinion", be added to the agenda, in camera, as Items 9(d), 9(e), and 9(f) respectively.

**CARRIED UNANIMOUSLY**

Moved by Councillor Fearnley, seconded by Councillor Perrault

**THAT** Item 9(c) be deleted from the agenda.

**CARRIED UNANIMOUSLY**

**9. CONFIDENTIAL REPORTS**

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**THAT** the Council recess to the Committee of the Whole In-Camera, to consider the items as listed under section 9 of the Council Agenda, for the following reasons respectively for each item:

- 9(a),(d),(e) Section 242.2(1)(a)
- 9(b) Section 242.2(1)(e, h, i, j)
- 9(c) Section 242.2(1)(f)
- 9(f) Section 242.2(1)(i)

The meeting recessed at 6:08 p.m. and reconvened at 7:03 p.m. with the same personnel present.

**1. ADOPTION OF MINUTES**

Moved by Councillor Mussatto, seconded by Councillor Bell

**THAT** the Minutes of the Regular Council Meeting of January 10, 2000 be adopted as circulated.

**CARRIED UNANIMOUSLY**

Moved by Councillor Bell, seconded by Councillor Mussatto

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

**CARRIED UNANIMOUSLY**

The meeting recessed at 7:05 p.m., and reconvened at 9:02 p.m., with the same personnel present.

Moved by Councillor Perrault, seconded by Councillor Bell

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

**CARRIED UNANIMOUSLY**

**6. (c) Second and Third Readings**

Moved by Councillor Bell, seconded by Councillor Fearnley that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7189" (Brody Development Corp./223-225 West 17<sup>th</sup> Street, CD-395)

be read a second time in short form.

**CARRIED UNANIMOUSLY**

Moved by Councillor Bell, seconded by Councillor Fearnley

**THAT** the said Bylaw No. 7189 and be read a third time in short form and passed, subject to reconsideration.

**CARRIED UNANIMOUSLY**

Moved by Councillor Fearnley, seconded by Councillor Mussatto that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7204" (Madjnouni/Ferreira Development Ltd., 352 East Keith Road, RT-1)

be read a second time in short form

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley  
Councillor Mussatto  
Councillor Keating  
Mayor Sharp

Voting against: Councillor Perrault  
Councillor Bell

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

Moved by Councillor Fearnley, seconded by Councillor Mussatto

**THAT** the said Bylaw No. 7204 be read a third time in short form and passed subject to reconsideration.

**CARRIED**

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

**6. (c) Second and Third Readings - Continued**

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1999, No. 7205" (Ledingham McAllister Development Ltd., 879 Marine Drive, CD-396)

Moved by Councillor Perrault, seconded by Councillor Keating

**THAT** this be referred back to staff, taking into consideration the concerns expressed at the Public Hearing.

**CARRIED UNANIMOUSLY**

**9.1 REPORT OF THE COMMITTEE OF THE WHOLE**

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

**(b) Squamish Nation – File: 1185-03-01**

Report: City Administrator, January 12, 2000

**THAT** the City Administrator work with officials of the Squamish Nation to set a joint meeting of both Councils to discuss topics of mutual interest.

**(CARRIED UNANIMOUSLY)**

**(d) Appointment – West Vancouver Coho Festival Committee  
File: 4455-03-C4**

**THAT** Councillor Mussatto be appointed to the West Vancouver Coho Festival Committee until December 4, 2000.

**(CARRIED UNANIMOUSLY)**

**(e) Appointments – Alternates for Councillor Braithwaite's  
Committees – File: 1085-03-S11/1040-03-S1/1040-03-F1-01**

**THAT** Councillor C. R. Keating be appointed to the Social Planning Advisory Committee as an alternate for Councillor Braithwaite during his current absence.

**AND THAT** Councillor B.W. Perrault be appointed to the Silver Harbour Grant Review Committee as an alternate for Councillor Braithwaite during his current absence.

**AND THAT** Councillor R.J. Fearnley be appointed to the Federation of Canadian Municipalities as an alternate for Councillor Braithwaite during his current absence.

**CARRIED UNANIMOUSLY**

## **COUNCIL REPORT OF COMMITTEE WORK**

Councillor Perrault provided an update on activities of the N.V. Museum & Archives Commission and the North Vancouver Chamber of Commerce.

Councillor Bell provided an update on the activities of N.S. Neighbourhood House, and increased R.C.M.P. costs.

Councillor Mussatto provided an update on the activities of the Joint Bicycle Advisory Committee, North Vancouver Recreation Commission, and Youth in Film Committee.

Councillor Keating provided an update on the activities of Presentation House Theatre, Advisory Planning Commission, and the Environmental Protection Program Committee, and advised that it is expected that a draft of the Environmental Protection Program Plan will be ready some time in March.

Mayor Sharp advised that the only meeting she attended was a meeting of the G.V.R.D., to appoint the G.V.T.A. representatives.

Councillor Fearnley attended two meetings of the Advisory Design Panel. Due to work schedule he was unable to attend the Arts Council. The Photographic Gallery, and the other Committees to which he is assigned have not yet met.

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

#### **(a) Child Care Services in B.C.: A Common Agenda and Vision File: 4230-01**

Report: Social Planner, Development Services  
January 7, 2000

Moved by Councillor Perrault, seconded by Councillor Mussatto

**PURSUANT** to the report of the Social Planner, dated January 7, 2000, entitled "Child Care Services in B.C.: A Common Agenda and Vision":

**WHEREAS** the direction for child care services outlined in the document "Child Care Services in B.C.: A Common Agenda and Vision" is generally consistent with the City of North Vancouver Child Care Policy;

**WHEREAS** the City of North Vancouver Child Care Policy acknowledges the need for a child care system that provides quality, affordable and accessible child care services available to all families funded primarily by the federal and provincial governments;

*Continued...*

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

(a) **Child Care Services in B.C.: A Common Agenda and Vision  
File: 4230-01 - Continued**

Report: Social Planner, Development Services  
January 7, 2000

**THEREFORE BE IT RESOLVED THAT** the direction for child care services outlined in the document "Child Care Services in B.C.: A Common Agenda and Vision" be supported in principle;

**THAT** the Minister of Social Development and Economic Security, the Coalition of Child Care Advocates of B.C., and the North Shore Child Care Resource Society be so advised;

**AND THAT** a copy of the staff report and Council's resolution be sent to the District of North Vancouver, District of West Vancouver and School District No. 44 for their information.

**CARRIED UNANIMOUSLY**

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Raising the Taxes Collected on a Package of Cigarettes  
File: 4230-03**

Moved by Councillor Mussatto, seconded by Councillor Keating

**THAT** the Council of the City of North Vancouver write to the Federal Minister of Health, The Honourable Allan Rock, urging him to raise substantially the taxes collected on a package of cigarettes so as to discourage new and young smokers in our community from starting the smoking habit.

**AND THAT** the revenue raised from such increases be dedicated to Public Health Non-Smoking Campaigns.

**CARRIED**

(b) **North Shore Area Transit Plan – File: 1180-37-02**

Moved by Councillor Mussatto, seconded by Councillor Keating

**WHEREAS** the City of North Vancouver recently attended a North Shore TransLink Regional meeting with the other North Shore Municipalities to discuss North Shore transit issues;

**AND WHEREAS** Mr. Glen Leicester of TransLink stated that a North Shore Area Transit Plan is now being conducted and North Shore Municipalities could, if they desired, provide input to the plan prior to it being adopted;

*Continued...*

5. (b) **North Shore Area Transit Plan – File: 1180-37-02 - Continued**

**THAT** the Council of the City of North Vancouver write to Mr. Glen Leicester of TransLink asking to have a copy of the Area Plan prior to it being adopted by the TransLink Board of Directors for the opportunity, when appropriate, to provide input into the Plan.

**CARRIED UNANIMOUSLY**

(c) **Development Variance Permit No. 118, Esquires Coffee, Lots 1-33, Block 141, D.L. 274, Plan LMS3271, 100-108 East 2<sup>nd</sup> Street, File: 3358-03 2E 100-108 DVP No. 118**

Moved by Councillor Mussatto, seconded by Mayor Sharp

**THAT** Development Variance Permit No. 118 be issued to Esquires Coffee 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. 118.

**CARRIED UNANIMOUSLY**

(d) **Council Inquiries to be in Writing – File: 1095-01**

Moved by Councillor Perrault, seconded by Mayor Sharp

**WHEREAS** the Council Inquiries section of the Council Agenda is for Council Members to ask other Council Members questions;

**AND WHEREAS**, if these inquiries are verbal, there is little or no opportunity to study and provide answers to the question;

**AND WHEREAS**, if these inquiries are not in writing, in advance, the Council Member being asked the question does not have an opportunity to provide a full and thoughtful response;

**THEREFORE BE IT RESOLVED THAT** all Council Inquiries in the future must be in writing and provided to the City Clerk by noon of the Wednesday prior to the Council Meeting for distribution with the Council package on Friday.

**DEFEATED**

**7. COUNCIL INQUIRIES(Questions of Council Members)**

- (a) Equipment in Circuit Training Room at Lonsdale Recreation Centre  
File: 4415-04-L1-01**

In response to an inquiry from Councillor Perrault, Councillor Mussatto introduced Heather Ostevik from the Recreation Centre, who explained there were 875 people involved in circuit training, and that the timing device equipment was installed at a cost of \$3700.00.

- (b) I.C.B.C. Building – File: 1350-0605**

In response to an inquiry from Councillor Fearnley, Councillor Bell advised that the Insurance Corporation of British Columbia is not moving out of North Vancouver, and that only the call centres were affected.

**RECESS**

The Mayor declared a recess at 9:59 p.m., for the public question period and reconvened immediately as no one came forward.

**10. ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Keating

**THAT** the meeting adjourn.

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10:00 p.m.



## MUNICIPAL ACT

### Division 4.1 – Public Access to Municipal Meetings

#### **General rule: meetings must be open to the public**

242.1 Subject to section 242.2 [closed meetings], a council meeting must be open to the public.  
[en. 1999-37-63 (B.C. Reg 301/99)]

242.2. Meetings that may or must be closed

242.2. (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (c) labour relations or employee negotiations;
- (d) the security of property of the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure might reasonably be expected to harm the interests of the municipality;
- (f) law enforcement, if the council considers that disclosure might reasonably be expected to harm the conduct of an investigation under or enforcement of an Act, regulation or bylaw;
- (g) consideration of whether paragraph (e) or (f) applies in relation to a matter;
- (h) litigation or potential litigation affecting the municipality;
- (i) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
- (k) a matter that, under another enactment, is such that the public may be excluded from the meeting;
- (l) a matter prescribed by regulation under section 242.8.

(2) A part of a council meeting must be closed to the public if the subject matter relates to one or more of the following:

- (a) a request under the Freedom of Information and Protection of Privacy Act if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
- (b) a matter that, under another enactment, is such that the public must be excluded from the meeting.

(3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

[en. 1999-37-63 (B.C. Reg 301/99)]

242.3. Resolution required before meeting closed

242.3 Before a meeting or part of a meeting is closed to the public, the council must state, by resolution,

- (a) the fact that the meeting is to be closed, and
- (b) the basis under section 242.2 on which the meeting is to be closed.

[en. 1999-37-63 (B.C. Reg 301/99)]