



MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET, NORTH VANCOUVER, B.C., ON MONDAY, MARCH 13, 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 Administrator
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
J. Laughlin, City Engineer
F.A. Smith, Director, Development Services
R.H. White, City Planner
F. Caouette, Manager – Special Projects
D Burgess, Fire Chief - Prevention
B. Granger, Manager, Parks & Environment
C. Kathler, Social Planner
C. Turner, Director of Computer Services

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

Moved by Councillor Mussatto, seconded by Councillor Bell

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

CARRIED UNANIMOUSLY

8. ANY OTHER BUSINESS

**(a) Harbourside Park and the Department of Fisheries and Oceans
File: 4305-03-H6**

Verbal Report: Manager, Parks & Environment

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT the verbal report of the Manager, Parks & Environment regarding “Harbourside Park and the Department of Fisheries and Oceans” be added to the agenda.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Braithwaite, seconded by Councillor Keating

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

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m., and reconvened at 7:15 p.m., with the same personnel present.

Mayor Sharp called for a minute's silence in remembrance of Chief Joe Mathias who passed away on Friday, March 10, 2000.

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of March 6, 2000 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

- (a) District of North Vancouver, Proposed Rezoning, North Vancouver Cemetery – File: 4215-09**

Report: Manager, Parks and Environment, March 8, 2000

PURSUANT to the report of the Manager, Parks and Environment dated March 8, 2000, entitled "District of North Vancouver, Proposed Rezoning, North Vancouver Cemetery":

Continued....

9.1 (a) District of North Vancouver, Proposed Rezoning, North Vancouver Cemetery – File: 4215-09 - Continued

THAT the report of the Manager, Parks and Environment dated March 8, 2000, entitled “District of North Vancouver, Proposed Rezoning, North Vancouver Cemetery” be received and filed;

AND THAT the March 8, 2000 report be referred to the Cemetery Advisory Board for information;

AND THAT staff follow-up on the issue of outstanding audited statements and potential monies owing for fill receipts on the City’s lands;

AND THAT the report of the Manager, Parks and Environment dated March 8, 2000, entitled “District of North Vancouver, Proposed Rezoning, North Vancouver Cemetery” remain in camera.

(CARRIED UNANIMOUSLY)

(b) City of North Vancouver Honour – File: 1075-01

Report: City Clerk, March 1, 2000

PURSUANT to the report of the City Clerk dated March 1, 2000, entitled “City of North Vancouver Honour”:

THAT John Edwin Loucks be made a Freeman of the City of North Vancouver.

(CARRIED UNANIMOUSLY)

(c) Appointments to the Waterfront Industrial Noise Control Committee – File: 1085-03-N2-01

Report: City Clerk, March 1, 2000

PURSUANT to the report of the City Clerk dated March 1, 2000, entitled “Appointments to the Waterfront Industrial Noise Control Committee”:

THAT Mr. Harold Holmes be reappointed for a three-year term ending on January 31, 2003;

AND THAT Mr. Don Pullen be appointed for an interim one-year term, to complete the remainder of the term of Mr. Mark Shorter ending on January 31, 2001;

AND THAT the vacancy left by Ms. Stephani Samaridis be filled as and when new applications are received.

(CARRIED UNANIMOUSLY)

9.1 (d) Appointments to the Waterfront Industrial Community Committee (Sub-committee of the Waterfront Industrial Noise Control Committee) – File: 1085-03-N2-09

Report: City Clerk, March 1, 2000

PURSUANT to the report of the City Clerk dated March 1, 2000, entitled “Appointments to the Waterfront Industrial Community Committee (Sub-committee of the Waterfront Industrial Noise Control Committee)”:

THAT Mr. Don Griffin, B.C. Rail, Mr. Ben Schmidt, C.N. Rail and Ms. Valerie Jenkins and Mr. Gordon Huff, Community Representatives, be appointed to the Waterfront Industrial Community Committee;

AND THAT representatives from Neptune Terminals, Saskatchewan Wheat Pool and James Richardson International be appointed as and when these individuals have been identified by the respective companies;

AND THAT the Terms of Reference for the sub-committee be amended to reflect a change in name from the “Waterfront Industry Community Committee” to the “Waterfront Industrial Community Committee”.

(CARRIED UNANIMOUSLY)

(e) Conflict of Interest – File: 1140-04-01

Report: City Administrator, March 9, 2000

PURSUANT to the report of the City Administrator dated March 9, 2000, entitled “Independent Legal Advice – Conflict of Interest”:

THAT a budget amount of \$14,000. be established in the 2000 Annual Budget for the purpose of Mayor and Councillors to obtain independent legal advice on matters of conflict of interest;

AND THAT staff prepare guidelines for the Legal Fund Account as outlined in the March 9, 2000 report of the City Administrator;

AND THAT staff prepare an Indemnification Bylaw for the protection of Mayor and Councillors as permitted under Section 287.4 of the Municipal Act;

AND THAT the report of the City Administrator dated March 9, 2000, entitled “Independent Legal Advice – Conflict of Interest” remain in camera.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) William N. Perrault, Notary Public, North Vancouver

Re: Representation Agreement Act – Section 9(2)
File: 1035-02/1020-03

Mr. William N. Perrault, Notary Public, North Vancouver, gave an overview of the Representation Agreement Act and the fact that it will give lawyers the sole authority to draft Section 9 Representation Agreements .

Mr. Perrault requested members of Council to write to the Attorney-General, local M.L.A.'s and the newspapers demanding the right to freedom of choice, by having Notaries named by Regulation as a 'prescribed class of persons' as set out in Section 9(2) of the Representation Agreement Act.

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

(b) Derek Lunden, North Shore Walk/Run Committee

Re: North Shore Committee for the Royal Bank Super Cities
Walk/Run for Multiple Sclerosis Society of Canada –
File: 1070-01

Mr. Dan Rollins, Chair, North Shore Walk/Run Committee for Multiple Sclerosis advised that the 2000 Walk/Run for MS is scheduled to take place on Sunday, April 9, 2000 at Ambleside Park, West Vancouver.

Mr. Rollins invited members of Council to take part in the Municipal Challenge for Multiple Sclerosis. He advised that an award will be given to the North Shore Community who has the highest per capita participation in the walk. He also issued a Mayors' Municipal MS participation challenge for the April 9th walk.

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

3. CORRESPONDENCE

**(a) William N. Perrault, Notary Public, North Vancouver,
February 21, 2000**

Re: Representation Agreement Act – Section 9(2)
File: 1035-02/1020-03

Moved by Councillor Bell, seconded by Councillor Fearnley

THAT a letter be forwarded to the local MLA's and the Attorney-General expressing Council's concerns regarding the change in the Representation Agreement Act that excludes Notaries from being named in Section 9(2) of the Act as "a prescribed class of persons".

CARRIED UNANIMOUSLY

(b) Derek Lunden, North Shore Walk/Run Committee, March 6, 2000

Re: North Shore Committee for the Royal Bank Super Cities
Walk/Run for Multiple Sclerosis Society of Canada –
File: 1070-01

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the correspondence dated March 6, 2000 received from Derek Lunden, North Shore Walk/Run Committee regarding "North Shore Committee for the Royal Bank Super Cities Walk/Run for Multiple Sclerosis Society of Canada" be received and filed.

CARRIED UNANIMOUSLY

**(c) Greater Vancouver Regional District "The Board In Brief",
February 25, 2000**

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the Greater Vancouver Regional District "The Board in Brief" dated February 25, 2000, be received and filed.

CARRIED UNANIMOUSLY

Mayor Sharp welcomed Councillor Braithwaite back to Council after a lengthy illness.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

**(a) Proposed Parkland Rezoning – Sunrise Park Expansion
File: 4305-03-S4**

Report: City Planner, Development Services,
February 15, 2000

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the City Planner dated February 15, 2000, entitled “Proposed Parkland Rezoning – Sunrise Park Expansion”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7212” (City of North Vancouver/Sunrise Park Expansion) be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT staff report back prior to the Public Hearing on other options to help alleviate the parking problems at Lions Gate Studios in the short medium and long-term, including the use of parking on Brooksbank Avenue as well as parking on other private and publicly owned lands including the use of 4th Street.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Braithwaite

THAT the report of the City Planner dated February 15, 2000, entitled “Proposed Parkland Rezoning – Sunrise Park Expansion” be referred to the Environmental Protection Program Committee, Social Planning Advisory Committee, Advisory Planning Commission and the North Shore Arts Commission for information.

CARRIED UNANIMOUSLY

Moved by Councillor Braithwaite, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

6. BYLAWS

(d) Introduction And First Reading Only

Moved by Councillor Braithwaite, seconded by Councillor Perrault that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7212" (City of North Vancouver/Sunrise Park Expansion)

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

Councillor Keating briefly left and returned to the meeting.

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

(b) Appointment to Federation of Canadian Municipalities Committees – File: 1040-03-F1

Report: City Clerk, March 1, 2000

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the report of the City Clerk, dated March 1, 2000, entitled "Appointment to Federation of Canadian Municipalities Committees":

THAT Councillor J.B. Braithwaite and Councillor W.J. Bell be appointed as the City of North Vancouver representatives to the Federation of Canadian Municipalities Sub-Committee and Standing Committee concluding on December 4, 2000.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Braithwaite, seconded by Councillor Keating

THAT Item 4.(g) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

4. (g) **Large Format Retail Establishments – File: 3380-02-M1**

Report: City Planner, Development Services, March 7, 2000

Moved by Councillor Bell, seconded by Councillor Perrault

PURSUANT to the report of the City Planner, dated March 7, 2000, entitled “Large Format Retail Establishments”:

THAT the subject report be referred to the Advisory Planning Commission for review and a report;

AND THAT Development Services be directed to recommend a preferred Zoning Bylaw amendment process thereafter.

Moved by Councillor Bell, seconded by Councillor Perrault

THAT the motion be amended by adding the following:

“**AND THAT** staff be requested to bring forward a Zoning Bylaw amendment for first reading.”

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT the motion be amended to include the following wording after the words “Advisory Planning Commission”:

“North Vancouver Chamber of Commerce, Urban Development Institute, Federation of Independent Businesses and the Lower Lonsdale Business Association and to the Policy Committee”

CARRIED UNANIMOUSLY

The motion, as amended, was then **CARRIED UNANIMOUSLY.**

The motion now reads as follows:

“**PURSUANT** to the report of the City Planner, dated March 7, 2000, entitled “Large Format Retail Establishments”:

THAT the subject report be referred to the Advisory Planning Commission, North Vancouver Chamber of Commerce, Urban Development Institute, Federation of Independent Businesses and the Lower Lonsdale Business Association for review and a report and to the Policy Committee;

AND THAT Development Services be directed to recommend a preferred Zoning Bylaw amendment process thereafter;

AND THAT staff be requested to bring forward a Zoning Bylaw amendment for first reading.”

4. (c) **Council Member Appointee to the North Shore Community Foundation – File: 1165-06-01/1090-03-01**

Report: City Clerk, March 8, 2000

Moved by Councillor Perrault, seconded by Councillor Keating

PURSUANT to the report of the City Clerk, dated March 8, 2000, entitled “Council Member Appointee to the North Shore Community Foundation”:

THAT Councillor R.J. Fearnley be appointed to the North Shore Community Foundation for a term to conclude on December 4, 2000.

CARRIED UNANIMOUSLY

(d) **Amendment to Building Bylaw, Sprinklering Requirement, File: 3310-03-02-02**

Report: Manager, Inspections, Development Services, March 7, 2000

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Manager, Inspections, dated March 7, 2000, entitled “Amendment to Building Bylaw, Sprinklering Requirement”:

THAT “Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2000, No. 7215” (Sprinklering) be considered.

Councillor Braithwaite left the meeting at 8:41 p.m.

The motion was **CARRIED UNANIMOUSLY.**

(e) **Application to Apply an Additional Hotel Room Tax (AHRT) File: 1600-01**

Report: Manager – Special Projects, March 8, 2000

Moved by Councillor Bell, seconded by Councillor Mussatto

PURSUANT to the report of the Manager – Special Projects, dated March 8, 2000, entitled “Application to Apply an Additional Hotel Room Tax (AHRT)”:

THAT the list of applicants attached to the March 8, 2000 report be appointed to the Tourism Development Advisory Committee (TDAC);

AND THAT Councillor B.W. Perrault be appointed to TDAC;

Continued....

4. (e) **Application to Apply an Additional Hotel Room Tax (AHRT)**
File: 1600-01 - Continued

AND THAT the draft Service Contract between the City of North Vancouver and the North Vancouver Chamber of Commerce be endorsed;

AND THAT the application attached to the March 8, 2000 report be forwarded to the Ministry of Finance for their approval.

CARRIED UNANIMOUSLY

(f) **Additional Staffing – Systems Analyst – File: 1800-01**

Report: Director of Computer Services, March 8, 2000

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Director of Computer Services, dated March 8, 2000, entitled “Additional Staffing – Systems Analyst”:

THAT a new Systems Analyst position be approved and the Computer Services staff complement be increased by one regular full-time position.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

(h) **Local Agenda 21 Forum Committee Report –**
File: 1085-03-S11-01

Report: Chair, Social Planning Advisory Committee,
February 23, 2000

Moved by Councillor Bell, seconded by Councillor Fearnley

PURSUANT to the report of the Chair, Social Planning Advisory Committee, dated February 23, 2000, entitled “Local Agenda 21 Forum Committee Report”:

THAT this report be received for information.

CARRIED UNANIMOUSLY

4. (i) Update on Homelessness Initiatives – File: 3365-01

Report: Social Planner, Development Services, March 7, 2000

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Social Planner, dated March 7, 2000, entitled “Update on Homelessness Initiatives”:

THAT the report be received and filed.

Moved by Councillor Perrault, seconded by Councillor Bell

THAT the motion be amended by adding the following:

“**AND THAT** regarding the issue of emergency shelters for homeless people on the North Shore that an application go forward to the Federal and the Provincial governments requesting monies for the provision of emergency shelters.”

CARRIED UNANIMOUSLY

The motion, as amended, was **CARRIED UNANIMOUSLY.**

(j) Population Cap – File: 3330-04

Report: Planner, Development Services, March 8, 2000

Moved by Councillor Fearnley, seconded by Councillor Mussatto

PURSUANT to the report of the Planner, dated March 8, 2000, entitled “Population Cap”:

THAT discussion of the issue of the City’s population cap be deferred until the Policy Committee meeting of March 20, 2000.

CARRIED UNANIMOUSLY

4. (k) **Fire Prevention Inspection Schedule and Frequency Policy**
File: 3135-01

Report: Fire Chief – Prevention, March 7, 2000

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Fire Chief – Prevention, dated March 7, 2000, entitled “Fire Prevention Inspection Schedule and Frequency Policy”:

THAT the policy regarding Fire Prevention Inspection Schedule and Frequency Policy be approved;

AND THAT the “Hotel and Public Building Inspection Bylaw, 2000, No. 7216” be considered.

CARRIED UNANIMOUSLY

(l) **Emergency Preparedness – Community Outreach Program**
File: 3125-10-03

Report: Social Planner, Development Services,
March 1, 2000

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Social Planner, dated March 1, 2000, entitled “Emergency Preparedness – Community Outreach Program”:

THAT the Emergency Preparedness Community Outreach Program be endorsed;

AND THAT the West Coast Disaster Response Conference Community Day be held in the City of North Vancouver as a public event to kick-off the City’s Emergency Preparedness Community Outreach Program;

AND THAT funds up to \$10,000. be allocated from General Contingency for this purpose.

Moved by Councillor Bell, seconded by Councillor Mussatto

THAT the motion be amended by adding the following:

“**AND THAT** staff be requested to work with the North and West Vancouver Emergency Program on this issue.”

CARRIED UNANIMOUSLY

The motion, as amended, was **CARRIED UNANIMOUSLY.**

5. **MOTIONS AND NOTICES OF MOTION**

(a) **City of North Vancouver Contract Employees – File: 1900-01**

Submitted by Councillor W. J. Bell

Moved by Councillor Bell, seconded by Councillor Keating

WHEREAS some City of North Vancouver contract employees have been employed on an ongoing basis, beyond a reasonable time frame;

THEREFORE BE IT RESOLVED THAT staff be requested to prepare a report on the number of contract employees and the length of service;

AND THAT staff be requested to bring forward a report on comparative Human Resources practices as it pertains to contract renewals.

CARRIED UNANIMOUSLY

(b) **Landscaping at the Civic Plaza and City Hall – File: 4305-03-F1/
4210-02-C1**

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

WHEREAS the City of North Vancouver is committed to beautification and sustainability for its civic buildings and parks;

AND WHEREAS the landscaping around City Hall and the Civic Plaza features self sustaining plants native to our region within the province of British Columbia;

AND WHEREAS some of these plants are still quite immature and are neither colourful nor beautiful;

THEREFORE BE IT RESOLVED THAT large clumps of colourful annual flowers be planted among the indigenous sustainable plants for the purpose of enhancing and beautifying our Civic Plaza and City Hall.

6. **BYLAWS - Continued**

(a) **Reconsideration and Final Adoption**

Nil.

6. BYLAWS - Continued

(b) Introduction and First Three Readings

Moved by Councillor Fearnley, seconded by Councillor Bell that

- (i) "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2000, No. 7215" (Sprinklering)
- (ii) "Hotel and Public Building Inspection Bylaw, 2000, No. 7216"

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 Fearnley, seconded by Councillor Bell

THAT the said Bylaws Nos. 7215 and 7216 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Fearnley, seconded by Councillor Bell

THAT the said Bylaws Nos. 7215 and 7216 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

7. COUNCIL INQUIRIES (Questions of Council Members)

(a) Lower Mainland Treaty Advisory Committee – File: 1185-06

Inquiry by Councillor Bell

Councillor Bell asked Mayor Sharp if the City of North Vancouver has a representative on the Lower Mainland Treaty Advisory Committee of which Mayor Don Bell, District of North Vancouver is the Chair.

Mayor Sharp advised that she was the City of North Vancouver representative on this Committee.

Recess – Public Question Period

Mayor Sharp declared a recess at 9:24 p.m., for the public question period and reconvened the meeting immediately.

8. ANY OTHER BUSINESS – Continued

**(a) Harbourside Park and the Department of Fisheries and Oceans
File: 4305-03-H6**

Verbal Report: Manager, Parks & Environment

Mr. Bill Granger, Manager, Parks & Environment, updated members of Council regarding his recent discussion with the Department of Fisheries and Oceans with regards to the park land at the Harbourside Business Park.

He advised that the City of North Vancouver cannot enter into the draft Memorandum of Understanding received from the Department of Fisheries and Oceans because this M.O.U. states that the south part of the park has to be turned back into its natural habitat and cannot be used for public access.

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

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT a letter be forwarded to the Department of Fisheries and Oceans voicing Council's displeasure regarding the draft Memorandum of Understanding regarding the south part of the Harbourside Business Park returning to its "natural habitat";

AND THAT the Minister of Fisheries and Oceans be invited to tour the subject site.

CARRIED

10. ADJOURNMENT

Moved by Councillor Keating, seconded by Councillor Bell

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:43 p.m.