



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, FEBRUARY 5, 2001**
AT 5:30 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
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
I. Gordon, Deputy Director of Finance
J. Aver, Manager, Financial Services
D. Cameron, Budget Analyst
F.A. Smith, Director Development Services
G. Penway, Development Planner
B. Spencer, Development Planner
J. Laughlin, City Engineer
R. Shore, Director of Human Resources
B. Susak, Deputy City Engineer
B. Granger, Manager, Parks & Environment
C. Turner, Director, Information Technology
D. Branson, Administrative Assist. Engineering
R. Inglis, Director, Museum and Archives
R. Bruckshaw, Purchasing Manager
F. Caouette, Manager – Special Projects
R. Douglas, Fire Chief
B. Penman, Assistant Chief - Operations
Supt. J. Graham, O.I.C./R.C.M.P.
D. Walker, Administrative Manager, R.C.M.P.
Insp. G. Tomlinson, O.I.C. Operations, R.C.M.P.
L. Zwarn, Administrative Manager, Dev. Servs.
P. Melville, Manager, Inspections
R.H. White, City Planner
M. MacFadyen, Manager, Lands Division

The meeting was called to order at 5:30 p.m.

9. CONFIDENTIAL REPORTS

Moved by Councillor Mussatto, seconded by Councillor Bell

THAT the meeting 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:

Continued.....

9. CONFIDENTIAL REPORTS - Continued

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

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Mayor Sharp

THAT item 6.(c)(i) on the agenda be brought forward for consideration after item 4.(d) on the agenda.

CARRIED UNANIMOUSLY

The meeting recessed at 5:32 p.m., and reconvened at 7:10 p.m., with the same personnel present and with the addition of Councillor Keating and Councillor Braithwaite.

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the meeting recess to the Finance Committee meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:10 p.m., and reconvened at 7:11 p.m., with the same personnel present.

1. ADOPTION OF MINUTES

Moved by Councillor Keating, seconded by Mayor Sharp

THAT the Minutes of the Regular Council Meeting of January 22, 2001 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(b) 5-5-4 Work Schedule – File: 1835-03-03/1800-06

Report: Director of Human Resources, January 29, 2001

PURSUANT to the report of the Director of Human Resources dated January 29, 2001, entitled “5-5-4 Work Schedule”:

THAT City Council provide a mandate to the City Manager and Director of Human Resources to implement a 5-5-4 work schedule for specified City Hall, Fire Hall, and R.C.M.P. administrative staff for a test period to commence on, or as soon as possible after, February 24, 2001, and ending November 23, 2001;

AND THAT this is subject to a Letter of Understanding being agreed to by C.U.P.E. Local 389, outlining the conditions of the test period, which is to be substantially as detailed in the report of the Director of Human Resources, dated January 29, 2001;

AND THAT, as a result of the foregoing, City Hall hours of operation will be extended from “4:30 p.m. to 5:00 p.m.”, Monday to Friday, for the test period;

AND THAT the 5-5-4 work schedule shall be implemented without additional budget cost to the City.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Keating
Councillor Braithwaite
Councillor Perrault
Councillor Bell
Mayor Sharp

Voting against: Councillor Fearnley

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

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

**9.1 (c) North Shore Family Court & Youth Justice Committee
Appointments - File: 1085-03-N11-02**

Report: North Shore Family Court & Youth Justice Committee,
January 19, 2001

PURSUANT to the report of the North Shore Family Court & Youth Justice Committee dated January 19, 2001, entitled "North Shore Family Court & Youth Justice Committee Appointments":

THAT Mr. Ryan Kineshanko, Ms. Janet Baker, Mr. David Walsoff, Cst. Barry Mattock, Cst. Tony Gabriel and Mr. Karoosh Shahrokh be appointed to the North Shore Family Court & Youth Justice Committee in the Professional category for the term January 1, 2001 to December 31, 2001.

(CARRIED UNANIMOUSLY)

(d) Appointments to the Advisory Design Panel – File: 1085-03-A1-01

Report: City Clerk, January 5, 2001

PURSUANT to the report of the City Clerk dated January 5, 2001, entitled "Appointments to the Advisory Design Panel":

THAT Melanie Marchand and Darryl Condon, Architects, be reappointed to the Advisory Design Panel for a further two-year term each to conclude on January 31, 2003;

AND THAT David Wright, Landscape Architect, be reappointed for a further two-year term to conclude on January 31, 2003;

AND THAT Paul Reilly, Construction Representative, be reappointed for a further two-year term to conclude on January 31, 2003;

AND THAT Patricia Johnston, Artist, be appointed for a two-year term to conclude on January 31, 2003;

AND THAT David Rose, Landscape Architect, be appointed for a one-year term to complete the term of David Easton to conclude on January 31, 2002;

AND THAT Teryle Magnuson be appointed for a two-year term as the Business Representative, to conclude on January 31, 2003;

AND THAT letters be sent to all the unsuccessful applicants from Mayor B.A. Sharp.

(CARRIED UNANIMOUSLY)

**9.1 (e) Appointments to the Advisory Planning Commission
File: 1085-03-A3-01**

Report: City Clerk, January 5, 2001

PURSUANT to the report of the City Clerk dated January 5, 2001, entitled "Appointments to the Advisory Planning Commission":

THAT Brad Phillips and Chris Robertson be reappointed to the Advisory Planning Commission for a further three-year term to conclude on January 31, 2004;

AND THAT Jim Ramsay be appointed for a two-year term to complete the term of David Corbeil to conclude on January 31, 2003;

AND THAT David Goodman be appointed for a two-year term to complete the term of Debbie Tardiff to conclude on January 31, 2003;

AND THAT letters be sent to all the unsuccessful applicants from Mayor B.A. Sharp.

(CARRIED UNANIMOUSLY)

**(f) Appointments to the City of North Vancouver Heritage
Advisory Commission – File: 1085-03-C2-01**

Report: City Clerk, January 10, 2001

PURSUANT to the report of the City Clerk dated January 10, 2001, entitled "Appointments to the City of North Vancouver Heritage Advisory Commission":

THAT Mr. Charles Moorhead, Architect, be appointed to the City of North Vancouver Heritage Advisory Commission for a two-year term to conclude on January 31, 2003;

AND THAT John Stuart and Coralee Gillis each be appointed for a two-year term to conclude on January 31, 2003;

AND THAT letters be sent to all the unsuccessful applicants from Mayor B.A. Sharp.

(CARRIED UNANIMOUSLY)

**9.1 (g) Appointments to the North Shore Arts Commission
File: 1085-03-N3-01**

Report: City Clerk, January 5, 2001

PURSUANT to the report of the City Clerk dated January 5, 2001, entitled "Appointments to the North Shore Arts Commission":

THAT Hilda Colwell and Jane Lowery be reappointed for a further two-year term to the North Shore Arts Commission each to conclude on January 31, 2003;

AND THAT Shirlee McKinnon be appointed to complete the remainder of the term of Tony Pawlett to conclude on January 31, 2002;

AND THAT letters be sent to all the unsuccessful applicants from Mayor B.A. Sharp.

(CARRIED UNANIMOUSLY)

**(h) Appointments to the Cemetery Advisory Board
File: 1085-03-C14-01**

Report: City Clerk, January 5, 2001

PURSUANT to the report of the City Clerk dated January 5, 2001, entitled "Appointments to the Cemetery Advisory Board":

THAT Frances Martin, James Lawrence and Ella Dyer be reappointed to the Cemetery Advisory Board for a further two-year term to conclude on January 31, 2003.

(CARRIED UNANIMOUSLY)

9.1 (j) **Appointments to the Social Planning Advisory Committee**
File: 1085-03-S11-01

Report: City Clerk, January 5, 2001

PURSUANT to the report of the City Clerk dated January 5, 2001, entitled "Appointments to the Social Planning Advisory Committee":

THAT Elizabeth Kelley and Elisa Wagner be reappointed to the Social Planning Advisory Committee for a further two-year term each to conclude on January 31, 2003;

AND THAT Sylvia Todd and Noordin Somji, be appointed for a two-year term to conclude on January 31, 2003;

AND THAT the Terms of Reference be amended to reflect the change of Council appointee from voting member to liaison member;

AND THAT letters be sent to all the unsuccessful applicants from Mayor B.A. Sharp.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Sharp read the following Proclamation:

"BURN AWARENESS WEEK", FEBRUARY 4 – 10, 2001

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

(a) **Versatile Shipyard Development Application: Zoning and Heritage Designation Bylaw Final Adoption (Coriolis Consulting Corporation/Hotson Bakker Architects, 109 & 116 East Esplanade, CD-393) - File: 3400-05 ESPL E 109 & 116**

Report: Planner, Development Services, January 31, 2001

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Planner, dated January 31, 2001, entitled "Versatile Shipyard Development Application: Zoning and Heritage Designation Bylaw Final Adoption (Coriolis Consulting Corporation/Hotson Bakker Architects, 109 & 116 East Esplanade, CD-393)":

THAT staff be directed to finalize this rezoning application with legal documents substantially as described in said report.

CARRIED UNANIMOUSLY

4. (b) 365 East 2nd Street, F.M. Rany Ratushny, Vice President,
Pacific Asset Management Corporation – File: 3400-05 2E 365

Report: Mayor Barbara A. Sharp, December 7, 2000

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT the Council resolution of November 20, 2000 which reads as follows:

“**THAT** the Letter of Credit in the amount of \$66,000. be returned to Pacific Asset Management Corporation.”

be rejected.”

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the motion be amended by deleting the words “be rejected” and replacing them with the words “be reaffirmed”.

A recorded vote was taken on the amendment to the motion.

Voting in favour: Councillor Mussatto
Councillor Keating
Councillor Bell

Voting against: Councillor Braithwaite
Councillor Perrault
Councillor Fearnley
Mayor Sharp

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

A recorded vote was taken on the original motion.

Voting in favour: Councillor Braithwaite
Councillor Perrault
Councillor Fearnley
Mayor Sharp

Voting against: Councillor Keating
Councillor Mussatto
Councillor Bell

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

4. (c) **Grand Boulevard and Queensbury Traffic and Park Open Space Functional Review – File: 4155-07-03-K4**

Report: Deputy City Engineer, January 5, 2001

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT staff be requested to report on the comments of Council from the Regular Council meeting of January 15, 2001 and from tonight's Regular Council meeting.

CARRIED UNANIMOUSLY

(d) **Noise Bylaw Exemption Request, Palladium Properties Corp., 120 West 16th Street, North Vancouver, BC – File: 4020-03**

Report: Public Health Inspector, North Shore Health Region, January 29, 2001

Moved by Councillor Mussatto, seconded by Councillor Bell

PURSUANT to the report of the Public Health Inspector, dated January 29, 2001, entitled "Noise Bylaw Exemption Request, Palladium Properties Corp., 120 West 16th Street, North Vancouver, BC":

THAT the exemption is for Palladium Properties Corp. to make construction noise for two hours longer than presently permitted on only two days per week from this date until June 1, 2001;

AND THAT no construction noise is to occur on site, on the two exempted days, prior to 7:00 a.m. nor after 10:00 p.m. Noise will be limited on other days as per the existing bylaw;

AND THAT the residents of 144 West 16th Street, 117 and 137 West 17th Street, be notified in writing of the constructional work outside of the Bylaw permissible hours at least one day in advance of the exempted dates.

CARRIED UNANIMOUSLY

6. BYLAWS

(c) Second and Third Readings

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7276" (AMS Design & Project Management/F. Adab Architects Inc., 235-243 East 11th Street, CD-408)

Moved by Councillor Mussatto, seconded by Councillor Keating that

"Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7276" (AMS Design & Project Management/F. Adab Architects Inc., 235-243 East 11th Street, CD-408) be read a second time in short form;

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Bylaw No. 7276 be amended as follows:

1. By replacing the figures "1.0" and "0.278" in Section 3. (3) with the figures "0.95" and "0.219" respectively;
2. By adding a new Clause 3. (4) which reads as follows:

"3. (4) For the purposes of CD-408, crawlspace shall be defined as areas used for storage purposes, with no exterior glazing, no exterior access and not contiguous with included Gross Floor Area and shall have a ceiling height of 2.134 metres (7.0 feet) in height or less;"
3. By adding the following words to the current Clause 3. (4) and renumbering it to 3. (5):

"nor a height envelope generated from the south boundary of the site following an inclined plane at 45 degrees northwards from a height of 3.656 metres (12.0 feet) measured above finished grade at the south (lane side) property line in accordance with the approved Garden Apartment Guidelines. Five bay windows and related roofs may project beyond the above described inclined plane, but in no way shall each of these projections exceed a maximum width of 2.44 metres (8 feet) or a maximum height 7.62 metres (25.0 feet) established in relation to the average grade at the north property line of the project."
4. By striking out Clause 3. (5) (d) in its entirety and replacing it with Clause 3. (6) (d) which reads:

(d) 2.134 metres (7.0 feet) from the Rear Lot Line to the Basement level and 4.267 metres (14.0 feet) from the Rear Lot Line to the rear face of the Principal Building;

Continued....

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

5. By striking out Clause 3.(6) in its entirety and replacing it with a revised Clause 3.(7) which reads as follows:

“3.(7) The Basement level which has a floor level more than 0.61 metres (2.0 feet) below average grade may project 2.13 metres (7.0 feet) into the required rear yard setback, and 1.22 metres (4.0 feet) into the required side yard setbacks, from a point not less than 13.7 metres (45.0 feet) but not more than 17.37 metres (57.0 feet) north of the south property line on the east side, and not less than 20.42 metres (67.0 feet) but not more than 24.08 metres (79.0 feet) north of the south property line on the west side;”

6. That Clauses 3. (7), 3. (8), 3. (9), 3. (10) and 3. (11) be renumbered 3. (8), 3. (9), 3. (10), 3. (11) and 3. (12) respectively.
7. That Clause 3. (12) be deleted in its entirety and the remaining Clauses be renumbered accordingly.

Moved by Councillor Braithwaite, seconded by Councillor Fearnley

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2000, No. 7276” (AMS Design & Project Management/F. Adab Architects Inc., 235-243 East 11th Street, CD-408) be referred to a new Public Hearing.

A recorded vote was taken on the motion.

Voting in favour: Councillor Braithwaite
Councillor Fearnley

Voting against: Councillor Mussatto
Councillor Keating
Councillor Perrault
Councillor Bell
Mayor Sharp

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

The motion on the amendment of Bylaw No. 7276 was **CARRIED**.

Councillor Braithwaite is recorded as voting contrary to the amendment to the motion.

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

Councillor Braithwaite is recorded as voting contrary to the motion, as amended.

Continued....

6. (c) Second and Third Readings - Continued

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Bylaw No. 7276, as amended, be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Braithwaite is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Bell

THAT the meeting recess to the Finance Committee meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:32 p.m., and reconvened at 10:21 p.m., with the same personnel present and with the exception of Councillor Mussatto who left the Finance Committee meeting at 8:55 p.m.

Moved by Mayor Sharp, seconded by Councillor Keating

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 UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

(a) TransLink's Strategic Transportation Plan – File: 1180-37-03

Submitted by Councillor C.R. Keating

Requested on January 15, 2001 to be brought back to Council when all members are in attendance.

Item 5. (a) was not dealt with as all members of Council were not in attendance when this item was to be dealt with.

5. (b) **Sustainable Growth and Development – File: 3325-09**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Keating, seconded by Mayor Sharp

THAT consideration of the following motion be deferred to the next regular meeting of Council scheduled for Monday, February 12, 2001:

“WHEREAS the concept of sustainable growth and development is accepted by most academics as the preferred way to exist as cities and towns;

AND WHEREAS there is only a finite amount of oil, gas and coal and coal reserves and we are depleting these reserves at a rate far greater than we ever have in the past;

AND WHEREAS other parts of the world such as California are already experiencing demands of power which exceed the supplies available;

THEREFORE BE IT RESOLVED THAT staff report back on including in the upcoming Official Community Plan revision statements and criteria that makes energy efficiency a guiding principle to existing and future development.”

CARRIED UNANIMOUSLY

6. **BYLAWS – Continued**

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

Moved by Councillor Fearnley, seconded by Councillor Bell that

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2001, No. 7291" (Purchase of 158 West 13th Street)

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 Bylaw No. 7291 be read a second time in short form.

CARRIED UNANIMOUSLY

Continued....

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

Moved by Councillor Fearnley, seconded by Councillor Bell

THAT the said Bylaw No. 7291 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(c) Second and Third Readings – Continued

Moved by Councillor Bell, seconded by Councillor Keating that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2001, No. 7287” (Jecar Investments Ltd./Croome Architects, 38 Fell Avenue, CD-412)

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Bell, seconded by Councillor Keating

THAT the said Bylaw No. 7287 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE

- (a) **Mayor George Ferguson, City of Abbotsford, Mayor Al Hogarth, District of Maple Ridge and Mayor Don MacLean, District of Pitt Meadows, Community Futures Development Corporation of North Fraser, January 15, 2001**

Re: Smart Development & Stormwater Management Workshop -
File: 1840-03-01

Moved by Councillor Bell, seconded by Councillor Keating

THAT Council and staff be authorized to attend the Smart Development & Stormwater Management Workshop, to be held Friday, March 2, 2001 at Pitt Meadows Recreation Hall;

AND THAT the costs be paid in accordance with City Policy;

AND THAT the funds be provided from the 2001 Legislative Conference Account.

CARRIED UNANIMOUSLY

3. (b) **Canadian District Energy Association, received
January 31, 2001**

Re: 6th Annual Conference & Exhibition, March 28-30, 2001
Vancouver Convention Centre, Vancouver, BC
File: 1840-03-01

Moved by Councillor Bell, seconded by Councillor Keating

THAT Council and staff be authorized to attend the Canadian District Energy Association 6th Annual Conference & Exhibition, to be held March 28 - 30, 2001 at the Vancouver Convention Centre, Vancouver, BC;

AND THAT the costs be paid in accordance with City Policy;

AND THAT the funds be provided from the 2001 Legislative Conference Account.

CARRIED UNANIMOUSLY

(c) **Canadian Hydrogen Conference, received January 31, 2001**

Requested by Councillor R.J. Fearnley

Re: 11th Canadian Hydrogen Conference "Building the Hydrogen Economy" to be held June 17-20, 2001 in Victoria, BC
File: 1840-03-01

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

THAT Council and staff be authorized to attend the 11th Canadian Hydrogen Conference, to be held June 17-20, 2001 in Victoria, BC;

AND THAT the costs be paid in accordance with City Policy;

AND THAT the funds be provided from the 2001 Legislative Conference Account.

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the motion be referred to the Engineering Department for comment.

CARRIED UNANIMOUSLY

3. (d) **Mr. David A. Hobbs, Chair, North Vancouver Recreation Commission, January 15, 2001**

Requested by Mayor Barbara A. Sharp

Re: Joint Recreation Commission Bylaw – File: 4410-07

Moved by Councillor Perrault, seconded by Councillor Bell

PURSUANT to the correspondence dated January 15, 2001, received from Mr. David A. Hobbs, Chair, North Vancouver Recreation Commission, regarding “Joint Recreation Commission Bylaw”:

THAT Mayor B.A. Sharp, Councillor D.R. Mussatto, Councillor J.B. Braithwaite and the City Manager be appointed as the City representatives to the group regarding the Joint Recreation Commission Bylaw.

CARRIED UNANIMOUSLY

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

- (e) **Joint Session: Marine Drive Stakeholders, Advisory Planning Commission, Advisory Design Panel and Council – File: 3380-02-M1**

Report: Planner, Development Services, January 30, 2001

Moved by Councillor Bell, seconded by Councillor Keating

PURSUANT to the report of the Planner, dated January 30, 2001, entitled “Joint Session: Marine Drive Stakeholders, Advisory Planning Commission, Advisory Design Panel and Council”:

THAT the Marine Drive Planning Study Joint Session be held on a date to be determined.

CARRIED UNANIMOUSLY

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

Nil.

10. **ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Bell

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:37 p.m.