



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, DECEMBER 17, 2001**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

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

ABSENT:

Councillor W.J. Bell

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
R.H. White, City Planner
M. MacFadyen, Manager, Lands Division
C. Kathler, Social Planner
F. Caouette, Manager, Special Projects
F.A. Smith, Director, Community Development
B. Susak, Deputy City Engineer
Supt. G. Tomlinson, O.I.C./R.C.M.P.
L. Zwarn, Administrative Manager, Community
Development Department

The meeting was called to order at 6:00 p.m.

Moved by Councillor Perrault, seconded by Councillor Keating

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 Keating, seconded by Councillor Perrault

THAT the report of the Chair, North Shore Substance Abuse Task Force, dated December 12, 2001 entitled "North Shore Implementation Plan for the North Shore Substance Abuse Strategy" be added to the agenda as item 4.(g);

AND THAT representatives from the Capilano College Performing Arts Theatre be heard when item 5 (c) on the agenda is being dealt with, this evening.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Keating, seconded by Councillor Perrault

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:

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

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m., and reconvened at 7:48 p.m., with the same personnel present and with the addition of Councillor Braithwaite.

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Keating

THAT the Minutes of the Regular Council Meeting of December 10, 2001 be adopted as circulated.

CARRIED UNANIMOUSLY

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(c) Special Projects – File: 1845-01 AD

Report: City Manager, December 12, 2001

PURSUANT to the report of the City Manager, dated December 12, 2001, entitled “Special Projects”:

THAT the position of Manager, Special Projects, as outlined in the December 12, 2001 report of the City Manager, entitled “Special Projects”, be made permanent, and converted to a regular full-time position.

CARRIED UNANIMOUSLY

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

9.1 (d) Solicitor General re. R.C.M.P. – File: 3200-01

Report: City Manager, December 13, 2001

PURSUANT to the report of the City Manager, dated December 13, 2001, entitled “Solicitor General re. R.C.M.P.”:

THAT the City Manager continue to work with the Lower Mainland Policing Advisory Committee, and update Council on a regular basis.

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

(a) Security in Public Parks and Plaza Areas – File: 4305-01

Requested by Councillor C. R. Keating

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the City Manager prepare a report indicating how much money the City has spent on hiring private firms to provide security services in public spaces within the City, indicating, as well, from which funds these monies have come;

AND THAT the City Manager prepare a report outlining steps that can be taken to ensure that staff more clearly understand the intent of resolutions adopted by Council.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) **Mr. Bill Jeffries, Gallery Director/Curator, British Columbia Photography and Media Arts Society**

Re: 2001 Operations and 2002 – 2006 Five-Year Financial Plan
File: 1650-08-01

Mr. Bill Jeffries, Gallery Director/Curator, British Columbia Photography and Media Arts Society, requested a grant increase of \$10,000. to cover 25% of the cost of a new Curator position. The Curator position will be responsible for the planning and implementation of exhibitions and will contribute to public programming activities.

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

3. CORRESPONDENCE

(a) **Mr. Bill Jeffries, Gallery Director/Curator, British Columbia Photography and Media Arts Society, December 3, 2001**

Re: 2001 Operations and 2002 – 2006 Five-Year Financial Plan
File: 1650-08-01

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the correspondence dated December 3, 2001 from the Budget Analyst to Mr. Bill Jeffries, Gallery Director/Curator, British Columbia Photography and Media Arts Society, regarding “2001 Operations and 2002 – 2006 Five-Year Financial Plan” be referred to the Finance Committee.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(b) **Ms. Val Mason, Managing Director, Presentation House Theatre**

Re: 2001 Operations and 2002 – 2006 Five-Year Financial Plan
File: 1650-08-01

Ms. Val Mason, Managing Director, introduced Mr. Bill Devine, Board Member, Presentation House Cultural Society, and requested the following two operating items for an increase in funding:

1. 3% wage increase for existing staff (City of North Vancouver share is \$889.), and
2. additional theatre technician fees (City of North Vancouver share is \$1,500.).

Continued....

2. (b) Ms. Val Mason, Managing Director, Presentation House Theatre - Continued

Ms. Mason advised that one capital item is requested in the amount of \$5,000. for the purchase of a Box Office Software program and related equipment.

She advised that the Society would also like the City to consider their request to install air conditioning in Presentation House Theatre. The Society has set aside \$25,000. towards this project and is requesting an additional \$25,000. from the City of North Vancouver.

Ms. Mason then responded to questions from members of Council.

3. CORRESPONDENCE - Continued

(b) Mr. Bill Elliot, Chair, Presentation House Cultural Society, December 3, 2001

Re: 2001 Operations and 2002 – 2006 Five-Year Financial Plan
File: 1650-08-01

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the correspondence dated December 3, 2001 from the Budget Analyst to Mr. Bill Elliot, Chair, Presentation House Cultural Society, regarding “2001 Operations and 2002 – 2006 Five-Year Financial Plan” be referred to the Finance Committee.

CARRIED UNANIMOUSLY

(c) Ms. Marg Huber, Director of Conflict Resolution Initiatives, Fundraising Concert Coordinator, Music For Life, December 11, 2001

Re: African Children’s Choir – File: 1670-03-01

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the correspondence dated December 11, 2001, received from Ms. Marg Huber, Director of Conflict Resolution Initiatives, Fundraising Concert Coordinator, Music For Life, regarding “African Children’s Choir”:

THAT the City of North Vancouver donate \$500. to the Music for Life Society in support of the African Children’s Choir;

AND THAT the funding be taken from the General Contingency Account.

CARRIED UNANIMOUSLY

3. (d) **Mr. Harry Martin, President, Kiwanis Seniors Housing Society of West Vancouver, November 14, 2001**

Re: Kiwanis Seniors Housing Society of West Vancouver
supportive housing development at 21st Street and Gordon
Avenue, West Vancouver – File: 1040-03-K2

Requested by Mayor Barbara A. Sharp

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the correspondence dated November 14, 2001, received from Mr. Harry Martin, President, Kiwanis Seniors Housing Society of West Vancouver, regarding “Kiwanis Seniors Housing Society of West Vancouver supportive housing development at 21st Street and Gordon Avenue, West Vancouver”:

THAT Mayor Sharp send a letter to Mr. Martin, President, Kiwanis Seniors Housing Society of West Vancouver, indicating Council’s support for the seniors housing project in West Vancouver;

AND THAT the letter also include a reference to the freeze on support from BC Housing for these type of projects.

CARRIED UNANIMOUSLY

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

(b) **Waterfront Industrial Noise Control Committee Terms of Reference – File: 1085-03-N2-01**

Report: Councillor J. B. Braithwaite, November 29, 2001

Moved by Councillor Braithwaite, seconded by Councillor Perrault

PURSUANT to the report of Councillor J. B. Braithwaite, dated November 29, 2001, entitled, “Waterfront Industrial Noise Control Committee Terms of Reference”:

THAT the Terms of Reference of the Waterfront Industrial Noise Control Committee be amended to reflect a quorum of 3, rather than the current quorum of 4.

CARRIED UNANIMOUSLY

4. (c) Fell Avenue Overpass Latecomer Agreement – File: 3380-02-F3

Report: Deputy City Engineer, December 11, 2001

Moved by Councillor Fearnley, seconded by Councillor Braithwaite

PURSUANT to the report of the Deputy City Engineer dated December 11, 2001, entitled “Fell Avenue Overpass Latecomer Agreement”:

THAT a Latecomer Charge of \$11.73 per square metre of the actual floor area of a building in excess of \$50,000. in construction value within Benefitting Lands, plus interest at a rate prescribed by the City, be imposed on the Benefitting Lands as a condition of those Benefitting Lands using the excess or extended services;

AND THAT the Mayor and City Clerk be authorized to execute the Latecomer Agreement attached to the December 11, 2001 report;

AND THAT “Development Cost Charges Bylaw, 1997, No. 6814, Amendment Bylaw, 2001, No. 7388” be considered.

CARRIED UNANIMOUSLY

**(d) Repair Bylaw – 83 Chesterfield Avenue, North Vancouver, B.C.
File: 3345-02**

Report: Property Use Inspector, Community Development,
December 12, 2001

Moved by Councillor Perrault. seconded by Councillor Fearnley

PURSUANT to the report of the Property Use Inspector, dated December 12, 2001, entitled “Repair Bylaw – 83 Chesterfield Avenue, North Vancouver, B.C.”:

THAT “Repair Bylaw, 2001, No. 7389” (83 Chesterfield Avenue), be considered.

AND THAT staff be authorized to take whatever steps are necessary to ensure that the property is maintained in a safe condition.

CARRIED UNANIMOUSLY

4. (e) **Rezoning Application – 1848 Mahon Avenue (Ganda Singh/C. Moorhead, Architect) – File: 3400-05 Mah 1848**

Report: Development Planner, Community Development,
December 10, 2001

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT staff be requested to prepare a report on the support, or lack of support, in the neighbourhood, for the rezoning application received for 1848 Mahon Avenue.

CARRIED UNANIMOUSLY

(f) **Staff Time to Prepare Lower Mainland Municipal Association Regional Drug Strategy Committee Funding Proposal
File: 4230-01**

Report: City Manager, December 11, 2001

Moved by Councillor Fearnley, seconded by Councillor Keating

PURSUANT to the report of the City Manager, dated December 11, 2001, entitled “Staff Time to Prepare Lower Mainland Municipal Association Regional Drug Strategy Committee Funding Proposal”:

THAT Mr. Larry Orr, Social Planner, be directed to work on the Lower Mainland Municipal Association Regional Drug Strategy Committee Funding Proposal.

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT consideration of the report of the City Manager, dated December 11, 2001, entitled “Staff Time to Prepare Lower Mainland Municipal Association Regional Drug Strategy Committee Funding Proposal” be deferred to a regular Council meeting in early 2002 pending further information and receipt of the final strategy from the Chair, Lower Mainland Municipal Association Regional Drug Strategy Committee.

CARRIED

4. (g) **Implementation Plan for the North Shore Substance Abuse Strategy – File: 1085-03-N32-02**

Report: Chair, North Shore Substance Abuse Task Force,
December 12, 2001

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the Chair, North Shore Substance Abuse Task Force, dated December 12, 2001, entitled “Implementation Plan for the North Shore Substance Abuse Strategy”:

THAT the Implementation Plan for the North Shore Substance Abuse Strategy be approved in principle, pending funding;

AND THAT \$30,000. for the City of North Vancouver for 2002 implementation expenses be approved in principle pending the approval of the final strategy by the North Shore Congress and Task Force member organizations.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Development Variance Permit Application - 121 East 1st Street (Pierobon/Foyle) - File: 3358-03 01 121E DVP 151**

Moved by Councillor Mussatto, seconded by Councillor Braithwaite

THAT Development Variance Permit No. 151 be issued to Peter Pierobon and Sibeal Foyle, 121 East 1st Street, in accordance with Section 922 of the Local Government Act;

AND THAT the Mayor and City Clerk be authorized to sign and seal Development Variance Permit No. 151.

CARRIED UNANIMOUSLY

(b) **Development Variance Permit Application – Sign Variance for 135 West 1st Street (Galaxie Signs) - File: 3358-03 01 135W DVP 152**

Moved by Councillor Perrault, seconded by Councillor Keating

THAT item 5.(b) be deleted from the agenda.

CARRIED UNANIMOUSLY

5. (c) **Proposed North Vancouver Jazz Festival – File: 1670-03-06**

Submitted by Councillor B.W. Perrault

Moved by Councillor Perrault, seconded by Councillor Keating

WHEREAS there has been a demonstrable interest in Jazz Music by residents of the North Shore;

AND WHEREAS the Capilano College Performing Arts Theatre has established itself as the premier presenter of Jazz on the North Shore, indeed this series has been lauded as a major player in the local jazz scene;

AND WHEREAS plans are underway for the Capilano College of Performing Arts Theatre to partner with the Coastal Jazz and Blues Society, producers of the Vancouver International Jazz Festival in the summer of 2002;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver join in a partnership with Capilano College Performing Arts Theatre and provide the required funding of up to \$10,000. and support in kind for performances of Jazz musicians in the Civic Square and other public places during the 2002 Vancouver International Jazz Festival;

AND THAT the funding be provided from the General Contingency Account.

Councillor Perrault introduced Ms. Fiona Black, Music Programmer, Capilano College Performing Arts Theatre, and Mr. Kevin Mooney, Producer of the Vancouver Sun Community Concert Series.

Ms. Black outlined the proposed North Vancouver Jazz Festival being held in various North Shore locations from June 21 – 30, 2002, and requested a grant of \$10,000. and support in kind from the City of North Vancouver for said Festival.

Ms. Black then responded to questions from members of Council.

The motion was then **CARRIED UNANIMOUSLY.**

5. (d) **Use of Pesticides and Herbicides – File: 4000-02-02-02/
1085-03-E3**

Submitted by Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Mussatto

WHEREAS the Supreme Court of Canada has recently upheld the rights of municipalities to regulate the use of pesticides and herbicides within their boundaries;

THEREFORE BE IT RESOLVED THAT pursuant to this decision, the Environmental Protection Advisory Committee, with the support of staff, be directed to review the City's current regulations in this regard and to report to Council with recommended changes.

CARRIED UNANIMOUSLY

6. **BYLAWS**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Keating, seconded by Councillor Mussatto that

- (i) "Intermunicipal Business License Agreement Authorization Bylaw, 2001, No. 7350", as amended
- (ii) "Highways Stopping Up and Closing Bylaw, 2001, No. 7352"
(Stopping up and closing of a portion of lane established by document DF16730 of former Lot 'A', Block 62, District Lot 548, Group One, New Westminster District, Plan 750)
- (iii) "Animal Control Services Agreement Bylaw, 2001, No. 7384"
- (iv) "Dog Tax and Regulation Bylaw, 1988, No. 5852, Amendment Bylaw, 2001, No. 7385" (Pound Facilities)
- (iv) "Cat Regulation Bylaw, 1999, No. 7105, Amendment Bylaw, 2001, No. 7386" (Impounding Fees)

be reconsidered.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaws Nos. 7350, as amended, 7352, 7384, 7385 and 7386 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED UNANIMOUSLY

6. (b) Introduction and First Three Readings

Moved by Councillor Keating, seconded by Councillor Fearnley that

- (i) "Development Cost Charges Bylaw, 1997, No. 6814, Amendment Bylaw, 2001, No. 7388"
- (ii) "Repair Bylaw, 2001, No. 7389" (83 Chesterfield Avenue)
- (iii) "Infrastructure Reserve Fund Expenditure Bylaw, 2001, No. 7375" (2002 Capital Works Program)

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 Fearnley

THAT the said Bylaws Nos. 7388, 7389 and 7375 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the said Bylaws Nos. 7388, 7389 and 7375 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

(c) Second and Third Readings

Nil.

(d) Introduction And First Reading Only

Moved by Councillor Fearnley, seconded by Councillor Keating that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2001, No. 7338" (Ganda Singh/C. Moorhead Architect, 1848 Mahon Avenue, RS-3)

be deleted from the agenda.

CARRIED UNANIMOUSLY

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

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 9:56 p.m., for the public question period and reconvened the meeting immediately.

10. **ADJOURNMENT**

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:57 p.m.