



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JUNE 23, 2003 AT
6:00 P.M.****

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
Councillor R.N. Heywood
Councillor C.R. Keating
Councillor D.R. Mussatto
Councillor B.W. Perrault

ABSENT:

Councillor R.J. Fearnley

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
B. Susak, Deputy City Engineer
D. Pope, Manager, Parks & Environment
F. Caouette, Manager – Special Projects
R.H. White, City Planner

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

1. ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the Minutes of the Regular Council Meeting of June 16, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

CONSENT AGENDA {Items 9 *(b), 4 *(a), 4 *(b), 4 *(c), 4 *(d), 4 *(e), 4 *(f),
4 *(g), 4 *(h), 6 *(a)(i), 6 *(a)(ii), 6 *(a)(iii), 6 *(b)(i),
6 *(d)(i), 6 *(d)(ii), 6 *(d)(iii) and 6(d)(iv)}

Moved by Councillor Perrault, seconded by Councillor Clark

THAT the resolutions listed within the "Consent Agenda" of June 23, 2003 with the exception of items 4. *(e), 6 *(d)(i) and 6 *(d)(ii), be approved, as follows:

9. CONFIDENTIAL REPORTS

***(b) Leave of Absence Without Pay Request – Adam Vasilevich
File: 1800-06/1880-03-09**

Report: Director of Human Resources, June 18, 2003

PURSUANT to the report of the Director of Human Resources, dated June 18, 2003, entitled “Leave of Absence Without Pay Request – Adam Vasilevich”:

THAT Mr. Adam Vasilevich be granted a leave of absence without pay for a period of eight months.

(CARRIED UNANIMOUSLY)

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) Tree Petitions - File: 4310-01**

Recommendation: Policy Committee, June 16, 2003

PURSUANT to the report of the Acting City Engineer dated June 10, 2003, entitled “Tree Policy - For the Management of Trees on City Property”:

THAT staff be requested to develop a draft Tree Preservation Bylaw as in Option 4 of the June 10, 2003 report, entitled “Replace the existing Tree Policy with a Tree Protection Bylaw”, for consideration;

AND THAT in the interim, the existing Tree Policy and Tree Removal Petition Process be amended to more clearly define the criteria whereby tree petitions are initiated, Option 3, of the June 10, 2003 report.

(CARRIED UNANIMOUSLY)

***(b) Arts Assistance Grant Program 2003, Per Capita Grant
File: 1670-03-10**

Report: Deputy Director of Finance, June 16, 2003

PURSUANT to the report of the Deputy Director of Finance, dated June 16, 2003, entitled “Arts Assistance Grant Program 2003, Per Capita Grant”:

THAT the City of North Vancouver increase its per capita grant to the Arts Assistance Grant Program to \$1.20 per capita;

Continued....

4. ***(b) Arts Assistance Grant Program 2003, Per Capita Grant
File: 1670-03-10 - Continued**

AND THAT funding for this increase be taken from the unallocated 2003 “New Items” amount.

(CARRIED UNANIMOUSLY)

***(c) Lower Lonsdale Resource Requirements - File: 1650-05-01**

Report: Lower Lonsdale Project Manager, June 16, 2003

PURSUANT to the report of the Lower Lonsdale Project Manager, dated June 16, 2003, entitled “Lower Lonsdale Resource Requirements”:

THAT, on an annual basis, the Lower Lonsdale Project Manager provide a Development Budget to include resource, development and contingency costs associated with the sale of Lower Lonsdale lands for Council’s approval;

AND THAT costs appropriate to fund the anticipated Lower Lonsdale development budget be included in the City’s Financial Plan for Council’s consideration.

(CARRIED UNANIMOUSLY)

***(d) Development Variance Permit Application - 600 Queensbury Avenue - File: 3358-03 Queensbury 600 DVP No. 177**

Report: Development Planner, Community Development,
June 12, 2003

PURSUANT to the report of the Development Planner dated June 12, 2003, entitled “Development Variance Permit Application - 600 Queensbury Avenue”:

THAT Development Variance Permit No. 177 be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT the Public Meeting be waived.

(CARRIED UNANIMOUSLY)

4. ***(f) Rezoning Application - Presentation House Site (333 Chesterfield Ave.) and Site 1 (175 West 2nd St.): Heritage and Amenity Density Transfer - File: 3400-05 Site 1 02W 175 / Presentation House CHES.333**

Report: City Planner, Community Development, June 17, 2003

PURSUANT to the report of the City Planner dated June 17, 2003, entitled "Rezoning Application - Presentation House Site (333 Chesterfield Ave.) and Site 1 (175 West 2nd St.): Heritage and Amenity Density Transfer":

THAT third reading of "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7438" (The Corporation of the City of North Vancouver - Lands Division, Site 1, 175 West 2nd Street, CD-436), be rescinded;

AND THAT the said Bylaw be amended at second reading by adding new subsections 3(b) (8) and (9), as follows:

(8) The maximum Gross Floor Area shall be limited to 2.6 times the lot area, plus an additional 2,489.72 square metres (26,800 square feet) of Transferable Heritage/Amenity Density from the site known as Central School/Anne MacDonald Hall and located at 333 Chesterfield Avenue (CD-456).

(9) The minimum lot size in the CD-436 Zone shall be 2,322.5 square metres (25,000 square feet).

AND THAT the said "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7438" (The Corporation of the City of North Vancouver - Lands Division, Site 1, 175 West 2nd Street, CD-436), as amended, be referred to a Public Hearing;

AND THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7523" (The Corporation of the City of North Vancouver, 333 Chesterfield Avenue, Central School/Anne MacDonald House, CD-456), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

***(g) Rezoning Application: 329 East 12th Street, RT-1 (Synthesis Design Inc.) - File: 3400-05 12E 329**

Report: Development Planner, Community Development,
June 16, 2003

PURSUANT to the report of the Development Planner dated June 16, 2003, entitled "Rezoning Application: 329 East 12th Street, RT-1 (Synthesis Design Inc.)":

Continued....

4. ***(g) Rezoning Application: 329 East 12th Street, RT-1 (Synthesis Design Inc.) - File: 3400-05 12E 329 - Continued**

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7524” (Michael Henderson/Synthesis Design Inc., 329 East 12th Street, RT-1), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

***(h) Lonsdale Energy Corporation Update - File: 4165-05-03**

Report: Deputy City Engineer, June 18, 2003

PURSUANT to the report of the Deputy City Engineer dated June 18, 2003, entitled “Lonsdale Energy Corporation Update”:

THAT “Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7522” (Lonsdale Energy Corporation), be considered.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

***(a) Reconsideration and Final Adoption**

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7508” (Housekeeping Amendment - Liquor License Categories, City of North Vancouver)
- (ii) “Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2003, No. 7514” (Parking Facility Interior Wall Colour)
- (iii) “Parks Regulation Bylaw, 1996, No. 6611, Amendment Bylaw, 2003, No. 7516”

THAT the said Bylaws Nos. 7508, 7514 and 7516 be reconsidered.

THAT the said Bylaws Nos. 7508, 7514 and 7516 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

- (i) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7522" (Lonsdale Energy Corporation)

THAT Bylaw No. 7522 be read a first time in short form, copies of same having been distributed to Council members and read by them.

THAT the said Bylaw No. 7522 be read a second time in short form.

THAT the said Bylaw No. 7522 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

***(d) Introduction And First Reading Only**

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7523" (The Corporation of the City of North Vancouver, 333 Chesterfield Avenue, Central School/Anne MacDonald House, CD-456)

- (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7524" (Michael Henderson/Synthesis Design Inc., 329 East 12th Street, RT-1)

THAT Bylaws Nos. 7523 and 7524 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

END OF CONSENT AGENDA ITEMS.

Moved by Councillor Clark, 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 Clark, seconded by Councillor Keating

THAT the Confidential Information Report of the Manager, Special Projects, dated June 19, 2003, entitled "Ports Competitiveness – Community Survey" be added to the agenda, in camera, as item 9. (c).

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS - Continued

Moved by Councillor Keating, seconded by Councillor Clark

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) (c) (d) (f)
- 9 (c) Section 242.2 (1) (j)

CARRIED UNANIMOUSLY

The meeting recessed at 6:02 p.m., and reconvened at 7:45 p.m., with the same personnel present.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

- (c) Ports Competitiveness – Community Survey**
File: 1155-06-V1-01

Report: Manager – Special Projects, June 19, 2003

THAT the Council of the City of North Vancouver is opposed to the proposed changes by the Provincial Government to the Class 4 Tax Rates that would be borne solely by the municipalities;

AND THAT the report of the Manager – Special Projects dated June 19, 2003, entitled “Ports Competitiveness – Community Survey” remain in camera.

CARRIED UNANIMOUSLY

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

- (e) **Rezoning Application to Expand Commercial Use and to Amend the Official Community Plan - 238 Fell Avenue (Daniel Lo/Karl Gustavson Architect) - File: 3400-05 Fell 238**

Report: Planning Technician 2, Community Development,
June 10, 2003

Moved by Councillor Perrault, seconded by Councillor Clark

PURSUANT to the report of the Planning Technician 2, dated June 10, 2003, entitled “Rezoning Application to Expand Commercial Use and to Amend the Official Community Plan - 238 Fell Avenue (Daniel Lo/Karl Gustavson Architect)”:

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7520” (Rezoning Application to Expand Commercial Uses - 238 Fell Avenue, Daniel Lo/Karl Gustavson Architect, Text Amendment to CD-312) and “Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw 2003, No. 7521” (Daniel Lo/Karl Gustavson Architect, 238 Fell Avenue), be considered and referred to a Public Hearing.

CARRIED UNANIMOUSLY

6. BYLAWS – Continued

- (d) **Introduction and First Reading Only - Continued**

Moved by Councillor Perrault, seconded by Councillor Clark that

- (i) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7520” (Rezoning Application to Expand Commercial Uses - 238 Fell Avenue, Daniel Lo/Karl Gustavson Architect, Text Amendment to CD-312)
- (ii) “Official Community Plan Bylaw, 2002, No. 7425, Amendment Bylaw 2003, No. 7521” (Daniel Lo/Karl Gustavson Architect, 238 Fell Avenue)

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

COUNCIL REPORT OF COMMITTEE WORK - File: 1085-01

Councillor Mussatto

- Advised that the City of North Vancouver and Park & Tilford Gardens will be hosting a slide show in the Council Chamber, City Hall, on Thursday, June 26, 2003 at 7:30 p.m., on the history of the Park & Tilford Gardens.

Councillor Heywood

- Advised that the role of the Advisory Planning Commission has been focused on particular projects and they are now looking at whether they can contribute to the future of the City by taking a broader view of some of the planning issues.

Councillor Perrault

- Attended a Street Naming Committee meeting and advised that some parks and Streets have to be named in the City and that there will be an advertisement in the local newspaper asking for public input into appropriate names for some of these parks and Streets.
- Advised that she is busy with the search committee for a new Director of Recreation.
- Advised that the official opening of Hamersley House, 350 East 2nd Street, is scheduled for Saturday, June 28, 2003 at 3:30 p.m.

PROCLAMATIONS

Nil.

2. DELEGATIONS

(a) Mr. Paul Markey, Environmental Health Officer for the North Shore

Re: West Nile Virus - File: 4230-01

Mr. Paul Markey, Environmental Health Officer for the North Shore, Vancouver Coastal Health Authority, gave a PowerPoint presentation on the epidemiology of the West Nile Virus. Mr. Markey advised that the West Nile Virus is a mosquito-borne virus that, in rare situations, can cause encephalitis (inflammation of the brain).

Mr. Markey further advised that a comprehensive provincial strategy has been developed to address West Nile Virus, helping health officials to take steps to prevent illness. Results of the Provincial Monitoring Program are available through the BC Centre for Disease Control Website at www.bccdc.org

Continued....

2. (a) Mr. Paul Markey, Environmental Health Officer for the North Shore - Continued

Mr. Markey advised that a public information line has been established by North Shore Health Services (604-983-6788) to allow the public to call for information on the disease as well as report dead birds or standing water. He further advised that the Vancouver Coastal Health Authority has mailed information brochures on the West Nile Virus to all households on the North Shore.

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

3. CORRESPONDENCE

(a) Mr. Paul Markey, Environmental Health Officer for the North Shore, June, 2003

Re: West Nile Virus - Brochures - File: 4230-01

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the correspondence dated June, 2003, received from Mr. Paul Markey, Environmental Health Officer for the North Shore, regarding "West Nile Virus – Brochures" be received and filed with thanks.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(b) Ms. Emese Szücs, Manager, Parking Permit Program, Social Planning and Research Council of British Columbia and Mr. David Wozencroft, Community Liaison, Disability Issues, TransLink

Re: Access Awareness - File: 1040-03-U1-01/4230-01

Ms. Emese Szücs, Manager, Parking Permit Program, Social Planning and Research Council of British Columbia gave a brief overview of the SPARC BC programs.

Ms. Szücs requested members of Council to support the SPARC BC programs in the City of North Vancouver with respect to access awareness and enforcement of the designated parking spots for people with disabilities in the community.

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

3. CORRESPONDENCE - Continued

- (b) **Ms. Emese Szücs, Manager, Parking Permit Program, Social Planning and Research Council of British Columbia and Mr. David Wozencroft, Community Liaison, Disability Issues, TransLink, May 2003**

Re: Access Awareness - File: 1040-03-U1-01/4230-01

Moved by Councillor Heywood, seconded by Councillor Mussatto

THAT the correspondence dated May, 2003, received from Ms. Emese Szücs, Manager, Parking Permit Program, Social Planning and Research Council of British Columbia and Mr. David Wozencroft, Community Liaison, Disability Issues, TransLink, regarding "Access Awareness" be received and filed with thanks.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

- (c) **Ms. Sandy Lee, Operator, Reminisce Café, North Vancouver**

Re: Fundraising Event - June 28, 2003 - Reminisce Café
- 116 West 3rd Street - File: 3045-04-26

Ms. Sandy Lee, Operator, Reminisce Café, located at 116 West 3rd Street, North Vancouver, requested permission to hold a fundraising event from 11:00 a.m., to 5:00 p.m., on Saturday, June 28, 2003 at her café. She advised that the event will be an outdoor barbeque with live music entertainment with 50% of the proceeds going to the Lions Gate Hospital Foundation.

3. CORRESPONDENCE - Continued

- (c) **Ms. Sandy Lee, Operator, Reminisce Café, North Vancouver, June 10, 2003**

Re: Fundraising Event - June 28, 2003 - Reminisce Café
- 116 West 3rd Street - File:3045-04-26

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence dated June 10, 2003, received from Ms. Sandy Lee, Operator, Reminisce Café, regarding "Fundraising Event - June 28, 2003 - Reminisce Café - 116 West 3rd Street":

THAT the event scheduled for June 28, 2003 be allowed to take place with live music entertainment.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(d) **Mr. Doug Sabourin, Executive Director, Family Services of the North Shore**

Re: Child Protection and Services to BC Children, A Call to Action June 17 - 27, 2003 - File: 4230-09/1110-12-01

Mr. Doug Sabourin, Executive Director, Family Services of the North Shore, gave an update on the proposed cuts to the provincial budget for child protection and services to children and families in British Columbia.

Mr. Sabourin advised that large budget cuts on top of a massive reorganization have the potential to dramatically harm our agencies and the communities they serve so well.

Mr. Sabourin requested members of Council to call upon the Provincial Government to adequately fund the services for child protection and children and families and to demand that the Provincial Government undertake a service audit to ensure that much needed services are maintained by adequate funding.

3. CORRESPONDENCE - Continued

(d) **Ms. Noreen Boudreau, President, Federation of Child and Family Services of BC, June 17, 2003**

Re: Child Protection and Services to BC Children, A Call to Action June 17 - 27, 2003 - File: 4230-09/1110-12-01

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the correspondence dated June 17, 2003, received from Ms. Noreen Boudreau, President, Federation of Child and Family Services of BC, regarding "Child Protection and Services to BC Children, A Call to Action June 17 - 27, 2003":

THAT the City of North Vancouver call upon the Provincial Government to adequately fund the services for child protection and children and families at any time in the future;

AND THAT they restore full funding and powers to an independent position in the Office of the Commissioner for child protection and children and families;

AND THAT any proposed cuts to funding the services for child protection and children and families be subject to a service audit and that this audit be made public and that it be undertaken by an independent source.

Continued....

3. (d) **Ms. Noreen Boudreau, President, Federation of Child and Family Services of BC, June 17, 2003 - Continued**

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the motion be referred to staff for an information report.

A recorded vote was taken on the referral motion.

Voting in favour: Councillor Perrault

Voting against: Councillor Mussatto
Councillor Keating
Councillor Heywood
Councillor Clark
Mayor Sharp

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

A recorded vote was taken on the original motion.

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

Voting against: Councillor Perrault
Councillor Heywood

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

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Greater Vancouver Regional District, Richmond/Airport/
Vancouver (RAV) Project – File: 1180-37-01**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS the consideration of the RAV project constitutes one of the most important issues facing the Greater Vancouver Regional District and TransLink;

AND WHEREAS the public has little access to the exact nature of the public/private/partnership proposed for the RAV project or to the Price Waterhouse Coopers analysis of the proposed project;

Continued....

5. (a) **Greater Vancouver Regional District, Richmond/Airport/
Vancouver (RAV) Project – File: 1180-37-01 - Continued**

THEREFORE BE IT RESOLVED THAT the City of North Vancouver urge the Greater Vancouver Regional District to delay consideration of the RAV project until all information regarding the proposed partnership and its costs have been made public and until a public consultant process, in all Greater Vancouver Regional District municipalities, on the project has been completed;

AND THAT the City of North Vancouver insist that TransLink rescind any motions committing it to go forward with the RAV line until 120 days of public consultation have been concluded as was required by the GVTA at the time such motions were adopted;

AND THAT the City of North Vancouver request that all correspondence regarding the proposed RAV line from TransLink, its board members, or its officers to the Province and/or the Federal Government and from the Province and/or the Federal Government to TransLink, its board members, or its officers, be immediately released to the public.

A recorded vote was taken on the motion.

Voting in favour: Councillor Heywood
Councillor Clark
Councillor Mussatto
Councillor Keating

Voting against: Councillor Perrault
Mayor Sharp

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

(b) **Light Pollution/Light Invasion – File: 3100-01**

Submitted by Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Mussatto

WHEREAS the City currently does not regulate lighting of development with respect to levels and operating times;

AND WHEREAS the community needs to be protected from light pollution/light invasion;

THEREFORE BE IT RESOLVED THAT a Policy Committee Meeting of Council be held to address this issue.

CARRIED UNANIMOUSLY

5. (c) **Development Cost Charge Program – File: 1660-03-03-01**

Councillor D.R. Mussatto advised that he will present the following motion at the next regular meeting of Council:

“WHEREAS the City introduced a Development Cost Charge System for the acquisition of new park land approximately a decade ago;

AND WHEREAS builders of new homes and businesses in the City have had to add these costs to the eventual selling price of these homes and businesses;

AND WHEREAS the City is interested in keeping the cost of new homes and the cost of doing business in the City as affordable as possible;

THEREFORE BE IT RESOLVED THAT the Finance Department and the Parks Division of the Engineering, Parks and Environment Department be directed to provide Council, as soon as possible, with a full accounting of the revenue and expenditures from the Development Cost Charge Program to date;

AND THAT a Policy Committee meeting be scheduled to review this Program.”

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

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 9:27 p.m., for the public question period and reconvened the meeting immediately.

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:28 p.m.