



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

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
*Councillor R.J. Fearnley
Councillor R.N. Heywood
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
R. Shore, Director, Human Resources
S. Ono, City Engineer
B. Susak, Deputy City Engineer
D. Pope, Manager, Environment & Parks
L. McCarthy, Community Development Worker
(Youth Programs)
R.H. White, City Planner
G. Penway, Assistant City Planner
K. Russell, Development Planner
S. Smith, Planner, Engineering Department
H. Fleming, Director of Recreation
D. Owens, Building Inspector
D. Purdie, Lower Lonsdale Project Manager
C. Amundsen, Executive Assistant to the Mayor
M. Gram, Cultural Services Coordinator, North
Vancouver Recreation Commission
R. Douglas, Fire Chief

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

1. ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the Minutes of the Regular Council Meeting of September 15, 2003
be adopted as circulated.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

CONSENT AGENDA {Items 9 *(c), 9 *(d), 3 *(g), 4 *(b), 4 *(c), 4 *(d), 4 *(e), 4 *(f), 4 *(g), 4 *(h), 4 *(i), 4 *(j), 4 *(k), 4 *(l), 6 *(b)(i), 6 *(b)(ii), 4 *(m), 6 *(d)(i), 5 *(a), 6 *(a)(i), 6 *(a)(ii), 6 *(a)(iii), 6 *(a)(iv) and 6 *(c)(i)}

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the resolutions listed within the “Consent Agenda” of October 6, 2003, with the exception of items 4. *(c) and 4. *(e) be approved, as follows:

9. CONFIDENTIAL REPORTS

***(c) Leave of Absence Without Pay Request - Christopher Jones
File: 1800-06/1880-03-09**

Report: Director of Human Resources, September 30, 2003

PURSUANT to the report of the Director of Human Resources dated September 30, 2003, entitled “Leave of Absence Without Pay Request – Christopher Jones”:

THAT Mr. Christopher Jones be granted a leave of absence without pay for the period September 24, 2003 to October 24, 2003;

AND THAT authority be granted to extend this leave of absence without pay further, if requested, provided that satisfactory medical certification is received by staff.

(CARRIED UNANIMOUSLY)

***(d) Sale of City Owned Lands Adjacent to 133 West 23rd Street
File: 3400-05 23W 133**

Report: Land Agent, Community Development,
September 30, 2003

PURSUANT to the report of the Land Agent dated September 30, 2003, entitled “Sale of City Owned Lands Adjacent to 133 West 23rd Street”:

THAT staff be authorized to proceed with the sale of City-owned land with an area of approximately 400 square feet at the rear of Lot 9, Block 206, District Lot 545, Plan 2979 New Westminster District;

AND THAT the above mentioned parcel be sold subject to the following conditions:

- The purchaser supplying the City with a consolidation plan for the existing Lot 9 plus the additional land that is being acquired from the City;

Continued....

9. ***(d) Sale of City Owned Lands Adjacent to 133 West 23rd Street
File: 3400-05 23W 133 - Continued**

- The purchaser grant at no cost to the City, a Statutory Right-of-Way over the land that it is acquiring from the City;
- The purchaser executing a Rental Housing Agreement;
- The land being sold based upon an upset price of \$80.00 per square foot;
- The purchaser being required to provide the City with a fully executed copy of the City's Purchase and Sale Agreement plus a certified cheque, being 10% of the purchase price upon execution of the Agreement;

AND THAT the Land Agent be authorized to accept an offer on the City's behalf that meets all the conditions as set out in the Land Agent's report dated September 30, 2003;

AND THAT the Mayor and City Clerk be authorized to execute any documents to transfer title to the "City Lands" fully described in the Land Agent's report dated September 30, 2003;

AND THAT this offer to sell City-owned land remain open until October 7, 2003.

(CARRIED UNANIMOUSLY)

3. **CORRESPONDENCE**

***(g) David McGuinty, President and CEO, National Round Table on the Environment and the Economy, September 5, 2003**

Re: Environment and the Economy (NRTEE) Information
Session - File: 1840-03-01

Requested by Councillor R.J. Fearnley

PURSUANT to the correspondence received from David McGuinty, President and CEO, National Round Table on the Environment and the Economy, dated September 5, 2003 regarding "Environment and the Economy (NRTEE) Information Session":

THAT Council be authorized to attend the "Securing our Wealth: Investing in the Environmental Quality of Canadian Cities" Session to be held in Vancouver, B.C., October 29, 2003;

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

AND THAT the funds be provided from the 2003 Legislative Conventions and Delegations Account.

(CARRIED UNANIMOUSLY)

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(b) Light Pollution/Light Invasion - File: 4140-11-04**

Recommendation: Policy Committee, September 15, 2003

PURSUANT to the report of the Planner dated September 8, 2003, entitled "Policy Committee on Light Pollution & Trespass":

THAT staff be requested to report back with a revised Implementation Plan for the City Lighting Master Strategy based on a review of the Official Community Plan sustainability principles.

(CARRIED UNANIMOUSLY)

***(d) 2004 Preliminary Capital Plan: Items Over \$100,000. Requested for 2004 - File: 1650-01**

Recommendation: Finance Committee, September 30, 2003

PURSUANT to the report of the Deputy Director of Finance, dated September 25, 2003, entitled "2004 Preliminary Capital Plan: Items Over \$100,000 Requested for 2004":

THAT the following projects be referred to the 2004-2013 Capital Plan for consideration:

1. **New Library \$1,000,000**
2. **New Museum at Versatile \$1,000,000**
3. **Ridgeway Out of School Centre Renovating Project \$490,700**
4. **Harry Jerome Redevelopment..... \$135,000**
5. **Lower Lonsdale Community Centre \$427,000**
6. **Affordable Housing –
Purchase of Existing Rental Property \$1,000,000**
7. **Civic Centre - HVAC Upgrade..... \$600,000**
8. **Library – Addition to Collection \$250,000**

Continued....

4. *(d) **2004 Preliminary Capital Plan: Items Over \$100,000.
Requested for 2004 - File: 1650-01 - Continued**

| | | |
|------------|--|--------------------|
| 9. | Information Technology | \$855,000 |
| | Annual Server Replacement..... | 105,000 |
| | Fibre to Lower Lonsdale Community Centre | 150,000 |
| | Fibre to Harry Jerome..... | 130,000 |
| | Storage Area Network | 130,000 |
| | Business License, Permits, and Inspections | 120,000 |
| | Library System | 120,000 |
| | Block Funding..... | 100,000 |
| 10. | Fire Equipment | \$140,000 |
| | Light Truck Replacements (4) | 140,000 |
| 11. | Works Yard | \$898,000 |
| | HVAC System Upgrade..... | 100,000 |
| | Works Yard Vehicles Replacement..... | 798,000 |
| 12. | Lonsdale Energy Company | \$700,000 |
| | West of Lonsdale..... | 200,000 |
| | Extend East of Lonsdale..... | 500,000 |
| 13. | Streets and Transportation | \$2,015,000 |
| | Pavement Management | 500,000 |
| | Lane Pavement Management | 100,000 |
| | 200 West 1 st St – Parking & Streetscapes..... | 200,000 |
| | 100 Block West Esplanade..... | 160,000 |
| | Signal Upgrade..... | 150,000 |
| | BC Hydro U/G Conversion – 100 East 1 st Street | 750,000 |
| | Traffic Calming Program..... | 155,000 |
| 14. | Parks and Environment | \$1,434,000 |
| | Victoria Park / Keith Road Loop | 250,000 |
| | Keith Road Median Trail | 306,000 |
| | Queen Mary School Greenway | 328,000 |
| | Mahon Park Natural Areas Rehabilitation - Phase 2..... | 400,000 |
| | Cemetery Master Plan Implementation – Phase 1..... | 150,000 |
| 15. | Presentation House Gallery (BC Photography & Media Arts Society) – New Facility | \$1,375,000 |
| 16. | Land Purchase Investments – Strategic Land Purchases | \$3,500,000 |

AND that staff be requested to bring forward bylaws for preliminary capital works for 2004.

(CARRIED UNANIMOUSLY)

4. *(f) **Civic Awards Dinner - 2003 - File: 1815-02-02/1800-06**

Report: Human Resources Officer, October 1, 2003

PURSUANT to the report of the Human Resources Officer dated October 1, 2003, entitled "Civic Awards Dinner - 2003":

THAT staff be authorized to make the necessary arrangements for the holding of a Civic Awards Dinner to be held on Thursday, November 13, 2003;

AND THAT Councillor Rod Clark be appointed as the Council representative to the staff committee making the necessary arrangements for the Civic Awards Dinner.

(CARRIED UNANIMOUSLY)

*(g) **Sport and Recreation Travel Grant - File: 1670-03-07**

Report: Director of Recreation, September 15, 2003

PURSUANT to the report of the Director of Recreation, North Vancouver Recreation Commission, dated September 15, 2003, entitled "Sport and Recreation Travel Grant":

THAT the achievements of Kelly Sears of the City of North Vancouver be acknowledged by awarding a Sport and Recreation Travel Grant in the amount of \$100.

(CARRIED UNANIMOUSLY)

*(h) **Children and Youth Initiatives Fund Grant Application - North Shore Youth Safe House Violence Prevention March
File: 4230-17-08-04**

Report: Community Development Worker (Youth Programs),
Community Development, September 22, 2003

PURSUANT to the report of the Community Development Worker (Youth Programs) dated September 22, 2003, entitled "North Shore Youth Safe House Violence Prevention March":

THAT North Shore Neighbourhood House be granted \$500 from the Children and Youth Initiatives Fund for the Violence Prevention March to Celebrate Violence Prevention Month.

(CARRIED UNANIMOUSLY)

4. ***(i) Special Occasion Licenses - Policy Issues**
File: 1195-11-L2-02-04-03

Report: Policy Analyst, Community Development,
October 1, 2003

PURSUANT to the report of the Policy Analyst dated October 1, 2003,
entitled "Special Occasion Licenses - Policy Issues":

THAT staff be directed to review the Special Occasion Licenses (public
functions) Policy Statement and report back with options for consideration
and a draft revised Special Occasion Licenses policy.

(CARRIED UNANIMOUSLY)

***(j) Proposed Temporary Trailer Use - 310 Brooksbank Avenue**
File: 3345-02 Brooksbank 310

Report: City Planner, Community Development,
September 30, 2003

PURSUANT to the report of the City Planner dated September 30, 2003,
entitled "Proposed Temporary Trailer Use - 310 Brooksbank Avenue":

THAT under the provision of Section 401 (2) of the "Zoning Bylaw, 1995,
No. 6700", Telus be permitted to maintain a construction trailer on site at
310 Brooksbank Avenue until October 30, 2008.

(CARRIED UNANIMOUSLY)

***(k) Public Art Reserve Fund Program 2003 Proposed Projects List**
File: 1085-03-N3-03

Report: Chair, Arts & Culture Commission of North Vancouver
and the Public Art Coordinator, September 15, 2003

PURSUANT to the report of the Arts & Culture Commission of North
Vancouver, dated September 15, 2003, entitled Public Art Reserve Fund
Program 2003 - Proposed Projects List:

THAT the Public Art Reserve Fund Program - Proposed Projects List for
2003 Proposed Art Reserve allocation as outlined in Attachment II of the
September 15, 2003 report, be endorsed;

AND THAT "Public Art Reserve Fund Expenditure Bylaw, 2003, No. 7543"
(2003 Capital Works Program), be considered;

Continued....

4. ***(k) Public Art Reserve Fund Program 2003 Proposed Projects List
File: 1085-03-N3-03 - Continued**

AND THAT the surplus funds in the amount of \$47,584.00 from Public Art Projects 2000-2002 be reallocated to projects for 2003 as outlined in Attachment II of the September 15, 2003 report.

(CARRIED UNANIMOUSLY)

***(l) Permissive Taxation Exemption - Local Government Act,
Section 341 - File: 1625-04-01**

Report: City Clerk, September 30, 2003

PURSUANT to the report of the City Clerk dated September 26, 2003, entitled "Permissive Taxation Exemption - Local Government Act, Section 341":

THAT "Taxation Exemption Bylaw, 2003, No. 7547", be considered.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

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

- (i) "Public Art Reserve Fund Expenditure Bylaw, 2003, No. 7543"
(2003 Capital Works Program)

THAT Bylaw No. 7543 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)

THAT the said Bylaw No. 7543 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7543 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

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

(ii) "Taxation Exemption Bylaw, 2003, No. 7547"

THAT Bylaw No. 7547 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)

THAT the said Bylaw No. 7547 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7547 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

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

***(m) Zoning Bylaw - Streamlining - File: 3410-01**

Report: Policy Analyst, Community Development,
September 24, 2003

PURSUANT to the report of the Policy Analyst dated September 24, 2003, entitled "Zoning Bylaw - Streamlining":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7537" (Housekeeping and Streamlining Bylaw, City of North Vancouver), be referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

6. BYLAWS - Continued

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

(i) "Zoning Bylaw 1995, No. 6700, Amendment Bylaw, 2003, No. 7537" (Housekeeping and Streamlining Bylaw, City of North Vancouver)

THAT Bylaw No. 7537 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)

5. MOTIONS AND NOTICES OF MOTION

- *(a) Development Variance Permit Application: 78-90
Lonsdale/Aberdeen Block Development Ltd./Darrell Epp Architect
(DVP No. 180) - File: 3358-03 LONS 75-90 DVP No. 180**

THAT Development Variance Permit No. 180 be issued to Aberdeen Block Development Ltd. 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. 180.

(CARRIED UNANIMOUSLY)

6. BYLAWS - Continued

- *(a) Reconsideration and Final Adoption**

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 1998, No. 7091, Amendment Bylaw, 2003, No. 7528" (Adaptable Design Requirements - amendments / C.C.N.V.)
- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7532" (The Corporation of the City of North Vancouver, Site 3a, 151 West 2nd Street, CD-450 Text Amendment)
- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7534" (Merlin Wick/Noort Developments, 1445 Mahon Avenue, CD-458)
- (iv) "Tax Sale Lands Reserve Fund Expenditure Bylaw, 2003, No. 7539" (Block 62 Development Costs)

THAT the said Bylaws Nos. 7528, 7532, 7534 and 7539 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7528, 7532, 7534 and 7539 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

6. *(c) Second and Third Readings

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7540" (Millennium North Shore Homes, Lawrence Doyle Architects, Site 2, 170 West 1st Street, CD-437 Text Amendment)

THAT the said Bylaw No. 7540 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7540 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

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)(e)
9(b) Section 242.2 (1)(e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m., and reconvened at 7:14 p.m., with the same personnel present and with the addition of *Councillor Fearnley and *Councillor Mussatto.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Heywood, seconded by Mayor Sharp, that the following recommendation of the Committee of the Whole in camera be ratified:

- (b) **Marketing East of Lonsdale Avenue - File: 3400-05 01E 112-132 (Site 10)**

Report: Lower Lonsdale Project Manager, October 1, 2003

PURSUANT to the report of the Lower Lonsdale Project Manager, dated October 1, 2003, entitled "Marketing East of Lonsdale Avenue":

Continued....

**9.1 (b) Marketing East of Lonsdale Avenue - File: 3400-05 01E 112-132
(Site 10) - Continued**

THAT the Lower Lonsdale Team be directed to proceed with the rezoning and marketing of Site 10;

AND THAT the report of the Lower Lonsdale Project Manager, dated October 1, 2003, entitled "Marketing East of Lonsdale Avenue" remain in camera.

CARRIED UNANIMOUSLY

MAYOR'S REPORT - 1085-01

Mayor Sharp gave an overview of her participation in the Joints in Motion Marathon held in Flanders Fields, Belgium for the Arthritis Society and her involvement with the Federation of Canadian Municipalities' Africa Local Governance Program.

Mayor Sharp advised that there were a total of 760 participants in the marathon of which 220 were from all across Canada. Mayor Sharp further advised that the total raised by the Canadian contingent was \$1.2 million of which \$86,000. was raised by the participants from British Columbia.

Mayor Sharp advised that she did not personally benefit from this event and paid for all her own expenses out of her own pocket. Mayor Sharp completed the 42 kilometer marathon in a time of 7 hours and 15 minutes.

Mayor Sharp advised that she also visited Accra and Ada, in Ghana and Mayor Michael Coleman, City of Duncan and herself had been asked by the Federation of Canadian Municipalities to participate in the Africa Local Governance Program. Mayor Sharp gave a brief overview of the Governance Program and her participation in said Program.

Mayor Sharp invited anyone who wished to speak to her about these trips to contact her and she will be happy to answer any questions.

PROCLAMATIONS

Mayor Sharp read the following Proclamation:

"CANADA'S CITIZENSHIP WEEK", OCTOBER 13 - 19, 2003

PRESENTATION

Re: Bill 73 - The Community Care and Assisted Living Act
File: 1195-11-H1-01

The Honourable Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care, gave a PowerPoint presentation of “Home and Community Care”, with respect to Bill 73, The Community Care and Assisted Living Act, as follows:

- Challenges: Why Change is necessary:
 - growth in seniors’ population;
 - people are living longer, are healthier and more active;
 - increased demand for choice in care options, in the home and in the community.
- How do we get there:
 - new legislation to protect people in care and assisted living occupants;
 - ensure facility care is there for people who truly need it – people with complex care needs;
 - create a continuum of care options that support client independence and quality of life.
- New, responsive legislation – Community Care and Assisted Living Act and regulations that come into force in 2004.
- More Assisted Living Options.
- An Assisted Living Residence: (Nikkei Home was given as an example).
- Hospitality Services.
- Personal Assistance Services.
- How Clients are assessed.
- Registration for assisted living.
- A New Standard.
- Effective Interventions.
- Benefits of registration.
- Other care facilities, such as living standards for people with mental disorders or substance abuse orders.

The Honourable Katherine Whittred then responded to questions from members of Council.

3. CORRESPONDENCE - Continued

(a) The Honourable Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care, August 15, 2003

Re: Bill 73 - The Community Care and Assisted Living Act
File: 1195-11-H1-01

Moved by Councillor Perrault, seconded by Councillor Clark

PURSUANT to the correspondence dated August 15, 2003 received from The Honourable Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care, regarding "Bill 73 - The Community Care and Assisted Living Act":

THAT a letter be forwarded to The Honourable Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care, thanking her for appearing before Council this evening and presenting "Home and Community Care", with respect to Bill 73, The Community Care and Assisted Living Act.

CARRIED UNANIMOUSLY

2. DELEGATIONS

(a) Mr. Wilbur A. Walrond, P.Eng., Chair, Caribbean Days Festival

Re: Caribbean Days Festival - Waterfront Park, North Vancouver, B.C. - File: 4455-03-C7

Mr. Wilbur A. Walrond, P. Eng., Chair, Caribbean Days Festival, gave a brief history of the Caribbean Days Festival at Waterfront Park, North Vancouver.

Mr. Walrond advised that the Caribbean Days Festival at Waterfront Park, can only proceed onward and upward with the City's full and committed support, both financially and in kind.

Mr. Richard Rochard gave a PowerPoint Presentation of the Caribbean Days Festival, as follows:

- Historical Production Costs
- Historical Funding Sources
- Mission
- Vision
- Values.

2. (a) **Mr. Wilbur A. Walrond, P.Eng., Chair, Caribbean Days Festival - Continued**

Mr. Rochard requested that Council consider the following:

- (a) That the invoice in the amount of \$3,711.86. for City costs, be rescinded.
- (b) That the City appoint a Task Force, to work with the festival organizers, to propose a plan to Council for the viable production of the festival.
- (c) If Council approves the appointment of a Task Force, that the said Task Force be struck within the next 30 days to plan for the 2004 festival.

Mr. Walrond and Mr. Rochard then responded to questions from members of Council.

3. **CORRESPONDENCE - Continued**

(b) **Mr. Wilbur A. Walrond, P.Eng., Chair, Caribbean Days Festival, September 29, 2003**

Re: Caribbean Days Festival - Waterfront Park, North Vancouver, B.C. - File: 4455-03-C7

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence dated September 29, 2003, received from Mr. Wilbur A. Walrond, P. Eng., Chair, Caribbean Days Festival, regarding "Caribbean Days Festival - Waterfront Park, North Vancouver, B.C.:

THAT the City establish a working group to include the City of North Vancouver, the Trinidad and Tobago Cultural Society of British Columbia, the North Vancouver Recreation Commission and representatives from the Parks and Recreation Advisory Committee, Lower Lonsdale Business Association and the North Vancouver Chamber of Commerce, to discuss and provide potential solutions to the Festival's current operating problems;

AND THAT the City forgive the invoice in the amount of \$3,711.86. with the monies to be taken from the General Contingency Account;

AND THAT Council consider providing an annual operating grant to offset the Parks operating budget incurred in running this event.

Continued....

3. (b) **Mr. Wilbur A. Walrond, P.Eng., Chair, Caribbean Days Festival, September 29, 2003 - Continued**

The vote upon the recommendations was taken separately, as follows:

PURSUANT to the correspondence dated September 29, 2003, received from Mr. Wilbur A. Walrond, P. Eng., Chair, Caribbean Days Festival, regarding "Caribbean Days Festival - Waterfront Park, North Vancouver, B.C.:

THAT the City establish a working group to include the City of North Vancouver, the Trinidad and Tobago Cultural Society of British Columbia, the North Vancouver Recreation Commission and representatives from the Parks and Recreation Advisory Committee, Lower Lonsdale Business Association and the North Vancouver Chamber of Commerce, to discuss and provide potential solutions to the Festival's current operating problems;

AND THAT the City forgive the invoice in the amount of \$3,711.86. with the monies to be taken from the General Contingency Account.

CARRIED UNANIMOUSLY

AND THAT Council consider providing an annual operating grant to offset the Parks operating budget incurred in running this event.

CARRIED

The motion now reads as follows in its entirety:

"PURSUANT to the correspondence dated September 29, 2003, received from Mr. Wilbur A. Walrond, P. Eng., Chair, Caribbean Days Festival, regarding "Caribbean Days Festival - Waterfront Park, North Vancouver, B.C.:

THAT the City establish a working group to include the City of North Vancouver, the Trinidad and Tobago Cultural Society of British Columbia, the North Vancouver Recreation Commission and representatives from the Parks and Recreation Advisory Committee, Lower Lonsdale Business Association and the North Vancouver Chamber of Commerce, to discuss and provide potential solutions to the Festival's current operating problems;

AND THAT the City forgive the invoice in the amount of \$3,711.86. with the monies to be taken from the General Contingency Account;

AND THAT Council consider providing an annual operating grant to offset the Parks operating budget incurred in running this event."

Councillor Mussatto briefly left and returned to the meeting.

2. DELEGATIONS - Continued

(b) Mr. John Van Luven, Executive Director, St. James Community Service Society

Re: North Shore Youth Safe House, St. James Community Service Society - File: 4230-17-01

Mr. John Van Luven, Executive Director, St. James Community Service Society, introduced Ms. Kathryn Butcher, Coordinator of the North Shore Youth Safe House and Mr. Harry Biden, Board President, and updated members of Council on the activities of the North Shore Safe House, including the activities taking place during Homelessness Week.

Mr. Van Luven advised that funding for the Safe House has been provided by Human Resources Development Canada through the Supporting Community Partnerships Initiative (SCPI) and is in place until January 31, 2004.

3. CORRESPONDENCE - Continued

(c) Mr. John Van Luven, Executive Director, St. James Community Service Society, July 30, 2003

Re: North Shore Youth Safe House, St. James Community Service Society - File: 4230-17-01

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the correspondence dated July 30, 2003 received from Mr. John Van Luven, Executive Director, St. James Community Service Society, regarding "North Shore Youth Safe House, St. James Community Service Society", be received and filed with thanks.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(c) Gary and Laurie Lee, North Vancouver

Re: 436 West 24th Street - File: 3358-03 24W 436

Mr. Gary Lee advised members of Council that he wishes to demolish his present dwelling and build a new home at 436 West 24th Street. Mr. Lee advised that his current home is located directly south of the Trans Canada Highway and there is no rear lane and requested Council's approval to allow him to encroach on the rear yard set back currently allowed in order to construct this new home. Mr. Lee advised that his neighbours are in full support of this proposal.

Continued....

2. (c) Gary and Laurie Lee, North Vancouver - Continued

Mr. Lee further advised that he wishes to build a larger home to enable his parents, who are no longer able to care for themselves, to move into this home with him.

3. CORRESPONDENCE - Continued

(d) Gary and Laurie Lee, North Vancouver, September 18, 2003

Re: 436 West 24th Street - File: 3358-03 24W 436

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the correspondence dated September 18, 2003, received from Gary and Laurie Lee, North Vancouver, regarding "436 West 24th Street" be received and filed with thanks.

CARRIED UNANIMOUSLY

2. DELEGATIONS - Continued

(d) Maureen Hayes, President, Moodyville Gardens Society

Re: Proposed Development of 100 block of East First Street
File: 3345-08-04-M

Ms. Maureen Hayes, President, Moodyville Gardens Society, referred to the large petition that was circulated to residents in the Lower Lonsdale area. Ms. Hayes advised that she had received a telephone call from a member of staff advising that the Society would be misleading the public with the wording on this petition and their banner. Ms. Hayes advised that this was not the Society's intention.

Ms. Hayes advised that the said petition opposes the destruction of the last remaining natural Community Park and the Moodyville Community Gardens in the Lower Lonsdale area, located on the north side of the 100 Block East 1st Street. Ms. Hayes requested that members of Council support the preservation and enhancement of this unique greenspace for future use and enjoyment by the Lower Lonsdale community.

Mr. Graham Oslund, member of the Moodyville Gardens Society, gave a brief overview of the uses of the gardens and asked members of Council to retain said gardens.

Ms. Suzanne Smith, Planner, Engineering Department, gave some background information on the history of the gardens. Ms. Smith advised that a potential new site for a community garden has been identified by staff in the vicinity of North Shore Neighbourhood House and Derek Inman Park.

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

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

(a) Community Garden Opportunities in Lower Lonsdale – File: 3345-08-04-M

Report: Planner, Engineering Department, September 30, 2003

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the report of the Planner dated September 30, 2003, entitled “Community Garden Opportunities in Lower Lonsdale”:

THAT staff establish a new community garden, on an interim basis, for up to 50 garden plots in the vicinity of North Shore Neighbourhood House and Derek Inman Park;

AND THAT plots in this garden be made available on a priority basis to gardeners in the Moodyville Community Gardens;

AND THAT staff continue to work with the Moodyville gardeners and the larger community to develop a City-wide community garden strategy;

AND THAT, as much as possible, the soils at the existing gardens be moved, if desired by the Garden Society, to the new location.

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the motion be amended to delete the words “on an interim basis”.

DEFEATED

The vote upon the recommendations was taken separately, as follows:

PURSUANT to the report of the Planner dated September 30, 2003, entitled “Community Garden Opportunities in Lower Lonsdale”:

THAT staff establish a new community garden, on an interim basis, for up to 50 garden plots in the vicinity of North Shore Neighbourhood House and Derek Inman Park.

CARRIED

AND THAT plots in this garden be made available on a priority basis to gardeners in the Moodyville Community Gardens;

AND THAT staff continue to work with the Moodyville gardeners and the larger community to develop a City-wide community garden strategy;

AND THAT, as much as possible, the soils at the existing gardens be moved, if desired by the Garden Society, to the new location.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Clark

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

3. CORRESPONDENCE - Continued

**(e) Graham Oslund, Director, The Cascadia Society,
October 2, 2003**

Re: Cascadia Centre Day Program - File: 3400-05 19W 351

Moved by Councillor Mussatto, seconded by Councillor Heywood

PURSUANT to the correspondence dated October 2, 2003, received from Mr. Graham Oslund, Director, The Cascadia Society, regarding "Cascadia Centre Day Program":

THAT The Cascadia Society be allowed to use the house located at 351 West 19th Street for temporary use of their day program.

Councillor Fearnley left the meeting.

The motion was **CARRIED UNANIMOUSLY.**

(f) Federated Press, Toronto, October 2, 2003

Re: 2nd Annual Competitive Cities Conference - File: 1840-02-01

Requested by Councillor R.J. Fearnley

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Council be authorized to attend the "2nd Annual Competitive Cities Conference" to be held in Toronto, Ontario from December 8 - 10, 2003;

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

AND THAT the funds be provided from the 2003 Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY

Councillor Fearnley returned the meeting.

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

(c) Development Cost Charge Program - File: 1660-03-03-01

Recommendation: Policy Committee, September 15, 2003

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Deputy Director of Finance, dated September 11, 2003 entitled, "Information on Development Cost Charges":

THAT City staff commence a review of its Development Cost Charge Program and levies for roads, sewer, drainage, water and parkland in 2004 and report back to Council later in 2004 with a progress report;

AND THAT staff be requested to prepare a motion describing the current inequities in the Development Cost Charge legislation which are unfair for some developments and not for others;

AND THAT the recommendation be forwarded to the Union of British Columbia Municipalities at that time.

CARRIED UNANIMOUSLY

Councillor Perrault left the meeting with regards to item 4. (e) on the agenda stating a conflict of interest as a family member is an employee of the North Vancouver Chamber of Commerce.

**(e) Service Agreement - North Vancouver Chamber of Commerce
File: 1040-03-N6**

Report: Manager - Special Projects, September 15, 2003

Moved by Councillor Clark, seconded by Councillor Mussatto

PURSUANT to the report of the Manager, Special Projects, dated September 15, 2003, entitled "Service Agreement - North Vancouver Chamber of Commerce":

THAT the Agreement dated May 1, 2003 between The Corporation of the City of North Vancouver and the North Vancouver Chamber of Commerce be ratified;

AND THAT the Mayor and City Clerk be authorized to sign and seal the agreement.

CARRIED UNANIMOUSLY

Councillor Perrault returned to the meeting.

4. (o) Council Minutes - File: 1090-02

Report: City Clerk, September 9, 2003

Moved by Councillor Clark, seconded by Councillor Mussatto

PURSUANT to the report of the City Clerk, dated September 9, 2003, entitled "Council Minutes":

THAT the Council Minutes continue to be prepared in a paraphrase format and action only resolution style;

AND THAT the Section "Council Report of Committee Work", (each Council Member is permitted five minutes to report on the activities of their various committees), be included on the regular Council meeting agenda scheduled for the Public Hearing night.

CARRIED

(p) City Owned House at 1151 Heywood - Advisory Committee Comments - File: 4230-05-01

Report: Social Planner, Community Development,
September 29, 2003

Moved by Councillor Keating, seconded by Councillor Perrault

PURSUANT to the report of the Social Planner dated, September 29, 2003, entitled "City Owned House at 1151 Heywood - Advisory Committee Comments":

THAT staff be directed to explore the possibility of leasing the City-owned house at 1151 Heywood Street for a group child care facility;

AND THAT the backyard of the said property be reconfigured to accommodate a future trail connection;

AND THAT consideration be given to incorporating the said property back to natural parkland once the house has reached the end of its economic life;

AND THAT a rezoning application be initiated to rezone 1151 Heywood and related properties to Public Use and Assembly Zone to be consistent with the Official Community Plan.

CARRIED UNANIMOUSLY

4. (q) **Advisory Planning Commission - Terms of Reference**
File: 1085-03

Report: Chair, Advisory Planning Commission,
September 11, 2003

Moved by Councillor Heywood, seconded by Councillor Keating

PURSUANT to the report of the Chair, Advisory Planning Commission, dated September 11, 2003, entitled "Advisory Planning Commission - Terms of Reference":

THAT the terms of reference for the Advisory Planning Commission be revised to reflect:

- Inclusion of "sustainability" as a goal of the Commission;
- That references to outdated legislation be corrected;
- That restrictions that limit matters that the Commission might consider be removed;
- That an Annual Work Program be undertaken;
- That attendance of members be monitored.

AND THAT staff prepare a bylaw amendment to reflect these changes;

AND THAT 2003 Advisory Planning Commission Work Program be endorsed as contained in the September 11, 2003 report.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

(r) **Occupant Load Calculations, Licensed Beverage Establishments - File: 3310-03-01/1195-11-L2-03**

Report: Building Inspector, Community Development,
July 17, 2003

Moved by Councillor Mussatto, seconded by Councillor Clark

PURSUANT to the report of the Building Inspector dated July 17, 2003, entitled "Occupant Load Calculations, Licensed Beverage Establishments":

THAT "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2003, No. 7527" (Occupant Load), be considered;

AND THAT the City of North Vancouver Occupant Load Calculation Policy for Licensed Establishments as attached to the July 17, 2003 report, be endorsed;

Continued....

4. (r) **Occupant Load Calculations, Licensed Beverage Establishments - File: 3310-03-01/1195-11-L2-03 - Continued**

AND THAT the City of North Vancouver grandparent the current occupant loads with the currently established licensed beverage establishments.

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the motion be referred back to staff to ascertain ways that they might mitigate the reduction from 353 to 200 patrons in this restaurant.

Moved by Councillor Clark, seconded by Councillor Keating

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 P.M., be waived, and the meeting continue after 11:00 P.M., if necessary.

CARRIED UNANIMOUSLY

The vote upon the referral motion was **CARRIED**.

6. **BYLAWS - Continued**

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

Moved by Councillor Clark, seconded by Councillor Mussatto that

(iii) "Building Bylaw, 1972, No. 4361, Amendment Bylaw, 2003, No. 7527" (Occupant Load)

be deleted from the agenda.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION - Continued**

(b) **Fireworks Display at Inter-River Park, District of North Vancouver – File: 3150-01**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Fearnley

WHEREAS the City of North Vancouver has a bylaw prohibiting the sale of fireworks at any time during the year, largely due to the potential of serious accidents that can occur when they are discharged in an unsafe manner;

AND WHEREAS the use of fireworks, especially around Halloween, is enjoyed by a great many City residents;

AND WHEREAS a trained and skilled pyrotechnician (and member of the District of North Vancouver Fire Department) annually puts on a fireworks display at Inter-River Park in North Vancouver that is enjoyed by many residents of the North Shore and is largely funded by the District of North Vancouver;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver assist this annual event by making a financial contribution of \$5,000. towards the purchasing of fireworks for this event;

AND THAT the funding be taken from the Special Events Grants Contingency Account;

AND THAT proper licensing be in place in compliance with Federal and Bylaw safety regulations.

CARRIED UNANIMOUSLY

(c) **Port Lands Study – File: 1155-06-V1-01**

Councillor Fearnley advised that he will present the following motion at the next regular meeting of Council:

“WHEREAS the City of North Vancouver has recently received word that the Provincial government may limit our ability to tax port lands and that the proposed compensation for this imposition is somewhat uncertain over the long term;

AND WHEREAS use of our waterfront lands for ports purposes may not be the highest and best uses for these lands and interferes with the enjoyment of the waterfront by our citizens;

Continued....

5. (c) Port Lands Study – File: 1155-06-V1-01 - Continued

AND WHEREAS heavy industrial port uses are a source of loud noises and pollution which negatively impacts some City neighbourhoods;

THEREFORE BE IT RESOLVED THAT the City of North Vancouver initiates a study process to ascertain the best uses of the port lands leading to a report on those best uses;

AND THAT this report shall include, but not be limited to, information on the financial impacts, the social ramifications, and the best ways to implement changes if any are recommended.”

6. BYLAWS - Continued

(a) Reconsideration and Final Adoption - Continued

Moved by Councillor Clark, seconded by Councillor Heywood that

- (v) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7535” (Adolorata DeCotiis/Kevin Hughes, 1956 Jones Avenue, CD-459)

be reconsidered.

CARRIED

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the said Bylaw No. 7535 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Mussatto left the meeting declaring a perceived pecuniary interest with regards to item 6. (c) (ii) on the agenda as he lives next door to this development.

(c) Second and Third Readings - Continued

Moved by Councillor Clark, seconded by Councillor Keating that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7533” (Merlin Wick/Noort Developments, 265 East 10th Street, CD-457)

be read a second time in short form.

CARRIED

6. (c) Second and Third Readings - Continued

Moved by Councillor Clark, seconded by Councillor Keating

THAT the said Bylaw No. 7533 be read a third time in short form and passed subject to reconsideration.

CARRIED

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 11:07 p.m., for the public question period and reconvened the meeting immediately.

10. ADJOURNMENT

Moved by Councillor Heywood, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:08 p.m.