



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, NOVEMBER 3, 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
J.M. Rowe, Assistant City Clerk
T. Christie, Director of Finance
B. Nelligan, Transportation Engineer
S. Ono, City Engineer
T. Stokes, Manager, Financial Services
R.H. White, City Planner
D. Burgess, Assistant Chief, Fire Prevention
P. Melville, Manager, Inspections

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 October 27, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

**CONSENT AGENDA {Items 3 *(b), 3 *(c), 3 *(d), 4 *(a), 4* (b), (6) *(b)(i), and
6 *(d)(i)}**

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the "Consent Agenda" of October 27, 2003 be approved, as follows:

continued...

CONSENT AGENDA {Items 3 *(b), 3 *(c), 3 *(d), 4 *(a), 4* (b), (6) *(b)(i), and 6 *(d)(i)} continued

3. CORRESPONDENCE

***(b) Simon Fraser University at Harbour Centre, October 2003**

Re: "Public Deliberation in an Adversarial World", A Forum with John Forester, Thursday, November 27, 2003, 8:30 a.m. - 4 p.m. at the Morris J. Wosk Centre for Dialogue, Vancouver, B.C. - File: 1840-03-01

THAT Council members be authorized to attend the, "Public Deliberation in an Adversarial World", A Forum with John Forester, Thursday, November 27, 2003, 8:30 a.m. - 4:00 p.m. at the Morris J. Wosk Centre for Dialogue, Vancouver;

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)

***(c) Federation of Canadian Municipalities, October, 2003**

Re: 2004 Sustainable Communities National Conference and Trade Show, February 4-7, 2004, Ottawa, Ontario
- File: 1040-03-F1-01/1840-02-01

THAT Council members be authorized to attend the "2004 Sustainable Communities National Conference and Trade Show, February 4-7, 2004, Ottawa, Ontario;

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)

***(d) Greater Vancouver Regional District, The Board in Brief, October 3, 2003 - File: 1180-06**

THAT the Greater Vancouver Regional District, The Board in Brief, dated October 3, 2003, be received and filed.

(CARRIED UNANIMOUSLY)

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

- *(a) A Bylaw to Amend “Highways Dedication Bylaw No. 1888”
- File: 3400-05 01W 120 & 130**

Report: Land Agent, Community Development, October 27, 2003

PURSUANT to the report of the Land Agent dated October 27, 2003, entitled “A Bylaw to Amend “Highways Dedication Bylaw No. 1888”:

THAT “City of North Vancouver Highway Dedication Bylaw No. 3, 1948, No. 1888, Amendment Bylaw, 2003, No. 7549” (A bylaw to amend Highways Dedication Bylaw No. 1888), be considered.

(CARRIED UNANIMOUSLY)

- *(b) Amendment to Water Utility Capital Projects Funding 2003
- File: 1645-06**

Report: City Engineer, October 28, 2003

RECOMMENDATION:

PURSUANT to the report of the City Engineer dated October 28, 2003, entitled “Amendment to Water Utility Capital Projects Funding 2003”:

THAT the approved 2003 water capital projects at 3rd Street: Donaghy to West of Hanes at a cost of \$142,500, and at Donaghy: Midblock South to 1st Street at a cost of \$90,750 be deferred to 2004;

AND THAT \$178,000 from the deferred 2003 water capital projects be used to advance proposed 2004 water capital projects at Chesterfield: Esplanade to 1st Street at a cost of \$83,000, and at Esplanade: Lonsdale to Rogers at a cost of \$95,000 that now have higher priority.

(CARRIED UNANIMOUSLY)

6. BYLAWS

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

- (i) "City of North Vancouver Highway Dedication Bylaw No. 3, 1948, No. 1888, Amendment Bylaw, 2003, No. 7549" (A bylaw to amend Highways Dedication Bylaw No. 1888).

THAT Bylaw No. 7549 be 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. 7549 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7549 be read a third time in short form and passed subject to reconsideration.

(CARRIED UNANIMOUSLY)

***(d) First Reading Only**

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

THAT the October 6, 2003 first reading of Bylaw No. 7537 be rescinded.

(CARRIED UNANIMOUSLY)

THAT Bylaw No. 7537 as revised at the Council meeting of November 3, 2003, be read a first time in short form.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Councillor Keating, seconded by Councillor Clark

THAT the Council recess to the Committee of the Whole In-Camera, to consider the items as listed under section 9 of the Council Agenda, for the following reasons respectively for each item:

- 9(a) Section 242.2 (1) (j)
- 9(b) Section 242.2 (1) (b)
- 9(c) Section 242.2 (1) (j)

Moved by Councillor Clark, seconded by Councillor Heywood

THAT item 9. (a) on the agenda for this evening be deferred until all members of Council are present.

DEFEATED

The original motion was then **CARRIED UNANIMOUSLY**

The meeting recessed at 6:04 p.m. and reconvened at 7:20 p.m. with the same personnel present and with the addition of Councillor Mussatto*.

Moved by Councillor Perrault, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:25 p.m. and reconvened at 7:26 p.m. with the same personnel present.

9.1 (a) Sister City - File: 1250-02-01

Report: City Manager, October 29, 2003

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

PURSUANT to the report of the City Manager, dated October 29, 2003, entitled "Sister City":

WHEREAS the City of North Vancouver has participated in a Sister City relationship with Chiba City, Japan since 1969;

AND WHEREAS the Sister City program has been successful in achieving the goals of contributing to international understanding and friendship;

THEREFORE BE IT RESOLVED THAT approval be given for all members of Council, and the City Manager, to accept the invitation from Chiba City to form an Official Delegation to visit Chiba during October 2004 in recognition of the 35th Anniversary of our Sister City Program;

AND THAT the necessary funding be provided in the 2004 Operating Budget;

AND THAT Mayor Sharp write to Mayor Tsuruoka of Chiba City to thank him for the invitation and to confirm the visit of an Official City of North Vancouver Delegation;

AND THAT staff report back on the possibility of arranging for the visit of a Cultural Delegation as requested by Chiba, and on the acquisition of a suitable gift to commemorate our 35th Anniversary.

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Clark

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

9.1 (b) Street Naming Committee Recommendations - October 14, 2003 - File: 1085-03-S10 / 3380-02-L4-11-05 / 4305-03-K3

Report: City Engineer, October 28, 2003

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

PURSUANT to the report of the City Engineer, dated October 28, 2003, entitled "Street Naming Committee Recommendations – October 14, 2003":

THAT the Lower Lonsdale Community Centre be named "The John Braithwaite Community Centre";

AND THAT the name "Kings Mill Walk" be the official name for both the waterfront walkway and the park area at the foot of Fell Avenue in the Harbourside Business Park.

CARRIED UNANIMOUSLY

(c) 2004 - Public Surveys - File: 1650-05-01

Report: Director of Finance, October 29, 2003

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

PURSUANT to the report of the Director of Finance, dated October 29, 2003, entitled "2004 – Public Surveys":

THAT a Council Workshop be scheduled In-camera, November 17, 2003 to have Ipsos Reid discuss the type of survey it can conduct in January 2004 and receive Council direction and feedback;

AND THAT subject to Council approval on November 17, 2003, Ipsos Reid conduct the first survey to focus on financial issues and present a draft of survey questions in December, 2003 or January, 2004 for Council approval;

AND THAT consideration of the following resolution be deferred until after the November 17, 2003 Workshop;

"THAT Council approve performing taxpayer/customer surveys in 2004 to support the measurement of Strategic Plan objectives, the budget process and better meet the requirements of the Community Charter;

continued...

9.1 (c) 2004 - Public Surveys - File: 1650-05-01 *continued*

AND THAT the report of the Director of Finance, dated October 29, 2003, entitled "2004 – Public Surveys" remain In camera."

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Sharp read the following Proclamation:

"VETERANS WEEK", November 5 to 11, 2003

Mayor Sharp then presented The Royal Canadian Legion Branch No. 118 Colour Party, with a framed copy of the "Veterans Week" Proclamation.

2. DELEGATIONS

(a) Rick Smith and Pam Haglof, Residents of the 300 block of East 26th Street, North Vancouver

Re: New Parking Regulations - 300 Block East 26th Street
- File: 4120-02-01

Mr. Rick Smith and Ms. Pam Haglof asked Council to provide alternatives to the 'no parking signs' which eliminates parking on the north side of East 26th Street and to consider their petition on behalf of the residents of the 300 block of East 26th Street. The delegation advised Council that they too are concerned about fire safety but do not believe this is the only option and asked Council to consider one of the following alternatives:

1. All options, including the possible widening of the street, new curbs being added in their original placement, and re-design of this section of the street. The neighbourhood should have all of the options for it to make a decision along with full cost implications.
2. That the City provides the neighbourhood with a precise figure for the legally required width of roadbed for the passage of emergency vehicles, along with reference to the code in which this figure is contained.

Members of the delegation then responded to questions from members of Council.

3. **CORRESPONDENCE continued**

(a) **Rick Smith and Pam Haglof, Residents of the 300 block of East 26th Street, North Vancouver, October 27, 2003**

Re: New Parking Regulations - 300 Block East 26th Street
- File: 4120-02-01

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the correspondence received from Mr. Rick Smith and Ms. Pam Haglof, dated October 27, 2003 regarding "No parking on the north side of the 300 block East 26th Street":

THAT the Engineering Department approach the residents with regards to a Local Improvement Petition as outlined in Option 3 of the Information Report of the Transportation Engineer, dated October 30, 2003, which reads as follows:

"Option 3 is to widen the roadway to a minimum of 7.8 metres to allow parking on both sides. Based on current dimensions, this would require widening of between 0.2 and 1.4 metres. Based on preliminary site visits, widening of the street by these amounts will result in the loss of trees and will ultimately change the character of the area.

The cost associated with provided a wider street with curbs and no sidewalks is estimated at \$20,000. As a Local Improvement, residents would cover approximately one-third of this cost."

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Clark

THAT items 2. (b), 4. (c) and (d) on the Council Agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

2. **DELEGATIONS - Continued**

(b) **Mr. Randy Strychar, North Vancouver**

Re: Noise Bylaw Exemption Requests - File: 4020-03-01

Mr. Randy Strychar spoke on behalf of the residents of the “Q” in Lower Lonsdale and outlined the problems with the construction that is taking place in Lower Lonsdale, specifically West 1st Street. Mr. Strychar also noted that there was repeated violations of the City’s Noise Control Bylaw, 1987, No. 5819 and presented a brief video of the construction work going on in Lower Lonsdale. Mr. Strychar urged Council to reject the applications for noise exemptions requested by MetroCan Construction Ltd. (170 West 1st Street) and Grand Sierra Construction Ltd. (155 West 1st Street).

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

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

(c) **Noise Bylaw Exemption Request - MetroCan Construction Ltd., 170 West 1st Street, North Vancouver - File: 4020-03-01**

Report: Public Health Inspector, Vancouver Coastal Health, October 29, 2003.

Moved by Councillor Clark, seconded by Councillor Mussatto

PURSUANT to the report of the Public Health Inspector, Vancouver Coastal Health dated October 29, 2003, entitled “Noise Bylaw Exemption Request - MetroCan Construction Ltd., 170 West 1st Street, North Vancouver”:

THAT the MetroCan Construction Ltd. application for exemption under section 401 of the “Noise Control Bylaw, 1987, No. 5819” be granted subject to the following conditions:

1. That the exemption is in effect no longer than April 30, 2004.
2. That during the period should there be noise complaints regarding the work being done during extended hours, Council may revoke the exemption if it is in the best interest of the public.
3. That MetroCan Construction Ltd. be required to notify the residents within a 70 meter radius of the construction site, of any construction work that takes place outside of the Bylaw permissible hours, 24 hours in advance.
4. That no work generating construction noise is to be permitted prior to 7 am and after 10 pm during the weekday.

continued...

4. (c) **Noise Bylaw Exemption Request - MetroCan Construction Ltd., 170 West 1st Street, North Vancouver - File: 4020-03-01**
continued

5. That the exemption be granted permitting only sound generated by equipment used for concrete finishing during the night time period.
6. That cement trucks be restricted from the site until 7 am on weekdays so as to avoid disturbances to residents of the area.

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT the representative for MetroCan Construction Ltd. be heard at this time

CARRIED UNANIMOUSLY

Mr. Nicholas McDonald, MetroCan Construction Ltd., advised Council that he would be responsible for making sure that there were no infractions due to construction noise and that he would personally be the contact person for any complaints. Mr. McDonald advised that he will also arrange for a sign to be posted at the site giving details of how to contact him.

Mr. McDonald and staff responded to questions from members of Council

The original motion was then **CARRIED UNANIMOUSLY**

4. (d) **Noise Bylaw Exemption Request - Grand Sierra Construction Ltd., 155 West 1st Street, North Vancouver - File: 4020-03-01**

Report: Public Health Inspector, Vancouver Coastal Health,
October 29, 2003.

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT Mr. Rod Kennedy of Grand Sierra Construction Ltd., 155 West 1st Street, be heard at this time.

CARRIED UNANIMOUSLY

Mr. Kennedy, Grand Sierra Construction Ltd., advised Council that he would adhere to construction times and that he would post an information sign with a contact number.

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

4. (d) **Noise Bylaw Exemption Request - Grand Sierra Construction Ltd., 155 West 1st Street, North Vancouver - File: 4020-03-01**
continued

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Public Health Inspector, Vancouver Coastal Health dated October 29, 2003, entitled "Noise Bylaw Exemption Request - Grand Sierra Construction Ltd., 155 West 1st Street, North Vancouver":

THAT the Grand Sierra Construction Ltd. application for exemption under section 401 of the "Noise Control Bylaw, 1987, No. 5819" be granted subject to the following conditions:

1. That the exemption is in effect no longer than March 15, 2004.
2. That during the period should there be noise complaints regarding the work being done during extended hours, Council may revoke the exemption if it is in the best interest of the public.
3. That Grand Sierra Construction Ltd. be required to notify the residents within a 70 meter radius of the construction site, of any construction work that takes place outside of the Bylaw permissible hours, 24 hours in advance.
4. That no work generating construction noise is to be permitted prior to 7 am and after 10 pm during the weekday, and prior to 9 am and after 8 pm on Saturdays. The crane lights can only be on during permitted construction times.
5. That the exemption be granted permitting only sound generated by equipment used for concrete finishing during the night time period.
6. That cement trucks be restricted from the site until 7 am on weekdays and until 9 am on Saturday, so as to avoid disturbances to residents of the area.
7. That the exemption is only for a maximum of 2 days per 5 day week (Monday through Friday).

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the recessed Finance Committee meeting.

CARRIED UNANIMOUSLY

The meeting recessed at 9:01 p.m. and reconvened at 9:11 p.m. with the same personnel present.

6. BYLAWS - continued

(b) Introduction and First Three Readings – Continued

Moved by Councillor Keating, seconded by Councillor Heywood that

- (ii) “A Solid Waste Management Service Bylaw, 1997, No. 6920, Amendment Bylaw, 2003, No. 7544”.
- (iii) “Sewerage and Drainage Utility Bylaw, 1995, No. 6746, Amendment Bylaw, 2003, No. 7545”.
- (iv) “Water Utility Bylaw, 1994, No. 6417, Amendment Bylaw, 2003, No. 7546”.

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 Heywood

THAT Bylaw Nos. 7544, 7545 and 7546 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Heywood

THAT Bylaw Nos. 7544, 7545 and 7546 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

5. MOTIONS AND NOTICES OF MOTION

Nil.

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

- (a) re: **Mayor Sharp – Accounting of Joints in Motion**
File: 1090-01/4455-01

Inquiry by Councillor Clark

Councillor Clark asked Mayor Sharp if she would be providing Council with an accounting of the Joints in Motion.

Mayor Sharp advised she would get back to Councillor Clark.

- (b) re: **Mayor Sharp – FCM Africa Local Governance Program –**
File: 1090-01/1040-03-F1-01

Councillor Clark asked Mayor Sharp if the City of North Vancouver was a member of the FCM (Federation of Canadian Municipalities), if she was an FCM invitee to Africa, how she was listed in the program, and as Mayor representing the City of North Vancouver and the fact that Mr. Tollstam did not know the whereabouts of the Mayor.

Mayor Sharp responded that she attended in her capacity as a Mayor and as part of Canadian Local Government.

Recess – Public Question Period

Mayor Sharp declared a recess at 9:16 p.m., for the public question period and reconvened the meeting immediately.

8. **ANY OTHER BUSINESS**

Nil.

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:16 p.m.