



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, JANUARY 19, 2004
AT 5:30 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
J.M. Rowe, Assistant City Clerk
B. Susak, Deputy City Engineer
D. Purdie, Lower Lonsdale Project Manager
S. Ono, City Engineer
F. A. Smith, Director, Community Development
C. Perry, Development Technician
G. Penway, Assistant City Planner
F. Caouette, Manager – Special Projects
H. Fleming, Director, Recreation Commission
I. Gordon, Deputy Director of Finance
J. Sydor, Director, North Shore Emergency
Management Office
T. Wilson, Property Use Inspector
R.H. White, City Planner

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

1. ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT the Minutes of the Regular Council Meeting of January 12, 2004 be adopted as circulated.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT Item 8, Any Other Business, on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Mussatto

THAT a report of the Deputy City Engineer, dated January 19, 2004, entitled "Exemption to Noise Control Bylaw, 1987, No. 5819" be added to the Consent Agenda as Item 4. *(c), this evening.

CARRIED UNANIMOUSLY

CONSENT AGENDA {Items 4 *(a), 4 *(b), (6) *(a)(ii) and *4 (c)}

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the resolutions listed within the "Consent Agenda" of January 19, 2004, be approved, as follows:

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) Joint Use of Public Facilities - File: 1085-03-P12**

Report: City Engineer, January 5, 2004

PURSUANT to the report of the City Engineer dated January 5, 2004, entitled "Joint Use of Public Facilities":

THAT Councillor Barbara Perrault be recognized as the re-elected Chair of the Joint Use Planning Committee;

AND THAT the Joint Use of Public Facilities, 2003 Work Program (Attachment 2 of the January 5, 2004 report) update be received and filed;

AND THAT the Joint Use of Public Facilities 2004 Work Plan (Attachment 3 of the January 5, 2004 report) be received and filed.

(CARRIED UNANIMOUSLY)

4. ***(b) Greater Vancouver Regional District Governance Committee Report on 9-1-1 - File: 1180-01**

Report: Manager, Capital Planning, January 14, 2004

PURSUANT to the report of the Manager, Capital Planning dated January 14, 2004, entitled "Greater Vancouver Regional District Governance Committee Report on 9-1-1":

THAT the Greater Vancouver Regional District, and more specifically the Regional Finance Advisory Committee (RFAC), be requested to provide information, specific to each municipality, on the impact of switching from a property tax levy for 9-1-1 to a call-answer levy;

AND THAT the study also address the impact of new technologies such as wireless and web/internet based voice transmission on the proposed call answer levy;

AND THAT the Regional Finance Advisory Committee (RFAC) provide an explanation and cost breakdown of the difference between the cost of service being proposed by the Greater Vancouver Regional District and the amount requested by E-Comm;

AND THAT in the interim, the Greater Vancouver Regional District continue with the current 9-1-1 function with funding via property taxation;

AND THAT negotiations with E-Comm resume as soon as possible to allow for the recovery/forecasting of the actual costs of the 9-1-1 function;

AND THAT the option of allowing E-Comm to take the responsibility for funding the 9-1-1 function be considered only once there is sufficient information with regard to the implementation of a call-answer levy;

AND THAT a copy of this resolution be forwarded to Mayor Don Bell, District of North Vancouver, E-Comm representative to the North Shore;

AND THAT a copy of this resolution be forwarded to the Greater Vancouver Regional District Board.

(CARRIED UNANIMOUSLY)

6. BYLAWS

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

- (ii) "City of North Vancouver Stream and Drainage System Protection Bylaw, 2003, No. 7541".

THAT Bylaw No. 7541 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7541 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

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

***(c) Exemption to Noise Control Bylaw No. 5819
– File: 4200-03-01/3400-05 E Espl 109 Parcel 5**

Report: Deputy City Engineer, January 19, 2004

PURSUANT to the report of the Deputy City Engineer, dated January 19, 2004, entitled "Exemption to Noise Control Bylaw, 1987, No. 5819":

THAT an exemption to "Noise Control Bylaw, 1987, No. 5819" from 8:00 p.m. Monday, January 19, 2004 to 7:00 a.m. Monday, January 26, 2004 be granted to Mondiale Development Ltd.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

Moved by Councillor Clark, seconded by Councillor Mussatto

9. CONFIDENTIAL REPORTS

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 90 (1)(j)
- 9(b) Section 90 (1)(k)
- 9(c) Section 90 (1)(g)

CARRIED UNANIMOUSLY

The meeting recessed at 5:32 p.m. and reconvened at 6:11 p.m. with the same personnel present and with addition of Councillor Keating*.

PRESENTATION

Re: Red Cross Experiences in Iraq - File: 3125-09-01

Ms. Jody Sydor, Director of North Shore Emergency Management Office gave a PowerPoint presentation on her Red Cross experiences in Iraq, starting in Kuwait in March 2003 and covering success stories, major challenges, and an overview of the elements of the humanitarian operation.

Mayor Sharp thanked Ms Sydor on behalf of Council for her presentation.

COUNCIL REPORT OF COMMITTEE WORK - File: 1085-01

Nil.

PROCLAMATIONS

Nil.

2. DELEGATIONS

Nil.

3. CORRESPONDENCE

Nil

Mayor Sharp recessed the meeting at 6:56 p.m.

The meeting reconvened at 7:03 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the meeting recess to the Public Meeting scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:03 p.m. and reconvened at 7:44 p.m. with the same personnel present.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the meeting recess to the Recessed Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 7:44 p.m. and reconvened at 8:30 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:30 p.m. and reconvened at 8:31p.m. with the same personnel present.

6. BYLAWS *continued*

(a) Reconsideration and Final Adoption

Moved by Councillor Clark, seconded by Councillor Heywood that

- (i) "Cab Regulation Bylaw, 2003, No. 7145", as amended

be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the Recessed Public Hearing scheduled for this evening regarding 784 East 17th Street.

CARRIED UNANIMOUSLY

The meeting recessed at 8:44 p.m. and reconvened at 10:05 p.m. with the same personnel present.

6. BYLAWS *continued*

(c) Second and Third Readings

Moved by Councillor Mussatto, seconded by Councillor Fearnley that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7566" (Domenico and Cristina Cusano, 784 East 17th Street, RS-2)

be read a second time in short form

Moved by Councillor Perrault, seconded by Councillor Heywood

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

continued..

6. **BYLAWS continued**

(c) **Second and Third Readings continued**

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7566" (Domenico and Cristina Cusano, 784 East 17th Street, RS-2) *continued*

A recorded vote was then taken on the motion.

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

Voting against: Councillor Perrault
Councillor Heywood
Councillor Clark

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

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the said Bylaw No. 7566 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark, Councillor Heywood and Councillor Perrault are recorded as voting contrary to the motion.

Moved by Councillor Perrault, 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

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the meeting recess to the Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 10:40 p.m. and reconvened at 10:52 p.m. with the same personnel present.

6. **BYLAWS continued**

(c) **Second and Third Readings** *continued*

Moved by Councillor Perrault, seconded by Councillor Fearnley that

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7571" (601 Lynnmouth Avenue, Insurance Corporation of British Columbia/Krahn Engineering, Text Amendment to CD-170).

be read a second time in short form.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark

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

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the said Bylaw No. 7571 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Heywood, seconded by Councillor Mussatto

THAT the meeting recess to the recessed Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 11:04 p.m. and reconvened at 11:58 p.m. with the same personnel present.

6. **BYLAWS continued**

(c) **Third Reading Only**

Moved by Councillor Mussatto, seconded by Councillor Heywood that

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7561" (William Clark/Besharat Friars Architects, 239 West 5th Street, CD-464), as amended.

be read a third time in short form and passed subject to reconsideration.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark
Councillor Fearnley

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

Mayor Sharp recessed the meeting at 12:00 a.m., January 20, 2004

Councillor Clark left the meeting at 12:00 a.m.

The meeting reconvened at 12:05 a.m., January 20, 2004 with the same personnel present and with the exception of Councillor Clark*.

Moved by Councillor Perrault, seconded by Councillor Keating

THAT the meeting recess to the recessed Public Hearing scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 12:05 a.m. and reconvened at 12:18 a.m. with the same personnel present.

6. **BYLAWS continued**

(c) **Second and Third Readings** *continued*

Moved by Councillor Perrault, seconded by Councillor Fearnley that

- (iv) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7572" (Kenneth & Myra Statham/Formwerks Architectural Inc., 272 West 5th Street, CD-466).

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Perrault, seconded by Councillor Fearnley

THAT the said Bylaw No. 7572 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

(a) **To Request Provincial Action on the Threshold Level of Homeowner Grants – File: 1625-13**

Submitted by Mayor Barbara A. Sharp

Moved by Mayor Sharp, seconded by Councillor Keating

WHEREAS many homeowners of the City of North Vancouver and the North Shore in general will see a further loss of their homeowner grant for the 2004 assessments;

AND WHEREAS many property assessments on the North Shore have seen increases in excess of \$50,000 or more;

AND WHEREAS 5000 - 8000 homeowners in Vancouver and on the North Shore will see their homeowner grants disappear either partially or entirely due to extreme assessment increases;

AND WHEREAS the increases in assessments of homes impacts average families and seniors income levels;

AND WHEREAS the Provincial Government has not changed the level at which the homeowner grant phases out since 1996;

continued...

5. (a) **To Request Provincial Action on the Threshold Level of Homeowner Grants – File: 1625-13 *continued***

THEREFORE BE IT RESOLVED THAT Council ask the Provincial Government to re-evaluate the level at which the homeowner grant begins to phase out;

AND FURTHER BE IT RESOLVED THAT this resolution be sent to the Honourable Gary Collins, Minister of Finance, local MLA's, North Shore and Vancouver Local Governments, the Union of British Columbia Municipalities and the Lower Mainland Municipal Association.

CARRIED UNANIMOUSLY

(b) **North Shore Safety Council Grant - File: 1670-03-01**

Submitted by Mayor Barbara A. Sharp

Moved by Mayor Sharp, seconded by Councillor Perrault

PURSUANT to the correspondence dated December 29, 2003, received from Mr. Stuart Lawson, Co-Chair, North Shore Safety Council, regarding "Grant Request Denial":

THAT the North Shore Safety Council's grant be reinstated to \$1,000;

AND THAT the funds be provided from the Special Contingency Grants Account.

Moved by Councillor Keating, seconded by Councillor Heywood

THAT consideration of item 5(b) be deferred.

A recorded vote was taken on the deferral motion.

Voting in favour: Councillor Heywood
Councillor Mussatto
Councillor Keating

Voting against: Councillor Perrault
Councillor Fearnley
Mayor Sharp

The deferral motion was **DEFEATED** by a vote of three to three.

continued..

5. (b) North Shore Safety Council Grant - File: 1670-03-01 *continued*

A recorded vote was taken on the original motion.

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

Voting against: Councillor Fearnley
Councillor Keating

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

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

9. CONFIDENTIAL REPORTS *continued*

Moved by Councillor Keating, seconded by Councillor Mussatto

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(b) Section 90 (1)(k)
- 9(c) Section 90 (1)(g)

CARRIED UNANIMOUSLY

The meeting recessed at 12:37 a.m., January 20, 2004, as a motion to adjourn was carried unanimously in the Committee of the Whole In Camera meeting at 1:19 a.m.