



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, MARCH 15, 2004**
AT 6:00 P.M.**

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
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
S.E. Dowey, Deputy City Clerk
J.M. Rowe, Assistant City Clerk
R.H. White, City Planner
H. Fleming, Director of Recreation
N. McMillan, Coordinator, Harry Jerome Centre
R. Utendale, Policy Analyst
Fire Chief R. Douglas
L. Orr, Social Planner
B. Susak, Deputy City Engineer
D. Sigston, Manager, Lands Division
T Christie, Director of Finance
D. Pope, Manager, Environment and Parks
R Shore, Director, Human Resources

ABSENT:

Councillor R.C. Clark

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

1. ADOPTION OF MINUTES

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the Minutes of the Special Council Meeting of March 8, 2004 be adopted as circulated.

CARRIED UNANIMOUSLY

CONSENT AGENDA {Items 3 *(b), 3 *(c), 3 *(d), 3*(e), 4 *(a), 4 *(b), 4 *(c),
4 *(d), 6 *(a)(i), 6 *(a)(ii), 6 *(a)(iii), 6 *(a)(iv), 6 *(a)(v)
and 6 *(c)(ii)}

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the resolutions listed within the "Consent Agenda" of March 8, 2004 with the exception of items 3.*(c) and 4*(a) be approved, as follows:

3. **CORRESPONDENCE**

***(b) Glennys Pedersen and Ron Menzies, Co-Chairs, North Shore Canada Day Parade Committee, February 27, 2004**

Re: Request for Additional Funding - File: 1665-02

PURSUANT to the correspondence received from the North Shore Canada Day Parade Committee dated February 27, 2004 regarding "Request for Additional Funding":

THAT the request for an additional \$2,000 be approved;

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

(CARRIED UNANIMOUSLY)

***(d) Hon. Chuck McLaran, Mayor, Albany, Oregon, Hon. Mark Foutch, Mayor, Olympia, Washington and Hon. Mark Asmundson, Mayor, Bellingham, Washington, The Cascadia Project of Discovery Institute, Seattle, Washington, March 2, 2004**

Re: The Cascadia Mayors Council, Eugene, Oregon, May 13-14, 2004 - File: 1180-39

PURSUANT to the correspondence dated March 2, 2004 from the Hon. Chuck McLaran, Mayor, Albany, Oregon, the Hon. Mark Foutch, Mayor, Olympia, Washington and the Hon. Mark Asmundson, Mayor, Bellingham, Washington, The Cascadia Project of Discovery Institute, Seattle, Washington, regarding "The Cascadia Mayors Council, Eugene, Oregon, May 13-14, 2004":

THAT Mayor Barbara A. Sharp be authorized to participate in the Cascadia Mayors Council as a fully active member.

(CARRIED UNANIMOUSLY)

3. ***(e) Veronica Singer, Chair, North Shore Family Court & Youth Justice Committee, March 3, 2004**

Re: Establishment of an Executive Committee for the North Shore Family Court & Youth Justice Committee -
File: 1085-03-N11-02

PURSUANT to the correspondence dated March 3, 2004 from Veronica Singer, Chair, North Shore Family Court & Youth Justice Committee regarding "Establishment of an Executive Committee for the North Shore Family Court & Youth Justice Committee":

THAT the Terms of Reference of the North Shore Family Court & Youth Justice Committee be revised to include an Executive Committee.

(CARRIED UNANIMOUSLY)

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

***(b) Village On Marine Proposal - 879 Marine Drive - Westbank Properties / Busby & Associates" - File: 3300-07-02 MARI 879**

Report: City Planner, Community Development,
March 8, 2004

PURSUANT to the report of the City Planner dated March 8, 2004, entitled "Village On Marine Proposal - 879 Marine Drive - Westbank Properties / Busby & Associates":

THAT the subject report be received and filed.

(CARRIED UNANIMOUSLY)

***(c) Harbourside Waterfront Proposal - Foot of Fell Avenue - Concert Properties/Hotson Bakker Architects - File: 3300-07-02 FT OF FELL**

Report: City Planner, Community Development, March 8,
2004

PURSUANT to the report of the City Planner dated March 8, 2004, entitled "Harbourside Waterfront Proposal - Foot of Fell Avenue - Concert Properties/Hotson Bakker Architects":

THAT the subject report be received and filed.

(CARRIED UNANIMOUSLY)

4. ***(d) Harry Jerome Master Plan - Process to Confirm Project Objectives and Site Redevelopment Considerations - File: 3380-02-L7**

Report: Community Planner, Community Development on behalf of the Harry Jerome Master Plan Steering Committee, March 9, 2004

PURSUANT to the report of the Community Planner dated March 9, 2004, entitled "Harry Jerome Master Plan - Process to Confirm Project Objectives and Site Redevelopment Considerations":

THAT staff be directed to organize a Council workshop to discuss project objectives and site redevelopment considerations for the Harry Jerome Master Plan.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

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

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7577" (Gary and Laura Lee/Lynde Designs, 436 West 24th Street, CD-468).
- (ii) "Ticket Information Bylaw, 1992, No. 6300, Amendment Bylaw 2004, No. 7581", as amended.
- (iii) "Noise Control Bylaw, 1987, No. 5819, Amendment Bylaw, 2004, No. 7585".
- (iv) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2004, No. 7586".
- (v) "North Vancouver Recreation Commission Agreement Bylaw, 2002, No. 7444, Amendment Bylaw, 2004, No. 7588" (Schedule A, Attachment D, Section 27(a) Amendment).

THAT the said Bylaws Nos. 7577, 7581 as amended, 7585, 7586 and 7588 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7577, 7581 as amended, 7585, 7586 and 7588 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

6. *(c) Second and Third Readings

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7587" (Andreas Peter Smolik / Egil Lyngen Architect, 318 East 27th Street, CD-469).

THAT the said Bylaw No. 7587 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7587 be read a third time in short form and passed subject to reconsideration

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT Items 9. (a), 4.(e) and 6.(a) (vi) on the agenda this evening be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

9. CONFIDENTIAL REPORTS

Moved by Councillor Perrault, seconded by Councillor Keating

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(b) Section 90 (1) (e)
- 9(c) Section 90 (1) (e)
- 9(d) Section 90 (1) (c)

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m., and reconvened at 7:19 p.m., with the same personnel present and with the addition of *Councillor Mussatto.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

Councillor Perrault left the meeting because of a possible perceived bias regarding item 9.1(b) as her daughter is the Chair of the North Shore Women's Centre.

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

9.1 (b) Update on North Shore Women's Centre Search for Office Space - File: 4230-16-01

Report: Lands Assistant, Community Development,
March 8, 2004

PURSUANT to the report of the Lands Assistant, dated March 8, 2004, entitled "Update on North Shore Women's Centre Search for Office Space":

THAT Lands Division staff be directed to report back with an analysis of the following option to accommodate the Women's Centre:

Option 1 The Women's Centre and City staff sharing 131 East 2nd Street, North Vancouver;

AND THAT the report of the Lands Assistant, dated March 8, 2004 entitled "Update on North Shore Women's Centre Search for Office Space", remain in camera.

CARRIED UNANIMOUSLY

Councillor Perrault returned to the meeting.

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

(d) GVRD Labour Relations Issues – File: 1865-01

Verbal Report: Mayor B.A. Sharp

THAT Council request Mayor Sharp to write to the Freedom of Information and Privacy Commissioner and to the appropriate authorities with regards to the submission by the GVRD Labour Relations Department to the Legislative Committee with regards to the Freedom of Information and Protection of Privacy Act

Mayor Sharp recessed the Council Meeting in order to call the Public Hearing scheduled for the evening to order.

The meeting recessed at 7:30 p.m. and reconvened at 7:31 p.m. with the same personnel present.

9.1 (d) GVRD Labour Relations Issues – File: 1865-01 *continued*

A recorded vote was then taken on the motion.

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

Voting against: Councillor Mussatto
Councillor Keating

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

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the correspondence from Mr. Leffler, Manager, GVRD Labour Relations, dated February 27, 2004 be referred to the City's Solicitor to assess the claims made by Mr. Leffler in said letter and report back to Council.

DEFEATED

PROCLAMATIONS

Nil.

2. DELEGATIONS

(a) Irma Mohammed, Director – Education & Youth Programs, B.C. Federation of Labour (CLC)

Re: New Safety Standards Act and Regulations - File: 1020-03

Ms. Irma Mohammed, Director – Education & Youth Programs, B.C. Federation of Labour (CLC) provided an overview of the new legislative changes to the Safety Standards Act and Regulations to be implemented on April 1, 2004. Ms. Mohammed advised that the B.C. Federation of Labour are of the opinion that this would have a detrimental impact on trades training and safety standards in British Columbia and asked Council to endorse the following resolution:

WHEREAS the Provincial Government has passed legislation creating a new Safety Standards Authority that will remove our safety standards system from government control; and

WHEREAS the Provincial Government is currently creating new Safety Standards Act and Regulations for the compulsory trades that deregulates the qualifications require to perform regulated work; and

continued..

2. (a) **Irma Mohammed, Director – Education & Youth Programs, B.C. Federation of Labour (CLC) *continued***

WHEREAS the new regulations will no longer require government oversight of regulated work; and

THEREFORE BE IT RESOLVED THAT the City of North Vancouver write a letter to Minister Murray Coell expressing their opposition to both the creation of the new authority and the Safety Standards Act changes; and

BE IT FURTHER RESOLVED THAT Council requests a meeting with local MLA's to express our concerns on these matters, and

BE IT FINALLY RESOLVED that this resolution be forwarded to the 2004 Union of BC Municipalities Annual General Meeting.

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

3. **CORRESPONDENCE *continued***

(a) **Jim Sinclair, President, B.C. Federation of Labour (CLC),
March 3, 2004**

Re: New Safety Standards Act and Regulations - File: 1020-03

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence from Jim Sinclair, President, B.C. Federation of Labour (CLC), dated March 3, 2004, regarding "New Safety Standards Act and Regulations":

WHEREAS the Provincial Government has passed legislation creating a new Safety Standards Authority that will remove our safety standards system from government control;

WHEREAS the Provincial Government is currently creating new Safety Standards Act and Regulations for the compulsory trades that deregulates the qualifications require to perform regulated work; and

WHEREAS the new regulations will no longer require government oversight of regulated work;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver write a letter to Minister Murray Coell expressing our opposition to both the creation of the new authority and the Safety Standards Act changes;

RESOLVED THAT Council requests a meeting with local MLA's to express our concerns on these matters, and

RESOLVED that this resolution be forwarded to the 2004 Union of BC Municipalities Annual General Meeting. *continued..*

3. (a) **Jim Sinclair, President, B.C. Federation of Labour (CLC),
March 3, 2004 *continued***

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT the correspondence received from Jim Sinclair, President, B.C. Federation of Labour (CLC), dated March 3, 2004 be referred to staff for further information on this matter

DEFEATED

A recorded vote was taken on the original motion.

Voting in favour: Councillor Mussatto
Councillor Keating
Mayor Sharp

Voting against: Councillor Perrault
Councillor Heywood
Councillor Fearnley

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

COUNCIL REPORT OF COMMITTEE WORK - File: 1085-01

Councillor Mussatto

- Advised that the Park and Tilford Gardens will be holding their Annual Plant Sale on April 24, 2004 from 10:00 a.m. – 3:00 p.m.

Councillor Heywood

- Attended the launching of the Bait Car Program by ICBC held in Surrey and advised that ICBC is expanding the program to all the municipalities in the GVRD.

Councillor Fearnley

- Attended a Retreat for the City of North Vancouver Library Board members in Burnaby
- Advised that the Lower Mainland Municipal Association Executive will be meeting with the Minister Coell, Minister Responsible for Community, Aboriginal and Women's Services in early April to deal with issues which are of significance to the City; Bill 75, Ports Competitiveness and the Joint and Severance Liability.

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the meeting recess to the Public Hearing scheduled for this evening regarding Liquor Licensing Changes.

CARRIED UNANIMOUSLY

The meeting recessed at 8:27 p.m. and reconvened at 8:38 p.m. with the same personnel present.

6. BYLAWS *continued*

(c) Second and Third Readings

Moved by Councillor Heywood, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2002, No. 7466" (Liquor Licensing Changes).

be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Mussatto

THAT the said Bylaw 7466 be read a third time in short form and passed subject to reconsideration and final adoption.

CARRIED UNANIMOUSLY

3. CORRESPONDENCE *continued*

**(c) Ralph Sultan, MLA, West Vancouver-Capilano,
February 23, 2004**

Re: Ambulance Service and Local Fire Department Emergency Response - File: 1195-02-05

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the correspondence received from Ralph Sultan, MLA, West Vancouver-Capilano, dated February 23, 2004 regarding "Ambulance Service and Local Fire Department Emergency Response":

THAT the correspondence be referred to the District of North Vancouver Mayor, Don Bell, as the North Shore Representative to E-Comm;

AND THAT Mayor Don Bell be requested to keep City of North Vancouver Council members apprised;

AND THAT staff be requested to report on mechanisms by which the City can prevent the downloading of Provincial Emergency Response Services to municipal firefighters and that such report also be forwarded to Mayor Don Bell and District of North Vancouver Council.

CARRIED UNANIMOUSLY

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

(a) **Participation in Bike Month, June 2004 - File: 1665-02**

Report: Budget Analyst, March 10, 2004

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Budget Analyst dated March 10, 2004, entitled "Participation in Bike Month, June 2004":

THAT the City of North Vancouver support activities and events related to Bike Month 2004 to promote cycling as an alternative to the motor vehicle as a mode of transportation;

THAT funding of \$1,000 be contributed towards Better Environmentally South Transportation's campaign costs for Bike Month 2004, as authorized from the Bicycle Programs Reserve;

AND THAT funding of \$500 be contributed towards the regional bike event called "Stanley Park Bicycle Festival", as authorized from the Bicycle Programs Reserve.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Affordability Statement – File: 3365-01**

Submitted by Councillor R.J. Fearnley

Moved by Councillor Fearnley, seconded by Councillor Keating

WHEREAS the City of North Vancouver has a serious affordability problem with respect to both rental properties and home ownership;

WHEREAS this has led to a reduced number of young families with children within the City, which is leading to reduced school enrolments and possible school closures; and

WHEREAS the City of North Vancouver believes in having a diverse community;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver requires an affordability statement as part of all new residential development submissions.

CARRIED UNANIMOUSLY

5. (b) **Agreement regarding the Sale of BC Rail to CN Rail**
File: 4130-02

Submitted by Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Mussatto

WHEREAS significant concerns now exist as to whether the conditional sale agreement of BC Rail to CN Rail was concluded on the basis of a fair and open process free from the taint of criminal involvement; and

WHEREAS the sale of BC Rail to CN Rail will result in serious economic and social consequences for the City of North Vancouver and its residents;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver call upon the Provincial Government to abandon its agreement with CN Rail for the sale of BC Rail; and

RESOLVED THAT staff be requested to seek standing for the City of North Vancouver at the Competition Bureau so that we may raise our concerns directly with the appropriate regulatory body; and

RESOLVED that this resolution be circulated to all Union of British Columbia member municipalities.

The vote upon the recommendations was taken separately as follows:

WHEREAS significant concerns now exist as to whether the conditional sale agreement of BC Rail to CN Rail was concluded on the basis of a fair and open process free from the taint of criminal involvement; and

WHEREAS the sale of BC Rail to CN Rail will result in serious economic and social consequences for the City of North Vancouver and its residents;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver call upon the Provincial Government to abandon its agreement with CN Rail for the sale of BC Rail; and

RESOLVED that this resolution be circulated to all Union of British Columbia member municipalities.

continued..

5. (b) **Agreement regarding the Sale of BC Rail to CN Rail**
File: 4130-02 *continued*

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Fearnley

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

RESOLVED THAT staff be requested to seek standing for the City of North Vancouver at the Competition Bureau so that we may raise our concerns directly with the appropriate regulatory body.

A recorded vote was taken on the motion.

Voting in favour: Councillor Mussatto
Councillor Keating
Mayor Sharp

Voting against: Councillor Perrault
Councillor Heywood
Councillor Fearnley

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

(c) **Privatization of Medical Services Plan Records Administration**
File: 3030-12/1195-01

Mayor Sharp advised that she will present the following motion at the next regular meeting of Council.

WHEREAS the Province of BC is seeking to privatize the Medical Services Plan records administration;

WHEREAS American companies are seeking to bid on the privatization process;

WHEREAS American companies can be compelled by the US 'Patriot Act' Legislation to turn over confidential information controlled by the Corporation to the FBI without notifying Canadian officials or the individuals involved; and

WHEREAS this will result in the confidential information of BC residents being turned over to American government authorities;

continued..

5. (c) **Privatization of Medical Services Plan Records Administration**
File: 3030-12/1195-01 *continued*

NOW THEREFORE BE IT RESOLVED THAT Council request the Provincial government to not privatize our personal medical records to any American company or any affiliate of an American company; and

RESOLVED THAT this resolution be sent to all North Shore MLA's and the Union of B.C. Municipalities for their action on our behalf.

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

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 9:35 p.m., for the public question period and reconvened the meeting immediately.

10. **ADJOURNMENT**

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:35 p.m.