



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, MARCH 22, 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
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
F.A. Smith, Director, Community Development
C. Amundsen, Executive Assistant to the Mayor
S. Ono, City Engineer
R. Shore, Director, Human Resources
C. Hunter, Director, Information Technology
L. McCarthy, Community Development Worker
(Youth Programs), Community Development
G. Penway, Assistant City Planner

The meeting was called to order at 5:32 p.m.

PRESENTATION - File: 1035-03

Captain Dennis Burt, President, and representatives of the Royal Canadian Legion Branch 118, presented a plaque to the Mayor and Council of the City of North Vancouver in appreciation for the support and assistance given that has enabled the Branch to survive and continue to serve the community.

Captain Dennis Burt, President, and representatives of the Royal Canadian Legion Branch 118, also presented a Certificate of Appreciation to the staff of the City of North Vancouver in recognition of services rendered to the Branch.

1. ADOPTION OF MINUTES

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the Minutes of the Regular Council Meeting of March 15, 2004 be adopted as circulated.

CARRIED UNANIMOUSLY

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

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the resolutions listed within the "Consent Agenda" of March 22, 2004, with the exception of item 3 *(a), be approved, as follows, and that item 6 *(a)(ii) be deferred to the April 5, 2004 regular meeting of Council:

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) 2004 Parcel Tax Roll Review - File: 1625-03-02**

Report: City Clerk, March 15, 2004

PURSUANT to the report of the City Clerk, dated March 15, 2004, entitled "2004 Parcel Tax Roll Review":

THAT pursuant to Section 204 (2) of the Community Charter, the sitting of the 2004 Parcel Tax Roll Review Panel for the Parcel Tax Roll be held in the Council Chamber, City Hall, on Monday, April 26, 2004 at 6:00 p.m.

(CARRIED UNANIMOUSLY)

***(b) Strata Conversion Application - 666 - 668 West Keith Road - Mr. Ali Kazemzadeh Et Al - File: 3365-08-03**

Report: Planning Technician 2, Community Development, March 10, 2004

PURSUANT to the report of the Planning Technician 2, dated March 10, 2004 entitled "Strata Conversion Application - 666 - 668 West Keith Road - Mr. Ali Kazemzadeh Et Al":

THAT the Strata Titling of the duplex located at 666 - 668 West Keith Road be approved;

AND THAT the Mayor and City Clerk be authorized to execute the Strata Plans pursuant to Section 242 of the *Strata Property Act*.

(CARRIED UNANIMOUSLY)

4. ***(c) Seniors Health and Housing Coalition Report - Consumer Protection Model - File: 3365-01 / 1195-11-H1-01**

Report: Social Planner, Community Development
March 12, 2004

PURSUANT to the report of the Social Planner, dated March 12, 2004, entitled "Seniors Health and Housing Coalition Report - Consumer Protection Model":

THAT the City support the conceptual framework for consumer protection outlined in the Seniors Health and Housing Coalition May 2003 report as a means of providing security and protection to residents of supportive and assisted living housing;

AND THAT a letter be sent to Ida Chong, Minister of State for Women's and Seniors' Services, and Solicitor General R.T. (Rich) Coleman, the Minister Responsible for Consumer Protection, advising them of the City of North Vancouver's concern for vulnerable residents in various types of unlicensed and unmonitored group facilities, and of the need for regulation of their services and care, and their consumer protection;

AND THAT the above Ministers be asked to consider the Seniors Health and Housing Coalition proposal for protection of residents of supportive and assisted living housing;

AND THAT the Seniors Health and Housing Coalition and the Social Planning Advisory Committee be informed of this decision.

(CARRIED UNANIMOUSLY)

***(d) Summer Career Placements Program - 2004 Human Resources Development Canada (HRDC) - File: 1905-05-02 / 1800-01**

Report: Senior Human Resources Officer, March 15, 2004

PURSUANT to the report of the Senior Human Resources Officer dated March 15, 2004, entitled "Summer Career Placement Program - 2004 Human Resources Development Canada (HRDC)":

THAT an application for funding under the Human Resources Development Canada Program be submitted;

AND THAT the Mayor and City Clerk be authorized to sign the necessary application form.

(CARRIED UNANIMOUSLY)

4. ***(e) Rezoning Application - 427 & 433 West 16th Street (Brent Developments Ltd./H.R. Hatch Architect Ltd.)**
File: 3400-05 16W 427 & 433

Report: Development Planner, Community Development,
March 10, 2004

PURSUANT to the report of the Development Planner dated March 10, 2004, entitled "Rezoning Application - 427 & 433 West 16th Street (Brent Developments Ltd./H.R. Hatch Architect Ltd.):":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7595" (Brent Developments Ltd./H.R. Hatch Architect Ltd., 427 & 433 West 16th Street, CD-470), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

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

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7595" (Brent Developments Ltd./H.R. Hatch Architect Ltd., 427 & 433 West 16th Street, CD-470)

THAT Bylaw No. 7595 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

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

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

THAT the said Bylaw No. 7466 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaw No. 7466 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

6. *(a) Reconsideration and Final Adoption - Continued

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

THAT consideration of Bylaw No. 7587 be deferred to the next regular meeting of Council scheduled for Monday, April 5, 2004.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

9. CONFIDENTIAL REPORTS

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

CARRIED UNANIMOUSLY

The meeting recessed at 5:36 p.m., and reconvened at 10:25 p.m., with the same personnel present and with the addition of *Councillor Mussatto.

Moved by Councillor Clark, 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

Moved by Councillor Clark, seconded by Councillor Heywood

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

CARRIED UNANIMOUSLY

The meeting recessed at 10:25 p.m., and reconvened at 10:48 p.m., with the same personnel present.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(a) Labour Relations Matter - File: 1870-01

Verbal Report: Director of Human Resources

THAT Council support the North Vancouver City Library Board in appreciation of the work they are doing.

CARRIED UNANIMOUSLY

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

**(b) Resolution B133 “WCB Presumption for Certain Cancers”
File: 1810-10-06/1800-06**

Report: Mayor Barbara A. Sharp, March 18, 2004

PURSUANT to the report of Mayor Barbara A. Sharp dated March 18, 2004, entitled “Resolution B133 “WCB Presumption for Certain Cancers”:

THAT Mayor Sharp be requested to write to the Chair of the Workers Compensation Board, encouraging that the matter of Firefighters and certain cancers be dealt with expeditiously and in consultation with all stakeholders.

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

9.1 (d) Vacancy Pattern and Resource Deployment - File: 1865-01

Report: Supt. G. Tomlinson, O.I.C., RCMP, March 18, 2004

PURSUANT to the report of Supt. G. Tomlinson, O.I.C./R.C.M.P., dated March 18, 2004, entitled "Vacancy Pattern and Resource Deployment":

THAT an increase of two regular members within the Municipal Police Agreement Contract be endorsed to be funded from existing contract allocations.

CARRIED UNANIMOUSLY

PROCLAMATIONS

Mayor Sharp read the following Proclamation:

"MALE SURVIVORS OF SEXUAL ABUSE AWARENESS MONTH", APRIL 2004

3. CORRESPONDENCE

(a) Mayor Don Bell, District of North Vancouver, March 9, 2004

Re: Community Charter Requirement - Size of Council
File: 1020-03

Moved by Councillor Mussatto, seconded by Councillor Heywood

PURSUANT to the correspondence from Mayor Don Bell, District of North Vancouver, dated March 9, 2004, regarding "Community Charter Requirement - Size of Council":

THAT the Honourable Murray Coell, Minister of Community, Aboriginal and Women's Services, be advised that the City of North Vancouver supports the resolutions to delay the implementation of Section 118(2) of the *Community Charter* to the 2008 Election.

Moved by Councillor Heywood, seconded by Councillor Perrault

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

Continued....

3. (a) Mayor Don Bell, District of North Vancouver, March 9, 2004 - Continued

A recorded vote was taken on the original motion.

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

Voting against: Councillor Clark

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

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

(f) Recognition of the Life of Rachel Davis - File: 1090-04-01/4440-01

Report: Community Development Worker (Youth Programs),
Community Development - on behalf of the Youth
Advisory Skate Park Committee, March 12, 2004

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the report of the Community Development Worker (Youth Programs) - on behalf of the Youth Advisory Skate Park Committee, dated March 12, 2004, entitled "Recognition of the Life of Rachel Davis":

THAT the "Rachel Davis Random Acts of Kindness Pathway" Recognition Program be adopted;

AND THAT staff be requested to continue to work with the Davis family formalizing the wording of the epitaph, placement of a commemorative boulder and permanent description of the pathway;

AND THAT funds for this project to a maximum of \$5,000 be allocated from Council Contingency Account.

A recorded vote was taken on the motion.

Voting in favour: Councillor Keating
Councillor Fearnley
Councillor Mussatto
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 Keating

THAT Mr. Davis be heard at this time.

CARRIED UNANIMOUSLY

Mr. Davis thanked members of Council for this recognition of his daughter, Rachel.

Councillor Mussatto left the meeting stating a conflict of interest with regards to items 4. (g) and 6. (d) (ii) on the agenda as he is related to the applicant.

4. (g) Zoning Text Amendment Application: 905 - 925 St. Andrew's Avenue (Expanded Unit, Gary & Misti Mussatto/Moorhead) File: 3400-05 St.And. 905-925

Report: Assistant City Planner, Community Development,
March 17, 2004

Moved by Councillor Keating, seconded by Councillor Perrault

PURSUANT to the report of the Assistant City Planner dated March 8, 2004, entitled "Zoning Text Amendment Application: 905-925 St. Andrew's Avenue (Expanded Unit, Gary & Misti Mussatto/Moorhead)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7594" (Charles Moorhead Architect/Gary & Misti Mussatto, 905-925 St. Andrew's Avenue, CD-424 Text Amendment), be considered;

AND THAT the requirement for a Public Hearing be waived.

A recorded vote was taken on the motion.

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

Voting against: Nil

The motion was **CARRIED UNANIMOUSLY** by a vote of six to nil.

6. **BYLAWS – Continued**

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

Moved by Councillor Keating, seconded by Councillor Perrault that

- (ii) “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7594”
(Charles Moorhead Architect/Gary & Misti Mussatto, 905-925 St.
Andrew’s Ave, CD-424 Text Amendment)

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

Councillor Mussatto returned to the meeting.

3. **CORRESPONDENCE - Continued**

(b) **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 Keating, seconded by Councillor Clark

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

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Fearnley
Councillor Perrault

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

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

(h) **Council Indemnities - File: 1090-06**

Moved by Councillor Keating, seconded by Councillor Perrault

BE IT RESOLVED THAT the City of North Vancouver retain an independent consultant to assess the way in which Council are indemnified.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark
Councillor Fearnley
Councillor Heywood

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

4. (i) **Web Site - Personal Links Policy for the Mayor, Councillors and Candidates for Election - File: 3035-04-02**

Report: City Clerk, March 3, 2004

Moved by Councillor Keating, seconded by Councillor Mussatto

PURSUANT to the report of the City Clerk, dated March 3, 2004, entitled, "Web Site - Personal Links Policy for the Mayor, Councillors and Candidates for Election":

THAT the City of North Vancouver provide website personal links for registered election candidates during the election period only.

A recorded vote was taken on the motion.

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

Voting against: Councillor Perrault
Councillor Clark

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

Councillor Mussatto briefly left and returned to the meeting.

6. **BYLAWS - Continued**

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

(iii) "Paved Lane in the Easterly portion of the lane North of West 23rd Street between Westview Drive and Larson Road, Local Improvement Petition Construction Bylaw, 2004, No. 7589"

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT consideration of Bylaw No. 7589 be deferred until staff have established some facts with respect to the issue.

CARRIED UNANIMOUSLY

5. **MOTIONS AND NOTICES OF MOTION**

(a) **Subdivision of Lots in RS-1 Zoned Single Family Neighbourhoods - File: 3400-01**

Submitted by Councillor B.W. Perrault

Moved by Councillor Perrault, seconded by Councillor Clark

WHEREAS lot sizes of less than the minimum of 6,000 square feet have resulted from subdivisions in RS-1 zoned areas; and

WHEREAS there is not restriction on minimum lot widths in RS-2 or RS-3 zoned areas;

NOW THEREFORE BE IT RESOLVED THAT a moratorium be declared on the subdivision resulting in lot sizes that are less than 6,000 square feet in RS-1 zoned neighbourhoods; and

RESOLVED that staff report back to Council with a discussion paper concerning issues relating to the subdivisions that result in lot sizes that are less than 6,000 square feet as required in RS-1 zoned neighbourhoods.

A recorded vote was taken on the motion.

Voting in favour: Councillor Perrault
Councillor Heywood
Councillor Clark

Voting against: Councillor Keating
Councillor Fearnley
Councillor Mussatto
Mayor Sharp

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

10. **ADJOURNMENT**

Moved by Councillor Fearnley, seconded by Councillor Mussatto

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 12:43 a.m., Tuesday, March 23, 2004.