



**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 4, 2004**
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 B.W. Perrault

ABSENT:

Councillor C.R. Keating
Councillor D.R. Mussatto

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
S.E. Dowey, Deputy City Clerk
T. Christie, Director of Finance
S. Ono, City Engineer
B. Susak, Deputy City Engineer
G. Penway, Assistant City Planner
S. Smith, Planner, Engineering Department
C. Amundsen, Assistant to the Mayor
F. Caouette, Director, Corporate Services
F.A. Smith, Director, Community Development
R.H. White, City Planner
S. Bennett, Property Use Inspector

The meeting was called to order at 6:02 p.m.

ADOPTION OF MINUTES

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the following Minutes be adopted as circulated:

1. Regular Council Meeting Minutes, September 27, 2004.
2. In-Camera Committee of the Whole Meeting Minutes, September 27, 2004.
3. Special Council Meeting Minutes, September 28, 2004.
4. In-Camera Committee of the Whole Meeting Minutes, September 28, 2004.

CARRIED UNANIMOUSLY

PRESENTATION - File: 1090-04-01

Mayor Barbara A. Sharp presented Ms. Doris Orr, the founder of the non-profit trust D.O.N.A.T.E. (Doris Orr Needy Animals Trust Endowment) with a certificate honouring her for outstanding service to the care of lost and abandoned pets.

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT items 25 and 26 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- 25. Rezoning Application: 221/225 East 17th Street (A2M / Flexhome Ltd. / Vernacular Design Inc.): Public Hearing Follow-Up
File: 3345-02 17E 221 & 225**

Report: Assistant City Planner, Community Development,
September 29, 2004

BYLAWS - Second and Third Readings

- 26. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw 2004, No. 7638" (A2M / Flexhome Ltd./Vernacular Design Inc., 221-225 East 17th Street, CD-485).**

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT consideration of items 25 and 26 be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

(It is anticipated that all members of Council will not be present until the November 8, 2004 Regular Council meeting).

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT Any Other Business - New Items be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

ANY OTHER BUSINESS – NEW ITEMS

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT a verbal update by the Director, Corporate Services, regarding "Update on BC Rail/CN Rail" be added to the Committee of the Whole in camera agenda this evening as item 32.

CARRIED UNANIMOUSLY

CONSENT AGENDA ITEMS

{Items *7, *8, *11, *12, *13, *14, *15, *16, *17, *18, *19, *20, *21, *22* 23, *30 and *31}

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the resolutions listed within the "Consent Agenda" of October 1, 2004 with the exception of items *7, *8, *18, *20, and *30 be approved, as follows:

CORRESPONDENCE

***11. The Canadian Council for Public-Private Partnerships, August 24, 2004.**

Re: 12th Annual Conference on Public-Private Partnerships, "Canadian P3: Under the Microscope", November 22 & 23, 2004, Toronto, Ontario - File: 1840-02-01

Requested by Councillor C.R. Keating

STAFF RECOMMENDATION:

PURSUANT to the correspondence received from The Canadian Council for Public-Private Partnerships, dated August 24, 2004 entitled "12th Annual Conference on Public-Private Partnerships, "Canadian P3: Under the Microscope"

THAT Council members be authorized to attend the 12th Annual Conference on Public-Private Partnerships, "Canadian P3: Under the Microscope", November 22 & 23, 2004, in Toronto, Ontario

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

AND THAT the funds be provided from the 2004 Legislative Conventions and Delegations Account.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *12. "Taxation Exemption Bylaw, 2004, No. 7642".
- *13. "Taxation Exemption Bylaw, 2004, No. 7643" (Lonsdale Energy Corporation).

THAT the said Bylaws Nos. 7642 and 7643 be reconsidered.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos.7642 and 7643 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

MOTIONS AND NOTICES OF MOTION

- *14. **E-Comm Board of Directors Designate for the 2004/2005 Year
File: 3115-09-01**

Requested by Mayor Barbara A. Sharp

RECOMMENDATION:

THAT the appointment of Mayor Ron Wood of the District of West Vancouver to the Board of Directors of E-Comm as the North Shore Designate be endorsed.

(CARRIED UNANIMOUSLY)

- *15. **Affordable Homeownership – File: 3365-05-01**

Recommendation: Policy Committee, September 27, 2004

THAT staff be requested to report back with monetary and non-monetary affordable homeownership options.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

***16. 2005-2014 10-Year Capital Plan – Project Prioritization
File: 1645-06-02**

Recommendation: Finance Committee, September 28, 2004

PURSUANT to the report of the Manager, Capital Planning dated September 23, 2004, entitled “2005-2014 10-Year Capital Plan – Project Prioritization”:

THAT the Finance Committee rank the identified projects in the draft 2005-2014 Capital Plan and return the results to the Finance Department by October 8, 2004 for the purpose of staff presenting a new 2005 -2014 Capital Plan in October or November, 2004;

AND THAT, in the future, reports for projects requesting \$100,000 or more in funding during the first year of a Capital Plan no longer be required for projects that fall in the Base Program category.

(CARRIED UNANIMOUSLY)

***17. Historic Places Initiative - Part Two of Joint Federal / Provincial /
Municipal Contract - File: 3360-12**

Report: Development Planner, Community Development,
September 28, 2004

PURSUANT to the report of the Development Planner dated September 28, 2004, entitled “Historic Places Initiative - Part Two of Joint Federal/Provincial/Municipal Contract”:

THAT the Mayor and City Clerk be authorized to sign copies of the Service Contract (General) referred to as Ministry Contract No. C05-HPI 014, prepared by the Province of British Columbia Ministry of Community Aboriginal and Women’s Services.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

***19. Untidy Property - 364 East 19th Street - File: 3345-02 19E 364**

Report: Property Use Inspector, Community Development,
September 29, 2004

PURSUANT to the report of the Property Use Inspector dated September 29, 2004, entitled "Untidy Property - 364 East 19th Street":

THAT the registered owners of 364 East 19th Street be advised that the City Clerk will be instructed to file notice in the Land Titles Office under Section 57 of the Community Charter:

- (a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver relating to 364 East 19th Street, AM18, Block 9A, D.L. 550, Plan 3738, has been made under this Section;
- (b) **AND THAT** further information respecting it may be viewed at the offices of The Corporation of the City of North Vancouver;
- (c) **AND THAT** if required clean up of the property at 364 East 19th Street is not completed within 30 days of this resolution;
- (d) **AND THAT** staff be authorized to seek an injunction in the Supreme Court of British Columbia requiring the registered owners to comply with the "City of North Vancouver Nuisance Abatement Bylaw, 1986, No. 5659".

(CARRIED UNANIMOUSLY)

***21. Ticket Utilization Bylaw Revisions - File: 3030-14**

Report: Property Use Inspector, Community Development,
September 29, 2004

PURSUANT to the report of the Property Use Inspector dated September 29, 2004, entitled "Ticket Utilization Bylaw Revisions":

THAT the "Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7634" (Cab Regulation Bylaw), be reconsidered;

AND THAT the "Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7647" (Noise Control Bylaw - Construction Regulation Bylaw), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Second and Third Readings – Continued

- *22. “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7634” (Cab Regulation Bylaw).
- *23. “Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7647” (Noise Control Bylaw - Construction Regulation Bylaw).

THAT the said Bylaws Nos. 7634 and 7647 be read a second time in short form.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7634 and 7647 be read a third time in short form and passed subject to reconsideration

(CARRIED UNANIMOUSLY)

CORRESPONDENCE - Continued

- *31. **Suzanne Crowhust Lennard, Director, IMCL Conferences, September 4, 2004**

Re: The 41st International Making Cities Livable Conference,
February 17-21, 2005, in Carmel, California - File: 1840-02-01

Requested by Councillor B.W. Perrault

PURSUANT to the correspondence received from Suzanne Crowhust Lennard, Director, IMCL Conferences dated September 4, 2004, entitled “Making Cities Livable Conferences”:

THAT Council members be authorized to attend “The 41st International Making Cities Livable Conference” to be held in Carmel, California, February 17-21, 2005;

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

AND THAT the funds be provided from the 2004 Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

CONFIDENTIAL REPORTS - Continued

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT the meeting recess to the Committee of the Whole in camera, to consider the items as listed under the Committee of the Whole Section of the Council Agenda, for the following reasons respectively, for each item:

5. Section 90 (1) (e)
6. Section 90 (1) (a)
7. Section 90 (1) (e)
8. Section 90 (1) (e)
32. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:08 p.m., and reconvened at 7:02 p.m., with the same personnel present.

REPORT OF COMMITTEE OF THE WHOLE

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

7. Vacant MOT Lands at South East Corner 23rd Street & Westview Drive - File: 4145-02-W1-02

Report: Planner, Engineering Department, September 28, 2004

PURSUANT to the report of the Planner, Engineering Department, dated September 28, 2004, entitled "Vacant MOT Lands at South East Corner 23rd Street & Westview Drive":

THAT staff be requested to negotiate to acquire the vacant MOT lands at the South East corner of 23rd Street and Westview Drive at no cost to the City;

AND THAT staff pursue a low maintenance landscape for the site and this be considered in the 2005 Operating Budget.

CARRIED UNANIMOUSLY

REPORT OF COMMITTEE OF THE WHOLE - Continued

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

8. Potential Land Purchase and Sale, City Works Yard - File: 1065-04-01

Report: City Engineer, September 29, 2004

PURSUANT to the report of the City Engineer dated September 29, 2004, entitled "Potential Land Purchase and Sale, City Works Yard":

THAT staff discontinue pursuit of opportunities for relocation of the City Works Yard;

AND THAT the report of the City Engineer dated September 29, 2004, entitled "Potential Land Purchase and Sale, City Works Yard" remain in camera.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

PROCLAMATIONS

Mayor Sharp read the following Proclamations:

"CANADA'S CITIZENSHIP WEEK", OCTOBER 18 - 24, 2004

"WASTE REDUCTION WEEK", OCTOBER 18 - 24, 2004

DELEGATIONS

Shelley Wells, Executive Director, Quest Outreach Society, Vancouver

Re: Reducing Hunger in the Lower Mainland and in your Community
File: 4230-01

Ms. Shelley Wells, Executive Director, Quest Outreach Society, Vancouver, gave a PowerPoint Presentation regarding the Quest Outreach Society Rescuing Food, Reducing Hunger, as follows:

- Who we are and what we do
- Feeding people efficiently

Continued....

DELEGATIONS - Continued

Shelley Wells, Executive Director, Quest Outreach Society, Vancouver - Continued

- 2002/2003 recovered \$5.6 million of food from 110 suppliers throughout the Greater Vancouver Regional District
- Provided food to over 40,000 people per month through 80 social service agency programs within the Greater Vancouver Regional District
- Collect and redistribute \$12.83 worth of food for every \$1 received in cash.

Ms. Wells requested members of Council to assist her Society by “in kind” services and volunteer support.

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

CORRESPONDENCE - Continued

9. Shelley Wells, Executive Director, Quest Outreach Society, Vancouver, May 11, 2004.

Re: Reducing Hunger in the Lower Mainland and in your Community
File: 4230-01

Moved by Councillor Fearnley, seconded by Councillor Clark

PURSUANT to the correspondence dated May 11, 2004 received from Ms. Shelley Wells, Executive Director, Quest Outreach Society, Vancouver, regarding “Reducing Hunger in the Lower Mainland and in your Community”:

THAT the correspondence be referred to the appropriate staff for development of options where the City of North Vancouver can assist this Society in its work;

AND THAT the presenter be thanked for an excellent presentation this evening.

CARRIED UNANIMOUSLY

DELEGATIONS - Continued

Cathy Still, Vice Chair, North Shore Family Court & Youth Justice Committee.

Re: North Shore Family Court & Youth Justice Committee 2003 Annual Report
File: 1085-03-N11-02

Ms. Cathy Still, Vice Chair, North Shore Family Court & Youth Justice Committee, reviewed the 2003 Annual Report and requested members of Council to endorse the eight recommendations as stated on Page 6 of the said Report.

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

CORRESPONDENCE - Continued

10. Veronica Singer, Chair, North Shore Family Court & Youth Justice Committee, September 17, 2004

Re: North Shore Family Court & Youth Justice Committee 2003 Annual Report - File: 1085-03-N11-02

Moved by Councillor Heywood, seconded by Councillor Perrault

PURSUANT to the correspondence received from Veronica Singer, Chair, North Shore Family Court & Youth Justice Committee, dated September 17, 2004 regarding "North Shore Family Court & Youth Justice Committee 2003 Annual Report":

THAT the eight recommendations listed on Page 6 of the report be endorsed, which read as follows:

1. Complete review of Committee structure and Mandate.
2. Evaluate and improve the data collection methodology and statistics collected and presented to the Committee.
3. Examine the services and resources affecting youth and families on the North Shore, monitor the effects, if any, of Provincial cutbacks to these services and continue to advocate, where appropriate, specifically in the area of domestic violence on families.
4. Observe youth, domestic violence and family proceedings at the North Vancouver Provincial courthouse and note effects, if any, of court closures, cutbacks to judicial resources, cuts to Legal Aid, cuts to Victims Services and other programs on such proceedings and continue to advocate, where appropriate, with a view to the administration of justice.

Continued....

CORRESPONDENCE - Continued

10. **Veronica Singer, Chair, North Shore Family Court & Youth Justice Committee, September 17, 2004 - Continued**
5. Evaluate the implementation of the Youth Criminal Justice Act and specifically examine the increases in breach of probation, peace bonds and the high percentage of guilty pleas.
 6. Monitor the number of children witnessing domestic violence and the community resources available to them.
 7. Initiate the Annual Report process in October of every year, with drafts available the beginning of December for circulation by email. Final report to be ratified at January meeting.
 8. Formalize the top priorities of all January Committee meetings to be:
 - Election of an Executive
 - Identify specific issues based on committee discussion, community service providers and staff to pursue as the focus for the up-coming year.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

18. **Community Garden Location Criteria - File: 3380-02-C3**

Report: Planner, Engineering Department, September 28, 2004

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Planner dated September 28, 2004, entitled "Community Garden Location Criteria":

THAT Community Garden Location Criteria, as outlined in the September 28, 2004 report, be endorsed.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

20. Community Development 2004 Work Program - Update - File: 1010-04

Report: Director, Community Development, September 28, 2004

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Director, Community Development dated September 28, 2004, entitled "Community Development 2004 Work Program - Update":

THAT Community Development be authorized to revise its work program to provide additional professional and technical support to ongoing development processing requirements while adding other projects of a policy or long-range nature outlined in the said report;

AND THAT Community Development report back prior to the submission of the 2005 Work Program or Performance Contract with proposals to balance the Work Program to ensure that policy and long-range studies are rescheduled and undertaken as a high priority;

AND THAT Community Development report back in October with draft terms of reference for a Central Lonsdale Neighbourhood Planning Study

CARRIED UNANIMOUSLY

24. Civic Awards Dinner - 2004 - File: 1815-02-02/1800-06

Report: Human Resources Officer, September 29, 2004

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Human Resources Officer dated September 29, 2004, entitled "Civic Awards Dinner - 2004":

THAT staff be requested to make the necessary arrangements for the holding of a Civic Awards Dinner to be held on Thursday, November 4, 2004;

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

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

27. Notice of Contravention - 406 East 4th Street - File: 3345-02 04 E 406

Report: Property Use Inspector, Community Development,

Moved by Councillor Fearnley, seconded by Councillor Clark

THAT Item 27 on the agenda be tabled until later in the meeting.

CARRIED UNANIMOUSLY

28. North Vancouver Development Review and Forecast – File: 3500-01

Presentation: City Planner

Mr. Richard White, City Planner, gave a PowerPoint Presentation regarding “City Development Trends and Forecast”, as follows:

- Outline
- Development Trends: Industrial Development; Commercial Development; Institutional Development; Residential Development
- New Residential Development (Actual)
- City Policy Limitations: Industrial Growth; Commercial Growth; Residential Growth; Population Growth
- Greater Vancouver Regional District Projections
- Residential Development North Shore Capacity
- Residential Dwelling Unit Forecast
- Current Proposals – 2,500 units
- Construction Value Forecast
- Opportunities – Short Range
- Challenges – Short Range
- Opportunities – Long Range
- Challenges – Long Range
- Next Steps:
 - Report on Affordability
 - Potential Central Lonsdale Planning Study
 - Finalization of Lower Lonsdale Lands (Foot of Lonsdale)
 - Harry Jerome Master Plan
 - Official Community Plan TIMS.

Moved by Councillor Perrault, seconded by Councillor Clark

THAT the Presentation of the City Planner regarding “City Development Trends and Forecast” be received and filed.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

Moved by Councillor Clark, seconded by Councillor Fearnley

THAT item 27 be lifted from the table.

CARRIED UNANIMOUSLY

27. Notice of Contravention - 406 East 4th Street - File: 3345-02 04 E 406

Report: Property Use Inspector, Community Development, July 23, 2004

Mayor Barbara Sharp invited Howard Rubin, registered owner, of 406 East 4th Street, or owner's representative, to come forward and show cause why the City Council should not proceed with registration against the title.

Mr. Rubin, registered owner, came forward at the invitation of the Mayor.

The City Clerk read out the contents of a letter dated October 3, 2004 received October 4, 2004, from Michael M. Montazam, Zamco Inc., regarding "406 East 4th Street", requesting that Council defer any further action on the resolution to remove the unauthorized dwelling unit for at least three weeks from October 3, 2004.

Mr. Rubin advised that he has filed a Development Variance Permit application with City staff today, October 4, 2004, and asked Council to defer consideration of the resolution to file notice in the Land Title Office.

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

Moved by Councillor Clark, seconded by Councillor Perrault

THAT Mr. Howard Rubin be given one month from today's date to attend to the situation with regards to the "Notice of Contravention – 406 East 4th Street".

A recorded vote was taken on the motion.

Voting in favour: Councillor Fearnley
Councillor Clark

Voting against: Councillor Perrault
Councillor Heywood
Mayor Sharp

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

Continued....

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

**27. Notice of Contravention - 406 East 4th Street - File: 3345-02 04 E 406
- Continued**

Moved by Councillor Perrault, seconded by Councillor Heywood

PURSUANT to the report of the Property Use Inspector dated July 23, 2004, entitled "Notice of Contravention - 406 East 4th Street":

THAT Mr. Howard Rubin, registered owner of 406 East 4th Street, be advised that the City Clerk will file notice in the Land Title Office under the Community Charter, Section 57:

- i) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver relating to 406 East 4th Street, Lot 24, Block 128, D.L. 274, Plan 878, has been made under this Section 57 of the Community Charter;
- ii) **AND THAT** further information respecting it may be viewed at the offices of The Corporation of the City of North Vancouver;
- iii) **AND THAT** if the unauthorized dwelling unit is not removed within 2 months of the date of this resolution, that staff be authorized to seek an injunction in the Supreme Court of British Columbia, requiring the removal of the illegal suite to comply with the City's Zoning and Construction Regulation Bylaw.

A recorded vote was taken on the motion.

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

Voting against: Councillor Fearnley

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

MOTIONS AND NOTICES OF MOTION - Continued

- 29. 2004 Appointment to Lower Mainland Treaty Advisory Committee
File: 1090-03-03/1185-06**

Requested by Mayor Barbara A. Sharp

Moved by Councillor Clark, seconded by Mayor Sharp

THAT the appointment of Councillor Heywood to the Lower Mainland Treaty Advisory Committee to complete the term of Councillor C.R. Keating, be endorsed.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF - Continued

- 30. Communications Work Program Update, September-October 2004
File: 1110-09-01**

Report: Communications Manager, September 28, 2004.

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of Communications Manager dated September 28, 2004, entitled "Communications Work Program Update, September-October 2004":

THAT this report be received and filed.

CARRIED UNANIMOUSLY

Recess – Public Question Period

Mayor Sharp declared a recess at 8:57 p.m., for the public question period.

The meeting reconvened at 9:04 p.m., with the same personnel present.

INQUIRIES

1. Presentation of Certificate to Doris Orr, October 4, 2004 File: 1090-04-01

Inquiry by Councillor R.C. Clark

Councillor Clark inquired as to how the presentation of a certificate to Ms. Doris Orr this evening occurred and why, as a member of Council, was he not made aware of this beforehand.

Mr. Bruce Hawkshaw, City Clerk, advised that he was made aware a few months ago that this presentation was going to occur and he set a date and time on the agenda for said presentation. Mr. Hawkshaw advised that we have the opportunity to review these in camera prior to them occurring and that he will take this under advisement.

2. Noise Exemption, October 1 and 2, 2004 in the 100 Block West 1st Street – File: 4415-04-L3-01/4145-02-F2-01

Inquiry by Councillor R.C. Clark

Councillor Clark referred to emails that he had received over the weekend with regards to construction work being carried out in the 100 Block of West 1st Street late in the evening on October 1 and 2, 2004.

Councillor Clark inquired if Mayor Sharp and the City Manager had authorized a special Noise Exemption for the said work to be carried out, and if so, was concerned that Councillors were not advised of this.

Mayor Sharp advised that the City Manager has the authority to sign off on special Noise Exemptions.

Mr. Tollstam, City Manager, advised that he had signed off on a special Noise Exemption in order to have this work completed before the John Braithwaite Community Centre opening that was scheduled for October 2, 2004. Mr. Tollstam further advised that if he had not allowed this work to be finished then the John Braithwaite Community Centre opening would have had to be cancelled.

INQUIRIES – Continued

**3. New Pedestrian Activated Signal at Queensbury Avenue
File: 4155-07-06-02**

Inquiry by Councillor R.C. Clark

Councillor Clark advised that he has heard that there have been sensors installed in the road to install a traffic activated signal at Queensbury Avenue instead of the pedestrian activated signal that was endorsed by Council.

Mr. Steve Ono, City Engineer, confirmed that this will be a pedestrian activated signal and not a traffic activated signal.

**4. Coach House Development – 522 East 12th Street
File: 3345-02 12E 522**

Inquiry by Councillor R.J. Fearnley

Councillor Fearnley advised that he had received an email advising him that there were problems at the Coach House development at 522 East 12th Street with regards to the retention of the vegetation, and inquired as to what we can do to ensure that people keep their word.

Mr. Fred Smith, Director, Community Development, advised that he was aware of this issue and that Mr. Penway, Assistant City Planner, will be speaking to the applicants of this development regarding the removal of some of the foliage and trees from the site.

ANY OTHER BUSINESS – NEW ITEMS - Continued

Nil.

ADJOURNMENT

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:16 p.m.