



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JUNE 9, 2003 AT
6:00 P.M.****

FULL VIDEO

PRESENT:

COUNCIL MEMBERS

Mayor B.A. Sharp
Councillor R.C. Clark
Councillor R.J. Fearnley
Councillor R.N. Heywood
Councillor C.R. Keating
Councillor B.W. Perrault

STAFF MEMBERS

A.K. Tollstam, City Manager
B.A. Hawkshaw, City Clerk
S.E. Dowe, Deputy City Clerk
T. Christie, Director, Community Development
B. Susak, Deputy City Engineer
D. Pope, Manager, Parks & Environment
B. Nelligan, Transportation Engineer

ABSENT:

Councillor D.R. Mussatto

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

VIDEO CLIP 1

PROCLAMATIONS

Mayor Sharp read the following Proclamations:

“ACCESS AWARENESS MONTH”, JUNE 2003

“SPINA BIFIDA AND HYDROCEPHALUS MONTH”, JUNE 2003

VIDEO CLIP 2

1. ADOPTION OF MINUTES

Moved by Councillor Perrault, seconded by Councillor Keating

THAT the Minutes of the Regular Council Meeting of May 26, 2003 be adopted as circulated.

CARRIED UNANIMOUSLY

VIDEO CLIP 3

CONSENT AGENDA {Items 3 *(a), 4 *(a), 4 *(b), 4 *(c), 4 *(d), 4 *(e), 4 *(f), 4 *(g), 4 *(h), 4 *(i), 4 *(j), 4 *(k), 6 *(a)(i), 6 *(a)(ii), 6*(a)(iii), 6 *(b)(i) and 6*(b)(ii)}

Moved by Councillor Clark, seconded by Councillor Perrault

THAT the resolutions listed within the "Consent Agenda" of June 9, 2003 with the exception of items 4. *(e), 4. *(g) and 6 *(b) (i), be approved, as follows:

3. CORRESPONDENCE

***(a) Mr. George Blaker, Club President, North Vancouver Lawn Bowling Club, May 9, 2003**

Re: Addition to Clubhouse - File: 1040-03-N5

Requested by Mayor Barbara A. Sharp

PURSUANT to the correspondence dated May 9, 2003, received from Mr. George Blaker, Club President, North Vancouver Lawn Bowling Club, regarding "Addition to Clubhouse":

THAT the North Vancouver Lawn Bowling Club be reimbursed in the amount of \$8,354.56;

AND THAT the funds be provided from the 2003 General Contingency Account.

(CARRIED UNANIMOUSLY)

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) 2002 Financial Report and Statement of Financial Information ("SOFI") Report (which includes Schedule of Remuneration and Expenses) - File: 1635-01**

Report: Director of Finance, June 2, 2003

PURSUANT to the report of the Director of Finance dated June 2, 2003, entitled "2002 Financial Report and Statement of Financial Information ("SOFI") Report (which includes Schedule of Remuneration and Expenses)":

THAT the 2002 Financial Report, Attachment No. 1, of the June 2, 2003 report be received and filed;

AND THAT each of the "SOFI" reports listed in Attachment No. 2, of the June 2, 2003 report, be approved.

(CARRIED UNANIMOUSLY)

4. ***(b) 2003 Tax Rates For Other Authorities - File: 1650-01**

Report: Director of Finance, June 3, 2003

PURSUANT to the report of the Director of Finance dated June 3, 2003, entitled "2003 Tax Rates For Other Authorities":

THAT the Council for the City of North Vancouver propose the following motion to the Union of British Columbia Municipalities' upcoming Annual Convention in September, 2003:

"WHEREAS Ports businesses in the Province of British Columbia have been strongly lobbying Local Governments and the Provincial Government to reduce property taxes for the Ports Industry; and, some Local Governments have responded to the pleas of the ports businesses and reduced local government property taxes for the ports businesses;

AND WHEREAS the Provincial Government has given indications to the Local Governments that they are listening to the ports businesses and have suggested some form of action by Local Government;

AND WHEREAS the taxes imposed by the Provincial Government for school purposes and the Greater Vancouver Transportation Authority (GVTA) for transportation services on ports businesses and all other major industrial properties have risen dramatically in 2003;

THEREFORE BE IT RESOLVED THAT the Union of British Columbia Municipalities communicate with the Provincial Government and the Greater Vancouver Transportation Authority outlining their concern about the dramatic school and transportation tax increases imposed on major industrial taxpayers, stressing that those tax increases are inordinate and work at cross purposes with the reductions for major industrial businesses made by some local governments in the past few years."

(CARRIED UNANIMOUSLY)

4. ***(c) Federation of Canadian Municipalities (FCM) - Request for Support for National Housing Policy Options Team**
File: 3365-06-01

Report: Social Planner, Community Development,
May 28, 2003

PURSUANT to the report of the Social Planner dated May 28, 2003, entitled "Federation of Canadian Municipalities (FCM) - Request for Support for National Housing Policy Options Team":

THAT the City of North Vancouver continue to support the work of the Federation of Canadian Municipalities National Housing Policy Options Team through a contribution of \$718.00 to be taken from the 2003 General Contingency Account.

(CARRIED UNANIMOUSLY)

***(d) Bill 73 - "Community Care and Assisted Living Act"**
File: 1195-11-H1-01

Report: Social Planner and Social Planning Advisory Committee,
April 16, 2003

PURSUANT to the report of the Social Planner and Social Planning Advisory Committee dated April 16, 2003, entitled "Bill 73 - "Community Care and Assisted Living Act":

THAT a letter be sent to Katherine Whittred, Minister of State for Intermediate, Long Term and Home Care, acknowledging that Bill 73 has responded to some earlier concerns while stressing:

- (a) continuing concerns regarding non-regulation of supportive housing and other types of excluded group facilities which are home to vulnerable residents;
- (b) concern that municipalities will be pressured to step in where the province withdraws to ensure that vulnerable persons residing in non-regulated facilities are cared for appropriately and adequately;
- (c) the importance for the province to undertake broad consultation with stakeholders on the draft regulations related to the new Community Care and Assisted Living Act so that the regulations might address municipal and regional concerns;

Continued....

4. *(d) **Bill 73 - "Community Care and Assisted Living Act"**
File: 1195-11-H1-01 - Continued

AND THAT the City of Burnaby, Greater Vancouver Regional District, Vancouver Coastal Health, Union of British Columbia Municipalities, local MLA's, and Lionsview Seniors Planning Society be so informed;

AND THAT the Social Planning Advisory Committee be requested to report back on the draft regulations related to the new Community Care and Assisted Living Act.

(CARRIED UNANIMOUSLY)

*(f) **Adaptable Design - Potential Policy Revisions - File: 3365-10-01**

Report: Social Planner, Community Development,
June 3, 2003

PURSUANT to the report of the Social Planner dated June 3, 2003, entitled "Adaptable Design - Potential Policy Revisions":

THAT staff be directed to prepare an amendment to the City Zoning Bylaw to:

- require a minimum of 20% of residential units in multiple-dwelling buildings with common corridors to be designed to meet Level 2 Adaptable Design Guidelines;
- amend the definition of gross floor area to exclude 20 square feet for each Level 2 Adaptable Design unit and 45 square feet for each Level 3 Adaptable Design Level 3 unit;

AND THAT the proportion of adaptability for developments on City-owned sites be established at 15% Level 2 and 5% Level 3 Adaptable Design;

AND THAT this report be circulated to the Advisory Planning Commission, Social Planning Advisory Committee and the Advisory Committee on Disability Issues for information.

(CARRIED UNANIMOUSLY)

4. ***(h) Notice of Contravention - 336 West 27th Street, Lot 1, Block 241, D.L. 544, Plan 15893 - File: 3345-02 27W 336**

Report: Building Inspector, Community Development,
May 21, 2003

PURSUANT to the report of the Building Inspector, dated May 21, 2003 entitled "Notice of Contravention - 336 West 27th Street, Lot 1, Block 241, D.L. 544, Plan 15893":

THAT Mr. Barry Derlago, registered owner of 336 West 27th Street, be advised that the City Clerk will be instructed to file notice in the Land Titles Office under Section 700 of the Local Government Act:

- (a) **THAT** a resolution by the Council of The Corporation of the City of North Vancouver relating to 336 West 27th Street, Lot 1, Block 241, D.L. 544, Plan 15893, 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 the unauthorized roof structure is not removed within 6 months of the date of this resolution, that staff be authorized to seek an injunction in the Supreme Court of British Columbia requiring Mr. Derlago to comply with the City's Zoning and Building Bylaws.

(CARRIED UNANIMOUSLY)

***(i) "Highways Stopping Up and Closing Bylaw, 2003, No. 7519" (that portion of a highway located between West 3rd and 4th Streets, running west from Chesterfield Avenue to the western boundary of Lot 12, and W ½ Lot 21, Block 134, District Lot 271, Plan 750) - File: 4210-02-P1-02**

Report: City Clerk, June 4, 2003

PURSUANT to the report of the City Clerk dated June 4, 2003 entitled, "Highways Stopping Up and Closing Bylaw, 2003, No. 7519" (that portion of a highway located between West 3rd and 4th Streets, running west from Chesterfield Avenue to the western boundary of Lot 12, and W ½ Lot 21, Block 134, District Lot 271, Plan 750)":

THAT "Highways Stopping Up and Closing Bylaw, 2003, No. 7519" (that portion of a highway located between West 3rd and 4th Streets, running west from Chesterfield Avenue to the western boundary of Lot 12, and W ½ Lot 21, Block 134, District Lot 271, Plan 750), be considered;

AND THAT the Mayor and City Clerk be authorized to sign and seal any such documents as may be required in order to give effect to this motion.

(CARRIED UNANIMOUSLY)

4. ***(j) Resolution to Union of British Columbia Municipalities re Bylaw Fines Collection Powers - File: 1040-03-U1-08/3030-01**

Report: City Clerk, May 28, 2003

PURSUANT to the report of the City Clerk dated May 28, 2003 entitled "Resolution to Union of British Columbia Municipalities re Bylaw Fines Collection Powers":

WHEREAS the current procedures available to Local Government for the collection of outstanding bylaw fines is cumbersome, costly and inefficient;

AND WHEREAS Local Governments will be embarking on a new system for enforcing its bylaws, especially parking bylaws, through the forthcoming Bylaw Forums legislation;

THEREFORE BE IT RESOLVED THAT the Provincial Government be requested to provide Local Government with improved bylaw fines collection powers through the Insurance Corporation of British Columbia and the ability to add unpaid fines to the property tax roll, where appropriate.

(CARRIED UNANIMOUSLY)

***(k) Density Transfer – File: 3300-01/1090-19-01**

Recommendation: Policy Committee, May 26, 2003

THAT staff be requested to report to Council on policy options with respect to density transfer.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

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

- (i) "Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2003, No. 7492" (Increase to Voluntary Payments)
- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7510" (Sailor Hagar's Licensed Liquor Store/Brian Riedlinger/Gustavson Architect, 221 West 1st Street, CD-454)
- (iii) "Noise Control Bylaw, 1987, No. 5819, Amendment Bylaw, 2003, No. 7513" (Statutory Holidays)

THAT Bylaws Nos. 7492, 7510 and 7513 be reconsidered;

AND THAT the said Bylaws Nos. 7492, 7510 and 7513 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

6. *(b) Introduction and First Three Readings

- (ii) "Highways Stopping Up and Closing Bylaw, 2003, No. 7519" (that portion of a highway located between West 3rd and 4th Streets, running west from Chesterfield Avenue to the western boundary of Lot 12, and W ½ Lot 21, Block 134, District Lot 271, Plan 750)

THAT Bylaw No. 7519 be read a first time in short form, copies of same having been distributed to Council members and read by them;

AND THAT the said Bylaw No. 7519 be read a second time in short form;

AND THAT the said Bylaw No. 7519 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

VIDEO CLIP 4

9. CONFIDENTIAL REPORTS

Moved by Councillor Heywood, 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(a) Section 242.2 (1) (j) (k)
- 9(b) Section 242.2 (1) (d) (e) (h)
- 9(c) Section 242.2 (1) (d) (e) (h)
- 9(d) Section 242.2 (1) (c)
- 9(e) Section 242.2 (1) (c)

CARRIED UNANIMOUSLY

The meeting recessed at 6:03 p.m., and reconvened at 9:20 p.m., with the same personnel present.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

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

(c) The Shipyards - Phase 1 Amenities Delay
File: 3400-05 ESP 104-116

Report: Lower Lonsdale Project Manager, June 3, 2003

PURSUANT to the report of the Lower Lonsdale Project Manager, dated June 3, 2003, entitled “The Shipyards – Phase 1 Amenities Delay”:

THAT the City Clerk advise PricewaterhouseCoopers and Pinnacle International that Council is not prepared to extend the date for completion of the construction of the Amenity Works described in the Servicing Agreement registered under No. BR092648 as requested by PricewaterhouseCoopers and Pinnacle International;

AND THAT staff continue to work with PricewaterhouseCoopers and Pinnacle International to ensure that the design, content and quality of the Amenity Works is satisfactory to City staff and that the construction of the Amenity Works is completed as soon as possible;

AND THAT if the construction of the Amenity Works is not completed by June 22, 2003, in accordance with the provisions of the Servicing Agreement, the City Manager is authorized, subject to Council approval, to take any and all actions he determines are necessary or advisable in respect of the Amenity Works including without limitation, the enforcement of any agreements entered into by PricewaterhouseCoopers with respect to the Shipyard Lands and cashing the Letter of Credit provided to the City pursuant to the Servicing Agreement and the Mayor and City Clerk are authorized to execute any documents in respect of such actions;

AND THAT the report of the Lower Lonsdale Project Manager, dated June 3, 2003, entitled “The Shipyards – Phase 1 Amenities Delay” remain in camera.

CARRIED UNANIMOUSLY

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

VIDEO CLIP 6

9.1 (e) City Facility Management Program/Reorganization of Purchasing Division - File: 1650-01

Report: Director of Finance, June 3, 2003

PURSUANT to the report of the Director of Finance dated June 3, 2003, entitled "City Facility Management Program/Reorganization of Purchasing Division":

THAT the creation of a Facility Management Program for the City be endorsed;

AND THAT the hiring of a Facility Manager be endorsed;

AND THAT the report of the Director of Finance dated June 3, 2003, entitled "City Facility Management Program/Reorganization of Purchasing Division" remain in camera.

CARRIED UNANIMOUSLY

2. DELEGATIONS

Nil.

VIDEO CLIP 7

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

**(e) Patron Participation Liquor License Application Policy
File: 1195-11-L2-02-01**

Report: Policy Analyst, Community Development,
May 30, 2003

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the Policy Analyst dated May 30, 2003, entitled "Patron Participation Liquor License Application Policy":

THAT the Patron Participation liquor license application dated May 30, 2003 and attached to the May 30, 2003 report be approved;

AND THAT a Business License fee of \$750. for Patron Participation endorsement be approved;

AND THAT "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2003, No. 7518", be considered.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

VIDEO CLIP 8

**4. (g) Rezoning Application: 1956 Jones Avenue - Kevin Hughes
File: 3400-05 Jones 1956**

Report: City Planner, Community Development, May 23, 2003

Moved by Councillor Keating, seconded by Councillor Heywood

PURSUANT to the report of the City Planner dated May 23, 2003, entitled "Rezoning Application: 1956 Jones Avenue - Kevin Hughes":

THAT the Community Development Department be directed to process a rezoning application to increase the floor area allowed at 1956 Jones Avenue to enable additional floor area to be retained at the subject property.

CARRIED

VIDEO CLIP 9

6. BYLAWS – Continued

(b) Introduction and First Three Readings - Continued

Moved by Councillor Keating, seconded by Councillor Clark that

- (i) "Fees and Charges Bylaw, 1993, No. 6383, Amendment Bylaw, 2003, No. 7518"

be introduced and read a first time in short form, copies of same having been distributed to Council members and read by them.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 7518 be read a second time in short form.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Clark

THAT the said Bylaw No. 7518 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

VIDEO CLIP 10

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

- (I) **Traffic Signal – 28th Street and Westview Drive**
File: 4155-07-03-W2

Recommendation: Policy Committee, May 26, 2003

Moved by Councillor Clark, seconded by Councillor Keating

THAT staff be requested to install a full traffic signal light at West 28th Street and Westview Drive.

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT consideration of the motion be deferred until all members of Council are present.

CARRIED UNANIMOUSLY

VIDEO CLIP 11

5. MOTIONS AND NOTICES OF MOTION

- (a) **Five Legged Roundabout Traffic Circle – Intersections of Queensbury, East Keith and Grand Boulevard – File: 4100-05-15/4105-03-11**

Submitted by Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Keating

THAT consideration of the following motion be **deferred** until all members of Council are present:

“WHEREAS the potential of a five legged roundabout traffic circle as a traffic solution at the intersections of Queensbury, East Keith and Grand Boulevard has not been adequately researched with respect to costs;

AND WHEREAS City Council wants a safe, cost effective, long term solution for this problematic intersection;

THEREFORE BE IT RESOLVED THAT Council call for a peer review of the work done on this intersection to date before proceeding with pedestrian signalization.”

CARRIED UNANIMOUSLY

VIDEO CLIP 12

5. (b) Third Street Bus Depot – File: 4115-07

Submitted by Councillor R.C. Clark

Moved by Councillor Clark, seconded by Councillor Fearnley

WHEREAS the potential closure of the Third Street Bus Depot will afford the opportunity of redevelopment of this site;

AND WHEREAS City Council wants to be as proactive as possible;

THEREFORE BE IT RESOLVED THAT staff report on potential redevelopment of the Third Street Bus Depot as soon as practicable.

CARRIED UNANIMOUSLY

VIDEO CLIP 13

Moved by Councillor Keating, seconded by Councillor Clark

THAT the following items be deferred until Councillor Mussatto is present at the meeting:

5. (c) Greater Vancouver Regional District, Richmond/ Airport/ Vancouver (RAV) Project – File: 1180-37-01

Submitted by Councillor Mussatto

5. (d) Lights at the North Shore AutoMall – File: 3400-05 FELL 02

Submitted by Councillor Mussatto

CARRIED UNANIMOUSLY

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

10. ADJOURNMENT

Moved by Councillor Clark, seconded by Councillor Keating

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 9:45 p.m.