



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, JANUARY 26, 2004**
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 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
S. Ono, City Engineer
F.A. Smith, Director, Community Development
R.H. White, City Planner
G. Penway, Assistant City Planner
I. Gordon, Deputy Director of Finance

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

1. ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Keating, seconded by Councillor Heywood

THAT the Minutes of the Special Council Meeting of January 19, 2004, be adopted, as amended as follows:

On Page 12, Item 5. (b), by deleting Councillor Clark's name and replacing it with Councillor Perrault's name in the recorded vote regarding "North Shore Safety Council Grant".

CARRIED UNANIMOUSLY

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

[Video Clip 2](#)

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the "Consent Agenda" of January 26, 2004, with the exception of items 3 *(d) and 4. *(e). be approved, as follows:

3. **CORRESPONDENCE**

***(a) Councillor Janis Elkerton, Chair, Municipal Insurance Association of British Columbia, January 14, 2004**

Re: Civil Liability Review - File: 1040-03

PURSUANT to the correspondence dated January 14, 2003, received from Councillor Janis Elkerton, Chair, Municipal Insurance Association of British Columbia, regarding "Civil Liability Review":

BE IT RESOLVED THAT the City of North Vancouver supports the Union of British Columbia Municipalities/Municipal Insurance Association Joint Task Force recommendations contained in the task force's submission to the BC Attorney General's civil liability review;

AND THAT the City of North Vancouver urges the Provincial government to introduce legislation in the Spring, 2004 legislative session to give effect to those recommendations;

AND THAT Mayor Barbara A. Sharp be authorized to write to the Premier of British Columbia, the Attorney General of British Columbia and Katherine Whittred MLA, North Vancouver - Lonsdale, to convey the above.

(CARRIED UNANIMOUSLY)

***(b) Mr. Watson Deery, Chairman, Northshore Lions Youth Exchange, January 14, 2004.**

Re: Grant Request - File: 1670-03-01/1205-02-02-02

PURSUANT to the correspondence received January 14, 2004 from Mr. Watson Deery, Chairman, Northshore Lions Youth Exchange, regarding "Grant Request":

THAT \$2,500. be granted from "Sister City" funds to the Northshore Lions Club to sponsor the Youth Exchange Program with the City of North Vancouver's sister city of Chiba City, Japan.

(CARRIED UNANIMOUSLY)

3. ***(c) SmartGrowth BC, Vancouver, January 21, 2004**

Re: "Creating Prosperous, Livable Communities: A Strategic Forum hosted by SmartGrowth BC", March 5, 2004, Vancouver, BC - File: 1840-02-01

Requested by Mayor Barbara A. Sharp and Councillor D.R. Mussatto

PURSUANT to the correspondence received from SmartGrowth BC dated January 21, 2004 regarding "Creating Prosperous, Livable Communities: A Strategic Forum hosted by SmartGrowth BC", March 5, 2004, Vancouver, BC":

THAT Council members be authorized to attend the "Creating Prosperous, Livable Communities: A Strategic Forum" to be held March 5, 2004 in Vancouver, B.C.;

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)

***(e) Library Conferences 2004, January 24, 2004**

Re: Public Library Association 2004 National Conference, Seattle, Washington, February 24-28, 2004 and Canadian Library Association/British Columbia Library Association Conference, Victoria, BC, June 16-19, 2004 - File: 1840-02-01

Requested by Councillor R.J. (Bob) Fearnley

PURSUANT to the correspondence received January 24, 2004, from the Public Library Association regarding "Public Library Association 2004 National Conference, Seattle, Washington, February 24-28, 2004 and Canadian Library Association/British Columbia Library Association Conference, Victoria, BC, June 16-19, 2004":

THAT Councillor R.J. (Bob) Fearnley be authorized to attend the Public Library Association 2004 National Conference in Seattle, Washington to be held February 24-28, 2004 and the Canadian Library Association/British Columbia Library Association Conference in Victoria, BC to be held June 16-19, 2004;

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

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

(CARRIED UNANIMOUSLY)

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(a) Cab Regulation Bylaw - File: 4160-02**

Recommendation: Public Meeting, January 19, 2004

THAT consideration of "Cab Regulation Bylaw, 2003, No. 7145" be deferred to staff for comment taking into consideration the comments made at the January 19, 2004 Public Meeting.

(CARRIED UNANIMOUSLY)

***(b) Affordable Homeownership - Habitat for Humanity
File: 3365-05-01**

Report: Social Planner, Community Development,
December 30, 2003

PURSUANT to the report of the Social Planner dated December 30, 2003, entitled "Affordable Homeownership - Habitat for Humanity":

THAT the Community Housing Action Committee be informed that the City is appreciative of the concern of their group in pursuing innovative affordable housing;

AND THAT the City is not prepared at this time to make a site available at a deep subsidy as required by a Habitat project;

AND THAT the December 30, 2003 report be circulated to the Advisory Planning Commission, the Social Planning Advisory Committee and the Community Housing Action Committee for information.

(CARRIED UNANIMOUSLY)

***(c) Affordable Homeownership - New Options - File: 3365-05-01**

Report: Social Planner, Community Development,
January 14, 2004

PURSUANT to the report of the Social Planner dated January 14, 2004, entitled "Affordable Homeownership - New Options":

THAT staff be directed to organize a workshop on homeownership options for Council, City advisory bodies and interested community organizations for early February, 2004;

AND THAT the January 14, 2004 report be circulated to the Advisory Planning Commission, the Social Planning Advisory Committee and the Community Housing Action Committee for information.

(CARRIED UNANIMOUSLY)

4. ***(d) Core Funded Agency Status - North Shore Community Resources Society & Capilano Community Services Society - File: 1670-03-09**

Report: Social Planner, Community Development,
January 13, 2004

PURSUANT to the report of the Social Planner dated January 19, 2004, entitled "Core Funded Agency Status - North Shore Community Resources Society & Capilano Community Services Society":

THAT core funding for Capilano Community Services Society in the amount of \$12,000, and core funding for the North Shore Community Resources Society in the amount of \$15,000, be considered under the 2004 Financial Planning process;

AND THAT core-funding for these agencies be sought from other sources than the Community Grants program budget.

(CARRIED UNANIMOUSLY)

***(f) 120 - 124 West 17th Street - Suite Legalization
File: 3400-05 17W 120-124**

Report: Policy Analyst, Community Development,
January 19, 2004

PURSUANT to the report of the Policy Analyst dated January 19, 2004, entitled "120-124 West 17th Street - Suite Legalization":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7567" (Ray Mitchell, 120-124 West 17th Street, CD-465), 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. 7567" (Ray Mitchell, 120-124 West 17th Street, CD-465).

THAT Bylaw No. 7567 be read a first time in short form, copy of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

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

- *(g) Rezoning Application: Nasrin Oskouei (Nayebi) & Anna Development Co. Ltd./AMS Design & Project Management Co. Ltd. - 219 West Keith Road, CD-467 - File: 3400-05 KEITH W 219**

Report: Development Planner, Community Development,
January 21, 2004

PURSUANT to the report of the Development Planner dated January 21, 2004, entitled "Rezoning Application: Nasrin Oskouei (Nayebi) & Anna Development Co. Ltd./AMS Design & Project Management Co. Ltd. - 219 West Keith Road, CD-467":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7576" (Ms. Nasrin Oskouei (Nayebi) & Anna Development Co. Ltd./AMS Design & Project Management Co. Ltd. - 219 West Keith Road, CD-467), be considered and referred to a Public Hearing.

(CARRIED UNANIMOUSLY)

6. BYLAWS - Continued

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

- (ii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7576" (Ms. Nasrin Oskouei (Nayebi) & Anna Development Co. Ltd./AMS Design & Project Management Co. Ltd. - 219 West Keith Road, CD-467)

THAT Bylaw No. 7576 be read a first time in short form, copy of same having been distributed to Council members and read by them.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS.

9. CONFIDENTIAL REPORTS

[Video Clip 3](#)

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

Councillor Keating requested clarification that the Vancouver Coastal Health Authority wished to have Item 9. (a) on the agenda dealt with in camera rather than open Council.

Mr. Bruce Hawkshaw, City Clerk, confirmed that this was correct.

The original motion was then **CARRIED UNANIMOUSLY.**

The meeting recessed at 6:03 p.m., and reconvened at 7:11 p.m., with the same personnel present and with the addition of *Councillor Mussatto.

Moved by Councillor Clark, seconded by Councillor Keating

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:11 p.m., and reconvened at 7:12 p.m., with the same personnel present.

9. CONFIDENTIAL REPORTS – Continued

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT the meeting recess to the Committee of the Whole in camera, to consider the item as listed under Section 9 of the Council Agenda, for the following reason:

- 9(a) Section 90 (1)(m)

CARRIED UNANIMOUSLY

The meeting recessed at 7:12 p.m., and reconvened at 9:10 p.m., with the same personnel present.

9.1 REPORT OF THE COMMITTEE OF THE WHOLE

[Video Clip 4](#)

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

(b) **Lower Lonsdale Project Manager's Report - File: 3380-02-L4-01**

Report: Lower Lonsdale Project Manager, January 14, 2004

PURSUANT to the correspondence dated January 26, 2004, received from Mr. Jay Wollenberg, Coriolis Consulting Corp., regarding "Application for Exemption to Noise Control Bylaw":

THAT the request from the Coriolis Consulting Corp., for an exemption to the "Noise Control Bylaw, 1987, No. 5819" be denied at this time;

AND THAT the applicant be requested to submit a more detailed application for excavation and construction to staff for review as to what specific exemptions to Bylaw No. 5819 are required.

Moved by Councillor Mussatto, seconded by Councillor Fearnley

THAT Mr. Kerry Kukucha, Pinnacle International, be heard at this time.

CARRIED

Mr. Kukucha responded to questions from members of Council and advised that he will provide a more detailed schedule of the work they wish to accomplish at "The Pier" with the exemption to the City's "Noise Control Bylaw, 1987, No. 5819".

A recorded vote was taken on the original motion.

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

Voting against: Councillor Mussatto

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

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

[Video Clip 5](#)

9.1 (c) Sister City - File: 1205-02-01

Report: City Manager, January 20, 2004

THAT the action taken by the Committee of the Whole in camera, regarding "Sister City" be ratified, and the wording of the resolution and the report of the City Manager, dated January 20, 2004, entitled "Sister City" remain in camera.

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Clark
Councillor Fearnley

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

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

[Video Clip 6](#)

**(d) Appointment to the Joint Bicycle Advisory Committee
File: 1085-03-N20-01**

Report: City Clerk, January 9, 2004

PURSUANT to the report of the City Clerk dated January 9, 2004, entitled "Appointment to the Joint Bicycle Advisory Committee":

THAT Mr. Dwight Organ be appointed for a partial term to conclude on December 31, 2004 to replace Mr. Jay Loder.

(CARRIED)

**9.1 (e) Appointment to the Social Planning Advisory Committee
File: 1085-03-S11-01**

Report: City Clerk, January 19, 2004

PURSUANT to the report of the City Clerk dated January 19, 2004, entitled "Appointment to the Social Planning Advisory Committee":

THAT Ms. Crystal Mutter be appointed for a two-year term to conclude on January 31, 2006.

(CARRIED)

**(f) North Shore Family Court & Youth Justice Committee
Membership Recommendation - File: 1085-03-N11-01**

Correspondence from the Committee Clerk dated January 19, 2004

PURSUANT to the correspondence dated January 19, 2004, received from the Committee Clerk, North Shore Family Court & Youth Justice Committee":

THAT Ms. Ann Roberts, Mr. Bruce Vernon and Ms. Veronica Singer be re-appointed as Members at Large for the City of North Vancouver for a term concluding on December 31, 2004;

AND THAT Ms. Cindy Silver, Trustee, be re-appointed as the North Vancouver School Board Representative in the Professional category for a term concluding on December 31, 2004;

AND THAT Mr. Gordon De Vito be appointed as the West Vancouver School Board Representative in the Professional category for a term concluding on December 31, 2004;

AND THAT Mr. Chris Zatylny, Youth Probation Officer, and Cst. Bruno Accili be appointed to the Professional category for a term concluding on December 31, 2004;

AND THAT Cst. Marc Boland, Ms. Janet Baker and Ms. Jacquie Stevulak be re-appointed to the Professional category for a term concluding on December 31, 2004.

CARRIED

9.1 (a) **Sale of Lions Gate Hospital Lands**

File: 3300-07-02 15E 301

[Video Clip 7](#)

The following recommendation was moved by Councillor Mussatto and seconded by Councillor Clark in the Committee of the Whole in camera this evening and was referred to Open Council for discussion:

WHEREAS the City of North Vancouver is disappointed that the Vancouver Coastal Health Authority did not consult with City Council on the disposition of the hospital lands currently up for sale; and

WHEREAS the future expansion/renovations at Lions Gate Hospital are of critical importance to all North Shore residents;

NOW THEREFORE BE IT RESOLVED THAT the Vancouver Coastal Health Authority come forward with any plans and concepts that they have for the changes or renovations to Lions Gate Hospital now and as they emerge, in the future;

RESOLVED THAT the City of North Vancouver go on record as opposing spending monies to modify Cedar View Lodge as planned;

RESOLVED THAT such monies for the renovations to Cedar View Lodge come from the Vancouver Coastal Health Authority;

RESOLVED THAT a public meeting be scheduled to receive input from the public regarding North Shore health care issues important to them; and

RESOLVED THAT Ms. Ellen Pেকেles, Chief Operating Officer, North Shore/Coast Garibaldi Health Services, Vancouver Coastal Health and Dr. John Blatherwick, Chief Medical Health Officer, Vancouver Coastal Health, be invited to attend the public meeting.

The vote upon the recommendations was taken separately, as follows.

WHEREAS the City of North Vancouver is disappointed that the Vancouver Coastal Health Authority did not consult with City Council on the disposition of the hospital lands currently up for sale; and

WHEREAS the future expansion/renovations at Lions Gate Hospital are of critical importance to all North Shore residents;

NOW THEREFORE BE IT RESOLVED THAT the Vancouver Coastal Health Authority come forward with any plans and concepts that they have for the changes or renovations to Lions Gate Hospital now and as they emerge, in the future.

CARRIED UNANIMOUSLY

Continued....

9.1 (a) **Sale of Lions Gate Hospital Lands**
File: 3300-07-02 15E 301 – Continued

RESOLVED THAT the City of North Vancouver go on record as opposing spending monies to modify Cedar View Lodge as planned;

RESOLVED THAT such monies for the renovations to Cedar View Lodge come from the Vancouver Coastal Health Authority;

RESOLVED THAT a public meeting be scheduled to receive input from the public regarding North Shore health care issues important to them; and

RESOLVED THAT Ms. Ellen Pekeles, Chief Operating Officer, North Shore/Coast Garibaldi Health Services, Vancouver Coastal Health and Dr. John Blatherwick, Chief Medical Health Officer, Vancouver Coastal Health, be invited to attend the public meeting.

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood

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

The motion now reads as follows in its entirety:

“WHEREAS the City of North Vancouver is disappointed that the Vancouver Coastal Health Authority did not consult with City Council on the disposition of the hospital lands currently up for sale; and

WHEREAS the future expansion/renovations at Lions Gate Hospital are of critical importance to all North Shore residents;

NOW THEREFORE BE IT RESOLVED THAT the Vancouver Coastal Health Authority come forward with any plans and concepts that they have for the changes or renovations to Lions Gate Hospital now and as they emerge, in the future;

RESOLVED THAT the City of North Vancouver go on record as opposing spending monies to modify Cedar View Lodge as planned;

RESOLVED THAT such monies for the renovations to Cedar View Lodge come from the Vancouver Coastal Health Authority;

Continued....

9.1 (a) **Sale of Lions Gate Hospital Lands**
File: 3300-07-02 15E 301 – Continued

RESOLVED THAT a public meeting be scheduled to receive input from the public regarding North Shore health care issues important to them; and

RESOLVED THAT Ms. Ellen Pekeles, Chief Operating Officer, North Shore/Coast Garibaldi Health Services, Vancouver Coastal Health and Dr. John Blatherwick, Chief Medical Health Officer, Vancouver Coastal Health, be invited to attend the public meeting.”

PROCLAMATIONS

Video Clip 8

Mayor Sharp read the following Proclamations:

"FAMILY LITERACY DAY", JANUARY 27, 2004

"DRESS RED DAY", FEBRUARY 13, 2004

"BURN AWARENESS WEEK", FEBRUARY 1 - 7, 2004

"HEART MONTH", FEBRUARY 2004

"BLACK HISTORY MONTH", FEBRUARY 2004

2. **DELEGATIONS**

Nil.

3. **CORRESPONDENCE – Continued**

Video Clip 9

(d) **Elizabeth Jones, Executive Director, North Shore Multicultural Society, January 16, 2004**

Re: Grant Request - Norooz Bazaar 2004 - File: 1670-03-05

Moved by Councillor Mussatto, seconded by Councillor Keating

PURSUANT to the correspondence received from Elizabeth Jones, Executive Director, North Shore Multicultural Society dated January 16, 2004 regarding "Grant Request - Norooz Bazaar 2004":

THAT \$2,500.00 be granted to assist with the Norooz Celebration and Bazaar scheduled to be held on March 14, 2004;

AND THAT the funding be provided from the 2004 Special Events Grants Contingency Account.

Continued....

3. (d) **Elizabeth Jones, Executive Director, North Shore Multicultural Society, January 16, 2004 – Continued**

A recorded vote was taken on the motion.

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

Voting against: Councillor Heywood
Councillor Clark

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

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

[Video Clip 10](#)

- (e) **Pier Development: Parcel 4 - Development Permit Application (Pinnacle International / Howard Bingham Hill Architects / Durante Kruek, 188 East Esplanade) - File: 3357-03 ESPL E 188 Parcel 4 Development Permit No. 4**

Report: Assistant City Planner, Community Development,
January 21, 2004

Moved by Councillor Mussatto, seconded by Councillor Fearnley

PURSUANT to the January 21, 2004 report of the Assistant City Planner entitled "Pier Development: Parcel 4 - Development Permit Application (Pinnacle International / Howard Bingham Hill Architects / Durante Kruek, 188 East Esplanade)":

THAT Development Permit No. 4 (Pier Development / Pinnacle International / Howard Bingham Hill Architects, Parcel 4, 188 East Esplanade), be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT notification be circulated in accordance with Section 922 of the Local Government Act and a Public Meeting be scheduled.

Continued....

4. (e) **Pier Development: Parcel 4 - Development Permit Application (Pinnacle International / Howard Bingham Hill Architects / Durante Kruek, 188 East Esplanade) - File: 3357-03 ESPL E 188 Parcel 4 Development Permit No. 4 - Continued**

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark

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

[Video Clip 11](#)

(h) **Rezoning Application: 257-259 & 263-265 West 5th Street, CD-461 (Harbourview Projects Corp/Charles Moorhead Architect) - File: 3400-05 5W 257-259 & 263-265**

Report: Development Planner, Community Development,
January 21, 2004

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the report of the Development Planner dated January 21, 2004, entitled "Rezoning Application: 257-259 & 263-265 West 5th Street, CD-461 (Harbourview Projects Corp/Charles Moorhead Architect)":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7538" (Harbourview Projects Corporation/Charles Moorhead Architects, 257-259 & 263-265 West 5th Street, CD-461), as revised to respond to the October 20, 2003 Public Hearing, be considered and referred to a new Public Hearing.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

6. BYLAWS - Continued

[Video Clip 12](#)

(d) Introduction And First Reading Only - Continued

- (iii) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7538" (Harbourview Projects Corporation/Charles Moorhead Architects, 257-259 & 263-265 West 5th Street, CD-461)

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the September 8, 2003 first reading of Bylaw No. 7538 be rescinded.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the revised Bylaw No. 7538, as attached to the report of the Development Planner, dated January 21, 2004, be read a first time in short form, copy of same having been distributed to Council Members and read by them.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

5. MOTIONS AND NOTICES OF MOTION

[Video Clip 13](#)

(a) Recognition of the life of Rachel Davis File: 1090-04-01/4440-01

Mayor Barbara Sharp requested this be brought back before Council for consideration when all members are present.

Moved by Mayor Sharp, seconded by Councillor Mussatto

WHEREAS Rachel Davis was a vibrant and caring young woman whose life was tragically cut short when she intervened in a fight to protect a threatened individual against a group of attackers;

WHEREAS Rachel Davis was widely known in the Skateboarding community throughout the Greater Vancouver area; and

WHEREAS the City of North Vancouver is officially opening a new state of the art Skateboard park on May 1st, 2004;

Continued....

5. (a) **Recognition of the life of Rachel Davis**
File: 1090-04-01/4440-01 - Continued

NOW THEREFORE BE IT RESOLVED THAT Council direct staff to explore some form of recognition of the life of Rachel Davis in consultation with her family and the City of North Vancouver Youth Advisory Skate Park Committee.

Councillor Keating briefly left and returned to the meeting.

Moved by Councillor Keating, seconded by Councillor Mussatto

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

A recorded vote was taken on the original motion.

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

Voting against: Councillor Clark
Councillor Fearnley
Councillor Perrault

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

[Video Clip 14](#)

(b) **Hospital Care System- File: 3300-07-02 15E 301**

Submitted by Mayor Barbara A. Sharp

Moved by Mayor Sharp, seconded by Councillor Perrault

WHEREAS Lions Gate Hospital was ranked in national media as the number one hospital in Canada as recently as 2001;

WHEREAS restructuring and layoffs in the Provincial Health Care System in general and on the North Shore specifically has negatively impacted service levels and degraded public confidence in the Provincial Health Care System;

WHEREAS the Lions Gate Hospital Foundation and Vancouver Coastal Health are seeking the Council of the City of North Vancouver's support in re-zoning the sale of land assets to cover future health care capital investments on the North Shore; and

Continued....

5. (b) **Hospital Care System- File: 3300-07-02 15E 301 – Continued**

WHEREAS the publicly raised assets of the Lions Gate Hospital Foundation are being used by the Vancouver Coastal Health for capital financing after the 1999 agreement where the Province undertook to take complete responsibility for (tax funded) hospital capital financing in the region;

THEREFORE BE IT RESOLVED THAT Council request guarantees from the Minister of Health Services that the Provincial Health Care System will not suffer further restructuring and layoffs, and further erosion of service levels and public confidence in the Provincial Health Care System;

AND THAT a copy of this resolution be forwarded to all North Shore M.L.A.'s.

Moved by Councillor Clark, 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 until all items on the agenda have been concluded.

CARRIED UNANIMOUSLY

The original motion was then **CARRIED**.

[Video Clip 15](#)

Moved by Councillor Perrault, seconded by Councillor Mussatto

THAT item 6. (a) (iii) on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

6. **BYLAWS – Continued**

(a) **Reconsideration and Final Adoption**

Moved by Councillor Mussatto, seconded by Councillor Keating that

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

be reconsidered.

Continued....

6. (a) Reconsideration and Final Adoption - Continued

A recorded vote was taken on the motion.

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

Voting against: Councillor Perrault
Councillor Clark
Councillor Heywood

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

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT the said Bylaw No. 7566 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT item 5. (d) on the agenda be brought forward for consideration at this time.

CARRIED

5. MOTIONS AND NOTICES OF MOTION - Continued

[Video Clip 16](#)

(d) Lions Gate Hospital and Public Health Care System
File: 3300-07-02 15 E 301

Submitted by Councillor D.R. Mussatto and Councillor C.R. Keating

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS the Council of Senior Citizens' Organizations of BC, a federation of 52 seniors organizations representing approximately 52,000 seniors in the Province of BC is calling upon the Council of the City of North Vancouver to take actions in relation to the Provincial Government's privatization of many areas of the Provincial Health Care System; and

Continued....

5. (d) **Lions Gate Hospital and Public Health Care System**
File: 3300-07-02 15 E 301 - Continued

WHEREAS the Provincial Government's privatization of many areas of the Provincial Health Care System is causing undue hardship on seniors and all segments of the citizens of British Columbia;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of North Vancouver communicate the following to the Provincial Government and Vancouver Coastal Health Authority:

1. Opposition to the firing of unionized support staff that includes food services, laundry, cleaning, security etc., at Lions Gate Hospital.
2. Opposition to the privatization of all support staff at Lions Gate Hospital and in particular oppose the replacement of the said staff with lower wage employees.
3. Opposition to the privatization of the Province's Public Health Care System in general.

Moved by Councillor Perrault, seconded by Councillor Heywood

THAT consideration of the motion be deferred to staff to come forward with an information report based on the assumptions that Councillor Mussatto has put forward in this motion.

DEFEATED

The vote upon the original motion was then **CARRIED.**

Councillor Heywood and Councillor Fearnley are recorded as voting contrary to the original motion.

[Video Clip 17](#)

(c) **Changes Occurring at Lions Gate Hospital**
File: 3300-07-02 15E 301

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Clark

WHEREAS there are very significant changes occurring at Lions Gate Hospital with regards to staffing, available beds, construction and other areas of concern to all North Shore residents;

WHEREAS there has been little or no public involvement or consultation with regards to these changes;

Continued....

5. (c) **Changes Occurring at Lions Gate Hospital**
File: 3300-07-02 15E 301 - Continued

WHEREAS the District of North Vancouver Council heard at their January 19, 2004 Council meeting some of the impacts these changes are having on the residents of North Vancouver from a representative of the workers at Lions Gate Hospital; and

WHEREAS Ms. Ellen Pekeles, Chief Operating Officer and Dr. John Blatherwick, Chief Medical Health Officer, and other staff, were in attendance at the same meeting the same night the Council of the City of North Vancouver were asking for representatives from the Vancouver Coastal Health Authority to appear before the Council of the City of North Vancouver on a significant lands issue occurring at Lions Gate Hospital;

NOW THEREFORE BE IT RESOLVED THAT a representative from the Hospital Employees Union and Ms. Ellen Pekeles, Chief Operating Officer, North Shore/Coast Garibaldi Health Services, Vancouver Coastal Health and Dr. John Blatherwick, Chief Medical Health Officer, Vancouver Coastal Health, be invited to appear before an open meeting of the Council of the City of North Vancouver to explain how some of the changes now occurring at Lions Gate Hospital are impacting, and will continue to impact for a long time, North Shore residents.

CARRIED UNANIMOUSLY

[Video Clip 18](#)

(e) **Liquor Distribution Regulation - File: 1195-11-L2-01**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Perrault

WHEREAS the Province of British Columbia is making significant changes to the way liquor is distributed in communities across the Province;

WHEREAS new liquor distribution laws enacted in early November 2003 by the Provincial Government allow private licensee retail stores to relocate their retail outlet portion to anywhere within a municipality where their liquor primary (including pubs, cabarets and hotels) licence is located or within 5 kms if outside a municipal boundary; and

WHEREAS businesses such as Liquor Depot in Alberta are actively searching for liquor licenses and suitable retail space to locate liquor depot outlets in the City of North Vancouver;

Continued..

5. (e) **Liquor Distribution Regulation - File: 1195-11-L2-01 - Continued**

NOW THEREFORE BE IT RESOLVED THAT the staff of the City of North Vancouver be instructed to investigate the current liquor distribution regulations and develop, if necessary, for Council's consideration suitable bylaws to regulate liquor distribution outlets within the City of North Vancouver;

RESOLVED THAT a moratorium be declared on applications for new liquor primary (pubs, hotels), licenses until staff develops a new bylaw that would prevent a licensed retail store from locating in the City of North Vancouver that has its liquor primary license from another jurisdiction;

RESOLVED THAT existent establishments with a liquor primary license that contains a retail component must be physically attached or appear to be physically attached to the primary premises; and

RESOLVED THAT should an existent liquor establishment wish to relocate into the City of North Vancouver, that they will not be able to relocate within a mile proximity of any other existent or new licensed retail stores.

CARRIED UNANIMOUSLY

6. **BYLAWS - Continued**

[Video Clip 19](#)

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

Moved by Councillor Keating, seconded by Councillor Mussatto that

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2003, No. 7515" (Anthem Properties/Kasian Kennedy Architecture Design & Planning Inc., 879 Marine Drive, CD-445)

be reconsidered.

Councillor Mussatto briefly left and returned to the meeting.

Councillor Fearnley briefly left and returned to the meeting.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark

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

Continued....

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7515 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Mussatto that

[Video Clip 20](#)

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

be reconsidered.

A recorded vote was taken on the motion.

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

Voting against: Councillor Fearnley
Councillor Perrault
Councillor Clark

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

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT the said Bylaw No. 7561, as amended, be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

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

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Keating, seconded by Councillor Perrault that

[Video Clip 21](#)

- (iv) "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 reconsidered.

A recorded vote was taken on the motion.

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

Voting against: Councillor Clark

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

Moved by Councillor Keating, seconded by Councillor Perrault

THAT the said Bylaw No. 7571 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Keating, seconded by Councillor Fearnley that

[Video Clip 22](#)

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

be reconsidered.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Continued....

6. (a) Reconsideration and Final Adoption - Continued

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT the said Bylaw No. 7572 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

5. MOTIONS AND NOTICES OF MOTION – CONTINUED

[Video Clip 23](#)

(f) North Shore Women’s Centre – File: 4230-16-01

Councillor C.R. Keating advised that he will present the following motion at the next regular meeting of Council:

“**WHEREAS** North Vancouver City Council instructed staff many months ago to search for a City-owned space to house the North Shore Women’s Centre;

THEREFORE BE IT RESOLVED THAT staff bring forward by March 15, 2004, a list of possible sites to house the North Shore Women’s Centre that would suit the purpose both in the short-term and in the long-term.”

7. COUNCIL INQUIRIES (Questions of Council Members)

Nil.

Recess – Public Question Period

Mayor Sharp declared a recess at 12:01 a.m., for the public question period and reconvened the meeting immediately.

8. ANY OTHER BUSINESS

Nil.

10. ADJOURNMENT

Moved by Councillor Fearnley, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 12:02 a.m. on January 27, 2004.