



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON MONDAY, FEBRUARY 2, 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
F.A. Smith, Director, Community Development
R.H. White, City Planner
S. Ono, City Engineer
C. Rabold, Communications Manager
D. Purdie, Lower Lonsdale Project Manager
T. Christie, Director of Finance
B. Susak, Deputy City Engineer
C. Amundsen, Assistant to the Mayor
P. Melville, Manager - Inspections

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 Clark

THAT the Minutes of the Regular Council Meeting of January 26, 2004 be adopted as circulated.

CARRIED UNANIMOUSLY

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

[Video Clip 2](#)

Moved by Councillor Clark, seconded by Councillor Keating

THAT the resolutions listed within the "Consent Agenda" of February 2, 2004, with the exception of items (4) *(c), 6 *(b)(i), 6 *(b)(ii), 6 *(b)(iii) and 6 *(b)(iv), be approved, as follows:

4. REPORTS OF COMMITTEES, COUNCIL, AND STAFF

***(b) Rezoning Application: Gary & Laura Lee - 436 West 24th Street, CD-468 - File: 3400-05 24W 436**

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

Continued....

4. ***(b) Rezoning Application: Gary & Laura Lee - 436 West 24th Street, CD-468 - File: 3400-05 24W 436 - Continued**

PURSUANT to the report of the Development Planner dated January 28, 2004, entitled "Rezoning Application: Gary & Laura Lee - 436 West 24th Street, CD-468":

THAT "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7577" (Gary and Laura Lee/Lynde Designs, 436 West 24th Street, CD-468), be considered and the Public Hearing be waived.

(CARRIED UNANIMOUSLY)

6. **BYLAWS**

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

- (i) "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2004, No. 7577" (Gary and Laura Lee/Lynde Designs, 436 West 24th Street, CD-468)

THAT Bylaw No. 7577 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.

3. **CORRESPONDENCE**

[Video Clip 3](#)

(a) Jay Wollenberg, Coriolis Consulting Corp., January 28, 2004

Re: Revised Application for Exemption from Noise Control Bylaw
File: 3380-02-L4-01/4020-03

Moved by Councillor Clark, seconded by Councillor Perrault

PURSUANT to the correspondence dated January 28, 2004, received from Jay Wollenberg, Coriolis Consulting Corp., regarding "Revised Application for Exemption from Noise Control Bylaw":

THAT the City of North Vancouver grant the exemption request from the "Noise Control Bylaw, 1987, No. 5819" for in-water work during the month of February, 2004 as per Table 1 of the correspondence from Coriolis Consulting Corp., which reads as follows:

Continued....

**3. (a) Jay Wollenberg, Coriolis Consulting Corp., January 28, 2004
- Continued**

**TABLE 1:
TIMES/DATES FROM FEB 2 TO FEB 29, 2004 FOR WHICH EXEMPTION IS REQUESTED:**

Date *	Time *	Length of Exemption	Description of Tide Conditions
Mon 2 February	8:00pm – 1:30am	5.5 hours	This window has the lowest tides on Feb 2 and is the window around the low at 10pm.
Tues 3 February	8:00pm – 2:30am	6.5 hours	This window has the lowest tides on Feb 3 and is the window around the low at 10pm.
Wed 4 February	8:00pm – 3:00am	7 hours	This window has the lowest tides on Feb 4 and is the window around the low at 11pm.
Thurs 5 February	8:00pm – 3:30am	7.5 hours	This window has the lowest tides on Feb 5 and is the window around the low at midnight.
Sat 7 February	8:00pm – 4:00am	8 hours	This is the window around the low at midnight.
Sun 8 February	8:30pm – 4:30am	8 hours	This is the window around the low at 1am.
Mon 9 February	9:30pm – 5:30am	8 hours	This is the window around the low at 2am.
Tues 10 February	10:00pm – 6:00am	8 hours	This is the window around the low at 2am.
Wed 11 February	10:30pm – 6:30am	8 hours	This is the window around the low at 3am.
Thurs 12 February	11:00pm – 7:00am	8 hours	This is the window around the low at 4am.
Fri 13 February	11:00pm – 7:00am	8 hours	While the tide fluctuates slightly in this window, it is mainly required to meet the BERC deadline.
Sat 14 February	7:00pm – 11:00pm	4 hours	This window has the lowest tides on Feb 14 and is the window after the low at 7pm.
Sun 15 February	4:00pm – 12:00am	8 hours	This window has the lowest tides on Feb 15 and is the window around the low at 8pm.
Mon 16 February	8:00pm – 1:00am	5 hours	This window has the lowest tides on Feb 16 and is the window around the low at 9pm.
Tues 17 February	8:00pm – 2:00am	6 hours	This window has the lowest tides on Feb 17 and is the window around the low at 10pm.
Wed 18 February	8:00pm – 2:30am	6.5 hours	This window has the lowest tides on Feb 18 and is the window around the low at 11pm.
Thurs 19 February	8:00pm – 3:30am	7.5 hours	This window has the lowest tides on Feb 19 and is the window around the low at 11pm.
Sat 21 February	8:00pm – 4:00am	8 hours	This window has the lowest tides on Feb 22 and is the window around the low at 1am.
Sun 22 February	8:30pm – 4:30am	8 hours	This window has the lowest tides on Feb 23 and is the window around the low at 1am.
Mon 23 February	9:30pm – 5:30am	8 hours	This window has the lowest tides on Feb 24 and is the window around the low at 2am.
Tues 24 February	10:00pm – 6:00am	8 hours	This is the window around the low at 2am.
Wed 25 February	10:30pm – 6:30am	8 hours	This is the window around the low at 3am.
Thurs 26 February	11:00pm – 7:00am	8 hours	This is the window around the low at 3am. Although the low in this window is not as low as other dates, the window is required to meet the BERC deadline.
Fri 27 February	12:00am – 8:00am	8 hours	While the tide falls slightly in this window, it is mainly required to meet the BERC deadline.
Total # of exempted hours requested		175.5 hours	n/a

* Many of the requested exemption periods occur over midnight. Dates listed correspond to the date on which the exemption period commences.

CARRIED UNANIMOUSLY

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

Video Clip 4

- (a) **Distribution of City of North Vancouver News Release, City of North Vancouver Honours Hero Rachel Davis at City's New Skate Park - File: 1110-09-01**

Information Report: Communications Manager, January 29, 2004

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the Information Report of the Communications Manager dated January 29, 2004, entitled "Distribution of City of North Vancouver News Release, City of North Vancouver Honours Hero Rachel Davis at City's New Skate Park", be received and filed.

CARRIED UNANIMOUSLY

Video Clip 5

- (c) **Noise and Related Bylaw Revisions to Regulate Construction and Commercial Bass-Beat Noise Pollution - File: 3050-01**

Report: Property Use Inspector, Community Development,
January 28, 2004

Moved by Councillor Heywood, seconded by Councillor Keating

PURSUANT to the report of the Property Use Inspector, dated January 28, 2004, entitled "Noise and Related Bylaw Revisions to Regulate Construction and Commercial Bass-Beat Noise Pollution":

THAT "Noise Control Bylaw, 1987, No. 5819, Amendment Bylaw, 2004, No. 7578", be considered;

AND THAT "Nuisance Abatement Bylaw, 1986, No. 5659, Amendment Bylaw, 2004, No. 7579", be considered;

AND THAT "Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2004, No. 7580", be considered;

AND THAT "Ticket Information Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7581", be considered.

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the motion be amended to add the following:

"AND THAT "Ticket Information Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7581" be amended by increasing the \$100. fines for equipment noise to \$600. as set out in Schedule B6 of the said bylaw."

Continued....

4. (c) **Noise and Related Bylaw Revisions to Regulate Construction and Commercial Bass-Beat Noise Pollution - File: 3050-01 - Continued**

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the amendment to the motion be referred to staff for comment.

CARRIED UNANIMOUSLY

A recorded vote was taken on the original motion.

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

Voting against: Councillor Clark

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

6. **BYLAWS - Continued**

[Video Clip 6](#)

(b) Introduction and First Three Readings

Moved by Councillor Mussatto, seconded by Councillor Heywood that

- (i) "Noise Control Bylaw, 1987, No. 5819, Amendment Bylaw, 2004, No. 7578"
- (ii) "Nuisance Abatement Bylaw, 1986, No. 5659, Amendment Bylaw, 2004, No. 7579"
- (iii) "Sign Bylaw, 1992, No. 6363, Amendment Bylaw, 2004, No. 7580"

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 Clark is recorded as voting contrary to the motion.

Continued....

6. (b) Introduction and First Three Readings - Continued

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the said Bylaws Nos. 7578, 7579 and 7580 be read a second time in short form.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the said Bylaws Nos. 7578, 7579 and 7580 be read a third time in short form and passed subject to reconsideration.

CARRIED

Councillor Clark is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Heywood that

(iv) "Ticket Information Bylaw, 1992, No. 6300, Amendment Bylaw, 2004, No. 7581"

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

CARRIED

5. MOTIONS AND NOTICES OF MOTION

[Video Clip 7](#)

(a) North Shore Women's Centre – File: 4230-16-01

Submitted by Councillor C.R. Keating

Moved by Councillor Keating, seconded by Councillor Mussatto

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;

NOW 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;

Continued....

5. (a) **North Shore Women's Centre – File: 4230-16-01 - Continued**

AND THAT staff be requested to report on the issues surrounding the possible sites for the North Shore Women's Centre, with options.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT consideration of the motion be deferred to staff for a report to Council on February 9, 2004.

A recorded vote was taken on the deferral motion.

Voting in favour: Councillor Heywood
Councillor Clark

Voting against: Councillor Mussatto
Councillor Keating
Councillor Perrault
Councillor Fearnley
Mayor Sharp

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

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

9. **CONFIDENTIAL REPORTS**

Moved by Councillor Clark, seconded by Councillor Mussatto

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:23 p.m., and did not reconvene as a motion to adjourn at 10:48 p.m., was carried unanimously in the Committee of the Whole in camera meeting this evening.

A motion was also unanimously endorsed in the Committee of the Whole in camera to waive the requirements of the Procedure Bylaw to terminate the meeting at 10:30 P.M., and continue the meeting to 11:00 P.M., if necessary.