



**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD IN
THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14th STREET,
NORTH VANCOUVER, B.C., ON **MONDAY, APRIL 18, 2005**
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 C.R. Keating
Councillor D.R. Mussatto*
Councillor B.W. Perrault

STAFF MEMBERS

A.K. Tollstam, City Manager
S.E. Dowey, City Clerk
R.G. Anderson, Deputy City Clerk
F.A. Smith, Director, Community Development
S. Ono, City Engineer
F. Caouette, Director, Corporate Services
B. Susak, Deputy City Engineer
C. Amundsen, Executive Assistant to the Mayor
T. Christie, Director of Finance
B. Themens, Manager, Capital Planning
J. Brownell, Planner, Community Development
I. Gordon, Deputy Director of Finance

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

ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the following Minutes be adopted:

1. [Regular Council Meeting Minutes, April 11, 2005.](#)
2. In Camera Committee of the Whole Meeting Minutes, April 11, 2005.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 1090-21

[Video Clip 2](#)

Mr. Dennis Hilton, 1747 Bellelyne Place, District of North Vancouver, spoke regarding "clear cutting of trees in the North Shore along the B.C. Transmission Corporation right-of-way".

Mr. Richard Walden, 626 West 23rd Street, North Vancouver, spoke regarding "City helping developer's pay for their traffic studies".

CONSENT AGENDA ITEMS

[Video Clip 3](#)

{Items *3, *12, *13, *14, *15, *16 and *17}

Moved by Councillor Fearnley, seconded by Councillor Keating

THAT the following resolutions listed within the “Consent Agenda” of April 18, 2005, be approved, as follows:

CONFIDENTIAL REPORTS

***3. Appointment to the John Braithwaite Community Centre Governance Committee - File: 1090-03-02 / 4415-04-L3-02**

Report: City Clerk, April 11, 2005.

PURSUANT to the report of the City Clerk, dated April 11, 2005, entitled, “Appointment to the John Braithwaite Community Centre Governance Committee”:

THAT Ms. Lynn Jest be appointed for a two year term to conclude on January 31, 2007.

(CARRIED UNANIMOUSLY)

BYLAWS - Reconsideration and Final Adoption

- *12.** “Advisory Planning Commission Bylaw, 1990, No. 6138, Amendment Bylaw, 2005, No. 7671” (Terms of Reference, Attendance, Housekeeping).
- *13.** “Paved Lane in the Easterly Portion of the lane North of West 23rd Street between Westview Drive and Larson Road, Local Improvement Petition Parcel Tax Bylaw, 2005, No. 7683”.
- *14.** “Paved Lane North of West 25th Street between Westview Drive and Larson Road, Local Improvement Petition Parcel Tax Bylaw, 2005, No. 7684”.
- *15.** “Council Procedure Bylaw, 2004, No. 7590, Amendment Bylaw, 2005, No. 7694” (Public Input Period).

THAT the said Bylaws Nos. 7671, 7683, 7684 and 7694 be reconsidered.

(CARRIED UNANIMOUSLY)

continued...

BYLAWS - Reconsideration and Final Adoption *continued*

THAT the said Bylaws Nos. 7671, 7683, 7684 and 7694 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***16. 2010 Funding Streams - File: 1085-03-N3-01**

Report: [Chair and Acting Director Culture Services, Arts & Culture Commission of North Vancouver, March 15, 2005.](#)

PURSUANT to the report of the Chair and Acting Director Culture Services, Arts & Culture Commission of North Vancouver, dated March 15, 2005, entitled "2010 Funding Streams":

THAT the report entitled "2010 Funding Streams", dated March 15, 2005, from the Arts & Culture Commission be circulated to municipal staff at the District and City of North Vancouver for comment on ways the municipalities can support local cultural groups wishing to access "2010 Legacies Now - ArtsNow" and "Spirit of BC-Arts" funding.

(CARRIED UNANIMOUSLY)

***17. Public Involvement Review - Development Planning - File: 3380-01**

Report: [Planner, Community Development, April 7, 2005.](#)

PURSUANT to the report of the Planner, dated April 7, 2005, entitled "Public Involvement Review -Development Planning":

THAT the Public Involvement Review for development applications and development-related Official Community Plan (OCP) policy be undertaken as outlined in the said report;

AND THAT a Policy Committee meeting be scheduled for June 20, 2005 to discuss possible changes to the City's public involvement process for development.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

PRESENTATION

Video Clip 4

Re: BC Citizens' Assembly On Electoral Reform - File: 3035-04-02

Mr. Jack Blaney, Chair of the BC Citizens' Assembly On Electoral Reform, introduced Lynn Hill and Cherie Mostrovich, North Vancouver Members of the Citizens' Assembly, and Julie Boehmer, West Vancouver Member of the Citizens' Assembly.

Mr. Blaney described the membership, task assigned and the process followed by the BC Citizens' Assembly on Electoral Reform. He provided the three core values used by the Assembly – fair election results; strong local and proportional representation; and more choice and power to the voter.

Mr. Blaney explained that the single transferable vote (BC-STV) gives more choice and power to the voter.

Ms. Lynn Hill described the impact that the BC-STV would have on the North Shore.

Ms. Julie Boehmer referred to the reports that the system is unconstitutional and illegal and clarified that a vote under this system is equal to only one vote.

The delegation then responded to questions from members of Council.

Councillor Keating left the meeting at 6:39 p.m. and returned at 6:41 p.m.

*Councillor Mussatto entered the meeting at 6:42 p.m.

Video Clip 5

The City Clerk, advised that the public hearing scheduled for this evening regarding Bylaw No. 7687 for 901 West 3rd Street is postponed until May 16, 2005 and that the public hearing scheduled for this evening regarding Bylaw No. 7689 for 345 West 24th Street is postponed until further notice.

Moved by Councillor Perrault, seconded by Councillor Clark

THAT item 10 "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7689" (M. Kwong, Thomas Tsang Architect Inc., 345 West 24th Street, RS-3) be deleted from the agenda.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the Council 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:

18. Section 90 (1) (e)
19. Section 90 (1) (k)

CARRIED UNANIMOUSLY

The meeting recessed at 6:53 p.m. and reconvened at 7:12 p.m. with the same personnel present.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the meeting recess to the Public Hearing scheduled for this evening.

The meeting recessed at 7:13 p.m. and reconvened at 8:01 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

Video Clip 6

11. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7693" (Lisa and Ralph Bury, 420 West Keith Road, CD-497).

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Bylaw No. 7693 be read a second time in short form.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Perrault

THAT Bylaw No. 7693 be read a third time in short form and passed subject to reconsideration and final adoption.

CARRIED

Councillor Fearnley is recorded as voting contrary to the motion.

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting recess to the Policy Committee meeting regarding “Density Bonuses, Density Transfers and Density Exemptions” scheduled for this evening.

CARRIED UNANIMOUSLY

The meeting recessed at 8:13 p.m. and reconvened at 9:58 p.m. with the same personnel present.

PROCLAMATIONS

[Video Clip 7](#)

Mayor Sharp read the following Proclamations:

“INTERNATIONAL NOISE AWARENESS DAY” - APRIL 20, 2005

“EARTH DAY” - APRIL 22, 2005

CORRESPONDENCE

[Video Clip 8](#)

4. **Ms. Lise Ponton, Conference Director, Federated Press, March 28, 2005.**

Requested by Mayor Barbara A. Sharp

[Re: 3rd Annual Competitive Cities Conference to be held at the Sheraton Centre Toronto Hotel, Toronto, Ontario, June 21, 22 & 23, 2005](#)

- File: 1840-02-01

Moved by Councillor Perrault, seconded by Councillor Mussatto

PURSUANT to the correspondence dated March 28, 2005, from Ms. Lise Ponton, Conference Director, Federated Press regarding “3rd Annual Competitive Cities Conference to be held at the Sheraton Centre Toronto Hotel, Toronto, Ontario, June 21, 22 & 23, 2005”:

THAT Council members be authorized to attend the 3rd Annual Competitive Cities Conference to be held at the Sheraton Centre Toronto Hotel, Toronto, Ontario, June 21, 22 & 23, 2005;

continued...

4. **Ms. Lise Ponton, Conference Director, Federated Press, March 28, 2005. *continued***

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

AND THAT the funds be provided from the 2005 Legislative Conventions and Delegations Account.

CARRIED UNANIMOUSLY

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

[Video Clip 9](#)

5. **2005 Spring Approvals - Capital Program - Funding Appropriations # 0503 to 0511 - File: 1645-07**

[Report: Manager, Capital Planning, April 12, 2005. Attachment 01](#)

Moved by Councillor Clark, seconded by Councillor Fearnley

PURSUANT to the report of the Manager, Capital Planning, dated April 12, 2005, entitled "2005 Spring Approvals - Capital Program - Funding Appropriations # 0503 to 0511":

THAT (Funding Appropriation # 0503) an amount of \$75,000 be appropriated from the Tax Sale Land Reserve Fund (Principal) for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0504) an amount of \$913,200 be appropriated from the Tax Sale Land Reserve Fund (Interest) for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0505) an amount of \$100,000 be appropriated from the Amenity Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0506) an amount of \$651,250 be appropriated from the General Building Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0507) an amount of \$303,300 be appropriated from the Infrastructure Reserve Fund for the purpose of funding the 2005 Capital Program;

continued...

5. **2005 Spring Approvals - Capital Program - Funding Appropriations # 0503 to 0511 - File: 1645-07 *continued***

AND THAT (Funding Appropriation # 0508) an amount of \$241,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Computer Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0509) an amount of \$89,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for General Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0510) an amount of \$200,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Fire Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0511) an amount of \$270,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Engineering Equipment for the purpose of funding the 2005 Capital Program;

AND THAT should any of the above amounts remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

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

PURSUANT to the report of the Manager, Capital Planning, dated April 12, 2005, entitled "2005 Spring Approvals - Capital Program - Funding Appropriations # 0503 to 0511":

THAT (Funding Appropriation # 0504) an amount of \$913,200 be appropriated from the Tax Sale Land Reserve Fund (Interest) for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0505) an amount of \$100,000 be appropriated from the Amenity Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0506) an amount of \$651,250 be appropriated from the General Building Reserve Fund for the purpose of funding the 2005 Capital Program;

continued...

5. **2005 Spring Approvals - Capital Program - Funding Appropriations # 0503 to 0511 - File: 1645-07 *continued***

AND THAT (Funding Appropriation # 0507) an amount of \$303,300 be appropriated from the Infrastructure Reserve Fund for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0508) an amount of \$241,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Computer Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0509) an amount of \$89,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for General Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0510) an amount of \$200,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Fire Equipment for the purpose of funding the 2005 Capital Program;

AND THAT (Funding Appropriation # 0511) an amount of \$270,000 be appropriated from the Machinery and Equipment Deprecation and Obsolescence Reserve for Engineering Equipment for the purpose of funding the 2005 Capital Program;

AND THAT should any of the above amounts remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

CARRIED UNANIMOUSLY

THAT (Funding Appropriation # 0503) an amount of \$75,000 be appropriated from the Tax Sale Land Reserve Fund (Principal) for the purpose of funding the 2005 Capital Program;

CARRIED

Councillor Perrault is recorded as voting contrary to the motion.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

[Video Clip 10](#)

6. **Capital project “Beyond the Fountain” Funding Appropriation # 0512” - File: 1645-07**

[Report: _____ Manager, Capital Planning, April 12, 2005.](#)
[Attachment 01](#)

Moved by Councillor Clark, seconded by Councillor Keating

PURSUANT to the report of the Manager, Capital Planning, dated April 12, 2005, entitled “Capital Project “Beyond the Fountain” Funding Appropriation # 0512”:

THAT an amount of \$50,000 be appropriated from the Community Enhancement Reserve Fund for the purpose of funding the “Beyond the Fountain” project;

AND THAT should any of the above amount remain unexpended after three years from the date of adoption of this resolution, the unexpended balance shall be returned to the credit of the said Reserve Fund.

CARRIED UNANIMOUSLY

[Video Clip 11](#)

7. **Request for an Absence from Council Duties by Councillor C.R. Keating - File: 1090-01**

[Report: _____ City Clerk, April 12, 2005.](#)
[Attachment 01](#)

Moved by Councillor Clark, seconded by Councillor Keating

PURSUANT to the report of the City Clerk, dated April 12, 2005, entitled “Request for an Absence from Council Duties by Councillor C.R. Keating”:

THAT Councillor C.R. Keating’s request for an absence from Council duties with a voluntary suspension of his Council salary, commencing April 19, 2005 until May 18, 2005, to allow him to fulfill his duties as an NDP Candidate in the upcoming Provincial Government Election on May 17, 2005, be endorsed.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTION

[Video Clip 12](#)

8. Increase of Fines and Penalties and Brake Checks on Commercial Air Brake Equipped Vehicles - File: 4100-06

Submitted by Councillor D. R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS the City of North Vancouver has a number of steep hills that are used by vehicles equipped with air brakes;

WHEREAS there is a great potential for vehicles equipped with air brakes to have brake failure when traveling down hills if the brakes are not in proper adjustment;

WHEREAS air brake equipped vehicles such as dump trucks have to have their brakes checked for proper adjustment at least once a day, and sometimes even more; and

WHEREAS some drivers of large air brake equipped vehicles fail to check and maintain their brakes on a daily basis and almost every large truck accident on the North Shore has been attributed to improperly adjusted brakes;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver petition the Provincial Government to significantly increase the fines and penalties for improperly adjusted brakes;

RESOLVED THAT the City of North Vancouver petition the Provincial Government and the Ministry responsible for performing periodic brake checks on commercial air brake equipped vehicles to increase the number of brake checks performed in the City; and

RESOLVED THAT the City Engineer and the R.C.M.P. review the truck route plan for the City so as to limit as much as reasonably possible, large trucks equipped with air brakes from traveling down steep hills.

CARRIED UNANIMOUSLY

Recess – Public Question Period

[Video Clip 13](#)

Mayor Sharp declared a recess at 10:18 p.m., for the public question period and reconvened the meeting immediately.

Mayor Sharp declared a recess at 10:19 p.m., for the public question period and reconvened the meeting at 10:21 p.m.

INQUIRIES

Nil.

ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:21 p.m.