



**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 17, 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
R.G. Anderson, Acting City Clerk
J.M. Rowe, Assistant City Clerk
D. Sigston, Manager – Lands
M. Hunter, Environmental Coordinator
F. Caouette, Director, Corporate Services
C. Amundsen, Executive Assistant to the Mayor
R.H. White, Deputy Director, Community Development
L. Orr, Community Planner
S. Ono, City Engineer
D. Pope, Manager, Environment and Parks
G. Penway, City Planner
F.A. Smith, Director, Community Development
G. Stainton, Manager, City Facilities
K. Russell, Development Planner
I. Gordon, Deputy Director of Finance
D. Mitic, Assistant City Engineer – Transportation
B. Susak, Deputy City Engineer
J. Watkins, Chief Librarian

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

ADOPTION OF MINUTES

[Video Clip 1](#)

Moved by Councillor Heywood, seconded by Councillor Perrault

THAT the following Minutes be adopted as circulated:

1. [Regular Council Meeting Minutes, October 3, 2005.](#)
2. In Camera Committee of the Whole Meeting Minutes, October 3, 2005.

CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD - File: 1090-21

Video Clip 2

1. Mr. Norman Fawkes, 2043 Casano Drive, North Vancouver, spoke about safety at Burrard Dry Dock Pier.

CONSENT AGENDA ITEMS

Video Clip 3

{Items *13, *14, *15, *16, *17, *18 and *19}

Moved by Councillor Heywood, seconded by Councillor Clark

THAT the resolutions listed within the “Consent Agenda” of October 17, 2005 be approved, as follows:

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

***13. Central Lonsdale Service Area – File: 4165-05-04**

[Report: General Manager, Lonsdale Energy Corporation, October 11, 2005.](#)

PURSUANT to the report of the General Manager, Lonsdale Energy Corporation, dated October 11, 2005, entitled “Central Lonsdale Service Area”:

THAT Council request Lonsdale Energy Corporation (LEC) to complete financial and technical studies for the establishment of a Central Lonsdale Service Area.

(CARRIED UNANIMOUSLY)

***14. John Braithwaite Community Centre Governance Model Review - File: 4415-04-L3-02**

[Report: Community Planner, Community Development, October 11, 2005.](#)
[Attachment 1](#)

PURSUANT to the report of the Community Planner dated October 11, 2005, entitled “John Braithwaite Community Centre Governance Model Review”:

THAT the proposed approach to the JBCC Governance Model Review outlined in the October 11, 2005 report, be approved.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *15. Statutory Review: Official Community Plan Amendment Application: 300 Block East 14th and 15th Streets at St. Andrew's Avenue (St. Andrews Project Holdings Ltd./Integra Architecture/PWL Partnership) – File: 3345-02 15 E 303-333 & 14 E 300-332**

[Report: City Planner, Community Development, October 12, 2005.](#)

PURSUANT to the report of the City Planner, dated October 12, 2005, entitled “Statutory Review: Official Community Plan Amendment Application: 300 Block East 14th and 15th Streets at St. Andrew's Avenue (St. Andrews Project Holdings Ltd./Integra Architecture/PWL Partnership)”:

THAT the review contained in the October 12, 2005 report concerning statutory examinations of “City of North Vancouver Official Community Plan Bylaw 2002, No. 7425, Amendment Bylaw, 2005, No. 7724” (14th/15th Streets & St. Andrew's Ave. – St. Andrews Project Holdings Ltd./Integra Architecture/PWL Partnership), with respect to its impact on the City's Financial and Waste Management Plans, be received and filed.

(CARRIED UNANIMOUSLY)

- *16. Development Variance Permit Application: Tom (Tugomir) Filipovie/Brenda Shaw, 273-275 East 8th Street – File: 3345-02 08 E 273-275 DVP No. 197**

[Report: Development Planner, Community Development, October 12, 2005.](#)

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

[Attachment 5](#)

[Attachment 6](#)

PURSUANT to the report of the Development Planner, dated October 12, 2005, entitled “Development Variance Permit Application: Tom (Tugomir) Filipovie/Brenda Shaw, 273-275 East 8th Street”:

THAT Development Variance Permit No. 197 (Tom (Tugomir) Filipovie/Brenda Shaw, 273-275 East 8th Street), be considered for issuance pursuant to Section 922 of the Local Government Act;

AND THAT the Public Meeting requirement be waived.

(CARRIED UNANIMOUSLY)

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *17. Bylaws No. 7737 (Fire Bylaw) and No. 7738 (Fireworks Regulation Bylaw) to Amend “Ticket Information Utilization Bylaw, 1992, No. 6300” – File: 3020-02**

[Report: Deputy Fire Chief, October 6, 2005.](#)

[Attachment 1](#) [Attachment 2](#)

PURSUANT to the report of the Deputy Fire Chief dated October 6, 2005, entitled “Bylaws No. 7737 (Fire Bylaw) and No. 7738 (Fireworks Regulation Bylaw) to amend “Ticket Information Utilization Bylaw, 1992, No. 6300”:

THAT “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7737” (Fire Bylaw), be considered;

AND THAT “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7738” (Fireworks Regulation Bylaw), be considered.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings

- *18.** “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7737” (Fire Bylaw).
- *19.** “City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7738” (Fireworks Regulation Bylaw).

THAT Bylaws Nos. 7737 and 7738 be read a first time in short form, copies of same having been distributed to Council members and read by them.

(CARRIED UNANIMOUSLY)

THAT the said Bylaws Nos. 7737 and 7738 be read a second time in short form.

(CARRIED UNANIMOUSLY)

BYLAWS - Introduction and First Three Readings *continued*

- *18. "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7737" (Fire Bylaw).
- *19. "City of North Vancouver Ticket Information Utilization Bylaw, 1992, No. 6300, Amendment Bylaw, 2005, No. 7738" (Fireworks Regulation Bylaw).

THAT the said Bylaws Nos. 7737 and 7738 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

END OF CONSENT AGENDA ITEMS

*Councillor Keating entered the meeting at 6:05 p.m.

PRESENTATION

[Video Clip 4](#)

Ms. Laura Porcher, Executive Director, Community Energy Association, gave a brief overview the award criteria and presented Mayor Sharp and members of Council with the 2005 Energy Aware Award for the "City of North Vancouver Local Action Plan for the Management of Energy and Greenhouse Gas Emissions".

Moved by Councillor Clark, seconded by Councillor Keating

THAT the Council recess to the Committee of the Whole In Camera, to consider the item as listed under the Committee of the Whole Section of the Council Agenda, for the following reason:

- 3. Section 90 (1) (e)

CARRIED UNANIMOUSLY

The meeting recessed at 6:11 p.m. and reconvened at 6:33 p.m., with the same personnel present.

PROCLAMATIONS

[Video Clip 5](#)

Mayor Sharp read the following Proclamation:

"CANADA'S CITIZENSHIP WEEK" – OCTOBER 17 – 23, 2005

Council Members then reaffirmed Canadian Citizenship, by reciting the following:

"I affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada and fulfil my duties as a Canadian citizen".

COUNCIL REPORT - File: 1085-01

Nil.

CORRESPONDENCE

[Video Clip 6](#)

4. **Mr. James Fox, Chair, North Vancouver City Library Board, September 20, 2005.**

Re: Allocation of North Vancouver City Library 2004 Operating Surplus
– File: 1085-03-N9-01

Moved by Councillor Fearnley, seconded by Councillor Perrault

PURSUANT to the correspondence received from James Fox, Chair, North Vancouver City Library Board, dated September 20, 2005, entitled “Allocation of North Vancouver City Library 2004 Operating Surplus”:

THAT the North Vancouver City Library be authorized to allocate their 2004 Operating Surplus in the amount of \$65,600 as follows:

- \$40,000 Collection Development
- \$14,350 Marketing
- \$ 4,250 Provincial Grant – Matching Funds
- \$ 7,000 Staff Development

as outlined in the September 20, 2005 correspondence.

CARRIED UNANIMOUSLY

[Video Clip 7](#)

5. **Keeping the Door Open: Dialogues on Drug Use, October 12, 2005.**

Re: Beyond Drug Prohibition: A Public Health Approach
Symposium and Community Forum – October 18 and 19, 2005
– File: 1840-03-01/1085-03-N32-01

Moved by Councillor Keating, seconded by Councillor Fearnley

THAT Council Members be authorized to attend the “Beyond Drug Prohibition: A Public Health Approach Symposium and Community Forum” to be held in Vancouver on October 18 and 19, 2005;

AND THAT the costs be 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 8](#)

6. **1500 Grand Boulevard – Temporary Protection of a Property Listed on the City of North Vancouver Heritage Register: Building Permit Application, Noort Homes Ltd. – File: 3345-02 Grand 1500**

[Report: Development Planner, Community Development, October 12, 2005.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#) [Attachment 4](#)

Moved by Councillor Perrault, seconded by Councillor Fearnley

PURSUANT to the report of the Development Planner dated October 12, 2005, entitled “1500 Grand Boulevard – Temporary Protection of a Property Listed on the City of North Vancouver Heritage Register: Building Permit Application, Noort Homes Ltd.”:

THAT pursuant to Section 962 of the Local Government Act and the “Heritage Conservation Procedures Bylaw, 1995, No. 6703”, Council hereby grants temporary heritage protection to the property located at 1500 Grand Boulevard for a period of 60 days;

AND THAT staff be requested to work with the applicant in this ensuing period to find a mutually acceptable solution for the development of this site and to report back prior to December 19, 2005 for further direction.

CARRIED UNANIMOUSLY

[Video Clip 9](#)

7. **Westview Elementary School Child Care Facility – Community Enhancement Fund Application – File: 4230-05-01**

[Report: Community Planner, Community Development, September 28, 2005.](#)
[Attachment 1](#) [Attachment 2](#)

Moved by Councillor Clark, seconded by Councillor Heywood

PURSUANT to the report of the Community Planner dated September 28, 2005, entitled “Westview Elementary School Child Care Facility – Community Enhancement Fund Application”:

THAT a maximum amount of \$284,000 from the Community Enhancement Fund be included in the revised 2006 – 2015 Capital Plan for the Westview Elementary School Child Care Project;

AND THAT the City of North Vancouver not be responsible for any cost overruns.

CARRIED UNANIMOUSLY

Moved by Councillor Heywood, seconded by Councillor Clark

THAT items Nos. 11 and 12 on the agenda be brought forward for consideration at this time.

CARRIED UNANIMOUSLY

MOTIONS AND NOTICES OF MOTION

[Video Clip 10](#)

- 11. Bus Accessibility for Senior's and People with Disabilities**
– File: 1180-37-01

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS many senior citizens are unable to climb stairs or to navigate up steep slopes;

WHEREAS many of these seniors take transit as their primary means of transportation; and

WHEREAS most of the TransLink buses now in operation in North Vancouver require seniors and people with disabilities to climb up steep stairs to simply get on the bus;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver advise TransLink and its Board of Directors that any new purchases of buses for the North Shore, and indeed the region as a whole, be low floor buses that are much more accessible to seniors and people with disabilities.

CARRIED UNANIMOUSLY

[Video Clip 11](#)

- 12. Repeal of Bill 12 - File: 1195-11-E2/1195-11-F1**

Submitted by Councillor D.R. Mussatto

Moved by Councillor Mussatto, seconded by Councillor Keating

WHEREAS the Government of British Columbia has, through Bill 12, imposed terms and conditions of employment upon public school teachers in British Columbia without providing the funds or the parameters necessary for teachers and their employers to negotiate improved working conditions and conditions for learning; and

continued..

12. Repeal of Bill 12 - File: 1195-11-E2/1195-11-F1 *continued*

WHEREAS the imposition of Bill 12 occurred while teachers were involved in limited job action permissible under the government's own essential service legislation and while classroom instruction and extracurricular programs were still ongoing;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver call upon the Government of British Columbia to repeal Bill 12 and to implement an improved framework for bargaining that recognizes teachers' legitimate interests in improving working conditions and that does not require these benefits to be traded in return for basic supports for learners;

RESOLVED THAT the government improve funding for education so that such a framework becomes possible; and

RESOLVED THAT this resolution be forwarded to local MLA's, the Premier of British Columbia, the Minister of Finance, the Minister of Education, and all member municipalities of the Union of British Columbia Municipalities.

Moved by Councillor Keating, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:10 p.m. and reconvened at 7:11 p.m. with the same personnel present.

A recorded vote was then taken on the original motion.

Voting in favour: Councillor Mussatto
Councillor Keating
Mayor Sharp

Voting against: Councillor Fearnley
Councillor Perrault
Councillor Heywood
Councillor Clark

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

Moved by Councillor Heywood, seconded by Councillor Clark

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:18 p.m. and reconvened at 7:35 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

[Video Clip 12](#)

8. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7723"
(Mike Fournogerakis / Terra Firma Design Ltd., 203 East 8th Street, CD-503).

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Bylaw No. 7723 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded by Councillor Keating

THAT Bylaw No. 7723 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 7:39 p.m. and reconvened at 8:05 p.m. with the same personnel present.

BYLAWS - Second and Third Readings

Video Clip 13

9. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7726"
(Liquor Store – Park and Tilford Shopping Centre – Rusty Gull
Neighbourhood Pub – 715 – 333 Brooksbank Avenue, CD-131 Text
Amendment).

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT Bylaw No. 7726 be read a second time in short form.

CARRIED UNANIMOUSLY

Moved by Councillor Keating, seconded by Councillor Mussatto

THAT Bylaw No. 7726 be read a third time in short form and passed
subject to reconsideration.

CARRIED UNANIMOUSLY

Moved by Councillor Mussatto, seconded Councillor Perrault

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

CARRIED UNANIMOUSLY

The meeting recessed at 8:22 p.m. and reconvened at 10:49 p.m. with the same
personnel present.

A motion to continue past 10:30 p.m. was unanimously endorsed in the Public
Hearing regarding Bylaw No. 7727 held this evening.

BYLAWS - Second and Third Readings

[Video Clip 14](#)

10. "Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2005, No. 7727" (City of North Vancouver, Hollyburn Properties Ltd., 100 Block West 14th Street, CD-505).

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT Bylaw No. 7727 be read a second time in short form.

Moved by Councillor Clark, seconded by Councillor Heywood

THAT the requirements of the Procedure Bylaw to terminate the meeting at 11:00 p.m., be waived, and the meeting continue after 11:00 p.m., if necessary.

CARRIED UNANIMOUSLY

The original motion was then **CARRIED UNANIMOUSLY**

Moved by Councillor Fearnley, seconded by Councillor Perrault

THAT Bylaw No. 7727 be read a third time in short form and passed subject to reconsideration.

CARRIED UNANIMOUSLY

ADJOURNMENT

Moved by Councillor Mussatto, seconded by Councillor Heywood

THAT the meeting adjourn.

CARRIED UNANIMOUSLY

The meeting adjourned at 11:21 p.m.