



AGENDA FOR THE REGULAR MEETING OF COUNCIL TO COMMENCE AT 6:00 P.M., IN THE COUNCIL CHAMBER, CITY HALL, 141 WEST 14TH STREET, NORTH VANCOUVER, B.C., ON MONDAY, FEBRUARY 8, 2010.

COUNCIL MEETING – 6:00 P.M.

“LIVE” BROADCAST VIA CITY WEB SITE www.cnv.org

LIVE T.V. COVERAGE COMMENCES AT 7:00 P.M.

ADOPTION OF MINUTES

1. [Regular Council Meeting Minutes, February 1, 2010.](#)
2. In Camera Committee of the Whole Meeting Minutes, February 1, 2010.

PUBLIC INPUT PERIOD – 6:00 P.M. – File: 1090-21

The time allotted for each speaker appearing before Council during the Public Input Period is two minutes. The maximum number of speakers during the Public Input Period is set at five persons.

The Public Input Period provides an opportunity for the public to speak directly to Council on items on the Council agenda and to any topic the speaker feels is of relevance to City Council.

The Public Input Period provides an opportunity for input only, without the expectation of response from Council and places the speaker's concern on the record.

Speakers are requested to place their name on the sign up sheet in order to speak during the Public Input Period. The sign up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 p.m., until 6:00 p.m., on the night of the Council meeting. The Mayor will invite those wishing to speak in the order that their name appears on the sign up sheet.

Speakers are requested to omit addressing items that refer to items on the agenda from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings, Policy Committee and Finance Committee meetings, when these meetings are scheduled on the same evening's agenda.

Speakers may speak only once at the Public Input Period.

When appearing before Council, speakers are requested to state their name and address for the record.

Please address the Mayor as Mayor Mussatto or Your Worship and please address Councillors as Councillor followed by their surname.

CONSENT AGENDA ITEMS

{Items *4, *10, *11, *12, *13, *14, *15, *16 and *17}

The following items ***4, *10, *11, *12, *13, *14, *15, *16 and *17 {See Agenda Pages 3, 6 and 7}** are listed in the Consent Agenda and may be considered separately or considered in one motion:

RECOMMENDATION:

THAT the resolutions listed within the “Consent Agenda” be approved.

PROCLAMATION

“HERITAGE WEEK IN BRITISH COLUMBIA” – FEBRUARY 15 - 21, 2010

2009 HERITAGE AWARD PRESENTATION – 6:00 P.M.

The Heritage Advisory Commission is pleased to present the Heritage Award for 2009 in the following category:

(1) Heritage Awareness Achievement

Honouring an individual or corporation for outstanding community achievement in support of heritage conservation:

- The City of North Vancouver Heritage Advisory Commission is pleased to present Mr. Peter Miller with a Heritage Awareness Achievement Award to recognize the significant effort and ongoing commitment Mr. Miller upholds through his work with the North Shore Heritage Preservation Society and in heritage preservation in general.

CITY CLERK’S RECOMMENDATION:

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:

3. Section 90 (1) (e)
- *4. Section 90 (1) (a) (Consent Agenda)

Sections 89 (1), 89 (2), 90 (1), 90 (2), 90 (3) and 92 are listed in their entirety within this agenda package.

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS

3. Land Matter – File: 3380-02

Verbal Report: Manager, Waterfront Project Manager.

***4. Appointments to the North Shore Advisory Committee on Disability Issues – File: 1085-03-N17-02**

Report: Deputy City Clerk, February 2, 2010.

REPORT OF COMMITTEE OF THE WHOLE

DELEGATIONS

Mr. Bart van der Linde, Resident, City of North Vancouver.

Re: Removal of the Round-About at West 18th Street and Mahon Avenue
– File: 4155-07-06-03

Item 5 refers.

CORRESPONDENCE

**5. Mr. Bart van der Linde, Resident, City of North Vancouver,
January 15, 2010.**

Re: [Removal of the Round-About at West 18th Street and Mahon Avenue](#)
– File: 4155-07-06-03

[See Information Report of the Transportation Planner dated February 2, 2010.](#)

DELEGATION

**Mr. Bryan Kelly, Mr. Brad Fairall and Mr. Mark Ernsting, Members of the
Vuelta A LoLo Professional Cycling Race.**

Re: [Vuelta A LoLo Bicycle Race Event 2010](#) – 3040-25/4455-01

Item 6 refers.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

6. Vuelta A LoLo Bicycle Race Event 2010 – File: 3040-25/4455-01

[Report: Transportation Planner, February 2, 2010.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)

RECOMMENDATION:

PURSUANT to the report of the Transportation Planner, dated February 2, 2010, entitled “Vuelta A LoLo Bicycle Race Event 2010”:

THAT the City of North Vancouver supports in principle the Vuelta a LoLo Bicycle Race Event 2010;

AND THAT the event organizers address the issues outlined in the February 2, 2010 report and seek final approval from Council once complete;

AND THAT should the event proceed, a grant totaling \$1,000 be contributed towards Vuelta A LoLo Bicycle Race Event 2010 from the Bicycle Promotions operating account.

DELEGATION

Mr. Philippe Segur, Le Bistro Chez Michel at Waterfront Park.

Re: [Late Opening License for the Period of the 2010 Olympic and Paralympic Winter Games](#) - File: 4455-03-01

Item 7 refers.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**7. Extended Hours of Liquor Service – 2010 Olympics
– File: 4455-03-01-01 / 1195-11-L2-02-04**

Report: [Planning Technician 2, Community Development Department, February 3, 2010.](#)
[Attachment 1](#)

RECOMMENDATION:

PURSUANT to the report of the Planning Technician 2, Community Development, dated February 3, 2010, entitled “Extended Hours of Liquor Service – 2010 Olympics”:

Continued...

**7. Extended Hours of Liquor Service – 2010 Olympics
– File: 4455-03-O1-01 / 1195-11-L2-02-04 - Continued**

WHEREAS the City of North Vancouver is an Official 2010 Community Contributor for the 2010 Olympic and Paralympic Winter Games;

THAT staff be directed to provide comment to the Liquor Control and Licensing Branch in support of applications for a temporary change to a liquor license to extend the hours of liquor service to 2:30 a.m. for Food Primary (Restaurants) and Liquor Primary (Pubs) licenses during the Olympic and Paralympic Winter Games beginning immediately after license change approval and until March 31, 2010, subject to approval by the Liquor Control and Licensing Branch;

AND THAT the City reserves the right to withdraw a temporary approval in the event of neighbourhood complaints.

CORRESPONDENCE

8. Ms. Fiona Clifford, Campaigns Intern, Polaris Institute, February 1, 2010.

Re: Bottled Water Free Day, March 11, 2010 – File: 1040-01

Requested by Mayor D.R. Mussatto.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

**9. Harbourside Waterfront – Policy Plan Process (Concert Properties / Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Ave)
– File: 3300-07-02 / 3345-02 Fell Ave 18 / 3345-02 Harbourside Dr 801 / 3345-02 Harbourside Dr 889 / 3345-02 Harbourside Dr 925**

Report: City Planner, Community Development, February 2, 2010.
Attachment 1

RECOMMENDATION:

PURSUANT to the report of the City Planner, Community Development, dated February 2, 2010, entitled “Harbourside Waterfront – Policy Plan Process (Concert Properties / Knightsbridge – 801, 889, 925 Harbourside Drive & 18 Fell Ave)”:

THAT staff be directed to notify Brook + Associates, Concert Properties and Knightsbridge that the proposed process and schedule, as outlined in the February 2, 2010, report and attachment, is supported in principle by Council.

CONSENT AGENDA ITEMS – Continued

MOTIONS AND NOTICES OF MOTION

- *10. [2010 Annual General Meeting and Conference of the Lower Mainland Local Government Association \(LMLGA\), Harrison Hot Springs Resort & Spa, May 12, 13 & 14, 2010](#) – File: 1040-03-L5-01

STAFF RECOMMENDATION:

THAT Council members be authorized to attend the 2010 Annual General Meeting and Conference of the Lower Mainland Local Government Association (LMLGA), to be held at the Harrison Hot Springs Resort & Spa, Harrison Hot Springs, B.C., May 12, 13 and 14, 2010;

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

AND THAT the funds be provided from the 2010 Legislative Conventions and Delegations Account.

REPORTS OF COMMITTEES, COUNCIL REPRESENTATIVES AND STAFF

- *11. **2010 1st Quarter Waterfront Project Update – File: 3330-02-W1-01**

[Report: Waterfront Project Manager, January 27, 2010.](#)

RECOMMENDATION:

PURSUANT to the report of the Waterfront Project Manager, dated January 27, 2010, entitled “2010 1st Quarter Waterfront Project Update”:

THAT the January 27, 2010 report be received and filed.

- *12. **Rezoning Application: 641 West 15th Street (Noort Developments, CD-582) – File: 3345-02 15 W 641**

[Report: Planning Technician 2, Community Development, February 3, 2010.](#)
[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)
[Attachment 4](#) [Attachment 5](#) [Attachment 6](#)

RECOMMENDATION:

PURSUANT to the report of the Planning Technician 2, Community Development, dated February 3, 2010, entitled “Rezoning Application: 641 West 15th Street (Noort Developments, CD-582)”:

Continued...

***12. Rezoning Application: 641 West 15th Street (Noort Developments, CD-582) – File: 3345-02 15 W 641 - Continued**

THAT “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8067” (Noort Developments, 641 West 15th Street, CD-582) be considered and referred to a Public Hearing;

AND THAT the additional community infrastructure enhancements requested by the Engineering, Parks and Environment Department referenced in the Interdepartmental Implications section of the February 3, 2010 report be required.

*Item *13 refers.*

BYLAWS - Introduction and First Reading Only

- *13.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2010, No. 8067” (Noort Developments, 641 West 15th Street, CD-582).

RECOMMENDATION:

THAT Bylaw No. 8067 be read a first time in short form, copy of same having been distributed to Council members and read by them.

BYLAWS - Reconsideration and Final Adoption

- *14.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8022” (David Wolstenholme / Integra Architecture Inc., 346 East 8th Street, CD-577), **as amended.**
- *15.** “Heritage Designation Bylaw, 2009, No. 8023” (David Wolstenholme / Integra Architecture Inc., 346 East 8th Street).
- *16.** “Zoning Bylaw, 1995, No. 6700, Amendment Bylaw, 2009, No. 8049” (Amrik Thandi / D. Mand Design, 359 East 13th Street, RS-1 to RT-1).
- *17.** “Street and Traffic Bylaw, 1991, No. 6234, Amendment Bylaw, 2010, No. 8062” (Motorcycle Parking).

RECOMMENDATIONS:

THAT the said Bylaws Nos. 8022, as amended, 8023, 8049 and 8062 be reconsidered.

THAT the said Bylaws Nos. 8022, as amended, 8023, 8049 and 8062 be finally adopted, signed by the Mayor and City Clerk and sealed with the Corporate Seal.

END OF CONSENT AGENDA ITEMS

COMMITTEE OF THE WHOLE (IN CAMERA) CONFIDENTIAL REPORTS
- Continued

REPORT OF THE COMMITTEE OF THE WHOLE - Continued

**RECESS: Public Question Period Limited to Items on the Agenda
- TEN MINUTES TOTAL**

The recess for the Public Question Period is limited to items on the Council agenda only. The entire recess period cannot be longer than ten minutes and this is for everyone, not just one individual. If there are two or more persons asking questions, the Mayor will divide the ten minutes equally between each individual. Then the Mayor will ask each individual "What is your question"? and decide if the question is related to an item on the Council agenda. Once the ten minute recess period is up, the recess shall be declared over and the Council meeting reconvened.

INQUIRIES

ANY OTHER BUSINESS – NEW ITEMS

ADJOURNMENT

COMMUNITY CHARTER

Division 3 – Open Meetings

General rule that meetings must be open to the public

- 89** (1) A meeting of a council must be open to the public, except as provided in this Division.
- (2) A council must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

Meetings that may or must be closed to the public

- 90** (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
 - (c) labour relations or other employee relations;
 - (d) the security of the property of the municipality;
 - (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - (g) litigation or potential litigation affecting the municipality;
 - (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
 - (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Continued....

Meetings that may or must be closed to the public – Continued

- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*];
 - (m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
 - (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);
 - (o) the consideration of whether the authority under section 91 [*other persons attending closed meetings*] should be exercised in relation to a council meeting.
- (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (a) a request under the *Freedom of Information and Protection of Privacy Act*, if the council is designated as head of the local public body for the purposes of that Act in relation to the matter;
 - (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
 - (c) a matter that is being investigated under the *Ombudsman Act* of which the municipality has been notified under section 14 [*ombudsman to notify authority*] of that Act;
 - (d) a matter that, under another enactment, is such that the public must be excluded from the meeting.
- (3) If the only subject matter being considered at a council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting.

Requirements before meeting is closed

- 92** Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting,
- (a) the fact that the meeting or part is to be closed, and
 - (b) the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

City Clerk's Department Procedures

DELEGATIONS

"Delegation" is the term used to define the process whereby an individual appears before the City Council in order to make a presentation, enter a request for action, register a complaint, bring Council up to date on a project/idea/concept, or to provide further information on an issue currently before the Council for a decision.

The procedure for a member of the public to appear as a delegation is as follows:

- submit a written request to the City Clerk by ¹fax, email, letter, or memo no later than noon on the Wednesday preceding the regular Monday Council meeting at which they wish to appear. Such written request should include the subject matter to be discussed with Council, complete with all relevant information, and specify the preferred date they wish to be received (heard). (Note: The earlier this request is submitted, the better the chance to obtain the preferred meeting night.)
- The City Clerk will assign an appropriate date. Every effort is made to assign a date as soon as possible depending on various factors such as whether or not a staff report is pending that should be considered by Council at the same time as the delegation appears, or upon whether timeliness is an issue.
- The City Clerk will respond to the request by telephone or in writing advising the date of the Monday Council meeting when they are scheduled, the time they should appear and advising that they are limited to a 10 minute presentation. (The Clerk's response will clarify that the presentation is limited to 10 minutes regardless of the number of people in the delegation, i.e. one person gets 10 minutes, two or more people split up the 10 minutes however they wish.) The response will also affirm that the City must be in receipt of any presentation brief to be put to Council no later than noon of the Wednesday (5 days) prior to the scheduled Council Monday meeting delegation appearance.

Those persons appearing before Council as a delegation should be aware of the following matters of protocol:

- The Mayor should be addressed as "Your Worship" or "Mayor Mussatto";
- the Councillors should be addressed as "Councillor <name>" (being certain to include the title Councillor in front of their name);
- staff should be addressed either by title, e.g. the 'City Clerk', 'Director, Community Development', 'City Manager', 'Director of Finance', or by name, e.g. Ms. Dowey, Mr. White, Mr. Tollstam, or Ms. Gordon, respectively

and all responses to Council or staff should be addressed through the Mayor.

It is understandable that delegates will be nervous, but remember that Council is very familiar with this process and is very understanding of the nervousness and tries to set a comfortable and welcoming scenario for all. Council is very sympathetic, wants to entertain delegations, and wants to encourage participation. So, remember Council wants you to come forward and be heard; so 'speak up' because you are important and 'you do make a difference'.

The opportunity to appear as a delegation is at the privilege of Council so use the time wisely to make succinct, salient points. Upon completion of your presentation, Council will ask questions if they feel clarification is required.

¹ Fax: 604-985-9417
Email: sdowey@cnv.org
Address: 141 West 14th Street, North Vancouver BC V7M 1H9



THE CORPORATION OF THE CITY OF NORTH VANCOUVER

PUBLIC INPUT PERIOD - GUIDELINES

The following guidelines apply to the Public Input Period held before Council to afford citizens an opportunity to address Council:

- The time allotted for each speaker appearing before Council during the Public Input Period is two minutes.
- The maximum number of speakers during the Public Input Period is set at five persons.
- The Public Input Period provides an opportunity for the public to speak directly to Council on items on the Council agenda and to any topic the speaker feels is of relevance to City Council.
- The Public Input Period provides an opportunity for input only, without the expectation of response from Council. It is an opportunity to provide input and places the speaker's concern on the record.
- Speakers are requested to place their name on the sign up sheet in order to speak during the Public Input Period. The sign up sheet will be available on the table in the lobby outside the Council Chamber from 5:30 p.m., until 6:00 p.m., on the night of the Council meeting.
- The Mayor will invite those wishing to speak in the order that their name appears on the sign up sheet.
- Speakers are requested to omit addressing items that refer to items on the agenda from a concluded Public Hearing/Public Meeting and to Public Hearings, Public Meetings, Policy Committee and Finance Committee meetings, when these meetings are scheduled on the same evening's agenda.
- Speakers may not speak disrespectfully of any Council Member, staff member, or any other person and must not use offensive words or gestures.
- Speakers may speak only once at the Public Input Period.
- When appearing before Council, speakers are requested to state their name and address for the record.
- Please address the Mayor as Mayor Mussatto or Your Worship.
- Please address Councillors as Councillor followed by their surname.