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**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
REGULAR COUNCIL MEETING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
JULY 22, 2019**

COUNCIL:

Mayor M. Booth; Councillors P. Lambur, W. Soprovich, S. Thompson, and M. Wong.
Absent: Councillors C. Cameron and N. Gambioli.

STAFF:

N. Leemhuis, Chief Administrative Officer; M. Panneton, Director, Legislative Services/Corporate Officer; J. Bailey, Director, Planning & Development Services; R. Fung, Director, Engineering & Transportation Services; I. Gordon, Director, Financial Services; A. Mooi, Director, Parks, Culture & Community Services; A. Banks, Senior Manager, Parks; P. Cuk, Manager, Legislative Operations/Deputy Corporate Officer; I. Haras, Manager, Parks Planning & Development; D. Hawkins, Manager, Community Planning & Sustainability; K. Miller, Manager, Customer Service & Community Recreation; C. Rosta, Manager, Events & Festival; L. Berg, Senior Community Planner; and J. Calimente, Transportation Planner.

CALL TO ORDER

1. The meeting was called to order at 5 p.m.

Mayor Booth made the following announcement: Council, at its July 22, 2019, closed meeting, appointed Melanie Hess and L. Whitney McMillan and re-appointed Peter Mitchell, Thomas Allen, Merv Chia, Brian Hann and Liesje Ryerson to the Community Grants Committee for terms ending June 30, 2021.

APPROVAL OF AGENDA

2. **Approval of July 22, 2019, Regular Council Meeting Agenda**

MOVED by Thompson, seconded by Soprovich:

THAT the July 22, 2019, regular Council meeting agenda be amended by:

- withdrawing Item 10 regarding Municipal Single-Use Item Reduction Strategy; and
- adding a memorandum to Item 15.1 regarding Proposed Replacement of the Arts Facilities Advisory Committee Terms of Reference;

AND THAT the agenda be approved as amended.

CARRIED

ADOPTION OF MINUTES

3. No items.

REPORTS

4. Preliminary Development Proposal for 707 and 723 Main Street

(File: 1010-20-19-047)

Staff and R. Amantea (Vice President of Community Partnerships and Development, Park Royal) provided presentations and responded to Council's questions.

F. Verjee (West Vancouver) spoke in support of the preliminary development proposal and commented regarding: demographic changes; density; and the relative height of nearby buildings.

T. Wardell (West Vancouver; and Member, Arts & Culture Advisory Committee) spoke in support of the preliminary development proposal and commented regarding: demographic changes; rental accommodation; location of the proposed development; traffic; views; and amenities for arts and culture.

S. Baker (West Vancouver) spoke in opposition to the preliminary development proposal and commented regarding: approval of the existing development in 2017; living in close proximity to the proposed development; setting a precedent; and recent policy decisions.

B. Brink (West Royal Towers, West Vancouver) spoke in opposition to the preliminary development proposal and commented regarding: traffic; public consultation; the Marine Drive Local Area Plan and the Official Community Plan; trust in government; and views.

P. Frewer (West Vancouver) spoke in support of the preliminary development proposal and commented regarding: demographic changes; housing options; density; traffic and transportation options; the Marine Drive Local Area Plan; and community amenity contributions.

M. Pappas (West Vancouver) spoke in support of the preliminary development proposal and commented regarding: height; density; rental accommodation; parking and transportation options; arts and culture; the Official Community Plan; proximity to amenities; and community consultation.

G. McIsaac (address not provided) spoke relative to the preliminary development proposal and commented regarding: the Official Community Plan and Marine Drive Local Area Plan; demographic changes; and community amenity contributions.

P. Scholefield (1288 Esquimalt Avenue) spoke in support of the preliminary development proposal and commented regarding: recent policy decisions; transportation options and infrastructure; and the Community Energy and Emissions Plan and Official Community Plan.

Mayor Booth queried whether there was anyone further who wished to speak.

A. Krawczyk (address not provided) spoke in support of the preliminary development proposal and commented regarding: density; transportation options; and rental accommodations; and queried regarding the Marine Drive Local Area Plan and the Official Community Plan. Staff provided a response.

Mayor Booth queried whether there was anyone further who wished to speak and there was no response.

MOVED by Soprovich, seconded by Booth:

THAT the development proposal for 707 and 723 Main Street as outlined in the report dated July 2, 2019, from the Senior Community Planner not be supported.

Council members commented and staff responded to a Council member's questions. The question was called on the motion.

DEFEATED

Mayor Booth and Councillors Lambur, Thompson, and Wong
voted in the negative

MOVED by Lambur, seconded by Thompson:

THAT

1. the development proposal for 707 and 723 Main Street as outlined in section 5.1 of the July 2, 2019, Council Report be referred to public consultation in accordance with Council's Preliminary Development Proposal and Public Consultation Policy;
2. the applicant address traffic impacts and mitigation measures that could be applied to density-induced traffic congestion accruing to the approved development plus proposed addition;
3. the applicant consult with residents in the Taylor Way / Lions Gate Bridge viewshed and propose revisions to the design of the building facades to address urban design concerns regarding the visual bulk of the development; and
4. the applicant work with Council and staff to examine the full range of options for the use of voluntary CACs (community amenity contributions) to include: improvements to the Marine Drive Taylor Way Gateway; development of a multi-modal transportation hub; and possible temporary space within or adjacent to the development site for community uses.

Council members commented and discussion ensued. A Councillor proposed an amendment to the main motion. Councillors Lambur and Thompson, as the mover and seconder of the main motion, accepted the proposed amendment. As the proposed amendment was accepted by the mover and seconder, the proposed amendment was incorporated into the main motion as a friendly amendment and did not require a vote; the amended motion follows:

THAT

1. the development proposal for 707 and 723 Main Street as outlined in section 5.1 of the July 2, 2019, Council Report be referred to public consultation in accordance with Council's Preliminary Development Proposal and Public Consultation Policy;
2. the applicant address traffic impacts and mitigation measures that could be applied to density-induced traffic congestion accruing to the approved development plus proposed addition, especially with regards to improved options for ingress and egress for West Royal residents;
3. the applicant consult with residents in the Taylor Way / Lions Gate Bridge viewshed and propose revisions to the design of the building facades to address urban design concerns regarding the visual bulk of the development; and
4. the applicant work with Council and staff to examine the full range of options for the use of voluntary CACs (community amenity contributions) to include: improvements to the Marine Drive Taylor Way Gateway; development of a multi-modal transportation hub; and possible temporary space within or adjacent to the development site for community uses.

The question was called on the motion as amended.

CARRIED

Councillor Soprovich voted in the negative

Councillor Soprovich left the meeting at 6:33 p.m. and returned to the meeting at 6:35 p.m.

5. Horseshoe Bay Local Area Plan: Phase 1 Progress Report (File: 2560-07)

Staff provided a presentation and responded to Council's questions.

Councillor Wong left the meeting at 6:57 p.m. and returned to the meeting at 7:03 p.m.

MOVED by Lambur, seconded by Wong:

THAT

1. The Horseshoe Bay Local Area Plan: Phase 1 Public Engagement Summary attached as Appendix A to the report from the Manager of Community Planning & Sustainability, dated July 8, 2019, be received for information; and
2. Staff be directed to proceed to Phase 2 of the Horseshoe Bay Local Area Plan process in accordance with the next steps outlined in this report.

A Council member commented and staff responded to a Council member's question. The question was called on the motion.

CARRIED

6. Horseshoe Bay Park Revitalization Plan and Horseshoe Bay Streetscape Project (File: 2160-05-HBPA1)

Staff and K. Yushmanova (Associate, PWL Partnership Landscape Architects Inc.) provided a presentation and responded to Council's questions.

Councillor Soprovich left the meeting at 7:13 p.m. and returned to the meeting at 7:18 p.m. Councillor Lambur left the meeting at 7:24 p.m. and returned to the meeting at 7:28 p.m.

Mayor Booth queried whether there was anyone who wished to speak.

E. McHarg (West Vancouver) spoke in support of the proposed plan and project.

C. Reynolds (address not provided) commented regarding the permeability of paving materials.

MOVED by Wong, seconded by Soprovich:

THAT

1. the Horseshoe Bay Park Revitalization Plan as attached to the report dated June 21, 2019, be approved;
2. the phasing strategy for the implementation of the Horseshoe Bay Park Revitalization Plan as outlined in the report dated June 21, 2019, be approved;
3. based on community input received, phased implementation of the Horseshoe Bay Streetscape Project proceed as outlined in the report dated June 21, 2019;
4. the proposed amenity project contribution of \$10,105,000 as outlined in the report dated June 21, 2019, be approved as follows:
 - a. \$1,508,300 from the Public Realm Community Amenity Contribution – Sewell's Development;
 - b. \$1,000,000 from the Community Assets Community Amenity Contribution – Sewell's Development; and
 - c. \$7,596,700 from the unrestricted balance of Community Amenity Contributions in the District of West Vancouver's Community Amenity Contribution Fund; and
5. staff deliver to Sewell's Limited the "Contribution Notice" for payment of the Municipal Park Contribution of \$1,000,000 as soon as allowed under the building covenant and that these funds be approved for Phase 1 of the Horseshoe Bay Park Revitalization Plan.

CARRIED

Councillor Soprovich left the meeting at 7:54 p.m. and returned to the meeting at 7:56 p.m. Councillor Wong left the meeting at 7:56 p.m. and returned to the meeting at 7:59 p.m.

7. Climate Emergency – Verbal Update on Current Initiatives (File: 0332-03/04)

Staff provided a presentation and responded to Council's questions.

MOVED by Lambur, seconded by Soprovich:

THAT the presentation regarding Climate Emergency – Verbal Update on Current Initiatives be received for information.

Council members commented. The question was called on the motion.

CARRIED

8. West Vancouver Canada Day Fireworks Show (File: 3015-01)

Staff provided a presentation and responded to Council's member questions.

T. Reinsch (address not provided) read from a written submission from A. Morris (Manager of Policy and Companion Animals, British Columbia Society for the Prevention of Cruelty to Animals) in support of ending the use of fireworks in the District of West Vancouver because of the negative impact of fireworks on animals due to noise and pollution.

MOVED by Thompson, seconded by Soprovich:

THAT

1. The annual budget for the Canada Day fireworks show be increased from \$15,000 to \$25,000;
2. staff be directed to apply for funding from the Government of Canada, Canadian Heritage – Celebrate Canada grant to recover the remaining costs of the fireworks show to the District for 2020 and beyond; and
3. recognizing the many District of West Vancouver events that the District currently seeks donors and sponsorships for, the West Vancouver Canada Day fireworks show continue in 2020 and beyond only if the Government of Canada, Canadian Heritage – Celebrate Canada grant or other potential donors are identified and confirmed.

Staff responded to a Council member's question and a Council member commented. The question was called on the motion.

CARRIED

Councillor Thompson voted in the negative

Councillor Thompson left the meeting at 8:44 p.m. and returned to the meeting at 8:46 p.m.

9. Civic Site Safety Fencing (File: 2100-01)

Staff provided a presentation and responded to Council's questions.

MOVED by Wong, seconded by Soprovich:

THAT \$45,000 be provided from the Community Amenity Fund for civic site safety fencing.

Council members commented. The question was called on the motion.

CARRIED

10. Municipal Single-Use Item Reduction Strategy (File: 1700-01)

Withdrawn.

BYLAWS

11. Proposed: Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5028, 2019; and Development Variance Permit 18-037 (4358 Ross Crescent)

(File: 1610-20-5028 / 1010-20-18-037)

MOVED by Soprovich, seconded by Thompson:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5028, 2019" be adopted.

CARRIED

Councillor Soprovich left the meeting at 8:58 p.m.

L. Rank (Ross Crescent) spoke in support of deferring consideration of proposed Development Variance Permit 18-037 and review of the proposed flood construction level for 4358 Ross Crescent.

C. Currie (address not provided) spoke relative to community consultation. Council members commented and staff provided information regarding the breadth and scope of community consultation regarding a review of the proposed flood construction level for 4358 Ross Crescent.

Councillor Soprovich returned to the meeting at 9:03 p.m. Councillor Wong left the meeting at 9:03 p.m.

J. Szabo (address not provided) spoke in support of deferring consideration of proposed Development Variance Permit 18-037.

Councilor Wong returned to the meeting at 9:05 p.m.

I. Rozier (4367 Erwin Drive) spoke relative to: a peer review of the coastal flood risk assessment report produced on behalf of the subject applicant; a study of coastal flood risk assessment for West Vancouver; sea level rise adaptation; flooding; and climate change.

K. Lohn (4346 Ross Crescent) spoke in support of deferring consideration of proposed Development Variance Permit 18-037 and commented regarding: community consultation; flood construction levels determination; and neighbourhood character.

C. Mitchell (address not provided) spoke in support of deferring consideration of proposed Development Variance Permit 18-037 and commented regarding tree retention on the subject property. Mayor Booth commented and staff responded to a Council member's questions.

A. Frost (4332 Erwin Drive) spoke in support of deferring consideration of proposed Development Variance Permit 18-037 and commented regarding: the size of houses in the area; setting a precedent; geodetic levels set by other municipalities in the region.

Mayor Booth queried whether there was anyone further who wished to speak.

K. Hlynsky (Architect and Partner, Hlynsky-Davis Architects Inc.) read from a report provided to the District of West Vancouver Manager of Community Planning in November 2012 and commented regarding: flood construction levels; a coastal flood risk assessment for West Vancouver; willingness to design the subject house with a lower flood construction level; tree assessment and retention options; and queried West Vancouver's lot development process. Staff provided a response.

J. Heffel (4358 Ross Crescent) queried regarding deferring consideration of proposed Development Variance Permit 18-037 and reviewing the requested variances and proposed flood construction level for 4358 Ross Crescent. Mayor Booth and staff provided a response.

Mayor Booth queried whether there was anyone further who wished to speak.

C. Currie spoke for a second time and spoke relative to comments made by staff regarding flood construction levels. Mayor Booth commented and staff responded to a Council member's question.

Mayor Booth queried whether there was anyone further who wished to speak and there was no response.

A Council member commented and discussion ensued.

MOVED by Lambur, seconded by Soprovich:

THAT consideration of proposed Development Variance Permit 18-037 be deferred.

Staff responded to a Council member's questions. The question was called on the motion.

CARRIED

MOVED by Lambur, seconded by Soprovich:

THAT

1. Staff seek a second opinion regarding the minimum FCL (flood construction level) for 4358 Ross Crescent;
2. Staff undertake to review the scope of the work and methodology with residents, including:
 - a. mitigation measures; and
 - b. consideration of the impacts of engineered fill on overland flooding; and
3. The work be completed in a timely fashion but no later than four months from this date.

Council members commented and staff responded to Council's questions. The question was called on the motion.

CARRIED

12. **Proposed: Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5024, 2019; and Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5029, 2019 (Conversion of Common Areas within Existing Apartment Buildings)** (File: 1610-20-5024/5029)

MOVED by Thompson, seconded by Wong:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5024, 2019" be adopted.

CARRIED

MOVED by Thompson, seconded by Wong:

THAT proposed "Development Procedures Bylaw No. 4940, 2017, Amendment Bylaw No. 5029, 2019" be adopted.

CARRIED

13. **Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5021, 2019 (2330 Cypress Bowl Lane and 2850 Wentworth Avenue - Mulgrave School)** (File: 1610-20-5021)

MOVED by Lambur, seconded by Wong:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5021, 2019" be adopted.

CARRIED

NEW BUSINESS

14. No items.

CONSENT AGENDA ITEMS

15. Consent Agenda Items

MOVED by Wong, seconded by Soprovich:

THAT the Consent Agenda items as follows be approved:

- Item 15.1 regarding Proposed Replacement of the Arts Facilities Advisory Committee Terms of Reference; and
- Item 15.2 regarding Correspondence List.

CARRIED

15.1. Proposed Replacement of the Arts Facilities Advisory Committee Terms of Reference (File: 0116-20-AFAC / 0282-20-0063)

THAT the memorandum from the Events & Festival Manager, dated July 18, 2019, titled Arts Facility Advisory Committee Terms of Reference Amendment, be received for information.

THAT

1. the Arts Facilities Advisory Committee Terms of Reference Policy 0063 as approved on July 23, 2018 be rescinded; and
2. the proposed replacement of the Arts Facilities Advisory Committee Terms of Reference Policy 0063 attached as Appendix B to the July 8, 2019 report titled "Proposed Replacement Arts Facilities Advisory Committee Terms of Reference" be approved.

15.2. Correspondence List (File: 0120-24)

THAT the correspondence list be received for information.

Council Correspondence Update to July 5, 2019 (up to 8:30 a.m.)

Referred for Action

- (1) July 3, 2019, regarding "Beach tennis in Ambleside" (Referred to Director of Parks, Culture & Community Services for consideration and response)

Referred for Action from Other Governments and Government Agencies

No items.

Received for Information

- (2) 2 submissions, June 26 and July 4, 2019, regarding Five Creeks Stormwater Flood Protection Project
- (3) 4 submissions, June 29 - July 4, 2019, regarding Councillor's Motion regarding Declaration of Climate Emergency

- (4) 2 submissions, July 3-4, 2019, regarding Proposed Official Community Plan Bylaw No. 4985, 2018, Amendment Bylaw No. 5008, 2019; and Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5009, 2019 for 727 Keith Road, Amica Lions Gate (Referred to the July 8, 2019, public hearing)
- (5) July 4, 2019, regarding "Canada Day"
- (6) July 4, 2019, regarding "Re: Park Royal Permit Inquiry July 22 2019 Council Meeting Agenda"
- (7) July 4, 2019, regarding "Companies walk free, but who pays for harm? Local governments?" (Wireless Technologies)
- (8) July 4, 2019, regarding "More Arts Facilities!"

Received for Information from Other Governments and Government Agencies

No items.

Responses to Correspondence

No items.

OTHER ITEMS

16. No items.

REPORTS FROM MAYOR AND COUNCILLORS

17. Reports from Mayor and Councillors

Councillor Soprovich reported on attendance at a tour of Metro Vancouver regional parks as a member of the Metro Vancouver Regional Parks Committee.

Councillor Thompson reported on a visit, with Councillor Lambur, to a Bowen Island cannabis retailer and commented regarding future applications for cannabis retail locations in West Vancouver and in other jurisdictions.

Councillor Lambur reported on the opening of The Boat Shed concession in Ambleside Park.

Councillor Wong reported on the upcoming Harmony Arts Festival.

MOVED by Soprovich, seconded by Wong:

THAT the oral reports from the Mayor and Councillors be received for information.

CARRIED

Councillor Soprovich let the meeting at 9:46 p.m.

PUBLIC QUESTIONS AND COMMENTS

18. Public Questions and Comments

C. Reynolds (address not provided) commented regarding recommendations being projected on-screen, and the 19th annual RoyalTea by the Sea scheduled for Saturday, August 10, 2019 from 2 to 4 p.m.

Councillor Soprovich returned to the meeting at 9:48 p.m.

E. McHarg (address not provided) commented regarding ending the use of fireworks in the District of West Vancouver.

J. Zhou (address not provided) thanked Council for their hard work.

Mayor Booth wished the community a fun and safe summer and encouraged everyone to visit the Harmony Arts Festival.

ADJOURNMENT

19. Adjournment of July 22, 2019, Council Meeting

MOVED by Thompson, seconded by Wong:

THAT the July 22, 2019, Council meeting be adjourned.
(9:50 p.m.)

CARRIED

Certified Correct:

[Original signed by Mayor]

MAYOR

[Original signed by Corporate Officer]

CORPORATE OFFICER