

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
PUBLIC HEARING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
MONDAY, OCTOBER 20, 2008**

COUNCIL:

Mayor P. Goldsmith-Jones; Councillors J.E. Clark, C.R. Day, E.J. Ferguson, M.R. Smith, W.S. Soprovich and V. Vaughan.

STAFF:

G. McRadu, Chief Administrative Officer; B. Leigh, Deputy Chief Administrative Officer; S. Scholes, Municipal Clerk; R. Fung, Acting Director of Engineering and Transportation; R. Laing, Director of Finance; B. Sokol, Director of Planning, Lands and Permits; K. Pike, Director of Parks and Community Services; and M. Chan, Deputy Municipal Clerk.

1. CALL TO ORDER

The Public Hearing was called to order at 7:00 pm.

2. PUBLIC HEARING

ZONING BYLAW NO. 2200, 1968, AMENDMENT BYLAW NO. 4581, 2008 (File: 1610-20-4581)

B. Sokol (Director of Planning, Lands and Permits) provided a PowerPoint presentation, described the proposed bylaws and noted that this was an interim step in the comprehensive rewrite of the Zoning Bylaw, and responded to Council's queries.

3. PUBLIC HEARING PROCEDURE

Mayor Goldsmith-Jones described the procedure for the Public Hearing.

We are convening this in order to consider and receive submissions regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4581, 2008. As the bylaw amendments are related, all persons who wish to provide comment on the Soil Removal and Deposit Regulation Bylaw No. 3788, 1992, Amendment Bylaw No. 4582, 2008 will also be given an opportunity to be heard.

Anyone who believes their interest in property is affected by the proposed bylaws will be heard, or may make a written submission respecting the matters contained in these bylaws. No one will be discouraged or prevented from making his or her views heard.

Members of Council may, if they wish, ask questions of you following your presentation but our function tonight is to listen to the views of the public. It is not the function of Council at this time to debate the merits of the proposed bylaws.

After the Public Hearing has concluded, Council may, without further notice, give whatever effect Council believes proper to the representations.

Your only opportunity to comment on the Zoning Amendment Bylaw is during the Public Hearing. Members of Council are not permitted to receive further submissions regarding the Zoning Amendment Bylaw once we have closed the Public Hearing.

We have received documents which may be considered by Council and they are available for your review and discussion. A list of documents, and copies of these may be obtained from the Clerk during the Public Hearing. Written submissions received during the course of these proceedings will be added to these documents so that everyone may examine them.

To maintain order during the Public Hearing and to ensure everyone has an opportunity to be heard, the following rules of procedure have been established:

1. A Speakers' List has been established. Please ensure that you place your name on the list at any time throughout the Public Hearing. If you are speaking from prepared remarks, we would appreciate a copy.
2. Please commence your remarks by stating your name and address. If you are speaking on behalf of some other person or organization, please identify the name of that person or organization.
3. Each speaker is requested to limit their remarks to 5 minutes and the Clerk will ring a bell with 15 seconds to go.
4. Please limit your comments to the subject of the bylaws. Please do not obstruct the Public Hearing, and be respectful of others. Please ensure that your comments focus on the specific issue being considered.
5. After everyone has spoken once, you will have an opportunity to speak again if you wish.

Please observe the rules and if you have any concerns about them, address your comments to the Mayor, as the Chair.

4. **REPORTS/CORRESPONDENCE**

1) Reports received up to October 20, 2008:

TITLE	DATE	DATE RECEIVED/ TO BE RECEIVED	NO.
Interim Development Bylaw Amendments	September 19, 2008	September 19, 2008	R-1
Clarification on Grade Lines in Zoning Bylaw Amendment	October 20, 2008	October 20, 2008 – On Table	R-2
Minutes of the West Vancouver Design Review Committee Meeting held on October 9, 2008	October 20, 2008	October 20, 2008 – On Table	R-3

2) Correspondence received up to October 20, 2008:

NAME	DATE	DATE RECEIVED/ TO BE RECEIVED	NO.
J. & M. Rawsthorne	October 2, 2008	October 20, 2008	C-1
S. Ward	October 6, 2008	October 20, 2008	C-2
K. Gustavson	October 16, 2008	October 20, 2008	C-3
J. & D. Carpenter	October 19, 2008	October 20, 2008	C-4
G. & L. Rentsch	October 19, 2008	October 20, 2008	C-5
W. D. Thorneloe, British Pacific Properties Ltd.	October 17, 2008	October 20, 2008	C-6
W. D. Watt	October 18, 2008	October 20, 2008	C-7
D. Thompson & P. Schafer	October 20, 2008	October 20, 2008	C-8
R. Alexander	October 3, 2008	October 20, 2008	C-9
Chapman Land Surveying Ltd.	October 20, 2008	October 20, 2008 – On Table	C-10
A. Pottinger	October 20, 2008	October 20, 2008 – On Table	C-11
M. Evison	October 20, 2008	October 20, 2008 – On Table	C-12
E. Whittaker	October 20, 2008	October 20, 2008 – On Table	C-13
M. Ballard	October 20, 2008	October 20, 2008 – On Table	C-14

S. Scholes (Municipal Clerk) noted the reports and correspondence received and noted that on September 29, 2008 Council set the date for the Public Hearing and that the statutory notice of Public Hearing was published in the North Shore News on October 12 and October 15, 2008.

5. PUBLIC INPUT

Mayor Goldsmith-Jones called for Public Input.

L. Gibbs (2596 Ottawa Avenue) spoke in support of the Zoning Bylaw amendments, displayed photos relative to his concerns and spoke regarding calculation of floor area ratios, size of covered decks, view preservation, and the effect of rooflines on neighbours' properties.

K. Dmitrenko (1145 Esquimalt Drive) spoke in opposition to the proposed changes to the Soil Removal and Deposit Regulation Bylaw.

E. Whittaker (2560 Nelson Avenue) spoke in support of the Zoning Bylaw amendments and spoke relative to her concerns regarding monster houses and the loss of neighbourhood character. E. Whittaker provided a written submission.

M. Evison (4087 Rose Crescent) spoke relative to his concerns regarding the proposed bylaw amendments, including concerns related to slope reduction, impact on patios and rear yard space, stacking rock and retaining walls, blasting limitations, and secondary suites.

A. Pottinger (4432 Stone Crescent) spoke relative to his concerns regarding the effect of the proposed bylaws on property value and development potential and encouraged further consultation with District staff, builders and realtors.

D. Thompson (1215 Esquimalt Avenue) spoke in support of the proposed bylaw amendments and spoke relative to his concerns regarding the size of houses and impact on neighbours.

B. Chapman (107-100 Park Royal South, Chapman Land Surveying) spoke on behalf of the development community, requested that the public hearing be adjourned, that public consultation be held, displayed a photo of a completed house constructed with excavation and spoke relative to calculation of rock removal volume, requested that development sites over 10 acres be exempt from the proposed bylaws, spoke regarding the effects of the proposed Soil Removal and Deposit Regulation Bylaw, blasting limitations, the need for guideline changes, time period for application approval, and the potential effect of reducing property values. B. Chapman provided a written submission.

F. Yadegari (2313 Nelson Avenue) spoke relative to his concerns regarding the impact of the proposed bylaws on property owners,

accessory buildings, ramifications of the proposed bylaws on construction and property values, and requested that rock removal limit be proportional to property size.

M. Kolebaba (4102 Burkehill Road) spoke in opposition to the proposed bylaws relative to changing the grade of retaining walls.

S. Brown (2539 Mathers Avenue) conveyed concerns regarding the proposed bylaw amendments and requested that properties be addressed on an individual basis as opposed to the way they are addressed in the proposed bylaws.

N. Weaver (609 Hawstead Place) spoke relative to her concerns with blasting and soil removal, negative impact of blasting on neighbouring properties, and requested that geological assessments and additional monitoring be conducted for blasting and soil removal, with remedies for affected owners.

C. Reynolds (Editor WV Matters, 1497 Marine Drive) spoke relative to her concerns with covered decks and requested that the proposed bylaws also include ground floor covered decks in the calculation of floor area.

G. Rentsch (1626 Pinecrest Drive) spoke relative to his concerns regarding the impact of the Soil Removal and Deposit Regulation Bylaw on property values and requested an exemption for his property on Marlowe Place.

M. Ballard (4725 Willow Creek Road) spoke relative to his concerns with the proposed bylaws, including relative to the impact on property values, and the proposed amendment to the Soil Removal and Deposit Regulation Bylaw, regarding blasting and potential effect on secondary suites.

Mayor Goldsmith-Jones asked if there was anyone else who wished to speak who had not yet spoken.

R. Hollingsworth (5747 Marine Drive) spoke relative to his concerns with the impact of the bylaws and the process for preparing the proposed bylaw amendments.

Mayor Goldsmith-Jones asked if there was anyone else who wished to comment who had not yet spoken.

P. Miller (Nelson Avenue) suggested that neighbours be notified prior to properties being developed and spoke relative to his concerns about the damage to streetscapes.

Mayor Goldsmith-Jones asked further if there was anyone else who wished to comment who had not yet spoken.

D. Thompson (1215 Esquimalt Avenue) spoke for a second time relative to his experience regarding queries on the construction of a neighbour's house and the process involved.

C. Reynolds (Editor WV Matters, 1497 Marine Drive) spoke for a second time relative to her concerns regarding monster homes and the calculation of floor area ratio.

L. Gibbs (2596 Ottawa Avenue) spoke for a second time relative to covered decks and the need to include these in the calculation of floor area ratio.

F. Yadegari (2313 Nelson Avenue) spoke for a second time relative to the Soil Removal and Deposit Regulation Bylaw amendment and that further excavation is sometimes needed to properly build the foundation for a house.

E. Whittaker (2560 Nelson Avenue) spoke for a second time relative to her experience with excessive construction in her neighbourhood and displayed a photo of new construction adjacent to her property.

R. Hollingsworth (5747 Marine Drive) spoke for a second time and displayed photos of houses previously built, but that could no longer be built pursuant to the proposed bylaws.

Mayor Goldsmith-Jones asked whether there was anyone further wishing to speak.

N. Weaver (609 Hawstead Place) spoke for a second time relative to the public notification process and scope for development applications.

Mayor Goldsmith-Jones asked twice whether there was anyone further wishing to speak. There was no response.

6. **CLOSURE OR ADJOURNMENT OF PUBLIC HEARING**

MOVED by Day, seconded by Smith:

THAT all written and verbal submissions regarding Zoning Bylaw No. 2200, 1968, Amendment Bylaw No. 4581, 2008, and Soil Removal and Deposit Regulation Bylaw No. 3788, 1992, Amendment Bylaw No. 4582, 2008 up to and including October 20, 2008 be received and that the Public Hearing be closed.

Discussion ensued relative to whether the Public Hearing should be closed, public consultation, the effect of the proposed bylaws on properties including the Rodgers Creek Area Development Plan, the need to close loopholes regarding covered decks and accessory buildings, next steps for considering the proposed bylaws and options.

The question was called on the motion.

CARRIED

Councillors Clark and Soprovich voted in the negative

The Public Hearing closed at 9:28 pm.

Certified Correct

MAYOR

MUNICIPAL CLERK

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