

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
PUBLIC HEARING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
MONDAY, JULY 20, 2009**

COUNCIL:

Mayor P. Goldsmith-Jones; Councillors M. Evison, M. Lewis, T. Panz, W.S. Soprovich, and S. Walker. (Absent: Councillor M. Smith)

STAFF:

G. McRadu, Chief Administrative Officer; B. Leigh, Deputy Chief Administrative Officer; S. Scholes, Municipal Clerk; R. Fung, Director of Engineering and Transportation; R. Laing, Director of Finance; B. Sokol, Director of Planning, Lands and Permits; A. Mooi, Director of Parks and Community Services; and S. Lam, Recording Clerk.

CALL TO ORDER

The meeting was called to order at 7:02 pm.

1. CALL TO ORDER

Councillor Panz declared that a family member is presently the Eagle Harbour Yacht Club Commodore but there is no pecuniary benefit that would result from Council's vote either for or against the proposed OCP amendment for this particular project.

2. PUBLIC HEARING

**OFFICIAL COMMUNITY PLAN BYLAW NO. 4360, 2004, AMENDMENT
BYLAW NO. 4612, 2009** (File: 1610-20-4612)

Applicant: District of West Vancouver

Purpose: The proposed Official Community Plan amendment bylaw deals with the Marina and Yacht Club Development Permit Designation BF-C9.

The existing bylaw exempts a renovation or addition to an existing building, with an area of less than 10% of the existing building, where:

- (a) the requirements of the Zoning Bylaw are met; and
- (b) the facility results in either no substantial change to the external appearance of the premises or conforms to guidelines BF-C9.

Proposed OCP Bylaw Amendment: The proposed bylaw, if approved, would add an exemption to the current list of exemptions. Specifically, a replacement marine fuel storage and dispensing facility on Fisherman's Cove Marina in the 5800/5900 block Marine Drive would be exempt from the requirement for a development permit if:

- (i) the storage tanks are located adjacent to each other, do not exceed a capacity of 45,000 litres, and are setback a minimum 15 feet from the High Water Mark and 60 feet from Marine Drive; and
- (ii) conditions (a) and (b) set out above are satisfied.

3. APPLICANT'S PRESENTATION

G. Boyle (Manager of Community Planning) provided a PowerPoint presentation and described the application.

4. PUBLIC HEARING PROCEDURE

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

We are convening this Public Hearing to consider and receive submissions regarding Official Community Plan Bylaw No. 4360, Amendment Bylaw No. 4612, 2009 (Fisherman's Cove Marina).

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

Members of Council may ask questions of you following your presentation but our function tonight is to listen to the views of the public, not to debate the proposed bylaw.

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 Official Community Plan Amendment Bylaw is during the Public Hearing. We are not permitted to receive further submissions once we have closed the Public Hearing.

We have received documents which are available for your review. 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 and to ensure that everyone has an opportunity to be heard here are our rules of procedure:

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 begin 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. Please limit your remarks to 5 minutes (a bell will sound with 15 seconds to go) and to the subject of the proposed bylaw. Please be respectful to others.
4. After everyone has spoken once, you will have an opportunity to speak again if you wish.

If you have any concerns about the rules or the Hearing, please address your comments to me, as the Chair.

5. REPORTS/CORRESPONDENCE

- 1) Reports received up to July 20, 2009:

TITLE	DATE	DATE RECEIVED	NO.
Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4612, 2009 (to exempt the proposed replacement fuel distribution system at Fisherman's Cove Marina from Development Permit Area Designation BF-C9)	July 4, 2009	July 6, 2009	R-1

2) Correspondence received up to July 20, 2009:

TITLE	DATE	DATE RECEIVED	NO.
K. H. Priebe	July 15, 2009	July 20, 2009	C-1
L. Pratt	July 17, 2009	July 20, 2009 – On Table	C-2
N. Baird	July 16, 2009	July 20, 2009 – On Table	C-3
D. Ogden	July 18, 2009	July 20, 2009 – On Table	C-4
S. & J. Sapinsky	July 19, 2009	July 20, 2009 – On Table	C-5
S. Smith	July 20, 2009	July 20, 2009 – On Table	C-6
U. Scheid	July 20, 2009	July 20, 2009 – On Table	C-7
D. Streiff	July 20, 2009	July 20, 2009 – On Table	C-8
B. MacFarlane	July 20, 2009	July 20, 2009 – On Table	C-9
I. Wotton	July 20, 2009	July 20, 2009 – On Table	C-10
N. Dyck	July 20, 2009	July 20, 2009 – On Table	C-11
B. Falkins	July 20, 2009	July 20, 2009 – On Table	C-12
J. Adams	July 20, 2009	July 20, 2009 – On Table	C-13
S. Scott	July 20, 2009	July 20, 2009 – On Table	C-14

S. Scholes (Municipal Clerk) informed that on July 6, 2009 Council set the date for the Public Hearing, the statutory notice of Public Hearing was published in the North Shore News on July 12 and 15, 2009, and noted the written submissions received for the July 20, 2009 Public Hearing.

6. PUBLIC INPUT

Mayor Goldsmith-Jones called for public input.

S. Scott (1130 Fulton Avenue) commented on the application including the necessity for a fuelling facility in Eagle Harbour, spoke in support of the proposed bylaw amendment, and provided a written submission.

B. Falkins (5620 Westport Place) expressed appreciation for bringing forward the proposed bylaw amendment.

P. MacCarthy (5736 Maple Place and Commodore of the West Vancouver Yacht Club) commented on the application and the need for a fuelling facility, and spoke in support of the proposed bylaw amendment.

S. Panz (5746 Avalon Place and Commodore of the Eagle Harbour Yacht Club) commented on the application including the need for a fuelling facility and spoke in support of the proposed bylaw amendment.

M. DePfyffer (Vice President, Thunderbird Marine, 5776 Marine Drive) commented on the application including fuelling issues and fuel dock location and spoke in support of the proposed bylaw amendment.

J. Adams (1365 29th Street) provided a written submission, spoke in opposition to the proposed bylaw amendment and described his concerns including fuel tank location and environmental protection.

Mayor Goldsmith-Jones asked if there was anyone else who wished to speak.

R. Gariok (930 Sherwood Lane and member of the West Vancouver Yacht Club) commented on the application, referred to his experience at another marina in West Vancouver, and spoke in support of the proposed bylaw amendment.

Mayor Goldsmith-Jones queried whether there was anyone further who wished to speak.

M. Cupit (5826 Eagle Island) commented on the application including fuelling and safety issues and spoke in support of the proposed bylaw amendment.

Mayor Goldsmith-Jones queried whether there was anyone further who wished to speak.

B. McArthur (6345 Nelson Avenue) commented regarding an exemption being added to the bylaw regarding a fuelling facility and queried regarding an uplift that would benefit the whole community.

Mayor Goldsmith-Jones queried twice whether there was anyone further who wished to speak.

L. Hughes (2250 Inglewood) spoke in support of the proposed bylaw amendment and commented regarding uplift noting the sailing programs provided for students by the yacht clubs.

Mayor Goldsmith-Jones queried three times whether there was anyone further who wished to speak, and no one responded.

7. CLOSURE OR ADJOURNMENT OF PUBLIC HEARING

MOVED by Soprovich, seconded by Lewis:

THAT all written and verbal submissions regarding Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4612, 2009 up to and including July 20, 2009 be received and that the Public Hearing be closed.

CARRIED

The Public Hearing closed at 7:30 pm.

Certified Correct:

MAYOR

MUNICIPAL CLERK