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**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
REGULAR COUNCIL MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
MONDAY, JUNE 7, 2010**

COUNCIL:

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

STAFF:

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

6:00 PM

CALL TO ORDER OPEN SESSION

1. The meeting was called to order at 6:00 pm.

EXCLUSION OF THE PUBLIC

2. MOVED by Lewis, seconded by Soprovich:

THAT in the public interest, members of the public be excluded from part of the June 7, 2010 regular Council Meeting on the basis of matters to be considered under the following section of the *Community Charter*:

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:
 - (c) labour relations or other employee relations;
 - (g) litigation or potential litigation affecting the municipality;
 - (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.

ADJOURN TO CLOSED SESSION

3. Council then proceeded with the closed session.

Following conclusion of the closed session, and the Reconvened Public Hearing held at 7:00 pm, the following items were considered:

RECONVENE OPEN SESSION

4. At 7:23 pm Mayor Goldsmith-Jones reconvened the open session of the June 7, 2010 regular Council Meeting.

APPROVAL OF AGENDA

5. **Approval of June 7, 2010 Regular Council Meeting Agenda**

MOVED by Lewis, seconded by Panz:

THAT the June 7, 2010 regular Council meeting agenda be amended by:

- withdrawing Item 11 (Proposed Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4648, 2010 regarding HST)
- adding Item 13.1 regarding correspondence to the Other Items section;
- adding to Item 14.1 (DVP Application No. 10-007, 3313 Marine Drive) a report dated June 7, 2010;

AND THAT the agenda be approved as amended.

CARRIED

ADOPTION OF MINUTES

6. No items.

DELEGATIONS

7. **B. McArthur and A. Bardsley, regarding Old Growth Conservancy Society Update** (File: 0120-01)

A PowerPoint presentation was provided and B. McArthur (Old Growth Conservancy Society President) and A. Bardsley (Old Growth Conservancy Society Past President) spoke relative to the Society's mandate, membership, milestones, activities, the Conservancy Crossing Trail, and plans for 2010.

MOVED by Smith, seconded by Soprovich:

THAT Council thank B. McArthur and A. Bardsley for the delegation regarding Old Growth Conservancy Society Update.

Discussion ensued and A. Bardsley responded to queries of Council.

The question was called on the motion.

CARRIED

REPORTS

8. **Development Permit Application No. 09-008 for Area 2 of the Rodgers Creek Area (located north of Chippendale Road and the Chelsea subdivision)**
(File: 1010-20-09-008)

Reports received up to June 7, 2010:

| NAME: | DATE: | FOR COUNCIL CONSIDERATION: |
|--|-------------|----------------------------|
| Development Permit Application No. 09-008 for Area 2 of the Rodgers Creek Area (located north of Chippendale Road and the Chelsea subdivision) | May 7, 2010 | May 17, 2010 |

Written Submissions received up to June 7, 2010:

| NAME: | DATE: | FOR COUNCIL CONSIDERATION: |
|----------------|-------|----------------------------|
| None received. | | |

A PowerPoint presentation was provided and G. Boyle (Manager, Community Planning) spoke relative to the subject report dated May 7, 2010 and responded to queries of Council.

Mayor Goldsmith-Jones informed that there were no names on the Speakers' List and queried if there was anyone wishing to speak. There was no response.

MOVED by Walker, seconded by Lewis:

THAT all written and verbal submissions regarding Development Permit Application No. 09-008 for Area 2 of the Rodgers Creek Area (located north of Chippendale Road and the Chelsea subdivision) up to and including the Council Meeting held on June 7, 2010 be received for information.

CARRIED

MOVED by Walker, seconded by Lewis:

THAT Development Permit Application No. 09-008 for Area 2 of the Rodgers Creek Area (located north of Chippendale Road and the Chelsea subdivision), which provides for site development, subdivision and single family house construction, be approved.

Discussion ensued and G. Boyle responded to queries of Council.

The question was called on the motion.

CARRIED

9. **Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4625, 2010 (Community Greenhouse Gas Reduction Targets and Policies)** (File: 1610-10-4625)

S. Scholes (Municipal Clerk) informed that the Reconvened Public Hearing for the subject bylaw was held and closed earlier this evening, and that Council may consider second and third readings of the proposed bylaw.

MOVED by Panz, seconded by Walker:

THAT Official Community Plan Bylaw No. 4360, 2004 Amendment Bylaw No. 4625, 2010 be revised as set out in Appendix A of the report dated May 28, 2010 regarding Comments at the May 17, 2010 Public Hearing on Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4625, 2010: Community Greenhouse Gas Reduction Targets and Policies.

Discussion ensued.

The question was called on the motion.

CARRIED

MOVED by Panz, seconded by Lewis:

THAT Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4625, 2010, as amended, be read a second time.

CARRIED

MOVED by Panz, seconded by Lewis:

THAT Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4625, 2010, be read a third time.

CARRIED

10. **Official Community Plan Amendment for Housing Pilot Program (Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4643, 2010)** (File: 2515-00/1610-20-4643)

B. Sokol (Director of Planning, Lands and Permits) spoke relative to the subject report dated May 28, 2010 regarding the proposed amendment, and informed of a neighbourhood meeting regarding 6801 and 6803 Hycroft Road scheduled for June 22, 2010 from 4:00 to 9:00 pm at the Gleneagles Clubhouse.

Discussion ensued and B. Sokol and G. Boyle (Manager, Community Planning) responded to queries of Council.

MOVED by Evison, seconded by Walker:

THAT

1. The opportunities for consultation on a proposed Official Community Plan amendment, with persons, organizations and authorities, as outlined in the report from the Manager of Community Planning and Senior Community Planner dated May 27, 2010, be endorsed as sufficient consultation for the purposes of Section 879 of the Local Government Act.

Discussion ensued relative to neighbourhood character and the Housing Pilot Projects and B. Sokol (Director of Planning, Lands and Permits) responded to queries of Council.

The question was called on the motion.

CARRIED

Councillors Lewis, Smith and Soprovich voted in the negative

MOVED by Evison, seconded by Walker:

THAT

2. Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4643, 2010, be introduced and read a first time.

CARRIED

Councillors Lewis, Smith and Soprovich voted in the negative

MOVED by Evison, seconded by Walker:

THAT

3. Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4643, 2010, has been considered in conjunction with the District's most recent financial plan and the regional waste management plan.

CARRIED

Councillors Smith and Soprovich voted in the negative

MOVED by Evison, seconded by Walker:

THAT

4. Official Community Plan Bylaw No. 4360, 2004, Amendment Bylaw No. 4643, 2010 be considered at a Public Hearing to be held on Monday, June 28, 2010 at 7:00 pm in the Municipal Hall Council Chamber.

Discussion ensued.

The question was called on the motion.

CARRIED

Councillor Soprovich voted in the negative

11. **Harmonized Sales Tax (HST) Update Report and Fees and Charges Proposed Bylaw Amendment - Fees and Charges Bylaw No. 4414, 2005, Amendment Bylaw No. 4648, 2010** (File: 1610-20-4648)

Withdrawn.

BYLAWS

12. **Rodgers Creek Area 2 - Road Closure and Removal of Highway Dedication Bylaw No. 4647, 2010 – Opportunity for Public Input**
(File: 0510-05/1610-20-4647)

MOVED by Soprovich, seconded by Walker:

THAT “Rodgers Creek Area 2 - Road Closure and Removal of Highway Dedication Bylaw No. 4647, 2010” be adopted.

Mayor Goldsmith-Jones queried if there was anyone wishing to speak and there was no response.

The question was called on the motion.

CARRIED

OTHER ITEMS

13. At Council's request the following correspondence was brought forward for discussion.

- 13.1 Dogs on the Seawall correspondence (59 letters received, including 3 petitions with a total of 167 signatures)

Discussion ensued and A. Mooi (Director of Parks and Community Services) noted that a staff report regarding dog walking on the seawall was scheduled for the July 5, 2010 regular Council meeting.

Further discussion ensued.

CONSENT AGENDA ITEMS

14. **Consent Agenda Items**

MOVED by Lewis, seconded by Walker:

THAT the recommendations listed within the Consent Agenda as follows be approved and that Item 14.3 be consider separately:

- Item 14.1 – Development Variance Permit Application No. 10-007 (3313 Marine Drive) (to set date for consideration);
- Item 14.2 – Remedial Action Requirements – 6379 Argyle Avenue – Unsafe Structure and Property.

CARRIED

14.1. Development Variance Permit Application No. 10-007 (3313 Marine Drive) (to set date for consideration) (File: 1010-20-10-007)

THAT the Municipal Clerk give notice that Development Variance Permit Application No. 10-007 for 3313 Marine Drive, to vary the Zoning Bylaw to allow construction of a new garage with rooftop deck, will be considered on Monday, June 21, 2010.

14.2. Remedial Action Requirements – 6379 Argyle Avenue – Unsafe Structure and Property (File: 1605-01)

THAT Council considers that the single family dwelling, accessory structures, piles of discarded materials and rodents on the property at 6379 Argyle Avenue, West Vancouver, British Columbia, and legally described as PID: 014-048-787, Lot 17, Block 39, District Lot 430, Plan 2103 (the "Property") which is owned by Daryoush Yousefi and Hamid Reza Moinzadeh (the "Owners") creates an unsafe condition where the structures and property are so dilapidated and unclean as to be offensive and pose a nuisance in the community; and

Council also considers that there is a danger to people adjacent to or visiting the Property, especially children due to the likelihood of harm or personal injury; and

Council therefore resolves that within 15 days of receiving a copy of this resolution, the Owners of the Property are required to:

1. Demolish the single family dwelling, remove the foundation and accessory structures, remove all the discarded materials and separately remove all rodents on the property, and level the property so standing water does not occur;
2. The rodents must be disposed of in a manner acceptable to the Vancouver Coastal Health Department and written verification of such disposal must be provided to the District.

In the event the Owners have not performed all of the Remedial Action Requirements within 15 days after notice of this resolution is delivered to the Owners, the District may, by its own forces or those of a contractor engaged by the District, enter the Property and perform the Remedial Action Requirements.

In the event the District takes the above referenced action the District may recover the expense from the Owner, together with costs and interest, in the same manner as municipal taxes in accordance with sections 17, 258 and 259 of the *Community Charter*.

If a person with notice of this resolution wishes to request reconsideration of these requirements by Council, written notice of this request must be provided to the Municipal Clerk within three (3) business days of that person receiving notice of this resolution.

14.3. Metro Vancouver report regarding The Integrated Liquid Waste and Resource Management Plan Secondary Treatment Timelines (File: 0185-08)

Discussion ensued relative to costs associated with the subject Plan. G. McRadu (Chief Administrative Officer) spoke relative to a Metro Vancouver study on municipal service cost sharing and informed of progress on the initiative.

Further discussion ensued.

MOVED by Lewis, seconded by Panz:

THAT the Metro Vancouver report dated May 11, 2010 regarding The Integrated Liquid Waste and Resource Management Plan Secondary Treatment Timelines be received for information.

CARRIED

REPORTS FROM MAYOR AND COUNCILLORS

15. Oral Reports from Mayor and Councillors

Councillor Smith commented relative to the new waterfront path between John Lawson Park and 15th Street, and reported on attendance at the West Vancouver Community Centre Services Society Meeting on June 2, 2010.

Councillor Soprovich reported on attendance at, and spoke relative to, Community Day on June 5, 2010.

Councillor Evison reported on attendance at, and spoke relative to, Community Day on June 5, 2010.

Mayor Goldsmith-Jones reported on attendance at the Canada Housing and Renewal Association Annual Congress in Quebec on behalf of Metro Vancouver.

Discussion ensued relative to correspondence and the District's website and S. Scholes (Municipal Clerk) responded to queries of Council.

MOVED by Soprovich, seconded by Panz:

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

CARRIED

PUBLIC QUESTIONS AND COMMENTS

16. Public Questions and Comments

C. Reynolds (WestVan Matters Editor) spoke relative to Council correspondence.

B. McArthur (Western Residents' Association) queried relative to information meetings on June 22, 2010, and waste disposal by BC Ferries. B. Sokol (Director of Planning, Lands and Permits) and R. Fung (Director of Engineering and Transportation) responded to queries.

C. Reynolds (WestVan Matters Editor) spoke relative to the Ambleside and Dundarave Ratepayers' Association meeting on June 24, 2010.

ADJOURNMENT

17. Adjournment of June 7, 2010 Council Meeting

MOVED by Smith, seconded by Soprovich:

THAT the June 7, 2010 Council Meeting be adjourned.
(9:13 pm)

CARRIED

Certified Correct:

MAYOR

MUNICIPAL CLERK

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