

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
REGULAR COUNCIL MEETING MINUTES  
MUNICIPAL HALL COUNCIL CHAMBER  
MONDAY, JANUARY 27, 2014**

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**COUNCIL:**

Mayor M. Smith; Councillors M. Booth, C. Cameron, N. Gambioli, M. Lewis, T. Panz and W. Soprovich.

**STAFF:**

N. Leemhuis, Chief Administrative Officer; B. Leigh, Deputy Chief Administrative Officer; S. Scholes, Municipal Clerk; R. Fung, Director, Engineering and Transportation; M. Koke, Chief Financial Officer; A. Mooi, Director, Parks and Community Services; B. Sokol, Director, Planning, Land Development and Permits; and M. Panneton, Deputy Clerk.

**CALL TO ORDER**

1. The meeting was called to order at 7:06 p.m.

Mayor Smith informed of Council members' attendance at the memorial service on January 25, 2014 held for Tim Jones, Team Leader for North Shore Rescue: *Council members attended the memorial service for Tim Jones on Saturday, held at the Centennial Theatre in North Vancouver. Tim's remarkable life and outstanding leadership with North Shore Rescue was remembered by many, and moving tributes were given by his son and daughter and by friends and those who had worked with him as a paramedic and with North Shore Rescue. Thousands attended the service and lined the streets to pay their respects to Tim. Tim leaves a legacy of leadership and volunteerism with North Shore Rescue. I'm told that he led over 1000 rescues and that he would respond at any time, day or night, to a call. His dedication and leadership was inspirational. He will be remembered. Council extends their deepest sympathy to Tim's family, friends and colleagues.*

Mayor Smith acknowledged and thanked Dorit Mason (Director, North Shore Emergency Management Office) for their efforts in the remarkable expression of community respect for Tim Jones.

## **APPROVAL OF AGENDA**

### **2. Approval of January 27, 2014 Regular Council Meeting Agenda**

MOVED by Lewis, seconded by Panz:

THAT the January 27, 2014 regular Council meeting agenda be amended by:

- adding to Item 3 the January 13, 2014 special and regular Council meeting minutes;
- adding to Item 8 a report regarding proposed “5 Year Financial Plan Bylaw No. 4780, 2014”;
- adding Item 9.1 regarding National Energy Board Hearing Process for the Trans Mountain Expansion Project;
- adding Item 9.2 regarding BC Binning House (2968 Mathers Crescent);
- adding to Item 11 correspondence items 11.1, 11.2, 11.3 and 11.4;

AND THAT the agenda be approved as amended.

**CARRIED**

## **ADOPTION OF MINUTES**

### **3. Adoption of Council Meeting Minutes**

MOVED by Cameron, seconded by Panz:

THAT the following Minutes be adopted as circulated:

- January 13, 2014 special and regular Council meetings.

**CARRIED**

## **DELEGATIONS**

### **4. J. Barker, West Vancouver Streamkeeper Society and West Vancouver Secondary School Students' Environmental Protection Network regarding Findings of Spawner Salmon Surveys (File: 0055-20-WVST1)**

J. Barker (2360 Nelson Avenue, President, West Vancouver Streamkeeper Society) introduced M. Kim (2555 Skilift Road, Co-Chair, West Vancouver Secondary School Environmental Protection Network) and E. Wei (1885 Palmerston Avenue, Statistician for the Spawner Salmon Surveys) and spoke relative to the spawner salmon surveys, including the work of the Streamkeeper Society and the participation of the West Vancouver Secondary School students. A presentation was provided and E. Wei described results of the spawner salmon surveys. M. Kim described the students' perspective of participation in the spawner salmon surveys. J. Barker, M. Kim and E. Wei responded to queries of Council.

Mayor Smith announced that Council has accepted the submission from Streamkeepers to lead a group of five community groups to form the West Vancouver Nature House subject to the presentation of a successful business plan to Council.

MOVED by Booth, seconded by Gambioli:

THAT the delegation from John Barker, West Vancouver Streamkeeper Society and the West Vancouver Secondary School Students' Environmental Protection Network regarding findings of spawner salmon surveys be received for information, and with many thanks for also engaging students in this multi-generational initiative that is doing so much good for our community.

**CARRIED**

## **REPORTS**

### **5. Reports from Mayor and Councillors on Boards, Committees, and Working Groups**

Councillor Lewis reported on attendance at the West Vancouver Memorial Library's literacy week celebrations, queried relative to the medicinal grow-op in the 4600 block near Caulfeild police raid, including licensing requirements, and B. Sokol (Director, Planning, Land Development and Permits) informed that the issue is multi-departmental and that staff would provide information to Council.

Councillor Soprovich reported on attendance at a session on Community Day planning, and attendance at Tim Jones' memorial service, commented regarding Tim's life and compassion for helping others, and that Tim will be always remembered for the good that he did in his life.

Councillor Panz reported on attendance at the Howe Sound Community Forum, and attendance at Tim Jones' memorial service, and commented regarding Tim's life and his passion for saving lives and for public service.

Councillor Gambioli reported on attendance at a West Vancouver Chamber of Commerce meeting, informed that she and Councillor Cameron are the new Council liaisons for the Chamber of Commerce, and that she is the new Council liaison for the Seniors' Activity Centre Advisory Board, and reported on attendance at the West Vancouver Memorial Library's literacy week celebrations.

Councillor Cameron reported on attendance at Tim Jones' memorial service and commented regarding North Shore Rescue setting up a legacy fund and memorializing Tim by naming something on the North Shore after him, and the upcoming A Conversation with the Mayor event scheduled for January 30, 2014 at Caffè Al Mercato.

Mayor Smith reported on attendance at a meeting with the other North Shore mayors, the four provincial Members of Legislative Assembly and Metro Vancouver regarding provincial support for the proposed North Shore Lions Gate Secondary Wastewater Treatment Plant.

MOVED by Panz, seconded by Soprovich:

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

**CARRIED**

**6. West Vancouver Community Centres Society regarding Year-End Report**  
(File: 0055-20-WVCCS)

A PowerPoint presentation was provided and J. Ketchum (Chair, West Vancouver Community Centres Society) introduced L. Komori (Executive Director, West Vancouver Community Centres Society) and spoke relative to the West Vancouver Community Centres Society year-end report, including: one million-plus visitors annually, three pillars of strategic plan, community engagement, 2013 PumpkinFest and Christmas tree lighting, operational excellence, resource development, programs offered, enhancing equipment and programs, thanked Council for their support, and responded to queries of Council.

Mayor Smith informed that any resident is welcome to join the Society, and every Society member is welcome to attend the Society's annual general meeting.

MOVED by Gambioli, seconded by Cameron:

THAT the West Vancouver Community Centres Society year-end report be received for information, with thanks.

**CARRIED**

**7. Appeal of Director's Denial of Environmental Development Permit No. 13-050 (1384 Burnside Road)** (File: 1010-20-13-050)

A PowerPoint presentation was provided and B. Sokol (Director, Planning, Land Development and Permits) spoke relative to the subject report dated January 8, 2014 and described the recommendation, context plan, timeline and site plan.

J. Ryckman (1384 Burnside Road) spoke relative to, and appealed the Director's denial of the environmental development permit, including: the driveway is very dangerous and steep; falls on the driveway and injuries have occurred; providing safe access to the home; and location and construction of the stairs. J. Ryckman requested Council's consideration to find a solution while he continues to work with staff to resolve this issue.

J. Reeves (1384 Burnside Road) spoke relative to, and appealed the Director's denial of environmental development permit, including: personal safety issues; circumstances resulting from the steep driveway; finding safe access to their home; and circumstances leading to construction of the stairs. J. Reeves requested that Council consider finding solutions that will accommodate the needs of the municipality as well as provide safe access to their home.

B. Sokol responded to queries of Council.

MOVED by Soprovich, seconded by Lewis:

THAT

1. The Director's denial of Environmental Development Permit No. 13-050 (1384 Burnside Road) for a covered walkway within 15 metres of the top of watercourse bank be confirmed;
2. Staff be directed to work with the owner to identify and evaluate alternative stairway locations; and
3. Retention of the existing non-conforming stairway pending completion of the alternative evaluation and construction of a new stairway, but to no later than September 30, 2014 be allowed.

B. Sokol responded to queries of Council.

MOVED by Cameron, seconded by Booth:

THAT the third part of the motion be amended to: "Retention of the existing non-conforming stairway pending completion of the alternative evaluation and construction of a new stairway, but to no later than September 30, 2015 be allowed."

Discussion ensued.

The question was called on the motion.

**DEFEATED**

**Mayor Smith and Councillors Gambioli, Lewis, Panz and Soprovich  
voted in the negative**

Discussion ensued.

The question was called on the main motion.

**CARRIED**

**8. Proposed 5 Year Financial Plan Bylaw No. 4780, 2014 (File: 1610-20-4780)**

M. Koke (Chief Financial Officer) spoke relative to the subject report dated January 14, 2014, including the 2014 budget process, public consultation and open houses, and challenges affecting the 2014 budget. M. Koke and N. Leemhuis (Chief Administrative Officer) responded to queries of Council.

MOVED by Lewis, seconded by Soprovich:

THAT proposed "5 Year Financial Plan Bylaw 4780, 2014" be read a first time.

N. Leemhuis responded to queries of Council.

The question was called on the motion.

**CARRIED**

**9. Official Community Plan Amendment, Rezoning and Development Permit Application No. 12-084 for 825 Taylor Way and 707 Keith Road (Maison Seniors' Living) (File: 1010-20-12-084)**

B. Sokol (Director, Planning, Land Development and Permits) emphasized that the action requested of Council tonight is not a decision to approve or deny the subject application for this development and spoke relative to the bylaw consideration process.

A PowerPoint presentation was provided and L. Berg (Senior Community Planner) spoke relative to the subject report dated January 8, 2014, including the application, purpose, location, site plan, consultation process, Design Review Committee review, community consultation meeting, and suitability for further consideration.

D. Milliken (Applicant and Owner, Milliken Development Corporation) introduced R. Poon (Norr Architects). A PowerPoint presentation was provided and R. Poon described the proposed development and responses to feedback from the Design Review Committee, including site location, size and geography, increased outdoor amenity space, outdoor lighting, window composition, construction materials, design, architecture, tree retention plan and covenant, and landscape plan.

D. Milliken spoke relative to the proposed development, including much needed and high quality assisted living and memory care community, community support, any site would require rezoning and believes that this site is highly suitable, voluntarily reduced or eliminated impact on neighbours, and referenced comments made by Design Review Committee members. A short video of the Calgary Maison assisted living and memory care community was shown.

L. Berg, B. Sokol, and R. Poon responded to queries of Council.

C. Coles (846 Anderson Crescent) spoke in opposition to the proposed development including: it is too big and a bad location; against density increase; requested that Council reject the proposal; and submitted a copy of her remarks.

M. Slater (1058 Keith Road) spoke in opposition to the proposed development including: increasing number of development driven requests for Official Community Plan changes; residents fed up with relentless demands for zoning changes; the December 5 open house; public involvement policy; public engagement is not adequate; and submitted a copy of her remarks.

S. Slater (1730 Duchess Avenue) spoke in opposition to the proposed development including: residents' concerns for neighbourhood character; residents objection to policies that allow spot zoning and encourage developers to request variances rather than developing within existing parameters; work with residents to repair process flaws; surveys and comment cards which do not require names and addresses; and submitted a copy of her remarks.

A. Franks (736 Eden Place) spoke in opposition to the proposed development including: this development is huge, intrusive in a single family residential neighbourhood, precedent setting; comprehensive development zones, Official

Community Plan rezoning criteria is clear there needs to be minimal impact on surrounding neighbourhood; no precedent for high density development in single family residential neighbourhoods; urged Council not to destroy the fundamentals of the community; and submitted a copy of his remarks.

At 9:54 p.m. it was:

MOVED by Lewis, seconded by Soprovich:

THAT the meeting be extended to the conclusion of the current agenda item.

**CARRIED UNANIMOUSLY**

R. Loat (780 Eden Place) informed that he was a Preserve Sentinel Hill member and spoke in opposition to the proposed development, including: the development process; policy for public involvement; rejects advancing the application; defining the character of our neighbourhood; the open house on December 5; surveys and comment sheets can't tell Council whether the comments are from a designated area; encouraged Council to vote against the advancement of this proposal; and submitted a copy of his remarks.

M. Pirani (1145 Ottaburn Road) spoke on behalf of H. and Z. Pirani (745 Eden Place) in opposition to the proposed development, including: amendment to the Official Community Plan; rezoning and development permit should be separately considered; the development will change the area character; reduction in property value; no traffic study done by the developer and no statistical review to show whether there is support from the entire community.

W. Eggleton (840 Leyland Street) spoke in opposition to the proposed development including: the Maison development would be precedent setting and no established precedent for a high density facility close to single family homes; financial implications; neighbourhood should have a strong voice in the process; and spot zoning for large scale commercial development not appropriate for the site.

G. Deng (724 Eden Place) spoke in opposition to the proposed development including: wrong location; my house and neighbours' properties will lose value; trying to defend and protect my property; urged Council to be fair to other people; and submitted a copy of his remarks.

M. Payette-Falls (770 Eden Place) spoke on behalf of J. Franks (736 Eden Place) in opposition to the proposed development including: Maison is not in line with best practices in seniors' facility development; the Alta study; cost and location of Maison; queried whether the Planning department or Design Review Committee used best practices to appraise the proposal; urged Council not to proceed with the application; and submitted a copy of her remarks.

M. Payette-Falls (770 Eden Place) spoke in opposition to the proposed development including: developer is supporting idea of mass housing seniors; queried if the Planning department or Design Review Committee looked into what are best practices for the facility; larger institutions like Masion are not considered best practice; Maison is an institutional facility; this proposal should be rejected; and submitted a copy of her remarks.

S. Heynemans (5347 Kensington Crescent) spoke in opposition to the proposed development including: wrong location; amenities; people do not want to be warehoused when they are elderly; and negative and costly impact for the residents.

T. Hubbard (#3-234 West 17th Street, North Vancouver, and Chair, North Vancouver Kiwanis Housing) spoke in support of the proposed development including: works with seniors every day and aware of seniors' needs for this type of facility; convenient location and close to amenities; and community support.

Mayor Smith left the meeting at 10:21 p.m. and Councillor Soprovich assumed the Chair as Acting Mayor. Mayor Smith returned to the meeting at 10:22 p.m. and assumed the Chair.

M. Coleman (5138 Pitcairn Place) spoke in support of the proposed development including: rendering of what can be done in a challenging site; demographics are showing that Alzheimer's and dementia are increasing; fantastic location and much needed asset; and needs of the greater community.

K. Coleman (5138 Pitcairn Place) spoke in support of the proposed development including: care facility not independent living; beautiful site; would enhance the area; affordability and cost of in-home care; and urgent need for the facility.

K. Pople (1215 Keith Road) spoke in opposition to the proposed development including: quality of life for residents in the adjacent properties; the development sets a precedent and should be constructed in an appropriate area not in a residential area; traffic; majority are opposed to this project; bylaw drafting and consideration process; and urged Council to make a decision on this project and drop it.

C. Reynolds (Editor, West Van Matters) spoke relative to the proposed development including: need for seniors' residences; inventory of suitable sites for seniors' residences; the process for the developer and the neighbours; and encourage developers to go to sites that are already zoned for seniors.

C. Loat (780 Eden Place) spoke on behalf of P. Schaeffer (Esquimalt Avenue) in opposition to the proposed development including: open house held in the Seniors' Centre; Planning department accepting comment sheets without name, address, or signature; no means of determining whether broad support from the community; massive negative impact; and queried regarding defining neighbourhood character.

C. Loat (780 Eden Place) spoke in opposition to the proposed development including: a statement of neighbourhood character for Sentinel Hill has been written by homeowners; overwhelming support for maintaining the zoning of Sentinel Hill as single family; against spot zoning and density increases; displayed a map showing overwhelming majority of properties are against the development; urged Council to reject the proposed development; and submitted a copy of his remarks.

Councillor Lewis left the meeting at 10:40 p.m. and returned to the meeting at 10:42 p.m.



P. Falls (770 Eden Place) spoke on behalf of G. Del Vicario (890 8th Street) in opposition to the proposed development including: strong support for keeping the area zoned single family and preserving the neighbourhood character; the majority are against this development and no broad community support; unprecedented spot zoning; and the District's lack of a strategic plan.

Councillor Soprovich left the meeting at 10:49 p.m. and returned to the meeting at 10:51 p.m.

P. Falls (770 Eden Place) spoke in opposition to the proposed development including: willing to work on a volunteer committee on a strategic plan, not ad hoc redevelopments; developer has basically no support; public input process; the facts support preserving single family homes; against spot zoning and this development; property appraisals; asked Council to reject the application; showed analysis of comments in favour and against the proposed development and percentage of comments that included addresses; and submitted a copy of his remarks.

M. Payette-Falls (770 Eden Place) spoke on behalf of E. Del Vicario (890 8th Street) and read comments in opposition to the proposed development from: S. and C. Heynemans (5347 Kensington Crescent); E. Rooney and I. Fraser (941 Esquimalt Avenue); P. Sandhu and E. Hanson (1341 Inglewood Avenue); J. and C. Gould (2658 Nelson Avenue); S. Ferros (1095 Esquimalt Avenue); J. Webb (821 Braeside Street); E. and G. Hart (1058 Fulton Avenue); J. and K. Chesko (681 Kenwood Road); T. Greenwood and J. Kaberry (950 Esquimalt Avenue); and L. and S. Kottmeier (1570 Dovercourt Road, North Vancouver); and submitted a copy of her remarks.

P. Ducommun (874 8th Street) read comments in opposition to the proposed development from: P. McGee (401-1766 Duchess Avenue); J. Komlos (1730 Rosebery Avenue); D. and D. Wort (34-590 17th Street); R. Wyckham (102-1896 Marine Drive); M., K. and D. Skilling (1493 Gordon Avenue); H. and J. Purewal (1350 Palmerston Avenue); B. Nelson (1010 Leyland Street); and P. Shannon (1276-22nd Street) and submitted a copy of her remarks.

E. van Vliet (760 Eden Place) informed that she was a Preserve Sentinel Hill member, spoke in opposition to the proposed development, and read comments in opposition to the proposed development from: B. Jung (1448 Lawson Avenue); A. and J. Higa (974 Esquimalt Avenue); B. and B. Chaworth-Musters (408 Inglewood Avenue); D. and C. Hart (684 Esquimalt Avenue); U. and O. Steves, (1160 Jefferson Avenue); P. and R. Mueller (755 Anderson Crescent); H. Schultz (1951 Kings Avenue); D. Coling and D. Wozny (642 Keith Road); and J. Dennison (1276 22nd Street); and submitted a copy of her remarks.

V. Loat (780 Eden Place) informed that she was a Preserve Sentinel Hill member and spoke in opposition to the proposed development including: existing rules and the Official Community Plan requirements; this application should have been turned down, it does not fall within the Official Community Plan; and fair and just process.

MOVED by Cameron, seconded by Booth:

THAT

1. Official Community Plan Amendment, Rezoning and Development Permit application No.12-084 for 825 Taylor Way and 707 Keith Road known as the Maison Seniors' Living project advance in the application review process;
2. Staff bring forward proposed bylaws to amend the Official Community Plan and Zoning Bylaws, and a proposed Development Permit for 825 Taylor Way and 707 Keith Road for Council consideration; and
3. Staff bring forward draft covenants for window blind operations and tree protection as part of the development package.

Discussion ensued and B. Sokol responded to queries of Council.

The question was called on the motion.

In response to a Councillor's request, a poll with respect to voting on the motion was held:

Councillor Lewis	YEA
Councillor Booth	YEA
Councillor Soprovich	NAY
Mayor Smith	YEA
Councillor Panz	YEA
Councillor Cameron	YEA
Councillor Gambioli	YEA

**CARRIED**

**Councillor Soprovich voted in the negative**

The following agenda items were not considered:

## **REPORTS**

- 9.1 National Energy Board Hearing Process for the Trans Mountain Expansion Project
- 9.2 BC Binning House (2968 Mathers Crescent)

## **CONSENT AGENDA ITEMS**

- 10.1. Status of Community Dialogue Implementation
- 10.2. Public Safety Building – Project Status Report for November, 2013
- 10.3. Appointments to Awards Committee

#### 10.4. Correspondence List

#### **OTHER ITEMS**

- 11.1 District of North Vancouver, January 7, 2014, regarding “Provincial Core Review and the Agricultural Land Commission”
- 11.2 Director of Engineering and Transportation, January 17, 2014, response to N. Lalji, “Garbage collection – West Vancouver”
- 11.3 City of Vancouver, January 17, 2014, regarding Olympic and Paralympic Pride House Initiative (Request for Support and Endorsement of the Host City Pride House mission)
- 11.4 North Shore Professional Dogwalkers Alliance, January 15, 2014, regarding “Request from the North Shore Professional Dogwalkers Alliance” (Increases to Dog Walking Company Fees)

#### **PUBLIC QUESTIONS AND COMMENTS**

- 12. Public Questions and Comments

#### **ADJOURNMENT**

#### **13. Adjournment of January 27, 2014 Council Meeting**

MOVED by Lewis, seconded by Panz:

THAT the January 27, 2014 Council meeting be adjourned.  
(11:31 p.m.)

**CARRIED**

Certified Correct:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL CLERK