

Minutes of a City Council
Meeting held in the City of
White Rock Council Chambers
June 11, 2007

PRESENT: Mayor Forster
Councillor Anderson
Councillor Coleridge
Councillor Ferguson
Councillor McLean
Councillor Peddemors
Councillor Todd

STAFF: P. Clark, City Manager
T. Penney, Director, Corporate Services
R. Clarkson, Director, Leisure Services
S. Richardson, Director, Development Services
N. Horn, Planner, Development Services

The Mayor presided and called the meeting to order at 7:10 P.M.

Prior to the regular order of business, the Mayor introduced three German university students who will be participating in a public administration internship with the City of White Rock over the summer.

2007-246 Agenda

1. AGENDA APPROVAL

RESOLVED THAT the Agenda for The Corporation of the City of White Rock Council Meeting scheduled for June 11, 2007 be amended to add Item 8.1 (Beer Garden Liquor License);

AND THAT the agenda be adopted as amended.

M/S/C

2. PUBLIC MEETING

2.1 DEVELOPMENT VARIANCE PERMIT NO. 281 – 14607 MARINE DRIVE – The Mayor introduced the variance permit and read the following permit description:

The purpose of this permit is to allow for an exterior side yard (Bay Street) setback of 1.5m (4.92 ft) to accommodate a proposed single family dwelling at 14607 Marine Drive.

Correspondence/Submissions:

The Director, Corporate Services reported that there were no items.

The Director, Development Services provided an outline of the requested variance. The Mayor called three times for speakers, and hearing none, she declared the public meeting for DVP No. 281 closed at 7:15 PM.

2007-247 DVP 281

RESOLVED THAT staff be authorized to issue Development Variance Permit No. 281.

M/S/C

2.2 DEVELOPMENT PERMIT NO. 282 – 1122 VIDAL STREET
The Mayor introduced the permit and read the following permit description:

The purpose of this permit is to allow for review of the form and character of a proposed four (4) storey mixed-use development consisting of six (6) residential units and 229m² (2,465 ft²) of commercial space at 1122 Vidal Street. This permit also allows a maximum permitted height of 12.42m (40,75ft), six (6) residential parking spaces and three (3) commercial parking spaces.

Correspondence/Submissions:

The Director, Corporate Services reported that there were no items.

The Director, Development Services provided an outline of the requested permit. The Mayor then called for speakers from the public.

SPEAKERS' LIST:

The record notes that every effort has been made to verify the correct spelling and addresses of the speakers; however, we apologize if any person's name or address has been incorrectly recorded.

(a) Richard Main – 14967 Victoria (owner)

Mr. Main read a letter addressed to Director of Development Services, dated Feb 8, 2007, that expressed concern that DP 282 is not in keeping with the intent of the zoning of CS1. He referenced the nearby "Boathouse" development which was approved in the early 1990s and he emphasized that the Council at that time promised that future CS1 zoning would not exceed a height of 35 feet. To indicate that the promise is a matter of public record, he also referenced a meeting that took place at that time with City officials. He indicated that he was informed that the height at the "Iron Works" property located at 1122 Vidal was 34 feet and the elevator shaft at the "Boathouse" property was over-height, but nothing would go over-height on adjacent properties again. He noted that the proposed development at 1122 Vidal is 5 feet above the height allowable under the CS1. He urged Council to adhere to

the City's previous promise and not approve this development permit.

(b) Barbara-Ann Beail – 14971 Victoria Avenue

Ms. Beail noted her concern with both height and the perceived disregard of the present bylaw should that height be allowed. She referenced the situation of 17 years ago with the "Boathouse" property and that the properties owners at that time were told they would not need to come back to City Council regarding additional height in this vicinity again. She urged City Council to adhere to the City's previous promise and to deny the development permit.

(c) Allan Campbell – 1156 Vidal Street

Mr. Campbell noted that his property is directly behind the subject property. He also indicated that when the "Boathouse" property was being developed 17 years ago, the neighbourhood was told by City Hall that that experience would not be repeated and that this was assured during meetings and correspondence. He noted that the CS1 zone seems to be unique in that it relates to properties with parking areas in the building. He further noted that the owner bought the building in 1992 and knew the limitations then, and therefore he should now be making a proposal within those limitations and not requesting an additional 5 feet or more. He further noted that the additional 5 feet or more will mean that the height will be extended even further when other height exemptions are added (such as stairwells, elevator shafts, etc). He emphasized that Council should not, under any circumstances, approve more than the current bylaw allows, and that this should not be a hardship for the applicant. He also noted that while the "open for business" attitude of City Hall is a good thing, it ought not to be done at any cost. He finally reiterated that the property owner should be content to build under the regulations that existed when they purchased the property and if they are unable to add a 4th floor within the zoning limits, then they should not attempt to do it.

(d) Pierre Jaurelenais – 1119 Vidal Street

Mr. Jaurelenais noted that he owns a condo adjacent to the subject property and that he attended the previous presentation on the proposal. He expressed concern with the presentation's comparison of the current proposal with the "Boathouse" property because the latter was not in conformity with height restrictions but was nonetheless granted a variance by the Council of the day and built. He noted that if the proposal becomes a reality, it will negatively impact his view and not allow him to see the sky and the sun. He also indicated that if Council approves this permit it will set a negative precedent.

(e) Rose Badovinsky – 14946 Buena Vista Avenue

Ms. Badovinsky indicated that the proposal will negatively impact her existing view. She also expressed concern that she did not receive a written notice of the proposal and indicated that not enough people are informed about these proposals. She referenced the "Boathouse" development and indicated that that was not a fair decision. She also noted that she just recently received her tax notice and there are significant increases and yet the quality of her property (the view) would be negatively impacted by this proposal should it be approved. She expressed concern that acceptance of the permit will set a bad precedent and therefore the City Council should uphold its present zoning regulations and not weaken them by making exceptions. She concluded that she is troubled that such a proposal would "get this far".

(f) Perry Serron – 14934 Beachview

Mr. Serron noted that his property is directly behind the site and two lots up. He is directly impacted in a negative way and this concerns him because he bought his property primarily for the view. He commented that taxes are increasing, yet as a resident taxpayer he believes he is paying more yet getting less. He expressed that he is totally against the approval of the permit.

(g) Pierre Jaurelenais – 1119 Vidal Street

Mr. Jaurelenais asked why the speed limit is not 30 kilometres per hour on the hills of Victoria Avenue due to the slope and straight-way Victoria Avenue presents. He noted this would make it similar to places like Marine

Drive and Oxford hill and would be in keeping with those areas of the city.

(h) Bob Yearsley – 14955 Victoria Avenue

Mr. Yearsley indicated that the proposal is a “nice” one but that it is too high, especially when one takes into account items such as stairwells and elevator shafts that are exempt from the approved height restrictions. He indicated that 40 feet could actually mean 53 feet when these other items are taken into consideration. This could affect the view of his commercial property as well as other City properties that are adjacent. He questioned the Floor Space Ratio and the Director of Development Services indicated that it is between 3 and 4 and also advised that it is a 4-storey proposal covering the majority of the site.

(i) J. Hutchinson – 14954 Beachview Avenue

Mr. Hutchinson indicated that his family has been a part of White Rock and this neighbourhood since 1936. He was opposed to using the “Boathouse” property as a precedent for this property proposal, his concern being that the “Boathouse” property was not conforming to the existing bylaw of the day nor today’s bylaw. He noted that the proposed project will negatively impact his view and while he supports development he expressed his opinion that the beach area has no room for this type of height variance. He urged City Council to deny the proposed permit.

(j) Paul Rust – Architect for the proposal

Mr. Rust indicated that this proposal is not in the same category as the “Boathouse” property. He noted that the proposal is 40 feet above the natural grade and he showed an elevation-type rendering of the building. He said that the proposal was essentially the same height as the “Boathouse” property with additional height for the elevator. He further suggested that the proposal does not block any views due to the fact that the properties behind the proposal property have a higher elevation. He noted that the proposal will remove an old building and the associated ugly hydro poles and he further noted that due to site conditions, a very expensive parking system is a part of the proposal. He acknowledged that the CS1 is an odd zone with a 35 foot height limitation; however, in order to

make the project a viable one, it must have 4 floors. He concluded that this proposal is a finely crafted building of high-quality materials equal to any penthouse suite in the Town Centre development. Transparent glass will comprise all walls, with one exception of the wall adjacent to the neighbouring property. This building will provide a significant architectural contribution to this corner property and improve site lines and access to the beach.

(k) Allan Campbell – 1156 Vidal Street

Mr. Campbell noted that the architectural character of the building seems to be of good quality, but that it should be designed within the regulations of the zoning bylaw height restrictions. The exemptions to height restrictions, such as the stair wells, elevator shafts, etc, could mean this building would be actually higher than the “Boathouse” property and that this is unacceptable. Again he urged City Council to not allow the permit.

(l) J. Hutchinson – 14954 Beachview Avenue

Mr. Hutchinson reiterated that his view will be negatively impacted by the proposal and that the difference between the proposal being 3 storeys (as per the bylaw) as opposed to 4 storeys as per the variance makes a huge difference to his view. He indicated that presently he can look over the current building to see the beach and the view. He does not believe this would be the case if the permit is approved and urged City Council to not approve the permit.

(m) Rose Badovinsky – 14946 Buena Vista Avenue

Ms. Badovinsky indicated that she can currently see the trees and water from her property and wants to retain that. The difference of 40 feet or 53 feet as brought forward by previous speakers is concerning. The proposal with the inclusion of 9 feet ceilings sound fine but it should be built where the zoning allows for it. The existing regulations should not be disregarded because the developers want to make more money.

The Mayor called three times for more speakers, hearing none the public meeting for Development Permit 282 was closed at 7:55 P.M.

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Council then had a lengthy discussion in which they commented individually on the proposal, and subsequently adopted the motion below. During this discussion, Councillor Ferguson left the meeting at 8:02 P.M. and returned at 8:05 P.M.

2007-248 DP 282

RESOLVED THAT staff not be authorized to issue Development Permit No. 282.

M/S/C

2007-249 Minutes

3. PREVIOUS MINUTES

RESOLVED THAT the Minutes of the Regular Meeting of Council held May 28, 2007 be adopted as circulated.

M/S/C

4. DELEGATIONS, PETITIONS AND PRESENTATIONS

4.1 Sherry Baker and June Barends of the Joint Family Court Committee reported on the Committee's accomplishments in 2006 and goals for 2007.

2007-250 JFCC Delegation

RESOLVED THAT the delegation be received with thanks.

M/S/C

5. COMMITTEE MINUTES

2007-251 Committee Minutes

RESOLVED THAT the Minutes of the Economic Committee dated May 17, 2007; Environment Committee dated May 29, 2007; Governance Practices Committee dated May 7, 2007; Joint Family Court Committee dated May 1, 2007; and Transportation & Safety Committee dated May 14, 2007 all be received as circulated.

M/S/C

6. COMMITTEE RECOMMENDATIONS

None presented.

7. UNFINISHED BUSINESS

None presented.

8. NEW BUSINESS

8.1 BEER GARDEN LIQUOR LICENSE

On-table report from Director, Leisure Services titled *Beer Garden/Public Function Liquor License – Firefighters' Charity Association* dated June 11, 2007.

2007-252 Firefighters Charity

RESOLVED THAT the report titled *Beer Garden/Public Function Liquor License – Firefighters' Charity Association* be received;

AND THAT the request for a Beer Garden/Public Function Liquor License for the White Rock Firefighters' Charity Association's 8th Annual Co-Ed Volleyball Tournament on Saturday, June 23 be approved.

M/S/C

9. MOTIONS OF WHICH NOTICE GIVEN AT PREVIOUS MEETINGS

None presented.

10. NOTICE OF MOTIONS FOR SUBSEQUENT MEETING

None presented.

11. COMMUNICATIONS

None presented.

12. REPORTS

12.1 MAYOR'S REPORT

The Mayor provided a report on her activities during the past week.

12.2 PROCLAMATIONS

12.2.1 SCLERODERMA AWARENESS MONTH

The Mayor declared that June 2007 be proclaimed *Scleroderma Awareness Month* in the City of White Rock.

12.2.2 ELDER ABUSE AWARENESS DAY

The Mayor declared that June 15, 2007 be proclaimed *Elder Abuse Awareness Day* in the City of White Rock.

12.2.3 AMYOTROPHIC LATERAL SCLEROSIS (ALS) MONTH

The Mayor declared that June, 2007 be proclaimed *Amyotrophic Lateral Sclerosis (ALS) Month* in the City of White Rock.

12.3 COUNCILLORS' REPORTS

Three Councillors reported on their activities since the last meeting.

13. BYLAWS

None presented.

14. CLOSURE

The Mayor declared the meeting closed at 8:40 P.M.

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Mayor Judy Forster

Tina Penney, Director, Corporate Services