REPORT of the **Public Hearing** held in the Council Chamber of the District Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, November 20, 2007 commencing at 6:06 p.m.

**PRESENT:**

**Acting Mayor:** Robin Hicks

**Councillors:** Doug MacKay-Dunn, Lisa Muri, Alan Nixon

**Absent:** Mayor Walton
Councillor Janice Harris

**Staff:**
- Mr. D. Back, Acting Chief Administrative Officer
- Ms. A. Hilsen, Municipal Clerk
- Mr. B. Dwyer, Manager – Development Services
- Ms. J. Paton, Section Manager – Development Planning
- Mr. K. Volk, Section Manager – Transportation (7:00pm)
- Ms. A. Bains, Acting Deputy Municipal Clerk
- Ms. L. Hoeberchts, Council Clerk

**BYLAW 7645**

**District of North Vancouver Zoning Bylaw 1965, Rezoning Bylaw 1223**

**Applicant:** The Corporation of the District of North Vancouver

**Subject Land:**

1. Rezoning of the Capilano Suspension Bridge property legally described as Lot N, Except Part in Plan 14817, Block 25 District Lots 601 and 607 Plan 13563 PID 007-019-823 (3735 Capilano Road), and

2. Text Amendment that affects all other properties in the District of North Vancouver which are zoned C5, legally described as follows:
   - (a)(1) Lot 8 District Lot 881 Plan 3744 PID 012-236-276 (DNV Owned Lot in Northern Unopened Portion of St Georges Avenue)
   - (a)(2) Lot 7 District Lot 881 Plan 3744 PID 012-236-268 (DNV Owned Lot in Northern Unopened Portion of St Georges Avenue)
   - (b) Lot H Block 15 District Lot 764 Explanatory Plan LMP11271 PID 018-349-269 (2035 Fullerton Avenue)
   - (c) Lot A of Lot N Block 25 District Lot 607 Plan 14817 PID 007-742-011 (Metro Vancouver Owned Lot Immediately West of Capilano Suspension Bridge)

**Proposed Amendment:**

1. Rezoning Capilano Suspension Bridge (3735 Capilano Road PID 007-019-823 legally described under “Rezoning” in “Subject Lands” above) from C5 to C5A:
   - Part 6 Commercial Zones insert a new zone “Entertainment and Outdoor Tourist Attraction Commercial Zone 5A (C5A) with associated uses and regulations;
   - Amend the zoning map to rezone 3735 Capilano Road from C5 to the new C5A Zone
   - Part 10 Parking is amended by adding new parking regulations for outdoor tourist attraction use at 3735 Capilano Road.

2. Text Amendments to:
   - Part 2 Interpretation to remove outdoor tourist attractions from those lots zoned C5 (other than 3735 Capilano Road - see “Text Amendment” list in “Subject Lands” above);
   - Part 2 interpretation to add a new definition for “outdoor tourist attraction” which will be a listed permitted principal use in the new C5A Zone.
REPORT of Public Hearing held in the Council Chamber of the
District Municipal Hall on Tuesday, November 20, 2007 at 6:33 pm:
Entertainment and Outdoor Tourist Attraction
Commercial Zone (C5A) and Associated Zoning Bylaw Text Amendments

zone; and,
  • Part 6 Commercial Zones by collapsing the current wording of Sections 659 and 660 into a new Section 659 (for the purposes of renumbering).

Purpose: To rezone the Capilano Suspension Bridge property at 3735 Capilano Road PID 007-019-823 legally described under “Rezoning” in “Subject Lands” above (the “CSB Lot”) to a new C5A zone and to amend the definition of “entertainment and recreation purposes” to prohibit outdoor tourist attractions on all other C5 zoned properties described in “subject lands” above and shown on the maps below.

This rezoning bylaw is being brought forward by the District of North Vancouver. The proposed rezoning bylaw makes the following changes applicable to the CSB Lot:
  • introduces a new outdoor tourist attraction use;
  • does not change the current C5 zoning regulations applicable to any use of the CSB Lot other than the outdoor tourist attraction use; and
  • introduces new regulations for the outdoor tourist attraction use which: (a) reduce the potential floor space, building coverage and site coverage applicable to the outdoor tourist attraction use; (b) add a new floor space restriction west of the Capilano River applicable to the outdoor tourist attraction use (464.5 m² or 5,000 sq ft); (c) remove the differentiation between accessory and principal floor space in respect of the outdoor tourist attraction use; (d) increase the parking requirement applicable to the outdoor tourist attraction use; and (e) add lot-specific outdoor customer service area regulations applicable to the outdoor tourist attraction use.

A. OPENING OF HEARING

Acting Mayor Hicks welcomed everyone to the Public Hearing.

B. PRESENTATION BY PLANNING STAFF

Ms. J. Paton, Section Manager – Development Planning, spoke to her PowerPoint Presentation and advised that Rezoning Bylaw 7645 has been brought forward by the District of North Vancouver (DNV) as follow-up to Bylaw 7601, which was considered in Spring 2006. The Bylaw is to rezone the Capilano Suspension Bridge (CSB) and provide text amendment to the other four DNV C5 zoned properties.

At the 2006 Public Hearing for Bylaw 7601, the following issues were raised:
  • Clarification of floor space and how much can be built on the CSB lot;
  • Concern from West Vancouver residents on how much floor space could potentially be built west of the Capilano River;
  • Would amending the C5 zone allow changes to the other four C5 properties in the DNV, thereby opening up new uses on those lands?
  • A request for clarification of the definition of the term “Outdoor Tourist Attraction”.

Bylaw 7645 addresses these issues, which were raised in 2006.

Ms. Paton referred to the other C5 zoned properties and stated that the definition changed “entertainment and recreation purposes” to specifically exclude outdoor tourist attractions from C5 zoned lots. The CSB would be rezoned to C5A, which has the current C5 zoning plus new regulations specific to the outdoor tourist attraction use.
There is no floor space ratio in the C5 zone; rather it is based on building coverage and height to determine how much floor area can be built. The important point to note is that the total 15 acre lot for the CSB does not count towards lot area. Currently, the CSB is permitted 60% building coverage of the area less than 50% slope, with road access east of the Capilano River (about 2.6 acres). If the CSB wished to maximize this area, the current C5 zoning would allow 275,000 square feet of floor area.

Ms. Paton showed a map of the CSB property and outlined the 2.6 acres, less than 50% slope, which counts in the Planning Department interpretation of the lot area as defined in the zoning bylaw. She noted this interpretation is the most conservative one. She also outlined the changes which the proposed Bylaw would allow in terms of floor space, building coverage and site coverage for an outdoor tourist attraction (OTA) development.

**Development Maximums**

Bylaw 7645 creates some OTA development maximums for the CSB property – this is important as OTA development would no longer rely on the definition of lot area. The OTA floor area would be no more than 80,000 square feet in total on the lot. The building coverage, which includes any structure or building more than three feet above grade, would be no more than 60,000 square feet in total on the lot.

On the west side of Capilano River, there is currently approximately 1,000 square feet of CSB floor space and Bylaw 7645 would allow a total of 5,000 square feet of floor space. It should be noted that the floor space on the west side of the Capilano River is currently not differentiated under the C5 zoning.

Site coverage is building coverage plus parking, drive aisles and other areas required to support vehicles, and any buildings or structures over three feet above grade. Under Bylaw 7645, this would be limited to 92,000 square feet in total on the lot.

**Type of Use**

Any buildings developed under the “Outdoor Tourist Attraction” use would have to be supportive of that use, i.e. buildings which support the primary use of outdoor scenic attractions, outdoor activities and outdoor experiences under the definition of “Outdoor Tourist Attraction”. If the CSB lot is to be used for these purposes, it cannot be developed under the other C5 uses currently permitted: entertainment and recreation purposes or billiard hall. Alternatively, if it is redeveloped as an enclosed building under those uses, it could not be used as an outdoor tourist attraction.

Retail as a primary principal use is not permitted in either C5 or C5A but is permitted as an accessory use to both outdoor tourist attraction and entertainment and recreation purposes.

**Floor Space**

Bylaw 7645 reduces the amount of floor space, the building coverage and the site coverage which can be built in association with outdoor tourist attractions on the CSB lot from the allowance under the current Bylaw.

The lot is designated in the OCP as a “Development Permit Area” for the following:

- Form and Character Commercial Development;
- Protection of a Natural Environment;
- Protection from Hazardous Conditions.

In December, Council will be considering a Bylaw to amend the OCP to bring in Streamside Protection Development Permit Regulations, and the CSB lot will also be included in that DP area. (see below)

**Why Do We Have Development Permits (DP)?**

The intent behind DPs is not to sterilize a lot; rather it is to control development to ensure that the items specified in the Plan are carefully adhered to. Ms. Paton outlined the process to obtain a
Development Permit and advised that this includes a public information meeting where neighbours have a chance to review the architectural and landscape plans and report, and to provide their feedback on any concerns which may arise. Following this, the application generally comes back to Council for issuance of the DP; however, sometimes there is opportunity for more than one public input session.

**Development Permits**

Form and Character Development Permit Guidelines consider siting, or where the buildings are placed on the lot, views and the architectural character of the proposed development. It is vital to ensure that these are appropriate for the site. The form and character guidelines require appropriate acoustical design for abutting residential properties. There is also a Noise Bylaw, which Staff referred to in 2003 when a noise issue arose between the CSB and its neighbours on Capilano Park Road.

Environmental Developmental Permit Regulations are intended to identify environmental concerns with the proposed development. Should these arise, a qualified environmental consultant provides information on mitigation of the issues.

The Hazardous Conditions Development Permit determines whether geotechnical reports or other reports are required to identify natural hazards on the developable portion of the lot.

**Pending Streamside Protection Development Permit**

Under the Riparian Area Regulations, an assessment is required when development is within 10 metres of a ravine greater than 60 metres wide. Ms. Paton showed a slide outlining the top of bank on the CSB property and stated that the Streamside Protection Development Permit will state that, on large sites located on major creek corridors and river systems (the CSB lot falls into this category), a Development Permit would be required if any development is proposed to be within 30 metres of the top of bank. For the CSB property, this encompasses most of the developable portion of the lot (there are approximately 3,000 square metres remaining which do not fall within this portion). This means that a Development Permit will be required to ensure that any development proposed will not negatively impair or impact the river corridor and that it may, in fact, improve conditions on the corridor.

**Outdoor Customer Service Regulations**

These are changed under the proposed Bylaw in recognizing that there are approximately 200 outdoor customer service seats on the CSB lot, and that the usual 20 seat limit for restaurants is not geared toward a lot of this size (more appropriate for a boulevard situation). At the 2006 Bylaw 7601 Public Hearing, concern was raised that these regulations would simply be removed from the CSB lot. Staff reviewed this issue to ensure that there are at least 30 metres, a building or a road between any outdoor customer service area and residential uses.

**Parking**

Parking is based on floor space and the primary use of the CSB lot is outdoor attraction. There is little floor space on the lot. Only 54 parking stalls are required on both sides of Capilano Road, in relation to the CSB, and this is insufficient. There are 225 visitor stalls and parking needs are based on fluctuations in tourism, rather than floor space. A Transportation Planner was hired to research what other jurisdictions allowed for lots designated “tourist attraction” and how much parking would be appropriate for the CSB lot. 207 stalls were proposed. A 95% percentile base has been drafted into Bylaw 7645 to allow changes to the number of stalls to be required, should the need for parking fluctuate. This will result in minimal parking impacts. A Section 219 Covenant will be placed on the lot to legalize this percentile base requirement and the CSB owner has agreed to grant this.

**Summary**

- Prohibits “Outdoor Tourist Attractions” on other C5 Parcels.
- Rezones CSB to add regulations for Outdoor Tourist Attraction use.
Buildings must support the principal use.
- Employs absolute development allowances for Outdoor Tourist Attraction (no longer dependent on lot area definition).
- Increases Parking Requirement For Outdoor Tourist Attraction use.
- Development Permits will be required.

C. PUBLIC INPUT

1. Rick MILLER IN FAVOUR
   2500 Block Palisade Court
   Port Coquitlam
   - Vice-President of Finance for the CSB.
   - At First Reading of Bylaw 7645, there was general agreement by Council and other speakers that an error, which was made in 1995 and has hurt the business of the CSB since, needs to be fixed.
   - Referred to two key numbers in Bylaw 7645 (80,000 square feet proposed for floor space, and 60,000 square feet allotted for building coverage, which is part of the 80,000) and stated that 60,000 square feet is only 9% of total lot area.
   - The 9% proposed in Bylaw 7645, when compared with the 35% currently allowed for residential lot coverage, or the 60% allowed for other commercial properties, is a small amount for this private commercial property.
   - At First Reading, it was suggested that the CSB should be given only the building coverage to adequately meet its current needs. Opined that the CSB should have development rights to make improvements to its property in the future up to the 9%. Development rights are not assigned to give what is currently needed but what the land is entitled to.
   - Referred to the 80,000 square feet of floor space drafted into the proposed Bylaw and stated that this is, in fact, an allowable gross floor ratio of 0.12 (15 times less than permitted on commercial properties on Marine Drive).
   - The owner of CSB is prepared to support the proposal put forward by the DNV Planning Department, which allows the business to get back on the path to make improvements to its infrastructure. This has been held back for the last 12 years.
   - The DNV should recognize that the Stibbard Family has maintained this green ecosystem Park for 50 years and has used its development rights sparingly and in a forest-friendly manner.
   - Pre-1995, CSB had over 1.5 million square feet of allowable floor space. Current zoning allows 275,000 square feet, and the proposed Bylaw offers 80,000 square feet of allowable floor space to be used only as an outdoor attraction.
   - This Bylaw is the DNV Planning Department’s Bylaw. They would not put forward a Bylaw to Council which is unfair and unreasonable.
   - The CSB would not, and should not, accept anything less.

2. Rick BEAUCHAMP OPPOSED
   700 Block 17th Street
   West Vancouver
   - Director of Administrative Services for the District of West Vancouver.
   - On Monday evening, West Vancouver Council received a delegation from the Moyne Drive residents who expressed concern regarding the application by the CSB.
   - Subsequently, Council directed Staff to attend the Public Hearing and correspond with the DNV requesting that closure of this Public Hearing be delayed by at least one month to allow proper consideration of the impact on West Vancouver residents from the proposed Bylaw changes.
   - The District of West Vancouver opposes any changes to the Zoning Bylaw which may increase development potential on the west side of the Capilano River on the CSB lands,
and which would allow outdoor commercial activities which might have a negative impact on nearby West Vancouver residents.

3. **Steve JONES**  
   **1100 Block Eyremount Drive**  
   West Vancouver  
   - Communications Consultant for the CSB.  
   - The last 12 years have been trying for the CSB as it has been unable to adapt to changing needs.  
   - This is a direct result of serious mistakes made in 1995 when sweeping bylaw amendments were made without due process, and without regard for the CSB’s unique situation as an outdoor attraction.  
   - Tonight Council has the opportunity to remedy that flawed process.  
   - The CSB has no Master Plan for development.  
   - The CSB has identified to the DNV certain pressing, long-standing operational needs which require incremental changes to existing facilities.  
   - Once these needs are met, the CSB will, only as and when necessary and exercising due diligence in the context of changing market demands, develop and present for development reasonable plans for additions or modifications within the modest limits permitted by Bylaw 7645.
   - The proposed new Bylaw will enable the CSB, the DNV and the community to look to the future with some confidence that the property will survive as a rainforest attraction and not be put to some other more conventional use.  
   - The CSB will be able to concentrate on important planning to ensure a West Coast rainforest experience and, at the same time offer, in a renewed context, world-class quality for future generations.  
   - The CSB has no hidden agenda. It does not harbour plans to build a big box “monstrosity” on the west bank of the Capilano River: that approach would be the death knell for the CSB’s business.  
   - Prior to 1995, the Stibbard Family still had development rights far in excess of those allowed under Bylaw 7645, but did not make massive changes to the property. Rather, changes were made on an incremental basis to enhance the Park’s natural assets.  
   - Bylaw 7645 respects process and, while drastically reducing development rights for the CSB, preserves the character and ambience of the CSB and the community.  
   - It is surprising that Ms. Stibbard is settling for 80,000 square feet, as it is a fraction of what the CSB was entitled to in 1995.  
   - The community should embrace the proposed Bylaw as it guarantees enjoyment of the benefits of the forest in a world class nature attraction.

4. **Bill YAGER**  
   **4000 Block Capilano Park Road**  
   - Retired lawyer after 25 years of practice.  
   - Has spent thousands of hours over the years drafting, examining and interpreting statutes and bylaws and, on this basis, is well qualified to interpret the proposed Bylaw 7645.  
   - Expressed objection to the choice of words “outdoor tourist attraction” and the attendant definition as an addition for the principal uses for the C5A Zone.  
   - Everything in a Zoning Bylaw flows from the listed Principal Uses and it is essential this language be sufficiently restrictive.  
   - Definition of “outdoor tourist attraction”: “operation of one or more commercial tourist attractions which are dependent on outdoor activities, scenic attractions or outdoor experiences and may include indoor and outdoor interpretive, display and performance spaces.”  
   - The CSB operation falls within this language - but so does Disneyland.
• Was opposed to the predecessor proposed Bylaw 7601 (May 2006) – the principal business of the CSB is the operation of a nature park and this principal use language should be added for the CSB.
• Referred to Report to Council dated May 25, 2006, drafted by Ms. Paula Huber, which stated that Bylaw 7601 should be rescinded and a new Bylaw prepared. It stated that the new Bylaw could be written to limit tourist attraction use to the CSB site only. Bylaw 7645 does this.
• The Report to Council also stated that the term “tourist attraction” would need to be defined to specify a focus on the nature park aspects of the existing CSB operation and prohibit an outdoor amusement park operation.
• The added principal use language in the proposed Bylaw 7645 does not reflect the principal use concerns raised by members of the public at the May 2006 Public Hearing, nor those recommendations made by Ms. Huber to Council.
• Bylaw 7645 is fundamentally flawed by the wide-open principal use language which has been added.
• If passed, this principal use language will provide the CSB with a “blank canvas” for future development without rezoning approval and the opportunity for community input.
• Urged Council to avoid a situation where the Development Permit Process is the sole tool to regulate future expansion or redevelopment of the CSB site.
• Referred to the removal of the current enclosed building bylaw language from Bylaw 7645 and stated that the current C5 zone language states (paragraph 656) that “All operations associated with permitted uses should be contained within a completely enclosed building except in the case of outdoor customer service areas.” This language has not been transferred to regulations applicable to the outdoor tourist attraction principal use under Bylaw 7645 and has serious implications for neighbours of the CSB.
• Neighbours of the CSB have suffered seriously from noise disturbance issues in the past, principally due to the echo effect which exists in the Capilano River Canyon.
• CSB’s restaurant and banquet facilities are situated on their C2 property on the east side of the River and the owners, in the future, may wish to transfer these facilities to some part of the new C5A property, should Bylaw 7645 be approved. Under the new Bylaw, this would be possible.
• Without the “completely enclosed building” restriction in the current Zoning Bylaw, such facilities would be permitted to have an outdoor or open air element, quite possibly with amplified entertainment.
• By passing Bylaw 7645, Council will take away all opportunity to negotiate reasonable acoustical restrictions which the neighbours of the CSB are entitled to.
• Bylaw 7645 is a seriously flawed document with very few improvements from the rescinded Bylaw 7601, and in some respects worse.
• Urged Council not to pass Bylaw 7645 into law in the form in which it has been tabled.

5. Joan Sandler
1200 Block Emery Place
IN FAVOUR
• The CSB is a world class facility.
• Proud to be a North Vancouver resident with this kind of facility in her backyard.
• The CSB is not going to be an amusement park.
• The Stibbard Family have a “heart and soul” and will not do anything that does not support a world class event on the North Shore and does not fit in with the neighbourhood.
• Urged Council to consider Bylaw 7645.

6. Walter Mustapich
300 Block St. James Crescent
West Vancouver
OPPOSED
• Bylaw 7645 would permit the CSB more power to develop its property.
• The Bylaw would allow for construction of a 5,000 square foot building on the west side of the Canyon and a much larger development on the east side of the Canyon.
• Recently, thousands of voters on both sides of the Canyon were informed of the consequences of the proposed new Bylaw 7645 and the likely development which could ensue.
• It is shocking that few of these citizens previously knew of this Bylaw change, and its impact on the neighbourhoods as well on the ecology of the Capilano Canyon and its wildlife.
• What are the potential implications of such construction and its run-off on the spawning salmon as well as the habitats of native wildlife?
• Queried the future serenity of the surrounding neighbourhoods.
• Expressed concern re the possible increase in commercial traffic, through residential neighbourhood, necessary to supply, repair and construct such development.
• The Capilano Canyon is a pristine park known for its beautiful trails, serenity and wildlife.
• To allow any further commercialization in this area, in particular a project of this magnitude, is irresponsible and borders on the unfathomable.
• Expressed doubt that the founder of the CSB intended the Park to be commercialized beyond its current level.
• Urged Council to defeat the proposed Bylaw 7645 and work to create a long-term, sustainable plan to protect this unique property.
• Council is in a position to be the voice of the people.
• Requested that the vote be delayed for at least two months so that clear understanding of all the issues may be reached.

7. Jack MUNRO IN FAVOUR
1100 Block Gordon Avenue
West Vancouver
• Supports the CSB and the DNV Planning Department re Bylaw 7645.
• We tend to take for granted such a “jewel” in our backyard.
• The CSB measures up to a world class category.
• The CSB provides young people with an opportunity to work.
• The attraction brings approximately 700,000 visitors to the North Shore each year.
• Ms. Stibbard is well recognized in BC and has received many awards for operation of the Park.
• The issue under consideration was initially created in 1995 by a mistake in zoning and the DNV Planning Department is now trying to rectify this.
• The CSB Staff has toiled under adverse working conditions since 1995.
• The proposed changes are eco-friendly, and to make the facility more efficient without cutting down trees is a magnificent feat.
• Urged Council to support the Planning Department’s proposal.

8. Jeff DELANEY OPPOSED
3900 Block Capilano Park Road
• The CSB operates on a unique property and, as such, enjoys unique characteristics.
• Any rezoning or redevelopment must address the noise factor and the echo effect of the Canyon.
• People don’t just work in this area – they also live in this area.

9. Nancy CHILTON IN FAVOUR
800 Block Nicolum Court
• Has resided on the North Shore for approximately 30 years.
• Has worked in the tourism industry for nearly 15 years.
• The CSB has a positive impact on the North Shore community.
• Supports the proposed Bylaw 7645.
• Supports the agreement in the proposed Bylaw for future development of up to 80,000 square feet, which is well below the potential development that was available to the CSB prior to 1995.
• Confident that the CSB’s use of this allotment will be consistent with what is provided at present.
• The owners will continue to highlight and enhance the natural surroundings of the CSB.

10. Allan COBBETT
300 Block St. James Crescent
West Vancouver

OPPOSED

Speaking on behalf of:

11. Noreen BROX
300 Block Moyne Drive
West Vancouver

OPPOSED

• Ms. Brox is unable to attend the Public Hearing and requested that Mr. Corbett present her submission on the proposed Bylaw 7645.
• Mr. Corbett concurs with the submission.
• Has no objection to zoning changes which will allow the CSB to build the minor accessory structures it referred to at the First Reading of Bylaw 7645.
• Opposed to Bylaw 7645 being passed as it is too broad in scope.
• Nearby residents of North Vancouver and West Vancouver, as well as Park visitors, may be negatively impacted by the removal of all restrictions on outdoor performances and other outdoor entertainment activities.
• The process is being rushed and is fundamentally flawed.
• The DNV should have engaged in an extensive Public Hearing process and dialogue with the public and other stakeholders prior to introducing Bylaw 7645.
• The public has been given only a few weeks to become apprised of what was already drafted, and is being wrongly presented, as merely a “corrective” Bylaw.
• Bylaw 7645 is difficult to understand and confusing.
• The Planning Department’s Report to Council does not address some key issues, especially with respect to the portion of the CSB located west of the Capilano River.
• Bylaw 7645 completely disregards the special circumstances of the west side, which is designated on the OCP as a wilderness area.
• There is no proper access to the west side.
• The process was flawed and undemocratic when the Tree Walk was built on the west side – this issue was never addressed. The process is still flawed.
• Queried why the DNV has never invited Moyne Drive, and other Capilano Estate residents, together with the GVRD, to discuss their concerns.
• More development and entertainment activity on the west side will result in more traffic through local neighbourhoods, the Moyne Drive access trail, and the adjoining Park Trail.
• There will be more large construction vehicles, more garbage and food deliveries in and out of Capilano Park, more noise and more parking issues.
• Ultimately, CSB patrons may drive through the Moyne Drive neighbourhood and the Park to access the CSB.
• If this is not what the CSB wishes, it should welcome the opportunity for genuine community dialogue and restrictive drafting of any new zoning provisions to provide flexibility, and to guarantee future protection of local neighbourhoods and the Capilano Park.
• This is the fourth time local residents have come forward to oppose CSB rezoning.
• DNV should not disregard the concerns of residents due to the lengthy process or high cost.

12. Carole BELLINGER
4300 Block Capilano Road

IN FAVOUR

• Has resided at this address since 1981.
• Has worked in the landscape facility at the CSB since 1991.
• The CSB is a very good corporate citizen and has made many major improvements to the Park since the early 1990s.
All these changes have been tastefully and sensitively executed, showing respect for the forest, the Capilano River and local native cultures.

As improvements have been made to the CSB over the years, the need for accessory floor space has become crucial for storage facilities, clerical space and administrative offices.

The CSB has already made concessions under the proposed Bylaw 7645.

Urged Council to approve Bylaw 7645.

13. **Laird O’CONNOR**  
**OPPOSED**  
300 Block Moyne Drive  
West Vancouver

- Expressed no objection to Council correcting errors made under the 1995 Bylaw.
- Objects to the process this evening as it is flawed and rushed.
- The DNV should not be brokering a commercial rezoning on behalf of a second party.
- The CSB should present another rezoning application with the attendant plans and information to allow proper consultation at the public level.
- Bylaw 7645 removes the requirement of the previous Bylaw that all activities, except outdoor customer service areas, be conducted indoors. This will allow banquet-style outdoor uses with the inherent noise, traffic and disruption both to the Pacific Trail and the residents of Moyne Drive.
- Moyne Drive residents have been subjected to five years of heavy equipment and heavy trucks transiting the neighbourhood.
- Often little respect was paid, by the drivers of these vehicles, to the preservation of the peace and quiet of the Moyne Drive community.
- There has been intimidation of Moyne Drive residents both by the CSB Staff and the contractors – this is just not acceptable.
- West Vancouver and the GVRD were not adequately consulted in this process.
- Access to any development on the west side can only be achieved by continued vehicular transit of the Moyne Drive neighbourhood – this is unacceptable to the neighbours of the CSB who have been patient for too many years.
- A previous DNV Report states that there should be no more development of the west side of the Canyon and a limit should be placed on the seating numbers in the outdoor customer services areas. The current Report completely contravenes this.
- Requested that Council delay this process for a sufficient period of time to allow for proper public consultation.
- Also urged Council to limit the development on the west side of the Canyon to preserve the natural beauty of the area and the original specific intent of the GVRD for that property.
- Requested that the CSB be required to provide a concise outline of its plans for its property, which is the common methodology for a rezoning process.

14. **Jonathon LITCHFIELD**  
**IN FAVOUR**  
1400 Block Laburnum Street  
Vancouver

- Manager of Corporate Development and Design for the CSB.
- Has worked at the CSB since the summer of 2004.
- Worked at the CSB through High School and University, earning money and company scholarships to pay for his tuition.
- Commented favourably on Ms. Stibbard’s purity of vision, strength of character and dedication to the integrity of the CSB.
- Referred to the flyers which have been circulated around the North Shore regarding the proposed Bylaw change for the CSB and stated that these are total nonsense and unfounded.
- The fundamentals of the CSB business are to create peace and tranquility on the west side of the Bridge.
The CSB is currently permitted to do all the activities and provide performances, seating for guests and food and beverage facilities which writers of the flyers claim will only be allowed under the new Bylaw.

Referred to the 75,000 square foot structure that is purported to be built if and when Bylaw 7645 is passed, and stated that this is not true. The new Bylaw prohibits an additional development on the CSB property of that size.

The CSB goes to great lengths to be a good neighbour and eco-friendly in every way possible.

Urged Council to rationally evaluate the proposed Bylaw and support the amendment which the DNV Planning Department is putting forward.

Speaking on behalf of:

15. John STIBBARD IN FAVOUR
   3700 Block Capilano Road
   • Represents ownership of the CSB.
   • Supports the adoption of Bylaw 7645 which will “right a wrong” and enable the CSB to move into the future with some certainty.
   • The intent is not to propose a large-scale development.
   • The CSB has been in the nature business for over 100 years and the Stibbard Family will be in the business of providing a natural experience well into the future.
   • If current trends continue, preserving the natural environment will become increasingly important to the future success of the business.
   • The amount of space proposed under Bylaw 7645 has to suffice well into the future, and it is impossible to predict what the CSB will require in 40-50 years.
   • Great care is taken with every project undertaken by the CSB to ensure that it is environmentally friendly and fits within the natural setting.
   • The CSB cannot risk its business by overdeveloping its property.
   • Urged Council to support the proposed Bylaw 7645 to allow the CSB to provide its guests with a naturally thrilling experience, well into the future.

16. Archie RAFTER OPPOSED
   300 Block Moyne Drive
   West Vancouver
   • Opposed to the current proposed Bylaw 7645.
   • The process has been rushed and there has not been due process.
   • At the First Reading, Councillor Muri mentioned that the process was not proceeding correctly.
   • Should have public input followed by an open hearing to view proposals on the type of construction proposed by the CSB and the surface building platform which can be used.
   • Construction under Bylaw 7645 should be restricted to the east side of Capilano River only, as there is absolutely no proper access to the west side.
   • The Moyne Drive neighbourhood has been subjected to a lot of traffic for commercial and construction-type purposes.
   • In the future, if there is a 5,000 square foot building on the west side, how is that building going to be serviced and maintained?
   • Stated that the ambiance in the Park could be destroyed by loud noise from wedding speeches or band music.
   • Bylaw 7645 must be rescinded and reconsidered.
   • Expressed surprise that the DNV is bringing the proposed Bylaw forward and not the principal owner of CSB. The CSB should bring a new Bylaw forward for consideration, not the DNV.
   • Urged postponement of Bylaw 7645.
17. Sue KAFFKA
1200 Block Duchess Avenue
West Vancouver

- Vice-President Sales and Marketing for the CSB.
- Speaking in favour of Bylaw 7645.
- While it significantly reduces floor space coverage from the original C5 zone, it does allow the CSB to sustain business and protect assets.
- When commencing work at the CSB in 1984, the Park was very different: gravel pathways, resident donkey and a large billboard on wheels welcoming guests to the Park.
- Since then, every improvement in the Park has been carefully thought out, researched and built to the highest standards.
- The owner’s improvements have significantly upgraded the Park and the streetscape on Capilano Road.
- A new entrance was constructed around trees.
- Whenever possible, care has been taken to build open structures and to build around trees.
- All current structures were built between 1983 and 1995, at which time the owners had the ability to build what they wanted. They chose not to in order to create a pleasing and balanced park-space.
- The business of the CSB has always been the precious rainforest and to do anything to detract from the rainforest experience would be extremely detrimental to the business.
- Any future building would be site-sympathetic, eco-friendly and in concert with the expectation of visitors for an adventure in natural surroundings.
- Referred to the west side of the Bridge and stated that, if the CSB built a maintenance equipment shed or small cabin for educational purposes (this would fall within the 5,000 square foot allotment under Bylaw 7645), that would serve the needs of the forest and guests.
- Why would the CSB destroy its most precious asset?

18. Daniel ALLAN
300 Block Moyne Drive
West Vancouver

- Opposed to Bylaw 7645 as it contains the same major flaws as Bylaw 7601.
- Referred Council to his comments made at the Public Hearing in May 2006: in particular, reference to the floor area which has only been reduced from 86,000 square feet to 80,000 square feet (less than 10%).
- At First Reading, it was indicated that the CSB would not accept anything less than this figure.
- This process is flawed.
- There has been insufficient notice about key meetings, especially the First Reading.
- At First Reading, there was Council discussion about floor area allowable and Councillor Muri suggested looking at a reduction of the proposed figure.
- Council soundly rejected this proposal despite the earlier concerns expressed in May 2006.
- Shortly prior to the First Reading, residents of Moyne Drive received a letter from the CSB basically saying “Don’t worry” and “We’re going to look after your interests”.
- In May 2006, the CSB sent free gift certificates to the residents of Moyne Drive, just prior to the Public Hearing. This creates suspicion on the part of the residents.
- How does a rainforest eco-system co-exist with 80,000 square feet of floor area? How does this number sound naturally appropriate for the CSB operation?
- Referred to the proposed 5,000 square feet of commercial floor area for the west side of the Bridge, and stated that there has been no discussion regarding grade on the west side or the 30 metre buffer.
- Need to follow society’s principle of “Buyer Beware.”
19. **Myles STERLING**

4800 Block Capilano Road

- Has resided at his current address for the past 34 years.
- Has known the Stibbard Family since 1964.
- The CSB is an excellent neighbour.
- The CSB maintains a clean, well-landscaped property with emphasis on preserving the natural beauty and intrinsic value of the forest environment.
- Except for exhibits, walkways and the washrooms under construction, the CSB has undertaken no building since 1996.
- The CSB has done much to foster the continued education and success of its employees through scholarships, as well as offer support for the Capilano College Tourism Program by awarding a $7,000 Bursary. It also provides day passes to many charities and fundraisers, as well as donations to many charities within the community.
- The provisions of proposed Bylaw 7645 consider and support the interests of not only the CSB and its patrons but also the local community.
- Urged Council to support the proposed Bylaw.

20. **Corrie KOST**

2800 Block Colwood Drive

- Resides in Edgemont Village
- The issue is one of fairness: wants the CSB to continue to be successful but is opposed to the proposed Bylaw 7645.
- Was present in 1995 when the original Bylaw changed some of the rules: some of those changes favoured the CSB and some did not.
- The 1995 advertisement was not clear that commercial properties were being affected.
- People in positions of owning commercial properties should have due diligence on watching what is happening before Council and which could impact their interests.
- It would be surprising that the CSB was unaware completely of some of the ramifications of the changes which took place in 1995.
- The CSB facility is no longer a “natural” experience.
- Referred to a 2003 presentation which shows what this zoning would allow without any outright debate, and which the Advisory Design Panel flatly rejected.
- The issues are noise, traffic, sustainability (economic, social and environmental), zoning and changes in zoning, the Upper Capilano Plan’s intentions specifically for the subject property, and the community consultation process.

21. **Naomi YAMAMOTO**

100 Block West 1st Street

- President of the North Vancouver Chamber of Commerce.
- Strongly in support of Bylaw 7645.
- The North Vancouver Chamber of Commerce is a not-for-profit organization comprised of approximately 850 businesses and professionals, many of whom live on the North Shore.
- The Chamber works to ensure there is a healthy economic and socio-economic base to benefit the North Shore.
- Bylaw 7645 addresses an inadvertent consequence of a Bylaw which was passed in 1995.
- The DNV should embrace the economic vitality that the CSB generates.
- The CSB is a major image asset, offering a world class experience which draws both international and domestic visitors.
- It is a “green” operation, eco-friendly and has received numerous awards.
- The CSB is a large employer in the District.
- The business has agreed to a huge reduction in development rights from 60% coverage down to 9%.
- The CSB has referred thousands of visitors to other businesses on the North Shore.
- Urged Council to support the proposed new Bylaw.
Acting Mayor Hicks called for a short recess at 8:00pm and the Public Hearing reconvened at 8:14pm.

Acting Mayor Hicks referred to the lengthy list of speakers still remaining, and representations from both the District of West Vancouver and Metro Vancouver requesting further time for consultation and clarification of some of the issues. It was therefore proposed to adjourn the Hearing at 9:00 pm this evening and reconvene on Tuesday, January 15, 2008 at 6:00pm in the Council Chambers.

PUBLIC INPUT (CONTINUED)

22. Mike WATSON IN FAVOUR
900 Block Frederick Place
- Small business owner and North Shore resident.
- Against putting off a decision on the proposed Bylaw change until January 2008.
- Referred to the economic implications involved and stated that there is a very significant tax bias in the DNV towards residential taxpayers.
- The proposed Bylaw will significantly enhance the commercial and industrial tax base of the District and the North Shore.
- The CSB is an eco-friendly business.
- Referred to the 60,000 square feet of buildable land (80,000 square feet total floor space) at 9% of the property and stated that this is reasonable.
- Building Permits will be required for each and every further development undertaken by the CSB – this is not a “carte blanche” opportunity for the CSB to build whatever it wishes
- The CSB falls under the same Noise Bylaws as the rest of the community.
- The CSB is a jewel of the North Shore, an eco-friendly business which has been around for years, the owners are great citizens in the community, and it is time to show them support.
- The CSB needs support this evening, not on January 15th.

23. Don FRENCH OPPOSED
2000 Block Van Isle Road
Qualicum Beach
- Owner of a property in the 300 Block of Moyne Drive, West Vancouver.
- The CSB, DNV and the GVRD obviously together support Bylaw 7645.
- Noise: it doesn’t matter if there is a 5,000 square foot buildable area or a 50,000 square foot buildable area on the west side of the Bridge - the noise from an amplifier at about 150 decibels will be heard by the neighbours.
- Rabbit Lane and Moyne Drive is an “oasis” but would become, under Bylaw 7645, a service road for the CSB. Service vehicles could come through at any time they wish.
- The CSB operates 364 days each year, and in the summer it is open from 8:00 am until 9:00 pm, 7 days a week.
- Maintenance crews required to clean up after business hours and repair facilities will come in earlier and leave later (16-17 hours each day of traffic going in and out of a very quiet residential district). This is not acceptable.
- The CSB has never approached the residents of Moyne Drive in an effort to work with them on these issues.
- The District of West Vancouver has asked for at least a one-month adjournment to consider the issues.
- Stated no objection to emergency vehicles having access to the CSB property along Moyne Drive but is strongly against it being used as a maintenance route for a large crew of commercial operations.
- There are young families and seniors residing in the Moyne Drive community.
- Moyne Drive must not be used as a staging area for heavy equipment.
• Requested that Council consider ensuring that any development on the CSB property, which allows music, provides an acoustic protection system for the West Vancouver residents and its neighbours.
• The GVRD has a buffer zone, and maintenance vehicles which service the west side of the CSB property have to travel through the GVRD property.
• Suggested that a staging area be built on the GVRD buffer land suitable for parking large trucks.
• Don’t make access through Moyne Drive but rather up the Capilano Trail.
• BC Hydro and the GVRD service this Trail with their own heavy vehicles and excavating equipment.
• Requested that Council ask the GVRD to provide this alternative route.

24. **Rona GOVENDER**  
**IN FAVOUR**  
1900 Block Rufus Drive  
• Supports Bylaw 7645, which corrects an error made in 1995 by assigning reasonable and fair developmental rights to the CSB.
• Over the past 50 years, the Stibbard Family has maintained the CSB and used their development rights sparingly and in an eco-friendly manner.
• Prior to 1995, the CSB could have developed over 1.5 million square feet of floor area on their 15 acre lot.
• In comparison, the proposed 80,000 square feet floor area is definitely reasonable and a compromise by the CSB.
• Urged Council to support the Planning Department’s Bylaw and pass it as presented.

25. **Jean McPHERSON**  
**OPPOSED**  
4000 Block Capilano Park Road  
• Resides at her current address with her husband and two small children.
• Works as a lawyer employed by the Provincial Government and understands legislation.
• Referred to the wording “Procedure Fairness” and “Legislative Intent” in Bylaw 7645 and stated concern with these terms.
• Opposed to the passing of Bylaw 7645.
• Shares the concerns of her neighbours re the changes which would be permitted under the C5A zoning.
• Due process has not been followed.
• The addition of the wording “outdoor tourist attraction” and the attendant concerns of this term and its broad definition are troubling. A massive increase in allowable principal and accessory gross floor space would result if this zoning category is passed. This term is broad, ambiguous and gives the CSB sweeping discretion to develop with little or no input from its neighbours, both in North and West Vancouver. It will result in a fundamental and material change to the nature of the CSB as a whole. Is this the legislative intent behind the drafting of this change?
• The loss of language requiring that all operations associated with the principal and accessory uses be contained within a completely enclosed building, except for customer service areas, is also troubling.
• The CSB has done a wonderful job at maintaining the authentic, unobtrusive experience of visiting a nature park. The proposed Bylaw change, however, permits too much discretion and could result in the neighbours living beside, and around, an enormous, congested theme park.
• Noise issues: Taking away the language “contained within a completely enclosed building” is troubling and removes any assurances neighbours have with respect to a potentially larger, more developed and noisier CSB.
• There have been problems, on both the east and west sides of the River with noise from the CSB.
• Noise restrictions can be built directly into a zoning bylaw – why has this not been done?
Has no objection to the passing of zoning bylaw amendments to correct the unintended consequences of a 1995 Bylaw which rendered the CSB non-conforming.

Bylaw 7645 goes too far beyond addressing the 1995 problem.

26. J. Murray DYKEMAN IN FAVOUR

200 Block East 6th Street
City of North Vancouver

Queried whether changes, undertaken under the proposed Bylaw 7465, would all be part of a Development Permit Process. If this is the case, that is the guarantee for all the communities involved to question any future development.

The Report to Council dated October 16, 2007 (Page 3) states Bylaw 7645 includes a maximum square footage of site covered, limits development west of Capilano River, provides a definition of “outdoor tourist attractions”, increases parking requirements and includes proximity limitations on outdoor customer services areas.

Good neighbours do things right. The Districts of North Vancouver and West Vancouver are neighbours of the CSB.

The CSB is a fine corporate citizen and good neighbour.

The CSB offers quiet/silence in a natural setting, making it a treasure to the community.

It is one of BC’s greatest tourism sites.

Endorses the support of Bylaw 7645.

27. Geoffrey PERETZ OPPOSED

300 Block Moyne Drive
West Vancouver

Supports his neighbours in regard to opposition of development on the east side of the Bridge.

In 1972, the GVRD purchased land on the west side of the Capilano River, between West Vancouver and the CSB property, in order to create a regional park, and stated that this land is exempted from the C5A Zone. There is a Restrictive Covenant on the land that it be used only for park land.

Referred to an Agreement between the GVRD and the CSB (September 29, 1972) whereby “… the purchaser (GVRD) shall permit the CSB a licence permitting it to pass … on reasonable notice to the purchaser upon the (GVRD) lands for the expressed purpose only of maintenance and repair of the remaining portion of lands.” This is explicit – there was never any contemplation of anything other than maintenance and repairs of that property as it stood in 1972. There was no provision for future development, provision of supplies and movement of people. It was clearly intended to maintain this as a wilderness area.

The GVRD has an obligation not to allow use of their land to the CSB for anything other than repairs and maintenance. It must not be inconsistent with the intended recreational and park use.

The CSB has therefore not been economically damaged in any way with whatever rezoning took place in 1995. The clear and original intent of the 1995 zoning was always to have that land as a park setting.

28. Mike McMASTER IN FAVOUR

1400 Block Gordon Avenue
West Vancouver

Has owned the Bake House in Edgemont Village (1000 Block West Queens Road) for the past 7 years.

His experience of the CSB and Nancy Stibbard has been one of integrity and an enormous contribution to the community, the Edgemont Business Association and the Residents Association.

Edgemont Village is a special place with a unique character.

The CSB contributes to the local area economically, through its taxes and by sending customers to the Village.
• Supports the proposed Bylaw.

29. Pamela MANSON  
300 Block Rabbit Lane  
West Vancouver  
• At the end of the CSB property lies an area known as Lower Moyne – she resides two roads above this area.  
• Rabbit Lane is the entrance into a large cul-de-sac with approximately 150 residents.  
• Was born in the area and is now raising her family there as well.  
• Manned a booth on the CSB land for an education program, which the CSB runs.  
• There are boarded pathways which are very considerate of the green space and environment.  
• The CSB has become much larger over the years.  
• Noise rises from the CSB – often children’s voices but this is pleasant.  
• Expressed concern about a potential increase in trucks going in and out of the Moyne Drive neighbourhood.  
• Mrs. Stibbard is aware of this and has met with neighbours in the past year and half.  
• Would like to preserve the Park as it is and is concerned about potential development.  
• Tourism is important to the area.  
• Spoke to visitors to the Park who expressed concern about further development in the area.  
• Is in favour of a postponement.  
• Would like to see a win-win situation for the CSB and for the neighbours.

30. Stacy CHALA  
1100 Block Cloverley Street  
• Employed for the past 9 years at the CSB and is now the Communications and Media Relations Coordinator.  
• The intention of a recent letter to Moyne Drive residents was to provide more open communication with the community.  
• The free passes offered were meant to enable the neighbours to view the CSB’s operations.  
• This summer, the CSB has made a concerted effort to work with the GVRD, District of West Vancouver and Moyne Drive residents regarding the use of the access road.  
• The Mayor of West Vancouver concurs that the CSB has a legal right to transit Moyne Drive but the CSB has agreed to limit this use to the west side of the property.  
• Referred the November 8th letter to Moyne Drive residents from the CSB clarifying the proposed rezoning.  
• CSB is committed to preserving the outdoor experience.  
• The CSB is not planning a large building for the west side of the Bridge - it would never destroy its core asset.  
• Urged Council to pass the proposed Bylaw to help the CSB meet the challenge of future generations of visitors.

31. Bob VERNER  
300 Block Moyne Drive  
West Vancouver  
• Is opposed to the passing of Bylaw 7645.  
• Is in favour of the postponement of this Hearing until early 2008.  
• Agrees with the praise expressed by previous speakers for the CSB and the Stibbard Family.  
• However, the proposed Bylaw 7645 is not for the Stibbard Family but rather for the subject property and its owners, and what if the property is sold at some time in the future? Any new owner of the CSB is not known at this point.  
• Bylaw 7645 will be used by the owners of the property to do what the Bylaw allows.  
• The potential of outdoor performances being permitted on the CSB property is scary.  
• Urged Council to defeat Bylaw 7645.
32. Craig NICHOLS  
800 Block Lynwood Avenue  
Port Coquitlam

- Has worked for the CSB since 1994 and is currently Director of Operations.  
- Is in favour of Bylaw 7645 as presented by DNV Staff.  
- During his tenure as Director of Operations for the past 8 years, the number of employees in his department has grown from 54 to over 100 in order to meet the demands of international and local visitors.  
- Outlined the growth in programs at the CSB and stated that he is proud of the improvements in the eco-experience for visitors.  
- There is a severe shortage of storage, locker and office space for the CSB staff, and these facilities need to be improved. Under the current Bylaw, this is not possible.  
- The CSB strives for sustainability and excellence but this is difficult in such a restricted space.

COUNCIL DISCUSSION

In response to a query from Council, Ms. Paton advised that the Planning Department has been in direct discussion with the owners of two of the DNV C5 zoned properties regarding the proposed text amendments, and the Clerks Department has forwarded notification outlining the proposed changes to all C5 zoned properties.

The District of West Vancouver has been aware of the concerns raised by the Moyne Drive residents in relation to the proposed Bylaw changes for the past 18 months.

DISPOSITION:

MOVED by Councillor MURI, seconded by Councillor NIXON and CARRIED  
THAT the Public Hearing for Bylaw 7645 be ADJOURNED and reconvened on Tuesday, January 15th, 2008 at 6:00pm in the Council Chamber, DNV Hall.

Absent from Meeting: Mayor WALTON, Councillor HARRIS

ACTING MAYOR HICKS declared the Public Hearing in respect of Bylaw 7645 ADOURNED.  
(9:13pm)
The Public Hearing adjourned at 9:13 p.m. and Reconvened in the Council Chamber of the District Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, January 15th, 2008 commencing at 6:07 p.m.

PRESENT:

Mayor: Richard Walton
Councillors: Janice Harris, Robin Hicks, Mike Little, Doug MacKay-Dunn, Lisa Muri, Alan Nixon
Staff: Mr. D. Stewart, Chief Administrative Officer
       Ms. A. Hilsen, Municipal Clerk
       Mr. B. Dwyer, Manager – Development Services
       Ms. J. Paton, Section Manager – Development Planning
       Mr. K. Volk, Section Manager – Transportation (7:00pm)
       Ms. A. Bains, Acting Deputy Municipal Clerk
       Ms. L. Hoeberechts, Council Clerk

OPENING OF RECONVENED HEARING BY MAYOR

Mayor Walton welcomed everyone to the meeting and advised that this reconvened Public Hearing (from November 20, 2007) was to allow for Staff to answer some of the queries raised at the November 20th Public Hearing, and for Council to receive further public input on Bylaw 7645.

D. PRESENTATION BY STAFF

Ms. Paton advised that, since the adjournment of the November 20th, 2007 Public Hearing, Staff has had opportunity to meet with Metro Vancouver Parks and West Vancouver District Staff to review the proposed Bylaw 7645 in more detail.

Bylaw 7645 was introduced to Council at its November 5, 2007 Regular Meeting, followed by the November 20th, 2007 Public Hearing (which was adjourned). Bylaw 7645 amends the current C5 Zone to remove outdoor tourist attraction use, which is specific to two DNV lots, 2035 Fullerton and a Metro Vancouver lot. The proposed new C5A zone would apply only to the Capilano Suspension Bridge (CSB)

Ms. Paton showed a slide titled “Floor Space at 3735 Capilano Road: Outdoor Tourist Attraction Use” giving floor space numbers prior to Bylaw 6685 (changed in 1995), numbers under the Current C5 zoning, what they would be under the proposed C5A zoning, and the difference between the latter two. The subject lot (CSB) encompasses approximately 15 acres.

The proposed maximum OTA use floor space, under the new C5A zoning, would be written as a number (80,000 square feet), not a percentage of the lot size, with no more than 5,000 square feet west of the Capilano River.

Metro Vancouver Input:

Metro Vancouver (MV) Staff has raised no objection to the proposed text amendment, which would impact their property on the west side of the subject lot, and has expressed interest in possible rezoning of the MV lot to Park sometime in the future. This would be a separate process from the subject rezoning. MV Staff also advised that it has not granted permission to the CSB to cross its land for construction purposes; however, MV and the CSB are working on a Licence Agreement for maintenance and repair work.
West Vancouver District Input:
The District of West Vancouver (WV) Council, at its Regular Council Meeting held on Monday, January 14th, 2008, passed a motion seeking the following provisions:

- A proposed reduction in FSR on the west side of the CSB property and seeking further reductions in this area from the proposed 5,000 square feet of maximum principal and accessory floor area, for all uses, down to 1,500 square feet;
- A size limitation for an outdoor customer service area on the west side of the subject lot;
- A preclusion of vehicular traffic, generated by new construction and ongoing commercial operations, from accessing the CSB property via West Vancouver;
- Inclusion of a provision in the Bylaw prohibiting customer vehicle and operations traffic from the west property line, except for emergency vehicles; and
- A prohibition on amplified sound on the west side of the Capilano River.

West Vancouver District also requested the rezoning of the Metro Vancouver lot to C5 (park).

Bylaw 7645: Issues Raised at November 20, 2007 Public Hearing:
There were three main areas of concern raised at the November 20th, 2007 Public Hearing:
1. Vehicular access for patrons from the west property line;
2. Noise from future outdoor uses;
3. Development west of the Capilano River.

Staff has considered these three issues as follows:

1. Prohibition of patron vehicle access, including tourist buses, to an outdoor tourist attraction from the west property line, except emergency transport, can be written into Bylaw 7645, as well as prohibition of ticket sales west of the Capilano River. However, Staff is reluctant to create a situation whereby pedestrian access for community events, which benefit the community as a whole, are adversely affected.

2. The DNV has in place a Noise Bylaw and noise regulations from this Bylaw can be written into the C5A Zone specific to the CSB property to ensure compliance by new and existing uses. A requirement can also be included that some accessory uses be within enclosed buildings (office, restaurant, personal service shop, retail over 200 square feet, licensed lounge), and the OCSA be amended to include noise attenuation structures.

3. Adding a paving limit west of the River to support the floor space limit of 5,000 square feet.

In response to a query from Council, Ms. Paton further clarified that, under permitted uses, if the lot is used as an Outdoor Tourist Attraction, then the owner cannot exercise rights under the other two permitted uses for the lot (Billiard Hall or Recreation and Entertainment uses) at the same time.

In response to a query from Council, Ms. Paton stated that, although no examples for the term “Outdoor Tourist Attraction” are listed in the Bylaw, the Bylaw does include a list of accessory permitted uses. However, site coverage would always be regulated.

In response to a query from Council, Ms. Paton confirmed that any of the proposed amendments raised this evening may be included in Bylaw 7645 after the closing of the Public Hearing.
E. PUBLIC INPUT (continued)

33. Christina SIMPSON IN FAVOUR
1100 Block Eyremont Drive
West Vancouver
- Commenced working as a student employee for the CSB and is now the Operations Manager.
- Her position involves community relations and liaison with the close neighbours of the CSB.
- Has worked hard to address concerns of neighbours regarding noise from events at the CSB and stated that the CSB is bound by the DNV Noise Bylaw.
- The CSB will work with the District of West Vancouver neighbours over any concerns they may have, and will persist in the spirit of genuine collaboration.
- Following consultations with the property owners on the west side of the Capilano River, the CSB made changes which resulted in new burdens for the company and increased expenses.
- The CSB provides extensive training for its staff members, especially in the area of community stewardship.
- Visitors to the CSB are referred to many local businesses by Staff and this creates goodwill within the community as well as increased business opportunities for local merchants.
- The CSB needs to remain alert to stay competitive and to meet the changing demands of visitors and the community.
- Urged Council to pass the proposed Bylaw to ensure that the CSB Park remains alive and well.

34. Zack BHATIA IN FAVOUR
4100 Block Delbrook Avenue
- The CSB is a unique park which creates enjoyment within the District of North Vancouver and also provides spin-off business to other areas on the North Shore.
- The Park is an environmentally clean operation, well-managed and a world-renown attraction (listed under the Top 10 in BC).
- By allowing the proposed rezoning of the subject property, Council will be remedying a mistake made in 1995 which unilaterally rendered the CSB’s FSR legally non-conforming.
- It is right that Council undoes what it did 12 years ago.
- There has been fear-mongering within the community that the CSB, if it receives the proposed rezoning, is going to build large structures on the property – this is not going to happen.
- Praised Nancy Stibbard for her methods of operating the CSB.
- Is in favour of the proposed Bylaw 7645.

35. Emiko ANDO OPPOSED
300 Block Moyne Drive
West Vancouver
- The proposed rezoning of the CSB property should not permit any further development on the west side.
- The existing OCP designates the west side of the subject site as Park, Recreation and Wilderness.
- The Upper Capilano Local Plan designates the west side of the Capilano River as a private, natural area.
- Under the existing licence, granted to MV in 1972, there is no legal access for construction purposes on the west side of the Capilano River and MV only permits CSB access for maintenance and repairs. This is consistent with what the CSB has communicated to residents of Moyne Drive and Rabbit Lane.
- Referred to a letter to local residents, from the CSB dated May 26, 2006, wherein it assures that the CSB has no plans to build any large facilities on the west side of the Capilano River.
• Should the CSB’s intentions change in the future, then at that time it can apply to the DNV for a development permit through the Planning Department, in the same way as the rest of the community.

36. Ernie GAUVREAU
3400 Block Capilano Road
• Has resided at this address for the past 16 years.
• Has been appointed to address Council this evening on behalf of the owners and 60 residents of Canyon Manor, located immediately south of the CSB property on the west side of Capilano Road. Canyon Manor is CSB’s closest neighbour.
• Expressed respect for the CSB’s contribution to tourism and the economy of the community.
• Residents of Canyon Manor are impacted dramatically from mid-May through to mid-September each year by visitors to the CSB.
• Major traffic congestion is routinely experienced by locals and there is illegal parking on the Manor property.
• Idling buses create fumes and Bylaw Enforcement is rarely seen.
• Bus patrons sometimes use the carport area of the Manor as a local washroom.
• Residents of Canyon Manor have raised these issues with the CSB, which has done nothing to address the problems.
• Many times a day, residents are forced to listen to off-key singing, First Nations drummers and dancers, as well as multiple announcements to visitors.
• Bylaw 7645 will broaden the type of activity permitted on the CSB property, and carries with it the right to increase the floor space from the current 12,000 square feet to 80,000 square feet.
• Expressed fear that this increase will allow the CSB to build massive structures without any input from the community.
• The CSB has stated that it is desperate for new staff facilities.
• The proposed Bylaw is the neighbours’ worst nightmare and will result in increased noise levels echoing through the Canyon.
• The proposed Bylaw 7645 goes well beyond addressing any mistake made by Council in 1995.
• Urged Council to rescind Bylaw 7645.
• The subject site is an outdoor nature park – do not allow it to become an outdoor theme park.

37. Geri BOYLE
District of West Vancouver
700 Block 17th Street
West Vancouver
• Manager of Community Planning for the District of West Vancouver.
• Referred to the written comments from the Mayor and Council of the DWV and thanked Council for the opportunity to review the Bylaw and provide input.
• Requested that any proposed Bylaw changes reduce the impact on the west side of the CSB property.

38. Heather BAKER
1100 Block Hilary Place
• The proposed Bylaw 7645 is a corrective measure by the DNV Planning Department to amend an error made in 1995.
• It is unfortunate that Council has permitted this error to continue for 12 years as it has seriously impaired the efficiency of the CSB and its ability to provide improved facilities to both employees and visitors.
• The CSB is one of the District’s largest taxpayer and employs close to 200 individuals on the North Shore and from the First Nations.
• The CSB makes large donations to the community on an annual basis.
39. Mike JEKYLL

Has resided at this location for 33 years.
Requested vigorously that Council leave the current zoning in place.
The CSB is an excellent tourist attraction.
Since 1983, the biggest success of the CSB has been growing from 125,000 guests per year to approximately 750,000.
The CSB is the only business operating in what is otherwise a residential neighbourhood and this diminishes the quality of life for the neighbourhood, including an increase in traffic problems on Capilano Road.
In recent years the CSB has approached Council with several requests for redevelopment on west side of Capilano Road. He outlined these and stated they did not happen.
If the proposed Bylaw is allowed to proceed, noise from outdoor restaurants and amplification of sound will shatter the peace, all for profit.
The CSB wishes to increase its business further, all in a residential area. The CSB will be the sole beneficiary of this increase.
Referred to his neighbours and stated that they are equally concerned about the effects of noise from the CSB.

40. Nancy STIBBARD

Has owned and operated the CSB since 1983.
Her family has owned the CSB for 55 years and has developed and matured it into the business it is today.
The Bridge is one of two premier attractions on the North Shore and in BC.
In supporting the District’s corrective motion today, the CSB is accepting dramatically less square footage than it was permitted pre-1995.
Prior to 1995, the CSB had over 1.5 million square feet of allowable floor area available for future development. With today’s motion, this area is reduced to 80,000 square feet.
The 1995 zoning error, though unintentional, has caused considerable hardship for the CSB.
The CSB is operating in a zone that allows 275,000 square feet of floor area but with only 10% of any building floor space being permitted for office use, food areas etc. The remainder of any building (remaining 90%) must be enclosed entertainment space.
The CSB deals with nature and you cannot enclose nature in a building.
The CSB has therefore worked long and hard with the District to solve these issues.
In the past, the CSB has invested time and money, seeking to rectify the 1995 zoning.
Subsequently, the CSB learned the property was rezoned in error and without proper public notice. Bylaw 7645 would correct this.
The Bridge Staff needs additional space: office space, washrooms, storage space, changing rooms and lunchrooms.
Under the current zone, the company cannot fix these problems.
The change from pre-1995 1.5 million square feet of developable floor space to 80,000 square feet today is an overwhelming drop.
Bylaw 7645 would also allow for future uses of the property.
Residential properties are permitted 35% FSR, Commercial around 60% - under the proposed zoning, the CSB would accept only 9%.
The CSB needs the flexibility to move forward.
It is time to correct an incorrect zoning.
Respectfully requested that the proposed new zoning be permitted.
41. **Maria TGNJATIC**  
300 Block Moyne Drive  
West Vancouver  
- Paid a large sum of money to live in a neighbourhood which is quiet and peaceful.  
- Peace equates a healthy life.  
- An increase in traffic in the Moyne Drive neighbourhood is unacceptable.  
- There are more than 30 young children growing up in her neighbourhood.  
- Does not agree with the way the CSB operates and stated that it is dangerous to the public.  
- During summer, the increased traffic on Capilano Road paralyses rush-hour.  
- Is opposed to the proposed new zoning.

42. **Nancy ACKERFLDT**  
3400 Block Capilano Road  
- Lives directly beside the CSB parking lot and has resided at this address for 17 years.  
- Her son has worked over summer holidays at the Bridge and her daughter is currently employed there.  
- The CSB is a premier tourist attraction for Vancouver and was in operation long before the neighbours moved into the area.  
- She has experienced few problems with the CSB.  
- The most annoying noise is during rush hour on Capilano Road or in the middle of the night from car radios. Capilano Road is also busy on Saturdays with traffic going to Grouse Mountain, the Cleveland Dam and the Regional Park.  
- Density is unavoidable for the future.  
- The neighbourhood on the west side of the Capilano River is a quiet area and is buffered by Rabbit Lane Trail. It is an area in transition with older houses being torn down in favour of new ones.  
- The CSB is situated on privately-owned land and should have the opportunity to update and expand as other privately-owned properties. It is not an extension of the Capilano River Regional Park.  
- The proposed changes to the zoning appear fair and reasonable and do not give the CSB carte blanche to do whatever it wishes with its property.

43. **Gary BOMBAY**  
5500 Block Stellar Place  
- Lives near the Cleveland Dam and travels Capilano Road on a regular basis.  
- The CSB is a supplier to the local community and the world.  
- It is a unique business which represents the rainforest.  
- He often takes overseas visitors to the CSB and Grouse Mountain.  
- There are lots of rivers and waterways on the North Shore but many of these are difficult to access.  
- The CSB employs students in first jobs and teaches employees how to serve customers.  
- There is a high level of commitment to customer assistance from its Staff.  
- The owners of the Bridge participate in the local community and engage school children from the North Shore in yearly celebrations.  
- Approximately 5,000 households living in the neighbourhood of the Bridge receive free passes to the attraction.  
- The best indicator of what might happen in the future on the subject property is to go with history – the business has been in the same family for many years and has been developed and managed in a conscientious manner.  
- Tourism is an important part of the local economy and the CSB has won many awards in this area.  
- Ms. Stibbard is a good corporate citizen who contributes to local culture and charities.  
- Requested that Council remembers it is dealing with a good neighbour.
44. Zigmund RIDDLE
300 Block Moyne Drive
West Vancouver
- Works as a real estate broker.
- Expressed support for any development which would benefit the North Shore economy. However, such development should be considered in the light of its direct impact to its neighbours.
- The residents of Moyne Drive are not necessarily opposed to the idea of development at the CSB but rather to an increase in noise, traffic and danger to children playing in their area.
- If the proposed Bylaw proceeds and results in heavy traffic and increased noise in the Moyne Drive area, then the value of these properties could decrease by at least 20% and Council would be responsible for this loss.
- Developers seek financial gain and money is the nature of business.
- Council cannot agree to something which will negatively impact 300 properties and families.
- Bought a house in the Moyne Drive neighbourhood to enjoy a child-friendly community for his family.
- Urged Council to avoid agreeing to any development which will disturb substantially the peace and lives of his family and neighbours.

45. Graham DOAK
3400 Block Greentree Lane
- Has resided at this location, two blocks from the CSB, for 24 years.
- Expressed support for Bylaw 7645 as it corrects an unintentional issue from the 1995 Bylaw.
- The CSB does not diminish the neighbourhood and is recognized as a top national tourist attraction in Canada.
- The Bridge provides employment within the community and purchases from local businesses.
- Being a leading tourist attraction, the CSB puts the North Shore “on the map” and helps the local economy to prosper.

46. Kim OLSON
4000 Block Capilano Park Road
- She and her husband reside just up the street from the CSB.
- Oppose the rezoning and are concerned that it would mark a return to the noise disturbance issues which originated from private functions held on that property prior to the summer of 2004. At that time, the CSB acknowledged these disturbances and reached an agreement with local area residents whereby it agreed to adhere to the existing zoning, which requires that all operations associated with permitted principal and accessory uses shall be contained within a completely enclosed building, except in the case of outdoor customer service areas.
- At this time, despite a proposal by the DNV that the terms of this agreement be documented in a Memorandum of Agreement between the CSB and the local area residents, the CSB refused to sign.
- Noise can be very disruptive to a neighbourhood which pays a premium to enjoy its privacy.
- Noise travels over water and echoes throughout the Canyon.
- Events held outdoors by the CSB, particularly with music and crowds of people, produce high levels of noise.
- The restrictive language of the current Bylaw, requiring that principal and accessory uses be contained within a completely enclosed building, has not been included in the proposed Bylaw 7645.
- Bylaw 7645 would allow the CSB to construct an outdoor stage and banquet facilities, and the District would lose all control over future uses on the site.
- Requested that Bylaw 7645 be rescinded or amended to include the terms of the 2004 Agreement regarding verbal noise.
- There are young children living in the neighbourhood.
- It is often difficult to cross Capilano Road due to heavy traffic.
• Expressed concern regarding any additional outdoor attraction.

47. Paul MARTIN  
1100 Block Hilary Place  
• The CSB hosts many community events.  
• His daughter is employed at the Bridge and has been trained in her job, as well as treated to numerous staff appreciation events.  
• Denied having experienced the high level of traffic frustration mentioned.  
• Given the level of activity in the area of the CSB, things go smoothly.  
• Bylaw 7645 is a corrective bylaw proposed by the DNV Planning Department.  
• The CSB is a pillar of the local community and has earned many awards.  
• Urged Council to “do the right thing” and support the motion of the Planning Department Staff.

48. Kevan RIDGWAY  
4200 Block Moncton Street, Richmond/600 Block West Broadway, Vancouver  
• President of the Vancouver Coast and Mountain Tourist Region, which markets the North Shore to the world.  
• Has had experience running groups of attractions in another province.  
• For a tourism attraction to continue to be viable for a long period of time, it is essential that that attraction continues to evolve and develop.  
• The CSB, over its life of many years, has demonstrated an understanding of the need to do this, while still having due consideration for its neighbours.  
• Without the ability to continue to evolve, the CSB will not continue to be the success that it is.  
• Council should be proud of the role the Bridge plays on the North Shore.  
• Tourism is only successful when implemented in a manner that is not inconsistent with the needs of the residents – the CSB has demonstrated a clear understanding of this.  
• Expressed confidence that, in its planning for the future, the CSB will continue to follow the same path.  
• Urged Council to pass DNV Staff’s recommendation.

49. Mike BOEHM  
4300 Block Starlight Way  
• Has resided in North Vancouver for 30 years.  
• The CSB is a successful, longstanding, world-class and world-renown tourist attraction.  
• Bylaw 7645 is correcting the 1995 Bylaw.  
• Lack of additional floor space has denied the CSB the ability to provide adequate staff areas and storage.  
• The CSB has shown commitment to the North Shore and has received numerous awards and accolades.  
• The economic spin-off to the community from the Bridge is immeasurable.  
• Nancy Stibbard is a significant employer on the North Shore and a good corporate citizen.  
• Supports the Staff motion for Bylaw 7645.

50. GLENN SIGURDSON  
300 Block Moyne Drive  
West Vancouver  
• This issue is not one of the popularity of the Stibbard Family.  
• If Council makes its decision on the basis of the Stibbard Family and the accolades heard this evening, then it is fundamentally misdirecting the nature of its job.  
• Expressed respect for the CSB but stated that it undertook extensive construction on the west side of its property, without a permit. This raises the level of anxiety within the community on how the business is run.
• Referred to the 1995 Bylaw and stated that, in its Report dated December 29, 1994, Staff explained specifically the rationale as to what was going on in relation to the Bylaw and how it would render some areas legally non-conforming.
• Stated that it is implausible that Council would have allowed an error to stand if it genuinely believed an error had been made.
• Legislation is not passed in error.
• Referred to the issue of noise and stated that noise is offensive to those who are adversely affected by it.
• Supports Council passing a zoning bylaw to ensure the integrity of the CSB as a place of natural wonder but stated that noise reverberating up the Capilano Canyon is not consistent with that zoning.

51. John STIBBARD (speaking for a second time) IN FAVOUR
3700 Block Capilano Road
• Represents the ownership of the Capilano Suspension Bridge.
• Referred to damage which occurred on the CSB property during the November 2006 storm, stating that this closed the CSB for 109 days while repairs were carried out. Much of the heavy equipment needed to do this came through the access road in West Vancouver.
• Since finalization of repairs in July 2007, the CSB has agreed to limit its use of Moyne Drive, wherever possible, to one maintenance run per week with a ¾ ton panel van as well as the occasional delivery of dirt, plants and wood for completion of the walkways to protect the forest floor and indigenous vegetation. Such use, by the CSB, of Moyne Drive is lawful.
• The District of West Vancouver has concurred that the CSB has a legal right to use Moyne Drive but expressed hope that it would limit its use wherever practicable.
• Referred to the current zoning which allows the CSB to build approximately 275,000 square feet of floor area such as a skating rink, recreation club or theatre, on either side of the Capilano Canyon.
• Bylaw 7645 would allow the CSB to build to a maximum of 5,000 square feet of structures on the west side of its property, including the 1,000 square feet already used. This represents a major downsizing.
• Showed photographs of the types of structures currently on the west side of the site: washrooms, a tree house and deck exhibits.
• Stated that any additional structure might require annual upkeep but should not require more use of Moyne Drive and should not create additional noise.
• Under its agreement with the GVRD, the CSB is not permitted to bus guests to the west side of the site via Moyne Drive.
• The real purpose of Bylaw 7645 is to correct an error made in 1995.
• Bylaw 7645 also goes a long way to limiting future growth on the west side of the River.
• Bylaw 7645 makes recommendations that are fair and reasonable as to property entitlement.
• Stated that now is the time to resolve these issues and pass this Bylaw.

52. Jim STORIE IN FAVOUR
800 Block Terminal Avenue
Vancouver
• Chairman of the Council of Tourism Associations of BC.
• The CSB is one of BC’s premier locations.
• It is a major business on the North Shore and has garnered substantial recognition over the years.
• The owners have been recognized for contributions to tourism, volunteer work and success not only locally but also provincially and nationally.
• Nancy Stibbard was inducted into Canada’s Tourism Hall of Fame in 2007.
• The 1995 Bylaw impacted the CSB significantly, an error that the DNV Staff has acknowledged and stated needs to be fixed.
• The 1995 Bylaw reduced the allowable accessory areas to 10% of acceptable floor space.
Since 1995, the CSB has not been able to develop a single foot of accessory floor space for office space, staff areas or storage. Bylaw 7645 would fix this problem as it removes the accessory floor space limitation.

It is time to right a wrong and pass Bylaw 7645.

53. Dennis KEARNS  
1200 Block Esquimalt Avenue  
West Vancouver

Has resided on the North Shore since 1971.

His son is employed at the CSB.

The CSB is a successful business, good employer, educator of the young, an economic bonanza on the North Shore and in the Lower Mainland, and is a large taxpayer.

Supports Bylaw 7645.

54. Lissa POLONI  
3900 Block Capilano Road

Has resided at this location since 1998.

The issue before Council has nothing to do with Ms. Stibbard being a good corporate citizen.

Bylaw 7645 gives the CSB a “blank cheque” to do as it pleases without community input and/or consent.

The Bridge sits in a pristine park setting surrounded by residential areas, and its activities have a direct impact on those residents.

Noise is amplified up the Canyon and affects the quality of life of the Bridge’s neighbours.

Neighbours should have the right to a voice on any future development at the CSB.

55. Scott ROBERTS  
100 Block West 16th Street  
City of North Vancouver

Director of Sales, Western Canada for Transat Tours Canada which maintains a strong focus on the inbound tourism market.

Has worked closely with the CSB and stated that it is a premier tourist attraction in BC.

The desire of the CSB is to create an eco-friendly attraction which can be enjoyed by locals and visitors alike.

The CSB has strong partnerships within the tourism and business communities.

An ongoing renewal of service initiatives is required for a business to remain attractive to both new and repeat visitors alike.

This necessitates a viable increase in staffing levels to meet a growing customer base and their expectations.

The CSB is an outdoor attraction focused on nature.

In order to remain as a successful business and a strong employer of youth in the tourism industry, future use of the property must be reasonable and must take into account operational and employee requirements.

Supports Bylaw 7645 which assigns reasonable zoning rights for the CSB property.

56. Charlotte ROBERTS  
1500 Block Burrill Avenue

Has visited the CSB on many occasions and has taken visitors there.

The Bridge is an outdoor attraction set in a natural park which, on the west side, has a gorgeous old forest.

Expressed disbelief that the CSB would erect any building which would not be environmentally friendly.

The CSB brings in visitors from all over the world.

Bylaw 7645 would allow the Park to modify what it has in terms of office space and staff areas.
• People are worrying needlessly about what the owners of the Bridge might build in the future.
• The whole mandate of the business is to be environmentally friendly.
• The Bridge produces huge revenues and would never build an “eyesore” within the neighbourhood.

57. Doug McCANDLLESS
3500 Block West 22nd Avenue
Vancouver
• Director of Sales at the CSB for past 1½ years.
• Employees of the CSB are passionate about their company and believe in the direction it is taking. They have not been forced to make representations to Council on its behalf.
• There is a lack of existing space for staff when compared with other companies and businesses and this hampers the CSB’s ability to attract, recruit and retain the quality and quantity of employees needed to run an operation of this size and success.
• The CSB is a highly respected and honourable company.
• The CSB markets to the world selling nature, fun, the rainforest, thrills, and the outdoors.
• This business desires to preserve the outdoor experience, not diminish it.

58. Alan NOBLE
300 Block Moyne Drive
West Vancouver
• The CSB is in the business of selling nature.
• Referred to the wording of a song “…paving paradise to put up a parking lot…” and stated that this is what is happening on the west side of the subject site.
• There is a lot of building occurring on the west side of the River.
• Expressed concern re the traffic access the CSB uses from Moyne Drive, which should be for emergency purposes only and not construction. This traffic is taking away the peaceful enjoyment of his neighbourhood.
• The fact that the CSB is proposing adding major additional building space without taking away the forest is inconsistent.
• Requested that Bylaw 7645 be rescinded and that the Planning Department find a solution which will adhere to the needs of both the CSB and its neighbours.

59. Kara BUTLER
500 Block East Windsor Road
• Has resided in the DNV for nine years and has been employed by the CSB for five years.
• Lives on a beautiful, residential cul-de-sac with trees hiding some of the houses.
• Outlined daily activities within her cul-de-sac: construction, truck deliveries, music rehearsals, and stated that, if these are considered reasonable for her street, then it is inconceivable that a commercial zone nine km away, in the same municipality, would not have the same rights.
• Bylaw 7645 is reasonable, does not contradict the demonstrated values of the DNV and should be passed.

60. Gary MATHIESON
2700 Block Palmerston Avenue
West Vancouver
• President of Lonsdale Quay Market Corporation.
• His parents reside on Moyne Drive.
• Has visited the CSB on many occasions and has taken visitors there. It is a “must-see” destination.
• Nancy Stibbard and her family have been the operators of the business over the years and demonstrate a unique ability to build a successful operation.
The CSB protects its surrounding environment and visitors are able to enjoy the sights and experiences from a safe, comfortable venue.

The Stibbard family are excellent corporate citizens.

By approving Bylaw 7645, Council would allow the CSB to operate at its full potential.

The Bridge provides spin-offs to other businesses on the North Shore by increasing tourism.

Urged Council to support Bylaw 7645.

61. Mike NEWLAND OPPOSED
4000 Block Capilano Park Road

- Has resided in North Vancouver for the past 13 years.
- Twice in the last eight years the CSB has had to withdraw planning applications due to strong opposition from the community.
- The permissive zoning language written into Bylaw 7645 offers too much risk without any particular redevelopment plans in place.
- Queried what would happen under the new zoning should the CSB be sold to a new owner.

The Mayor called for a recess (8:08pm) and the Hearing reconvened at 8:22pm.

PUBLIC INPUT CONTINUED:

62. Andrew BRULE OPPOSED
300 Moyne Drive
West Vancouver

- Has resided at this location, with his wife and three small children, for three years and enjoys its peaceful atmosphere.
- Two of his neighbours have lived on Moyne Drive for 50 years.
- The recent maintenance and repairs at the CSB, following the 2006 winter storm, gave residents a glimpse of what might be, should Bylaw 7645 be passed.
- Following the storm, trucks were rumbling through the neighbourhood at the earliest possible times and posed a danger to adults and children.
- The proposed rezoning is a big unknown and will have a great impact on the west side neighbourhood, especially during construction on the CSB property.
- Referred to the Treetops Adventure at the Park and stated that, when requested by the DNV Environmental Officer to cease construction of this activity as there was no building permit issued, the CSB simply ignored all such requests.
- The proposed new zoning is not based on a popularity contest – the issue should be about good governance of private and public lands.
- The CSB is a business and Bylaw 7645 will apply to whoever owns that land.
- Now or in the future, Bylaw 7645 will enable the CSB to build to the maximum allowable square footage, if it chooses.
- Opposes Bylaw 7645.

63. Ralph KELMAN IN FAVOUR
300 Block Main Street
Vancouver

- Is a member of the BC Big Tree Committee.
- Has been conducting a survey of the District of North Vancouver and District of West Vancouver trees for the past 20 years.
- The Bylaw needs more flexibility.
- Suggested that a large tree museum be installed on the west side of the Capilano River.
- Opined that it is a shame not to take advantage of the west side in terms of an interpretive feature.
• Expressed sympathy with the neighbours of the Park who experience noise pollution and stated that something can happen at this location without compromising the quality of the area.

64. Ronald NESS  
1000 Clements Avenue  
• The west side of the Capilano River is a natural habitat with wilderness trails.  
• To open up this location for trucks and vans to enable construction and maintenance is not foreseeable. This area was never meant for these purposes.  
• The CSB is a well-run company but its does not need to get bigger than it already is as this would mean more visitors to the area.  
• Traffic can be horrendous on Capilano Road.  
• If the west side of the River were opened up to allow trucks access, the noise of these trucks would vibrate off the Canyon walls.  
• Would like to see this area remain as it is.  
• Many dog walkers and seniors use the west side of the River and have nowhere else to go.  
• Opposes Bylaw 7645.

65. Jim HOGAN  
1700 Block Fullerton Avenue  
• Has been a resident of the North Shore since 1968 and has lived in North Vancouver for two years.  
• This Council has to accept its responsibility to mend the mistake made in 1995.  
• The CSB has been invited to participate in the proposed rezoning.  
• Today, people generally seek more rather than less, so this is a unique situation whereby the CSB is agreeing to a reduction in floor space.  
• This property has nothing to do with the District of West Vancouver.  
• Expressed amazement that people would come and explain their concerns when they have no issue other than what happens to be for their benefit.  
• Reminded Council that the residents who live in the DNV elect them and this is the mandate of those residents.  
• Access to the Moyne Drive area has already been limited to what is prudent and wise.  
• The CSB encompasses a large property of approximately 17 acres.  
• The neighbours knew about the existence of this privately-owned property when they came to live near it.  
• The proposed rezoning provides Council with an opportunity to show that it cares about the men and women who work for the CSB.

66. Alyssa LAING  
300 Block Moyne Drive  
West Vancouver  
• Has two small children who enjoy playing in the serene enclave of Moyne Drive.  
• It would be devastating to her, and her neighbours, if the area changed due to safety and noise issues.  
• Would like the west side of the Capilano River to remain untouched and the trails kept as they are, clean and beautiful.  
• There should be no construction on the west side due to safety issues.  
• These areas are for the locals to enjoy and people walk these trails, many with their dogs.  
• Not enough has been done to protect nature in this locale.  
• Council should not be distracted, by business, from protecting these areas.  
• If the CSB wishes to add locker, staff and storage spaces on their site, why don’t they state this so the public understand what the issues are and the possible ramifications?
67. Laird O’CONNOR (speaking for a second time)  
300 Block Moyne Drive  
West Vancouver  
- The issue is one of process.  
- It is fair to the CSB to have the District correct any errors incurred by the 1995 Bylaw.  
- It is not right for the District to bring forward this proposed rezoning on behalf of a second party. Appropriate a rezoning on behalf  
- Process is flawed as it has been rushed through.  
- CSB should be required to present its own rezoning.  
- Can understand the frustration of the CSB over the cost of constant studies for development purposes.  
- The need for locker space, washroom and a staffroom is not a large issue and could be dealt with simply through a variance.  
- Expressed concern over outdoor uses proposals especially for West Vancouver residents.  
- The residents of Moyne Drive have been subjected to significant traffic and truck disturbances over the last five years, and the CSB has shown contempt for their concerns.  
- The District of West Vancouver and the GVRD have not been adequately consulted on this rezoning application.  
- The District of West Vancouver has requested direct action on many issues surrounding proposed Bylaw 7645.  
- Access to the CSB property for development purposes is a concern. The CSB has not been forthright with the Moyne Drive residents over this access.  
- The residents of Moyne Drive have had numerous meetings with the CSB, resulting in scepticism on the residents’ side as to the intentions of that company.  
- Referred to Ms. Huber’s Report to Council which stated that, in the case of this property, there should be no more development on the west side and restrictions should be placed on outdoor seating.  
- Requested that Council reject Bylaw 7645.  
- The CSB should be required to make an application for rezoning, outlining its future intentions for the site. This is common practice for development.  
- Reject any increase in floor space on west side.

68. Walter MUSTAPICH (speaking for a second time)  
300 Block St. James Crescent  
West Vancouver  
- Resided in North Vancouver for seven years prior to moving to West Vancouver.  
- We are all North Shore residents.  
- The CSB is an asset to the North Shore.  
- Quality of life is a huge concern to many.  
- Has three young children.  
- Paid a premium to live in his neighbourhood, which reflects the quality of life of the 1960s.  
- Trucks going up and down his street are a reality.  
- Although the CSB deserves to be successful, there has to be a line drawn at some point.  
- The CSB could continue to expand but at what cost?  
- There has to be some consideration given to the values of the local residents as well as the CSB.  
- The Bridge is not going anywhere and its revenue stream is something to be proud of.  
- No one knows the building plans for the CSB.  
- Queried the interpretation of the term “entertainment” and stated that loud noise is something the residents do not want to endure.  
- Some expansion to accommodate CSB Staff is fine but expansion to allow a facility which is going to be used for loud events is not.  
- The wants and feelings of individuals in the community are important.  
- What is being proposed is an enviro-Disneyland.
We need to protect and preserve what we have in our own backyard, as it is today, without it being enhanced by technology.

69. Don FRENCH (speaking for a second time)  
2000 Block Van Isle Road  
Qualicum Beach  
• There has been a lack of communication from the CSB.  
• No one, at any level of the CSB, has contacted him in the past six years with their intentions. Neither has DNV Staff.  
• Noise from the CSB, such as drums, can be heard in his back garden during summer.  
• Amplified sound from the CSB site will be heard throughout the lower part of the British Properties.  
• In the last 120 years, the CSB has been operated by six different owners and no one can foresee who will be the next owner.  
• Noise restrictions must be written into the Bylaw.  
• Requested that Council support the motions from the District of West Vancouver regarding the CSB.  
• There is ambiguity over the interpretation of the term “outdoor entertainment”.  
• There needs to be more specifics about what can, and cannot, be done on the Bridge site.  
• The CSB operates 364 days a year and the neighbours have to deal with whatever happens there.  
• Plans to retire to Moyne Drive.

70. Bob VERNER (speaking for a second time)  
300 Block Moyne Drive  
West Vancouver  
• Has resided at this location since 1974.  
• The CSB provides a wonderful legacy to the North Shore but the neighbours are also wonderful people.  
• Expressed concern re the role of agreements, bylaws and zonings.  
• Referred to the Agreement between the CSB and the GVRD, drafted in 1972, and stated that the CSB knowingly gave up its rights to undertake major development on the west side of the River. It now needs to abide by this agreement.  
• Although the 1995 Bylaw is supposedly erroneous, Bylaw 7645 goes way beyond the intention of that Bylaw.  
• Under Bylaw 7645, we are giving huge discretionary powers to the CSB to go ahead and build/develop whatever they wish, despite permits.  
• Urged Council to rescind Bylaw 7645 and, should the CSB wish to undertake further development on its property, then this should be done through a permit application basis.

71. Bill YAGER (speaking for a second time)  
4000 Block Capilano Park Road  
• The crux of the reasoning behind the DNV tabling Bylaw 7645 is that, under the 1995 Bylaw, the CSB property was rendered unintentionally non-conforming. The other issue is the new accessory floor space.  
• Staff’s Report to Council, dated December 28, 1994, advised that, under Bylaw 6685 “…a number of uses will become non-conforming”. Others, in addition to the CSB, suffered non-conforming consequences by the passage of Bylaw 6685.  
• The regulatory system recognizes that sometimes structures are rendered non-conforming by zoning changes, and a mechanism is in place for improvements or additions to such structures.  
• As the CSB did not have any ability, prior to Bylaw 6685, to add new buildings and structures, either for principal use or accessory use, it did not suffer a direct loss as a consequence of that Bylaw.
The 10% accessory floor space limit under the C5 Zone would have been intentional to protect and preserve the overall nature park character of the CSB property.

Reversing a zoning decision made 13 years prior by competent and experienced planners, and which arguably was intended to preserve the nature park character of the subject site, should be considered carefully.

The DNV could end up setting a dangerous precedent by initiating so-called “corrective changes” for one owner in a commercial zone, when there are other zones which were also altered by Bylaw 6685.

Expressed concern that the CSB ownership may be seeking a different principal use for the property which is more lucrative, without disclosing any particular redevelopment intentions or plans.

Should Bylaw 7645 be permitted, all realistic opportunity for Council control and community input for a future redevelopment would be lost.

Expressed concern with the DNV initiating zoning language amendments for a private property owner.

Stated that Bylaw 7645 should be rescinded without amendment and Staff should be instructed that this is the end of the matter.

The CSB should follow the normal rezoning process should it wish to address any changes to its zoning bylaw.

72. Noreen BROX (speaking for a second time)  
300 Block Moyne Drive  
West Vancouver

- Has resided at this address since 1978.
- Stated that the changes made to accessory use under the 1995 Bylaw were not unintentional. There was no error.
- The zoning changes were not unintentional at that time.
- Referred to Doug Allan’s Report to Council dated December 29 re principal uses and accessory uses for the CSB.
- Raised concerns over future expansion without public scrutiny.
- The CSB was not the only property affected by the 1995 Bylaw change.
- Bylaw 7645 lumps principal and accessory uses together.
- 80,000 square feet of developable floor space – what does this really mean?

73. Emiko ANDO (speaking for a second time)  
300 Block Moyne Drive  
West Vancouver

- Permitting the CSB 80,000 square feet of accessory floor space lacks balance.
- The Moyne Drive residents were impacted by the operations of the CSB, long before it suffered damage during the 2006 storm.
- Queried how the company could service a 5,000 square foot structure on the west side of the River with a small van, once a week.
- The CSB is not able to service its water sewage from the west side of the River without the cooperation of the District of West Vancouver, and without travelling through the Moyne Drive neighbourhood.
- The District of West Vancouver has erected a sign in the Moyne Drive area saying “No Trucks”.
- Permitting the CSB accessory space on the west side of the River is a non-issue as the company is unable to develop that land.
- Implored Council to oppose Bylaw 7645.
74. Stacy CHALA (speaking for a second time) IN FAVOUR

1100 Block Cloverley Street

- Employee at the CSB for the past nine years.
- Works with Metro Vancouver Parks (formerly GVRD) for access to the CSB property via the Moyne Drive access road – limit of one trip per week for purposes of repair, supplies and maintenance.
- Showed visual of the Trips’ Log since July 2007.
- Most of the supplies and garbage are brought over the Suspension Bridge in the mornings and evenings.
- Only other time the CSB property is accessed from the west side is if there is a medical emergency.
- Stated that the company is giving its best effort to communicate and coordinate with Metro Vancouver Parks and the residents of Moyne Drive.

75. Noreen BROX (speaking for a third time) OPPOSED

300 Block Moyne Drive
West Vancouver

- Activity on the west side of the Capilano River impacts the Moyne Drive neighbourhood.
- 4,000 square feet of accessory floor space is enough for a licensed restaurant.
- The more development that is permitted on the west side of the River, the more there will be to repair and maintain, and crews for this will have to approach from the west side. This will have serious repercussions for the Capilano Park users and the West Vancouver residents.
- The CSB is not licensed to move through her neighbourhood – Metro Vancouver has stated that it does not allow this under its Licence Agreement with the CSB.
- Referred to the sale of property on the west side of the Bridge by the CSB to the GVRD 35 years ago, and stated that in doing so, the CSB gave up its rights to that land.
- The west side of the River is supposed to be a natural park area.
- Queried how the Treetops Adventure was able to be built without a permit.
- The District needs to rescind Bylaw 7645 so that each time the CSB applies for any development, their intentions are known.

76. Bob BENNER OPPOSED

1400 Block Greenbriar Way

- Has lived directly behind the CSB for 20 years.
- The CSB never lets anyone know what they are planning.
- Hears noise from weddings, speeches, music and car horns from the property: noise is the biggest problem.
- The CSB is not being truthful or honest – if the company told everyone what they are planning to do under the proposed new Bylaw, then that would solve many problems.
- The CSB is not a good neighbour.
- The stench of garbage in the summer means he cannot sit out in his backyard.

77. Zigmund RIDDLE (speaking for a second time) OPPOSED

300 Block Moyne Drive
West Vancouver

- Appealed to Council for a balanced decision on this issue.
- This is a situation of business interests vs. the interests of residents.
- There is a lot of concern on the part of North Vancouver residents as well over Bylaw 7645.

78. Bill YAGER (speaking for a third time) OPPOSED

4000 Block Capilano Park Road

- There must be an opportunity for public review of, and comment on, the legal text of any amendments being considered for Bylaw 7645.
- Expressed concern re a possible amendment, suggested by DNV Staff, to add a noise regulation bylaw based on “quiet zone” limits when measured on residential properties.
• That will not work because amplified sound, originating from the CSB property, is very audible hundreds of metres up the Canyon, without any measurable reading in yards and homes. This is due to the echo effect.

• Documented sound parameters and criteria must be based on point of origin rather than point of reception.

79. Don FRENCH (speaking for a third time)  
2000 Block Van Isle Road  
Qualicum Beach  
• Expressed concern regarding any future owners of the CSB.  
• Under new ownership, Bylaw 7645 could be potentially damaging to the neighbourhood.  
• There have already been six changes of ownership of the CSB.  
• Although the current owners have done a great job and need to be able to grow the operation, this must not be undertaken at the expense of local residents.  
• Encouraged a change of zoning for the buffer lot, owned by the GVRD, situated between Moyne Drive and the CSB from commercial to parks.

80. GLENN SIGURDSON (speaking for a second time)  
300 Block Moyne Drive  
West Vancouver  
• This issue is not a competition among business, the community and the environment. It is about maintaining a set of controls to enable this Council, together with neighbouring jurisdictions on the North Shore, to maintain an appropriate level of control in an area with significant values at many levels.  
• Queried whether, if Council passes Bylaw 7645, it would be giving any future owner of the CSB an inappropriate level of control which the municipality would come to regret.  
• It is not possible, at this point in time, to gauge how important this rainforest will become to the community.

81. Corrie KOST (speaking for a second time)  
2800 Block Colwood Drive  
• Has resided on the North Shore since 1974.  
• The issue before Council is a complex legal, ethical and environmental one.  
• Council should either defeat Bylaw 7645 and submit a revised version within 60 days or, alternatively, have the CSB submit a request for zoning and OCP amendments.  
• The reason for Bylaw 7645 is purportedly to correct an oversight made in 1995.  
• Submitted a video copy of the February 27, 1995 Council Meeting which discussed Bylaw 6685.  
• At that meeting, Staff assured that appropriate notification had been given regarding the extensive changes under Bylaw 6685, and that certain additional parties would be notified to ensure that this was the case.  
• All proposed changes of Bylaw 6685 were intentional – there was no mistake.  
• Bylaw 6685 was supported by the Advisory Planning Committee at its November 16, 1994 meeting.  
• The changes under Bylaw 6685 were well thought out and appropriate.  
• Queried the legitimacy of this Public Hearing and stated that it would behove Council to seek a legal opinion on this issue before moving forward on Bylaw 7645.  
• Referred to a previous failed attempt by the CSB to develop a “Main Street” theme (2003) and stated that Bylaw 7645 would allow such a development without any further public input. Urged Council to defeat Bylaw 7645 on this basis.  
• Most of the proposed development on the CSB property is adjacent to Capilano River and well within the 30 metre setback required for the protection of the environment.  
• Suggested that the downstream habitat of fish in the Capilano Reservoir would be compromised by any development on the west side of the River.
Proposed uses west of the Capilano River conflict with the OCP/LAP designation as a private, natural area.

Opined that a full review of the business at the CSB site should be undertaken due to the high numbers of visitors per year (approximately one million) and the District’s wish to be a leader in sustainability.

Council has been elected by the public to protect the public interests and not to enhance the rights of a private landowner at the expense of the greater public or the environment.

The CSB property could be sold, with all development rights under Bylaw 7645 going to the new owner, who would not be obliged to follow any commitments made by the current owner.

Restricting the CSB property to far less than 80,000 square feet of buildings would in no way impede the legitimate current, and future, needs for its success.

Urged defeat of Bylaw 7645.

Suggested that the CSB comes forward with its own proposal for amendments to the zoning.

The Mayor called for a recess (9:56pm) and the Hearing reconvened at 10:08pm.

Mr. D. Stewart, Chief Administrative Officer, stated that in the interests of both municipalities and residents in an area surrounding a property and its owner, some form of new Bylaw is passed which balances and addresses the concerns of all parties, and provides a clear framework for the future. The purpose of this Public Hearing is for Council to hear from interested parties and for Staff to determine if those goals have been achieved.

Mayor Walton advised that this Public Hearing is adjourned to Tuesday, January 29, 2008 at 6:00pm in the Council Chamber.

DISPOSITION:

MOVED by Councillor NIXON, seconded by Councillor MURI and CARRIED
THAT the Public Hearing for Bylaw 7645 be ADJOURNE D and reconvened on Tuesday, January 29th, 2008 at 6:00pm in the Council Chamber, DNV Hall.

MAYOR WALTON declared the Public Hearing in respect of Bylaw 7645 ADJOURNE D. (10:11pm)
The Public Hearing adjourned at 10:11p.m. and Reconvened in the Council Chamber of the District Municipal Hall, 355 West Queens Road, North Vancouver, B.C. on Tuesday, January 29th, 2008 commencing at 6:07 p.m.

PRESENT:

Mayor: Richard Walton
Councillors: Janice Harris, Robin Hicks, Mike Little, Doug MacKay-Dunn, Alan Nixon
Absent: Councillor Lisa Muri
Staff: Ms. A. Hilsen, Municipal Clerk
Mr. B. Dwyer, Manager – Development Services
Ms. J. Paton, Section Manager – Development Planning
Ms. L. Hoeberechts, Council Clerk

F. OPENING OF RECONVENED HEARING BY MAYOR

Mayor Walton welcomed everyone to the meeting and advised that this reconvened Public Hearing (from January 15th, 2008) was to allow for Staff to answer some of the queries raised at the November 20th Public Hearing, and for Council to receive further public input on Bylaw 7645.

G. COUNCIL DISCUSSION

In response to a query from Council re Question 4 on Page 2 of the Staff Response Sheet to Council dated January 23, 2008 (What steps would the CSB have to take to build more staff (or accessory space) under the current zoning?), Staff advised that a Variance Permit is not offered as one of the options for the CSB.

In response to a query from Council, Staff advised that washroom floor space is typically part of the principal use area.

In response to a query from Council, Staff stated that, under the existing Bylaw, the amount of accessory floor space the CSB has is legally non-conforming.

H. PRESENTATION BY PROPERTY OWNER REPRESENTATIVE

Sue KAFFKA (speaking for a second time) IN FAVOUR
1200 Block Duchess Avenue
West Vancouver
• Vice-President for Sales and Marketing at the CSB.
• Has worked at the CSB for the past 23 years.
• Speaking on behalf of Nancy Stibbard, who is unable to attend this evening.
• Bylaw 7645 is a priority issue for the CSB and the Stibbard Family.
• In supporting the proposed Bylaw 7645, the CSB is agreeing to enormous reductions in exchange for fair changes to the unreasonable provisions of the 1995 amendments.
• The CSB requires clear recognition that its principal uses are carried on outdoors.
• There should be appropriate floor space allowance for accessory uses carried on indoors.
• It is time to bring to an end the unreasonable limitations imposed on the CSB by the 1995 zoning.
• The CSB has no intention of building a “Disneyland North”.
• No outdoor activity which creates noise levels in excess of the Noise Bylaw and bothers neighbours will be tolerated.
The CSB will continue to explore advancements in sound technology to ensure sound travel is limited to within the confines of the Park.

It is not possible for the CSB to determine, at this time, what enclosed structures may be built in the future.

Rough estimates of current and future infrastructure needs fully support the 80,000 square foot allowance under Bylaw 7645.

Representatives of the CSB participate in, and host, many community events and also attend the Edgemont Village Business and Professional Association meetings.

Stated that she would be pleased to set up a meeting with the community, when required, for input on issues only pertaining to the CSB.

Apologized for errors made in 2004 when the Treetops Adventure was constructed without development permits. This error has been subsequently rectified.

Treetops Adventure is eco-friendly, quiet and unobtrusive, and a wonderful West Coast rainforest experience.

The CSB has worked with the DNV on Bylaw 7645 for the past two years, and has been trying to obtain fair and reasonable zoning since the mid-1990s.

The CSB wishes to move forward and focus on what it should be doing – providing its visitors with a North Shore experience they will never forget.

Urged Council to vote in favour of Bylaw 7645.

I. PUBLIC INPUT (CONTINUED)

82. Peter ARMSTRONG
3400 Block Marpole Avenue
Vancouver

His business depends on the success of tourism in North Vancouver.

Has been sending tours to the CSB for over 30 years.

There has been a gradual, and continuous, improvement and upgrading of facilities at the Bridge in that time and is now a world-class facility.

Under the leadership of Nancy Stibbard, the improvements have been dramatic.

The CSB provides employment opportunities for young people.

Capilano College runs an incredible tourism course and graduates need to have opportunities to find jobs in their communities.

The demand for quality tourist destinations is increasing and the CSB is a prime example of where Canadian tourism has to go.

Urged Council to rectify errors made in the 1995 zoning.

83. Patsy DUGGAN
1900 Block Marine Drive
West Vancouver

Coordinator for the North Shore Tourism Committee.

The CSB is a key product for North Shore visitors and one of the reasons why visitors travel over to the North Shore from the downtown core.

Tourist attractions like the CSB, Grouse Mountain, Sewell’s Marina and Maplewood Farm need to be fresh and competitive.

It is crucial that they have the opportunity to improve, and keep up, in an always-changing tourism industry.

The CSB needs to build additional facilities to service their guests.

Bylaw 7645 will give the CSB the land rights to improve their business in the future, and to stay competitive.
84. Gordon BONE
3900 Block Capilano Road
- Resides just north of the CSB site.
- Purchased his home, with his partner, just over a year ago, moving from Bowen Island.
- Sought an area which was peaceful and in a natural environment.
- Considered the zoning of the neighbourhood, prior to purchasing his house, and spoke to DNV Staff re possible future projects planned.
- Opposes the proposed changes under Bylaw 7645 as they will “open the door” for the CSB to conduct additional business on its site which will adversely affect the liveability of the neighbourhood.
- This neighbourhood does not need more noise and more traffic.
- This issue is not about what a good employer the CSB is in the community and how it promotes other North Shore businesses.
- When a business is located in a residential area, it is appropriate that restrictions are imposed to ensure neighbours are not adversely impacted by the operation of that business.
- The CSB has operated very well over the years, under the current zoning.
- Queried why the CSB needs now to change its zoning in order to expand its business, to the detriment of the surrounding neighbourhood.

85. Bruce McCANDLESS
3700 Block Edgemont Boulevard
- Resides just up the road from the CSB.
- Purchased his property two years ago and, at the time, was well aware of the neighbourhood he was moving into.
- The CSB has been in its current location since 1889 and is Vancouver’s oldest visitor attraction.
- To live in a beautiful neighbourhood well outweighs the impact of the three months in summer when visitors from all over the world frequent the CSB and other local attractions.
- Reducing from its current allowable floor space of 275,000 square feet down to the proposed 80,000 square feet ensures that the CSB will be able to continue to improve its site, without ruining the neighbourhood appeal.
- Supports Bylaw 7645.

86. Nicholas WATKINS
3900 Capilano Road
- Opposes Bylaw 7645.
- The proposed changes will adversely affect the liveability of the neighbourhood.
- Moved into this area just over a year ago and, at the time, viewed more than 100 homes prior to making a final selection.
- At the time of purchase, he spoke directly with the DNV Planning Department to ascertain if there were any nearby projects planned, or any rezoning being considered, in the vicinity. Was told there were none.
- The running of the CSB adversely affects his quality of life, especially in the summer months with dense traffic and noise pollution.
- Neighbours have complained to the CSB about the level of noise generating from its site.
- Awards which have been given to the owners of the CSB are not germane to this discussion.
- Statements on how good an employer the CSB is have nothing to do with the proposed rezoning.
- The CSB is located in an otherwise quiet residential area, in a forest environment.
- As it is surrounded on all sides by homes, it is entirely appropriate that restrictions be in place to protect the neighbouring residents.
- The CSB has grown over the years to become a tourism “hotspot” under the current zoning.
- One of the goals of government is to protect citizens from harm.
- The prudent action is to defeat the current rezoning motion.
87. Christina SIMPSON (speaking for a second time) IN FAVOUR
1100 Block Eyremont Drive
West Vancouver
• Referred to questions raised regarding noise levels from the CSB site and stated that, when advised of a sound problem, the CSB does its best to solve this effectively.
• There are no high-energy shows at the CSB site.
• The CSB has, over the last few years, conducted a number of music-related experiments, all aimed at improving its guests’ experiences. The results have indicated that ambient music is more effective than scheduled musical performances. The CSB has therefore moved away from louder, show-style entertainment and into smaller-scale ambient music.
• Part of the guest experience is to showcase West Coast First Nations Culture through art and interpretive tours. The CSB is no longer hiring First Nations’ musicians to sing and play the drums.
• Referred to sound tests made on May 31, 2006 at different locations around the CSB Park and specifically at 360 Moyne Drive, and stated that the levels of sound were too low, at the point of reception, to accurately measure any sound data.
• Contacted DNV Staff re sound level concerns and was informed, on May 29th 2006, that there was no record of complaints registered against the CSB since the summer of 2005.
• The CSB is not planning to undertake any outdoor activity which creates noise levels in excess of the Noise Bylaw.
• The CSB will continue to explore sound technology and will ensure that any outdoor interpretive, or performance space, is utilizing technology which limits sound travel to the immediate area only, and is well-contained within the CSB property.
• The CSB wishes to continue to be a good neighbour.

88. Naomi YAMAMOTO (speaking for a second time) IN FAVOUR
100 Block West 1st Street
• President and General Manager of the North Vancouver Chamber of Commerce.
• The primary role of the DNV is to facilitate economic development.
• Referred to the aims of the DNV Vision Statement.
• One of the DNV’s goals is to reduce the share of property tax load carried by the residential sector, while at the same time not shifting a greater share onto existing businesses. The only option therefore is to aggressively attract new businesses while retaining the businesses that are already here.
• The DNV derives significant benefits from tourism, but could gain more.
• The CSB is an existing business with a proven track record, and has been part of the community since 1889, long before the residential developments were established.
• The CSB has been respectful of the surrounding neighbourhood.
• Many businesses have, in the past, encountered difficulties in dealing with the DNV.
• There is a poor relationship between the DNV and the business community.
• The District is not perceived as encouraging development.
• It takes a municipality with good leadership to “do the right thing”.

89. Geoff PERETZ (speaking for a second time) OPPOSED
300 Block Moyne Drive
West Vancouver
• The CSB is deserving of the wonderful things people have said about it.
• Referred to 1970 when the DNV rejected an application for apartments to be built on land situated on the west side of the Capilano Canyon.
• The Capilano Regional Park was created in 1992.
• Referred to the sale of land between the CSB and the GVRD and the concerns raised by the British Property residents over potential CSB development on the west side of the Canyon.
• The CSB’s contract with the GVRD is clear about the intended use of the land sold to the GVRD: For pass and re-pass, upon reasonable notice, for the express purpose only of maintenance and repair. This is definitive language.
There was never any intention that the remaining CSB land, on the west side of the Canyon, would be used for any purpose other than park and recreation.

When the CSB sold its land to the GVRD, it also sold access rights to that land, and rights to develop that land any further. It cannot go back on a legal contract.

Referred to the Staff Report to Council dated May 25, 2006 as follows: “It is recommended that Council rescind Bylaw 7601 and instruct staff to prepare a new bylaw based on the direction contained in this report.”

Page 2 of this Report stated: “Tourist attraction would need to be defined to specify a focus on the nature park aspects of the existing Capilano Suspension bridge operation and prohibit an outdoor amusement park operation.” This definition is not contained in Bylaw 7645.

Referred to potential buildings on the east side of the Canyon and stated that there would be no limitation to these in the new Bylaw.

Residents of Moyne Drive, the District of West Vancouver and the GVRD have had no dialogue with the CSB since 2005.

Metro Vancouver has stated that the CSB does not have legal access across their land, and has not granted permission to the CSB for new construction.

The original intent of the 1970 Agreement between the GVRD and the CSB needs to be reaffirmed.

Referred to the submission made by the District of West Vancouver dated January 14, 2008.

The west side of the CSB should be zoned as park land, under the OCP, and no further development on this land should be contemplated.

90. John STIBBARD (speaking for a third time) IN FAVOUR
3700 Block Capilano Road

- Director of Corporate Development for CSB.
- Speaking in favour of Bylaw 7645.
- 80,000 square feet includes all future construction.
- Provided a list of estimated space requirements the CSB will need to build over time.
- Some guest service buildings are already in existence but need to grow, while others need to be built from scratch.
- The CSB is forced to use off-site storage facilities (around 48,000 square feet) in the District. This makes operations very difficult.
- The CSB has over 200 employees, of which 100 need desk space. This would require at least 9,000 square feet.
- There is also need for meeting rooms, marketing storage, accounting storage, a team member kitchen and training facilities (18,000 square feet).
- For the past 119 years, nature has been the business of the CSB and there is no intention to change that.
- What was built, prior to 1995, is site sensitive and small.
- Outlined examples of what might be built.
- The remaining 3,800 square feet of new construction area, under Bylaw 7645, is less than 2% of the west side of the Canyon and is necessary for small sheds or interpretive stations which will be sheltered within the rainforest, and will mesh with that environment.
- Of the 80,000 square feet allowable under Bylaw 7645, 48,000 meets existing and future guest service needs, 18,000 meets existing and future staff/office requirements, and 14,000 is estimated for future exhibits. None of this will be built in one enormous structure.
- Construction will take place over time, and will be needed to operate the CSB business and to service CSB guests.
- An 80,000 square feet total building cap is fair and reasonable.
- The Stibbard Family has no intention of selling the business.
- Urged Council to pass Bylaw 7645.
91. Don FRENCH (speaking for a fourth time)  
2000 Block Van Isle Road  
Qualicum Beach

- Noise is the biggest issue.
- The noise tests were undertaken on the east side of the Capilano River – the concern is noise on the west side of the River.
- Expressed astonishment that the District has been working with the CSB on this project for the past two years.
- The Metro Vancouver land, which buffers the CSB, should be rezoned to parkland.
- Queried why the GVRD land was zoned for commercial use.

92. Bill YAGER (speaking for a fourth time)  
4000 Block Capilano Park Road

- Referred to the proposed square footage needed for the CSB and stated that the majority of items listed in Mr. Stibbard’s presentation are principal use buildings under the existing zoning. The accessory construction under the existing zoning is restricted to restaurant, office and storage spaces.
- Queried the need for 18,000 square feet of office space to run a nature park.
- The possible “mistake” in regard to the 1995 Bylaw 6685 is restricted to official notification of the pending bylaw, and any oversight in that regard can be cured by a simple ratification and confirmation by the current Council of the C5 zone changes enacted by Bylaw 6685. Council should do this.
- It is inconceivable that the CSB was not aware of the zoning changes proposed in 1995.
- There is no evidence that the 1995 Council and/or Planning Department acted improperly in drafting and enacting the C5 zone bylaw changes.
- Many of the C5 zoning changes appear to be to the clear benefit of the CSB.
- The CSB is using a 1995 technical glitch to open up discussion of C5 zone content to address the business direction it might wish to take in the future.
- There is good rationale behind all of the C5 zone changes made by Bylaw 6685.
- What we have today was, in the opinion of Council in 1995, appropriate for a C5 zone.
- It would set a dangerous precedent to attempt to perfect zoning language for the CSB via a District-initiated rezoning process.
- Queried the other properties under the current C5 zoning.
- Any changes must come in the normal course via a CSB-initiated zoning change, with the DNV acting as regulator and arbitrator.
- Those in the community who are opposed to Bylaw 7645 have laid out a strong case against its enactment.
- Bylaw 7645 must be rescinded.
- The DNV should not be initiating a rezoning change for the CSB property.
- Urged Council to ratify and confirm the C5 zone changes enacted by Bylaw 6685.

93. Glenn SIGURDSON (speaking for a third time)  
300 Block Moyne Drive  
West Vancouver

- Speaking on his own behalf and that of his neighbour in the 300 Block Moyne Drive.
- The CSB is a large company with interests throughout BC, Alberta and worldwide.
- Outlined the businesses under the Capilano Group of Companies and queried whether the required expansion of office space was to facilitate servicing an extensive business empire, headquartered at the CSB property.
- Queried whether a good corporate citizen would build a Treetops Adventure without permits, and ignore 11 letters from the DNV as well as Stop Work Orders. These actions showed a total disregard for DNV Council, Staff, the development processes and bylaws of the District.
- The CSB has abused, or disregarded, the 1972 Agreement with Metro Vancouver.
- The proposed Bylaw 7645 has been in the works for two years. It is therefore surprising that two speakers this evening consulted with the DNV Planning Department, prior to purchasing
a house in the subject neighbourhood, and were told there was no development work planned for the future in the area.

- It is a startling notion that the community is in a position where District Staff is working on certain activities that are counter to what the public is told.
- The CSB is a business, not the Stibbard Family, and it is this business which is asking for deferential treatment.
- The CSB can be sold at any time in the future.

94. Austyn JASPER

1200 Block Seymour Boulevard

- Read out her letter to the CSB.
- She is 9 years old.
- Stated that the new buildings proposed will require the logging of trees.
- Spotted owls, which are endangered animals, live in those trees the CSB would log.
- There are only 15 spotted owls remaining in Canada.
- This logging would kill most of them.
- Urged the CSB to rethink what it is proposing.
- God sent us to preserve things, not destroy them.
- Requested that the spotted owls be preserved.

95. Lyle CRAVER

4700 Block Hoskins Avenue

- Expressed concern for the west side of the Canyon and stated that there is already over-building there.
- When the CSB sold the land to the GVRD, it also sold any development rights to that land.
- He is unconvinced that what was done by senior DNV Planning Staff, and Council, in 1995 was in error.
- The issue of Ms. Stibbard being a good corporate citizen is a red herring.
- The CSB has proven itself by the construction of the Treetops Adventure, without a permit.
- Expressed concern regarding building proposals close to the edge of the Canyon.
- Is not in favour of DNV-sponsored initiatives such as Bylaw 7645.
- Has been a business owner in the DNV for many years.
- Bylaw 7645 is being promoted in an inappropriate manner and should be quashed.
- The CSB should bring forward any development proposal through the DVP process.

96. Noreen BROX (speaking for a fourth time)

300 Block Moyne Drive
West Vancouver

- Referred to the testing done at 360 Moyne Drive and stated that this is her property and she was unaware that such testing took place and did not give permission for this to be undertaken on her property.
- The DNV is in a conflict of interest position.
- The CSB should be making the bylaw application, not the District on its behalf.
- The proper approach is for the District to withdraw Bylaw 7645, and to allow the CSB to make an application in the usual way.
- Queried the amount of office space the CSB wishes to build and whether it is purely for the Bridge operation or whether for its Western Canada operations.

97. John STIBBARD(speaking for a fourth time)

3700 Block Capilano Road

- Stated that the office space required is for the CSB operation only.
- The Stibbard Family is not going to sell the CSB property – it is going to be in his family for generations.
- The CSB is a great legacy in North Vancouver and he intends to see that it remains there.
98. Corrie KOST (speaking for a third time)  
2800 Block Colwood Drive  
• Referred to the February 29, 2000 Report which stated that the area of the bus parking lot, at the CSB is 17,015 square feet. This is larger than what was reported to the community by the Planning Department.  
• Consequently, the accessory space remaining, prior to Bylaw 6685, was 17,485 square feet. This is without taking into account driveway space.  
• To permit 80,000 square feet of accessory space, under Bylaw 7645, is far in excess of what was permitted prior to Bylaw 6685.  
• Most liveable areas in the world are those that are least business-friendly.

DISPOSITION

MOVED by Councillor MACKAY-DUNN, seconded by Councillor LITTLE and CARRIED UNANIMOUSLY

“THAT the Public Hearing be CLOSED and that Bylaw 7645 be brought back to Council at the earliest possible time.” (7:25pm)

CERTIFIED CORRECT:

__________________________________  _____________________________
Mayor       Council Clerk