

36.

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
REGULAR COUNCIL MEETING MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
JANUARY 27, 2020**

COUNCIL:

Mayor M. Booth; Councillors C. Cameron, N. Gambioli, P. Lambur, W. Soprovich, S. Thompson, and M. Wong.

STAFF:

N. Leemhuis, Chief Administrative Officer; M. Panneton, Director, Legislative Services/ Corporate Officer; J. Bailey, Director, Planning & Development Services; I. Gordon, Director, Financial Services; P. Cuk, Manager, Legislative Operations/Deputy Corporate Officer; and D. Hawkins, Manager, Community Planning & Sustainability.

CALL TO ORDER

1. The meeting was called to order at 6 p.m.

Councillors Cameron and Wong entered the meeting at 6:01 p.m.

Mayor Booth made announcements regarding: the 75th anniversary of the Allied liberation of Auschwitz; the passing of West Vancouver artist and teacher Gordon Smith; and the celebration of the Lunar New Year.

APPROVAL OF AGENDA

2. **Approval of January 27, 2020 Council Meeting Agenda**

MOVED by Soprovich, seconded by Wong:

THAT the January 27, 2020 regular Council meeting agenda be amended by:

- adding to Item 3 the minutes of the January 13, 2020 special (open session) and regular Council meetings and public hearing, and the January 13, 2020 public hearing summary report; and
- adding Item 5.1 regarding the Cancellation and Rescheduling of Public Hearing regarding 303 Marine Drive (Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5051, 2020);

AND THAT the agenda be approved as amended.

CARRIED

ADOPTION OF MINUTES

3. Adoption of Council Meeting Minutes

MOVED by Lambur, seconded by Soprovich:

THAT

1. the minutes of the January 13, 2020 special (open session) and regular Council meetings and public hearing be adopted as circulated; and
2. the January 13, 2020 public hearing summary report be approved.

CARRIED

DELEGATIONS

4. West Vancouver Streamkeeper Society and Secondary School Students regarding Spawner Salmon Survey Results – Fall 2019 (File: 0055-20-WVST1)

J. Barker (Director, West Vancouver Streamkeeper Society), C. Kim, and A. Cheng (Students, West Vancouver Secondary School Environmental Protection Network) provided a presentation. J. Barker responded to Council's questions. A Council member commented.

MOVED by Gambioli, seconded by Soprovich:

THAT the delegation from West Vancouver Streamkeeper Society and Secondary School Students, regarding Spawner Salmon Survey Results – Fall 2019, be received for information with thanks.

CARRIED

Mayor Booth, on behalf of Council, thanked J. Barker for his many years of commitment to the community and to the students of West Vancouver.

PRESENTATIONS

5. Metro Vancouver regarding Update to Metro 2040 (File: 0185-01)

H. McNell (General Manager, Metro Vancouver Regional Planning & Housing Services) provided a presentation and responded to Council's questions. A Council member commented.

MOVED by Thompson, seconded by Wong:

THAT the presentation from Metro Vancouver, regarding Update to Metro 2040, be received for information.

CARRIED

REPORTS

5.1. Memorandum: Cancellation and Rescheduling of Public Hearing regarding 303 Marine Drive (Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5051, 2020) (File: 1610-20-5051 / 1010-20-19-055)

Staff spoke relative to the subject memorandum.

MOVED by Cameron, seconded by Thompson:

THAT

1. the public hearing scheduled for February 3, 2020 at 6 p.m. regarding proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5051, 2020 (303 Marine Drive), be cancelled; and
2. the public meeting regarding proposed Development Permit 19-055 scheduled for February 3, 2020 at 6 p.m., to be held concurrently with the public hearing scheduled for February 3, 2020 at 6 p.m., be cancelled.

CARRIED

MOVED by Cameron, seconded by Thompson:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5051, 2020" be presented at a public hearing scheduled for March 10, 2020 at 6 p.m. in the Municipal Hall Council Chamber, and that statutory notice be given of the scheduled public hearing.

Council members commented and staff responded to a Council member's question. The question was called on the motion.

CARRIED

MOVED by Cameron, seconded by Wong:

THAT proposed Development Permit 19-055 be presented at a public meeting scheduled for March 10, 2020 at 6 p.m. in the Municipal Hall Council Chamber, to be held concurrently with the public hearing scheduled for March 10, 2020 at 6 p.m. in the Municipal Hall Council Chamber, and that notice be given of the scheduled public meeting.

CARRIED

6. Councillor's Motion regarding Discriminating Land Title Covenants (File: 0120-06)

Council members commented.

MOVED by Wong, seconded by Cameron:

WHEREAS the *Canadian Charter of Rights and Freedoms* ("the Charter") guarantees that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability;

AND WHEREAS the District of West Vancouver has an obligation to uphold the values of the Charter;

AND WHEREAS Section 222 of the British Columbia *Land Title Act* specifies that covenants that restrict the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person are void and of no effect;

AND WHEREAS land titles in the British Properties of West Vancouver (historically) include covenants which have restricted the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person;

AND WHEREAS it is 2020;

THEREFORE BE IT RESOLVED THAT:

- a) Council affirms that covenants or portion of covenants that restrict the sale, ownership, occupation or use of land on account of the sex, race, creed, colour, nationality, ancestry or place of origin of a person, however created, whether past, present or future, are deemed void and of no effect by the District of West Vancouver; and
- b) Staff be directed to work with legal advisors and the Land Title and Survey Authority of BC to determine the process, resources and time required to achieve the cancellation and striking of discriminating covenants relating to the British Properties of West Vancouver and report back to Council within 60 days for further direction.

Council members commented. Councillor Cameron, as the seconder of the motion, proposed an amendment to the main motion. As the amendment was accepted by Councillor Wong, as the mover of the main motion, the proposed amendment was incorporated into the main motion as a friendly amendment and did not require a vote; the amended motion follows:

WHEREAS the *Canadian Charter of Rights and Freedoms* ("the Charter") guarantees that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability;

AND WHEREAS the District of West Vancouver has an obligation to uphold the values of the Charter;

AND WHEREAS Section 222 of the British Columbia *Land Title Act* specifies that covenants that restrict the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person are void and of no effect;

AND WHEREAS land titles in the British Properties of West Vancouver (historically) include covenants which have restricted the sale, ownership,

occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person;

AND WHEREAS it is 2020;

THEREFORE BE IT RESOLVED THAT:

- a) Council affirms that covenants or portion of covenants that restrict the sale, ownership, occupation or use of land on account of the sex, race, creed, colour, nationality, ancestry or place of origin of a person, however created, whether past, present or future, are deemed void and of no effect by the District of West Vancouver;
- b) Staff be directed to work with legal advisors and the Land Title and Survey Authority of BC to determine the process, resources and time required to achieve the cancellation and striking of discriminating covenants relating to the British Properties of West Vancouver and report back to Council within 60 days for further direction; and
- c) Council direct the Mayor to contact, on behalf of the District, the relevant federal, provincial and regional authorities to request that they initiate and support a comprehensive, multi-agency initiative to document and examine the history of restrictive covenants in the region with the cooperation of academics and non-profit organizations active in this area.

Council members commented. Councillor Wong, as the mover of the motion, proposed an amendment to the main motion. As the amendment was accepted by Councillor Cameron, as the seconder of the main motion, the proposed amendment was incorporated into the main motion as a friendly amendment and did not require a vote; the amended motion follows:

WHEREAS the *Canadian Charter of Rights and Freedoms* ("the Charter") guarantees that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability;

AND WHEREAS the District of West Vancouver has an obligation to uphold the values of the Charter;

AND WHEREAS Section 222 of the British Columbia *Land Title Act* specifies that covenants that restrict the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person are void and of no effect;

AND WHEREAS land titles in the British Properties of West Vancouver (historically) include covenants which have restricted the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person;

AND WHEREAS it is 2020;

THEREFORE BE IT RESOLVED THAT:

- a) Council affirms that covenants or portion of covenants that restrict the sale, ownership, occupation or use of land on account of the sex, race, creed, colour, nationality, ancestry or place of origin of a person, however created, whether past, present or future, are deemed void and of no effect by the District of West Vancouver;
- b) Staff be directed to work with legal advisors and the Land Title and Survey Authority of BC to determine the process, resources and time required to achieve the cancellation and striking of discriminating covenants relating to all of West Vancouver and report back to Council within 60 days for further direction; and
- c) Council direct the Mayor to contact, on behalf of the District, the relevant federal, provincial and regional authorities to request that they initiate and support a comprehensive, multi-agency initiative to document and examine the history of restrictive covenants in the region with the cooperation of academics and non-profit organizations active in this area.

B. Chapman (West Vancouver; and British Columbia Land Surveyor) provided a written submission and commented regarding historical race-based restrictions on Canadian citizenship and employment rights, and racist covenants on titles across Canada, and proposed an amendment to the subject recommendation.

Council members commented. Mayor Booth proposed an amendment to the main motion. As the amendment was accepted by Councillors Wong and Cameron, as the mover and seconder of the main motion, the proposed amendment was incorporated into the main motion as a friendly amendment and did not require a vote; the amended motion follows:

WHEREAS the *Canadian Charter of Rights and Freedoms* ("the Charter") guarantees that every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability;

AND WHEREAS the District of West Vancouver has an obligation to uphold the values of the Charter;

AND WHEREAS Section 222 of the British Columbia *Land Title Act* specifies that covenants that restrict the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person are void and of no effect;

AND WHEREAS land titles in the British Properties of West Vancouver (historically) include covenants which have restricted the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person;

AND WHEREAS it is 2020;

THEREFORE BE IT RESOLVED THAT:

- a) Council affirms that covenants or portion of covenants that restrict the sale, ownership, occupation or use of land on account of the sex, race, creed, colour, nationality, ancestry or place of origin of a person, however created, whether past, present or future, are deemed void and of no effect by the District of West Vancouver;
- b) Staff be directed to work with legal advisors and the Land Title and Survey Authority of BC to determine the process, resources and time required to achieve the cancellation and striking of discriminating covenants relating to lands in West Vancouver and report back to Council within 60 days for further direction; and
- c) Council direct the Mayor to contact, on behalf of the District, the relevant federal, provincial and regional authorities to request that they initiate and support a comprehensive, multi-agency initiative to document and examine the history of restrictive covenants in the region with the cooperation of academics and non-profit organizations active in this area.

Council members commented and staff responded to a Council member's question. The question was called on the motion as amended.

CARRIED

7. **Asset Management Update (File: 0842-01)**

Staff spoke relative to the subject report and responded to Council's questions.

Councillor Gambioli left the meeting at 7:34 p.m. and returned to the meeting at 7:35 p.m.

T. Reinsch (West Vancouver) commented regarding: undertaking a comprehensive analysis of the District's natural assets; natural assets as listed in the subject report; the expected timeline for a regulatory structure to place a value on the District's natural assets; and next steps.

Staff responded to a Council member's question.

MOVED by Soprovich, seconded by Wong:

THAT the report dated November 18, 2019 titled Asset Management Update be received for information.

A Council member commented. The question was called on the motion.

CARRIED

8. Horseshoe Bay Local Area Plan: Phase 2 Progress Report (File: 2560-07)

Councillor Wong left the meeting at 7:53 p.m. and returned to the meeting at 7:59 p.m.

Staff provided a presentation and responded to Council's questions.

MOVED by Lambur, seconded by Soprovich:

THAT

1. The Horseshoe Bay Local Area Plan: Phase 2 Public Engagement Summary attached as Appendix A to the report from the Manager of Community Planning and Sustainability, dated January 6, 2020, be received for information; and
2. Staff be directed to proceed to Phase 3 of the Horseshoe Bay Local Area Plan process in accordance with the next steps outlined in this report.

Council members commented and staff responded to a Council member's question. The question was called on the motion.

CARRIED

9. Council Committees – Overview, Framework, and Administration (File: 0115-01/0116-01)

Councillor Soprovich left the meeting at 8:44 p.m.

Staff spoke relative to the subject report.

Councillor Soprovich returned to the meeting at 8:47 p.m.

C. Reynolds (address not provided) spoke relative to the subject report and commented regarding public consultation.

MOVED by Gambioli, seconded by Thompson:

THAT the report dated January 2, 2020 from the Director of Legislative Services/Corporate Officer regarding Council Committees – Overview, Framework, and Administration be received for information.

Council members commented and staff responded to a Council member's questions. The question was called on the motion.

CARRIED

BYLAWS

10. No items.

NEW BUSINESS

11. No items.

CONSENT AGENDA ITEMS

12. Consent Agenda Items

MOVED by Thompson, seconded by Wong:

THAT the Consent Agenda items as follows be approved:

- Item 12.1 regarding Proposed Replacement of Gleneagles Community Centre Advisory Committee Terms of Reference;
- Item 12.2 regarding Delegation Request; and
- Item 12.3 regarding Correspondence List.

CARRIED

12.1. Proposed Replacement of Gleneagles Community Centre Advisory Committee Terms of Reference (File: 0116-20-GCCAC)

THAT

1. Gleneagles Community Centre Advisory Committee Terms of Reference 02-10-339, as approved December 11, 2017, be rescinded; and
2. proposed Gleneagles Community Centre Advisory Committee Terms of Reference Policy 0033, attached as Appendix B to the January 6, 2020 report titled Proposed Replacement of Gleneagles Community Centre Advisory Committee Terms of Reference, be approved.

12.2. Delegation Request (File: 0120-01)

THAT the delegation request from Baptist Housing, regarding Vision for Inglewood Care Centre, be approved.

12.3. Correspondence List (File: 0120-24)

THAT the correspondence list be received for information.

Council Correspondence Update to January 3, 2020 (up to 8:30 a.m.)

Referred for Action

- (1) December 27, 2019, regarding "CBC News :" (Undergrounding Power Lines) (Referred to the Director of Engineering & Transportation Services for consideration and response)
- (2) December 29, 2019, regarding "Letter to Mayor of West Vancouver, Chief Constable of West Vancouver and Minister of Transportation & Infrastructure" (Cyclist Safety on Cypress Bowl Road) (Referred to the Director of Engineering & Transportation Services for consideration and response)

Referred for Action from Other Governments and Government Agencies

No items.

Received for Information

- (3) HUB Cycling, December 29, 2019, regarding Cycling Events and Advocacy
- (4) December 29, 2019, regarding Wireless Technologies
- (5) January 2, 2020, regarding "Save the Forrest-Baker House"
- (6) January 2, 2020, regarding "Budget"

Received for Information from Other Governments and Government Agencies

No items.

Responses to Correspondence

- (7) Director of Corporate Services, December 24, 2019, response regarding "2195 Gordon Avenue"

Council Correspondence Update to January 10, 2020 (up to 8:30 a.m.)

Referred for Action

No items.

Referred for Action from Other Governments and Government Agencies

No items.

Received for Information

- (1) Committee and Board Meeting Minutes – Memorial Library Board meeting, November 20, 2019
- (2) 2 submissions, December 20 and 21, 2019, regarding Protection of the Forrest Baker House (1143 Eyremount Drive)
- (3) 2 submissions, January 3 and 5, 2020, regarding Proposed: Heritage Revitalization Agreement Bylaw No. 5030, 2019; and Heritage Designation Bylaw No. 5031, 2019 (985 Duchess Avenue – the Boyd House) (Referred to the January 13, 2020 public hearing)
- (4) 2 submissions, January 3 and 5, 2020, regarding 4441 Piccadilly North (Pre-Application Development Proposal)
- (5) 10 submissions, January 3-9, 2020 and undated, regarding Proposed Development Variance Permit 18-037 (4358 Ross Crescent) (Referred to the January 13, 2020 Council meeting)
- (6) January 6, 2020, regarding "Lower Mainland Rail Rapid Transit"
- (7) Lower Mainland Local Government Association, January 6, 2020, regarding "Lower Mainland LGA Call for Resolutions and Nominations"
- (8) January 6, 2020, regarding "Homeless taking over!"

- (9) January 7, 2020, regarding "Proposed rental Infill 1552 Esquimalt Ave" (Proposed Development Permit 16-059)
- (10) January 7, 2020, regarding "Ideas in Response to an Urgent Crisis" (Climate Action)
- (11) HUB Cycling, January 8, 2020, regarding "January Bike Bulletin"
- (12) North Shore Table Matters Network, January 9, 2020, regarding "Table Matters News"
- (13) January 9, 2020, regarding "Please watch these, and share with staff!" (Wireless Technologies)

Received for Information from Other Governments and Government Agencies

No items.

Responses to Correspondence

- (14) Director of Engineering & Transportation Services, January 6, 2020, response regarding "Council vandalism" (Hedge Cutting).

OTHER ITEMS / NOTICES OF MOTION

- 13. No items.

REPORTS FROM MAYOR AND COUNCILLORS

- 14. **Reports from Mayor and Councillors**

Councillor Cameron informed that the Arts Facilities Advisory Committee will soon bring forward its final report regarding preferred locations for an arts facility in West Vancouver.

Mayor Booth reported on a recent meeting of the Integrated North Shore Transportation Planning Project committee including: the committee's endorsement of transportation priorities; the Squamish Nation's formal approval of a recommendation to complete the extension of the Lower Level Roads; and the Squamish Nation's formation of an economic development branch. Discussion ensued and Mayor Booth responded to Council's questions regarding: the Lower Level Roads; casinos; provincial and federal transportation studies; and land development.

MOVED by Wong, seconded by Soprovich:

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

CARRIED

PUBLIC QUESTIONS AND COMMENTS

15. Public Questions and Comments

C. Reynolds (address not provided): commented regarding discriminating land title covenants, the plane crash in Iran on January 8, 2020, and heritage week; and queried regarding making staff presentations available to the public, providing information regarding staffing levels as part of the budget presentation, and whether or not the cost of addressing discriminating land covenants is included in the 2020 budget. Staff provided responses relative to staff presentations posted to the District's website and the potential costs of addressing discriminating land covenants.

ADJOURNMENT

16. Adjournment of January 27, 2020 Council Meeting

MOVED by Cameron, seconded by Gambioli:

THAT the January 27, 2020 Council meeting be adjourned.
(9:03 p.m.)

CARRIED

Certified Correct:

MAYOR

CORPORATE OFFICER