

## **COUNCIL CORRESPONDENCE UPDATE TO SEPTEMBER 18, 2020 (8:30 a.m.)**

### **Referred for Action**

- (1) Council of Senior Citizens' Organizations of B.C., September 2, 2020, regarding "Observation of the UN International Day of Older Persons - October 1st" (Referred for consideration and response)**
- (2) September 15, 2020, regarding Burned Out House Complaint (Referred for consideration and response)**
- (3) September 15, 2020, regarding Balcony Enclosures (Referred for consideration and response)**
- (4) September 17, 2020, regarding "Trees and Fire Prevention" (Referred for consideration and response)**
- (5) September 17, 2020, regarding "West Vancouver Party of 200+" (Referred for consideration and response)**

### **Referred for Action from Other Governments and Government Agencies**

No items.

### **Received for Information**

- (6) September 9, 2020, regarding "Re: I don't know what to do? !!!!!!!" (Stolen Bicycle)**
- (7) 10 submissions, September 11-17, 2020, regarding Anticoagulant Rodenticides**
- (8) Mangia E Bevi Ristorante, September 11, 2020, regarding "Winterization of Patio Spaces"**
- (9) G. McIsaac, September 13, 2020 regarding "The Globe and Mail: The 'supply crisis' in Canada's housing market isn't backed up by the evidence"**
- (10) 3 submissions, September 13-16, 2020, regarding COVID-19**
- (11) 4 submissions, September 13 and 14, 2020, regarding Navy Jack House**
- (12) September 13, 2020, regarding "Horseshoe Bay LAP"**
- (13) 4 submissions, September 13-17, 2020, regarding Preliminary Development Proposal for Inglewood Campus of Care**
- (14) West Vancouver Chamber of Commerce, September 15, 2020, regarding "Event Reminder: Business Check-in with MP Patrick Weiler (via Zoom)" (September 17, 2020)**
- (15) September 16, 2020, regarding "West Vancouver Art Museum Fundraiser Sept 15 2020"**
- (16) 2 submissions, September 16 and 17, 2020, regarding Traffic and Development Complaint**

## **Received for Information from Other Governments and Government Agencies**

- (17) P. Weiler, M.P. (West Vancouver-Sunshine Coast-Sea to Sky Country), September 11, 2020, regarding “Letter from MP Patrick Weiler - New Horizons for Seniors Program 2020–2021 Call for Proposals”**
- (18) P. Weiler, M.P. (West Vancouver-Sunshine Coast-Sea to Sky Country), September 17, 2020, regarding “Letter from MP Patrick Weiler - Safe Restart Agreement in British Columbia”**

## **Responses to Correspondence**

- (19) Planning Technician, July 31, 2020, response regarding Preliminary Development Proposal for 2204 Bellevue Avenue & 177 22nd Street**
- (20) Planning Technician, July 31, 2020, response regarding “Development concern - 2204 Bellevue Ave.” (Preliminary Development Proposal for 2204 Bellevue Avenue & 177 22nd Street)**
- (21) Planning Technician, August 26, 2020, response regarding “2204 Bellevue Proposed building” (Preliminary Development Proposal for 2204 Bellevue Avenue & 177 22nd Street)**
- (22) Planning Technician, September 1, 2020, response regarding “Beirut ,West Vancouver-What happened?”**
- (23) Manager of Roads & Transportation, September 15, 2020, response regarding “Change in parking Whytecliff Park”**
- (24) Executive Assistant to the Director of Planning & Development Services, September 16, 2020, response regarding “Full Service Gas Stations”**



Council of Senior Citizens'  
Organizations of B.C.

*Representing Seniors since 1950*

[www.coscobc.org](http://www.coscobc.org)

September 2, 2020

Dear Mayor and Council,

Re: **Observation of the UN International Day of Older Persons -October 1st**

Established in 1950, the Council of Senior Citizens' Organizations (COSCO) of BC is an umbrella, volunteer run organization made up of many seniors' organizations and individual associate members. Registered under the Societies Act since 1981, COSCO has grown and now represents approximately 80,000 seniors in BC.

Our mandate is to promote the well-being of seniors and their families, advocating for policies that allow seniors to remain active, independent, and fully engaged in the life of our province. The organization is non-partisan, but politically active, advocating for seniors' needs no matter who is in power. Our motto is "Plan with seniors not for them".

COSCO invites you, the civic leaders to help celebrate the

**UN International Day of Older Persons (UNIDOP) 2020**

**Theme: "Pandemics: Do They Change How We Address Age and Aging?"**

"The year 2020 marks the 75th Anniversary of the United Nations and the 30th Anniversary of the International Day of Older Persons (UNIDOP). This year has also seen an emergence of COVID-19, that has caused an upheaval across the world. Considering the higher risks confronted by older persons during the outbreak of pandemics such as COVID-19, policy and programmatic interventions must be targeted towards awareness of their special needs. Recognizing older persons contributions to their own health and the multiple roles they play in the preparedness and response phases of current and future pandemics is also important." (United Nations For Ageing)

"The UNIDOP 2020 event will also promote the *Decade of Healthy Ageing (2020-2030)* and help to bring together UN experts, civil society, government and the health professions to discuss the five strategic objectives of the *Global Strategy and Action plan on Aging and Health* while noting the progress and challenges in their realization." (United Nations For Ageing)

**"The objectives of UNIDOP 2020 are to:**

- 1) Inform participants about the strategic objectives for the Decade of Healthy Ageing
- 2) Raise awareness of the special health needs of older persons and of their contributions to their own health and to the functioning of the societies in which they live
- 3) Increase awareness and appreciation of the role of the health care workforce in maintain-

ing and improving the health of older persons, with special attention to the nursing profession

- 4) Present proposals for reducing the health disparities between older persons in the developed and developing countries, so as to “Leave no one behind”
- 5) Increase understanding of the impact of COVID-19 on older persons and its impact on health care policy, planning, and attitudes.” (United Nations For Ageing)

**Two ways that we ask you to consider to celebrate the IDOP are:**

- 1) Publicly proclaim/declare your support of the IDOP 2020 (Please refer to attached sample proclamation.)
- 2) Prominently display the UNIDOP flag for October 1st 2020 if you have one

We are pleased that for the past two years, the Province of British Columbia proclaimed that October 1st would be known as “International Day of Older Persons”. They have been asked by COSCO to do so again this year. We would like the BC city, township, village and district councils to follow suit. For those councils that are able, declarations are preferred over proclamations as they are ongoing. Please let us know if your council has already made a declaration in the past and if you will be making either an IDOP proclamation or declaration for IDOP 2020 and if you will be flying the UNIDOP flag this year.

If there is any question about this request, please contact Agnes Jackman at cell# 604-376-5188; 821 20th Street, New Westminster, BC, V3M 4W7; or [agnes.jackman@gmail.com](mailto:agnes.jackman@gmail.com).

Thank you for your consideration.

Yours truly,

Agnes Jackman, Board Member, COSCO

United Nations International Day of Older Persons, October 1, 2020

Draft Proclamation:

WHEREAS this 30th Anniversary of the United Nations International Day of Older Persons (UNIDOP) celebrates the importance of the 72nd anniversary of the Universal Declaration of Human Rights and reaffirms the commitment to promoting the full and equal enjoyment of all human rights and fundamental freedoms by older persons, and

WHEREAS the 2020 International Day of Older Persons has as its theme “Pandemics: Do They Change How We Address Age and Aging?” and focuses on raising awareness of the needs of older persons and of their contributions to their own health and to the functioning of the societies in which they live, and

WHEREAS growing older does not diminish a person’s inherent dignity and fundamental rights, and

WHEREAS more than 40 years after the adoption of the Universal Declaration of Human Rights, issues of human rights for older persons were taken up in 1991 in the formulation of the United Nations Principles for Older Persons, which provided guidance in the areas of independence, participation, care, self-fulfillment and dignity, and

WHEREAS in 2002, governments for the first time agreed to link questions of aging to other frameworks for social and economic development and human rights, and

WHEREAS the interdependence between older persons’ social integration and the full enjoyment of their human rights cannot be ignored, as the degree to which older persons are socially integrated will directly their dignity and quality of life;

NOW KNOW YE THAT, We do by these presents proclaim and declare that October 1, 2020 shall be known as

“International Day of Older Persons”

in the \_\_\_\_\_.

Respectfully submitted by,  
Agnes Jackman, COSCO Board Member

**From:** [Redacted] s. 22(1)  
**Sent:** Tuesday, September 15, 2020 9:38 AM  
**To:** Bill Soprovich; MayorandCouncil  
**Subject:** FW: John Lo: "Hazardous & Nuisance Lot" (Update Please!) @ [Redacted] s. 22(1)  
 West Vancouver, B.C., [Redacted] s. 22(1)  
**Attachments:** [Redacted] s. 22(1) Fire Damage Tarp cover b front home view.JPG.PNG

Dear Bill & Mayor,

Please see below from [Redacted] s. 22(1). I want to echo his comments. It seems that the current owner of the property at [Redacted] s. 22(1) and the WV District are OK with accepting the liability associated with this house since it has not been demolished yet.

It is obvious that it is a hazard and can't be repaired. Please get back to me with a resolution ASAP.

Regards,

[Redacted] s. 22(1)

West Vancouver, BC [Redacted] s. 22(1)

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**From:** [Redacted] s. 22(1)  
**Sent:** September 13, 2020 11:45 AM  
**To:** John Lo <JohnLo@wvpd.ca>; [Redacted] s. 22(1)  
**Subject:** John Lo: "Hazardous & Nuisance Lot" (Update Please!) @ [Redacted] s. 22(1) West Vancouver, B.C., [Redacted] s. 22(1)

September 13th 2020

Hello John,  
 Thank you for contacting me about the above property @ [Redacted] s. 22(1).  
 I did also receive a phone message from A Mr. Scott Finlay - Major Crimes (604-925-7338), is he also in your department?  
 Was the home used for the manufacture of illegal substances and was the cause of the fire?  
 Has the ground around it and / or the interior been contaminated in anyway?  
 Our main concern is with the current state of the property, the attention it attracts daily and the safety of families and children in the area as a direct result of the property remaining in its current abandoned and dangerous state.  
 The owners / insurance company to date have only taken very temporary steps in securing the property as can be seen clearly in the pictures I provided. Currently the site is overgrown, the roof has an unsuitable cover (tarps poorly attached) and there is at this moment a window clearly open that someone may be accessing the home through. With the home's close proximity to trees (there is a heavily treed area / trail immediately beside it) there is an ongoing and real concern that if there was another fire (teenagers and other individuals who are not residents in the area are continually accessing the site) that all the homes surrounding it would be at great risk.  
 It was expected that the home would be either fully demolished (particularly if it was drug related) or if the fire was not drug related that restoration would begin within a month or two months after the occurrence of the fire (during the finer summer months). However, nearly 6 months later (and heading into winter) it

remains a real concern in our community for all families (particularly with those with young children living close by).

What we would hope to see is the owners / insurance company being issued an order by the city to remediate the home / site immediately for health and safety reasons - providing a clear plan of how and when this will happen and understanding their full responsibility / liability should any harm come to any persons or property in the area while the site remains in its current state / condition.

I look forward to hearing from you shortly.

Yours Sincerely,

s. 22(1)

West Vancouver,

s. 22(1)

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**From:** John Lo <[JohnLo@wvpd.ca](mailto:JohnLo@wvpd.ca)>

**Sent:** September 9, 2020 6:53 AM

**To:** s. 22(1)

**Cc:** Sarah Almas <[salmas@westvancouver.ca](mailto:salmas@westvancouver.ca)>; 'Mark Chan' <[mchan@westvancouver.ca](mailto:mchan@westvancouver.ca)>

**Subject:** RE: Mayor Booth: "Hazardous & Nuisance Lot" (Update Please!) @ s. 22(1), West Vancouver, B.C., s. 22(1)

Hello s. 22(1),

Our members are aware of this property having conducted the criminal investigation into the production of illicit drugs. If you have any current safety concerns that we can assist with from a policing perspective feel free to give me a call.

Thank you,  
John

**Inspector John Lo** B.A.  
Operations Division  
West Vancouver Police Department | *Serving with Honour*  
t: 604-925-7336 | [westvanpolice.ca](http://westvanpolice.ca)



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**From:** Nancy Henderson <[nhenderson@westvancouver.ca](mailto:nhenderson@westvancouver.ca)> **On Behalf Of** Mary-Ann Booth

**Sent:** September 8, 2020 12:16 PM

**To:** s. 22(1)

**Cc:** Sarah Almas <[salmas@westvancouver.ca](mailto:salmas@westvancouver.ca)>; Mark Chan <[mchan@westvancouver.ca](mailto:mchan@westvancouver.ca)>; Len Goerke <[LenGoerke@wvpd.ca](mailto:LenGoerke@wvpd.ca)>

**Subject:** RE: Mayor Booth: "Hazardous & Nuisance Lot" (Update Please!) @ s. 22(1), West Vancouver, B.C., s. 22(1)

Good afternoon [REDACTED] s. 22(1),

On behalf of Mayor Booth, thank you for your follow up email.

We are sorry for the stress this matter is causing you.

In Sarah's absence today, we have copied Mark Chan, Deputy CAO, District of West Vancouver and Chief Goerke for their direct response.

Mr. Chan is familiar with the situation and will be able to advise further to Sarah's response and Chief Goerke can respond to your concerns regarding safety.

Thanks and regards,

**Nancy Henderson**

Administrative Assistant

Mayor Booth | District of West Vancouver

t: 604-925-7003



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*In respect and gratitude, I recognize that I live, work and play on the traditional, ancestral, and unceded territories of the Coast Salish People. We recognize and respect them as nations in this territory and their connection to the lands and waters around us since time immemorial.*

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**From:** [REDACTED] s. 22(1)  
**Sent:** Saturday, September 5, 2020 3:45 PM  
**To:** Mary-Ann Booth <[mbooth@westvancouver.ca](mailto:mbooth@westvancouver.ca)>  
**Cc:** Sarah Almas <[salmas@westvancouver.ca](mailto:salmas@westvancouver.ca)>; Nancy Henderson <[nhenderson@westvancouver.ca](mailto:nhenderson@westvancouver.ca)>; [REDACTED] s. 22(1)  
**Subject:** Mayor Booth: "Hazardous & Nuisance Lot" (Update Please!) @ [REDACTED] s. 22(1), West Vancouver, B.C., [REDACTED] s. 22(1)

**My apologies for the format in the last mail, it was very poor - I hope this copy is clearer!**

**Subject:**

Mayor Booth: "Hazardous & Nuisance Lot" (Update Please!) @ [REDACTED] s. 22(1), West Vancouver, B.C., [REDACTED] s. 22(1)

**September 5th 2020**

Dear Mayor,

I have already been in contact with your office and bylaw regarding [REDACTED] s. 22(1) where a serious fire that gutted that home on [REDACTED] s. 22(1) occurred and is believed to be as a direct result of criminal activities. Please see all attached correspondence below.

The community of [REDACTED] s. 22(1) as your constituents remain extremely concerned with this as yet unaddressed situation.

Can you please personally take an active part in these proceedings going forward?

Drugs, their manufacture and the devastation they leave behind are of huge concern in Vancouver as a city and West Vancouver seems to be seeing an increased use as a base / and manufacture hub for some of the criminal elements involved. We believe the city (including property management companies renting many of the homes used in West Vancouver - in the case of this home, I believe, ORCA Realty) have a responsibility to the community to ensure its residents (and their children) are safe and that the properties rented are more closely monitored.

That can start with more restrictions regarding the rental of homes and should also include regular checks by the rental companies involved.

In the case of [REDACTED] s. 22(1) the home remains a potentially dangerous and hazardous building and this needs to be addressed immediately (before school resumes) and your constituents in [REDACTED] s. 22(1) would appreciate your leadership / involvement in this regard. We would greatly appreciate being kept updated as to how and when this will take place.

Thank you for your understanding and care in this matter.

Yours Sincerely,

[REDACTED] s. 22(1)

West Vancouver,

[REDACTED] s. 22(1)

**Correspondence Dated: August 21st 2020**

**URGENT**

Hello Sarah,

Thank you for your timely response.

With regard to the tarps (and batons with nails, securing them) - unless they are secured tightly - completely / in their entirety - to the structure (@ [REDACTED] s. 22(1)), then the wind gets underneath and blows them up creating the **considerable noise disruption (ongoing both day and night!!)** and also, a serious concern that they will come loose and be a **serious risk** to the surrounding homes around it and children that play in the cul-de-sac.

The only way to remove the danger posed by poorly attached weather proofing is to wrap the building completely in the appropriate material (a type of temporary shrink wrapping you often see on home builds). Anything less and it will pose an ongoing liability. Tarps are not the solution in this instance and are only a short-term temporary fix - which as I have pointed out **are still dangerous and noisy** - this is totally unacceptable (either short or long term). **Fencing, tarps and sheets of timber are not the solution - all can too easily be removed / climbed by teenagers - I regularly see people in the area by this home (particularly with its suspected link to drug manufacture - another worry where children are concerned)!!**

A tarp may in some instances work for small areas on a very short-term temporary basis but this is the entire roof!! **The homeowner (and insurers of the home) need to address this immediately and also a definitive and acceptable timescale on the correct repairs being completed / home restoration (or demolition and replacement of [REDACTED] s. 22(1))**  
**The home (and surrounding land) in its current state of disrepair possess a very dangerous and hazardous threat to the children (both young and old), families and homes in the immediate vicinity.** When the schools are back the area will see far greater amounts of youngsters passing directly by the home - both in the cul-de-sac and the adjoining trail. **This continues to be of great concern to all of the residents of [REDACTED] s. 22(1)**

Thank you again.

Kind Regards,  
[REDACTED] s. 22(1)

---

**From:** Sarah Almas <[salmas@westvancouver.ca](mailto:salmas@westvancouver.ca)>

**Sent:** August 21, 2020 3:00 PM

**To:** [REDACTED] s. 22(1)

**Cc:** Robert Bartlett <[rbartlett@westvancouver.ca](mailto:rbartlett@westvancouver.ca)>; Christie Mills <[cmills@westvancouver.ca](mailto:cmills@westvancouver.ca)>; Sheryl LeBlanc <[sleblanc@westvancouver.ca](mailto:sleblanc@westvancouver.ca)>

**Subject:** RE: "Hazardous & Nuisance Lot" @ [REDACTED] s. 22(1), West Vancouver, B.C., [REDACTED] s. 22(1)

Good afternoon [REDACTED] s. 22(1)

Thank you for your email below, which has been forwarded to me for review and response.

I will liaise with my colleagues in Permits & Inspections in regards to the status of the structure, and follow-up with you next week. In the meantime, a Bylaw Officer will attend the property to inspect the fencing, and reach out to the property owner to request that they have the tarps secured.

Sincerely,

**Sarah Almas**  
Manager, Bylaw & Licensing Services | District of West Vancouver  
t: 604-925-7153 | [westvancouver.ca](http://westvancouver.ca)



**From:** Sarah Almas <[salmas@westvancouver.ca](mailto:salmas@westvancouver.ca)>

**Sent:** August 21, 2020 3:00 PM

**To:** [REDACTED] s. 22(1)

**Cc:** Robert Bartlett <[rbartlett@westvancouver.ca](mailto:rbartlett@westvancouver.ca)>; Christie Mills <[cmills@westvancouver.ca](mailto:cmills@westvancouver.ca)>; Sheryl LeBlanc <[sleblanc@westvancouver.ca](mailto:sleblanc@westvancouver.ca)>

**Subject:** RE: "Hazardous & Nuisance Lot" @ [REDACTED] s. 22(1), West Vancouver, B.C., [REDACTED] s. 22(1)

Good afternoon [REDACTED] s. 22(1),

Thank you for your email below, which has been forwarded to me for review and response.

I will liaise with my colleagues in Permits & Inspections in regards to the status of the structure, and follow-up with you next week. In the meantime, a Bylaw Officer will attend the property to inspect the fencing, and reach out to the property owner to request that they have the tarps secured.

Sincerely,

**Sarah Almas**

Manager, Bylaw & Licensing Services | District of West Vancouver  
t: 604-925-7153 | [westvancouver.ca](http://westvancouver.ca)



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We acknowledge that we are on the traditional, ancestral and unceded territory of the Squamish Nation, Tsleil-Waututh Nation and Musqueam Nation. We recognize and respect them as nations in this territory, as well as their historic connection to the lands and waters around us since time immemorial.

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**From:** Nancy Henderson <[nhenderson@westvancouver.ca](mailto:nhenderson@westvancouver.ca)> **On Behalf Of** Mary-Ann Booth

**Sent:** Thursday, August 20, 2020 1:27 PM

**To:** [REDACTED] s. 22(1)

**Cc:** Robert Bartlett <[rbartlett@westvancouver.ca](mailto:rbartlett@westvancouver.ca)>

**Subject:** FW: "Hazardous & Nuisance Lot" @ [REDACTED] s. 22(1), West Vancouver, B.C., [REDACTED] s. 22(1)

Good afternoon [REDACTED] s. 22(1),

On behalf of Mayor Booth, thank you for your email and sharing your concerns. We are sorry for the stress the home at [REDACTED] s. 22(1) is causing you.

As the Mayor and Council do not handle day-to-day operations, we have copied Robert Bartlett, Chief Administrative Officer, for his direct response to your concerns.

Yours sincerely,

**Nancy Henderson**  
Administrative Assistant  
Mayor Booth | District of West Vancouver  
t: 604-925-7003



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*In respect and gratitude, I recognize that I live, work and play on the traditional, ancestral, and unceded territories of the Coast Salish People. We recognize and respect them as nations in this territory and their connection to the lands and waters around us since time immemorial.*

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**From:** [REDACTED] s. 22(1)  
**Sent:** Thursday, August 20, 2020 12:49 PM  
**To:** Mary-Ann Booth <[mbooth@westvancouver.ca](mailto:mbooth@westvancouver.ca)>; [REDACTED] s. 22(1)  
[REDACTED] s. 22(1)  
**Subject:** "Hazardous & Nuisance Lot" @ [REDACTED] s. 22(1), West Vancouver, B.C. [REDACTED] s. 22(1)

**URGENT:**

**District of West Vancouver Council.**  
**Ref:** Hazardous & Nuisance Lot" @ [REDACTED] s. 22(1), West Vancouver, B.C. [REDACTED] s. 22(1)  
[REDACTED] s. 22(1)

Without Prejudice.

Dear Mayor,

My family and I live [REDACTED] s. 22(1) where a serious fire that almost completely demolished that home at [REDACTED] s. 22(1) and involved considerable fire department resources to contain is currently lying vacant and in a very dangerous and hazardous state. The cause of the fire seems to have been electrical and may have been directly linked with the home being used for the manufacture of illegal drugs by the renters – a meth lab with hazardous materials is how the fire department described it at the time of the fire. Since then it has been examined by the relevant authorities and criminal investigators. Various individuals have been to the site to carry out tests, put up security fencing etc. Most recently a crew draped and nailed tarps over the roof. See attached photos. The remaining structure however most definitely remains a real concern for all concerned within our community.

I have spoken to the relevant insurance company of [REDACTED] s. 22(1) "All Perils Claims" ( there contact details are below) and made efforts to contact the homeowners [REDACTED] s. 22(1) [REDACTED] s. 22(1) who currently reside [REDACTED] s. 22(1) who did respond

but as yet nothing significant has happened to either repair / remediate or replace the home. The ongoing response is that “it takes time” and “we are working with the s. 22(1) to resolve this”!

We live s. 22(1) is accessible from a walking trail for young children frequently used to get to s. 22(1). There are a number of families with young children who live and play daily within the cul-de-sac. Worryingly the house in question attracts daily drive by visitors some of which regularly exit there vehicles to look around as well as teenagers living in the area that wander around the home. This has been occurring since the fire.

At present the home is derelict, the tarps on the roof are very noisy in inclement weather both day and night (and there is a real concern when there is bad weather that they will come loose). The fencing is easily climbed and young individuals have already been seen doing so and if they gain access to the inside of the home I believe it could be an extremely hazardous situation. The area around the home is a mess and the whole yard has become overgrown which allows for individuals to wander around the site unnoticed.

We are now heading into September and Fall, over 4 months on from the incident at s. 22(1) and there has been no development, repair / rebuild even looking like it may take place any time soon. This entire situation is a very serious ongoing safety and health issue!

It is unacceptable and negligent of the owners of s. 22(1) and the insurance company to allow this to continue.

For the safety and health of our families, with your help, the residents of s. 22(1) and surrounding s. 22(1) would like this very dangerous and hazardous situation resolved and a clear plan of action for this home outlined and undertaken immediately.

Thank you.

Yours Sincerely,

s. 22(1)

West Vancouver.

s. 22(1)

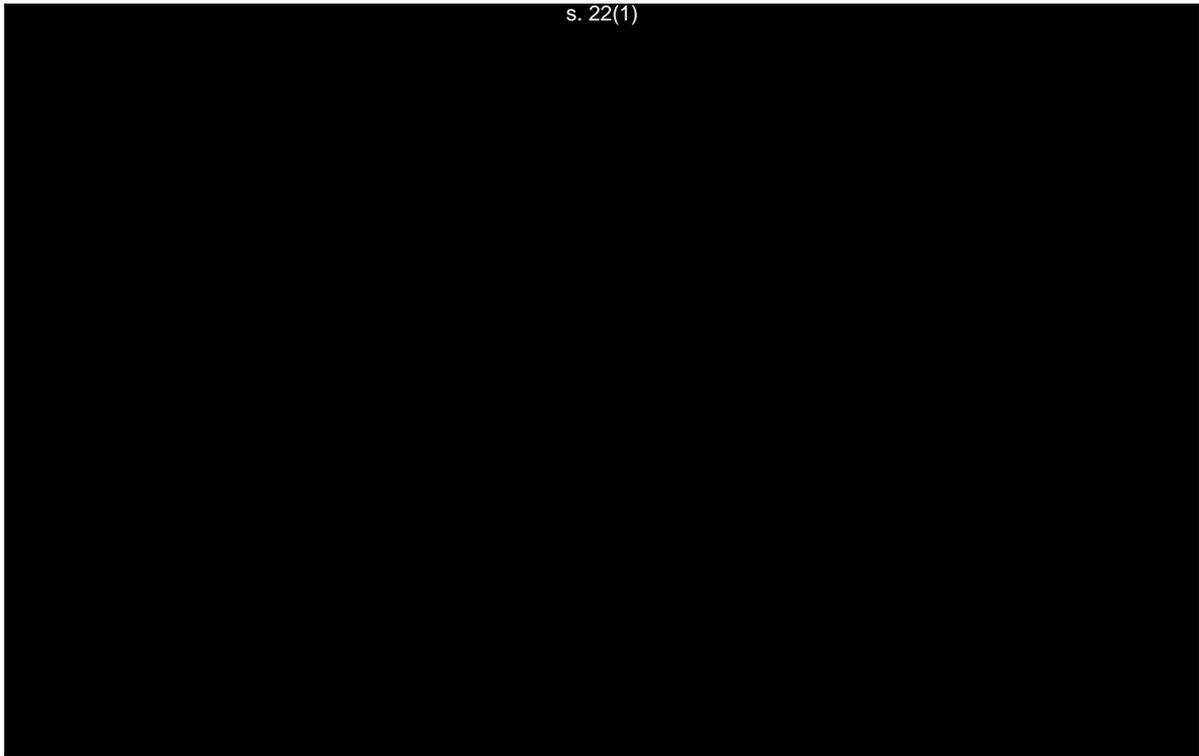
Insurance company associated with s. 22(1)

**Darren Ho, B.Sc.** | Senior Claims Adjuster

All Perils Claims

#601, 3292 Production Way, Burnaby, BC V5A 4R4

Tel: [604-420-4022](tel:604-420-4022), Ext 102 | Cell: [604-356-3372](tel:604-356-3372)



Sent from [Mail](#) for Windows 10

**From:** [Redacted] s. 22(1)  
**Sent:** Tuesday, September 15, 2020 2:08 PM  
**To:** Mayor and Council  
**Cc:** Jim Bailey; [Redacted] s. 22(1)  
**Subject:** Re: [Redacted] s. 22(1) Unresolved Building Permit Issue - [Redacted] s. 22(1)

To Mayor and Council:

I sent this letter on August 21st and am aware that it was received, redacted and posted on the District website. I have not had the courtesy of anything other than an automated response from anyone. As noted in the letter, time is of the essence with this issue and prompt feedback would be appreciated.

Please advise what is reasonable for me to expect in the way of reply and action.

Thank you and best regards,

[Redacted] s. 22(1)

[Redacted] s. 22(1),  
West Vancouver.

- > On Aug 21, 2020, at 6:10 PM, [Redacted] s. 22(1) wrote:
- >
- > To Mayor and Council.
- >
- > The attached details the unfortunate situation [Redacted] s. 22(1) finds herself faced with.
- > Please read and respond appropriately, in a timely fashion as this issue is current and pressing.
- >
- > <CEL Letter to WV Council v2.pdf>
- >
- > Thank you on [Redacted] s. 22(1) behalf for your thoughtful attention to this matter.
- >
- > Best regards,
- >
- > [Redacted] s. 22(1)
- >
- >
- > Toronto, Ont.
- > [Redacted] s. 22(1)
- >
- >
- >
- >
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**From:** [REDACTED] s. 22(1) 1610-20-4892  
**Sent:** Thursday, September 17, 2020 4:32 PM  
**To:** MayorandCouncil  
**Subject:** Trees and Fire Prevention

Madam Mayor and Council,

I am writing this while the outside air continues to be filled with smoke due to the forest fires in Washington and Oregon. This has stimulated me to write and ask why does WVDC (unlike Councils in North Vancouver) show so little concern for the dangers from fire here in West Vancouver as to have no policy. Indeed Council, from both the interim By-Law and the actions of certain staff, appear to be more set on preserving trees than dealing with those that may be a fire hazard. The catastrophes that are happening in California, Oregon and Washington demonstrate that fires can very quickly become uncontrollable and deadly. One cannot help but think of the fire that destroyed 19,000 properties and killed 85 people in and around the small town of Paradise, California, in 2018.

We face an increased risk in West Vancouver in that the prevailing wind is off the ocean, especially on hot dry days. A fire in Lighthouse Park, whether accidental, caused by nature such as a lightning strike, or even deliberate, would quickly move up the mountain destroying many, many properties, ruining lives and indeed potentially taking many lives. The fire hazard is further increased by the type of trees that we have here; typically pines and cedars, full of resin that once alight can be explosive and the fire become uncontrollable.

Could I ask that Council address this issue with the greatest urgency and put in place a practical and comprehensive policy on how to deal with this risk? This means also looking closely at the proposed Tree policy. Certain areas in West Vancouver, such as Ambleside, may have low tree density, where residents may welcome retaining and potentially increasing the number of trees. However, the opposite situation exists in many other areas of West Vancouver, particularly west beyond Dundarave, which would suffer badly if a large fire were to break out. The current interim tree order does not take these difference into effect and appears to concentrate on retaining trees and deliberately making it hard and costly, due to high District fees, for those of us living in more treed areas to remove density and even remove branches on trees above a certain size that are damaging property .

I remember very well speaking in the past to a WVDC environmental tree officer who refused permission to trim a tree, and when challenged, her answer was "a bird may want to sit in it". This is not policy but emotional opinion, which is allowed to wrongly influence decisions and finds its way into policy.

The whole tree policy needs to be looked at bearing in mind the different geographies within West Vancouver District and ensuring that there is no "blanket" approach. This needs to be done bearing in mind the severe fire risk, which should allow for reduction in tree density in many areas.

Finally I notice on the website under Wildfire Preparedness there is a recommendation to prune trees to three meters apart and remove lower limbs up to 1.5 metres. Does this advice also apply to trees on non residential properties, but situated in residential areas?

I look forward to a sound and well thought out response to this communication and some sign that WVDC is intending to take real action to prevent an otherwise inevitable fire catastrophe in West Vancouver.

Sincerely,

[REDACTED] s. 22(1)

West Vancouver,



**From:** [REDACTED] s. 22(1)  
**Sent:** Thursday, September 17, 2020 6:09 PM  
**To:** MayorandCouncil  
**Subject:** West Vancouver Party of 200+

Hi,

Maybe the Mayor or Council could advise me on why there were only a couple of people fined as a result of the huge party Of young people that did not obey the ruling set out by Dr Bonnie Henry. We as older people are doing our best to abide By the rulings and what kind of a deterrent is it to young people that they all got away with nothing when they were old enough to Know what they were doing was careless and irresponsible. I feel Mayor and Council should instruct the bylaw people that everyone There should have been issued fines.

We have to give our name and number when entering restaurants etc and that should have been done at the party. With out any kind Of severe consequences one can. expect the same thing to happen over and over again.

I understand it took police 3 hours at least to break up the party the cost in man hours alone would not be covered by the two fines.

I expect Mayor and Council to discuss this matter and make decisions that will give consequence to the young people. I have two sons myself and I can assure You there would have been severe consequences if they showed such a careless attitude when the pandemic we are in is costing lives as well as financial Hardship to people.

I think Mayor and Council have a duty to protect the older citizens of West Vancouver that may be affected by young people they come in contact with Attending the party.

I have I think never felt strong enough to have contacted Mayor and Council about any other matter and have lived in West Vancouver since [REDACTED] s. 22(1) but I feel this Is a great shame on you for not taking control and showing the young people that they need to take responsibility for their actions particularly as they are not under 10 years Of age but most between 17 to 19!!

Sincerely

[REDACTED] s. 22(1)

[REDACTED] West Vancouver

**From:** [Redacted] s. 22(1)  
**Sent:** Wednesday, September 9, 2020 10:19 PM  
**To:** MayorandCouncil  
**Subject:** Re: I don't know what to do? !!!!!!!!!

Hi Dear

I am sending the email again, just to let you know that my e-bike was stolen in the area you are responsible for (my transportation was for work, not for fun), I bought it in installments and 2 I paid the installment, and I have to pay the two-year installments. It is interesting to know that a week later, someone else's bicycle was taken from the same place. Which, like me, had three locks. Is this really security? I, who have a small income, as well as my family, have to be under double pressure. Of course you sent an email. It does not concern us. We are just sorry, so who should know what I am suffering. With this high cost, aren't three locks enough to protect the bike in this city? You wrote we are just sorry !!!!! ???? !!!

[Redacted] s. 22(1)  
 [Redacted]

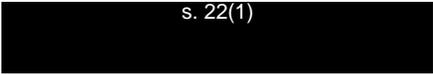
Sent from my iPhone

> On Aug 31, 2020, at 7:50 AM, MayorandCouncil <MayorandCouncil@westvancouver.ca> wrote:  
 >  
 > Thank you for your correspondence.  
 >  
 > Council's Correspondence Policy requires the civic address of the correspondent to be included in correspondence to Council:  
 >  
 > All correspondence to Mayor and Council, or to Council, must contain the name and civic address of the correspondent, prior to inclusion in a Council correspondence package.  
 >  
 > Your civic address may be provided in a reply to this email, or you may wish to re-send the correspondence with your civic address included.  
 >  
 > Please do not hesitate to contact Legislative Services at 604-925-7004 if you have any questions in this regard.  
 >  
 > Thank you,  
 >  
 > Theodore Azuma  
 > Legislative Services | District of West Vancouver  
 > t: 604-925-7004 | westvancouver.ca

> -----Original Message-----  
 > From: [Redacted] s. 22(1)  
 > Sent: Tuesday, August 25, 2020 10:25 PM  
 > To: MayorandCouncil <MayorandCouncil@westvancouver.ca>  
 > Subject: I don't know what to do? !!!!!!!!!

> Dear Mayor,  
 > I hope you are always successful in your work. My family and I immigrated to Canada [Redacted] s. 22(1) My [Redacted] s. 22(1) and I started a better life with [Redacted] s. 22(1) when we were hired. And to save time and money in [Redacted] s. 22(1) store, I bought

an e-bike in installments a month ago. And I paid 24-month installments and only one installment there. Unfortunately last night the thief despite having two locks on my bike. He stole it. And I was disappointed with the bike installments. My question is how can you help me? Thanks.

> s. 22(1)  
>   
>  
>  
>  
>

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**From:** s. 22(1)  
**Sent:** Friday, September 11, 2020 12:18 PM  
**To:** MayorandCouncil  
**Subject:** Please ban Rodenticide

Dear Mayor and Council

I am writing to add my voice to those residents who would like to see the District of West Vancouver ban the use of Rodenticide.

We have so many owls, coyotes, racoons, cats and hawks that prey on rats. They're perfect for natural rodent control. The problem is that poisoned rats are so harmful higher up the food chain.

Educating the public on natural pest control and behaviour change is the safest and least harmful way to go.

Thank you for your consideration.

Best

s. 22(1)

West Vancouver, BC

s. 22(1)

s. 22(1)

**From:** [REDACTED] s. 22(1)  
**Sent:** Friday, September 11, 2020 4:02 PM  
**To:** MayorandCouncil  
**Cc:** Heather Keith; Matthew MacKinnon  
**Subject:** Support for a ban on anticoagulant rodenticides

Dear Mayor and Council,

I would like to thank Councillors Soprovich and Gambioli for bringing forward their motion regarding anticoagulant rodenticides to the agenda of the September 14 regular Council meeting.

Like many of my friends, animal welfare organizations and academics, I feel that the use of anticoagulant rodenticides, specifically brodifacoum, bromadiolone, chlorophacinone, difenacoum, difethialone, diphacinone and warfarin pose a serious threat to wildlife and ecosystems as well as our pets and children. It is a serious and persistent problem and I hope that the District of West Vancouver will follow the District of North Vancouver's lead and take steps to ban the use of anticoagulant rodenticides on all District owned properties. (Problematic rodenticides, outside of this category – bromethalin and zinc phosphide -- should also be banned, if they are not already, as well as the cruel and inhumane 'glue' trap.) I am also hopeful that the Mayor will agree to send a letter, on behalf of council, to the province requesting that the use anticoagulant rodenticides be banned provincially and that staff will fulfill the directions outlined in the motion, including reports, education and advocating alternative, safer methods of rodent control. Let's make this happen.

As organizations such as the SPCA, Owl Watch BC, Wildlife Rescue, Critter Care and Defend Them All (to name a few) have been pointing out to citizens and councils across the province, the problem of anticoagulant rodenticide use needs to be addressed. These rodenticides are particularly insidious as they not only directly poison non-target species but they also bio-accumulate and magnify through the food chain, poisoning and killing many of the animals that represent *nature's rodent control* through secondary poisonings. It has been estimated that owls can catch up to 1000 rodents a year (Colvin & McLean, 1986).

Earlier this summer, the two eaglets from the Sinclair Street nest died unexpectedly. This was a shock as both had previously appeared to be well fed, vibrant and healthy. Possible secondary rodenticide poisoning was suspected. Unfortunately, an anticipated necropsy on the second eaglet by Environment Canada did not proceed and no toxicology analysis was attempted. With the use of anticoagulant rodenticides, secondary poisoning of raptors, during the daytime, is a real concern.

Even pets and children may be subject to contamination from these poisons and, over the years in my neighbourhood, a number of dogs and cats have suffered from rodenticide poisoning. Every summer, I see dead rats, or those near expiration, on neighbours' driveways and on the boulevards. No one ever admits to using anticoagulant rodenticides, but the fact is they don't know what is being used by the pest control companies that frequently solicit door-to-door in the neighbourhood.

As friends of mine have communicated to council and staff over the summer, there are effective, alternative approaches to rodent control available. These strategies and methods stress measures of sanitation, structural exclusion, education and, if needed, various methods of lethal (non-poison) control to deal with this particular issue. Ready alternatives exist that can offer long-term solutions without the risk of unintentional direct and secondary poisonings and without causing protracted, inhumane suffering. We can do better.

Thank you for your time and consideration.

Stay safe and healthy.

Regards,

s. 22(1)

West Vancouver, BC.

**From:** [REDACTED] s. 22(1)  
**Sent:** Sunday, September 13, 2020 9:21 PM  
**To:** MayorandCouncil  
**Subject:** Rodenticide Ban Motion  
**Attachments:** [REDACTED] s. 22(1) Defending+Nature+Against+Rodenticides.pdf

Dear Mayor and Council;

I am relieved to see the Notice of Motion to ban anticoagulant rodenticides on the agenda for September 14th, to be voted on on September 28th. Having communicated with the District, the Provincial Government, and local media since 2018, I am heartened to see that this issue is finally being addressed. Several municipalities have passed bans or are in the process of doing so; Port Moody to be the latest to pass unanimously with no contrary debate, and in fact, several councillors passionately speaking in support. That said, I am very concerned about the legislative procedure here in West Vancouver.

As written, the proposed motion requires that "staff be directed to bring forth a report by the end of October outlining the implications to the Strategic Goals". Concerns about the harmful impacts of rodenticides are not new in this jurisdiction. Based on my own correspondence with former CAO Nina Leemhuis in Dec. 2019, staff had conducted preliminary research and consulted with its legal counsel on this issue as of June, 2019, and at that time was monitoring the District of North Vancouver's active rodenticide policy review and planned to continue its own research.

It is clear that District staff's work predates the current Strategic Goals updated in March/April 2020. Further delaying this process doesn't make sense and is unnecessary, wasting extra time and resources.

A ban of anticoagulant rodenticides is not a costly or complicated proposal. Constituents are asking the District to cease using dangerous rodenticides - imminently before further harm is done. This in and of itself bears no cost nor should have any other implications requiring it to fit into the current Strategic Goals. Alternative methods of pest control will have to be adopted. But cost effective, safer options have already been presented to the District Environment Manager. For example, Humane Solutions will price match any current contract by 5%. In fact, most pesticide companies should have multiple options for managing pests in keeping with what the client wants. A change in strategy should not be difficult or expensive; every change in service or contractor within the District should not have to go through a lengthy Strategic Goal process costing time and tax payers' money.

Communicating the harmful impacts of anticoagulant rodenticides to residents and businesses in the District does not have to be costly or complicated either, but could be as simple as notices on the District newsletter, social media, and website.

Given the nature of this issue and the information available, I urge Council to bypass an unnecessary and lengthy procedure that perpetuates further delay. Of particular note, Council can at least move swiftly on recommendation #2, whereby the Mayor is being asked to send a letter, on behalf of Council, to the Province of British Columbia requesting that the use of anticoagulant rodenticides be banned in the province. When the motion passes on Sept. 28th, this letter could be sent immediately thereafter, without having to wait for staff's report by the end of October. Surely this action shouldn't have to be delayed for that? This is an urgent matter as there is a growing movement of other municipalities that are lobbying the province, so it is important for West Vancouver to be in synch with that momentum. A letter in support of a province-wide ban sent sooner rather than later will be much more effective.

This issue has been delayed for too long. The facts are in, the science is clear (see attached report). Anticoagulant rodenticides are dangerous, ineffective, and inadequately regulated. Their use is inconsistent with the obligations owed by the government to protect its citizens and the environment from pest control products. Indeed, West Vancouver made a commitment in 2015 through its Environmental Declaration to protect its citizens and the environment from harmful toxins and has a duty to uphold that obligation. There is no need for any further time wasted on this.

Please expedite a ban on anticoagulant rodenticides in the District of West Vancouver on September 28th.

Sincerely,

s. 22(1)

West Vancouver, BC

s. 22(1)

## **Defending Nature Against Rodenticides**

s. 22(1)

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## **I. INTRODUCTION: RATS, RODENTICIDES, AND RIGHTS OF NATURE**

The Norway (brown) rat and the Roof (black) rat thrive in urban environments where an abundance of food and shelter is available, incidental to human development. They have earned global notoriety for gnawing through building structures and feeding on crops and stored foods. Their resourcefulness, rapid proliferation and disease-carrying potential have caused serious problems for residential, commercial and agricultural property owners. It is estimated that rats cost the United States \$19 billion a year in damage to food products.<sup>1</sup> Despite our current understanding of rats as intelligent,<sup>2</sup> highly social<sup>3</sup> and empathetic<sup>4</sup> animals, the dominant approach to managing them does not reflect an appreciation for their sentience and resilience. Rather, pest management strategies designed to decimate these animals have been widely justified and encouraged in an effort to protect Canadian property rights and human health.

Anticoagulant rodenticides (ARs) are the most commonly used form of rodent control worldwide.<sup>5</sup> When ingested, these poisons cause internal bleeding by reducing the production of blood clotting agents.<sup>6</sup> First-generation anticoagulant rodenticides (FGARs) require the rodent to consume several portions of the bait to receive a lethal dose. As some populations developed a resistance to FGARs, second-generation anticoagulant rodenticides (SGARs) were introduced in

<sup>1</sup> Pimentel, D., Lach, L., Zuniga, R. and Morrison, D. 2000. Environmental and Economic Costs of Non-indigenous Species in the United States. *BioScience* 50:53-65.

<sup>2</sup> Davis, H. (1996). Underestimating the rat's intelligence. *Cognitive brain research*, 3(3-4), 291-298.

<sup>3</sup> Ben-Ami Bartal, I., Rodgers, D. A., Bernardes Sarria, M. S., Decety, J., & Mason, P. (2014). Pro-social behavior in rats is modulated by social experience. *eLife*, 3, e01385; Makowska, I. J., & Weary, D. M. (2013). Assessing the emotions of laboratory rats. *Applied Animal Behaviour Science*, 148(1-2), 1-12.

<sup>4</sup> Sivaselvachandran, S., Acland, E. L., Abdallah, S., & Martin, L. J. (2018). Behavioral and mechanistic insight into rodent empathy. *Neuroscience & Biobehavioral Reviews*, 91, 130-137.

<sup>5</sup> Hindmarch, S., Elliott, J. E., & Morzillo, A. (2018). Rats! What triggers us to control for rodents? Rodenticide user survey in British Columbia, Canada. *International Journal of Environmental Studies*, 75(6), 1011-1030 [Hindmarch, Rats!].

<sup>6</sup> Nico W. van den Brink et al, "Foreword" in *Anticoagulant Rodenticides and Wildlife*, [ed] (Cham, Springer, 2018).

the 1970s and have since become the predominantly used rodenticide.<sup>7</sup> SGARs are highly toxic: rodents can receive a lethal dose of SGARs in a single feeding.

Symptoms of SGAR poisoning can take days to appear, and rodents can survive for four to 13 days after ingesting a lethal dose.<sup>8</sup> The delayed onset of symptoms, combined with their recognition of the bait as a food source, permits the poisoned rat to continue feeding at the bait stations for days leading up to their death. SGARs are highly bioaccumulative and can persist in the liver for weeks to months after ingestion.<sup>9</sup> By the time the rat finally dies, it is possible that it has accumulated poison far exceeding the lethal dose.<sup>10</sup> A weak, poisoned rat serves as easy prey,<sup>11</sup> which can give rise to the secondary poisoning of predators such as owls and other raptors who consume the rodent.

The legislative framework in Canada mandates the active control of rodents for human health and safety reasons, but its application fails to adequately address the unique risks posed by SGARs. For decades, studies have demonstrated that the widespread use of these chemicals has adverse effects on native wildlife species and the wider ecosystem.<sup>12</sup> Furthermore, there is apparently no data to indicate that SGAR baiting is the most effective method of controlling rat populations long-term.<sup>13</sup> Instead, research suggests that SGARs facilitate the rebound of rat

<sup>7</sup> Hindmarch, Rats!, *supra* note 5.

<sup>8</sup> Hindmarch, S. & Elliott, J. E., “Ecological Factors Driving Uptake of Anticoagulant Rodenticides in Predators” in Nico W. van den Brink et al (eds), *Anticoagulant Rodenticides and Wildlife*, [ed] (Cham, Springer, 2018) [Hindmarch & Elliot, Ecological Factors].

<sup>9</sup> *Ibid.*

<sup>10</sup> Rats have been shown to ingest nine to 46 times the lethal dose before their deaths. See US, Environmental Protection Agency, *Risks of non-compliant rodenticides to nontarget wildlife. Background paper for scientific advisory panel on notice of intent to cancel non-RMD compliant rodenticide products* (Office of Chemical Safety and Pollution Prevention; Office of Pesticides Programs; Environmental Fate and Effect Division, 2011); Hindmarch & Elliot, Ecological Factors, *supra* note 8.

<sup>11</sup> *Ibid.*

<sup>12</sup> Between 1998 and 2015, various raptor species had over 60% had traces of anticoagulant rodenticides in their bodies. See Nakayama, S. M., Morita, A., Ikenaka, Y., Mizukawa, H., & Ishizuka, M. (2018). A review: poisoning by anticoagulant rodenticides in non-target animals globally. *Journal of Veterinary Medical Science*, 17-0717.

<sup>13</sup> Hindmarch, Rats!, *supra* note 5.

populations,<sup>14</sup> and that a comprehensive, multi-pronged approach involving environmental modification may be better suited to managing these resilient pests.<sup>15</sup>

This report will demonstrate that the permitted use of SGARs is inconsistent with the self-imposed obligations owed by the Canadian government to protect its citizens and the environment. Though “rights of nature”<sup>16</sup> are not explicitly recognized in Canadian law,<sup>17</sup> this report will argue that the values foundational to recognizing such rights can be found in the existing legislation, and the governments’ failure to fulfill its obligations is due in part to its refusal to acknowledge such rights exist.

It is time for the Province of British Columbia to adopt a more ambitious approach to recognizing and protecting nature and its inhabitants. With hundreds of cases of poisoning of non-target animals each year, wildlife organizations have been urging members of the public to stop hiring pest management companies that use rat poisons.<sup>18</sup> Legal action is required to reflect our current appreciation for natural ecosystems and understanding of how SGARs are adversely impacting them. Through examination of the risks SGARs pose to wildlife, the environment, and the interests of present and future generations, the current report will generate recommendations

<sup>14</sup> Andrews, Richard V., "Should We Kill The Rats Or Is Biological Control Preferable?" (1977). *Transactions of the Nebraska Academy of Sciences and Affiliated Societies*, 448 [Andrews, Should we kill rats?].

<sup>15</sup> Himsworth, C. G., Feng, A. Y., Parsons, K., Kerr, T., & Patrick, D. M. (2013). Using experiential knowledge to understand urban rat ecology: a survey of Canadian pest control professionals. *Urban Ecosystems*, 16(2), 341-350 [Himsworth, Experiential knowledge]; Feng, A. Y., & Himsworth, C. G. (2014). The secret life of the city rat: a review of the ecology of urban Norway and black rats (*Rattus norvegicus* and *Rattus rattus*). *Urban Ecosystems*, 17(1), 149-162.

<sup>16</sup> “Rights of nature” refer to the rights of non-human species, elements of the natural environment and...inanimate objects to a continued existence unthreatened by human activities.” See David Boyd, *The Rights of Nature, A Legal Revolution That Could Save The World* (Toronto: ECW Press, 2017) at 137 [Boyd, “Rights of Nature”].

<sup>17</sup> Boyd, “Rights of Nature”, *supra* note 16 at xix.

<sup>18</sup> Raptors are the Solution, online: < <https://www.raptorsarethesolution.org/>>; BarnOwlsBC, online: <<http://www.barnowlsbc.ca/raptor-rodenticide-project.html>>; OWLRehab, online: <<https://www.owlrehab.org/dangers/rat-poison/>>.

that aim to reduce the direct and indirect poisoning of wildlife by restricting the use of second-generation anticoagulant rodenticides in British Columbia.

Part II of this report provides an overview of the current regulatory framework for pesticides in Canada, and rodenticides in particular, at the three levels of government. Part III examines the practical effects of the legislation, evidencing the harms associated with SGAR use and inefficacy of these products to illustrate the dubious value of their registration. Further, the inadequacy of the current risk mitigation measures and existence of alternative methods of rodent control are discussed to support the argument that the use of SGARs is inconsistent with the regulatory framework outlined in the former section. Part IV recommends action that can be taken at the municipal, provincial and federal levels of government to address this inconsistency, and also provides examples of similar action taken in other jurisdictions. Potential challenges to implementing the recommended measures are also discussed. Part V closes the report with some concluding remarks.

## **II. THE LEGAL FRAMEWORK FOR PESTICIDE REGULATION IN CANADA**

Under the *Constitution Act*,<sup>19</sup> jurisdiction over the environment and public health is not explicitly defined as being exclusive to either the provincial or federal government. As such, the power to regulate pesticides has come to be shared between the two levels of government.<sup>20</sup>

<sup>19</sup> *Constitution Act*, 1867, c 11.

<sup>20</sup> The provincial government has jurisdiction over all matters concerning property and civil rights, as well as over matters of local or private nature, see *Constitution Act, ibid*, s 92(13),92(16). The federal government has jurisdiction over public/federally owned property, and residual powers that have come to include other environmental subject matters, such as water pollution. See *Constitution Act, ibid*, s 91(1A), and see also Penny Becklumb, *Federal and Provincial Jurisdiction to Regulate Environmental Issues Background Paper*, Economics, Resources and International Affairs Division Publication No. 2013-86-E, 2013.

## **A. Federal Regulations**

Under the *Pest Control Products Act*<sup>21</sup> (PCPA), Health Canada sets the standards for the regulation of pest control products in Canada. The Pest Management Regulatory Agency (PMRA) is the branch of Health Canada that administers the PCPA and Regulations.<sup>22</sup>

The PMRA's mandate is to protect the health of Canadians and the environment against unacceptable risks from the use of pesticides.<sup>23</sup> In furtherance of this objective, the PMRA is obligated to afford consideration and protection to future generations, and encourage the development of sustainable pest management strategies<sup>24</sup> in a manner consistent with the precautionary principle.<sup>25</sup> The PMRA's main responsibilities include registering pest control products for manufacture, sale and use in Canada, re-evaluating pesticides currently on the market, and promoting sustainable pest management strategies.

To refine and strengthen pesticide regulations, the PMRA works with the provincial/territorial governments and other federal departments,<sup>26</sup> as well as foreign and international organizations including the United States Environmental Protection Agency.<sup>27</sup>

<sup>21</sup> "Minister" refers to the Minister of Health. See *Pest Control Products Act*, SC 2004, c 28 ["PCPA"], s 2(1).

<sup>22</sup> *Pest Control Products Regulations*, SOR/2006-124 ["PCPR"].

<sup>23</sup> PCPA, *supra* note 21, s 4(1).

<sup>24</sup> *Ibid*, s 4(2).

<sup>25</sup> "Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent adverse health impact or environmental degradation." See PCPA, *supra* note 21, s 20(2).

<sup>26</sup> The Federal, Provincial, Territorial (FPT) Committee on Pest Management and Pesticides was established to provide advice and direction to the two levels of government on programs, policies and issues to coordinate pest management programs across jurisdictions. The British Columbia Ministry of Agriculture and Ministry of Environment are members of the FPT Committee. See Health Canada, *Pesticides in Canada: Federal, Provincial, Territorial* (modified 08 December 2015), online: *Government of Canada* <<https://www.canada.ca/en/health-canada/services/consumer-product-safety/pesticides-pest-management/public/federal-provincial-territorial.html>>.

<sup>27</sup> Other international organizations the PMRA works with includes the North American Free Trade Agreement Technical Working Group on Pesticides, the Organization for Economic Co-operation and Development Programme on Pesticides and Sustainable Pest Management, Codex Committee on Pesticide Residue and the United Nations Environment Programme. Health Canada, "Pesticides and pest management: Frequently asked questions" (modified

Pesticides must be registered under the PCPA before they can be manufactured, possessed, handled, stored, imported, distributed, or used in Canada.<sup>28</sup> Companies must apply to the PMRA with all information relevant to evaluating their product's potential value<sup>29</sup> and health or environmental risks included in their applications.<sup>30</sup> The PMRA then conducts a scientific-based evaluation of the product's risks and efficacy controlling the pest it was designed for.<sup>31</sup> Products can only be registered if they make a useful contribution to pest management,<sup>32</sup> and if the risks are acceptable.<sup>33</sup> In evaluating the acceptability of the risks, the PMRA considers whether there is reasonable certainty that no harm to human health, future generations or the environment will result from exposure to or use of the product, and whether any possible adverse impacts on health or the environment can be prevented through proposed conditions of registration.<sup>34</sup>

Pesticides are designated to one of four classes.<sup>35</sup> Domestic class products are the only pesticides that may be distributed to the general public for personal use in or around homes. Commercial class products are restricted to use in commercial activities, as specified on the label. Restricted class products may only be used by qualified persons, strictly adhering to the

15 February 2019), online: <<https://www.canada.ca/en/health-canada/services/consumer-product-safety/pesticides-pest-management/frequently-asked-questions.html>>.

<sup>28</sup> PCPA *supra* note 21, s 6(1).

<sup>29</sup> The PCPA defines the "value" of a pest control products as the product's actual or potential contribution to pest management, taking into account its conditions or proposed conditions of registration, and includes the products (a) efficacy; (b) effect on host organisms in connection with which it is intended to be used; and (c) health, safety and environmental benefits and social and economic impact. See *ibid*, s 2(1).

<sup>30</sup> PCPR, *supra* note 22, s 8.

<sup>31</sup> PCPA, *supra* note 21, s 7(7).

<sup>32</sup> Canada, Health Canada, *Information Note: The New Pest Control Products Act* (Ottawa: Health Canada, 28 June 2006), online: <[canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/new-pest-control-products-act.html](http://canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/new-pest-control-products-act.html)>.

<sup>33</sup> PCPA, *supra* note 21, s 8(1).

<sup>34</sup> *Ibid*, s 2(2).

<sup>35</sup> Classes provide who may use the products, and under what conditions they may be used. See PCPR, *supra* note 22, s 5.

conditions provided on the label. Manufacturing class products may only be used in the manufacture of pest control products.

Once the product is registered, the PMRA is responsible for monitoring and enforcing compliance with the rules and conditions.<sup>36</sup> Companies must also apply to renew the registration of their product every five years.<sup>37</sup>

The registered active ingredients are required to be re-evaluated on 15-year cycles to ensure that they continue to satisfy the current scientific health and environmental protection standards.<sup>38</sup> The PMRA may also initiate a special review of an active ingredient if there are reasonable grounds to believe that the health or environmental risks of the product are, or its value is, unacceptable.<sup>39</sup> Consistent with the precautionary principle as set out in the PCPA,<sup>40</sup> full scientific certainty is not required to amend or cancel the registration of a product where there is reasonable grounds to believe such action is required to deal with a threat to human health or safety, or the environment.<sup>41</sup>

## 1. Developments in Federal Regulation of Rodenticides

In March 2006, upon re-evaluating the AR active ingredients brodifacoum, bromadiolone, chlorophacinone, diphacinone and warfarin,<sup>42</sup> the PMRA determined that these products were acceptable for continued registration, despite acknowledging evidence of anticoagulant exposure

<sup>36</sup> PCPA, *supra* note 21, s 48.

<sup>37</sup> PCPR, *supra* note 22, s 16(1).

<sup>38</sup> PCPA, *supra* note 21, s 16(2).

<sup>39</sup> *Ibid*, s 17(1).

<sup>40</sup> *Ibid*, s 20(2).

<sup>41</sup> *Ibid*, s 20(1)(b).

<sup>42</sup> Brodifacoum and bromadiolone are SGARs and chlorophacinone, diphacinone and warfarin are FGARs.

and secondary non-target effects among wildlife.<sup>43</sup> In an effort to protect children, pets, the environment and people who work with these products, the PMRA added new labelling directions as risk mitigation measures.<sup>44</sup>

On November 1, 2010, the PMRA published a Re-evaluation Note setting out additional risk mitigation measures required for rodenticides containing any of eight active ingredients.<sup>45</sup> At the time of publication, the available data on incidents involving children, pets and non-target wildlife to rodenticides in Canada was “insufficient to adequately assess” accidental exposure to these vulnerable groups. Therefore, in making its decisions and developing its risk mitigation strategies, the PMRA relied on the US EPA’s evaluation in its *Risk Mitigation Decision for Ten Rodenticides*<sup>46</sup> on the basis that the US EPA’s observations and assessments were considered to be representative of the situation in Canada. Of the eight rodenticides, the SGARs brodifacoum and difethialone were identified to pose the greatest secondary risk to predators and scavengers and as such are now restricted to indoor use. The SGAR bromadiolone is still permitted for use outdoors. Further, domestic class products containing SGARs are prohibited.<sup>47</sup>

In response to persistent concerns regarding the adverse impacts exposure to SGARs has on children and other non-target species, the PMRA imposed new restrictions on commercial

<sup>43</sup> Canada, Pest Management Regulatory Agency, *Re-Evaluation Decision Document on brodifacoum, bromadiolone, chlorophacinone, diphacinone and warfarin* (Ottawa: Alternative Strategies and Regulatory Affairs Division, PMRA, 2006).

<sup>44</sup> *Ibid.*

<sup>45</sup> The eight rodenticides requiring additional mitigation measures were brodifacoum, bromadiolone, bromethalin, chlorophacinone, difethialone, diphacinone, warfarin or zinc phosphide. See Canada, Pest Management Regulatory Agency, *Risk mitigation measures for eight rodenticides* (Ottawa: Health Canada Pest Management Regulatory Agency, 2010) [Health Canada, “Risk mitigation measures”].

<sup>46</sup> The US EPA found that SGARs pose greater risks to non-target wildlife than FGARs due to their high toxicity and long persistence in body tissues, warranting stricter regulations. United States, Environmental Protection Agency, *Risk Mitigation Decision for Ten Rodenticides* (Washington, DC: *Office of Prevention, Pesticides, and Toxic Substances*, 2008) at 7.

<sup>47</sup> Health Canada, “Risk mitigation measures”, *supra* note 45 at 7.

class rodenticides in agricultural settings in 2013.<sup>48</sup> The major change was the requirement that baits be either contained in tamper-resistant bait stations or in locations children, pets, livestock and non-target wildlife cannot access. Outdoor bait stations also acquired placement requirements<sup>49</sup> to prevent SGARs from contaminating the wider ecosystem. Additional labelling requirements were also added.<sup>50</sup>

### **A. Provincial Regulation**

Provinces and territories may further restrict or prohibit the use, sale, storage, transportation and disposal of registered pesticides in their jurisdictions through the enactment of regulations, as long as they are consistent with and no less protective than the federal legislation.<sup>51</sup> British Columbia's *Integrated Pest Management (IPM) Act*<sup>52</sup> and Regulation<sup>53</sup> set out the requirements for the use and sale of pest control products in the province. Like the federal legislation, the IPM Act dictates that a person must not "use, handle, release, transport, store, dispose of or sell a pesticide in a manner that causes or is likely to cause an unreasonable adverse effect."<sup>54</sup> Integrated pest management is a proactive and preventative approach to managing

<sup>48</sup> Canada, Pest Management Regulatory Agency, *New Use Restrictions for Commercial Class Rodenticides in Agricultural Settings* (10 May 2012), online: <<https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/rodenticides-agricultural-settings.html>> [PMRA, New Restrictions].

<sup>49</sup> Outdoor bait stations must be placed within 15 meters of buildings/structures, or less than 100 meters from buildings/structures if placed along fence line. See *ibid.*

<sup>50</sup> All bait stations containing domestic class rodenticides must be labelled "WARNING POISON," accompanied by the skull and crossbones symbol. See Health Canada, "Risk mitigation measures", *supra* note 45.

<sup>51</sup> Canada, Health Canada, *Pesticides and Health* (Ottawa: Minister of Health Canada, 2007), online: <[https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/ewh-semt/alt\\_formats/hecs-sesc/pdf/pubs/contaminants/pesticides-eng.pdf](https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/ewh-semt/alt_formats/hecs-sesc/pdf/pubs/contaminants/pesticides-eng.pdf)>.

<sup>52</sup> *Integrated Pest Management Act*, SBC 2003, c 58 [IPM Act].

<sup>53</sup> *Integrated Pest Management Regulation*, BC Reg 604/2004 [IPM Regulation].

<sup>54</sup> *Ibid*, s 3(1)(a).

pests and involves a range of elements, such as the suppression of populations using strategies based on considerations of environmental and human health protection.<sup>55</sup>

The Ministry of Environment has power to make regulations under the IPM Act.<sup>56</sup> Appointed under the *Public Service Act*,<sup>57</sup> the Administrator of the IPM Act<sup>58</sup> also has the power to establish and enforce regulations, and make decisions regarding the issuing or amending of licenses, certificates or permits to pesticide product users or distributors.<sup>59</sup> Decisions made by the Minister or Administrator may be appealed to the Environmental Appeal Board.<sup>60</sup>

Pesticides are provincially regulated through a classification scheme that establishes licensing, certification, permit and ministry oversight requirements for distributors and users of pesticide products. In addition to the domestic, commercial and restricted pesticide classes set out in the federal PMRA, the IPM Regulation establishes a permit-restricted pesticide class and an excluded pesticide class.<sup>61</sup> Permit-restricted pesticides are the most strictly controlled, requiring a permit for purchase or application of these products.<sup>62</sup> Excluded pesticides do not require a license, certificate, permit or confirmation from the administrator<sup>63</sup> because the Administrator has determined that there will not be an increased risk of unreasonable adverse effects from the use of the product.<sup>64</sup>

<sup>55</sup> IPM Act, *supra* note 52, s 1.

<sup>56</sup> British Columbia, Ministry of Environment, *Integrated Pest Management Act and Regulation: Summary* (February 2016), s 1.2.

<sup>57</sup> RSBC 1996, c 385.

<sup>58</sup> IPM Act, *supra* note 52, s 9(1); The current Administrator is the Director of Environmental Standards – Clean Air, Integrated Pest Management and Industry.

<sup>59</sup> *Ibid*, s 9.

<sup>60</sup> *Ibid*, s 14(3).

<sup>61</sup> IPM Regulation, *supra* note 53, s 2.

<sup>62</sup> *Ibid*, s 2(a).

<sup>63</sup> IPM Act, *supra* note 52, s 7(3). The Administrator must confirm receipt of a new or amended pesticide use notice if satisfied that the notice complies with s 7(2), the applicant meets the prescribed criteria and the applicant is not subject to any restrictions under s 15(4).

<sup>64</sup> IPM Regulation, *supra* note 53, s 2(e).

Since domestic class rodenticide products are prohibited from containing SGARs under the federal legislation, SGARs fall under the category of commercial class products.<sup>65</sup> Licenses are required for people who sell or offer to sell a non-excluded pesticide, use a pesticide for a prescribed use, or provide or offer any service respecting pesticides.<sup>66</sup> A “prescribed use” requiring a license includes the management of pests of structures and pests of goods on public lands.<sup>67</sup> The Regulation sets out the preliminary required actions a licensee must complete in accordance with integrated pest management principles before they use pesticide products.<sup>68</sup> Some of the requirements include: identifying and implementing reasonable measures to prevent pests; monitoring to determine the population and location of pests; and selecting treatment methods considering practical alternatives to pesticide use and the protection of human health and the environment.<sup>69</sup> When they are needed, pesticides must be used in a manner that minimizes hazards to human health and the environment.<sup>70</sup>

The Regulation sets out specific use requirements in relation to rodenticide use. Rodenticide bait must be deployed in rigid, walled containers fastened down or in an area inaccessible to people and domestic pets.<sup>71</sup> Consistent with the federal legislation, bait stations must be labelled with the appropriate information in accordance with the Regulation.<sup>72</sup> If the bait

<sup>65</sup> Anticoagulant rodenticides are not included in the list of permit-restricted pesticides in Schedule 1 or the excluded class in Schedule 2. However, corn cellulose is a non-anticoagulant rodenticide that falls under the category of excluded pesticides. See *ibid*, s 43(1) and (2).

<sup>66</sup> There are three categories of licenses. A pesticide vendor license is required to sell pesticides, and to purchase pesticides for the purpose of reselling. A pesticide user service license is required for a person or company that provides services for fee. A pesticide user non-service license is required for a person using a pesticide on their own land, or if their employees use a pesticide on their land. See IPM Act, *supra* note 52, s 44(2), (3) and (4).

<sup>67</sup> IPM Regulation, *supra* note 53, s 5(1)(h). Rodents are considered “structural pests.”

<sup>68</sup> *Ibid*, s 32(a).

<sup>69</sup> *Ibid*, s 68(1)(a), (c), (e).

<sup>70</sup> *Ibid*, s 33(3)(a).

<sup>71</sup> IPM Regulation, *supra* note 53, s 81(1).

<sup>72</sup> The label on the bait container must include the word and/or symbol for “poison,” the contact name and phone number of the licensee, and the active ingredient and PCP number. See *ibid*, s 81(2).

is deployed in higher-risk areas set out in the Regulation, the rodenticide must contain a bittering agent and be removed from the treatment area and destroyed when the program is complete.<sup>73</sup> A pesticide dispenser or pesticide applicator certificate is required by anyone who sells a commercial pesticide, performs the use or supervises the use of a pesticide for the holder of a license.<sup>74</sup>

### **C. Municipal Role**

Provinces and territories may grant municipalities in their jurisdiction the authority to further regulate the use of pest control products.<sup>75</sup> Under its *Community Charter* Regulation, British Columbia explicitly denies its local governments the power to create by-laws pertaining to pesticides for the management of pests that transmit human disease or impact agriculture.<sup>76</sup>

While unable to regulate rodenticides, municipalities such as North Vancouver and Coquitlam have enacted bylaws that prohibit residents and businesses from permitting conditions on their property that provide shelter and food for rodents or vectors,<sup>77</sup> pursuant to their power to regulate in relation to public health under the *Community Charter*.<sup>78</sup> In its own regional parks, Metro Vancouver claims to have stopped using rodenticides, and have reverted to snap traps or

<sup>73</sup> Rodenticide used in living accommodations, areas of multi-residence buildings or properties children have access to, or any other facilities frequented or likely to be frequented by children must contain a bittering agent. See *ibid*, s 81(3)(4).

<sup>74</sup> IPM Regulation, *supra* note 53, s 50(2), (3) and (4).

<sup>75</sup> Provinces and territories may grant local governments may enact bylaws to regulate the use, but not sale, of pesticide products. See *114957 Canada Tee (Spraytech, Societe d'arrosage) v Hudson (Town)*, [2001] 2 SCR 241, 2001 SCC 40 (CanLII) [*Spraytech v Hudson*].

<sup>76</sup> A municipality may not exercise authority to regulate, prohibit and impose requirements in relation to pesticides for the management of pests that transmit human diseases or impact agriculture or forestry. See *Spheres of Concurrent Jurisdiction - Environment and Wildlife Regulation*, BC Reg 235/2008, s 2(2)(a).

<sup>77</sup> District of North Vancouver, By-law No. 5899, *Rodent Control Bylaw, 1988* (09 May 1988) and City of Coquitlam, By-law No. 4284-2012, *Vector Control Bylaw* (23 April 2012).

<sup>78</sup> *Community Charter*, S.B.C. 2003, c. 26, s 8(3)(i) [*“Community Charter”*].

electrocution traps.<sup>79</sup> The Vancouver Park Board has also begun asking restaurants located in city parks to implement similar changes.<sup>80</sup> These actions encourage but do not require the use of alternative methods be prioritized over chemical rodenticides.

### **III. THE USE OF SECOND-GENERATION ANTICOAGULANT RODENTICIDES IS INCONSISTENT WITH THE CURRENT REGULATORY FRAMEWORK**

It is foremost relevant to acknowledge that rats pose problems to humans that arguably necessitate pest management strategies. Rats are among the most pervasive, resilient and destructive pests in the world, costing nations millions of dollars each year in food production losses.<sup>81</sup> Furthermore, as Norway rats are invasive to North America, there is concern that they pose a threat to native wildlife through predation, disease transfer and competition for resources.<sup>82</sup>

However, human health implications are less clear. The common belief that rats were responsible for the Black Death epidemic has given rise to their stigma as a dangerous, disease-carrying vermin.<sup>83</sup> While they do have the potential to carry and spread zoonotic diseases, wild

<sup>79</sup> Larry Pynn, “Vancouver park board moves to end use of rodenticides” (31 May 2018), online: *The Vancouver Sun* <<https://vancouversun.com/news/local-news/vancouver-park-board-moves-to-end-use-of-rodenticides>>.

<sup>80</sup> *Ibid.*

<sup>81</sup> The United Nations reported in 1982 that rats destroyed an estimated \$30 billion worth of food worldwide. See Almeida, A., Corrigan, R., & Sarno, R. (2013). The economic impact of commensal rodents on small businesses in Manhattan’s Chinatown: trends and possible causes. *Suburban Sustainability*, 1(1), 2; Stenseth, N. C., Leirs, H., Skonhøft, A., Davis, S. A., Pech, R. P., Andreassen, H. P., ... & Zhang, Z. (2003). Mice, rats, and people: the bio-economics of agricultural rodent pests. *Frontiers in Ecology and the Environment*, 1(7), 367-375.

<sup>82</sup> Banks, P. B., & Smith, H. M. (2015). The ecological impacts of commensal species: black rats, *Rattus rattus*, at the urban–bushland interface. *Wildlife Research*, 42(2), 86-97.

<sup>83</sup> There is little support for the proposition that rats were the predominant means of spreading the plague through Europe. More recently, studies have asserted that human ectoparasites were more likely responsible for the rapid spread of the disease. See Dean, K. R., Krauer, F., Walløe, L., Lingjærde, O. C., Bramanti, B., Stenseth, N. C., & Schmid, B. V. (2018). Human ectoparasites and the spread of plague in Europe during the Second Pandemic. *Proceedings of the National Academy of Sciences*, 115(6), 1304-1309.

rats have been rarely studied, and consequently, there are significant gaps in our knowledge of the actual health risks they pose to humans.<sup>84</sup>

While potential threats to human health, property and ecosystems legitimate the implementation of effective pest management strategies, the current approach to managing rats fails to adequately address the problem. Canada's pest management industry is currently valued at \$400 million<sup>85</sup> but nevertheless relies on short-term solutions in the form of dispersing toxic chemicals into the environment. In British Columbia alone, brodifacoum sales have increased by 36 percent and bromadiolone sales have increased by 136 percent between 2003 and 2010, with a total of 148 kilograms of rodenticide active ingredient sold in 2010.<sup>86</sup> While this may not seem like a significant amount, for context, most rodenticides are formulated at less than 0.01 percent active ingredient,<sup>87</sup> given their high toxicity.

The following section will demonstrate that the severe ecological disruption and serious threats to the health of Canadians caused by the use of SGARs is inconsistent with the governments' obligations under the PCPA and IPM Act to its people and the environment.

#### **A. There is Reasonable Certainty that Harm Results from SGAR Use**

The PCPA explicitly acknowledges that the goals of sustainable pest management are to meet the existing society's needs for health protection, and to conserve or enhance the quality of

<sup>84</sup> Kaylee Byers, "Rat race! How pest control can backfire" (23 October 2019), Medium, online: <<https://medium.com/ubcscience/rats-d423f7f53ae8>>.

<sup>85</sup> Melissa Shaw, "BC SPCA launches world's first pest control accreditation program" (21 March 2018), online: <<https://www.richmond-news.com/news/bc-sPCA-launches-world-s-first-pest-control-accreditation-program-1.23209133>>.

<sup>86</sup> Wins-Purdy, A. (2013). 2010 Pesticide Sales in British Columbia. Integrated Pest Management Program, British Columbia Ministry of Environment.

<sup>87</sup> *Ibid.*

the environment for future generations in an economically viable manner.<sup>88</sup> Reasonable certainty that no unmitigable harms to human health, future generations or the environment is required to justify the registration of pest control products.<sup>89</sup> It follows that since a wide range of registered products contain SGAR active ingredients, these compounds should not pose any unacceptable risks.

## 1. Risks to Nature: Wildlife and the Environment

### *i. Direct poisoning of non-target primary consumers*

SGARs pose risks of direct poisoning to non-target species that ingest these chemicals because SGARs are designed to be acutely lethal to small mammals, but are not selective to rats.<sup>90</sup> Despite the effort to reduce non-target species poisoning by requiring SGAR products to be contained in tamper-proof bait stations,<sup>91</sup> traces of SGARs have been found in a wide range of species, including small mammals, birds, and invertebrates. This is not surprising, since bait stations are designed to accommodate and attract the hefty Norway rat:<sup>92</sup> any non-target animals that feed on grain-based, meat-based, vegetable or fruit baits,<sup>93</sup> and are of the same size or smaller, may also readily enter and access the bait. In 2018, the District of North Vancouver conducted an investigation into the use of rodenticide bait traps and determined that the amount

<sup>88</sup> PCPA, *supra* note 21, preamble.

<sup>89</sup> *Ibid.*, s 2(2).

<sup>90</sup> US, EPA, *Potential risks of nine rodenticides to birds and non-target mammals: a comparative approach* (Washington, DC: Office of Prevention, Pesticides and Toxic Substances, 2004) [US EPA, “Nine rodenticides”]

<sup>91</sup> PMRA, New Restrictions, *supra* note 48.

<sup>92</sup> Norway rats are described as having thick, heavy bodies, averaging 280-480g. See: City of Vancouver, “Identify rats and mice” (accessed 05 November 2019), online: <<https://vancouver.ca/home-property-development/identify-rats-and-mice.aspx>>.

<sup>93</sup> Shore R.F., Coeurdassier M. (2018) Primary Exposure and Effects in Non-target Animals. In: van den Brink N., Elliott J., Shore R., Rattner B. (eds) Anticoagulant Rodenticides and Wildlife. *Emerging Topics in Ecotoxicology* (Principles, Approaches and Perspectives), vol 5. Springer, Cham.

of rodenticides being placed in the environment is not being monitored, and that the baits are more often frequented by non-target animals.<sup>94</sup>

Small non-target mammals, such as field mice, shrews and voles, feed directly on baits containing SGARs.<sup>95</sup> Mammals comparably sized to the target species also only require a single feeding of SGAR product to receive a lethal dose,<sup>96</sup> and thus may also accumulate significant levels of SGARs in their livers before they die. Small herbivorous and granivorous birds are also able to access the bait within the stations, and songbirds have demonstrated a willingness to enter bait stations and feed on bait blocks.<sup>97</sup>

*ii. Indirect poisoning of secondary consumer predator and scavenger species*

Many of British Columbia's treasured native and endangered species face serious risks of indirect poisoning once SGARs contaminate the food-chain. Rodents, small birds and invertebrates are primary food sources for a wide range of predators and scavengers in British Columbia, including raptors, crows, raccoons, coyotes, weasels and snakes.<sup>98</sup> The highly toxic, persistent, bioaccumulative nature of SGARs makes them particularly dangerous to secondary consumers, especially where the prey animal has ingested several SGAR doses. Though the

<sup>94</sup> Skunks, raccoons, mice, squirrels and insects were observed to access the bait traps. See District of North Vancouver, "Information Report to Council," (29 October 2019).

<sup>95</sup> Elliott, J. E., Hindmarch, S., Albert, C. A., Emery, J., Mineau, P., & Maisonneuve, F. (2014). Exposure pathways of anticoagulant rodenticides to nontarget wildlife. *Environmental monitoring and Assessment*, 186(2), 895-906 [Elliott, Exposure Pathways]; Shore R.F., Coeurdassier M. (2018) Primary Exposure and Effects in Non-target Animals. In: van den Brink N., Elliott J., Shore R., Rattner B. (eds) *Anticoagulant Rodenticides and Wildlife. Emerging Topics in Ecotoxicology (Principles, Approaches and Perspectives)*, vol 5. Springer, Cham; Sánchez-Barbudo, I. S., Camarero, P. R., & Mateo, R. (2012). Primary and secondary poisoning by anticoagulant rodenticides of non-target animals in Spain. *Science of the Total Environment*, 420, 280-288.

<sup>96</sup> US EPA, "Nine rodenticides", *supra* note 90.

<sup>97</sup> Elliott, Exposure Pathways, *supra* note 95.

<sup>98</sup> WildSafeBC, "Rats", (accessed 2019), online: <<https://wildsafebc.com/rats/>>; Howald, G. R. (1997). The risk of non-target species poisoning from brodifacoum used to eradicate rats from Langara Island, British Columbia, Canada (published master's thesis). The University of British Columbia, Vancouver, Canada.

consumption of single poisoned rodent may not be enough to directly kill a larger predator, the persistence and accumulation of SGARs in the predator's liver can give rise to deadly consequences.

Owls and other birds of prey are at a disproportionately high risk of secondary poisoning because of their dependence on rodents as a food source. A study investigating the diets of urban barred owls in British Columbia found Norway and black rats are their primary prey (54.5%), followed by field voles and deer mice.<sup>99</sup>

Between 1988 and 2003, 70% of dead owls from British Columbia and the Yukon region of Western Canada had residues of at least one rodenticide in their livers, and 41% had at least two.<sup>100</sup> While only six of the 164 owls were suspected to have died directly from poisoning, SGARs were believed to have indirectly contributed to a greater proportion of deaths. The high levels of SGAR residue in owls that died of trauma (e.g., collisions with vehicles, windows, etc.) and undetermined causes point to the possibility that behavioral changes (e.g., lethargy<sup>101</sup>) resulting from poisoning may have contributed to the resulting lethal accidents.

Another study estimates that a minimum of 11% of the sampled great horned owl population across Canada was at risk of being directly killed by SGAR poisoning,<sup>102</sup> though this

<sup>99</sup> Hindmarch, S., & Elliott, J. E. (2015). When owls go to town: The diet of urban barred owls. *Journal of Raptor Research*, 49(1), 66-75.

<sup>100</sup> 164 owls were examined, and SGARs brodifacoum and bromadiolone were the most common detected. See Albert, C. A., Wilson, L. K., Mineau, P., Trudeau, S., & Elliott, J. E. (2010). Anticoagulant rodenticides in three owl species from western Canada, 1988–2003. *Archives of Environmental Contamination and Toxicology*, 58(2), 451-459.

<sup>101</sup> Owls suffering from AR poisoning have been observed to become lethargic approximately 24 hours before death. See Mendenhall, V. M., & Pank, L. F. (1980). Secondary poisoning of owls by anticoagulant rodenticides. *Wildlife Society Bulletin*, 311-315.

<sup>102</sup> Thomas, P. J., Mineau, P., Shore, R. F., Champoux, L., Martin, P. A., Wilson, L. K., ... & Elliott, J. E. (2011). Second generation anticoagulant rodenticides in predatory birds: probabilistic characterisation of toxic liver concentrations and implications for predatory bird populations in Canada. *Environment International*, 37(5), 914-920.

may be an under-estimation, given that proportion of poisoned owls likely die out of sight. Further, the number of young, dependent raptors who die when their parents are killed directly or indirectly by SGARs are not accounted for in the estimate.

Of the scavengers examined, common ravens were identified as the most significant scavenger of Norway rat carcasses, placing them at an extreme risk of secondary poisoning.<sup>103</sup>

Though there is less data on the impact of rodenticides on other predators and scavengers in British Columbia, other jurisdictions have identified 29 mammalian and 11 avian threatened or endangered species that are potentially at risk of AR exposure.<sup>104</sup> In the United States, the most commonly reported avian species are great horned owls and red-tailed hawks, and mammalian species include coyotes, foxes, raccoons, bobcats, skunks, mountain lions and weasels.<sup>105</sup>

Wildlife care and conservation organizations are well-aware of the serious threats that SGARs create for predatory wildlife species. With the number of owls dying of poisoning in British Columbia rapidly escalating over the recent years,<sup>106</sup> these organizations have been working hard to bring these concerns to the public's attention to encourage the adoption of

<sup>103</sup> Howald, G. R. (1997). The risk of non-target species poisoning from brodifacoum used to eradicate rats from Langara Island, British Columbia, Canada (published master's thesis). The University of British Columbia, Vancouver, Canada.

<sup>104</sup> US EPA, "Nine rodenticides", *supra* note 90.

<sup>105</sup> *Ibid.*

<sup>106</sup> Slepian, Katya, "Twice as many owls dying from rat poison: B.C. government", *The Abbotsford News* (12 March 2018), online: <<https://www.abbbynews.com/news/double-the-b-c-owls-are-dying-from-rat-poison-agriculture-ministry/>>.

alternative means of rodent control.<sup>107</sup> The killing of barn owls is of particular concern because of their status as threatened/endangered under the *Species at Risk Act*.<sup>108</sup>

The increasing number of owls in urban city regions<sup>109</sup> means an increase in natural rodent control; however, the continued use of rodenticides poses a lethal threat to these emigrating owls. The B.C. Orphaned Wildlife Rehabilitation Centre (“OWL”)<sup>110</sup> reported a recent spike in rodenticide cases they encountered in 2017.<sup>111</sup> 46 of the injured raptors taken in between January to October 2018 had signs of rodenticides in their systems.<sup>112</sup>

### *iii. Poisoning of the environment*

SGARs can infiltrate the food web through various routes of exposure. For instance, the bromadiolone that earthworms uptake from soil can bioaccumulate and give rise to secondary poisoning for the wide range of species than feed on earthworms.<sup>113</sup> AR residue has also been detected in other invertebrate species who come into contact with the bait directly, including slugs and carrion beetles.<sup>114</sup>

<sup>107</sup> CBC News, “Bird rescue centre raises concerns about rat poison”, *CBC News* (29 December 2017), online: <<https://www.cbc.ca/news/canada/british-columbia/birds-poison-1.4468165>>; Strandberg, Diane, “Rat poisoning suspected in Coquitlam owl death”, *Tri-City News* (09 January 2019), online: <<https://www.tricitynews.com/news/rat-poisoning-suspected-in-coquitlam-owl-death-1.23587925>>; BarnOwlsBC is a resource site for barn owl conservation, run by Sofi Hindmarch. See BarnOwlsBC, online: <<http://www.barnowlsbc.ca/>>.

<sup>108</sup> *Species at Risk Act*, SC 2002, c 29, Schedule 1 [“SARA”].

<sup>109</sup> Larry Pynn, “Barred owl invasion results in 150 of the raptors taken to rehab facility” (19 March 2018), online: *The Vancouver Sun* <<https://vancouver.sun.com/news/local-news/barred-owl-invasion-results-in-150-of-the-raptors-taken-to-rehab-facility>>.

<sup>110</sup> OWL Orphaned Wildlife website, online: <<https://www.owlrehab.org/>>.

<sup>111</sup> OWL, “OWL Newsletter, Fall/Winter 2017 Ed.” (2018), online: <<https://www.owlrehab.org/newsletter-vol-2/>>.

<sup>112</sup> OWL, “OWL Newsletter, Fall/Winter 2018 Ed.” (2019), online: <<https://www.owlrehab.org/newsletter-vol-4/>>.

<sup>113</sup> Liu, J., Xiong, K., Ye, X., Zhang, J., Yang, Y., & Ji, L. (2015). Toxicity and bioaccumulation of bromadiolone to earthworm *Eisenia fetida*. *Chemosphere*, 135, 250-256.

<sup>114</sup> Elliott, Exposure Pathways, *supra* note 95.

A study investigating the environmental distribution of SGARs following aerial application of brodifacoum bait detected brodifacoum residues were in 84.3% of the carcasses collected, representing 15 species of birds, fish, reptiles and invertebrates.<sup>115</sup> Results suggested that brodifacoum residues could reach many parts of terrestrial and marine food webs within one-month.

When poisoned rats die and are not consumed by predators or scavengers, their decomposing carcasses can give rise to contamination of the environment. ARs have been found in the aquatic food web, and research suggests that these toxins may be entering the aquatic environment through municipal sewer systems, or when poisoned carcasses enter bodies of water.<sup>116</sup>

## 2. Risks to Present and Future Canadians

### *i. Threats Human Health and Domestic Pets*

British Columbians are growing increasingly concerned about the detrimental impacts the use of rodenticides are having on local wildlife populations,<sup>117</sup> but also about the risks these poisons pose to children and domestic pets.<sup>118</sup> These concerns are legitimate: in the United States, the American Association of Poison Control Centers annually receives around 12,000 to

<sup>115</sup> Pitt, W. C., Berentsen, A. R., Shiels, A. B., Volker, S. F., Eisemann, J. D., Wegmann, A. S., & Howald, G. R. (2015). Non-target species mortality and the measurement of brodifacoum rodenticide residues after a rat (*Rattus rattus*) eradication on Palmyra Atoll, tropical Pacific. *Biological Conservation*, 185, 36-46.

<sup>116</sup> Julia Regnery et al, "Rating the risks of anticoagulant rodenticides in the aquatic environment: a review," *Environmental Chemistry Letter* (2019) Switzerland Springer Nature.

<sup>117</sup> Sandor Gyarmati, "Delta won't outlaw rat poison despite calls from naturalists" (22 April 2019), online: *Delta Optimist* <<https://www.delta-optimist.com/news/delta-won-t-outlaw-rat-poison-despite-calls-from-naturalists-1.23798268>>; Brent Richter, "Owls fall prey to poison in North Van" (20 December 2017), online: *North Shore News* <<https://www.nsnews.com/news/owls-fall-prey-to-poison-in-north-van-1.23127211>>.

<sup>118</sup> Nina Grossman, "Metchosin mom pleads for the end of rat poison use after cat dies" (25 July 2019), online: *Victoria News* <<https://www.vicnews.com/news/metchosin-mom-pleads-for-the-end-of-rat-poison-use-after-cat-dies/>>.

15,000 reports of rodenticide exposures in children under six years of age. Reporting in Canada is considerably poor compared to that in the United States. As such, the 140 incidents involving rodenticides reported to Health Canada between April 2007 and May 2012 grossly underrepresent the issue.<sup>119</sup> In British Columbia alone, there have been a total of 30 incidents of SGAR (brodifacoum, bromadiolone and difethialone) poisoning involving domestic animals (22) and humans (8) submitted to Health Canada.<sup>120</sup>

Primary or secondary SGAR poisoning can put pets at risk of internal bleeding, and sometimes death.<sup>121</sup> Many of the poisons ingested by pets had been contained in bait boxes, suggesting that the poisons were either able to be accessed by the pets themselves, or had been spread outside of the boxes by primary consumers.<sup>122</sup> As natural rodent predators, cats are at a high risk of coming into contact with rodenticides, as poisoned rats make easy prey. There have also been incidents of dogs destroying bait boxes and consuming the poisons inside.<sup>123</sup> Given that the rodenticides are intended to be palatable for their target species, pets will also be inclined to consume these toxic products.

<sup>119</sup> Canada, Health Canada, *Questions and Answers - Additional Mitigation Measures for Rodenticides*, (Ottawa: Health Canada, 2012), online: <<https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/rodenticides-agricultural-settings/questions-answers.html>>.

<sup>120</sup> Note that the database relies on self-reporting. See Canada, Health Canada, *Pesticide Product Information Database*, (accessed 15 October 2019), online: <<https://pesticide-registry.canada.ca/en/incident-report-search.html>>.

<sup>121</sup> Merola, V. (2002). Anticoagulant rodenticides: deadly for pests, dangerous for pets. *Veterinary Medicine-bonner Springs Then Edwardsville*, 97(10), 716-727.

<sup>122</sup> Aaron Hinks, "Owl found dead after eating rat poison leaves B.C. woman concerned" (16 December 2017), online: *Goldstream News Gazette* <<https://www.revelstokereview.com/news/owl-found-dead-after-eating-rat-poison-leaves-b-c-woman-concerned/amp/>>.

<sup>123</sup> A dog destroyed a bait station that had been placed by a pest control operator and ingested the bait. See Health Canada, Incident report 2018-0496 (Pesticide Product Information Database, 2018), online: <<https://pesticide-registry.canada.ca/en/incident-report-details.html?q=2018-0496>>.

## *ii. Harm to Future Generations*

The PCPA sets out that one of the goals of sustainable pest management is to conserve or enhance the quality of the environment for future generations in an economically viable manner.<sup>124</sup> As discussed, endangered species are being further threatened by the use of SGARs, and will face extinction if efforts to protect them are not enacted.<sup>125</sup> If the wellbeing of the environment and the wildlife it fosters are to be preserved for future generations to enjoy for their inherent value, as well for the economic benefits,<sup>126</sup> the poisoning and consequent extinction of an iconic native species would constitute a harm that must be considered.

### **B. Inefficacy of SGARs at Controlling Rats**

Under the PCPA, pest control products are only to be registered if they make a useful contribution to pest management.<sup>127</sup> As such, registered SGARs should be reasonably effective at suppressing rodent infestations. However, there is increasing evidence to suggest that SGARs are not only ineffective at controlling rat populations long-term, but may actually be making the problem worse.

First, SGARs do not address the root of the rodent infestation problems. Rats are drawn to areas where they have access to food and shelter, and so structural access points to these resources must be addressed if rats are to be permanently removed.<sup>128</sup> By eliminating the resident

<sup>124</sup> PCPA, *supra* note 21, preamble.

<sup>125</sup> SARA, *supra* note 108.

<sup>126</sup> Ecotourism featuring wildlife generated \$6.2 billion from wildlife viewing activities in British Columbia in 1996. See Tourism British Columbia, “Wildlife Viewing Product Overview: Building Tourism with Insight” (April 2009), online: <[https://www.destinationbc.ca/content/uploads/2018/08/Wildlife\\_Viewing\\_Sector\\_Profile.pdf](https://www.destinationbc.ca/content/uploads/2018/08/Wildlife_Viewing_Sector_Profile.pdf)>.

<sup>127</sup> Canada, Health Canada, *Information Note: The New Pest Control Products Act* (Ottawa: Health Canada, 28 June 2006), online: <[canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/new-pest-control-products-act.html](http://canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/pesticides-pest-management/fact-sheets-other-resources/new-pest-control-products-act.html)>.

<sup>128</sup> An article on Humane Solutions’ (a Vancouver-based humane and eco-friendly pest control company) blog, pest control companies may overlook these structural access-points in the interest of having to provide continued services

rat population, SGARs clear the way for a new population move in.<sup>129</sup> Further, in response to the thinning of their populations, poisoned rats mate faster in the days to weeks before their deaths.<sup>130</sup> Relying solely on methods of killing instead facilitates the rebound of populations.<sup>131</sup>

Second, raptors and other predators that feed primarily on rodents serve as a natural and chemical-free method of pest control. For example, a nesting barn owl pair and their chicks will consume an average of 1,200 rodents per year.<sup>132</sup> By poisoning rodent predators, SGARs are effectively reducing the effectiveness of alternative means of controlling rat populations.

Finally, as discussed above, SGARs were introduced to replace FGARs, as populations had developed a resistance to the latter.<sup>133</sup> However, signs of resistance to SGARs are emerging in Europe,<sup>134</sup> suggesting that increasing the toxicity of rodenticides is a dangerous and unsustainable solution.

Consistent with the above findings, a majority of surveyed pest control professionals believe that while poisoning is the easiest and cheapest method of controlling rats, this strategy

to clients. See Joe Abercrombie, “Ultimate guide to home rat control: Eco-friendly & humane” (25 July 2019), online: <[https://humanesolutions.ca/2019/07/25/ultimate-rat-removal-guide/#Lastly\\_forget\\_rat\\_poison](https://humanesolutions.ca/2019/07/25/ultimate-rat-removal-guide/#Lastly_forget_rat_poison)> [Abercrombie, “Guide to home rat control”].

<sup>129</sup> Kaylee Byers, “Rat race! How pest control can backfire” (23 October 2019), *Medium*, online: <<https://medium.com/ubcscience/rats-d423f7f53ae8>>.

<sup>130</sup> Jordan Kisner, “Rats spread disease, decimate crops and very occasionally eat people alive. For centuries, we have struggled to find an effective way of controlling their numbers. Until now...” (20 September 2016), online: *The Guardian* <<https://www.theguardian.com/science/2016/sep/20/man-v-rat-war-could-the-long-war-soon-be-over>>.

<sup>131</sup> Andrews, Should we kill rats?, *supra* note 14.

<sup>132</sup> BarnOwlsBC, “Barn Owls: A Pest Management Ally for Berry Farmers” (January 2017), online: *BarnOwlsBC* <[http://www.barnowlsbc.ca/uploads/3/0/2/7/30276721/final\\_barn\\_owls\\_as\\_a\\_pest\\_management\\_ally\\_jan\\_2017\\_1\\_.pdf](http://www.barnowlsbc.ca/uploads/3/0/2/7/30276721/final_barn_owls_as_a_pest_management_ally_jan_2017_1_.pdf)>.

<sup>133</sup> Hindmarch, Rats!, *supra* note 5.

<sup>134</sup> Buckle, A.P., Prescott, C. and Ward, K.J., 1994, Resistance to the first and second generation anticoagulant rodenticides: a new perspective. *Proceedings of the 16th Vertebrate Pest Conference*, 7; Pelz, H. J. (2007). Spread of resistance to anticoagulant rodenticides in Germany. *International Journal of Pest Management*, 53(4), 299-302; Meerburg, B. G., van Gent-Pelzer, M. P., Schoelitz, B., & van der Lee, T. A. (2014). Distribution of anticoagulant rodenticide resistance in *Rattus norvegicus* in the Netherlands according to *Vkorc1* mutations. *Pest management science*, 70(11), 1761-1766.

fails to provide a long-term solution because they fail to deal with the factors promoting and sustaining rat infestations.<sup>135</sup> Moreover, Vancouver remains the “rattiest city in B.C.” after three years,<sup>136</sup> even with the prevalence of poison bait stations littering the city. Despite recognizing these limits, SGARs remain the default method used by pest control companies.<sup>137</sup>

### **C. Possible Adverse Impacts are Not Prevented by the Risk Mitigation Measures**

Risks posed by products can be considered “acceptable” if conditions of registration can be established to prevent the potential adverse impacts.<sup>138</sup> While the PMRA acknowledges that SGARs are highly acutely toxic compounds that pose serious threats to the health and safety of children and non-target species through both primary and secondary exposure,<sup>139</sup> the risk mitigation measures implemented are incapable of adequately addressing these threats.

Requiring SGARs to be kept in tamper-proof bait boxes may prevent the direct poisoning of larger species, but this measure fails to address that target and non-target animals alike are directly consuming these products and thereafter being ingested by predators and scavengers. As discussed above, a range of non-target species, including mammals, birds and vertebrates, have demonstrated a willingness to consume poisoned bait from the bait boxes.

Efforts to mitigate risks of secondary poisoning by restricting the placement of commercial class SGARs<sup>140</sup> may also not be as effective as intended. Rats have been shown to feed on highly

<sup>135</sup> Half of a subgroup of respondents further believed that poisons are the least effective way to eliminate rat infestations long-term. See Himsworth, Experiential knowledge, *supra* note 15.

<sup>136</sup> CTV News Vancouver, “Vancouver named B.C.’s ‘rattiest’ city for 3rd year in a row”, (09 April 2019), online: <<https://bc.ctvnews.ca/vancouver-named-b-c-s-rattiest-city-for-3rd-year-in-a-row-1.4372598>>.

<sup>137</sup> Hindmarch, Rats!, *supra* note 5.

<sup>138</sup> PCPA, *supra* note 21, preamble.

<sup>139</sup> Health Canada, “Risk mitigation measures”, *supra* note 45 at 5.

<sup>140</sup> SGARs brodifacoum and difethialone are restricted to indoor use only, and baits containing bromadiolone must be placement within 15 meters of buildings/structures, or up to 100 meters from buildings/structures if bait is placed along fence lines. See PMRA, New Restrictions, *supra* note 48.

toxic indoor-restricted baits and move outdoors where they can be consumed by predators.<sup>141</sup> As for outdoor baits placed near buildings and infrastructures, non-target small mammals have also been shown to disperse away from baiting sites after feeding.<sup>142</sup> By spreading themselves away from where baits are stationed and toward surrounding natural habitats, the exposure risk for rodent predators increases, proving the risk mitigation measures to be impractical.

Further, while companies in the pest management industry may claim that SGARs usually cause rats to return to their nest to die<sup>143</sup> or to another inaccessible place,<sup>144</sup> studies suggest that the pre-lethal effects of ARs on rat behaviour instead make them more accessible to predators. Norway rats were found to die above ground, increasing the risk of exposure of both predators and scavengers to SGARs.<sup>145</sup> Poisoned rats have been observed to spend more time outside of their dens, even during daylight hours, expanding their availability to both diurnal and nocturnal predators.<sup>146</sup> They also tended to remain motionless in the presence of observers, rather than bolting into hiding.

The risk of secondary poisoning has only been increasing: in a population of barn owls, the SGAR residue concentration in the liver was significantly higher in the period of 2006 to 2013

<sup>141</sup> Elliott, Exposure Pathways, *supra* note 95.

<sup>142</sup> Elmeros, M., Bossi, R., Christensen, T. K., Kjær, L. J., Lassen, P., & Topping, C. J. (2019). Exposure of non-target small mammals to anticoagulant rodenticide during chemical rodent control operations. *Environmental Science and Pollution Research*, 26(6), 6133-6140.

<sup>143</sup> <https://www.tomcatbrand.com/en-ca/library/how-use-bait-bait-stations>

<sup>144</sup> <https://www.orkin.com/ask-the-orkin-man/brodifacoum-and-warfrin-poison>

<sup>145</sup> Howald, G. R., Mineau, P., Elliott, J. E., & Cheng, K. M. (1999). Brodifacoum poisoning of avian scavengers during rat control on a seabird colony. *Ecotoxicology*, 8(6), 431-447.

<sup>146</sup> Cox P, Smith RH (1992) Rodenticide ecotoxicology: pre-lethal effects of anticoagulants on rat behaviour. In: Proceedings of the 15th vertebrate pest conference. University of Nebraska, Lincoln, pp 165–170.

relative to 1992 to 2003.<sup>147</sup> Despite the research over the years into the impacts rodenticides are having on wildlife, much remains unknown and their use continues to be widespread.

Since the PMRA found the US EPA's observations to be representative of what is expected to be observed in Canada, the results of the mitigation measures adopted in the US should be similarly representative. In California, since removing SGARs from consumer shelves in 2014, there has been no decrease in the rate of wildlife poisoning because licensed pest control companies are still permitted to use these poisons.<sup>148</sup>

### **E. Alternative Methods of Rodent Control Exist**

The British Columbia IPM Act requires that pesticides be administered in accordance with integrated pest management principles.<sup>149</sup> It follows that if they exist, alternative methods of controlling rat infestations that minimize risks to harm to human health and the environment must be exhausted before turning to potentially harmful chemical products.<sup>150</sup>

The primary step that sustainability-oriented pest management companies recommend is “rat-proofing” the premises by addressing the active and potential access-points in the structures.<sup>151</sup> Further, food and other resources that attract rats must be secured or eliminated. It is in the economic interest of pest control companies that use poisons to ignore these steps, as

<sup>147</sup> Huang, A. C., Elliott, J. E., Hindmarch, S., Lee, S. L., Maisonneuve, F., Bowes, V., ... & Martin, K. (2016). Increased rodenticide exposure rate and risk of toxicosis in barn owls (*Tyto alba*) from southwestern Canada and linkage with demographic but not genetic factors. *Ecotoxicology*, 25(6), 1061-1071.

<sup>148</sup> US, AB 2422, *Council Agenda Report: Re. Assembly Bill (AB) 2422: Pesticides, Use of Anticoagulants — SUPPORT (Councilmember Rosenthal)*, City of Malibu, Cal, April 2018, online: <<https://www.malibucity.org/AgendaCenter/ViewFile/Item/3193?fileID=4260>>.

<sup>149</sup> IPM Regulation, *supra* note 53, s 32(a).

<sup>150</sup> IPM Act, *supra* note 52, s 1.

<sup>151</sup> Abercrombie, “Guide to home rat control”, *supra* note 128.

permitting such conditions to persist invites new populations of rats to invade, thus giving rise to continued business for the company.

Novel approaches to rodent control are currently being developed and implemented. The District of North Vancouver has recently tested the efficacy of Goodnature traps<sup>152</sup> to address rodent problems and found this method to be promising. In the United States, a rat contraceptive product has recently been introduced as an effective approach to significantly reducing rat populations in major cities, such as New York.<sup>153</sup>

#### **F. Issues with the Implementation of the Pesticide Legislation**

The above analysis supports the conclusion that SGARs should not be registered. It is established that the use of SGARs poses real risks to Canadians, wildlife and the wider ecosystem. Further, the value of these products is negligible, given their failure to achieve their intended pest management purpose. As such, the unacceptability of these risks should demand that the registration of SGAR products to be cancelled.<sup>154</sup>

While the PCPA establishes a clear obligation on the federal government to treat the well-being and protection of the environment as a primary consideration,<sup>155</sup> the implementation of the legislation falls short of its stated purpose. One of the explanations put forth is that the PMRA takes an industry-favourable approach to its registration scheme.<sup>156</sup>

<sup>152</sup> Developed in New Zealand, Goodnature traps deliver automatic and lethal blows to rodents that enter the trap via a CO2 powered piston. These traps are non-toxic comparably humane. See District of North Vancouver, “Information Report to Council,” (29 October 2019).

<sup>153</sup> Alice Klein, “Menopause-causing bait is curbing rat populations in New York” (05 May 2017), online: *New Scientist* <<https://www.newscientist.com/article/2130114-menopause-causing-bait-is-curbing-rat-populations-in-new-york/#ixzz68P9fIcb1>>.

<sup>154</sup> Scientific certainty of harm is not required, as per the precautionary principle. See PCPA, *supra* note 21, s 20(2).

<sup>155</sup> See discussion with note 29 and note 50.

<sup>156</sup> CELA suggests that this industry-focused approach is “unduly”, and causes problems for the implementation of an otherwise fundamentally sound Act. See CELA, “Briefing note: Strengthening Canada’s legal framework to

The PMRA's industry-favourable studies and lack of transparency concerning data on pesticide use and sales has given rise to accusations that the agency may be strongly influenced by the agri-chemical industry.<sup>157</sup> The PMRA has been criticized for failing to disclose industry involvement in key studies relied on its decision to continue the registration of certain pesticides: said studies were presented as being independent, while in fact had been either co-written or reviewed and edited by agrochemical companies.<sup>158</sup> Other criticisms concern the PMRA's secrecy surrounding its approval processes, as key data provided by agrochemical companies about their products are not generally released to the public.<sup>159</sup>

Moreover, groups have observed that the PMRA rarely cancels the registration of products on the market, despite mounting evidence of widespread health and environmental damage caused by certain pesticides.<sup>160</sup> Rather, the PMRA regularly authorizes conditional registrations, which permit companies to sell pesticides before necessary data is provided where risks are deemed to be acceptable. This has been troubling to many environmental advocates, and in the past couple years, two lawsuits have been filed against the PMRA over its failure to satisfy its requirements under the PCPA.<sup>161</sup>

reduce pesticide exposure" (November 2015).

<sup>157</sup> See Robert Arnason, "An open letter to leaders of Pest Management Regulatory Agency" (16 September 2015), online: *The Western Producer* <<https://www.producer.com/2015/09/an-open-letter-to-leaders-of-pest-management-regulatory-agency/>>; Bruce Livesey, "Has Ottawa sold out to Big Agro and its toxic chemicals?" (25 July 2017), online: Canada's National Observer <<https://www.nationalobserver.com/2017/07/25/news/has-ottawa-sold-out-big-agro-and-its-toxic-chemicals>> [Livesey, "Has Ottawa sold out?"]; Gil Shochat, "'Troubling allegations' prompt Health Canada review of studies used to approve popular weed-killer" (11 November 2018), online: CBC News <<https://www.cbc.ca/news/technology/monsanto-roundup-health-canada-1.4896311>> [Shocat, "Troubling allegations"].

<sup>158</sup> *Ibid.*, Shocat, "Troubling allegations."

<sup>159</sup> See Livesey, "Has Ottawa sold out?" *supra* note 157.

<sup>160</sup> *Ibid.*

<sup>161</sup> *David Suzuki Foundation v. Canada (Health)*, 2017 FC 682; *Équiterre v. Canada (Health)*, 2016 FC 554.

Whether or not the PMRA is in fact failing to meet its obligation due to industry influences, the issue remains that the permitted use of SGARs is inconsistent with the pest management legislation, as well as the current societal values held by society. People across the world are increasingly of the view that the undisturbed survival and wellbeing of animals and the environment should be respected.<sup>162</sup> The adoption of the federal *Species at Risk Act* encodes the perspective that nature is entitled to certain protections, by recognizing in its preamble that all forms of wildlife has value in and of itself, and that Canadian wildlife species and ecosystems should be protected as part of the world's heritage.<sup>163</sup> Moreover, even the Supreme Court of Canada has repeatedly articulated that “environmental protection [has] emerged as a fundamental value in Canadian society.”<sup>164</sup> Finally, the PCPA itself clearly appreciates that the environment should not be subjected to unnecessary harms, and recognizes that the interests of future generations to enjoy the environment is an important consideration.<sup>165</sup>

Nevertheless, Canada is notorious for its poor enforcement of environmental protections,<sup>166</sup> and I argue that one reason for this is its failure to explicitly enshrine the rights of nature. Though the legislation already establishes a government obligation to protect the environment from unacceptable harm, human interests are too often treated as infallible justifications for infringements on nature, due to the characterization of nature as “property.”<sup>167</sup> Accepting that nature has rights will help overcome this inherent inequality, and facilitate an appropriate

<sup>162</sup> David Boyd, “Rights of Nature”, *supra* note 16 at xxxiv.

<sup>163</sup> SARA, *supra* note 108, preamble.

<sup>164</sup> *Ontario v. Canadian Pacific Ltd.*, [1995] 2 S.C.R. 1031 at para 55; *R v. Hydro-Québec*, [1997] 3 SCR 213 at para 127.

<sup>165</sup> PCPA, *supra* note 21, s 2(2).

<sup>166</sup> Boyd, “Rights of Nature”, *supra* note 16 at 90.

<sup>167</sup> “Ownership in all wildlife is vested in the Crown” under the B.C. *Wildlife Act*, RSBC 1996, c 488, s 2.

weighing of values and harms. In other jurisdictions where rights of nature are enshrined, advancements in environment protection are slowly being realized.<sup>168</sup>

Taken together, the existing legislation pertaining to pesticides provides the framework for recognizing the rights of nature. While such rights have yet to be established in Canadian law, an appropriate evaluation of the value and risks of SGAR use must afford ample consideration to the interests of wildlife and the environment in order to reflect the current values of Canadian society.

#### **IV. RECOMMENDATIONS**

Though this report was produced to stimulate reform in British Columbia, the multi-tiered nature of the pest management scheme, combined with the nationwide impacts of SGARs, demands action at all levels of government. The following recommendations should be implemented in order to advance the protection of wildlife, nature and present and future generations of Canadians. Further, examples of jurisdictions that have implemented measures modelling the recommendations are discussed.

##### **A. Municipal level recommendations**

###### **1. Endorse a Resolution Opposing the Sale, Purchase and Use of SGARs**

The local governments of British Columbia should formally express their concerns regarding the harms caused by SGARs and their intent to reduce SGAR use through establishing

<sup>168</sup> For example, in Ecuador, the court upheld the constitutional rights of a river, and made an order for the immediate clean-up of existing damage, and for the implementation of protections against future damage. See Boyd, “Rights of Nature”, *supra* note 16 at 163.

a resolution. While not legally binding, resolutions formally communicate the municipality's concerns and propose action to be taken.

The Union of B.C. Municipalities (UBCM) is an organization that represents the interests of local governments in the province and assists in the implementation of new policies.<sup>169</sup> One of their roles is to host Conventions for consideration and endorsement of Resolutions sponsored by municipalities. Draft resolutions identifying a problem, the cause of the problem and best solutions can be submitted to the UBCM by local governments.<sup>170</sup> Local government members have the opportunity to consider and endorse these resolutions through a vote.

*i. Calabasas Local Government Resolution*

The City of Calabasas, California, passed a resolution opposing the sale, purchase and use of ARs in their jurisdiction.<sup>171</sup> The resolution expresses the concern that ARs can cause pets and wildlife to become sick or die from exposure to rodenticides. It urges businesses to cease using and selling ARs, and property owners to cease purchasing or using ARs. It further commits the city to not use ARs at City-owned parks and facilities. A resolution passed in British Columbia should also encompass these elements.

<sup>169</sup> Union of BC Municipalities, "General Information: UBCM Overview" (accessed 14 December 2019), online: <<https://www.ubcm.ca/EN/main/about/general-information/ubcm-overview.html>>.

<sup>170</sup> Union of BC Municipalities, "Resolutions & Policy: Resolutions Procedures" (accessed 14 December 2019), online: <<https://www.ubcm.ca/EN/main/resolutions/resolutions/resolutions-procedures.html>>.

<sup>171</sup> US, Resolution No 2013-1379, *A Resolution of the City Council of the City of Calabasas, California, opposing the sale, purchase and use of anticoagulant rodenticides in Calabasas*, Calabasas, Cal, 2013.

## 2. Enact Bylaws that Prohibit Conditions that Provide Shelter, Refuge or Food for Rodents

Given that addressing structural problems is the most effective, long-term means of suppressing rat infestations,<sup>172</sup> municipalities should be promoting, or better yet, requiring property owners and occupiers to undertake such preventative measures.

As discussed above, municipalities have powers to regulate in relation to public health under the *Community Charter*.<sup>173</sup> The District of North Vancouver and City of Coquitlam, for example, have existing bylaws that prohibit residents and businesses from permitting conditions on their property that provide shelter and food for rodents. Following their lead, municipalities that have yet to do so should enact similar bylaws.

### **B. Provincial level recommendations**

#### 1. Prohibit or Severely Restrict SGARs

The Province of British Columbia should prohibit or severely restrict the sale, purchase or use of SGARs pursuant to the power of the B.C. Ministry of Environment to make regulations under the IPM Act.<sup>174</sup> The Minister could go about this by establishing a new class of “prohibited” pesticides<sup>175</sup> and have the administrator assign pesticides containing SGARs to this new class.<sup>176</sup>

<sup>172</sup> Abercrombie, “Guide to home rat control”, *supra* note 128; Himsworth, *Experiential Knowledge*, *supra* note 15. 151

<sup>173</sup> *Community Charter*, *supra* note 78.

<sup>174</sup> IPM Act, *supra* note 52, s 1.

<sup>175</sup> *Ibid*, s 38(2)(b): the minister may make regulations establishing classes of pesticides.

<sup>176</sup> *Ibid*, s 39(a): the administrator may make regulations assigning pesticides to classes established under section 38(2)(b).

In the interim, the administer of the IPM Act may order any person<sup>177</sup> to refrain from using a particular pesticide if the administer considers that the product has caused or is likely to cause an unreasonable adverse effect.<sup>178</sup> By order, the Minister may further prohibit the sale of SGAR products before the regulation is adopted.<sup>179</sup>

Prohibiting a pest management product that causes an unreasonable adverse effect<sup>180</sup> where there are effective and environmentally-sound alternatives is wholly consistent with the goal of integrated pest management, and will bring the government in line with its obligations to its people and the environment.

*i. California Bill to Ban Second-Generation Anticoagulant Rodenticides*

In February 2019, Bill AB 1788 was introduced in California to prohibit the use of pesticides containing SGARs, except for agricultural use or by special permit.<sup>181</sup> AB 1788 arose in response to the failure of implemented risk mitigation measures to decrease the impacts on wildlife and the environment.<sup>182</sup> Despite opposition by the biotech and chemical industry,<sup>183</sup> the

<sup>177</sup> Here, “any person” may include bodies responsible for pest management programs of parks and schools, where there are the highest risks of secondary exposure to vulnerable groups such as children, pets and wildlife.

<sup>178</sup> IPM Act, *supra* note 52, s 16(2)(b).

<sup>179</sup> *Ibid*, s 8(1)(a).

<sup>180</sup> *Ibid*, s 3(1)(a).

<sup>181</sup> AB 1788 would create the “California Ecosystems Protection Act.” It also sought to ban the use of FGARs on state-owned lands. See US, AB 1788, *An act to amend Section 12978.7 of, and to add Section 12978.8 to, the Food and Agricultural Code, relating to pesticides*, 2019-20 Reg. Sess, Cal, 2019, (pulled from the Senate Appropriations Committee 22 August 2019).

<sup>182</sup> US, AB 2422, *Council Agenda Report: Re. Assembly Bill (AB) 2422: Pesticides, Use of Anticoagulants — SUPPORT (Councilmember Rosenthal)*, City of Malibu, Cal, April 2018, online: <<https://www.malibucity.org/AgendaCenter/ViewFile/Item/3193?fileID=4260>>.

<sup>183</sup> The National Pest Management Association (NPMA) and Pest Control Operators of California (PCOC) outwardly opposed AB 1788. See Brad Harbison, “California Rodenticide Ban Dies in State Senate” (26 August 2019), online: *Pest Control Technology* <<https://www.pctonline.com/article/rodenticide-ban-bill-california-ab1788/>>.

bill passed the California State Assembly and was approved by the state Senate Committee on Environmental Quality.<sup>184</sup>

Unfortunately, AB 1788 was pulled from the Senate Appropriations Committee in August 2019 and was converted to a two-year bill to be picked up again in 2020.<sup>185</sup> Despite this setback, the fact that AB 1788 made it past six committee and floor votes represents an appreciation of the harms SGARs pose to wildlife. The willingness of California to adopt a ban on SGARs in the interests of native wildlife species has potential implications in Canada, considering that the PMRA has heavily relied on environmental risk assessments conducted in the United States.<sup>186</sup>

#### *ii. Provincial and Municipal Bans on Cosmetic Pesticides*

In 2003, Quebec was the first province to enact a ban on pesticides intended to be applied on lawns under its *Pest Management Code*,<sup>187</sup> following numerous municipality bylaws doing the same.<sup>188</sup> Six years later, Ontario passed its *Cosmetic Pesticides Ban Act*<sup>189</sup> to prohibit the use of “non-essential” pesticides for cosmetic purposes,<sup>190</sup> inspiring a ripple effect across the country. Today, seven provinces have implemented similar legislation, and over 180 municipalities have passed their own restrictions<sup>191</sup> on the grounds that pesticide products that

<sup>184</sup> Lisa Owens Viani, “Blood-Thinning Rat Poisons Need to Be Strictly Regulated. A California Bill Aims to Do Just That” (25 June 2019), online: *Earth Island Journal* <<http://www.earthisland.org/journal/index.php/articles/entry/blood-thinning-rat-poisons-need-to-be-strictly-regulated.-a-california-bill-aims-to-do-just-that/>>.

<sup>185</sup> Brad Harbison, *supra* note 171.

<sup>186</sup> Health Canada, “Risk mitigation measures”, *supra* note 45 at 7.

<sup>187</sup> *Pesticides Management Code*, CQLR c P-9.3, r.1.

<sup>188</sup> The town of Hudson in Quebec was the first municipality to exercise its power to enact bylaws regulating cosmetic pesticide use. The bylaw survived numerous legal challenges by a large lawn-care company, and set precedent in the Supreme Court of Canada for the municipal power to regulate cosmetic pesticide use. See *Spraytech v Hudson*, *supra* note 75.

<sup>189</sup> The Bill amends the *Pesticides Act*, RSO 1990, c. P. 11. See *Cosmetic Pesticides Ban Act*, 2008, S.O. 2008, c. 11 - Bill 64.

<sup>190</sup> *Ibid*, s 7.1(1).

<sup>191</sup> While British Columbia is one of the three provinces that have not passed a province-wide ban on cosmetic pesticides, 40 of its municipalities have passed by-laws restricting their use. See Canadian Nursery Landscape

serve negligible benefits cannot justify the public health risks associated with their widespread use in and around areas where children frequent.<sup>192</sup> Environmental advocacy organizations and health professionals have been urging the government to implement measures to minimize the exposure of Canadians and the environment to unnecessary pesticides.<sup>193</sup> This advancement demonstrates a shift in the social and legal acceptance of the use of toxic compounds and the risks these products pose to communities and the environment.

## 2. Public Education

Public education should accompany the proposal to prohibit SGARs. Wildlife and environmental advocacy groups are already engaging with local residents, landowners and farmers to increase awareness on the issue of rodenticides.<sup>194</sup> The province should also be disseminating information not only to emphasize the danger that SGARs pose to nature, but also to dispel the myths purporting SGARs as effective, long-term solutions.

Association, “Summary of Pesticide Regulations across Canada (Federal, Provincial and Municipal): Urban Landscapes” (2019), online: <<https://cnla.ca/uploads/pdf/Pesticide-Regulation-Across-Canada.pdf>>.

<sup>192</sup> CELA, “Debunking Industry Opposition to a Province-wide Ban on Lawn and Garden Pesticides” (26 March 2008), online: <<https://cela.ca/debunking-industry-opposition-province-wide-ban-lawn-and-garden-pesticides/>>.

<sup>193</sup> The Canadian Environmental Law Association (CELA) has been working on issues regarding pesticide use since the 1980s. See CELA, “Pesticide By-Laws and the Courts” (24 September 2005), online: <[https://cela.ca/wp-content/uploads/2019/07/519PestBylaw\\_Courts.pdf](https://cela.ca/wp-content/uploads/2019/07/519PestBylaw_Courts.pdf)>; CELA, the David Suzuki Foundation, Ecojustice and others have collaborated on this issue. See CELA, “Strengthening Canada’s legal framework to reduce pesticide exposure” (November 2015), online: <<https://cela.ca/strengthening-canadas-legal-framework-to-reduce-pesticide-exposure/>>;

Sanborn, M., Kerr, K. J., Sanin, L. H., Cole, D. C., Bassil, K. L., & Vakil, C. (2007). Non-cancer health effects of pesticides: systematic review and implications for family doctors. *Canadian Family Physician*, 53(10), 1712-1720.

<sup>194</sup> BarnOwlsBC has a wealth of resources on its website instructing farmers on how to utilize barn owls as the best pest management partner. See BarnOwlsBC, “A Resource Site for Barn Owl Conservation” (accessed 14 December 2019), online: <<http://www.barnowlsbc.ca/>>; Burke Mountain Naturalists conducts seminars concerning the use of rodenticides and risks to owls and the environment. See Burke Mountain Naturalists, “Be Owl Wise - Owls and Rat Poisons” (20 June 2019), online: <<https://www.burkemountainnaturalists.ca/event/be-owl-wise-owls-and-rat-poisons/>>.

### 3. Request for Special Review

The Ministry of Environment should provide information to the PMRA regarding the health and environmental risks posed by SGARs. Under the PCPA, the PMRA for the Minister of Health may initiate a special review of the registration of a pest control product if information provided by a provincial government department suggests there are reasonable grounds to believe that the health or environmental risks of the product are, or its value is, unacceptable.<sup>195</sup>

### **C. Federal level recommendations**

#### 1. Re-Evaluation of SGARs

The PMRA should re-evaluate the registration of SGAR products. On behalf of the Minister of Health, the PMRA has the discretion to initiate a re-evaluation of a registered pest control product if there has been a change in the information required or the procedures used for the evaluation of the health or environmental risks or value of the product.<sup>196</sup> Following re-evaluation, the registration of a product may be cancelled or amended, even in the absence of scientific certainty, if there are reasonable grounds to believe that such action is necessary to deal with a situation that endangers human health or safety or the environment, applying the precautionary principle.<sup>197</sup>

<sup>195</sup> PCPA, *supra* note 21, s 17(3).

<sup>196</sup> *Ibid*, s 16(1).

<sup>197</sup> *Ibid*, s 20(1)(b).

*i. Re-Evaluation by the California Department of Pesticide Regulation*

Mirroring the risk mitigation strategies implemented in Canada, in 2014 the California Department of Pesticide Regulation<sup>198</sup> designated SGAR active ingredients as “restricted materials.”<sup>199</sup> However, these restrictions proved insufficient as the impacts on wildlife health and the environment did not decline.<sup>200</sup> Consequently, the Department received a request to have seven pesticide active ingredients undergo re-evaluation.<sup>201</sup>

**D. Potential Challenges**

As exemplified in California, the prohibition of SGAR products is likely to receive pushback from the pest management industry, since SGARs are currently the most common method of rodent control employed by these companies.<sup>202</sup> However, by eliminating the ability to rely on traditional, harmful methods, the industry will be incentivized to invest in studying wild rats to develop informed, efficacious rodent management solutions.

Again, a number of humane and sustainably-focused pest management companies have introduced more effective means of approaching rat infestations.<sup>203</sup> Following their lead,

<sup>198</sup> The Department of Pesticide Regulation is responsible for regulating rodenticides, including the tasks of evaluating and registering pest control products. See California, Department of Pesticide Regulation, *How California regulates pesticide use: Factsheet* (accessed 16 December 2019), online: <<https://www.cdpr.ca.gov/docs/dept/factshts/main2.pdf>>.

<sup>199</sup> Registered SGAR ingredients include brodifacoum, bromadiolone, difenacoum and difethialone. Restricted materials must be sold by licensed dealers and purchased by certified applicators. See California, Department of Pesticide Regulation, *An Investigation of Anticoagulant Rodenticide Data Submitted to the Department of Pesticide Regulation* (16 November 2018).

<sup>200</sup> US, AB 2422, *Council Agenda Report: Re. Assembly Bill (AB) 2422: Pesticides, Use of Anticoagulants — SUPPORT (Councilmember Rosenthal)*, City of Malibu, Cal, April 2018, online: <<https://www.malibucity.org/AgendaCenter/ViewFile/Item/3193?fileID=4260>>.

<sup>201</sup> See note 180.

<sup>202</sup> Hindmarch, *Rats!*, *supra* note 5.

<sup>203</sup> See notes 144, 145 and 146.

hopefully Canada will see pest control shift toward non-toxic, sustainable solutions that address the factors influencing the problem, rather than temporarily exterminating the results.

## **V. CONCLUSION**

Taken together, the analysis presented in this report provides a critique of the provincial and federal government's continued registrations and permitted use of SGARs. To satisfy its obligations to Canadian citizens and the environment, and adapt to the evolving societal values, the B.C. Ministry of Environment must take action and lead the PMRA to reconsider the registration for SGARs. A shift toward recognizing the rights of nature is necessary to ensure the protection of Canadian wildlife and ecosystems, both for the enjoyment of future generations and for the interests of nature itself to thrive and exist.

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 12:11 PM  
**To:** MayorandCouncil  
**Subject:** Council meeting Sept 14- Motion Regarding Anticoagulant Rodenticides

My name is [REDACTED] s. 22(1) and I live at [REDACTED] s. 22(1) in West Vancouver.

I am pleased and support West Vancouver's motion to ban Anticoagulant Rodenticide on the District of West Vancouver properties, as research has clearly documented that this poison severely hurts many other animals in the ecosystem.

I am also pleased that as part of the motion, the Mayor will send a letter to the Provincial government requesting the banning of anticoagulant rodenticide and that education will be given to West Van residents about the harmful effects of this poison.

Thank you for following the District of North Van and putting forward this important motion to ban anticoagulant rodenticides on properties belonging to the District of West Vancouver.

[REDACTED] s. 22(1)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 12:32 PM  
**To:** MayorandCouncil  
**Subject:** Banning Rodenticides in West Van

Dear Mayor and Council,

I hope you all decide to vote in favour of banning rodenticides in West Vancouver. It is important to keep our wildlife, birds and pets safe from this poison. It can not only kill rodents, but any other animal and bird that consumes it.

Please vote to ban this!

Sincerely,

[REDACTED] s. 22(1)

West Vancouver, BC

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 12:49 PM  
**To:** MayorandCouncil  
**Subject:** Banning of Rodenticides

Good afternoon,

It looks like the council will be voting today on the use of rodenticides and as a West Vancouver resident I support the banning of rodenticides.

Thank you!

Cheers,

[REDACTED] s. 22(1)

West Vancouver, BC [REDACTED] s. 22(1)

**From:** [Redacted] s. 22(1)  
**Sent:** Monday, September 14, 2020 1:27 PM  
**To:** MayorandCouncil  
**Subject:** Banning Anticoagulant Rodenticides

**Importance:** High

Dear Mayor Mary-Ann Booth and West Vancouver Council Members

I am delighted to see the topic of **Banning Anticoagulant Rodenticides** on your Council Meeting agenda for later today. As a resident of the City of North Vancouver it's encouraging to see another North Shore municipality have this item on their agenda by laws. I whole heartedly support the District of West Vancouver in sending a letter to the province of British Columbia requesting a provincial ban.

*12. Notice of Motion regarding Anticoagulant Rodenticides (File: 0120-06) Notice of Motion, as follows, is provided: Take notice that at the September 28, 2020 regular Council meeting, Councillor Soprovich, with Councillor Gambioli as seconder, will move: WHEREAS anticoagulant rodenticides cause animals to suffer and die from primary and secondary poisoning; AND WHEREAS anticoagulant rodenticides pose unacceptable risks to humans and the planet; AND WHEREAS rodenticide use is regulated by the Province of British Columbia; AND WHEREAS the District of West Vancouver cannot ban the use or sale of anticoagulant rodenticides by members of the public on private land;*

*SEPTEMBER 14, 2020 COUNCIL AGENDA 4117991v2 A-16 THEREFORE BE IT RESOLVED THAT 1) the use of anticoagulant rodenticides on all District of West Vancouver owned properties be banned; 2) the Mayor send a letter, on behalf of Council, to the Province of British Columbia requesting that the use of anticoagulant rodenticides be banned in the province; 3) staff be directed to communicate the harmful impacts of anticoagulant rodenticides to all residents and businesses in the District of West Vancouver and to share findings about alternatives; 4) staff be directed to bring forward a brief report by the end of October outlining the implications of adding the objectives proposed in 1) and 3) above, under Council's Strategic Goals, including consideration of District resources; and 5) staff be further directed to address what planned Strategic Objectives may need to be reconsidered and the implications of doing so.*

Thank you for your diligent work in treating animals with more dignity,

[Redacted] s. 22(1)  
 North Vancouver BC [Redacted] s. 22(1)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 3:29 PM  
**To:** MayorandCouncil  
**Subject:** Banning of Rodenticides

0120-06

Dear Council,

I've been a resident of West Vancouver for [REDACTED] s. 22(1) years, and have always appreciated the diverse wildlife that also calls our district home.

I understand that rodenticides are an effective way to control rodent populations, but I do not believe that other wildlife should be unnecessarily killed due to the use of these products. I hope at today's vote, that Council decides to ban rodenticides in order to promote the use of a more humane alternative.

Kind regards,

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

West Vancouver, BC

[REDACTED] s. 22(1)

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**From:** Michalle Martin [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 5:36 PM  
**To:** MayorandCouncil  
**Subject:** Banning rodenticides in the district of west van

Dear Mayor and council,

Please consider following in the footsteps of DNV and banning use of rodenticides on public district lands. As a resident of west Vancouver since 2012 I have seen the impact of rodenticides on our wildlife population which affects not only rodents but owls, raccoons, insects and birds and children. (There are 10,000 cases of child poisonings by rodenticides In The US each year, 97% between the age of 3-6yrs)  
I am currently working on public educational displays for the Ecology Centre in Lynn Canyon Park to highlight the effects of rodenticides in collaboration with our environment team and would be happy to pass on any helpful information to the west van district to aid with your proposals to ban rodenticides

Yours sincerely

Michalle Martin  
Supervisor  
Ecology Centre, Lynn Canton Park  
and  
Chair, West Van Community Council  
West Van BCSPCA

[REDACTED] s. 22(1)

West Vancouver

[REDACTED] s. 22(1)

**From:** Lesley Fox <lesley@thefurbearers.com>  
**Sent:** Thursday, September 17, 2020 11:53 AM  
**To:** MayorandCouncil  
**Subject:** Re: Rodenticide

Dear Mayor Booth & members of West Vancouver Council,

Since 1954, The Fur-Bearers has been working to protect fur-bearing animals in the wild and confinement. According to our records, we have 78 supporters who identify as residents of West Van.

As you may be aware, other municipalities including North Vancouver, Saanich and just recently Port Moody, prohibited the use of rat poison within their jurisdictions.

<https://www.cbc.ca/news/canada/british-columbia/rat-poison-rodenticide-north-vancouver-district-ban-wildlife-owls-1.5611892>

<https://vancouverisland.ctvnews.ca/saanich-bans-use-of-rat-poisons-at-municipal-facilities-1.5023921>

<https://www.facebook.com/bcspca/posts/10164270822720207>

Anticoagulant rodenticides negatively affect the food chain because they can kill various species who depend on rodents as a food source. These animals include owls, coyotes, raccoons, bobcats, lynx and domestic cats. Once these predators are removed from the food chain, it can increase rat populations. The desired outcome of “less rats” is not achieved.

We are aware that West Vancouver is potentially considering a ban on rodenticides and we fully support your efforts.

Thank you for everything your municipality is doing to protect our environment, animals and citizens.

Should our organization be of any assistance regarding this matter, please contact me directly at 604-435-1850.

Lesley Fox  
Executive Director

The Fur-Bearers  
Suite 701, 718-333 Brooksbank Ave  
North Vancouver, BC  
V7J 3V8

Office: 604-435-1850

[www.TheFurBearers.com](http://www.TheFurBearers.com)

Our Mission: To protect fur-bearing animals in the wild and in confinement through conservation, advocacy, research and education (C.A.R.E.).

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**From:** Doug Grisdale <doug@mangiaebevi.ca>  
**Sent:** Friday, September 11, 2020 1:06 PM  
**To:** MayorandCouncil  
**Cc:** Stephen Mikich; s. 22(1); Ambleside Dunderave BIA  
**Subject:** Winterization of Patio Spaces

Dear Mayor Booth and Council,

I am one of the owners of Mangia E Bevi Ristorante and La Sorella Di Mangia, both located at 22nd and Marine Dr. Unfortunately, last week we permanently closed La Sorella Di Mangia. It had struggled for a while, but COVID was the final straw.

I am writing today to ask for Council to consider the problems local restaurants will have heading into the Fall and Winter seasons. We are facing ongoing restrictions on indoor occupancies as well as a general reluctance to dine inside as well. Right now at least 75% of the calls we get are from people who do not want to go inside a building. They are comfortable sitting on patios or under tents. We are wanting to cover our patio with a tent for the coming seasons. It is the only way to have a normal winter seating capacity and will also help those guests who are more comfortable in semi-outdoor spaces. We are asking that Council and the Municipality help streamline and fast track the process for approval for these kind of structures for this coming Fall and Winter.

Thank you for your consideration,

Doug Grisdale  
Mangia E Bevi Ristorante  
2222 Marine Drive, West Vancouver  
604 922-8333

**From:** Graham McIsaac [REDACTED] s. 22(1)  
**Sent:** Sunday, September 13, 2020 1:04 PM  
**To:** MayorandCouncil; Mary-Ann Booth; Peter Lambur; Bill Soprovich; Marcus Wong; Sharon Thompson; Craig Cameron; Nora Gambioli  
**Cc:** Robert Bartlett  
**Subject:** The Globe and Mail: The 'supply crisis' in Canada's housing market isn't backed up by the evidence

Ladies and Gentlemen,

As you come back from your well earned summer break I refer you to this article. Your first two years of your mandate has unfortunately been promoting density ( along with large developers who have vested interests in pursuing same) and a misguided transport agenda that was the B Line ( more high rises and large developments along with increased traffic gridlock).

From the many letters you have received and many opinion polls provided you must know this is NOT what residents and tax payers in West Vancouver want. Why you keep pushing an agenda diametrically opposed to what voters want remains a mystery?

As you start your last two years of this Council I would ask you to please read this article below as it should give you serious pause for thought. The impact of COVID on housing markets should also give you pause for thought. It is clear in Vancouver , Canada and in major Centres around the world that people are starting to eschew high rises in City Centres towards lower density homes in suburbs and smaller towns. More people are working from home and will be in the future having significant impact on public transportation networks along with the types of housing people want.

In your last two years on Council you have a real opportunity to focus on what residents want. They do NOT want a Community of concrete high rises and traffic gridlock.

I and many other residents think of West Vancouver as a small beautiful seaside town that provides high quality of life ( beaches, parks and lots of forests and green space, recreation facilities etc ) and opportunities through technology for at home working ( 5G installation should be a top priority working with telcos). Young families and retirees are moving to these types of Community around the world.

This likely results in a change in the types of housing people want as they incorporate office into home. Support of our Ambleside and Dundarave businesses to create diversity and attractive niche retail, restaurant and service businesses needs to be a priority.

You and we are facing some very interesting and challenging times as we move through and hopefully past COVID.

Graham

**The 'supply crisis' in Canada's housing market isn't backed up by the evidence**

The narrative that there's too much regulation and not enough new builds in places such as Toronto and Vancouver doesn't hold up under scrutiny

Read in The Globe and Mail: <https://apple.news/AZRit9ejjR6KO4PQJ9Z9GgQ>

Shared from [Apple News](#)

Graham McIsaac

s. 22(1)

West Vancouver,

s. 22(1)

Please do not redact my name and ensure news article attached printed as part of public correspondence record.

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**From:** [REDACTED] s. 22(1)  
**Sent:** Sunday, September 13, 2020 1:14 PM  
**To:** MayorandCouncil  
**Subject:** After the Lockdown: A Global Coronavirus Vaccination Program... - Global Research  
Global Research - Centre for Research on Globalization

<https://www.globalresearch.ca/after-the-lockdown-a-global-coronavirus-vaccination-program/5706547>

All of you should know. Spread this truth, please.

Gates, Fauci, UofW, Moderna, Pentagon, US bio-labs all in one nucleus.

Drones in many cities can (could, will, are?) disseminate so easily, while Zio news, all of the MSM's North America, including CBC, CTV, and BBC, disseminate the mouth-mess of Trudeau.

[REDACTED] s. 22(1)

West Van

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 5:02 PM  
**To:** MayorandCouncil; jhorgan@leg.bc.ca; bonnie.henry@leg.bc.ca; adrian.dix.mla@leg.bc.ca  
**Subject:** "We Have a Lot of Evidence that It's a Fake Story All Over the World" – German Doctors on COVID-19 - Global ResearchGlobal Research - Centre for Research on Globalization

<https://www.globalresearch.ca/we-have-lot-evidence-that-fake-story-all-over-world-german-doctors-covid-19/5723723>

Enjoy. Swallow the truth. The 'upfront' Gates mess is no different than the lies of the Navalny mess from Germany.

Well, Germany, good on you to bring this to reality. Join yourselves to the world, apart from fakers using dominance to scare those who seem to find no way to realize the make-believe that it is.

Guard against Justin Trudeau and his C. Freeland sop. He will go with US flow in every case.

[REDACTED] s. 22(1)

W. Van.

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**From:** [REDACTED] s. 22(1) 2620-01  
**Sent:** Wednesday, September 16, 2020 9:43 AM  
**To:** jhorgan@leg.bc.ca; bonnie.henry@leg.bc.ca; adrian.dix.mla@leg.bc.ca;  
MayorandCouncil; mayorandcouncil@cnv.org; [REDACTED] s. 22(1) Peter  
Kvarnstrom; Leah Arthur  
**Subject:** Wearing the Face Mask: Who is Putting our Children at Risk, SARS-CoV-2 or the  
Actions of our Governments? - Global ResearchGlobal Research - Centre for Research  
on Globalization

<https://www.globalresearch.ca/wearing-the-face-mask-who-is-putting-our-children-at-risk-sars-cov-2-or-the-actions-of-our-governments/5723961>

Read and (finally?) realize. The world is awakening to three words: Never trust USA.

The largest sickness [REDACTED] s. 22(1) I've seen is the complete naivety of persons believing the nonsense and strategic manipulations that go on in the world, by 'monsters' who control or try to, other reasoning thinkers.

[REDACTED] s. 22(1)  
West Van

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**From:** Laura Anderson [REDACTED] s. 22(1)  
**Sent:** Sunday, September 13, 2020 2:35 PM  
**To:** MayorandCouncil  
**Cc:** Rod Day  
**Subject:** Letter to WV Mayor and Council re Navy Jack House  
**Attachments:** NJH WVHS letter Sept.pdf

To: District of West Vancouver

Please find attached a letter from Rod Day, President, on behalf of West Vancouver Historical Society, in support for the conservation and restoration of Navy Jack House in West Vancouver.

Laura Anderson  
for  
West Vancouver Historical Society  
680 17th Street  
West Vancouver, BC (778.279.2235)



September 11, 2020

via email

Mayor and Council,  
West Vancouver, B.C.

Dear Mayor and Councillors,

The West Vancouver Historical Society strongly supports the preservation and restoration of the Navy Jack House. The heritage value of this house is well documented and well understood: its age, its early connection to the community, the contributions of its various owners to the early development of British Columbia and West Vancouver, the shared connections between indigenous and settler communities.

We salute the excellent work of the Navy Jack House Citizen Group which has made a thorough study on the condition of the house, the best date for restoration (1907), the cost of moving and restoration, and options for viable and sustainable future use. The committee confirmed the studies of Hugh Johnston in 1996 and Don Luxton in 2017 that the house is in good condition and can be moved and restored. The group also found there is substantial interest in occupying the restored house in the arts, business, and, possibly, neighbouring indigenous communities.

The Navy Jack House is the oldest continuously occupied home in the Lower Mainland and has played a central role in the history of West Vancouver. Few such houses survive in the Lower Mainland, and none with this unique history, nor the connection with the indigenous people established by the marriage of John Thomas and Slawya, granddaughter of Chief Kiepalano, whose descendants continue to live in the community.

Research conducted by the group and by volunteers in historical and genealogical areas is expanding our knowledge about Thomas, his family, and the times in which they lived. Thomas was a family man, an entrepreneur, a politician, and a prospector at the time of the gold rush that ultimately defined the political future of British Columbia.

John Lawson, the next owner of the house, established the political and economic future of West Vancouver with the first general store and real estate office. The first post office was set up in the house, and council meetings took place there after the incorporation of West Vancouver in 1912.

We agree with the North Shore Heritage Preservation Society that simple commemoration in the form of a plaque or otherwise is not sufficient to represent the importance of this building to the history of West Vancouver and British Columbia. It is imperative the Council rescind its decision to demolish the house and investigate all means of preserving and restoring it.

C. Rod Day,  
President, West Vancouver Historical Society  
680 17th Street, West Vancouver, BC (778.279.2235)

**From:** [REDACTED] s. 22(1)  
**Sent:** Sunday, September 13, 2020 10:45 PM  
**To:** MayorandCouncil  
**Subject:** Re: WVHS letter of support for Navy Jack House

2100-01

Mayor & Council  
District of West Vancouver  
750 - 17th Street  
West Vancouver

Dear Mayor and Council of West Vancouver,

I note herein a typo in my earlier letter that Mr. Day's letter was dated September 1, 2020. The correct date is September 11, 2020.

With thanks for your attention to this error.

[REDACTED] s. 22(1)

West Vancouver, B.C.

[REDACTED] s. 22(1)

On Sun, Sep 13, 2020 at 9:23 PM [REDACTED] s. 22(1) wrote:

Mayor & Council  
District of West Vancouver  
750 - 17th Street  
West Vancouver

Dear Mayor and Council of West Vancouver,

CONCERNING THE NAVVY JACK HOUSE

I am in receipt of the letter written by Rod Day to yourselves on September 1, 2020, which I attach here both for reference and for my name to be added to, in agreement and support of.

It seems inconceivable to me that such a rare piece of heritage could be considered for demolition; I am most interested in hearing the reasons offered by staff and / or yourselves as to why this is.

If we have not tactile association to our heritage, to refer us to the past and those who came before, we remove a huge asset, rather like plucking the ancestral Spirit out of a community, rendering us as those lacking respect, honour or Soul.

Kindly, do not do this.

Sincerely,

s. 22(1)

West Vancouver, B.C.

s. 22(1)



September 11, 2020

via email

Mayor and Council,  
West Vancouver, B.C.

Dear Mayor and Councillors,

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C. Rod Day,  
President, West Vancouver Historical Society  
680 17th Street, West Vancouver, BC (778.279.2235)

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**From:** Paul Hundal [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 11:06 AM  
**To:** MayorandCouncil  
**Subject:** Navy Jack House  
**Attachments:** Letter to Council - Sept 14 2020.pdf

2100-01

I am submitting this letter as President of the North Shore Historical Society.

Paul Hundal

[REDACTED] s. 22(1)

West Vancouver, BC,

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)



# NORTH SHORE HISTORICAL SOCIETY

[NORTHSHOREHISTORICALSOCIETY2@GMAIL.COM](mailto:NORTHSHOREHISTORICALSOCIETY2@GMAIL.COM)

September 14, 2020

Mayor and Council

District of West Vancouver

Dear Mayor and Councillors:

As president of the North Shore Historical Society I am sending this letter of support for the for saving the Navy Jack House, the oldest remaining building on the North Shore. As you are aware, I am also part of the Citizen's Group putting together a proposal to save the building. On behalf of the North Shore Historical Society, which has been serving the North Shore since 1977, we strongly support saving the Navy Jack House, ideally in or very close to its current location. So much can be said and has been said in support of saving this house. It is literally the birthplace of West Vancouver, and its significance goes way beyond the original beams and subfloors of the building. It has been renovated many times so it is not in original condition but it's alterations have not replaced the structure of the building which is as solid if not more than the day it was built. A person walking off the first ferry at the original 1909 dock, would see the same east wall and general shape except for some additions. More importantly is the history it embodies, such as the marriage between Navy Jack and Chief Kiepilano's granddaughter, Slawia in or about 1874 who raised their family of four children in this house. Navy Jack was West Vancouver's earliest colonial settler and the fact that his house is still there, as the only remaining structure from that time, is something to be celebrated, not demolished.

You will see much more of this history in a report to Council by the Citizen's Group that I am a part of so I will not repeat it all here. We simply want to add our name to the many who are showing their support for saving it. Regarding the measure of community support, we disagree with the interpretation of staff that the survey indicated inadequate community support. The choices were complex. Some people supported the heritage building but not the nature centre which had no heritage society involvement. I myself expressed those concerns in answering the survey. Only 20% supported removing the building to convert it to green space. 80% gave a range of opinions of which the largest component supported the most expensive option of saving the building and converting it to a Nature Centre, that being 43% of all those who voted. However staff reported that as meaning 57% did not support that plan and claimed there was insufficient community support. I note our mayor was elected with 37% of the vote and like here there were multiple options. I would never for a moment suggest our Mayor does not have community support to be Mayor. She received the most votes and so did the Navy Jack House on the survey. As said above above only 20% voted to demolish it for green space, yet, in June you voted for the least popular option. Please reverse this decision now.

Paul Hundal, President of the North Shore Historical Society

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**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 11:26 AM  
**To:** mayorandcouncil@westvancouver.ca; Marcus Wong; Mary-Ann Booth  
**Subject:** Navy Jack House

Hello Mayor Booth, Councilor Wong and Council. I am writing to express my concern for the future of Navy Jack House. I see this building as an important part of our history, and an opportunity to create a MUSEUM, which this community sorely lacks. Our so called West Vancouver Museum is an Art Gallery, with nothing about our history. It bothers me that such a wealthy community does not have a museum telling people of its history and culture. Every time we visit a town anywhere in the world, we visit its museum, to learn about its culture, background and why it is there. Please do the same for this town.

I live at [REDACTED] s. 22(1), West Vancouver.

Best wishes from [REDACTED] s. 22(1)

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**From:** s. 22(1)  
**Sent:** Sunday, September 13, 2020 4:33 PM  
**To:** MayorandCouncil  
**Subject:** Horseshoe Bay LAP

Dear Mayor and Council,

I would like to address my concerns over the proposed Local Area Plan for Horseshoe Bay village.

s. 22(1) I moved into the area from s. 22(1) years ago. At that time the OCP described Horseshoe Bay as a charming seaside village and included the assurance that local planning would be moderated to keep it that way. Now we are faced with a local area plan that is calling for aggressive re-development in addition to what we have already seen with the Sewell's Landing/Sanctuary project.

It is quite concerning to us that all charming appeal of our community will be sacrificed to provide West Vancouver with a Yaletown replica.

The addition of the extra population and traffic will overwhelm our already tenuous infrastructure which the proposed LAP does nothing to address.

Horseshoe Bay already has the most lenient density laws of any West Vancouver community north of Fulton Avenue. Any change in a negative context is un-warranted and would most likely lead to speculative real-estate transactions fueled by developers. Our community would suffer a net loss initially of longtime residents and then a whipsaw of mass infusions of empty housing units as the new projects are completed.

The recent survey that was completed claims to have 80% support from the local community but I believe that is a misrepresentation of results. Most of that support was only garnered by allowing modifications to the proposals and the majority of the requested modifications were requesting limits on the size and scope of the LAP.

Please consider carefully what you are willing to approve in the LAP and keep in mind the effect these decisions will have on the existing residents.

Thank you for your consideration in this matter.

Respectfully,

s. 22(1)

West Vancouver, BC

s. 22(1)

Sent from [Mail](#) for Windows 10

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**From:** [REDACTED] s. 22(1) 1020-01-2020  
**Sent:** Sunday, September 13, 2020 10:22 PM  
**To:** MayorandCouncil  
**Subject:** RE: Development Proposal by Baptist Housing for the Inglewood Care Centre site

Dear Mayor Booth and Members of Council,

I hope that this email finds you all well.

My family and I have been long-time residents of West Vancouver. We settled here [REDACTED] s. 22(1) years ago and have been very proud to call West Vancouver home for so many years. We have seen many changes in our time as residents and applaud the efforts made by you and your predecessors in continuously building upon our community's unique strengths and attributes

It is against this backdrop and with great pleasure that I write this letter to you in support of the proposal put forth by Baptist Housing to bring long-awaited and much needed changes to the Inglewood Care Centre site.

[REDACTED] s. 22(1) was diagnosed with [REDACTED] s. 22(1) and since [REDACTED] s. 22(1) has been a resident at Inglewood Care Centre. I, therefore, have first-hand knowledge and experience with the Care Centre and am cognizant of its strengths and weaknesses.

To be blunt, the buildings that make up Inglewood Care Centre are in very poor shape. This is unfortunately a set of conditions that Baptist Housing inherited and while they have made several operational improvements since taking over Inglewood's operations, the fact remains the physical condition of the Care Centre is terrible which in turn hinders the ability to optimize operations and resident care.

The population across the Lower Mainland is aging and this is particularly the case in West Vancouver. In my humble opinion, there are simply not enough places to live that are economically feasible in West Vancouver to accommodate the growing number of seniors who will want to retire here in the coming years and decades.

I applaud Baptist Housing's willingness and commitment to rebuilding Inglewood from the ground up. While admirably ambitious, it is absolutely necessary. Their plan to introduce various forms of housing is excellent. It will allow for residents to reside in affordable rented suites that may be independent or with assisted care and then potentially progress into the care facility if needed without ever having to leave Inglewood. It will enable a couple to potentially move to Inglewood together and then remain within the same site as one or the other's needs progress. I would have been grateful for that opportunity last year had it been available to [REDACTED] s. 22(1) And believe me,

familiarity is ever so important as we age and especially if we are inflicted with a merciless disease such as [REDACTED] s. 22(1)

Baptist Housing has put much consideration into their development plan and it clearly shows that they have the expertise and experience necessary. Something as simple but important as their plans for private suites, not shared rooms, clearly shows their consideration and proactivity against challenges such as we have all experienced with COVID 19 recently. The potential that Inglewood has is immense, and I feel that the proposal put forth by Baptist Housing allows for a realization and perhaps more of this potential. The ability to leverage provincial support (I understand in the hundreds of millions of dollars) through BC Housing and Vancouver Coastal Health to me seems like a massive benefit to our West Vancouver community.

Baptist Housing operates as a not for profit enterprise and this gives me the confidence that they will continue to invest in the future of the Care Centre's operations, continuously giving back to its resident population and the community at large.

I end this by wholeheartedly encouraging your Worship and Members of Council to advance the proposal forward to the public consultation phase and allow for our fellow residents to have their say.

Thank you for taking the time to read this email and your consideration.

With my kind regards,

[REDACTED] s. 22(1)

West Vancouver, BC, [REDACTED] s. 22(1)

1020-01-2020

**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, September 14, 2020 11:12 AM  
**To:** MayorandCouncil  
**Subject:** Baptist Housing Project- Inglewood Care Centre

Dear Madam Mayor,

I'm writing this letter in support of the proposal by Baptist Housing to rebuild the Inglewood Care Centre. This will not only provide a much needed Senior and affordable staff housing in West Vancouver, but it will also help address the needed changes that have been long overdue to the Inglewood facility.

The current buildings are old and in need of major repairs and I believe that a mere undertaking for repairs of the existing structures would neither be cost effective nor sufficient.

With the aging population on the rise, and current lack of affordable housing, there is a great need for senior care facilities in the coming decades in West Vancouver to accommodate both seniors and the staff that will provide care to them.

For this reason the Baptist Housing plan to provide different types of housing is an excellent idea. Seniors need different levels of care. With this proposal our elderly parents can start their senior years with affordable rented suites, graduate to assisted care, and then transition into the care facility as they get older, all without leaving Inglewood. Please imagine how convenient and less disruptive this would be for them. This project would also prevent separation and isolation of elderly couples who need different levels of care because they could both live on the same site, get the care they need and not be totally separated from one another. The proposal also plans to provide private suites – this means our seniors can continue to live a private, safe and dignified life in their sunset years.

This project also makes sense financially. It will have hundreds of millions of dollars in provincial support through BC Housing and Vancouver Coastal Health.

Also, the fact that Baptist Housing is a non-profit means that any funds generated by operations such as onsite independent living and rental housing can be used to operate the Inglewood's care centre and not generate profit for private owners.

As a person in [REDACTED] s. 22(1) who also currently has [REDACTED] s. 22(1) cared for at Inglewood, I see the need and urgency for the approval of this project. Therefore, I strongly urge the council to advance this proposal to the first phase tonight and consult the public and listen to their comments.

Thank you for your attention and cooperation in this matter.

[REDACTED] s. 22(1)

West Vancouver, B.C.

[REDACTED] s. 22(1)

1020-01-2020

s. 22(1)

**From:** [REDACTED]  
**Sent:** Monday, September 14, 2020 1:34 PM  
**To:** MayorandCouncil; Mary-Ann Booth; Craig Cameron; Nora Gambioli; Sharon Thompson; Marcus Wong; Peter Lambur; Bill Soprovich  
**Subject:** COMPASSION or NEGLECT?

Dear Mayor and Councillors,

Which will you choose? Compassion or neglect?

At the Sept 14th Council, you will be voting on whether to allow the Baptist Housing proposal (Campus of Care) at Inglewood and Taylor Way to go forward to the community.

As you are aware, Phase I will is to build the replacement building for the current Inglewood Care Home of 230 provincially funded beds. Phase II is the construction of 3 additional high raise buildings on the same site after the residents have moved to the new facility. It is shocking that Baptist Housing and DWV planning would ever consider this in any way appropriate for the elderly or infirm who would be residents during the construction. This is a construction project for a new site that doesn't include residents already on the site. There can only be one word to describe the intentions: INHUMANE.

If you intend to vote for this project to go to public consultation, either the community or Baptist Housing is being misled. In a conversation with Mr. Howard Johnson, CEO, of Baptist Housing, Mr. Johnson communicated in several different instances, that unless this proposed project is approved as presented totalling 700 units and 4 buildings, the project will not proceed. I asked Mr. Johnson directly, if I understood that 700 units needed to be approved for the project to proceed. Mr. Johnson answered yes. I asked him directly if only 450 units were approved, would the project go ahead. Mr. Johnson answered no, it would not go ahead. It is my understanding that Mr. Johnson has made this clear to Council in the private presentation to Mayor and Council and in his private meetings with most councillors.

If Council votes for the proposal to go ahead for public consultation, either the community or Baptist Housing is being misled. Council members know that 700 units need to be approved by Mr. Johnson's own words. If the proposal is approved to go forward, it would appear that Council is approving the project now in principal. If so, why take it out to the community at a cost of a great deal of time, energy and money on the part of DWV, Baptist Housing, and WV residents?

The project should not go forward not only for the primary reason for its lack of compassion for those who would occupy the facility during construction, but for other decisive reasons:

- Spot rezoning would be necessary.
- Density - inappropriate from .51 to 2.85 for a residential neighbourhood.
- Increased traffic at already overly used intersection.
- Light and noise pollution for neighbours.
- LAP has not yet been started.
- Inadequate information provided on DWV website by DWV planning and in documents provided by Baptist Housing.
- North Shore statistics of current and planned seniors' private and publicly funded beds (full care/assisted care), as well as seniors' housing were not included by DWV planning to justify the massive development.

How will you vote - with compassion and empathy for those confined to a care facility or will they be abandoned for the greedy sake of development?

Please do not approve the Baptist Housing Development proposal to go forward to the community until Baptist Housing can return a more reasonable and humane proposal to our community.

s. 22(1)

s. 22(1)

WV

s. 22(1)

1020-01-2020

**From:** s. 22(1)  
**Sent:** Thursday, September 17, 2020 8:07 AM  
**To:** MayorandCouncil  
**Subject:** The Inglewood Care Project

I have been a resident of Cederdale s. 22(1) and have enjoyed the serenity of the village within a village. We value our privacy and our access in and out of the area via Keith Road.

It is evident that such a large project will increase traffic. The buildings monstrous presence will be seated on our beautiful Taylor Way. The gateway to the Islands and world class winter sports. The world drives by our doors en route to the islands or Whistler what do we wish to showcase, 10 story high-rises.

Such commercial enterprises do not deserve to enter into residential districts simply by changing the zoning laws. The Laws were created to prevent this very thing from happening.

Respectfully submitted,

s. 22(1)

West Vancouver, BC  
s. 22(1)

**From:** West Vancouver Chamber of Commerce <info@westvanchamber.com>  
**Sent:** Tuesday, September 15, 2020 4:19 PM  
**To:** MayorandCouncil  
**Subject:** Event Reminder: Business Check-in with MP Patrick Weiler (via Zoom)

**Unsubscribe**

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West Vancouver Chamber of Commerce

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**This Thursday!**  
**Registration Required**



**September 17th, 10-11 am: Business Check-in with MP Patrick Weiler (via Zoom).**

This is a chance to speak with MP Weiler about key West Vancouver business issues before he returns to Parliament in Ottawa.

Click [HERE](#) to register



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**From:** [REDACTED] s. 22(1) 3012-01  
**Sent:** Wednesday, September 16, 2020 1:24 PM  
**To:** MayorandCouncil  
**Subject:** West Vancouver Art Museum Fundraiser Sept 15 2020

Sept 16, 2020

Dear Mayor and Council,

Last night [REDACTED] s. 22(1) I attended a fundraising dinner for the West Vancouver Art Museum, which was absolutely magical. Covid-sensitive in every way, the event took place under a fairy-lit tent on the lawn of the Art Museum, where 12 guests were served a spectacular dinner catered by David Hawksworth (who prepared the meal in person, onsite) and wines provided by La Stella.

Among the guests were a representative of [REDACTED] s. 22(1), a sponsor of the Art Museum's print series, and [REDACTED] s. 22(1), an artist whose work was featured in one of the prints offered for sale in support of the institution's 2020/21 school programs. Other guests included artists, architects, designers, business leaders, and others either familiar with the WVAM already, or brand new to its exhibitions, collections, and programming.

It was a pleasure to enjoy the company of so many supporters of the arts, and to hear their enthusiasm for the work of the WVAM, as well as its hopes for expansion.

I'm writing to thank you and your District staff for helping to make this evening possible. With all of the current Covid restrictions in place, carrying out the normal activities of the Art Museum—let alone needing to raise funds to support special programs—seems nearly impossible these days. It was wonderful, therefore, to be able to get together for an evening as special as the one last night, and for such a great cause.

Thank you again for working with the Art Museum to make this happen. We look forward to many more such evenings in future.

Best,

[REDACTED] s. 22(1)

West Vancouver, BC [REDACTED] s. 22(1)  
[REDACTED] s. 22(1)

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Wednesday, September 16, 2020 11:42 PM  
**To:** MayorandCouncil  
**Subject:** [SUSPECTED SPAM]

1020-01

To whom it may concern, I grew up in this area and have experienced the increase in traffic and speeders just in our neighborhood alone. Great concern arose over safety for people just walking on the roads. There is a lack of sidewalks, bike lanes. The traffic congestion that already exists on Taylor Way would only grow to a point of such level that the side streets would bare the overflow, furthering safety concerns for pedestrians including young school age children. The excessive increase in traffic would also impact the already poor road conditions on these side roads and neighborhoods. I am strongly opposed to this development.

[REDACTED] s. 22(1)  
[REDACTED] West Vancouver, BC [REDACTED] s. 22(1), Canada

**From:** [Redacted] s. 22(1)  
**Sent:** Thursday, September 17, 2020 9:40 AM  
**To:** MayorandCouncil  
**Subject:** Fwd:

----- Forwarded message -----

**From:** [Redacted] s. 22(1)  
**Date:** Sun, Sep 13, 2020 at 9:38 AM  
**Subject:**  
**To:** [Redacted] s. 22(1)

Dear council members please see the email below I sent re the Taylor Way "plan".

Shocking! This project makes no sense to me as a resident/voter in West Vancouver. Where is the data that makes this project sensible for West Vancouver residents? If Council goes ahead with this I will personally help vote out every councillor who supports it.

[Redacted] s. 22(1)

West Vancouver  
[Redacted] s. 22(1)

**From:** Weiler, Patrick - M.P. <Patrick.Weiler@parl.gc.ca>  
**Sent:** Friday, September 11, 2020 10:11 AM  
**To:** Weiler, Patrick - M.P.  
**Subject:** Letter from MP Patrick Weiler - New Horizons for Seniors Program 2020–2021 Call for Proposals  
**Attachments:** Letter from MP Patrick Weiler - New Horizons for Seniors Program (NHSP) 2020–2021 Call for Proposals.pdf; New Horizons for Seniors Program (NHSP) 2020–2021 Call for Proposals - How to Apply for Funding.pdf

Good morning,

Please find attached a letter from MP Weiler regarding the 2020–2021 Call for Proposals for the New Horizons for Seniors Program. Attached as well is a "How to Apply" document to help guide applicants through the application process.

Sincerely,



Kevin Hemmat  
Office of Patrick Weiler  
Communications & Correspondence Assistant  
West Vancouver-Sunshine Coast-Sea to Sky Country  
Office: 604-913-2660  
Cell: 604-353-2550  
Kevin.Hemmat.842@parl.gc.ca



Before printing this e-mail, think about the Environment



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

*Patrick Weiler*

Member of Parliament  
West Vancouver-Sunshine Coast-Sea to Sky Country

September 11, 2020

Dear Friends & Neighbours,

On September 9, 2020, the Government of Canada launched the New Horizons for Seniors Program (NHSP) 2020–2021 Call for Proposals for community-based projects across Canada.

The deadline to submit applications is **October 20, 2020**. If your organization would like to apply for funding or learn more about this funding opportunity, visit [our website](#). To simplify the application process and for us to provide funds more rapidly, organizations can now complete and submit project proposals online.

This year, organizations can apply for funding to support seniors dealing with the pandemic by submitting project proposals that offer specific COVID-19 relief and recovery activities for seniors. More traditional NHSP projects planned for delivery in 2021–2022 can also be submitted.

The New Horizons for Seniors Program supports projects that address one or more of the five program objectives:

- promoting volunteerism among seniors and other generations;
- engaging seniors in the community through the mentoring of others;
- expanding awareness of elder abuse, including financial abuse;
- supporting the social participation and inclusion of seniors; and
- providing capital assistance for new and existing community projects and/or programs for seniors.

Organizations are invited to apply for funding that supports the program's national priorities:

1. Supporting healthy ageing
  - including addressing social isolation, mental health and dementia, and supporting accessible intergenerational housing
2. Preventing elder abuse and fraud
  - including measures to reduce crime and harm against seniors and supporting financial empowerment of seniors
3. Combatting ageism, celebrating diversity and promoting inclusion
  - including promoting labour market participation of seniors, particularly members of underrepresented or underserved groups, including, but not limited to, women, Indigenous peoples, persons with disabilities, members of racialized and newcomer groups, and

*Constituency Ottawa*

6367 Bruce Street Suite 282, Confederation Building

West Vancouver 229 Wellington Street, Ottawa

British Columbia V7W 2G5 Ontario K1A 0A6

Tel.: 604-913-2660 | Fax.: 604-913-2664 Tel.: 613-947-4617 | Fax.: 613-847-4620

- members of LGBTQ2 communities, and promoting intergenerational mentoring and engagement
4. Improving seniors' access to government services and benefits
    - including helping seniors navigate access to government benefits, and providing support to file their taxes
  5. Adapting community-based organizations to a more virtual environment
    - including by developing and delivering virtual programming, and recruiting and training volunteers to support the social inclusion of seniors

Community-based projects are eligible to receive up to \$25,000 in grant funding. Funds are set aside for small grants of up to \$5,000 for organizations that have not received funding from the program in the past five years.

We encourage you to follow Seniors in Canada on Facebook and Twitter for access to the most up-to-date information about the benefits, programs and initiatives available to seniors. Please comment on, like and share our content to help spread the word about the 2020–2021 NHSP community-based Call for Proposals and other important seniors-related announcements. Feel free to use #SeniorsInCanada to join the conversation.

For more information on this call for proposals, contact: [New Horizons for Seniors Program – Community-based projects](#).

**[Please visit the New Horizons for Seniors Program website to apply through the online portal.](#)**

Our office is ready to support your application, so please do not hesitate to reach out with any questions or concerns.

Sincerely,



Patrick Weiler, MP  
*West Vancouver-Sunshine Coast-Sea to Sky Country*

# New Horizons for Seniors Program

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## Community-based funding stream – How to Apply for Funding

Following the key steps below will help you to submit a complete project proposal to request funding from the New Horizons for Seniors Program (NHSP).

### **Determine if your organization is eligible**

Eligible recipients for grant and contribution funding include:

- Non-profit organizations
- Coalitions, networks and ad-hoc committees
- For-profit organizations may be eligible for funding provided that the nature and intent of the activity are non-commercial, do not generate profit, and supports program objectives
- Municipal governments
- Research organizations and institutes
- Educational institutions (i.e. universities, colleges, Cégeps, school boards/school districts)\*
- Public health and social service institutions\*
- Indigenous organizations (including band councils, tribal councils and self-government entities)

\*Provincially/territorially funded institutions are eligible with the agreement of the provincial/territorial government. This approval will be sought as part of the assessment of the application.

### **Determine if your proposed project activities are eligible**

Examples of eligible activities:

- organize weekly online sessions for seniors to provide them with support or training and the opportunity to socialize while social distancing
- organize financial literacy seminars to local seniors inviting financial experts to give tips on how to manage finances
- provide sessions on how to manage online banking and on avoiding financial scams
- design and develop a toolkit that would be distributed by volunteers from all age ranges within the community. For example, a tear away sheet with important phone numbers, list of local information hubs, guidelines to accessing various services, etc.
- capital assistance for age-friendly exercise equipment that would make it easier for seniors to remain actively engaged
- teach seniors the tools they need to connect with others online

- have seniors set up meetings with other seniors, creating an online support network of seniors

Examples of COVID-19 relief activities are those that:

- provide web based seminars on financial health and management during and after the COVID-19 pandemic, such as how to do online banking or how to manage financial planning during and after the COVID-19 crisis
- develop and deliver virtual information sessions to local businesses to raise awareness on ageism in the workplace and how to be inclusive when implementing COVID-19 employee safety measures
- deliver virtual learning and information sessions that identify some of the risk factors that contribute to mental health issues and providing tips on how to address or prevent them
- organize a virtual volunteer expo for organizations in need of volunteers, to support them to recruit during this period of increased demand for services due to COVID-19
- recruit senior volunteers to virtually deliver “story time” to young children in the community or to provide academic help while social distancing

### **Submit your application on time**

The New Horizons for Seniors Program (NHSP) Community-based funding stream will accept applications for projects up to \$25,000 and for small grants up to \$5,000, from September 9, 2020 to October 20, 2020 at 3:00 p.m. EST.

### **Make sure your application is complete**

In order for your application for funding to be considered complete, it is essential that you include all the required documents. If your application is incomplete, we will provide you with notice by email. You will have 10 business days to submit the missing information. If your application is not complete by that time, we may reject it.

A checklist is included in the Application Form.

### **Obtain a Letter of Support – for \$25,000 grant process only**

Applications for the \$25,000 grant process must include a letter of support from a member of your community in order to be considered complete. The letter of support is also used to help us assess the expected benefits and impacts of your proposed project on your community. It can contribute up to 15% of your total application assessment.

Instructions on how to write a letter of support as well as a template letter and a sample letter are included in the [Applicant Guide](#) for the \$25,000 grant process.

## Read the Applicant Guide

We strongly recommend that you carefully read the Applicant Guide ([Applicant Guide for \\$25,000](#) or [Applicant Guide for \\$5,000](#)) for the funding process before completing the Application Form, as it describes specific information needed to answer each question of the form.

## Ensure your project meets the NHSP's Objectives and National Priorities

Through the NHSP, seniors are encouraged to share their knowledge, skills and experience to the benefit of others. Projects should clearly meet one of the following five program objectives:

- promoting volunteerism among seniors and other generations;
- engaging seniors in the community through the mentoring of others;
- expanding awareness of elder abuse, including financial abuse;
- supporting the social participation and inclusion of seniors; and
- providing capital assistance for new or existing community projects and programs for seniors\*.

\*Note: Projects requiring capital assistance are eligible as long as they will support new or existing community programs and activities for seniors. Therefore, in addition to capital assistance, the project **must** also meet one more program objective.

National Priorities for the 2020-2021 Call for Proposals are as follows:

- 1. Supporting healthy ageing**
  - Including addressing social isolation, mental health and dementia, and supporting accessible intergenerational housing
- 2. Preventing elder abuse and fraud**
  - Including measures to reduce crimes and harm against seniors and supporting financial empowerment of seniors
- 3. Combatting ageism, celebrating diversity and promoting inclusion**
  - Including promoting labour market participation of seniors, particularly members of underrepresented or underserved groups, including, but not limited to, women, Indigenous Peoples, persons with disabilities, members of racialized and newcomer groups, and members of LGBTQ2+ communities, and promoting intergenerational mentoring and engagement
- 4. Improving seniors' access to government services and benefits**
  - Including helping seniors navigate access to government benefits and providing support to file their taxes
- 5. Adapting community-based organizations to a more virtual environment**
  - Including by developing and delivering virtual programming, and recruiting and training volunteers to support the social inclusion of seniors

Applications for small grants up to \$5,000 must meet at least one National Priority.

Applications for grants up to \$25,000 do not need to meet a National Priority, however those that do meet a priority will receive extra points during the assessment.

## **Decide how to apply**

### Apply online

1. Read the [applicant guide](#) to complete your application form. This guide includes details for each question of the form
2. Complete your application form online: [up to \\$25,000](#) or [up to \\$5,000](#)
3. Email or mail your supporting documents to your nearest [New Horizons for Seniors Program office](#). You must send your documents within 2 days after applying online and include the following:
  - the name of your organization
  - the title of your proposed project
  - your confirmation number

### *Important notes if you apply online*

- Once you begin completing the online form, it will only be available for 20 hours. If you do not complete it within this timeframe, your session will expire and you will have to start over.
- The questions in the online form are in the same order as the [PDF application form](#). However, the questions are not numbered online.
- You cannot save or access your application at a later time.
- You cannot submit your supporting documents online. You must send your documents by email or mail to your nearest [New Horizons for Seniors Program office](#) within 2 days after applying online.
- Private and public organizations must have a CRA business number to apply online.
- You can print a copy of your application before submitting your application. This is the only opportunity to print your application.
- After you print a copy of your online application, click “submit” to complete your application. If you do not click “submit”, your application will not be sent to us.
- Once you submit your online application, you will receive a confirmation number. You will also receive a confirmation of receipt by email.
- This confirmation is the acknowledgement of receipt of your application. If you do not receive a confirmation number, we have not received your application.

### Apply by email or mail

If you cannot apply online:

1. Read the [applicant guide](#) to complete your application form. This guide includes details for each question of the form
2. Complete the [PDF application form](#)
3. Send your complete application package by email or by mail to your nearest [New Horizons for Seniors Program office](#).

### Apply by Grants and Contributions Online Services (GCOS)

If you already have a GCOS account:

1. Read the [applicant guide](#) to complete your application form. This guide includes details for each question of the form
2. Apply online using the [GCOS](#)

### **Email and Mailing addresses**

Below is a list of addresses where you can email or mail your application and/or supporting documents.

- [Alberta](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [British Columbia](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [Manitoba](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [New Brunswick](#)

New Horizons for Seniors Program  
Government of Canada  
P.O. Box 12000  
633 Queen Street  
Fredericton, NB E3B 5G4  
**Email:** [ATL-NHSP-PNHA-GD@servicecanada.gc.ca](mailto:ATL-NHSP-PNHA-GD@servicecanada.gc.ca)

- [Newfoundland and Labrador](#)  
New Horizons for Seniors Program  
Government of Canada  
P.O. Box 12051  
St. John's, NL A1B 3Z4  
**Email:** [ATL-NHSP-PNHA-GD@servicecanada.gc.ca](mailto:ATL-NHSP-PNHA-GD@servicecanada.gc.ca)
- [Northwest Territories](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [Nova Scotia](#)  
New Horizons for Seniors Program  
Government of Canada  
P.O. Box 1800  
Halifax, NS B3J 3V1  
**Email:** [ATL-NHSP-PNHA-GD@servicecanada.gc.ca](mailto:ATL-NHSP-PNHA-GD@servicecanada.gc.ca)
- [Nunavut](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [Ontario](#)  
New Horizons for Seniors Program  
Government of Canada  
P.O. Box 538, Station Don Mills  
North York, ON M3C 0N9  
**Email:** [ON-NHSP-PNHA@servicecanada.gc.ca](mailto:ON-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-866-945-7342

- [Prince Edward Island](#)  
New Horizons for Seniors Program  
Government of Canada  
P.O. Box 8000  
Charlottetown, PE C1A 8K1  
**Email:** [ATL-NHSP-PNHA-GD@servicecanada.gc.ca](mailto:ATL-NHSP-PNHA-GD@servicecanada.gc.ca)
- [Quebec](#)  
New Horizons for Seniors Program  
Government of Canada - Service Canada  
400-1001 de Maisonneuve Blvd East, 4th Floor  
Montreal, QC H2L 4P9  
**Email:** [QC-PNHA-NHSP@servicecanada.gc.ca](mailto:QC-PNHA-NHSP@servicecanada.gc.ca)  
**Telephone:** 1 866 233-3194
- [Saskatchewan](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400
- [Yukon](#)  
New Horizons for Seniors Program  
Government of Canada  
125, E10th Avenue  
Vancouver, BC V5T 1Z3  
**Email:** [W-T-NHSP-PNHA@servicecanada.gc.ca](mailto:W-T-NHSP-PNHA@servicecanada.gc.ca)  
**Telephone:** 1-855-312-0400

**From:** Weiler, Patrick - M.P. <Patrick.Weiler@parl.gc.ca>  
**Sent:** Thursday, September 17, 2020 12:09 PM  
**To:** Weiler, Patrick - M.P.  
**Subject:** Letter from MP Patrick Weiler - Safe Restart Agreement in British Columbia  
**Attachments:** Letter from MP Patrick Weiler - Safe Restart Agreement Details in British Columbia.pdf

Good afternoon,

Please find attached a letter from MP Weiler regarding details announced this week for the Safe Restart Agreement in British Columbia.

Sincerely,



Kevin Hemmat  
Office of Patrick Weiler  
Communications & Correspondence Assistant  
West Vancouver-Sunshine Coast-Sea to Sky Country  
Office: 604-913-2660  
Cell: 604-353-2550  
Kevin.Hemmat.842@parl.gc.ca



Before printing this e-mail, think about the Environment



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

*Patrick Weiler*

Member of Parliament  
West Vancouver-Sunshine Coast-Sea to Sky Country

September 17, 2020

Dear Friends & Neighbours,

As we move into the fall and the world continues to deal with the impacts of COVID-19, the Government of Canada remains focused on keeping Canadians safe and healthy, while continuing to ensure they have the supports needed during this global health and economic crisis.

This week, we shared the details of the investments that will be made through the [Safe Restart Agreement](#), which will provide continued support to Canadians, as we safely restart our economy and build a more resilient Canada.

Through the Agreement, [reached earlier this summer](#), the Government of Canada announced over \$19 billion in federal funding to help provinces and territories safely restart the economy. Provinces and territories were asked to outline in a letter how these funds would best be allocated within their jurisdictions, based on their priorities. The premiers have now submitted the [letters](#) and the federal funding will be transferred to the provinces and territories.

The Safe Restart Agreement includes investments in priority areas for the next six to eight month timeframe, including:

- Helping municipalities deliver key services including public transit;
- Increasing testing and contact tracing and data management;
- Additional support for provincial and territorial health care systems, including challenges related to mental health, substance abuse, and homelessness;
- Securing personal protective equipment for frontline healthcare workers and businesses;
- Supporting the most vulnerable, including seniors in long-term care facilities and nursing homes;
- Ensuring safe child care is available so parents can return to work; and
- Supporting people who do not have paid sick leave.

Here in British Columbia, the Safe Restart Agreement will provide \$404.5 million in funding to support measures to increase testing and contact tracing to protect Canadians from future waves of the virus. \$161.8 million will help support the capacity of our health care systems, including through services for people facing mental health challenges. The federal government will also provide funding for BC municipalities with \$809.6 million for the delivery of essential services, including \$540 million for public transit, while providing \$404.5 million to secure a reliable source of personal protective equipment for essential workers.

*Constituency Ottawa*

6367 Bruce Street Suite 282, Confederation Building  
West Vancouver 229 Wellington Street, Ottawa

British Columbia V7W 2G5 Ontario K1A 0A6

Tel.: 604-913-2660 | Fax.: 604-913-2664 Tel.: 613-947-4617 | Fax.: 613-847-4620

...1/2

The Agreement will also provide direct support to Canadian workers, including \$82.7 million for safe childcare to help parents returning to work. It will also provide income support for people without paid sick leave and take steps through a \$100 million investment to protect the most vulnerable, like Canada's seniors.

**For further funding details on the Safe Restart Agreement here in British Columbia, [please see Premier Horgan's response letter](#) to the Prime Minister.**

As we continue to deal with the health and economic challenges of the pandemic here in our province and across Canada, the federal government will continue to invest in Canadians. Together, we will build a more resilient Canada – one that is healthier and safer, cleaner and more competitive, and fairer and more inclusive for everyone.

If you have any questions about the Safe Restart Agreement and how it impacts our communities, please do not hesitate to reach out. I am happy to discuss any and all issues as we work together to restart our economy and keep Canadians safe and healthy.

Sincerely,

A handwritten signature in blue ink, appearing to be 'P. Weiler', written in a cursive style.

Patrick Weiler, MP  
*West Vancouver-Sunshine Coast-Sea to Sky Country*

**From:** James Cummins  
**Sent:** Friday, July 31, 2020 12:39 PM  
**To:** [REDACTED] s. 22(1)  
**Subject:** [REDACTED] - 2204 Bellevue Avenue  
**Attachments:** [REDACTED] s. 22(1)

Hi [REDACTED] s. 22(1)

Thank you for your response in relation to the preliminary development proposal at 2204 Bellevue Avenue. Your objection to the project has been recorded for staff review, should the proposal proceed to full application submission.

In response to your question concerning development in the area, there are policies within the Official Community Plan that provide direction to strengthen District centres and corridors by directing future development proposals towards more centrally located sites in close proximity to transit, services and amenities. The Council decision to date on this project is in relation to Policy 2.1.15 to consider the project ahead of the Ambleside Town Centre Local Area Plan.

Regards,

**James Cummins**  
Planning Technician | District of West Vancouver  
[604-925-7055](tel:604-925-7055) | [westvancouver.ca](http://westvancouver.ca)

**From:** MayorandCouncil  
**Subject:** FW: 2204 Bellevue Avenue Proposed Rezoning

1020-01

Begin forwarded message:

**From:** [REDACTED] s. 22(1)  
**Date:** July 23, 2020 at 8:01:15 AM PDT  
**To:** Mary-Ann Booth <[mbooth@westvancouver.ca](mailto:mbooth@westvancouver.ca)>  
**Cc:** Bill Soprovich <[bsoprovich@westvancouver.ca](mailto:bsoprovich@westvancouver.ca)>, Craig Cameron <[ccameron@westvancouver.ca](mailto:ccameron@westvancouver.ca)>, Marcus Wong <[mwong@westvancouver.ca](mailto:mwong@westvancouver.ca)>, Nora Gambioli <[ngambioli@westvancouver.ca](mailto:ngambioli@westvancouver.ca)>, Peter Lambur <[plambur@westvancouver.ca](mailto:plambur@westvancouver.ca)>, Sharon Thompson <[sthompson@westvancouver.ca](mailto:sthompson@westvancouver.ca)>  
**Subject:** 2204 Bellevue Avenue Proposed Rezoning

Dear Mayor and Council Members

We strongly object to the proposed development for 2204 Bellevue Avenue by The Bellevue Properties Partnership, and exceptions being made to the Official Community Plan. The proposal is in violation to both the current RD-1 zoning and to the Official Community Plan.

What is your reason for all the developments in progress now and future developments in our area, all happening on 22nd street?

Thank you...

[REDACTED] s. 22(1)  
[REDACTED]  
West Vancouver, BC [REDACTED] s. 22(1)

Sent from my iPad

From: James Cummins <jcummins@westvancouver.ca>  
Sent: Friday, July 31, 2020 1:20 PM  
To: [REDACTED] s. 22(1)  
Subject: RE: 2204 Bellevue Ave proposal

Hi [REDACTED] s. 22(1)

Thank you for your patience with my response. Please review the comments below that reflects the current review of the preliminary project. Also included below is the Council report from staff detailing the staff recommendation and analysis carried out to date in order to determine whether the application should proceed ahead of the Ambleside Town Centre Local Area Plan.

1. The application has been recommended to proceed in response to OCP Policy 2.1.15, which allows for consideration of development proposals ahead of Local Area Plans that contribute in advancing low-carbon construction. As mentioned in the report, this allows for Council to consider innovative proposals leading industry progress towards lower greenhouse gas emissions, as a proactive measure to accelerate behavioral and market responses that are supportive of GHG mitigation. With the proposal for mass-timber and passive house certification to address both operational and embodied emissions, the preliminary proposal meets the criteria set out in Policy 2.1.15 for consideration. The Official Community Plan also directs future development in centrally located locations like the subject site with close proximity to transit, shops and amenities - so there are also efficiencies associated with that direction.
2. The preliminary proposal includes view impacts that could result from the proposal. Staff will conduct further review on the proposed design if the application proceeds to full application submission and provide detailed comment to Council in any further reports on the comparison with the Ambleside Apartment Development Permit Guidelines. The previous report and staff review has primarily focused on the preliminary proposals fit with Policy 2.1.15 in relation to Local Area Plan timing.
3. Policy BF-B 6 doesn't apply to this site. Staff have determined that no OCP amendment would be required for the proposed application — as the subject site is within the Ambleside Apartment Development Permit Area and the Official Community Plan enables its consideration.
4. It is noted that the proposal has been brought forward on other considerations not affordable housing policies, primarily contribution in relation to Policy 2.1.15 and low-carbon construction. Section 6.3 of the report details why the project has been recommended to proceed at this point.
5. No full application has been submitted for the subject site and considered by Council. Although preliminary enquiries or proposals may have been brought to staff in the past, the preliminary project currently under review has been assessed in relation to existing Official Community Plan policy.
6. Other than the considerations for the project to proceed ahead of the Local Area Plan as previously described, the District has had a policy for expedited passive house processing since 2018 as a measure to incentivize greater environmental performance as part of efforts to reduce community GHG emissions.

Further information on the District's Sustainable Buildings Policy:

<https://westvancouver.ca/sites/default/files/dwv/council-agendas/2020/jun/08SpOpen/20jun08-11.1.pdf>

Link to staff report:

<https://westvancouver.ca/sites/default/files/dwv/council-agendas/2020/jun/08SpOpen/20jun08-8.pdf>

I hope that this provides you with some clarification.

Regards,

James Cummins  
Planning Technician | District of West Vancouver  
604-925-7055 | [westvancouver.ca](http://westvancouver.ca)

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**From:** [REDACTED] s. 22(1)  
**Sent:** Sunday, July 26, 2020 2:14 PM  
**To:** MayorandCouncil  
**Subject:** Development concern - 2204 Bellevue Ave.

1020-01

Hi there,

I sent the email below to J. Cummings in the Planning Office.

He mentions that if I want Council to review my concerns that I forward directly to you all. I have not yet had my questions answered...it's only been one week.

Re: Thank you for taking the time to review my email/concerns/questions.

I am a West Vancouver resident and condo home owner in the Ambleside area. This is the first time I have submitted concerns regarding a building permit proposal but would like to extend my concerns for this rezoning application and the project proposal itself.

The following concerns/thoughts regarding [2204 Bellevue Ave](#) are as follows:

1. Would you be able to kindly explain how the construction of an eight story building with eight total units would be considered environmental.

While I agree building materials used may meet passive housing certification - could your department explain how the overall project (not just material) is environmentally purposeful for this small parcel of land. And is it possible to explain how it is beneficial for the community - including neighbouring buildings/residents.

2. In reference to the current Official Community Plan, it states -  
"Situating buildings to maximize views while minimizing impacts to surrounding buildings' views." This building proposal does not comply. It will affect multiple building unit views along 21st & 22nd portions of Bellevue Ave.

3. Would policy: Policy BF-B 6 be even reasonable to consider?  
A site within a high density multiple dwelling zone in the Ambleside Apartment Area that does not qualify for a high rise building may be considered for rezoning to a low rise multiple dwelling category?

This lot has a Bellevue address, but extends predominantly more along Argyle. The three closest buildings to this property on Argyle are all three level buildings. These buildings have preserved many views for those buildings on Bellevue.

4. I apologize, but don't quite see how this project creates any affordable housing options, addresses the aspect of any community benefit, and allows for diversity and multi-density units. Would you agree that buyers who have money to purchase an entire floor of a building could be better served in another area...leaving this higher density area to median income families perhaps?

5. And could you confirm or state otherwise: this site was already discussed at a council meeting or "consulted on with the city" within the last two years. The result was that a building of lesser height was declined. Would you kindly explain how a taller structure could proceed for consideration as well?

6. Lastly, and most importantly, would you please explain how this permit application could potentially proceed ahead of other applications already in the que?

With respect to transparency and in good stewardship why would this application be considered when we are awaiting the Local Area Plan for Ambleside Town Centre.

Thanks in advance for your review. I appreciate your time and assistance with this matter.

Kindest regards,

s. 22(1)

West Vancouver, BC

s. 22(1)

Sent from my iPad

Sent from my iPad

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**From:** James Cummins  
**Sent:** Wednesday, August 26, 2020 7:47 PM  
**To:** [REDACTED] s. 22(1)  
**Cc:** Michelle McGuire  
**Subject:** Development Proposal for 2204 Bellevue Avenue  
**Attachments:** [REDACTED] s. 22(1)

Hi [REDACTED] s. 22(1)

Thank you for your response in relation to the preliminary development proposal at 2204 Bellevue Avenue. Your objection to the project has been recorded for staff review and documentation to Council, should the proposal proceed to full application submission.

The proposed development would require rezoning the site from the current RD1 zoning. The Council decision to date on this project has been to allow the project to advance to full application submission ahead of the Ambleside Town Centre Local Area Plan. A formal development application has not been submitted. Provided the applicant submits a formal development application, a detailed review by staff will follow along with ongoing public consultation, including notification to neighbouring property owners and occupants and a public hearing prior to Council consideration of the project.

Included below is the Council report from staff detailing the staff recommendation and analysis carried out to date in order to determine whether the application should proceed ahead of the Local Area Plan:

<https://westvancouver.ca/sites/default/files/dwv/council-agendas/2020/jun/08SpOpen/20jun08-8.pdf>

I hope this provides you with clarification on the current status. If you have any further questions and comments moving forward, please contact Michelle McGuire, Manager of Current Planning and Urban Design (copied in).

Regards,

**James Cummins**  
Planning Technician | District of West Vancouver  
[604-925-7055](tel:604-925-7055) | [westvancouver.ca](http://westvancouver.ca)

---

**From:** [REDACTED] s. 22(1) 1020-01  
**Sent:** Wednesday, July 29, 2020 10:00 AM  
**To:** MayorandCouncil  
**Subject:** 2204 Bellevue Proposed building

I strongly object to the proposed rebuilding at 2204 Bellevue, which i have previously emailed about. However, I now learn that this proposed structure is not in compliance with RD1 zoning bylaw and the Official Community plan

So why was this given approval??

[REDACTED] s. 22(1)

Sent from my iPad  
[REDACTED] s. 22(1)  
West Vancouver

---

**Attachments:**

s. 22(1)

2410-01

**From:** James Cummins <[jcummins@westvancouver.ca](mailto:jcummins@westvancouver.ca)>**Sent:** Tuesday, September 1, 2020 4:03 PM**To:** s. 22(1)**Cc:** Michelle McGuire <[mmcguire@westvancouver.ca](mailto:mmcguire@westvancouver.ca)>**Subject:** Explosion at 2196 Marine Drive

Hi s. 22(1)

Good afternoon.

Thank you for your email last week concerning the excavation at the Ok Tire site on the corner of 22nd Street and Marine Drive.

Contractors are removing an underground storage tank at the property. After following up on this matter, it has been confirmed there is no District permit required for the works. Unfortunately in this case, there was an accident on site with one of the workers that resulted in the explosion. Both the District's Fire and Building divisions have looked into the matter since.

I hope provides you with clarification.

Regards,

**James Cummins**

Planning Technician | District of West Vancouver

[604-925-7055](tel:604-925-7055) | [westvancouver.ca](http://westvancouver.ca)

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Wednesday, August 19, 2020 5:01 PM  
**To:** MayorandCouncil  
**Subject:** Beirut ,West Vancouver-What happened?

2410-01

There was a very loud explosion followed by large black smokey dust cloud at the old Petrocan at 22nd Marine drive.I understand it may of been a gas explosion as they were digging.Rumour has it this job was "not permitted or approved."

[REDACTED] s. 22(1) the Petrocan and was really shaken up by the explosion. Whats going on & are you aware of this event.I can't seem to find any news anywhere.

Regards,

[REDACTED] s. 22(1)

[REDACTED]

**From:** Vanessa Garrett  
**Sent:** Tuesday, September 15, 2020 11:43 AM  
**To:** s. 22(1)  
**Cc:** Mayor and Council; Jenn Moller  
**Subject:** Council correspondence - Change in parking Whytecliff Park  
**Attachments:** s. 22(1)

Dear s. 22(1): Thank you for your correspondence outlining your concerns around proposed parking changes on s. 22(1). Based on feedback from residents on s. 22(1) we will not be effecting onstreet parking changes, at this time.

Sincerely,

**Vanessa Garrett** P.Eng. PMP  
Manager, Roads & Transportation | District of West Vancouver  
t: 604-921-2933 | [westvancouver.ca](http://westvancouver.ca)

**From:** s. 22(1)  
**Sent:** Thursday, July 30, 2020 6:45 AM  
**To:** MayorandCouncil  
**Subject:** Change in parking Whytecliff Park

We have just received notice to parking on our street s. 22(1) west Vancouver.

You have us all talking. This is unheard of. A major change like this in a small community. We already have enough issues from Whytecliff Park and now you want to take away our private calm streets? How is this possible at all. No communication from anyone that this was happening. We have just bought here for the peace and quiet of the neighborhood The cars that raced down this street when parking was closed for Covid was scary and NOW you want to bring it here full time. 2 parking permits seriously. We have 5 cars lots of family. We bought this house and pay \$50,000 a year in taxes and now I won't have parking????? We bought this as our home to entertain in. You have changed my function. This is unheard of. I won't be able to have company for more than 3 hours and that is if they can find parking. I will begin the Neighbor protest as this is not why we live here or pay these taxes. There is a now vacant lot at the entrance to Whytecliff owned by the city that would match and exceed any parking you take away from this street. We would then have our quiet area that we purchased in and we could let the children play and ride bikes. This is something that needs to be discussed by ALL.

s. 22(1)  
[Redacted]  
[Redacted] West Vancouver BC s. 22(1), Canada

Sent from my iPhone

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**From:** Cindy L. Mayne  
**Sent:** Wednesday, September 16, 2020 9:04 AM  
**To:** [REDACTED] s. 22(1)  
**Cc:** MayorandCouncil  
**Subject:** Council correspondence  
**Attachments:** [REDACTED] s. 22(1)

Hello [REDACTED] s. 22(1),

Thank you for your email. We are aware that the Petro Canada service station at the corner of 22nd and Marine Drive has closed. Currently, a tire repair and sales business operates from the location (without gas filling services).

The District has no control over the business operations of a private business and have no ability to stop closure of a business.

I understand that you are concerned that residents, especially elderly residents, have limited 'full service' gas service options within West Vancouver. It should be noted that the Shell gas station at 13th Street and Marine Drive (by Ambleside Park) and the Chevron gas station at the Westmount highway interchange both offer 'full service' gas services.

Lastly, the zoning for the 'old Petro Canada site' is such that any new gas station that operates from that location would be required to provide full service gas services.

Sincerely,

**Cindy Mayne**

Executive Assistant to the Director of Planning & Development Services | District of West Vancouver  
t: 604-925-7178 | [westvancouver.ca](http://westvancouver.ca)



**From:** Penny Walter on behalf of Info  
**Sent:** Wednesday, September 9, 2020 8:06 AM  
**To:** MayorandCouncil  
**Subject:** FW: Full Service Gas Stations

**From:** [REDACTED] s. 22(1)  
**Sent:** Tuesday, September 8, 2020 10:17 PM  
**To:** Info <info@westvancouver.ca>  
**Subject:** Full Service Gas Stations

The gas stations at the bottom of 22nd St. (now closed) and at the bottom of 16th (Chevron) no longer provide full service. As far as I can make out, no other gas stations in West Vancouver provide this service. There are quite a lot of elderly people in West Vancouver, and some of these are handicapped. Does the Council think that this is satisfactory, and if not, is there anything that can be done about it?

[REDACTED] s. 22(1)  
West Vancouver  
[REDACTED] s. 22(1), West Vancouver, [REDACTED] s. 22(1)