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THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER

REGULAR COUNCIL MEETING AGENDA

APRIL 25, 2022

***6 PM VIA ELECTRONIC COMMUNICATION FACILITIES**

(Members of the public may hear, or watch and hear, the meeting by attending the Municipal Hall Atrium, or via electronic communication facilities through the link provided on the District's Council Meeting webpage)

****Note: At 6 p.m. via electronic communication facilities a public hearing regarding proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022 (Miscellaneous Housekeeping Amendments) will be held. The regular Council meeting will commence via electronic communication facilities immediately following the public hearing.***

CALL TO ORDER

1. Call to Order.

APPROVAL OF AGENDA

2. **Approval of April 25, 2022 Regular Council Meeting Agenda**

RECOMMENDATION:

THAT the April 25, 2022 regular Council meeting agenda be amended by:

- updating the title and recommendation for Item 4 regarding Recognition of West Vancouver Olympic Athletes – Summer 2020;
- withdrawing Item 5 regarding Proposed Renewal of Development Variance Permit 19-032 for 1445 Queens Avenue;
- adding to Item 6 written submissions C-1 and C-2 regarding 2668 Bellevue Avenue – *Community Charter* Remedial Action Requirement – Hazard Tree; and
- adding information to Item 10 regarding Council's Motion regarding A Just Transition Act for Canada;

AND THAT the agenda be approved as amended.

ADOPTION OF MINUTES**3. Adoption of Council Meeting Minutes**

RECOMMENDATION:

THAT the following minutes be adopted as circulated:

- April 11, 2022 [special \(open session\)](#) and [regular](#) Council meetings.

PRESENTATIONS**4. Recognition of West Vancouver Olympic Athletes – Summer 2020**

(File: 0005-01)

[Presentation to be provided.](#)

RECOMMENDATION:

THAT the presentation regarding Recognition of West Vancouver Olympic Athletes – Summer 2020, be received for information with thanks.

REPORTS**5. Proposed Renewal of Development Variance Permit 19-032 for 1445 Queens Avenue (File: 1010-20-21-171)**

Withdrawn.

6. [2668 Bellevue Avenue – Community Charter Remedial Action Requirement – Hazard Tree](#) (File: 1605-12)[Presentation to be provided.](#)

Written Submissions received up to and including April 25, 2022:

To view all written submissions in this section, click [here](#).

SUBMISSION AUTHOR	SUBMISSION DATE	#
Redacted (On-Table)	April 23, 2022	C-1
Redacted (On-Table)	April 25, 2022	C-2

RECOMMENDATION:

THAT Council impose a remedial action requirement pursuant to Division 12, Part 3 of the *Community Charter* on the following terms:

WHEREAS Division 12 of Part 3 of the *Community Charter* authorizes Council to impose a remedial action requirement upon the owner of land on which a tree which is in or creates an unsafe condition is located, including a requirement to remove the tree or to otherwise deal with it in accordance with the directions of Council or a person authorized by Council;

AND WHEREAS Rosa Donna Este and Mina Esteghamat-Ardakani are the registered owners (the “Owners”) of land with the civic address 2668 Bellevue Avenue, West Vancouver, BC and legally described as PID 013-216-422, Lot 5 Block 33 District Lot 555 Plan 3058 (the “Property”);

AND WHEREAS section 17 of the *Community Charter* provides that the authority of Council to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the District may fulfill the requirement at the expense of the person;

NOW THEREFORE, the Council of the District of West Vancouver, in open meeting assembled, resolves as follows:

THAT

1. Council hereby considers that the hemlock tree located on the Property and identified as “High Risk” by Acer Tree Services in December 2019 (the “Hemlock Tree”) is in and creates an unsafe condition within the meaning of Section 73 of the *Community Charter*;
2. Council hereby requires, pursuant to its powers under Section 72(2)(b) of the *Community Charter*, that the Owners, within 30 days of the date this Resolution is sent to the Owners, do all things necessary to remove the Hemlock Tree;
3. the Owners or either of them may request that Council reconsider the terms of this Resolution by providing the District with written notice within 14 days of the date on which notice of this Resolution is sent to the Owners under Section 77 of the *Community Charter*; and
4. if the Owners or either of them has not completed any requirement imposed by this Resolution within the time limit for so doing, District staff are authorized to fulfil the applicable requirement without further notice to and at the expense of the Owners, and may recover the cost of so doing from the Owners, together with interest, as a debt and in the same manner as municipal taxes in accordance with sections 17, 258, and 259 of the *Community Charter*.

7. [Annual Report from Youth-Driven Committees and Update on BC Youth Week](#) (File: 3000-01)

[Presentation to be provided.](#)

RECOMMENDATION:

THAT the report titled Annual Report from Youth-Driven Committees and Update on BC Youth Week, dated April 4, 2022, be received for information.

8. [Proposed 2022 Annual Tax Rates Bylaw No. 5187, 2022](#) (File: 1610-20-5187)

Bylaws are passed by a simple majority affirmative vote unless otherwise noted.

RECOMMENDATION:

THAT proposed “2022 Annual Tax Rates Bylaw No. 5187, 2022” be read a first, second, and third time.

9. [Proposed Amendment to the Fees and Charges Bylaw to Extend the Removal of Fees for Temporary Outdoor Patios and Dundarave Road Reallocation \(2400 Block Marine Drive\)](#) (File: 1610-20-5203)

[Presentation to be provided.](#)

RECOMMENDATION:

THAT in response to the ongoing COVID-19 pandemic, and to support local economic recovery, the opportunity for West Vancouver businesses to create temporary patios (including eating/drinking areas and outdoor retail space) under the District’s temporary outdoor business areas program be extended until March 31, 2023.

RECOMMENDATION:

THAT in connection with this program and any patios (including eating/drinking areas and outdoor retail space) permitted thereunder:

- a. to the extent that any temporary patio created under this program impacts the applicant’s ability to comply with on-site parking requirements specified in the District of West Vancouver Zoning Bylaw No. 4662, 2010, temporarily suspend enforcement of such requirements until the earlier of March 31, 2023 or the date on which Council adopts a resolution to cancel such suspension;
- b. temporarily suspend enforcement of the requirement to obtain development or other permits in connection with temporary patios, other than a licence of occupation where the temporary patio will be located on District property, until the earlier of March 31, 2023 or the date on which Council adopts a resolution to cancel such suspension; and
- c. the “Temporary Outdoor Business Areas – Guidelines” be updated to include a requirement for strata approval, for new applications where the premises are located within a strata building, the majority of which is residential.

RECOMMENDATION:

THAT proposed “Fees and Charges Bylaw No. 5136, 2021, Amendment Bylaw No. 5203, 2022” be read a first, second and third time.

RECOMMENDATION:

THAT staff report back in the fourth quarter of 2022 on a potential permanent approach to patios on private property, which may include updated guidelines and application fees.

RECOMMENDATION:

THAT the temporary reallocation of road space in Dundarave (eastern portion of the north side, 2400 block of Marine Drive), be continued over the long term, and that staff report back in the fourth quarter of 2022 with further details on any budget and infrastructure implications, and opportunities for patios on this public space.

10. [Council Motion regarding A Just Transition Act for Canada](#) (File: 0120-06)

Notice of the proposed motion was given at the April 11, 2022 Council meeting. As notice of the proposed motion has been given, the motion may be considered at the April 25, 2022 meeting, after it has been moved and seconded.

RECOMMENDATION:

WHEREAS Canada and West Vancouver face multiple crises (climate change, housing, pandemics (Covid, addictions), and growing social and economic inequities);

AND WHEREAS Canada and multiple cities including West Vancouver have declared a climate emergency;

AND WHEREAS it is broadly acknowledged that climate change is caused by greenhouse gases (GHGs) from the production and consumption of fossil fuels (oil, gas, coal);

AND WHEREAS Canada has committed to phasing out fossil fuel production and use over the next few decades;

AND WHEREAS hundreds of thousands of Canadian workers will have to transition from the fossil fuel sector to new 'green' jobs in other sectors;

AND WHEREAS the IPCC, UN and WHO have recently stated that time is short, and action is needed now;

AND WHEREAS the federal government has passed the Net Zero Emissions Accountability Act, implemented a carbon tax, committed to having an Emissions Reduction Plan by March 30, 2022, and is in the process of drafting a Just Transition Act (JTA) for Canada;

AND WHEREAS a well-drafted JTA with appropriate financing can be the basis for a transformation of Canada to a decarbonized sustainable economy and environment with much reduced poverty, unemployment, homelessness and socio-economic inequity;

AND WHEREAS municipalities are on the front line dealing with climate change impacts and social challenges like poverty and homelessness, often without adequate resources;

THEREFORE BE IT RESOLVED THAT:

1. The District endorse the creation of a Just Transition Act for Canada with adequate commensurate funding; and

2. The Mayor write a letter of support to the federal government regarding the Just Transition Act on behalf of the District.

BYLAWS

Bylaws are passed by a simple majority affirmative vote unless otherwise noted.

11. Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022 (Miscellaneous Housekeeping Amendments)

(File: 1610-20-5192)

The proposed bylaw received first reading at the March 28, 2022 Council meeting and Council scheduled a public hearing regarding the proposed bylaw to be held on April 25, 2022. If the April 25, 2022 public hearing has closed, the proposed bylaw may be further considered at the April 25, 2022 Council meeting. If the public hearing has closed Council is not permitted to receive any further submissions regarding the proposed bylaw.

RECOMMENDATION:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022" be read a second time.

RECOMMENDATION:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022" be read a third time.

Pursuant to Local Government Act s.480, a Zoning bylaw may be adopted on the same day that it has been given third reading.

As the proposed bylaw was approved by the Ministry of Transportation and Infrastructure on April 5, 2022, it may be considered for adoption.

RECOMMENDATION:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022" be adopted.

12. Proposed Bylaw Amendments to Support the Local Economy

(File: 1610-20-5175/5176/5177)

The following proposed bylaw received first reading at the February 14, 2022 Council meeting, was the subject of a public hearing held and closed on March 29, 2022 and received second and third reading at the March 29, 2022 Council meeting. As the public hearing has closed Council is not permitted to receive any further submissions regarding the proposed bylaw.

As the proposed bylaw was approved by the Ministry of Transportation and Infrastructure on April 5, 2022, it may be considered for adoption.

RECOMMENDATION:

THAT proposed "Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5175, 2022" be adopted.

The following proposed bylaws received first, second, and third reading at the February 14, 2022 Council meeting.

RECOMMENDATION:

THAT proposed "Business Licence Bylaw No. 4455, 2005, Amendment Bylaw No. 5176, 2022" be adopted.

RECOMMENDATION:

THAT proposed "Fees and Charges Bylaw No. 5136, 2021, Amendment Bylaw No. 5177, 2022" be adopted.

NEW BUSINESS

If new business items are added to the agenda at the time of agenda approval, the new items will be added to this section.

13. No items.

CONSENT AGENDA ITEMS

Items listed in the Consent Agenda are considered for approval in one motion, unless a member of Council wishes to debate an item and requests that it be excluded. If an item is excluded from the Consent Agenda it will be considered as an agenda item. The rule of order establishing a Consent Agenda provides that consent agenda items may be considered in total and without debate or amendment.

14. Consent Agenda Items

The following Consent Agenda items may be considered for approval in one motion, or considered separately, or items may be excluded for debate.

RECOMMENDATION:

THAT the Consent Agenda items as follows be approved:

- Item 14.1 regarding Union of British Columbia Municipalities 2022 Strengthening Communities' Services Program – North Shore Application; and
- Item 14.2 regarding E-Comm Board of Directors Appointment for 2022/2023.

14.1. Union of British Columbia Municipalities 2022 Strengthening Communities' Services Program – North Shore Application (File: 2620-01)

RECOMMENDATION:

THAT

1. staff be directed to work with the City of North Vancouver and the District of North Vancouver to submit a joint regional grant application for the North Shore to secure funding under the Union of British Columbia Municipalities' 2022 Strengthening Communities' Services Program;
2. the City of North Vancouver act as the primary applicant for the North Shore application to apply for, receive, and manage the 2022 Union of British Columbia Municipalities' grant funding on behalf of the District of West Vancouver; and
3. subject to confirmation that full funding is available, staff be directed to implement the project.

14.2. E-Comm Board of Directors Appointment for 2022/2023 (File: 2715-07)

RECOMMENDATION:

THAT the District of West Vancouver nominate Richard Walton to serve as the nominee of the North Shore to the E-Comm Board of Directors for the 2022-2023 term, such Board to be elected by E-Comm shareholders at the June 23, 2022 Annual General Meeting.

OTHER ITEMS / NOTICES OF MOTION

15. No items.

REPORTS FROM MAYOR AND COUNCILLORS

16. **Reports from Mayor and Councillors** (to include reports on District board, committee, and working group meetings, and Metro Vancouver board and committee meetings)

RECOMMENDATION:

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

PUBLIC QUESTIONS AND COMMENTS

Questions may be referred by Council to staff for subsequent response. Questions and comments relating to the following are not permitted: a Notice of Motion; a bylaw in respect of which a public hearing has been or will be held; an issue which is before the courts or on which Council has authorized legal action; a matter in respect of which a District-led public consultation process is planned or is in progress; the promotion of commercial projects/services or of a political party/candidate for elected office; publicly tendered contracts or proposal calls; funding requests; or a purpose or subject that is beyond the jurisdiction of Council.

17. Public Questions and Comments (3 minutes per speaker)**ADJOURNMENT****18. Adjournment of April 25, 2022 Council Meeting**

RECOMMENDATION:

THAT the April 25, 2022 Council meeting be adjourned.