

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
REGULAR COUNCIL MEETING MINUTES
VIA ELECTRONIC COMMUNICATION FACILITIES
APRIL 25, 2022**

COUNCIL:

Mayor M. Booth and Councillors C. Cameron, N. Gambioli, W. Soprovich, S. Thompson, and M. Wong attended the meeting via electronic communication facilities.

Absent: Councillor P. Lambur.

STAFF:

R. Bartlett, Chief Administrative Officer; M. Panneton, Director, Legislative Services/Corporate Officer; J. Bailey, Director, Planning & Development Services; I. Gordon, Director, Financial Services; S. Ketler, Director, Parks, Culture & Community Services; J. Moller, Director, Engineering & Transportation Services; C. Boy, Deputy Director, Financial Services; P. Cuk, Manager, Legislative Operations/Deputy Corporate Officer; A. Gelz, Manager, Youth & Seniors' Services; H. Keith, Manager, Environmental Protection; S. LeBlanc, Manager, Bylaw & Licensing Services; and L. Gillan, Senior Community Planner of Economic Development, attended the meeting via electronic communication facilities.

CALL TO ORDER

1. The meeting was called to order at 6:14 p.m.

Mayor Booth made the following announcements:

- Council, at its April 25, 2022 closed meeting, appointed Hakan Telenius to the Heritage Advisory Committee for a term ending December 31, 2023;
- the Ambleside Dundarave Business Improvement Association has been nominated for 2 awards from the British Columbia Economic Development Association for its work with respect to the 'Imagine Ambleside' and the 'BIA Bucks' initiatives; and
- the Mayor's Community Clean-Up began on Earth Day (Friday, April 22), and will continue until the end of the week, and residents, businesses, schools, and community groups are encouraged to get involved.

APPROVAL OF AGENDA

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

MOVED by Thompson, seconded by Soprovich:

- 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.

CARRIED

ADOPTION OF MINUTES

3. Adoption of Council Meeting Minutes

MOVED by Soprovich, seconded by Gambioli:

THAT the following minutes be adopted as circulated:

- April 11, 2022 special (open session) and regular Council meetings.

CARRIED

PRESENTATIONS

4. Recognition of West Vancouver Olympic Athletes – Summer 2020

(File: 0005-01)

Staff provided a presentation recognizing the achievements of Olympic Athletes John (Fin) Boothroyd, Nikola Girke, Harry Jones, and Georgia Simmerling. Council members commented and extended their congratulations to the athletes. J. Boothroyd, N. Girke, and H. Jones responded to Council’s questions.

MOVED by Gambioli, seconded by Cameron:

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

CARRIED

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)

Staff provided a presentation and responded to a Council member’s questions.

Written Submissions received up to and including April 13, 2022:

SUBMISSION AUTHOR	SUBMISSION DATE	#
Redacted	April 23, 2022	C-1
Redacted	April 25, 2022	C-2

Staff informed that no members of the public had signed up to speak to this item.

MOVED by Cameron, seconded by Wong:

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*.

CARRIED

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

Staff, C. Herholdt (Member, Student Work & Advisory Team), A. Johar (Member, Whatever Youth Committee), S. Kutlu (Member, Youth Advisory Committee), and A. Tikhonova (Member, Youth Advisory Committee) provided a presentation and responded to Council's questions. Council members commented.

MOVED by Wong, seconded by Thompson:

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

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

CARRIED

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

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

MOVED by Thompson, seconded by Soprovich:

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

Council members commented. The question was called on the motion.

CARRIED

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)

Councillor Wong left the meeting at 7:34 p.m. and returned to the meeting at 7:45 p.m. via electronic communication facilities.

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

MOVED by Soprovich, seconded by Gambioli:

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.

CARRIED

MOVED by Soprovich, seconded by Gambioli:

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.

CARRIED

MOVED by Soprovich, seconded by Gambioli:

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

CARRIED

MOVED by Soprovich, seconded by Gambioli:

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.

CARRIED

MOVED by Soprovich, seconded by Gambioli:

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.

CARRIED

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

Councillor Wong left the meeting at 7:57 p.m. and returned to the meeting at 8:02 p.m. via electronic communication facilities.

Council members commented and staff provided procedural information.

L. Jones (address not provided) spoke relative to the proposed motion and commented regarding: the tone and language of the proposed letter; approval of development proposals; housing options; and Dundarave Road reallocation on the 2400-block of Marine Drive.

MOVED by Soprovich, seconded by Booth:

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.

Council members commented. The question was called on the motion.

CARRIED

BYLAWS

11. Proposed Zoning Bylaw No. 4662, 2010, Amendment Bylaw No. 5192, 2022 (Miscellaneous Housekeeping Amendments) (File: 1610-20-5192)

MOVED by Gambioli, seconded by Cameron:

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

CARRIED

MOVED by Gambioli, seconded by Cameron:

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

CARRIED

MOVED by Gambioli, seconded by Cameron:

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

CARRIED

12. Proposed Bylaw Amendments to Support the Local Economy (File: 1610-20-5175/5176/5177)

MOVED by Cameron, seconded by Wong:

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

CARRIED

MOVED by Cameron, seconded by Wong:

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

CARRIED

MOVED by Cameron, seconded by Wong:

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

CARRIED

NEW BUSINESS

13. No items.

CONSENT AGENDA ITEMS

14. Consent Agenda Items

MOVED by Wong, seconded by Thompson:

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.

CARRIED

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

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)

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

Councillor Soprovich commented regarding: the consumption of liquor in public places; and tankers carrying natural gas refuelling near Lighthouse Park, citing concerns regarding the North Shore's emergency response should an accident occur. Mayor Booth informed that she would raise the matter of refuelling tankers at the next Port of Vancouver meeting.

Councillor Wong left the meeting at 8:39 p.m.

Councillor Gambioli reported on attendance at: an April 19, 2022 meeting with the Minister of Municipal Affairs Nathan wCullen regarding the provision of year-round wildfire prevention services and regarding rivers and flooding; a recent

meeting of the West Vancouver Chamber of Commerce, including concerns related to workforce retention; and an April 22, 2022 meeting of the British Columbia Chapter of the Climate Caucus regarding the Clean BC Road Map, including the installation of electric vehicle charging stations and Provincial funding for climate action initiatives.

Mayor Booth reported on: attendance at a recent meeting of Metro Vancouver's Invest Vancouver Board regarding the creation of well-paying jobs, citing regional advantages such as the agri-tech, apparel, and clean energy sectors; and attendance, together with Councillors Lambur, Soprovich, and Wong as witnesses, of the recent blessing of the District's new fire truck adorned with art by Squamish Nation artist Xwalacktun, and explained the meaning and significance of the art.

Councillor Thompson: informed that the Rotary Club of West Vancouver-Sunrise will host a blood donor clinic on May 27, 2022, and invited Council to volunteer at the event, and informed that one bag of donated blood could save the lives of up to three individuals; and reported on a visit to the Monova Museum in North Vancouver featuring the history of the North Shore and installations related to First Nation Reconciliation.

Councillor Soprovich queried whether a response from senior levels of government had been received relative to the proposed spraying of herbicides in BC communities as outlined in the BC Timber Sales Pest Management Plan, and commented regarding the use of herbicides and pesticides in the Lower Mainland and surrounding areas. Mayor Booth informed that no response from senior levels of government has been received to date.

Councillor Wong returned to the meeting at 8:49 p.m. via electronic communication facilities.

MOVED by Thompson, seconded by Soprovich:

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

CARRIED

PUBLIC QUESTIONS AND COMMENTS

17. Public Questions and Comments

C. Reynolds (Editor, West Van Matters) commented regarding: conducting hydrology studies as part of the land development process; the recent blessing of the District's new fire truck adorned with art by Squamish Nation artist Xwalacktun and requested a copy of the information regarding the art; and Canada's recognition of the Queen's Platinum Jubilee.

L. Jones (address not provided) commented regarding: tankers carrying natural gas through Howe Sound and refuelling near Lighthouse Park; the fossil fuel industry and transitioning towards renewable energy; recent spraying done from a helicopter near Sunset Marina; and tree removal.

ADJOURNMENT

18. Adjournment of April 25, 2022 Council Meeting

MOVED by Wong, seconded by Gambioli:

THAT the April 25, 2022 Council meeting be adjourned.
(8:55 p.m.)

CARRIED

Certified Correct:

[Original signed by Mayor]

MAYOR

[Original signed by Corporate Officer]

CORPORATE OFFICER