

COUNCIL CORRESPONDENCE UPDATE TO AUGUST 28, 2024 (8:30 a.m.)

Correspondence

- (1) August 18, 2024, regarding “Dogs on the John Lawson Seawall”**
- (2) August 20, 2024, regarding Property Development Complaint**
- (3) August 26, 2024, regarding Invoicing Error for Utilities Installation**

Correspondence from Other Governments and Government Agencies

No Items.

Responses to Correspondence

- (4) Acting Senior Manager of Parks, August 23, 2024, response regarding “Artificial Turf Fields”**

From: [REDACTED] s. 22(1)
Sent: Sunday, August 18, 2024 6:12 PM
To: correspondence
Subject: Dogs on the John Lawson Seawall

CAUTION: This email originated from outside the organization from email address [REDACTED] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

Councillors:

I am very frustrated with your decision to permit dogs on the Seawall!! This is a space that is enjoyed by seniors (some with Walkers), people on wheelchairs, middle aged people, young people and the very young. This is a Community Space that used to be inclusive, a meeting place and a community building place. However, now when I walk here I come home SO FRUSTRATED!! Many dog owners bring big dogs and fierce dogs (some that bark at you) and some bring two big dogs that they can't control. I have even had to walk around dog poop!! Then there are some children speeding along on the scooters. A senior is going to get knocked down and/or someone is going to get bit.

You have taken away the one space that people could enjoy safely and peacefully.

There is no one monitoring that people are following the rules. I have walked here at various times in the day and have not seen anyone bylaw officers.

I am putting you on notice that if I get knocked down or bit - I will hold you responsible.

There is a huge dog park at Ambleside - yet you find it necessary to include this space as well - it shows a blatant disregard for the rights of non-dog owners.

I ask that you reconsider this decision. I have friends that feel the same way - we will monitor this and if it is not reversed in the near future - we will be working against having this council re-elected. It is your job to sever all the citizens of this District not just those of special interest groups.

[REDACTED] s. 22(1)

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

s. 22(1)

s. 22(1)

West Vancouver, B.C.

s. 22(1)

August 20th, 2024

District of West Vancouver
Municipal Council
750 – 17th Street
West Vancouver, V7V 3T3

Dear Municipal Council;

I have lived in our home at s.22(1) for s. 22(1). Our home is situated in an established grove of trees and hedges which surround the property that borders s. 22(1). This area has been designated as an environmentally protected area.

For the past s. 22(1), the property s. 22(1) has been under construction and the construction is still ongoing today. The original house at s. 22(1) was built only s.22(1) from s.22(1), without a proper foundation and the rear of the house is below the water table. Despite these issues, the developer rebuilt the house on the existing structure.

Over the past s.22(1) our family has endured noise, pollution from the exhaust of gas burning generators, loss of privacy from tree removal and tree damage and structural damage to the house. During excavation, s. 22(1), the original water pump exploded s.22(1) creating a sink hole in the ground under the existing house at s. 22(1). The hole naturally filled with mud and water, but was later filled with gravel.

s. 22(1) the developer of s. 22(1) removed a large grove of mature evergreen trees near the creek next to s.22(1), which was stabilizing the embankment between s.22(1), adjacent to a retaining wall which s.22(1) s. 22(1). Included in this removal, was a large mature tree which was situated too close to the creek. I was told by the Municipality that the developer was asked to replace the tree, which has not yet occurred. Only after a period of years, was a concrete retaining wall built to restabilize the bank s.22(1)

In order to improve drainage at [REDACTED] s.22(1), the developer began excavation. The developer excavated down the tree hedge bordering [REDACTED] s.22(1) and filled the ditch with black plastic and gravel up near the roots. Excavation was also done down the [REDACTED] s.22(1), damaging [REDACTED] s.22(1) and it was also filled with gravel.

I have made numerous reports to the District of West Vancouver Building and Permits Department, and hand delivered a letter and a report from a licensed arborist (May 9, 2023), outlining several concerns, however to date I have not received a response (please see copies attached).

RECENT DEVELOPMENTS:

June 14th, 2023

Contractor at [REDACTED] s.22(1) installed a "City Water Pump" on the [REDACTED] s.22(1) property line. [REDACTED] s.22(1) on that day regarding the noise and vibration [REDACTED] s.22(1). He identified the City Water pump as the cause; however, nothing was ever done to address it.

November 9th, 2023

In November, another serious development began. As a result of the installation of the numerous machines at [REDACTED] s.22(1) experienced deafening noise and extreme vibration which is causing cracks in the walls. The vibration causes a "pumping" sensation when sitting on chairs at the kitchen table, the sofa, laying in bed or sitting on the toilet. This vibration/noise is experienced 24 hours a day, 7 days a week!

After contacting a representative from the Municipality, I was told that the developer had received a permit to build a pool which included the use of numerous machines, some temporary and some permanent. This is when, in addition to the city water pump, 2 additional heat pumps and a generator were installed close to the [REDACTED] s.22(1). This resulted in increased vibration and noise 24 hours a day. When I contacted the The Building and Permits Department, I was told that they needed to determine which machines were causing this issue and would send a building inspector.

November 15th, 2023

A building inspector came to my house after going to the construction site s. 22(1) notified me that all machines had just been turned off by the contractor to facilitate cement pouring, therefore the inspector was not able to experience the ongoing noise and vibration I had been enduring. When I pointed out the machines that were installed along the s.22(1) to the building inspector, he said he would send a plumbing inspector to assess the situation, however I did not receive any follow-up or response.

January, 2024

I contacted the Building and Permits Department to report the continued vibration/noise and asked for a list of the machines that are permitted to run After Construction Hours. My request was denied and I was told to report my "Noise Complaints" to the Bylaw Department, however the Bylaw Department is not reachable after construction hours, on Sundays or on holidays!

August, 2024

After By-Law Department hours, I was instructed to report a noise complaint to the West Vancouver Police. When an officer arrived, he indicated that there was a generator causing the excessive noise, that there was not a contact number listed for the construction site at s. 22(1) for concerns and that the generator was likely in an inappropriate location.

Questions

1. Are machines which cause vibration and noise on s.22(1), such as gas-powered generators, heat pumps and water pumps and are solely for and under ~~and~~ control of s. 22(1) allowed to be installed externally close to another residence?
2. Has there been an environmental assessment conducted on the property at s. 22(1), given that much of the draining water from this construction runs into the water table and the existing creek where trees have been removed?

3. Despite numerous attempts to contact the Municipality regarding my concerns and the lack of response, is there an individual or a department that responds to public concerns?

In closing, I have written this letter to Council in the hopes of my concerns being addressed. We have experienced loss of privacy, loss of security, reduced quality of life and loss of environmental landscape as well as internal damage [REDACTED] s.22(1). Furthermore, the noise and vibration being experienced [REDACTED] s.22(1) [REDACTED] [REDACTED] has destroyed my peace and quiet.

I look forward to your response.

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

Attachments

s. 22(1)
s. 22(1)
West Vancouver, BC
s. 22(1)

District of West Vancouver
And Building Inspection

MAY, 2023 .

Dear Sirs:

I am the owner of a beautiful original property at the above address in West Vancouver. It is situated in an established grove of trees and hedges which surround the property bordering on s. 22(1). Construction of the neighbouring property at s. 22(1) began in s. 22(1). During the construction there have been several infringements s. 22(1). I have expressed several of these concerns to the building inspectors from the District of West Vancouver without reply or comment.

The following are my concerns:

1. Four years ago the large hedge of mature evergreen trees near the property line that supported a steep embankment was cut down and the roots excavated. In the process the retaining wall on the property line was damaged. One of the large trees removed was in an environmentally protected zone near the creek. The municipality collected a deposit for replanting but nothing has begun regarding its replacement. On May 1, 2023 the contractor from s. 22(1) excavated a large amount of soil that had replaced the trees from the embankment. I contacted the Municipality and the building inspector regarding the embankment's potential lack of stability.
2. s. 22(1) was professionally surveyed and markers positioned. The land survey s. 22(1) has been registered with land titles for many years. One of the markers has been removed by the Contractor and not replaced. No action has resulted despite notification to the building inspector.
3. The original house at s. 22(1) was constructed very close to s. 22(1). The Contractor has excavated in the area between the house s. 22(1), added a basement level, and opened a large trench violating the tree protection zone s. 22(1) exposing and damaging the tree roots. A certified arborist's report is attached. Furthermore, a water pump and conduits have been directed along this property line s. 22(1) service access point for water as well as towards the street.
4. The removal of trees and damage to the existing hedge has resulted in loss of privacy and lack of protection from construction pollution for the last seven years and destruction of some of the natural beauty s. 22(1)

I would like to know if the District of West Vancouver enforces a tree protection zone; intends to enforce the replacement of the illegally removed tree; is a neighbour allowed to redirect drainage water towards s. 22(1) and the street; is tampering and removal of a survey marker allowed and is the contractor allowed to reduce the stability of an embankment that supports s. 22(1). Furthermore are there any time limits on the length of time construction is allowed to continue?

I await and would appreciate your reply.

Owner of existing property in the
District of West Vancouver

Arborist Report Prepared for:

s. 22(1)

West Vancouver,

s. 22(1)

s. 22(1)

s.22(1)

Prepared by: *Outlook Arborist Services BL*

s. 22(1)

John Monk

ISA Arborist PN0401

Qualified Tree Risk Assessor

ITA Practical Horticulturalist

ITA Utility Arborist

jmonktrees@gmail.com

604-816-2592

February 14th, 2023

Introduction:

s. 22(1) has contacted me, John Monk by referral from her tree contractor who helps with hedge work at her home.

s. 22(1) has been here since s. 22(1) and essentially, the home has been in her family the entire time.

The purpose of my site visit is s. 22(1) has concerns regarding the extent of root disturbance on a row of native conifers s. 22(1).

The property on the s. 22(1) has been going through a major home rebuild and excavation work this year.

Excavation along the east side of this property has been almost to the s.22(1)

s. 22(1). The extent of this excavation has reached roots on trees s.22(1).

s.22(1) property line surveyed to clearly identify ownership.

Orange stakes along the property line were put in by the survey company and the iron pin located at each end of s.22(1) the west side:

s. 22(1) is essentially, property line.

s. 22(1)

Iron Pin, wood survey post and ribbon at the street side s.22(1)

s. 22(1). Both water service valves and meter boxes are in this photo.

Along the front west side is a row of native Red Cedars and Douglas Firs planted and existing s. 22(1) but have always been here.

They are inside the property line and roots are s.22(1). These trees are mixed sizes between 20-40 cm diameters.

Based on the diameters, critical roots and the term tree protection zone (TPZ) is used. This distance is recognized as six times the tree diameters for the TPZ or outside the end of the limb foliage or drip line, whichever is greater is preferred. Subsequently, a minimum 2.4 meter distance on both side of this established hedge is critical roots and tree protection zone.

Digging and root loss inside this distance must be done carefully to expose and prune roots up to diameters that eventually lead to loss of both structural support roots and fine roots that absorb water and nutrients to the tree.

The following photos clearly show where the excavation has exceeded the distance required for tree root protection. Two trees have had critical fine roots removed and roots between 5 and 8 cm torn off, a bad practice. Larger torn roots will become decayed and eventually this can develop upwards into the trunks and weaken the trees. Loss of fine roots can cause the decline of the trees within the first year during the summer when the inability of the tree to absorb water becomes more critical. Fine roots take time to re-grow over a period of years.



Excavation on the west side on s. 22(1). Distance was not required.

s. 22(1)



Douglas Fir roots with torn ends visible on the edge of this excavation. This damage is 55 cm from the trunks of this tree.

s. 22(1)



Red Cedar roots torn off and many fine roots exposed. These fine roots can become dry and die back until backfilled with soil. Recovery will be slow and damaged structural roots will decay and have lost the ability to keep the tree stable on the west side.

[REDACTED]

s. 22(1)



s. 22(1)

Photo taken viewed south along the property line. This stake was placed by the surveyor. More stakes are further in the trees but not visible. The [REDACTED] s.22(1) [REDACTED] is essentially, on the property line [REDACTED] s.22(1) [REDACTED].



s. 22(1)

One Fir at the north end that had significant root loss on the west side. Viewed north last four trees.

[Redacted]

s. 22(1)



s. 22(1)

Section of the Hedge is Douglas Fir. Photo is to show the color and vigour is normal for these trees.



s. 22(1)

Second photo of this hedge and the affected Red Cedar in the middle. Loss of trees in this hedge [Redacted]

s. 22(1)

The color is important to document at this time to provide a method to determine each trees health. Decline in health will cause foliage to become chlorotic, pale and begin to thin. Loss of anchor roots on the west side might cause the trees to fail east. They are not large enough to cause significant damages however.

Damage to the tree roots by excavation on the west side is a form of negligence. This however, is by mistake on the part of the builder or who instructed the excavator to dig this close without recognizing the loss of significant roots. This is however, a form of reckless work and more commonly known to be detrimental to a neighbors tree roots. The excavation did not need to exceed the tree protection zone by this far to construct the new footings for the new house.

Should the trees fail or perish and need to be replaced, this report can help with information that will be unavailable when the ground and soil is backfilled against these hedge trees.

Sincerely,

s. 22(1)

John Monk
ISA Arborist PN0401
Tree Risk Assessor # 10685
ITA Utility Arborist
ITA Practical Horticulturalist

From: [Redacted] s. 22(1)
Sent: Monday, August 26, 2024 11:47 AM
To: correspondence
Cc: [Redacted] s. 22(1); mayorandcouncil@westvacnovuer.ca
Subject: Finance Department has Made A Serious Mistake RE: Invoice [Redacted] s. 22(1)

Importance: High

CAUTION: This email originated from outside the organization from email address [Redacted] s. 22(1). Do not click links or open attachments unless you validate the sender and know the content is safe. If you believe this e-mail is suspicious, please report it to IT by marking it as SPAM.

“without prejudice”

To Whom It May Concern:

RE: Building Permit [Redacted] s. 22(1)
 [Redacted] s. 22(1)

In the process of applying for our building permit, Ms Toby Rogers gave us a long list of Land Development items that had to be complied with before issuance of the building permit, including installation of a Sanitary IC and Security and Damage Deposits for Replacement and Return of a Municipal Sewage Pump. That correspondence was dated July 23, 2022. Monies provided included [Redacted] s. 22(1) for installation of a Sanitary IC, and [Redacted] s. 22(1) for the Sewage Pump replacement.

The District subsequently sent a two-person crew to locate placement of the new Sanitary IC. Unfortunately, they failed to notice that we already have a Sanitary IC installed [Redacted] s. 22(1). Ms Rogers also failed to notice this before demanding payment from us. When the full DWV crew ultimately arrived to install a new Sanitary IC, they crew chief immediately located the existing IC and withdrew his crew.

On your August 24 invoice [Redacted] s. 22(1) we noted that a sum of [Redacted] s. 22(1) has been arbitrarily deducted from deposit refund monies, of [Redacted] s. 22(1), owed to us by the District on account of the erroneous dispatching of the sanitary crew to install an IC that was already in place.

Clearly, there has been a mistake by the Finance Department, and likely by others within the Administration. I sincerely cannot believe that the Mayor's agenda includes effectively stealing money from senior citizens to fund mistakes made by staff members of his Administration. Accordingly, I request that the Finance Department reverse Invoice [Redacted] s. 22(1) immediately and return IN FULL the amount of [Redacted] s. 22(1) owed to us on account of billing for work that was never needed, but charged, due to errors within the DWV Land Development Department.

Furthermore, resulting from an Order In Council in October 2023, the District ceded ownership of Sewer Grinder Pumps directly to the property owners on whose land the pumps are located, including [Redacted] s. 22(1). Therefore, the [Redacted] s. 22(1) paid by us as security for the replacement and return of the sewage pump must also be returned forthwith.

In total, the District of West Vancouver is holding funds of [Redacted] s. 22(1) that were collected from my wife and I needlessly. This is not an insignificant amount of money and we would like to have it returned to us as soon as possible. We have been made several calls to District Employees since receiving your notice on July 15th, only to

be told repeatedly that refunds would be issued and that we should “receive a cheque within the next three weeks”.

Respectfully, as homeowners, taxpayers, and voters, we understand that mistakes can and do happen, but the District must responsibly take an accountable position for staff errors. Attempting to cover up mistakes by transferring the cost of in-house errors to its homeowners, effectively double taxing them for District services, is unethical at the very least.

Sincerely . . .

s. 22(1)

Homeowners & Taxpayers

s. 22(1)

, West Vancouver

From: Ian Haras
Sent: Friday, August 23, 2024 1:18 PM
To: s. 22(1)
Cc: correspondence
Subject: FW: Artificial Turf Fields

Dear s. 22(1),

Thank you for your correspondence regarding the artificial turf fields in Ambleside Park. Your correspondence has been forwarded to me for response in my capacity as Acting Senior Manager of the Parks.

The Parks Department is in the process of installing a new rubberized border around the east perimeter of E field and this work is scheduled to be completed this week. This new border is replacing the sandbags that were previously in place and we believe it will be more effective. The rubber has also been managed actively with increased maintenance and street sweeping. We have a staff member, our artificial turf specialist, who dedicates three days a week to the maintenance of these fields. The District recently had an artificial turf professional assess the field condition and were informed that it is at the end of life but does not have excess rubber present. There were no recommendations for removal of the rubber or undertaking a significant groom.

Staff have planned to replace both fields and this item will be included in the 2024 Phase 2 budget amendment capital request list for full carpet replacement for Council’s consideration. If we are successful in securing funding this year, the fields would be replaced in 2025.

Please feel free to reach out to me directly should you have any further questions.

Regards,

Ian Haras, BCSLA, CSLA
Acting Senior Manager of Parks | District of West Vancouver
t: 604-925-7143 | westvancouver.ca



From: [REDACTED] s. 22(1)
Sent: Friday, August 16, 2024 11:25 AM
To: correspondence
Cc: Mark Sager, Mayor
Subject: Artificial Turf Fields

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I have lived on the North Shore for over 30 years and I love it! One of my favourite walks is the West Vancouver seawall, unfortunately before I get there, I have to pass a toxic mess. The artificial turf field adjacent to the West Vancouver SPCA is that place.

This field has been allowed to degrade horribly over the years. The field's rubber pebbles endlessly leech to the surrounding area, including the wetland area to the east of the field which is rich with wildlife.

Additionally, the off gases from the field are horrible. In all honesty I would not want any one playing on this site, let alone young children.

I am wondering what plans the city has for this field. It is obviously well used and I fully support having playing fields in that area. However, the environmental impact of a poorly maintained field on the surrounding area can't be justified. If the city builds the structure, it is obligated to maintain it. As it stands now, it is obvious that the city has been negligent in its responsibilities. I can't imagine the cost of the clean-up.

I truly hope that the city has a plan for this site - to revitalize the field, and most importantly, to clean up the surrounding wetland.

Kind regards, [REDACTED] s. 22(1)
[REDACTED] s. 22(1) North Van
[REDACTED] s. 22(1)