

COUNCIL CORRESPONDENCE UPDATE TO AUGUST 3, 2022 (8:30 a.m.)

Correspondence

- (1) Strata VR212, July 27, 2022, regarding “Overreach - Multi Family Parking Garage and Fire Rescue Bylaw No. 5163, 2021”**
- (2) 3 submissions, July 27-30, 2022, regarding Development Permit 20-105 for 2452 to 2496 Marine Drive**
- (3) July 29, 2022, regarding “Block parties”**
- (4) July 30, 2022, regarding “Fwd: Whytecliff Parking Marine Drive closures”**
- (5) Old Growth Conservancy Society, August 2, 2022, regarding “Re: Objection to logging plans for the Upper Lands this fall”**
- (6) Committee and Board Meeting Minutes – Board of Variance hearing June 22, 2022**

Correspondence from Other Governments and Government Agencies

- (7) P. Weiler, M.P. (West Vancouver-Sunshine Coast-Sea to Sky Country), August 2, 2022, regarding “July 2022 MP Newsletter”**

Responses to Correspondence

- (8) Engineering Department, July 27, 2022, response regarding “Proposed Waterworks Regulation Bylaw # 4490 2006 Amendment Bylaw 5189 2022”**
- (9) Community Relations Liaison, July 28, 2022, response to Old Growth Conservancy Society regarding “Objection to Logging plans in the Upper Lands slated for this fall”**
- (10) Assistant Chief of Fire Prevention, August 2, 2022, response to Strata VR212 regarding “Overreach - Multi Family Parking Garage and Fire Rescue Bylaw No. 5163, 2021”**

From: Barry Heselgrave [REDACTED] s.22(1)
Sent: Wednesday, July 27, 2022 8:58 AM
To: correspondence
Cc: [REDACTED] s. 22(1)
Subject: Overreach - Multi Family Parking Garage and Fire Rescue Bylaw No. 5163, 2021

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Mayor and Councillors

I am writing on behalf of the owners of Navvy Jack West at 2108 Argyle Avenue. We have a parkade that passed the annual fire inspection annually from the 1970's until this year. A careful review of the revised Fire Rescue Bylaw No. 5163, 2021 and of the Fire Inspection Guidelines on the Municipal website provides a good understanding of the need for a more stringent application of the bylaw and the distinction between a storage garage and a storage space. Needless to say, our strata has dealt with the short term clean up of so called accumulated combustibles and will turn its attention to the resolution of storage space issues in our storage garage before January 2024.

We believe that there are a couple of areas of "overreach" in the new interpretation of what is allowed in a storage garage. These areas are as follows:

1. The banning of shopping carts from parking stalls in a storage garage. Our apartment has an aging demographic and a shopping cart is a necessity in carting groceries from the car to the owner's suite. It is often impractical to keep the cart in the car trunk because groceries usually end up there! Accidents are going to happen if residents are required to carry their groceries to their suites without the benefit of a cart. On review of the guidelines, a grocery cart falls into a grey area and requires a practical interpretation as to whether it should be permitted or not. It is not a combustible. It is not quite a mode of transportation such as a car, bicycle, scooter or motorcycle. However, it is important in conveying groceries!
2. The storage of bicycles. Our parkade or storage garage, like many others, has a couple of sites for the parking of bicycles. They are situated in alcove areas in the storage garage and do not impede access. It was suggested that bicycles should be housed within a chain link fence area. As a practical matter, there should be discretion as to whether a chain link fence is required or not depending upon the storage garage layout.

We would ask that Council consider the items that we have characterised as "overreach" and direct the Fire Department to apply reasonable judgement to the matter of allowing shopping carts in the parkade and not demanding bicycles be behind a chain link fence in the parkade provided that the bicycles are not blocking access within the parkade.

We would offer one additional recommendation for Council consideration. It is based upon the anger and feedback that the Council has and will continue to receive regarding the reinterpretation of the Bylaw and guidelines as they pertain to storage garages. Please consider forming a small committee with representation from the Fire Department, the community (multi-family representation), someone with municipal building code expertise and perhaps a member of Council. This committee would provide advice to Council on a reasonable

interpretation and a practical application of the Fire Rescue Bylaw which meets the needs of the Municipality, Fire Department and the multi-family community of West Vancouver. It should be noted that the author of this letter served as Chair of the Advisory Fire Committee for West Vancouver a number of years ago. Had we had such a Committee providing input to the Council today, many of the present issues would have been taken into consideration on implementation of the new Bylaw.

Thank you on behalf of our Strata Council for your consideration of the above.

Barry Heselgrave
Strata Chair, VR212
s.22(1) 2108 Argyle Avenue
West Vancouver, BC
V7V 1A4

From: [REDACTED] s. 22(1)
Sent: Wednesday, July 27, 2022 12:59 PM
To: correspondence
Subject: Marine Drive and 25th Proposed Development

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Dear Mayor and Council,

Please accept this letter as my voice of support for this much needed project.

Dundarave has a rare and beautiful character and we believe that the proposed development, with its mix of shops and residences, will not only help preserve this, but will enable it to evolve into a mature neighbourhood.

It will also allow existing West Vancouver residents to stay in the municipality rather than move elsewhere when they would like to downsize.

I am in favour of this project moving forward.

Thank you,

--

Regards,

[REDACTED] s. 22(1)

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

From: David Marley <domarley52@gmail.com>
Sent: Thursday, July 28, 2022 12:19 PM
To: correspondence
Cc: Mary-Ann Booth; Craig Cameron; Nora Gambioli; Peter Lambur; Bill Soprovich; Sharon Thompson; Marcus Wong
Subject: Approval of Dundarave development

CAUTION: This email originated from outside the organization from email address domarley52@gmail.com. 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.

Giving the go-ahead to the proposed development at 25th and Marine at last Monday's Council meeting was a most welcome and wise decision. Well done! May this lead in rapid succession to more such projects in each of Ambleside, Dundarave and Horseshoe Bay. They are desperately needed.

I hereby request that my name and contact information not be redacted from this communication.

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

604-926-8994

Sent from my iPad

From: [REDACTED] s. 22(1)
Sent: Saturday, July 30, 2022 11:37 AM
To: correspondence; [REDACTED] s. 22(1)
Subject: Requested letter of support
Attachments: JULY 23, 2022.jpeg

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Dear [REDACTED] s. 22(1)
Attached please find the letter of support requested.
[REDACTED] s. 22(1)

s. 22(1)

West Vancouver, B.C.

s. 22(1)

July 23, 2022

TO: correspondence@westvancouver.ca

BCC: s. 22(1)

Subject Line: 25th / Marine Drive Development

Dear Mayor and Council Members,

Dundarave is the perfect community to buy, live and is the ideal place to call home. I give my full support for this development.

I am not a big city person. The scenery, greenery, water and boutique stores and restaurants create the perfect area for someone who wants to escape the city without losing the opportunity to work in Vancouver or on the North Shore.

I support the development at 25th and Marine Drive, and am strongly in favour of the rezoning for the proposed project.

Sincerely,

s. 22(1)

West Vancouver, B.C.

s. 22(1)

From: [REDACTED] s. 22(1)
Sent: Friday, July 29, 2022 5:46 PM
To: correspondence
Subject: Block parties

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Hello Mayor and Council. Further to my recent letter about how difficult and expensive it is to hold a block party and close a street for a couple of hours in West Van. I heard from a friend who lives in Vancouver, and has had many block parties, that it is free in Vancouver. Why are we charged \$300 plus insurance and many hassles in West Vancouver.

I have yet to receive an answer to my question about why there is so much bureaucracy when applying to hold a neighbourhood party.

Here is the website for Vancouver Block parties, which are encouraged!!!

<https://vancouver.ca/doing-business/block-parties.aspx>

[REDACTED] s. 22(1)

West Vancouver.

[REDACTED] s. 22(1)

From: [Redacted] s. 22(1)
Sent: Saturday, July 30, 2022 9:48 PM
To: correspondence
Subject: Fwd: Whytecliff Parking Marine Drive closures

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[Redacted] s. 22(1)

Begin forwarded message:

From: [Redacted] s. 22(1)
Date: July 30, 2022 at 5:51:45 PM PDT
To: MayorandCouncil@westvancouver.ca
Subject: Whytecliff Parking Marine Drive closures

I believe I have emailed you on this issue previously, but the issue is still unresolved.

We appreciate the limit and noise of traffic, loud motorcycles, to our otherwise peaceful weekends, unfortunately much of the effort devoted to this is regularly flouted.

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

The warm weather on this long weekend gives us the advantage and necessity to spend time relaxing in our front yard.

The number of cars driving the wrong-way down [Redacted] s. 22(1) is a clear indication that the [Redacted] s. 22(1) blockage is only a petty annoyance to those who feel their rights supersede the law.

Sitting in our front yard I can observe that most of these cars are families, or groups, driving down [Redacted] s. 22(1) and turning right towards [Redacted] s. 22(1) Obvious disobeying the TWO One-Way signs at the top of the [Redacted] s. 22(1) Some who “hoot” or cheer at being able to thumb their noses at the system. Everyone with GPS can clearly see that a street runs from [Redacted] s. 22(1) down to [Redacted] s. 22(1)

I spoke with one the traffic control people the other weekend, mentioning this fact, and he assured me that [Redacted] s. 22(1) was a one-way street. (In name only.) [Redacted] s. 22(1) on the other hand is a two-way street from [Redacted] s. 22(1) , but there are often orange pylons at both the north and south of the short street!

Last year there were Orange Pylons placed at the top of [Redacted] s. 22(1) one weekend, as residents we certainly don’t mind getting out of our cars to move/replace them. Not that this would prevent the kind of people who would drive over the pylons.

We appreciate the cost and effort District puts into this very needed issue.

Please forward to Engineering,

s. 22(1)
s. 22(1),

West Vancouver,

s. 22(1)

s. 22(1)

From: Paul Hundal [REDACTED] s. 22(1)
Sent: Tuesday, August 2, 2022 6:37 AM
To: correspondence; Mary-Ann Booth; Bill Soprovich; Nora Gambioli; Marcus Wong; Sharon Thompson; Craig Cameron; Peter Lambur
Subject: Re: Objection to logging plans for the Upper Lands this fall

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Mayor and Council

As an addendum to my correspondence I am sending this link to a book that summarizes the science opposing these kind of forest thinning projects as a way to manage fire risk: <https://www.amazon.com/Smokescreen-Debunking-Wildfire-Forests-Climate/dp/0813181070>

On Tue, Aug 2, 2022 at 6:16 AM Paul Hundal [REDACTED] s. 22(1) wrote:
August 2, 2022

To Mayor and Council

Further to your response to our July 24, 2022 correspondence to Mayor and Council, I strongly dispute that this area is at "high risk for catastrophic fire." This allegation underlies the whole rationale for the logging proposal yet I am certain you cannot provide any properly conducted scientific studies that prove this is the case. Quite the opposite, when was the last catastrophic wildfire on Hollyburn that was not connected to logging one hundred years ago? Since the early logging ended there have been no catastrophic fires on the North Shore.

Regarding the Douglas-fir, you acknowledge the superior ecological values and fire resistance of Douglas-fir but you want to log more than half the Douglas-fir in the stand. I am asking you now to answer why are you planning to cut down over half the Douglas-fir from the stand? Please answer the question.

I also dispute that there is a consensus among forest scientists about the benefits of forest thinning on the coast. This is the approach being taken in most of BC but the coastal forests are very different with far less of a fire history. The dense canopy forests on the coast keep the direct sun off the forest floor creating a moister, cooler micro-climate. Forest thinning here will arguably leave us more vulnerable to fire by making our forest more like interior stands where fires are common. Can you produce any scientific studies that support the claim that thinning coastal forests will prevent a catastrophic fire from starting.

These kinds of arguments were being made when watershed logging was being debated and we found forest scientists who disputed those claims. Our coastal forests already have the lowest fire risk of any forest. It is a waste of resources to think you can improve it sufficiently enough to justify the cost.

I believe the provincial governments incentive to promote this is to give the appearance of doing something about wildfires while at the same time creating a make-work project for the forestry sector. I appeal to Council to stop wasting resources and sacrificing trees to address something that is so highly unlikely to happen here.

Paul Hundal, President [PLEASE DO NOT REDACT NAME]

Old Growth Conservancy Society

P.O. Box 91053,

West Vancouver, BC V7V 3N3

From: Natalie Roizman
Sent: Thursday, July 28, 2022 4:24 PM
To: correspondence
Cc: Bill Soprovich; Mary-Ann Booth; Karen Peterson; Nora Gambioli; Craig Cameron; Sharon Thompson; Marcus Wong
Subject: RE: Objection to Logging plans in the Upper Lands slated for this fall

Hello, Paul Hundal,

Thank you for your email regarding the District's upcoming fuel management project. I can certainly understand your concerns and appreciate your interest in the management of our urban forest. Staff understand that trees and forests are essential to West Vancouver's unique character and identity, and we are working to protect the safety of our residents, structures, wildlife and forests.

This forest thinning project is focused on public safety. This project aims to protect residents, structures, wildlife, and forests in the District of West Vancouver.

The Cypress Fuel Treatment Unit area, a six-hectare section of District-owned Upper Lands near the Baden Powell Trail, was recommended for treatment in the 2019 Community Wildfire Protection Plan (CWPP) owing to the following factors:

- the area has been identified as high risk for catastrophic wildfire
- the strategic location for public protection
- presence of hazardous fuels
- protection of critical watershed values
- the presence of high-traffic recreational trails

This forest stand is characterized by densely-forested, mature western hemlock with a smaller component of western redcedar, amabilis fir, and Douglas fir. The largest, fire-resistant, and windfirm trees will be retained. Retention of the largest diameter fire resistant trees such as Douglas fir is considered an important component of the planned project. As mentioned, the first priority of forest thinning is about public safety, and it is not a commercial logging project. After the thinning takes place, if there is usable timber, the District will recover anything merchantable to sell. This ensures that the District is fiscally and environmentally responsible in that no usable timber will be wasted.

As you are aware, the risk of catastrophic wildfire in the Upper Lands has increased in recent years along with the changing climate. As such, there is a need for more proactive management of wildfire risks to ensure continued success in our wildfire response. Given the projected increases in extreme weather, it is prudent to plan treatments for encountering extreme fire conditions.

Fuel management is considered a key element of wildfire risk reduction. Reducing fuels before a wildfire occurs will protect the forest from the risks of high-severity, catastrophic wildfires. Fuel treatments are not intended to, nor will they, decrease the occurrence of wildfire. There is broad consensus in the scientific community and among leading forestry experts on the need to thin forests more proactively to mitigate the potential for catastrophic fire and improve forest ecosystem resilience to climate change.

Within Canada, the practice of fuel management is becoming increasingly important as fire and land managers seek proactive ways to reduce the threat of wildfire to people, property, and natural resources. The District of North Vancouver has been using this practice and strategy successfully for the past ten years.

After fuel management treatment has been completed in this initial area, we will monitor the area for treatment efficacy and any potential environmental effects. An evaluation of blowdown and windthrow effects on the treated stand will be part of this monitoring. If you would like to provide input on what other environmental

values might be considered to include in this monitoring program, please let us know, and staff will reach out to you when the plan is being developed.

For more information on the benefits of forest thinning and to sign up for email updates, please visit: westvancouver.ca/wildfire-plan

Sincerely,

Natalie Roizman she, her, hers
Community Relations Liaison | District of West Vancouver
t: 604-925-7008 | c: 604-721-3776 | westvancouver.ca



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sḵw̱x̱w̱7mesh Úxwumixw (Squamish Nation), sə́ilwətaʔ (Tsleil-Waututh Nation), and xʷməθkʷəy̍əm (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.

From: Paul Hundal [REDACTED] s. 22(1) >
Sent: Sunday, July 24, 2022 10:12 AM
To: correspondence; Mary-Ann Booth; Bill Soprovich; Peter Lambur; Nora Gambioli; Craig Cameron; Sharon Thompson; Marcus Wong
Subject: Objection to Logging plans in the Upper Lands slated for this fall

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To Mayor and Council,

Re: Objection to Logging plans in the Upper Lands slated for this fall

We have serious concerns about staff proceeding with the pilot project to selectively log six hectares above the power lines east of Brothers Creek this fall. I have already expressed concerns that the risk being mitigated, of a catastrophic fire on the North Shore, is so small that this whole project is a poor use of funds. The response I've heard was that the provincial government is funding this initial project. However, our examination of the detailed logging plans reveals more safety and ecological concerns that need to be considered. I believe the thinning itself in this forest will increase the risk of blowdown of trees that will present a new safety hazard to the people walking the Trans-Canada Trail that runs through the proposed cut block. The removal of trees that support other trees combined with increased wind blowing through the new gaps created is sure to increase the risk of blowdown which will open up the canopy even further. Also removal of all the understory trees takes away the natural means that a coastal forest heals itself after an event like a windstorm. Your plan takes away all the understory trees of the forest that replace blown down or damaged trees. This is like killing the children before they can replace the adults.

The whole concept of opening up the canopy to reduce the risk of fire is highly questionable. There are forest scientists like Chad T. Hanson south of the border who hotly dispute this modeling (see Smokescreen, 2021). These are just models that have not been proven scientifically to reduce the risk of initiating fires in the short or long run. We challenge staff to produce proper studies that prove this plan will reduce the risk of a fire starting. Instead it is counterintuitive because in the interior, where fires are a part of the natural ecology, the canopies of the forests are naturally more open. The coastal forests on the other hand have far denser canopies and less fire history. Gap regeneration, not fire, is the natural way these temperate rain forests replace themselves on the coast. The dense canopies on the coast create a moist, cool microclimate that makes ignition of fires far less likely and harder to spread because the "fuel" on the ground is moisture-laden or with moss growing on it. It therefore doesn't make sense to deliberately open up the canopy through logging when that will let in more sunlight reaching the forest floor to dry out the wood, and increase heat at the ground level.

There is another element of this pilot project we strongly object to. When I looked at the detailed plans, I discovered that you will be targeting young mature Douglas-fir. Over half the Douglas-fir will be logged (see graph from "prescription" plan below). This makes no ecological sense since these are the most stable, longest living trees in the forest. Douglas-fir is the most fire-resistant tree species in these Temperate Rainforests because of its thick and heat-resistant bark. Logging Douglas-fir only makes sense from a commercial logging perspective because Douglas-fir are also the most commercially valuable species in the proposed cut block. So this begs the question, is the priority commercial logging or the ecological health of the forest? Staff have chosen the commercial logging option which can increase soil

disturbance and hydrological damage because they have to haul whole logs out to be sold. This raises the question, is Council supporting making this a commercial logging operation? If so, why wasn't this voted on publicly?

Species and Diameter Class	Average Crown to Base Height (m)	Average Tree Height (m)	STEMS PER HECTARE (sph)			VOLUME PER HECTARE (m ³ /ha)		
			Existing	Cut	Leave	Existing	Cut	Leave
Layer 1 (> 27.5 cm dbh)*								
Cw	5 - 8 m	34.5	76	9	67	127	6	121
Hw	8 - 15 m	36.7	360	29	331	536	23	513
Fd	10 - 15 m	24.5	19	11	8	12	7	5
Ba	7 - 15 m	35.5	30	10	20	41	7	34
Dead	n/a	14.5	28	10	18	17	1	16
Total Live	7 - 12 m	32.8	485	59	426	716	43	673
Total All Species	7 - 12 m	32.8	513	69	444	733	44	689
Total Conifers	7 - 12 m	32.8	485	59	426	716	43	673

It is completely unacceptable for any of the Douglas-fir in that stand to be logged. They are less likely to blow down because of their superior root stability and they will outlive all the other trees reaching enormous size. This adds much greater "resilience" to the forest over time. That won't happen if you log out the young mature Douglas-fir now. We are lucky to have those Douglas-fir mixed in the stand to provide long term stability and resistance to windthrow. They don't easily grow back naturally under a dense canopy but they have survived here. They are also better suited to climate change as they thrive in places like Oregon which has a hotter climate. That said, it is arguable climate change will bring more rain to the south coast which will reduce fire risk.

We are asking that Council seek an independent review by a forest ecologist chosen by conservationists to assess the appropriateness of these plans before any cutting takes place. People have fought for decades to protect the forests in the Upper Lands. Many Councillors over the years, including those on Council now, have supported protection. Please do not let staff unilaterally undermine that protection now. So much is not known about forest ecology. It is by no means a precise science because we do not see billions of dollars spent every year on research like we do in the medical sciences. In more recent years scientists have discovered processes which we never knew existed like the connections between trees through mycorrhizal networks. So in our opinion there are no true experts in this field because not enough is known. The "prescriptions" are based on modeling that are just working hypotheses. They have yet to be proven through scientific rigor over time. Our analysis above is similarly a hypothesis but there is a lot more science proving the superior resilience of naturally growing Douglas fir to support retaining all those trees and I urge you to rethink these plans now and stop any logging until a fair and thorough process has been followed that directly includes the conservation community and the public.

We strongly suspect the provincial government is pushing this as a make work project for forestry workers but that is not an acceptable justification for logging the Upper Lands. Please stop this logging project now.

Paul Hundal, President [PLEASE DO NOT REDACT NAME]
 Old Growth Conservancy Society
 P.O. Box 91053,
 West Vancouver, BC V7V 3N3

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
BOARD OF VARIANCE HEARING MINUTES
VIA ELECTRONIC COMMUNICATION FACILITIES
WEDNESDAY, JUNE 22, 2022**

BOARD MEMBERS: Chair L. Radage and Members S. Abri, J. Elwick, D. Simmons, and R. Yaworsky attended the hearing via electronic communication facilities.

STAFF: P. Cuk, Board Secretary; T. Yee, Building Inspector; and N. Shokar, Legislative Services Clerk, attended the hearing via electronic communication facilities.

1. Call to Order

The hearing was called to order at 5 p.m.

2. Introduction

Staff introduced the Board Members and described the hearing procedure.

3. Confirmation of the Agenda

It was Moved and Seconded:

THAT the June 22, 2022 Board of Variance hearing agenda be approved as circulated.

CARRIED

4. Adoption of the May 18, 2022 Minutes

Chair Radage referred to the minutes of the Board of Variance hearing held on May 18, 2022.

It was Moved and Seconded:

THAT the May 18, 2022 Board of Variance hearing minutes be adopted as circulated.

CARRIED

5. Time Limit of Board of Variance Orders

Chair Radage read out the following statement regarding Time Limit of Order Approving a Variance and noted that the time limit applied to each application approved by the Board:

“Pursuant to section 542 of the *Local Government Act*, if a Board of Variance orders that a minor variance be permitted from the requirements of the bylaw, and the Order sets a time limit within which the construction of the building or structure must be completed, and the construction is not completed within that time, the permission of the Board terminates and the bylaw applies. Orders of this Board of Variance that permit a variance specify that: if construction is not substantially started within 6 months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.”

6. Application 22-012 (6345 Nelson Avenue)

Staff confirmed the following requested variances regarding a proposed addition/carport to existing dwelling:

- a) 1.32 m to Combined Side Yard Setback
- b) 0.06 m to Front Yard Setback.

Staff provided permit history of the subject property and informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	May 24, 2022	1
Redacted	June 21, 2022	2

S. Taylor (6345 Nelson Avenue) described the variance application for a proposed addition/carport to existing dwelling.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment

- substantially affect the use and enjoyment of adjacent land
- vary permitted uses and densities under the applicable bylaw; or
- defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 23, 2022, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submission of S. Taylor:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-012 regarding a proposed addition/carport to existing dwelling at 6345 Nelson Avenue with variances of:

- 1.32 m to Combined Side Yard Setback
- 0.06 m to Front Yard Setback.

BE ALLOWED pursuant to the plans dated April 27, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

7. **Application 22-013 (5770 Eagle Harbour Road)**

Staff confirmed the following requested variances regarding a proposed new single family dwelling:

- a) 4.18 m to Waterfront Setback (Single Family Dwelling)
- b) 7.50 m to Waterfront Yard Setback (Accessory Building for a Pool Mechanical Room)
- c) 8.80 m to Waterfront Yard Setback (Accessory Structures for Above Grade Pool, Metal Grate Walkway and Stairs).

Staff informed of written submissions received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	June 13, 2022	1
Burgers Architecture Inc.	June 22, 2022	2
Paul Sangha Creative	June 22, 2022	3

Member Simmons recused himself (conflict of interest as he knows the owner of the subject property) and left the hearing at 5:12 p.m.

Staff provided permit history of the subject property.

C. Burgers (Burgers Architecture Inc., representing the owner of 5770 Eagle Harbour Road), N. Awadi (Burgers Architecture Inc.), P. Sangha (Paul Sangha Creative), and P. Fedusiak (Goldwood Homes) provided presentations and described the variance application for a proposed new single family dwelling. C. Burgers and staff responded to Board members' questions.

Chair Radage queried whether anyone else had signed up to address the Board regarding the subject application. Staff informed that no one else had signed up to address the Board regarding the subject application.

Members of the Board considered:

- All of the submissions;
- Whether the application was for a minor variance that did not
 - result in inappropriate development of the site
 - adversely affect the natural environment
 - substantially affect the use and enjoyment of adjacent land
 - vary permitted uses and densities under the applicable bylaw; or
 - defeat the intent of the bylaw; and
- Whether compliance with the bylaw would cause the applicant undue hardship.

Having read the application dated May 25, 2022, including the applicant's letter, plans and all other related documents, and having read the statutory Notice of Hearing for the subject application, and having inspected and/or viewed images of the subject site, and having heard the submissions of C. Burgers, N. Awadi, P. Sangha, and P. Fedusiak:

It was Moved and Seconded:

THAT the Board finds that undue hardship would be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-013 regarding a proposed new single family dwelling at 5770 Eagle Harbour Road with variances of:

- 4.18 m to Waterfront Setback (Single Family Dwelling)
- 7.50 m to Waterfront Yard Setback (Accessory Building for a Pool Mechanical Room)
- 8.80 m to Waterfront Yard Setback (Accessory Structures for Above Grade Pool, Metal Grate Walkway and Stairs).

BE ALLOWED pursuant to the plans dated April 7 and May 24, 2022 submitted with the application; AND THE BOARD FURTHER ORDERS THAT if construction is not substantially started within six months of the issuance of the Building Permit, the permission terminates and the Zoning Bylaw applies; AND FURTHER THAT in the event the Owner is delayed or interrupted or prevented from obtaining a Permit by reason of any Act of God, labour unrest (including strike and lockouts), weather conditions or any similar cause reasonably beyond the control of the owner, the time for obtaining a Permit shall be extended for a period equal to the duration of the contingency that occasioned the delay, interruption or prevention, provided that commercial or financial consideration of the Owner shall not be viewed as a cause beyond the control of the Owner.

CARRIED

Member Abri voted in the negative
Member Simmons absent at the vote

8. Receipt of Written and Oral Submissions

Member Simmons returned to the hearing at 5:39 p.m.

It was Moved and Seconded:

THAT all written and oral submissions regarding the following Board of Variance Applications:

- Application 22-012 (6345 Nelson Avenue);
- Application 22-013 (5770 Eagle Harbour Road);

up to and including June 22, 2022, be received.

CARRIED

9. Public Question Period

There were no questions.

10. Next Hearing

Staff confirmed that the next hearing of the Board of Variance is scheduled for July 20, 2022 at 5 p.m.

11. Adjournment

It was Moved and Seconded:

THAT the June 22, 2022 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:41 p.m.

Certified Correct:

s. 22(1)

L. Radage, Chair

s. 22(1)

P. Cuk, Secretary

From: Patrick Weiler <patrick.weiler@parl.gc.ca>
Sent: Tuesday, August 2, 2022 2:46 PM
To: correspondence
Subject: July 2022 MP Newsletter

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Dear Mayor and Council,

With summer in full swing, I hope everyone is enjoying the sun with friends and family, and if you get the chance, I encourage you to attend some of the many amazing events and festivals in communities across our riding. From Harmony Arts in West Vancouver to Bowfest on Bowen, Crankworx in Whistler, Summer Nights at the Gibsons Public Market, and the Sunshine Coast Festival of the Written Arts, there are a lot of fun and exciting local events for everyone to enjoy.

This month, I visited every part of our riding to meet with constituents, small businesses, local leaders, and community organizations. As part of these visits, I had the opportunity to announce federal funding for a series of [major infrastructure projects](#). This includes investments for accessible sidewalk infrastructure in Sechelt, [revitalizing public spaces in](#)

[Gibsons](#), a comprehensive upgrade to [Squamish's Brennan Park Recreation Centre](#), and funding for a [number of organizations](#) doing important work in our riding such as the Squamish Lil'wat Cultural Centre and [One Straw Society](#).

I had the pleasure of welcoming the Prime Minister and two federal ministers to Bowen Island to [announce an additional \\$2 billion to enhance and expand the federal government's Oceans Protection Plan](#). The OPP has invested in the removal and clean up of problem vessels in our riding's waters and in coastal habitat restoration, and is crucial to maintaining and revitalizing the safety and health of our oceans. I look forward to working with our local partners to deliver enhanced programming to protect our shorelines and waters.

Earlier this month, I also had the opportunity to join the Minister of Crown-Indigenous Relations, Marc Miller, and hiwus (Chief) Warren Paull of the shíshálh Nation to [commemorate the recent passing into law of the Nation's new self-governance agreement](#). In Squamish, I was pleased to welcome the Minister of Families, Children and Social Development, Karina Gould, as we [toured childcare facilities in Squamish](#) and highlighted the one-year anniversary of Canada's \$10/day childcare agreement with British Columbia.

As part of our government's work to address affordability across the country, this month also marked the annual increase of the Canada Child Benefit, which is indexed to inflation to help families with the rising cost of living. July also marked a permanent 10% increase in Old Age Security payments for seniors aged 75 and over, meaning that full pensioners will get more than \$800 extra over the first year of its implementation.

The end of July also marked Pride Weekend, where I joined fellow caucus colleagues in my first Pride Parade in Vancouver as your Member of Parliament. It was a scorching day, but I had lots of fun connecting with the LGBTQ2+ community and celebrating the importance of Pride here in our province.

I hope you and your loved ones had a very Happy BC Day long weekend, and as we enter August, I would also like to invite you to join us for our first in-person townhall on August 10 with Minister Jonathan Wilkinson. Details below!



Patrick Weiler's Constituency Youth Council Hosts:

TOWN HALL WITH MINISTER WILKINSON

Wednesday
August 10

5:30pm - 7:00pm
West Vancouver Memorial
Library in the Welsh Hall



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



Hon. Johnathan Wilkinson
MP for North Vancouver
Minister of Natural Resources of Canada

Townhall with Minister Jonathan Wilkinson – August 10

Our West Vancouver-Sunshine Coast-Sea to Sky Country Constituency Youth Council is hosting a community townhall on Wednesday, August 10 with the Honourable Jonathan Wilkinson, Minister of Natural Resources, on the themes of protecting our environment and promoting sustainable natural resource management. This townhall will serve as an opportunity for young people and community members to engage with me and the Minister on some of the most important issues that Canada and the entire planet faces.

The townhall will be held at the West Vancouver Memorial Library. Refreshments will be served.

[To attend, please RSVP by completing this Google form.](#)

Date: Wednesday, August 10, from 5:30-7:00pm.

Location: West Vancouver Memorial Library, Welsh Hall (lower floor) - 1950 Marine Dr, West Vancouver, BC V7V 1J8

Online: A virtual option via social media will also be available and details will be sent to all those who are interested.

For more information, please contact the Constituency Office by phone at (604) 913-2660 or via email at patrick.weiler@parl.gc.ca

Your Canada Child Benefit is going up!



Canada Child Benefit Going Up

July marked the annual increase to the Canada Child Benefit (CCB), which means eligible families can receive up to \$5,903 per child aged 6-17 and \$6,997 per child under the age of 6 each month for the 2022-2023 benefit year.

If your child is eligible for the disability tax credit, you may also be eligible for the child disability benefit. For the period of July 2022 to June 2023, you could get up to \$2,985 (\$248.75 per month) for each child who is eligible for the disability tax credit.

Since the CCB was introduced in 2016, 435,000 children have been lifted out of poverty. With these increases, we will work to continue that trend, giving more money, tax-free, to 9/10 families to help with the cost of raising a child and making life more affordable for those who need it most.

Our government is boosting OAS payments by 10% for seniors over 75.

Here's when you can expect them:



Increase to Old Age Security

After a lifetime of hard work, seniors deserve a secure and dignified retirement. We know though that some seniors face increasing financial stress, and many find themselves struggling to pay for groceries or to fill up their tanks. That is why we are increasing Old Age Security payments permanently by 10% for seniors aged 75 and over.

We are providing this increase to older seniors because as they age, seniors tend to have lower incomes and often face higher health care expenses due to the onset of illness or disability. The rise to OAS represents the first permanent increase since 1973, other than adjustments due to inflation, strengthening the financial security of 3.3 million seniors across the country.



Celebrating Pride 2022

Pride Weekend in Vancouver is always a fun occasion, and I was proud to march with my fellow Liberal colleagues in my first Pride parade since becoming your Member of Parliament. Thank you to all the organizers who made this event such a success.

Pride is a time to celebrate the diversity and many contributions of LGBTQ2+ people and communities, and to reflect on the long journey toward inclusion, equality, and appreciation. We owe so much gratitude to the fearless work of LGBTQ2+ change-makers who came before us, so it is right that we remember the trailblazing activists that risked everything to fight for equality and human rights.

When we think of how Pride started, many of us think about the Stonewall Riots, and while Stonewall was not the first gay rights movement, it served as a catalyst for the gay rights movement in the United States and has served as inspiration for movements around the world. Canada too has its own gay rights history. Though many Canadians now take pride in our country's advancements of LGBTQ2+ rights, it has been a long road to get to this point.

Homosexuality was only decriminalized in 1969, and coincidentally received Royal Assent the day before the Stonewall Riots. The earliest Pride celebrations happened in August 1973 in Ceperley Park in Vancouver and the first Pride parade was in 1978.

In 1978, the Immigration Act came into effect, lifting the ban which had previously prohibited homosexuals from immigrating to Canada, and on May 25, 1995, the Supreme Court ruled in a historic case that the "right to the equal protection and equal benefit of the law without discrimination" should include sexual orientation.

In 1999, the Supreme Court ruled that same-sex couples should have the same benefits and

obligations as opposite-sex common-law couples and equal access to social programs. Six years later in 2005, the federal government under Prime Minister Paul Martin passed same-sex marriage into law – marking a defining moment for marriage equality here at home and around the world.

If you would like to learn more about Canada's Queer history, [I encourage you to visit this website.](#)

Along each step of the way, LGBTQ2+ activists, protestors, and people across the country fought to make these historic steps a reality. Their journeys weren't easy, and challenges remain today. LGBTQ2+ people continue to face disparities, and these challenges are further amplified for people with intersecting lived experiences, including people with disabilities, and Indigenous, Black, and racialized people.

Over the past year, the Government of Canada has made some incredible progress to support the LGBTQ2+ community and build a more equitable and consciously inclusive Canada. New commitments in Budget 2022 will build on this progress, including \$100 million over five years to support the implementation of the forthcoming Federal LGBTQ2+ Action Plan expected to be launched later this year. This Plan will promote LGBTQ2+ equality, protect LGBTQ2+ rights, and seek to address longstanding discrimination against LGBTQ2+ communities.

So as we mark Pride 2022, I encourage you to reflect on and learn about the history of Pride, as we celebrate where we are, how far we've come, and push for an even more inclusive future for everyone.



Photo: Raising the Pride Flag at West Vancouver Municipal Hall

Updates from West Vancouver & Bowen Island



Prime Minister announces funding for the Oceans Protection Plan

As a coastal British Columbian, I have always appreciated the importance of keeping our marine environment clean and healthy. And as your MP, it's been a key driver of my work.

On July 19, I welcomed Prime Minister Justin Trudeau, Joyce Murray, Canada's Minister of Fisheries, Oceans and the Canadian Coast Guard, Omar Alghabra, Canada's Minister of Transport, and Khelsilem, Squamish Nation Council Chairperson, to beautiful Bowen Island. Here we were proud to announce an additional \$2 billion over nine years towards enhancing and expanding the [Oceans Protections Plan](#), otherwise known as "OPP 2.0".

Launched in 2016, this program's funding has already helped re-launch coast guard stations, establish an Indigenous-led coast guard auxiliary, restore coastal aquatic habitats, and remove hundreds of abandoned boats here in our community and across BC. This additional funding will help support and amplify these measures, as we work across our riding along with Indigenous and coastal communities to ensure we keep our oceans and coastlines clean and protected.

Meeting Canada Summer Jobs Students

I also had the opportunity to meet with dozens of Canada Summer Jobs students in the last month here in West Vancouver and Bowen Island who are working in a variety of fields, such as those who work at PJ Kids Club. We are proud to have helped fund these positions to give young people valuable work experience that will help set them up for career success in the years to come.



Celebrating the Harmony Arts Festival

Friday marked the launch of the Harmony Arts Festival, one of West Vancouver's annual flagship events. This year's edition has a great lineup of music, art, and food that is fun for the whole family. It was great to meet so many people, and I invite you to come join in the fun over the next week.

Updates from the Sunshine Coast



Canada Day 2022

On July 1st, I participated in Canada Day events in Sechelt. The day started with a delicious pancake breakfast hosted by the Lion's Club, and an inspiring joint Orange Shirt Walk and Canada Day parade to mark reconciliation on this day of celebration and reflection.

Later that day, I had the pleasure of attending the official opening of the Hackett Park Stage. It was so great to see so many people sitting in the new seats and enjoying the new amenities during the day's festivities. The federal government is pleased to have supported the building of this venue through a contribution of \$101,200 grant from the Investing in Canada Infrastructure Program.



Celebrating shíshálh Nation Self-Governance

On Friday, July 9th, I joined the Honourable Marc Miller, Canada's Minister of Crown-Indigenous Relations, hiwus (Chief) Warren Paull of the shíshálh Nation, and members of the Council for an excursion within the traditional swiya (territory) of the shíshálh to celebrate the coming into law of the shíshálh Nation's modernized self governance agreement. This agreement is a model for Indigenous self-determination and governance across Canada. I was humbled to join the nation in visiting and learning about the rich history and traditions of the shíshálh.



Community Work on the Coast

During my second visit to the Coast from July 20-22, I had a chance to meet some amazing people doing great work in our community. I visited with Sunshine Coast Community Solar Association, who are helping advance solar installations across the Coast, including at the SPCA. There I met the amazing Cody Kelso, who along with his mother, raised over \$33,000, more than \$20,000 of which went towards the new solar panel array at the SPCA.

I also had the opportunity to meet with the Howe Sound Pulp & Paper Mill, the Gibsons Public Market, One Straw Tiny Farm, Sunshine Coast Community Services, and a Seniors Housing Project in Pender Harbour. I finished my trip hearing about the incredible work being done at the Pender Harbour Health Centre and at the Royal Canadian Marine Search and Rescue Station 61 Pender Harbour.



Infrastructure Investments on the Coast

A collection of important federal infrastructure investments were announced in July. Pioneer Park, situated at Five Corners Intersection in Lower Gibsons, will be updated with new accessible public washrooms, bike racks, landscaping, and more seating space with \$138,000 in funding. A federal investment of \$461,400 will complete upgrades to the Woodcreek Park Wastewater Treatment Plant System to ensure residents benefit from improved water quality and a cleaner environment.

Sechelt Inlet Avenue will be upgraded and made more accessible through a federal investment of \$717,000. This will include the installation of new lighting for nighttime visibility, added parking, building amenities, upgraded electrical infrastructure, and tactile landing pads for people with visual handicaps. One Straw Society will also receive a federal grant of \$44,300 to redesign and expand their One Tiny Farm community garden.



Updates from the Sea to Sky



Highlighting Affordable Childcare with Minister Gould

On July 13, it was wonderful having the Minister of Families, Children and Social Development, Karina Gould, in Squamish to celebrate the one-year anniversary of the Canada-wide Early Learning and Child Care (ELCC) agreement with the Province of British Columbia. We visited with local childcare provider and development services organization Sea to Sky Community Services, touring all their incredible programs offered. I also had a chance to meet with Canada Summer Job students and learn more about their work experiences.



Investing in Sea to Sky Communities

I was thrilled to make some incredibly important infrastructure announcements in the Sea to Sky in the last month. First and foremost, on July 15th, I announced a \$11.7 million federal investment to upgrade the Brennan Park Recreation Centre, which has been at the heart of Squamish since 1977 but was in dire need of renovations after 44 years. This will be a deep retrofit project that will upgrade this well-loved and well-used community complex into a more accessible, inclusive, and energy-efficient building. The project will tackle emissions from the largest source in the district and save money for the district through lower operational costs.

Through the Tourism Relief Fund, the Squamish Lil'wat Cultural Centre received a \$220,500 grant for a participatory project that will allow visitors to help carve a 30-foot-long cedar canoe in partnership with expert local Indigenous carvers. The Cheakamus Centre also received \$100,000 funding which will be used to enhance year-round Indigenous cultural and educational experiences while also producing career pathways for local Indigenous youth.

These organizations provide world-class tourism experiences that contribute to our local economy and enhance cultural learning for residents and visitors alike. The programs being supported will also allow visitors to have an enriching opportunity to participate in Truth and Reconciliation here in our community.



More Sea to Sky Corridor Highlights

As always, I had the great pleasure of catching up with business owners, local leaders, and constituents during my two weeks in the Corridor. It's always great to hear directly from people on the ground about the issues and priorities of our region, which helps inform the advocacy I bring forward in government.

Some other Corridor highlights included a great tour and interpretive experience from Glenn at the Britannia Mine Museum for the BOOM show, learning about the incredible and tireless work being done for some of the most vulnerable at Under One Roof in Squamish, and the work of the Whistler Multicultural Society to advance intercultural awareness and support newcomers to the region. I also saw the groundbreaking work at Quantum Technology, which are building hydrogen liquefaction systems that will be a critical component of Canada's and the world's clean energy transformation.

With the Constellation Festival back this year, I was able to join in the fun and see some amazing performances. The month was capped off bright and early with a pancake breakfast at the Squamish Days Loggers Sports Festival. Thanks to everyone who came out to enjoy a morning full of good food and festivities!



OFFICE OF MP PATRICK WEILER
CONSTITUENCY OFFICE: 6367 BRUCE ST., WEST VANCOUVER

OFFICE HOURS: WEEKDAYS
9AM - 5PM



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From: Engineering Department
Sent: Wednesday, July 27, 2022 8:49 AM
To: [REDACTED] s. 22(1); Engineering Department
Cc: correspondence
Subject: Council Correspondence - week ending July 27, 2022 - [REDACTED] s. 22(1)
Attachments: email title TO Moller 2022 07 25 1145-[REDACTED] s. 22(1).pdf

Hello [REDACTED] s. 22(1)

Thank you for the email. Your recommendations have been passed along to the Director of Engineering & Transportation as well as the department Business Manager for consideration.

We are fortunate to have residents that are community-minded and care about where we live. It is important that residents in our community share their thoughts and opinions with staff. We do consider them all and value your feedback.

Best regards,

Engineering & Transportation Services | District of West Vancouver
engineeringdept@westvancouver.ca | 604-925-7020

From: [Redacted] s. 22(1)
Sent: Monday, July 25, 2022 11:45 AM
To: correspondence
Cc: Mary-Ann Booth; Marcus Wong; Bill Soprovich; Nora Gambioli; Sharon Thompson; Peter Lambur; Craig Cameron
Subject: Proposed Waterworks Regulation Bylaw # 4490 2006 Amendment Bylaw 5189 2022
Attachments: July 25 2022 Letter to Mayor &c Water Utility Capital Reserve.pdf

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.

Your Worship,

As you consider the above captioned amendment bylaw and the setting of Water Utility user fees and charges, take note of the variances between the Capital Expenditure actual and budget amounts that have accumulated to the sum of \$16.2 million as at 12/31/2021, which amounts were raised through the levying of user fees and charges and which are not credited to any statutory capital reserve fund as they should be for the purpose of funding future Water Utility fixed capital asset renewal and replacement expenditures and the increasing backlog of fixed capital assets that but for the under-expenditure in past years would otherwise have been addressed.

In the appended letter (PDF format), I argue for the establishment of a statutory capital reserve fund for the purpose of accruing under-expended capital expenditure funds raised via the Water Utility user fee levies of the past four fiscal years and in the current and future fiscal years to ensure that those monies raised from the ratepayers go the purpose for which those monies were originally raised for, i.e., to renew and replace the fixed capital assets of the Water Utility and Waterworks system upon which the viability of our community vitally depends.

Yours sincerely,

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

[Redacted] s. 22(1)

Enc.

July 25, 2022

District of West Vancouver

750 17th Street

West Vancouver, BC

V7V 3T3

Your Worship,

re: Proposed Waterworks Regulation Bylaw # 4490, 2006, Amendment Bylaw # 5189, 2022

A review of the quarterly financial reports for years 2018, 2019, 2020, and 2021, and the annual budget for 2022, and the audited financial report for the year ended 12/31/2021, indicates that the whereas the budgets for those years show that the actual capital expenditures fell far short of the budgeted amounts for capital expenditures, and whereas the Waterworks Regulation Bylaw sets the water usage fees and water utility base fees on the basis of the Water Utility annual budget adopted by Council each year, and whereas the operating surplus in each of the years listed is the result of under-expenditure of revenues for the renewal and replacement of fixed capital assets, and whereas it has come to the attention of the undersigned that the operating surpluses accrued are credited to unappropriated accumulated surplus rather than being set aside in a statutory capital reserve established for the purpose of funding capital expenditures for renewal and replacement of aging Water Utility fixed assets, it is the opinion of the undersigned that establishment of a capital reserve fund pursuant to Part 6 of the Community Charter, Division 4 “Reserve Funds”, section 188 “Establishment of Reserve Funds” for accounting for and controlling such operating surpluses to preserve such revenues for the purpose that those revenues were raised for is an urgent necessity in light of the aging capital assets that support the Water Utility.

As of the end of fiscal year 2021, the cumulative variance of actual to budget of capital expenditures in years 2018 through 2021, totalled \$16.2 million. Based on reasonable estimates of actual vs. budgeted capital expenditures for fiscal years 2022 and 2023, the cumulative variance of actual to budget of capital expenditures will likely have risen to \$21.1 million by the end of 2023. These amounts are comparable to the balance held to the credit of the Endowment Fund, but unlike those monies credited to the Endowment Fund, the accumulated variances of actual to budget of capital expenditures for the Water Utility are not set aside in a statutory capital reserve fund for the purpose of funding capital expenditures for the renewal of the Water Utility fixed capital assets on which the operation and performance of the Water Utility depends. The accumulated variances of actual to budget capital expenditures are added to unappropriated accumulated surplus and as such those revenues not expended on capital asset renewal and

replacement in the year in which the revenues were received are available for use to any of the purposes that Council and Staff deem appropriate at their sole discretion.

Those revenues raised by user fee levies for a capital purpose relating to the renewal and replacement of Water Utility fixed capital assets that are not used for that purpose in the year the revenues were raised, should be credited to a statutory capital reserve for use in future years. The establishment of a capital reserve for this purpose by bylaw in accordance with s. 188 of the Community Charter would (i) be consistent with the practice established for the General Fund capital asset statutory reserve funds, (ii) provide assurance to the ratepayers that the monies paid to the District pursuant to the Water Utility user fees are not being diverted to another purpose unrelated to the Water Utility capital asset renewal and replacement, (iii) provide visibility to the public and the ratepayers of the amounts set aside for the Water Utility capital asset renewal and replacement in a consistent and predictable manner, and (iv) provide a means of improving and enhancing the preparation of annual budgets and management control of monies raised from user fees and other revenue sources related to the Water Utility.

The proposed capital reserve for the Water Utility is consistent in purpose to the General Fund's three statutory capital reserve funds, and it would serve a parallel purpose dedicated to a suite of capital assets that perform an essential service to the community without which the community would not be viable.

I strongly recommend that the Water Utility capital reserve fund be established (a) to receive (i) the accumulated variances of actual to budget capital expenditures from fiscal years 2018 through 2021, (ii) current year and future year variances of actual to budget capital expenditures, (iii) interest earned on balances in the fund, (iv) amounts that Council shall dedicate to the capital reserve fund from revenues raised by the Water Utility through user fees, contributions and other sources, and (b) to fund renewal and replacement of existing and future fixed capital assets of the Water Utility.

Tables listing variances of actual to budget capital expenditures and estimates for the past four years plus the current budget year and next budget year, Water Reserve Fund positions for the same six years, and the estimated unpublished cumulative unappropriated operating surplus net of transfers to the Water Reserve Fund, are annexed for convenient reference.

Yours sincerely,

s. 22(1)

s. 22(1)

West Vancouver, BC

s. 22(1)

enc.: Annex 1

Annex 1: Water Utility Fund – Capital Expenditures – Variances Actual:Budget

Chart 1: Utility Budget Variances – Capital Expenditures – Budget versus Actual

DWWW – Water Utility Capital Expenditures	Year 2018	Year 2019	Year 2020	Year 2021	Year 2022	Year 2023	Average 2018-21
% Variance to Budget	-50.8%	-46.1%	-65.8%	-57.1%	-11.3% (f)	-46.2% (e)	-54.9 %
\$ Variance to Budget	-2.68M	-2.75M	-4.98M	-5.76M	-1.14M (f)	-3.76M (e)	-10.1 M
Cumulative \$ Variance	-2.68M	-5.43M	-10.4M	-16.2M	-17.3M (f)	-21.1M (e)	

Chart 2: Utility Reserve Positions

DWWW – Water Utility Water Reserve Fund (,000)	Year 2018	Year 2019	Year 2020	Year 2021	Year 2022	Year 2023	Cumulative 2018-23
Opening Balance	204	2,763	6,537	10,339	6,768	6,770 (e)	204
Transfers in	2,555	4,180	5,915	4,266	2,697 (e)	8,220 (e)	27,833 (e)
Interest earned	4	83	105	92	72 (e)	73 (e)	429 (e)
Transfers out	-	-489	-2,218	-7,929	-2,768 (e)	-8,263 (e)	-21,667 (e)
Ending Balance	2,763	6,537	10,339	6,768	6,770 (e)	6,800 (e)	6,800 (e)

Chart 3: Unpublished Operating Surplus Positions of the Utilities

DWWW – Water Utility Accumulated Surplus (,000)	Year 2018	Year 2019	Year 2020	Year 2021	Year 2022	Year 2023	Cumulative 2018-23
Opening Balance	-	-	489	2,707	10,636	13,404 (e)	-
Transfers in	-	-	2,218	7,929	2,768 (e)	8,263 (e)	21,667 (e)
Interest earned	-	-	-	-	-	-	-
Transfers out	-	489	-	-	-	-	-
Ending Balance	-	489	2,707	10,636	13,404 (e)	21,667 (e)	21,667 (e)

Notes:

- (e) Estimated by the writer based on prior four years experience of variances actual:budget.
- (f) Forecast taken from the DWV Quarterly Financial Report(s) and Water Utility Budget(s).

From: Natalie Roizman
Sent: Thursday, July 28, 2022 4:24 PM
To: correspondence
Cc: Bill Soprovich; Mary-Ann Booth; Karen Peterson; Nora Gambioli; Craig Cameron; Sharon Thompson; Marcus Wong
Subject: RE: Objection to Logging plans in the Upper Lands slated for this fall

Hello, Paul Hundal,

Thank you for your email regarding the District's upcoming fuel management project. I can certainly understand your concerns and appreciate your interest in the management of our urban forest. Staff understand that trees and forests are essential to West Vancouver's unique character and identity, and we are working to protect the safety of our residents, structures, wildlife and forests.

This forest thinning project is focused on public safety. This project aims to protect residents, structures, wildlife, and forests in the District of West Vancouver.

The Cypress Fuel Treatment Unit area, a six-hectare section of District-owned Upper Lands near the Baden Powell Trail, was recommended for treatment in the 2019 Community Wildfire Protection Plan (CWPP) owing to the following factors:

- the area has been identified as high risk for catastrophic wildfire
- the strategic location for public protection
- presence of hazardous fuels
- protection of critical watershed values
- the presence of high-traffic recreational trails

This forest stand is characterized by densely-forested, mature western hemlock with a smaller component of western redcedar, amabilis fir, and Douglas fir. The largest, fire-resistant, and windfirm trees will be retained. Retention of the largest diameter fire resistant trees such as Douglas fir is considered an important component of the planned project. As mentioned, the first priority of forest thinning is about public safety, and it is not a commercial logging project. After the thinning takes place, if there is usable timber, the District will recover anything merchantable to sell. This ensures that the District is fiscally and environmentally responsible in that no usable timber will be wasted.

As you are aware, the risk of catastrophic wildfire in the Upper Lands has increased in recent years along with the changing climate. As such, there is a need for more proactive management of wildfire risks to ensure continued success in our wildfire response. Given the projected increases in extreme weather, it is prudent to plan treatments for encountering extreme fire conditions.

Fuel management is considered a key element of wildfire risk reduction. Reducing fuels before a wildfire occurs will protect the forest from the risks of high-severity, catastrophic wildfires. Fuel treatments are not intended to, nor will they, decrease the occurrence of wildfire. There is broad consensus in the scientific community and among leading forestry experts on the need to thin forests more proactively to mitigate the potential for catastrophic fire and improve forest ecosystem resilience to climate change.

Within Canada, the practice of fuel management is becoming increasingly important as fire and land managers seek proactive ways to reduce the threat of wildfire to people, property, and natural resources. The District of North Vancouver has been using this practice and strategy successfully for the past ten years.

After fuel management treatment has been completed in this initial area, we will monitor the area for treatment efficacy and any potential environmental effects. An evaluation of blowdown and windthrow effects on the treated stand will be part of this monitoring. If you would like to provide input on what other environmental

values might be considered to include in this monitoring program, please let us know, and staff will reach out to you when the plan is being developed.

For more information on the benefits of forest thinning and to sign up for email updates, please visit: westvancouver.ca/wildfire-plan

Sincerely,

Natalie Roizman she, her, hers
Community Relations Liaison | District of West Vancouver
t: 604-925-7008 | c: 604-721-3776 | westvancouver.ca



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sḵw̱x̱wú7mesh Úxwumixw (Squamish Nation), sə́ilwətaʔ (Tsleil-Waututh Nation), and xʷməθkʷəy̍əm (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.

From: Paul Hundal [REDACTED] s. 22(1) >
Sent: Sunday, July 24, 2022 10:12 AM
To: correspondence; Mary-Ann Booth; Bill Soprovich; Peter Lambur; Nora Gambioli; Craig Cameron; Sharon Thompson; Marcus Wong
Subject: Objection to Logging plans in the Upper Lands slated for this fall

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To Mayor and Council,

Re: Objection to Logging plans in the Upper Lands slated for this fall

We have serious concerns about staff proceeding with the pilot project to selectively log six hectares above the power lines east of Brothers Creek this fall. I have already expressed concerns that the risk being mitigated, of a catastrophic fire on the North Shore, is so small that this whole project is a poor use of funds. The response I've heard was that the provincial government is funding this initial project. However, our examination of the detailed logging plans reveals more safety and ecological concerns that need to be considered. I believe the thinning itself in this forest will increase the risk of blowdown of trees that will present a new safety hazard to the people walking the Trans-Canada Trail that runs through the proposed cut block. The removal of trees that support other trees combined with increased wind blowing through the new gaps created is sure to increase the risk of blowdown which will open up the canopy even further. Also removal of all the understory trees takes away the natural means that a coastal forest heals itself after an event like a windstorm. Your plan takes away all the understory trees of the forest that replace blown down or damaged trees. This is like killing the children before they can replace the adults.

The whole concept of opening up the canopy to reduce the risk of fire is highly questionable. There are forest scientists like Chad T. Hanson south of the border who hotly dispute this modeling (see Smokescreen, 2021). These are just models that have not been proven scientifically to reduce the risk of initiating fires in the short or long run. We challenge staff to produce proper studies that prove this plan will reduce the risk of a fire starting. Instead it is counterintuitive because in the interior, where fires are a part of the natural ecology, the canopies of the forests are naturally more open. The coastal forests on the other hand have far denser canopies and less fire history. Gap regeneration, not fire, is the natural way these temperate rain forests replace themselves on the coast. The dense canopies on the coast create a moist, cool microclimate that makes ignition of fires far less likely and harder to spread because the "fuel" on the ground is moisture-laden or with moss growing on it. It therefore doesn't make sense to deliberately open up the canopy through logging when that will let in more sunlight reaching the forest floor to dry out the wood, and increase heat at the ground level.

There is another element of this pilot project we strongly object to. When I looked at the detailed plans, I discovered that you will be targeting young mature Douglas-fir. Over half the Douglas-fir will be logged (see graph from "prescription" plan below). This makes no ecological sense since these are the most stable, longest living trees in the forest. Douglas-fir is the most fire-resistant tree species in these Temperate Rainforests because of its thick and heat-resistant bark. Logging Douglas-fir only makes sense from a commercial logging perspective because Douglas-fir are also the most commercially valuable species in the proposed cut block. So this begs the question, is the priority commercial logging or the ecological health of the forest? Staff have chosen the commercial logging option which can increase soil

disturbance and hydrological damage because they have to haul whole logs out to be sold. This raises the question, is Council supporting making this a commercial logging operation? If so, why wasn't this voted on publicly?

Species and Diameter Class	Average Crown to Base Height (m)	Average Tree Height (m)	STEMS PER HECTARE (sph)			VOLUME PER HECTARE (m ³ /ha)		
			Existing	Cut	Leave	Existing	Cut	Leave
Layer 1 (> 27.5 cm dbh)*								
Cw	5 - 8 m	34.5	76	9	67	127	6	121
Hw	8 - 15 m	36.7	360	29	331	536	23	513
Fd	10 - 15 m	24.5	19	11	8	12	7	5
Ba	7 - 15 m	35.5	30	10	20	41	7	34
Dead	n/a	14.5	28	10	18	17	1	16
Total Live	7 - 12 m	32.8	485	59	426	716	43	673
Total All Species	7 - 12 m	32.8	513	69	444	733	44	689
Total Conifers	7 - 12 m	32.8	485	59	426	716	43	673

It is completely unacceptable for any of the Douglas-fir in that stand to be logged. They are less likely to blow down because of their superior root stability and they will outlive all the other trees reaching enormous size. This adds much greater "resilience" to the forest over time. That won't happen if you log out the young mature Douglas-fir now. We are lucky to have those Douglas-fir mixed in the stand to provide long term stability and resistance to windthrow. They don't easily grow back naturally under a dense canopy but they have survived here. They are also better suited to climate change as they thrive in places like Oregon which has a hotter climate. That said, it is arguable climate change will bring more rain to the south coast which will reduce fire risk.

We are asking that Council seek an independent review by a forest ecologist chosen by conservationists to assess the appropriateness of these plans before any cutting takes place. People have fought for decades to protect the forests in the Upper Lands. Many Councillors over the years, including those on Council now, have supported protection. Please do not let staff unilaterally undermine that protection now. So much is not known about forest ecology. It is by no means a precise science because we do not see billions of dollars spent every year on research like we do in the medical sciences. In more recent years scientists have discovered processes which we never knew existed like the connections between trees through mycorrhizal networks. So in our opinion there are no true experts in this field because not enough is known. The "prescriptions" are based on modeling that are just working hypotheses. They have yet to be proven through scientific rigor over time. Our analysis above is similarly a hypothesis but there is a lot more science proving the superior resilience of naturally growing Douglas fir to support retaining all those trees and I urge you to rethink these plans now and stop any logging until a fair and thorough process has been followed that directly includes the conservation community and the public.

We strongly suspect the provincial government is pushing this as a make work project for forestry workers but that is not an acceptable justification for logging the Upper Lands. Please stop this logging project now.

Paul Hundal, President [PLEASE DO NOT REDACT NAME]
 Old Growth Conservancy Society
 P.O. Box 91053,
 West Vancouver, BC V7V 3N3

From: Jeremy Calder
Sent: Tuesday, August 2, 2022 11:22 AM
To: s. 22(1)
Cc: correspondence
Subject: Your Correspondence Dated Wednesday, July 27, 2022 Titled "Overreach - Multi Family Parking Garage and Fire Rescue Bylaw No. 5163, 2021"

Dear Mr. Heselgrave,

Your correspondence to Mayor and Councillors has been referred to me for response. I would like to take this opportunity to respond to your concerns.

Regarding your concern of shopping carts, these carts are designed to fit, when folded, in the closet of a suite, or a trunk or back seat of a vehicle. We are asking that they not be stored in your storage garage. We do understand how invaluable these carts are to mobility. A resident is welcome to use the cart for transportation of items to and from their vehicle. As per BC Fire Code, these carts will not be permitted to be stored in the storage garage.

Regarding bicycles, your building may have been constructed with fire-rated storage lockers, bikes should be stored in these purpose-built rooms. Motorcycles and motor scooters are typically accommodated in designated stalls, or in a resident's parking stall should there be adequate space. Certain buildings have created dedicated rated storage rooms for mobility scooters, however, the argument could be made for a contained (fenced) or dedicated storage area for mobility scooters within the common storage garage.

These options are all generally code compliant.

Another typical storage option for bikes (ebikes or 'regular bikes) is to construct a chain-link enclosure in the parkade, to be used as a common bike storage area. This is not specifically permitted in the BCBC, but several of these have been installed in West Van under permit. For buildings with complex code compliance issues, we have asked for a code analysis by a Professional Code Consultant for these installations.

Access and egress through a storage garage in a fire incident is an important consideration for both occupants and first responders. Bikes hung on walls in various locations throughout the storage garage can present a hazard in a fire event, whereas bikes within a chain link fence enclosure, or bikes hung within a resident's enclosed parking area, are contained and would not limit or impede occupants or fire fighters from navigating their way through a potentially smoke-filled storage garage. Depending on the available space in the garage, you may consider hanging several bikes on a wall, and constructing a chain link enclosure around the bikes to contain the space. Chain-link enclosures also do not typically impact fire sprinkler spray patterns, which is a issue to be addressed, along with ventilation and wall construction, when considering constructing a rated storage room.

Should the Strata wish to create more storage space (ie. rated rooms) in the building, a proposal to DWV Planning Department for a Development Permit Exemption (DPE) would be a good place to start. Presented with a floor plan showing parking stalls to be 'repurposed' for storage rooms or enclosures, Planning could review and provide direction or approval related to the conditions of the Development Permit for the original building.

Should a DPE be issued to the strata, the next step would be to obtain a building permit through the Permits and Inspections Department.

Given that every building is constructed with its own unique life safety measures, there is no one-size-fits-all solution for bike storage. However, generally speaking, bike storage areas should be by DESIGN, CONTAINED (ie. fixed in place, in a rated room, a fenced enclosure, or a resident's enclosed parking area), may require a building PERMIT, and may require the involvement of a Professional Code CONSULTANT.

Christie Mills cmills@westvancouver.ca DWV Manager of Permits & Inspections would be happy to review an informal code compliance concept from a Professional Code Consultant with respect to the options above. Often having a consultant provide a few bullet points in an email explaining their code approach and rationale can be an efficient way for her office to provide feedback without requiring a formal code report right up front. She would also be open to reviewing a draft proposal from you in the form of a plan of the storage garage, showing your proposal, prior to you submitting documents for a building permit.

I appreciate your recommendation regarding a committee regarding the interpretation of the Bylaw and BC Fire and Building Code. West Vancouver Fire & Rescue Services is responsible for upholding the *British Columbia Fire Services Act* and the *British Columbia Fire Code*. The *British Columbia Building Code* also applies to the matter at hand. The District of West Vancouver's *Fire Rescue Bylaw No. 5163, 2021 as well as the British Columbia Fire Services Act* provides for a regular system of inspection of hotels and public buildings in the municipality.

Municipal Fire Inspectors are Local Assistants to the Fire Commissioner and are required to ensure compliance with these provincial regulations. A multi-family residential building with a common storage garage is required to be inspected and kept in compliance with *British Columbia Fire Code* regulations. This system of inspections is required by provincial regulations and is therefore not optional for the residents or employees of any municipality in British Columbia. Nor is compliance with the *British Columbia Fire Services Act* and the *British Columbia Fire Code* at the discretion of Mayor and Council.

The *BC Building Code* has specific requirements for storage garages. Violations of the building code are enforced in conjunction with the Permits & Inspections department and Building Inspectors.

I encourage you to contact Christie Mills cmills@westvancouver.ca DWV Manager of Permits & Inspections to explore you possible bicycle storage options.

Thank you,
Jeremy

Jeremy Calder
Assistant Chief | Fire Prevention
West Vancouver Fire Rescue
t: 604-925-7381 | c: 604-808-5180 | westvancouver.ca/fire



We acknowledge that we are on the traditional, ancestral and unceded territory of the Skw̓wú7mesh Úxwumixw (Squamish Nation), sə́ilwətaʔ (Tsleil-Waututh Nation), and xʷməθkʷəy̓əm (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.

From: Barry Heselgrave [REDACTED] s.22(1)
Sent: Wednesday, July 27, 2022 8:58 AM
To: correspondence
Cc: [REDACTED] s. 22(1)
Subject: Overreach - Multi Family Parking Garage and Fire Rescue Bylaw No. 5163, 2021

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Mayor and Councillors

I am writing on behalf of the owners of Navvy Jack West at 2108 Argyle Avenue. We have a parkade that passed the annual fire inspection annually from the 1970's until this year. A careful review of the revised Fire Rescue Bylaw No. 5163, 2021 and of the Fire Inspection Guidelines on the Municipal website provides a good understanding of the need for a more stringent application of the bylaw and the distinction between a storage garage and a storage space. Needless to say, our strata has dealt with the short term clean up of so called accumulated combustibles and will turn its attention to the resolution of storage space issues in our storage garage before January 2024.

We believe that there are a couple of areas of "overreach" in the new interpretation of what is allowed in a storage garage. These areas are as follows:

1. The banning of shopping carts from parking stalls in a storage garage. Our apartment has an aging demographic and a shopping cart is a necessity in carting groceries from the car to the owner's suite. It is often impractical to keep the cart in the car trunk because groceries usually end up there! Accidents are going to happen if residents are required to carry their groceries to their suites without the benefit of a cart. On review of the guidelines, a grocery cart falls into a grey area and requires a practical interpretation as to whether it should be permitted or not. It is not a combustible. It is not quite a mode of transportation such as a car, bicycle, scooter or motorcycle. However, it is important in conveying groceries!
2. The storage of bicycles. Our parkade or storage garage, like many others, has a couple of sites for the parking of bicycles. They are situated in alcove areas in the storage garage and do not impede access. It was suggested that bicycles should be housed within a chain link fence area. As a practical matter, there should be discretion as to whether a chain link fence is required or not depending upon the storage garage layout.

We would ask that Council consider the items that we have characterised as "overreach" and direct the Fire Department to apply reasonable judgement to the matter of allowing shopping carts in the parkade and not demanding bicycles be behind a chain link fence in the parkade provided that the bicycles are not blocking access within the parkade.

We would offer one additional recommendation for Council consideration. It is based upon the anger and feedback that the Council has and will continue to receive regarding the reinterpretation of the Bylaw and guidelines as they pertain to storage garages. Please consider forming a small committee with representation from the Fire Department, the community (multi-family representation), someone with municipal building code expertise and perhaps a member of Council. This committee would provide advice to Council on a reasonable

interpretation and a practical application of the Fire Rescue Bylaw which meets the needs of the Municipality, Fire Department and the multi-family community of West Vancouver. It should be noted that the author of this letter served as Chair of the Advisory Fire Committee for West Vancouver a number of years ago. Had we had such a Committee providing input to the Council today, many of the present issues would have been taken into consideration on implementation of the new Bylaw.

Thank you on behalf of our Strata Council for your consideration of the above.

Barry Heselgrave
Strata Chair, VR212
s.22(1) 2108 Argyle Avenue
West Vancouver, BC
V7V 1A4