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THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER
REGULAR COUNCIL MINUTES
MUNICIPAL HALL COUNCIL CHAMBER
MONDAY, APRIL 20, 2009

COUNCIL:

Mayor P. Goldsmith-Jones; Councillors M. Evison, M. Lewis, T. Panz, M. Smith, W.S. Soprovich, and S. Walker.

STAFF:

G. McRadu, Chief Administrative Officer; B. Leigh, Deputy Chief Administrative Officer; S. Scholes, Municipal Clerk; R. Laing, Director of Finance; G. Boyle, Manager of Planning; B. Dozzi, Manager of Roads and Transportation; S. Ketler, Manager of Community Services/Director of Operations; and A. Marut, Recording Clerk.

CALL TO ORDER

The meeting was called to order at 7:00 pm.

Signing Ceremony: Spirit Trail Greenway Statement of Cooperation

Mayor Goldsmith-Jones invited Mr. Mansoor Lalji (Park Royal Shopping Center) and Chief Gibby Jacob (Squamish First Nation) to come forward. Mayor Goldsmith-Jones read out the Spirit Trail Greenway Statement of Cooperation which was then signed by Mayor Goldsmith-Jones, Chief Gibby Jacob and Mr. Mansoor Lalji.

Chief Jacob and Mr. Lalji each provided remarks with respect to the Spirit Trail Greenway.

Mayor Goldsmith-Jones noted that the West Vancouver Third Wolf Cub Pack (25 members) were in attendance, commented on the letter she received from one of the Cub Scouts and invited Cub Scout W. Honcharuk to come forward to read out his letter. The Cubs and leaders then came forward to shake hands with the Mayor and Councillors, and Chief Jacob and Mr. Lalji.

Mayor Goldsmith-Jones spoke relative to the second open space strategic planning session at the West Vancouver Memorial Library on Saturday, April 25, 2009 at 9:00 am.

12.1

APPROVAL OF AGENDA

1. Approval of April 20, 2009 Regular Council Meeting Agenda

MOVED by Panz, seconded by Soprovich:

THAT the April 20, 2009 Regular Council Meeting Agenda be amended by

- adding report for Item 7 regarding Request for Order of Non-Enforcement of Sounding of Train Whistles Prohibition Bylaw No. 1684, 1958 West Coast Railway Association – Exemption from Train Whistles Prohibition Bylaw;
- adding to Correspondence List item (9.1).

AND THAT the agenda be approved as amended.

CARRIED

ADOPTION OF MINUTES

2. **Adoption of April 6, 2009 Regular Council Minutes**

MOVED by Soprovich, seconded by Panz:

THAT the following Minutes be adopted as circulated:

- April 6, 2009 Regular Council Meeting.

CARRIED

DELEGATION

3. **K. Ferguson, Ecojustice, regarding proposed Species and Ecosystem Protection Act (SEPA) for the Province of British Columbia (File: 0055-01)**

K. Ferguson (Ecojustice) spoke relative to the proposed Species and Ecosystem Protection Act (SEPA), requested Council's endorsement for the proposed legislation, and provided a PowerPoint presentation with respect to the province's biodiversity, BC species at risk, legal problem, legislation related to the proposed Act, elements of SEPA, impact on municipalities, and their request for Council's endorsement of the proposed legislation.

Discussion ensued and an amendment to the recommendation was proposed.

MOVED by Panz, seconded by Walker:

THAT the presentation from K. Ferguson representing Ecojustice regarding the proposed Species and Ecosystem Protection Act (SEPA) be received; and that West Vancouver endorses the Species and Ecosystem Protection Act.

Mayor Goldsmith-Jones requested that the motion be divided.

MOVED by Panz, seconded by Walker:

THAT the presentation from K. Ferguson representing Ecojustice regarding the proposed Species and Ecosystem Protection Act (SEPA) be received.

CARRIED

12.2

Discussion ensued relative to the amendment to the recommendation previously proposed and consideration of appropriate action.

MOVED by Panz, seconded by Soprovich:

THAT Council ask for a report back on this matter from the Manager of Sustainability.

CARRIED

REPORTS

4. Notice of Motion regarding Keeping Poultry in Single Family Residential Zones (File: 1610-20-4545/1610-20-2200)

L. Bauman (6240 Summit Avenue) provided background information relative to her request for Council's consideration of keeping chickens.

MOVED by Evison, seconded by Soprovich:

THAT a staff report regarding an amendment to Animal Control and Licence Bylaw No. 4545, to permit the keeping of poultry in a single family residential zone, be brought forward for Council's consideration.

Discussion ensued relative to the City of Vancouver's reconsideration of keeping chickens, bylaw provisions, and Council's current priorities.

L. Holitzki (Manager of Permits and Inspections/Bylaws) provided clarification relative to bylaw provisions, and the bear concerns with respect to keeping chickens.

The question was called on the motion.

DEFEATED

**Mayor Goldsmith-Jones and
Councillors Lewis, Panz, and Smith voted in the negative**

5. Marine Drive Transit Priority Project (Over Capilano River) (File: 0175-20-TRAN3)

B. Dozzi (Manager of Roads and Transportation) spoke relative to recent studies relative to the replacement of the blue Bailey bridge over Capilano River and unobstructed access along Marine Drive, components of the bridge replacement and construction plan, and noted that construction is planned to commence at the 2010 Winter Olympic and Paralympic Games. Discussion ensued and B. Dozzi responded to queries of Council.

MOVED by Walker, seconded by Evison:

THAT the information be received regarding Marine Drive Transit Priority Project Over Capilano River.

CARRIED

6. Remedial Action for Removal of Piles of Household items, Other Objects and Materials at 960 Sentinel Drive (File: 1605-01)

MOVED by Lewis, seconded by Soprovich:

THAT Council consider and pass the following resolution:

Council considers that the piles of household items, materials and other objects (the "Piles") located on the Property at 960 Sentinel Drive, West Vancouver, British Columbia, and legally described as PID: 007-375-573, Lot 2, Block 4, North $\frac{3}{4}$ of District Lot 1049, Plan 6634 (the "Property") which is owned by Henry Alexander Smood and Irene Grace Smood (the "Owners") creates an unsafe condition that poses a significant risk to the safety of firefighters and interferes with their access and ability to effectively respond to a fire on the Property or on neighbouring parcels, all of which increases the danger of fire.

Council also considers that there is a danger to people living on or visiting the Property, especially wandering children due to the likelihood of the Piles collapsing.

Council therefore resolves that within 40 days of receiving a copy of this resolution, the Owners of the Property are required to:

1. Disassemble the Piles and relocate or dispose of the Piles' contents in accordance with the Firefighter Access Requirements set out in Fire Inspectors Report attached as "Appendix 1" to the Report entitled "Remedial Action for Removal of Piles of Household items, Other Objects and Materials at 960 Sentinel Drive" dated April 6, 2009 (the "Staff Report")
2. Accurately and clearly label all containers with unidentified liquids. Remove all hazardous or flammable liquids in accordance with Federal, Provincial and local environmental regulations.

(Collectively the "Remedial Action Requirement")

In the event the Owners have not performed all or part of the Remedial Action Requirement within 40 days after notice of this resolution is delivered to the Owners, the District may, by its own forces or those of a contractor engaged by the District, enter the Property and perform the Remedial Action Requirement.

In the event the District takes the above referenced action the District may recover the expense from the Owner, together with costs and interest, in the same manner as municipal taxes in accordance with sections 17, 258 and 259 of the Community Charter.

Discussion ensued relative to the required action.

The question was called on the motion.

CARRIED

12.4

7. Request for Order of Non-Enforcement of Sounding of Train Whistles Prohibition Bylaw No. 1684, 1958 West Coast Railway Association – Exemption from Train Whistles Prohibition Bylaw (File: 1605-01)

MOVED by Smith, seconded by Soprovich:

THAT

1. Council approve the request from the West Coast Railway Association for an Order of Non Enforcement of section 1 and section 1(A) of Sounding of Train Whistles Prohibition Bylaw No. 1684, 1958 to permit the Royal Hudson Steam Train to blow it's steam whistle within West Vancouver on April 26th, May 12th and September 19th, 2009.
2. Council authorize staff to waive the required \$150.00 fee under the Fees and Charges Bylaw No. 4414, 2005 for processing Orders of Non-Enforcement of regulatory bylaws with work/project time frames of less than two weeks.

CARRIED

CONSENT AGENDA ITEMS

8. Consent Agenda Items – Reports and Correspondence

MOVED by Soprovich, seconded by Lewis:

THAT the Consent Agenda items as follows be approved:

- Item 9 – Youth Safe House – Update
- Item 10 – West Vancouver Community Grants Committee Appointments
- Item 11 – Appointment of Council Representatives
- Item 12 – Correspondence List, with the exception of item (3).

CARRIED

REPORTS FOR CONSENT AGENDA

9. Youth Safe House – Update (File: 2630-07-02)

THAT the report on the Youth Safe House from the Community Planner – Social Services dated April 7, 2009 be received for information.

10. West Vancouver Community Grants Committee Appointments
(File: 0116-20-CGC1 / 0920-07-02)

THAT the following appointments to the Community Grants Committee be approved:

1. From the Community Grants / Social Services Review Working Group
 - Pattie Donnelly
 - Zarrin Sadeghi
 - Cecil Scantland
 - Sonja Sanguinetti
- From the Arts & Culture Strategy Implementation Working Group
 - Ieva Cornford
 - Bryony Reid
 - Coral Winfield
- From the Seniors' Activity Centre Advisory Board
 - Ed Collins
- From the Museum Advisory Committee
 - Karen Duffek
- As the Community Member at Large (Youth)
 - Julianne Yeager

AND THAT the Community Grants Committee Terms of Reference be revised in section 4.1 (Membership) to delete the requirement for one member from the West Vancouver Community Centres Services Society Board.

11. Appointment of Council Representatives
(File: 0116-20-CGC1/0920-07-02/0055-20-CSNS1)

THAT the following appointments for Council Representatives approved for the term ending December 31, 2009:

- Coho Festival Society of the North Shore: Councillor Soprovich
- Community Grants Committee: Councillor Panz.

12.6

CORRESPONDENCE LIST FOR CONSENT AGENDA

12. Correspondence List (File: 0120-24)

Discussion ensued with respect to item (3) regarding Removal of Yoga Stretch from the "Fitness/Wave" Passes relative to the Community Centre Board. S. Ketler (Manager of Community Services/Director of Operations, West Vancouver Community Centres Services Society) provided information regarding the Community Centre Board's involvement, the meeting with concerned residents, and the review to be conducted in six months.

MOVED by Soprovich, seconded by Lewis

THAT Correspondence item (3) regarding Removal of Yoga Stretch from the "Fitness/Wave" Passes be received for information.

CARRIED

Correspondence received up to April 3, 2009

Requests for Delegation

No items presented.

Action Required

No items presented.

No Action Required (receipt only)

- (1) Committee and Board Meeting Minutes
 - (a) West Vancouver Design Review Committee – February 25, 2009
- (2) Riverview Preservation Society, March 23, 2009, regarding Request for Support to Preserve Riverview Lands
- (3) Letter signed by 54 residents, March 27, 2009, regarding Removal of Yoga Stretch from the "Fitness/Wave" Passes
- (4) D. Corrigan, Mayor, City of Burnaby, March 24, 2009, regarding Six Storey Wood-Frame Residential Buildings
- (5) BC Non Profit Housing Association, April 2, 2009, regarding Call for Proposals – BCNPHA 17th Annual Conference on November 16, 17 and 18, 2009

Responses to Correspondence

- (6) B. Dozzi, Manager of Roads and Transportation, March 23, 2009, regarding District of West Vancouver Snow Clearing Program
- (7) B. Dozzi, Manager of Roads and Transportation, March 27, 2009, regarding Pedestrian Sidewalk on 2400 Block of Marine Drive

Responses to Questions in Question Period

No items presented.

Correspondence received up to April 15, 2009

Requests for Delegation

No items presented.

Action Required

- (8) P. Jones, Integrated Land Management Bureau, Ministry of Agriculture and Lands, April 2, 2009, regarding Proposed New Provincial Initiative Consultation and Engagement Between First Nations and Provincial Agencies

Referred to Deputy Chief Administrative Officer for consideration and response.

- (9) April 6, 2009, regarding Ambleside Park Noise Complaint

Referred to Director of Parks and Community Services for consideration and response.

- (9.1) M. Furey, Ministry of Community Development, March 31, 2009, regarding approved grant for infrastructure works programming (On Table)

Referred to the Director of Engineering and Transportation for consideration and response.

No Action Required (receipt only)

- (10) R. Collins, West Vancouver Cricket Club, April 13, 2009, regarding West Vancouver Cricket Club Member Playing for Canada - World Cup Qualifying Campaign

- (11) Mayor J. Perrault, Federation of Canadian Municipalities, and Hon. J. Baird, Minister of Transport, Infrastructure and Communities, April 3, 2009, regarding Update on Federal Infrastructure Funding

- (12) April 11, 2009, regarding Proposed Additional Playing Field in Ambleside

- (13) S. Hean, Interested Taxpayers Action Committee, April 9, 2009, regarding Revenues to the District

- (14) D. Turje, Office of the Registrar, April 8, 2009, regarding British Columbia Youth Parliament

- (15) M. Booth, West Vancouver Board of Education, April 2, 2009, regarding Appreciation for Winter Snow Clearing

- (16) D. Corrigan, Mayor, City of Burnaby, April 7, 2009, regarding Metro Vancouver Regional Growth Strategy Request for Municipal Comment

- (17) S. Dowey, City of North Vancouver, April 8, 2009, regarding E-Comm Board of Directors Designate for 2009/2010

Responses to Correspondence

No items presented.

Responses to Questions in Question Period

No items presented.

12.8

REPORTS FROM MAYOR AND COUNCILLORS

13. Oral Reports from Mayor and Councillors

Councillor Panz reported on Earth Day celebrations at the new community centre, and awards for zero waste challenge given by Mayor Goldsmith-Jones to West Vancouver Secondary and Rockridge Secondary high school students.

Councillor Soprovich reported on attendance together with Mayor Goldsmith-Jones at the Spirit Trail Working Group meeting.

Councillor Lewis reported on the opening of Sentinel Secondary School's theatrical production Beauty and the Beast at the Kay Meek Theatre.

Councillor Evison reported on attendance, representing Mayor Goldsmith-Jones, at the North Shore Sports Awards Night at Park Royal, and at the recent concert with Ambleside Orchestra and the West Vancouver Youth Band at St. Catherine's Church.

MOVED by Evison, seconded by Panz:

THAT the oral reports from Councillors Panz, Soprovich, Lewis, and Evison be received for information.

CARRIED

PUBLIC QUESTIONS AND COMMENTS

14. Public Questions and Comments

B. McArthur spoke relative to the numerous signs on the highway announcing provincial projects.

ADJOURNMENT

15. Adjournment of April 20, 2009 Meeting of Council

MOVED by Smith, seconded by Soprovich:

THAT the April 20, 2009 Meeting of Council be adjourned.
(8:15 pm)

CARRIED

Certified Correct:

MAYOR

MUNICIPAL CLERK

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12.10