

## **COUNCIL CORRESPONDENCE UPDATE TO JULY 13, 2022 (8:30 a.m.)**

### **Correspondence**

- (1) July 6, 2022, regarding “Cats roaming”**
- (2) 2 submissions, July 9 and 10, 2022, regarding Fire Rescue Bylaw No. 5163, 2021**
- (3) 13 submissions, July 8-12, 2022, regarding Proposed Development Permit 20-105 for 2452 to 2496 Marine Drive**
- (4) Committee and Board Meeting Minutes – Arts Facilities Advisory Committee and Subcommittee meetings April 7, May 24, and June 2, 2022; Community Engagement Committee meetings May 17 and June 1, 2022; Board of Variance hearing May 18, 2022; and Art Museum Advisory Committee and Subcommittee meetings May 25 and 31, and June 7, 2022**

### **Correspondence from Other Governments and Government Agencies**

No items.

### **Responses to Correspondence**

- (5) Fire Chief, July 6, 2022, six responses regarding Fire Rescue Bylaw No. 5163, 2021**
- (6) Parks Stewardship Manager, July 7, 2022, response regarding Pickleball at Hugo Ray Park**
- (7) Parks Stewardship Manager, July 7, 2022, response regarding Pickleball at Hugo Ray Park**
- (8) Parks Stewardship Manager, July 7, 2022, response regarding Pickleball at Hugo Ray Park**
- (9) Parks Stewardship Manager, July 7, 2022, response to West Vancouver Cricket Club regarding Pickleball at Hugo Ray Park**
- (10) Assistant Chief of Fire Prevention, July 12, 2022, four responses regarding Fire Rescue Bylaw No. 5163, 2021**

---

**From:** s. 22(1)  
**Sent:** Wednesday, July 6, 2022 1:35 PM  
**To:** correspondence; MayorandCouncil  
**Subject:** Cats roaming

**CAUTION:** This email originated from outside the organization from email address 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.

Dear Mayor and Council

After habitat loss, outdoor roaming cats are the #1 source of human-related wild bird mortality, killing as many as 350 million wild birds every year in Canada alone. Of these, about one-sixth, or over 58 million bird deaths per year are by owned pet cats who are allowed unsupervised outdoor access (Blancher, 2013). In addition to birds, roaming cats prey on native wildlife like bats, snakes, amphibians and small mammals, negatively impacting natural ecosystems. Worldwide, cat predation is the primary threat to 38 critically endangered species and has caused the extinction of 63 species (Doherty, et al., 2016).

I think it's time for West Vancouver to do the right thing when it comes to a cat roaming bylaw.

s. 22(1)

s. 22(1)

WV s. 22(1)

s. 22(1)

s. 22(1)

West Vancouver, BC s. 22(1)

Sent from my iPhone

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Saturday, July 9, 2022 10:33 AM  
**To:** correspondence  
**Cc:** Mary-Ann Booth  
**Subject:** [REDACTED] s. 22(1), West Vancouver

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.

Dear Mayor Booth,

We are writing to express our concern relating to the requirement that we remove from our garage ALL items except cars, bikes or watercraft.

All the units in our building have large garages capable of parking at least three cars. Most residents only have a single or two cars leaving a considerable amount of space unused.

The garages are fully separated, sprinklered and comply with current building regulations.

We understand that combustible and dangerous items should be prohibited from being stored within the space but feel to ban all other storage is unreasonable and should be reconsidered.

Your attention to this matter would be appreciated, [REDACTED] s. 22(1),

[REDACTED] s. 22(1)

West Vancouver,

[REDACTED] s. 22(1)

**From:** s. 22(1)  
**Sent:** Sunday, July 10, 2022 3:25 PM  
**To:** correspondence  
**Cc:** Robert Bartlett; Dave Clark  
**Subject:** Fire Rescue Bylaw 5163, 2021

**CAUTION:** This email originated from outside the organization from email address 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.

Dear Madam Mayor and Council;

**Re: Fire Rescue Bylaw 5163, 2021**

I am a resident of s. 22(1), a West Vancouver owner-occupied townhouse development affected by the recently enacted Fire Rescue Bylaw 5163, 2021. I have read in the Council correspondence the many complaints and pleas from residents in various multi-family buildings similarly affected, and the unconvincing responses from the District Fire and Rescue Service (FRS). Complaints by me on behalf of the Strata Council of s. 22(1) and others, were directed to District staff but with little satisfaction received in reply to date. In fact, the FRS has declined to further discuss the issue with me, hence this message to you, the District Council, highlighting the several following serious concerns for your consideration.

**Due Process.** Sadly, a disregard for public input, especially from key stakeholders, is evident throughout the bylaw preparation and enactment process as well as its implementation. The Bylaw came therefore as a complete surprise. The enactment process has effectively prevented an appeal against the Bylaw within the statutory period as is the right of an aggrieved party. I submit that this process was contrary to the public participation policy of the BC Government and its Fire Commissioner, as well as the District, and has contributed to a flawed outcome.

**Discriminatory Targeting.** Single family homes with storage garages, although falling within the scope of the Bylaw, are not (yet) targeted by its enforcement. Enforcement currently targets multi-family buildings with storage garages, including townhouses. Storage garage space layouts, usage and ownerships differ from building to building. In some cases, including the s. 22(1) townhouses the space includes on-title, i.e., privately owned, enclosed garages which are directly adjacent and connected to their respective owner’s dwelling, akin to a single-family home.

The enclosed and sprinklered storage garage arrangements at s. 22(1) were approved by municipal staff at the time the occupancy permit was issued s. 22(1) and, until 2022, have passed muster in annual inspections by the FRS, as well as random inspections by our insurers.

As you must be aware, long established customary use of space in private garages includes, together with adequate access aisles, storage of sundry items unsuitable for storage inside the living areas of a dwelling, such as tools and maintenance equipment. Obtaining alternative convenient storage space or employing contractors to carry out routine tasks previously carried out personally by occupants using the tools and equipment formerly stored on site, adds to the negative financial (and social) impact on occupants and owners potentially caused by the Bylaw as enforced.

**Scope.** Bylaw enforcement is lumping townhouses together with multi-storey apartment buildings (the latter being defined as “hotels” by the Fire Code and subject to mandatory annual inspection by the FRS). In fact, single level strata plans, such as townhouses, do not fall within the scope of the “hotel” definition. Moreover, new townhouse building permission and inspection is subject to Part 9 of the Building Code (Single Family and Small Commercial) as distinct from Part 3 (Multi-family and Industrial) which applies to multi-level apartment buildings.

The blunt enforcement of the Bylaw imposes transition and operational costs on owners and occupants, and significantly reduces the amenity and market value of the townhouses concerned. It also interferes with occupants' enjoyment of their property, not least in view of a loss of privacy due to a mandatory monthly inspection of storage garages – an inspection regime not (yet) mandatory for storage garages adjoining single-family buildings.

**Content Definitions.** The legal authorities for the Bylaw provisions and their interpretation by FRS regarding storage garage contents are unclear and in the case of townhouses appear inconsistent with related Building and Fire Code provisions.

I understand that fire protection of storage garages at s. 22(1) complied with the Building Code fire protection and suppression requirements for “low hazard industrial spaces with storage and parking as major occupancy classifications”. In such spaces the Building Code permitted up to 50kg of unspecified stored materials per square metre of floor space. Moreover, the BC Fire Code allows storage of a limited quantity of flammable liquids in a garage or shed attached to a dwelling unit (and a smaller quantity in a dwelling itself). It is unusual for secondary legislation to stipulate more stringent terms than senior statutes.

The garage content standard of the Bylaw stems from interpretation of the *definition* of a ‘storage garage’. In the BC Building Code it is defined as “.....a building or part thereof intended for the storage or parking of motor vehicles.....”. However, the Bylaw definition implies secondary uses but arbitrarily restricts content allowable in such garages. In allowing “...other vehicles, not limited to bicycles and boats...” to also be stored, some discretion in interpretation of the Code is evident. However, all other items are currently expressly forbidden and must be removed, but the omission of items permitted by the Building and Fire Codes has not been justified.

**Justification.** The purpose and benefit of the Bylaw provisions and their enforcement with respect to storage garages in general are obscure. No factual evidence has been presented by FRS to justify or show any socio-economic benefit caused by the change to the *de facto* policy in place prior to 2022. Province-wide statistics available in the annual reports of the Fire Commissioner show that less than 5% of residential fires occur in garages (of all types) and, while causing a small number of unspecified injuries, have caused no fatalities. In s. 22(1) case there have been no fire incidents of any kind during the past s.22(1) years notwithstanding their accepted use for mixed storage.

Residential garage fires were not noted by the Fire Commissioner in his 2021 annual report as a priority for future prevention measures and there must, I surmise, be an even lower priority in West Vancouver where the probability of such fires appears exceedingly low. I’m guessing at this because West Vancouver fire incidence statistics have not been made publicly available since the FRS report to Council in February 2019 regarding 2018 experience. I suggest such evidence is essential in evaluating the net economic impact of the Bylaw, which would be an important factor in assessing the relative efficiency in use of the resources required by its enforcement.

**Implementation.** The effectiveness and sustainability of the Bylaw enforcement regarding storage garages is highly questionable. The FRS evidently has insufficient capacity to adequately monitor compliance and is asserting reliance on the respective strata corporations to manage potential fire risks to their strata property. I believe such an approach in the case of storage garage monitoring to be infeasible. Mandatory monthly inspections of their neighbours by the volunteer strata council are in any case not a recipe for harmony in a small community and may be at odds with the Canadian Charter of Rights and Freedoms.

Strata corporations are required by the BC Strata Property Act chiefly to undertake care of the strata common property and strata bylaw enforcement, and must do so through a Strata Council elected annually from among the owners and eligible occupants who volunteer. Few strata councils are competent to comply with the FRS requirements. In the case of large strata corporations, a professional property manager is typically employed to assist the Strata Council and to manage various operational tasks. This is rarely so in the case of small corporations such as s. 22(1) which, chiefly for reasons of economy and perceived low value-added by the service, rely on self management through the voluntary efforts of strata council members. Such efforts naturally reflect the competence and ability of the volunteers. For many operational tasks professional services should be (albeit not always) obtained.

The standard strata bylaw regulations of the Strata Property Act require strata lot occupants not to use their lots in a way that would cause a nuisance or a hazard to other occupants. Significantly, strata councils have no automatic right of entry to the private property of their owners other than to attend to common property matters related to a strata lot. Alleged contraventions of strata bylaws are typically addressed by a strata council in reaction to receipt of a written complaint. Remedies when needed are often disputed and can proceed via the BC Civil Resolution Tribunal, at no small expense. Statutory penalties for violations are risible.

The hiring of a professional service to assess a complaint and recommend such remedial measures as required, would impose a further administrative and financial burden to the s. 22(1) community unjustified by the building's existing, well maintained fire suppression system, and the actual zero fire incident record of a responsible tenancy, indicating a very low probability of a conflagration.

**In summary**, aside from its questionable legal basis, missing factual justification and infeasible sustainability, enforcement of Bylaw 5163, 2021 on townhouses with contiguous private storage garages is patently unreasonable. Enforcement imposes potentially significant administrative and financial burdens on occupants, owners, and their strata councils for little, if any, benefit of demonstrably improved safety. It is worth noting that such burdens weigh against the feasibility of townhouse developments as a viable solution to the affordable housing crisis facing West Vancouver.

Also worth noting, enforcement of the Bylaw in existing open plan storage garages lacking separate protected bike storage space, does not support Council's strategy for a transportation modal shift from single car occupancy to bicycles and e-bikes. Bikes and e-bikes require convenient, secure storage and the facilities to service (and recharge) them.

While the safety net provided by the District's excellent Fire and Rescue Service is much appreciated, I feel that the Bylaw 5163, 2021 storage garage provisions and their enforcement scheme does little credit to the Service or to the BC Fire Commissioner, whose recently expressed views of campaigns to improve fire protection are as follows (emphasis added):

*"Fire prevention education campaigns that are **evidence[d] based** and target geographic areas, specific problems and groups, are most effective.*

*...the key to success lies with the development of **sustainable** fire prevention programs that work in **partnership** with other stakeholders and service providers."*

For all the foregoing reasons I urge Council to reconsider the storage garage provisions of Bylaw 5163 and their enforcement with a view to exempting existing townhouse developments with private storage garages from the scope of the Bylaw and its enforcement by:

- (a) recognizing townhouses, duplexes and triplexes with private storage garages as effectively being single family buildings for the purposes of the Bylaw implementation; and pursuant to such exemption,
- (b) also by ceasing mandatory monthly and annual inspections of townhouse storage garages by the FRS and by cancelling all alleged violation remediation orders issued by the FRS prior to the exemption approval by Council;

Thank you for your consideration.

Yours sincerely, s. 22(1)

s. 22(1)

West Vancouver BC s. 22(1)

**From:** [REDACTED] s. 22(1)  
**Sent:** Friday, July 8, 2022 2:29 PM  
**To:** correspondence  
**Subject:** The development of 2452-2496 Marine Drive

**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.

Date: July 8, 2022

Mayor and Councilors  
District of West Vancouver

My name is [REDACTED] s. 22(1) and I certify that I am a resident of West Vancouver. Thank you for your service to our community. I am writing today to let you know how I feel about the proposed development at 2452-2496 Marine Drive in Dundarave and more specifically, the proposed variance that the developer has requested.

The developer, IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 45.1'. I strongly oppose the granting of this variance.

- The current C2 height limit per current zoning is 35.2'
- The OCP allowable maximum height is 40.1' (if approved)
- The variance sought for the Dundarave development is 45.1' NOT including the additional height of roof gardens, elevator overruns, stair case overruns, railings, air handling equipment etc which will increase the overall height exponentially. This is a full 10' or more higher than the current height of the IGA

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the

village. The proposed increase in height contravenes our own zoning regulations and is far too high for this location.

I implore you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor development. Please keep Dundarave as the charming, welcoming village it has always been and do not approve this height increase variance application.

Please vote “NO” on the proposed height variance requested for the Dundarave Village development and maintain the maximum height as defined by the current zoning and the OCP.

Yours truly,

Name: [REDACTED] s. 22(1)

Address: [REDACTED] s. 22(1), West Vancouver, BC



---

**From:** [REDACTED] s.22(1)  
**Sent:** Friday, July 8, 2022 3:40 PM  
**To:** correspondence  
**Subject:** Proposed Development Permit for 2452 to 2496 Marine Drive

**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.

Dear Mayor and Council,

As a long-time property owner in Dundarave ([REDACTED] s. 22(1)) and business owner ([REDACTED] s.22(1)), I am writing to support the proposed development for 2452 to 2496 Marine Drive.

My wife [REDACTED] s. 22(1) and I both support the proposal. We think it will add appropriate residential density to the block. This will be good for local businesses.

This part of Dundarave is looking pretty tired these days. We really like the new look in the proposal.

Please vote to support this proposal.

Please

With gratitude,

[REDACTED] s.22(1)

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Saturday, July 9, 2022 3:35 PM  
**To:** correspondence  
**Subject:** No to height variance at 25 and marine and traffic changes!

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.

Just say no!

Thanks

[REDACTED] s. 22(1)

Taxes paid in full

Sent from my iPhone

**From:** s. 22(1)  
**Sent:** Sunday, July 10, 2022 3:34 PM  
**To:** correspondence  
**Subject:** No Dundarave Variance

**CAUTION:** This email originated from outside the organization from email address 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.

Mayor and Councilors  
District of West Vancouver

My name is s. 22(1) and I certify that I am a resident of West Vancouver. Thank you for your service to our community. I am writing today to let you know how I feel about the proposed development at 2452-2496 Marine Drive in Dundarave Village and more specifically, the proposed variance that the developer has requested.

The developer, IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 45.1'. I strongly oppose the granting of this variance.

- The current C2 height limit per current zoning is 35.2'
- The OCP allowable maximum height is 40.1' (if approved)
- The variance sought for the Dundarave development is 45.1' NOT including the additional height of roof gardens, elevator overruns, staircase overruns, railings, air handling equipment etc. which will increase the overall height significantly. This is a full 10' or higher than the current height of the IGA

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the village. The proposed increase in height contravenes our own zoning regulations and is far too high for this location.

I implore you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor and Park Royal developments. Please keep Dundarave as the charming, welcoming village it has always been and do not approve this height increase variance application. While it is important to increase densification and more affordable housing, it is also very important to maintain and protect the character and desirability of our community.

Please vote "NO" on the proposed height variance requested for the Dundarave Village development and maintain the maximum height as defined by the current zoning and the OCP.

Yours truly,

s. 22(1)

West Vancouver, BC

s. 22(1)

**From:** s. 22(1) >  
**Sent:** Sunday, July 10, 2022 6:01 PM  
**To:** correspondence  
**Cc:** Marcus Wong; Bill Soprovich; Peter Lambur; Sharon Thompson  
**Subject:** Development proposal 2452-2496 Marine Dr, Dundarave.

**CAUTION:** This email originated from outside the organization from email address 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.

July 10<sup>th</sup> 2022

Mayor and Councilors  
District of West Vancouver

My name is s. 22(1) and I certify that I am a resident of West Vancouver. Thank you for your service to our community. I am writing today to let you know how I feel about the proposed development at 2452-2496 Marine Drive in Dundarave. Besides the zoning issues other concerns are congestion; vehicles, parking and bicycles are already a nightmare to pedestrians. No anchor drug store? Please don't turn this into Park Royal West, it's a village with a living community. Like most real estate projects the purpose is to maximize revenue for the developers and eventual owners. Invariably society ends up with congested, uncomfortable, noise polluted jungle of concrete, look at North Vancouver, Vancouver, Burnaby. I'm afraid West Vancouver is going in the same direction.

More specifically, I share the concerns of fellow residents relative to the proposed zoning variance..

IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 45.1'. I strongly oppose the granting of this variance.

- The current C2 height limit per current zoning is 35.2'
- The OCP allowable maximum height is 40.1' (if approved)
- The variance sought for the Dundarave development is 45.1' NOT including the additional height of roof gardens, elevator overruns, stair case overruns, railings, air handling equipment etc. which will increase the overall height exponentially. This is a full 10' or more higher than the current height of the IGA

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the village. The proposed increase in height contravenes our own zoning regulations and is far too high for this location.

I implore you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor development. Please keep Dundarave as the charming, welcoming village it has always been and do not approve this height increase variance application.

Please vote "NO" on the proposed height variance requested for the Dundarave Village development and maintain the maximum height as defined by the current zoning and the OCP.

Yours truly,

s. 22(1)

West Vancouver,

s. 22(1)

s. 22(1)

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Sunday, July 10, 2022 6:11 PM  
**To:** Peter Lambur; Bill Soprovich; Sharon Thompson; Marcus Wong  
**Cc:** correspondence; [REDACTED] s. 22(1)  
**Subject:** Decline Variant of Dundarave Development

**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.

Date: July 10th, 2022

Councilors, District of West Vancouver,

Our names are [REDACTED] s. 22(1), we are residence of West Vancouver. Thank you for your service to our community. I am writing today to let you know how I feel about the proposed development at 2452-2496 Marine Drive in Dundarave and more specifically, the proposed variance that the developer has requested.

The developer, IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 45.1'. I strongly oppose the granting of this variance.

- The current C2 height limit per current zoning is 35.2'
- The OCP allowable maximum height is 40.1' (if approved)
- The variance sought for the Dundarave development

is 45.1' NOT including the additional height of roof gardens, elevator overruns, stair case overruns, railings, air handling equipment etc which will increase the overall height exponentially. This is a full 10' or more higher than the current height of the IGA

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the village. The proposed increase in height contravenes our own zoning regulations and is far too high for this location.

Furthermore, The congestion with limited parking and transit are already in peril. Currently, we can not park around our own home with being penalized by transit rules that will not allow me to park by my own home with penalty of a s.22(1) (ridiculous) limit! By allowing this development you will be undermining the concept of community for the exaggerated profits of developers. Who could care let about the community and its intimate feelings for the all mighty dollar and profit. THIS development does NOT need to

overshadow the current charm and limited development of the area

I implore you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor development. Please keep Dundarave as the charming, welcoming village it has always been and do not approve this height increase variance application.

**Please vote “NO” on the proposed height variance requested for the Dundarave Village development** and maintain the maximum height as defined by the current zoning and the OCP.

Yours truly, long standing resident of West Vancouver

s. 22(1)

West Vancouver, B.C.  
Canada



---

**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, July 11, 2022 5:44 PM  
**To:** correspondence  
**Subject:** Dundarave Dev Proposal 2400 Block  
**Attachments:** Dundarave Development.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.

Hello Council,

Please include this correspondence as part of your consideration for this Development Proposal.

Regards,

[REDACTED] s. 22(1)

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

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

[LinkedIn](#)

# RE: Dundarave Development

---

From: [REDACTED] s. 22(1)

Monday, Jul 11, 5:09 PM

To: lberg@westvancouver.ca

Bcc: [REDACTED] s. 22(1)

To: Linda Berg  
Senior Community Planner  
District of West Vancouver

Dear Ms. Berg,

Having received a notice in the mail today concerning Proposed Development Permit 20-105 for the 2400 block of Marine Drive, I noted that the developer is now asking for variances that include an increase to the Marine Drive facade of a total of 3 stories and for the total overall height of the building from 10.7 metres to 14.5 metres.

I attended a prior public consultation meeting where Michael Geller was in attendance, who is considered a respected urban planner and now apparently consulting with IBI Group on this project. Nowhere during the course of the consultation was it suggested that the developer would be asking for such a substantial variance.

While myself and my neighbours can agree that this 1/2 block area is ripe for development there is no way we can support the developer's request. This approach would absolutely destroy not only many property owner's view lines and thereby the associated property values, but also the spirit and character of Dundarave Village.

I first supported the proposal because it stayed within the existing zoning conditions, but this now appears to be a "bait and switch" approach to development which the District should condemn and restrict. I'm sure the developer stands to make enough money even while staying within the confines of the original proposal and zoning restrictions, which means additional building height at the corner of 25th and Marine and a two story facade along Marine Drive. I was actually going to support a two story facade with a 1 story set-back on the third level mid-block, but now the developer has overstepped and will oppose any further variance in this regard. I am encouraging our neighbours and fellow property owners to do the same.

We have a wonderful place here. Let's not spoil it, but rather improve upon it.

Regards,

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

From: **Lisa Berg** | lberg@westvancouver.ca

Monday, Jul 11, 5:34 PM

To: [REDACTED] s. 22(1)

Hi [REDACTED] s. 22(1)

Thanks for your email and your thoughts. Please feel free to send your email to [correspondence@westvancouver.ca](mailto:correspondence@westvancouver.ca) so that it is included as part of the Council agenda package if you like.

You can also see the agenda, the staff report, and other related documents on the website ([item 10.2](#)).

For clarity, the building height referenced in the notice that you received is to the top of some limited roof-top access areas, not to building parapet. The proposal is for a three-storey building along Marine Drive with the third floor set back, as guided the development permit guidelines for Council consideration. The applicant is hosting a [public information meeting](#) tomorrow, if you are interested in attending either their virtual or in-person event to learn more about the proposal.

Please feel free to reach out if you had any other questions or if there are any problems with the links I've given you.

Warm regards,  
Lisa

**Lisa Berg, MCIP RPP**, she, her, hers  
Senior Community Planner | District of West Vancouver  
d: 604-925-7237 | [westvancouver.ca](http://westvancouver.ca)

.....

We acknowledge that we are on the traditional, ancestral and unceded territory of the Skwxwú7mesh Úxwumxw (Squamish Nation), sə́í wətaʔt (Tseil-waututh Nation), and xʷməθkʷəy̓əm (Musqueam Nation). We recognize and respect them as nations in this territory, as well as the historic connection to the lands and waters around us since time immemorial.

From: [REDACTED] s. 22(1)

To: **Lisa Berg** | lberg@westvancouver.ca

Monday, Jul 11, 5:09 PM

**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.

To: Linda Berg  
Senior Community Planner  
District of West Vancouver

Dear Ms. Berg,

Having received a notice in the mail today concerning Proposed Development Permit 20-105 for the 2400 block of Marine Drive, I noted that the developer is now asking for variances that include an increase to the Marine Drive facade of a total of 3 stories and for the total overall height of the building from 10.7 metres to 14.5 metres.

I attended a prior public consultation meeting where Michael Geller was in attendance, who is considered a respected urban planner and now apparently consulting with IBI Group on this project. Nowhere during the course of the consultation was it suggested that the developer would be asking for such a substantial variance.

While myself and my neighbours can agree that this 1/2 block area is ripe for development there is no way we can support the developer's request. This approach would absolutely destroy not only many property owner's view lines and thereby the associated property values, but also the spirit and character of Dundarave Village.

I first supported the proposal because it stayed within the existing zoning conditions, but this now appears to be a "bait and switch" approach to development which the District should condemn and restrict. I'm sure the developer stands to make enough money even while staying within the confines of the original proposal and zoning restrictions, which means additional building height at the corner of 25th and Marine and a two story facade along Marine Drive. I was actually going to support a two story facade with a 1 story set-back on the third level mid-block, but now the developer has overstepped and will oppose any further variance in this regard. I am encouraging our neighbours and fellow property owners to do the same.

We have a wonderful place here. Let's not spoil it, but rather improve upon it.

Regards,

s. 22(1)

s. 22(1)

[LinkedIn](#)

---

**From:** [Redacted] s. 22(1) >  
**Sent:** Tuesday, July 12, 2022 9:26 AM  
**To:** Mary-Ann Booth; Marcus Wong; Sharon Thompson; Bill Soprovich; Peter Lambur; Nora Gambioli; Craig Cameron; correspondence  
**Subject:** Dundarave Village development proposed zoning variance

**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.

Mayor and Councilors  
District of West Vancouver

My name is [Redacted] s. 22(1) and I certify that I am a resident of West Vancouver. First, let me thank you for your service to our community. I am writing today regarding the proposed development at 2452-2496 Marine Drive in Dundarave and more specifically, the proposed variance that the developer has requested.

The developer, IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 47.5 feet. I **strongly oppose** the granting of this variance.

- The current C2 zoning regulations allow for a maximum height of 10.7m or 35.1 ft.
- The OCP allowable maximum height is 40.1 ft. (if approved)
- The variance sought for the Dundarave development is 14.50m or 47.5 ft. NOT including the additional height of roof gardens, elevator overruns, stair case overruns, railings, air handling equipment etc which will increase the overall height exponentially. This is a full 12’ or more higher than the current height of the IGA

In addition, while the C2 zone permits heights of 2 storeys with a third storey permitted within the overall height limit, the proposed development is seeking a variance to permit 3 storeys while **NOT** staying within the overall height limit. Why do we have limits and regulations if you are not going to enforce them?

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the village. The proposed increase in height contravenes our own zoning regulations; it is just too large for this location and it sets an unacceptable height precedent for the inevitable redevelopment of the rest of the village.

I urge you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor development and table this until after the election so proper resident consultations and impact studies can be done. Please keep Dundarave as the charming, welcoming village it has always been and **do not approve** this height increase variance application.

**Please vote “NO” on the proposed height variance** requested for the Dundarave Village development on July 25 and maintain the maximum height as defined by the current zoning and the OCP.

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

**From:** s. 22(1)  
**Sent:** Tuesday, July 12, 2022 9:29 AM  
**To:** Mary-Ann Booth; Marcus Wong; Sharon Thompson; Bill Soprovich; Peter Lambur; Nora Gambioli; Craig Cameron; correspondence  
**Subject:** Dundarave height variance

**CAUTION:** This email originated from outside the organization from email address 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.

Mayor and Councilors  
District of West Vancouver

My name is s. 22(1) and I certify that I am a resident of West Vancouver. First, let me thank you for your service to our community. I am writing today regarding the proposed development at 2452-2496 Marine Drive in Dundarave and more specifically, the proposed variance that the developer has requested.

The developer, IBI Group, has requested a zoning variance that would grant them an extra floor of residential units and allow them to build to a height of 47.5 feet. I **strongly oppose** the granting of this variance.

- The current C2 zoning regulations allow for a maximum height of 10.7m or 35.1 ft.
- The OCP allowable maximum height is 40.1 ft. (if approved)
- The variance sought for the Dundarave development is 14.50m or 47.5 ft. NOT including the additional height of roof gardens, elevator overruns, stair case overruns, railings, air handling equipment etc which will increase the overall height exponentially. This is a full 12’ or more higher than the current height of the IGA

In addition, while the C2 zone permits heights of 2 storeys with a third storey permitted within the overall height limit, the proposed development is seeking a variance to permit 3 storeys while **NOT** staying within the overall height limit. Why do we have limits and regulations if you are not going to enforce them?

If this variance is approved, the resulting structure will destroy the charm and character of Dundarave Village. The bulk and mass of a building of this height is far too large for our small village. It will create a shadow over the entire block and is disproportionate to the rest of the village. The proposed increase in height contravenes our own zoning regulations; it is just too large for this location and it sets an unacceptable height precedent for the inevitable redevelopment of the rest of the village.

I urge you not to make the same mistake in Dundarave that was made in Ambleside with the Grosvenor development and table this until after the election so proper resident consultations and impact studies can be done. Please keep Dundarave as the charming, welcoming village it has always been and **do not approve** this height increase variance application.

**Please vote “NO” on the proposed height variance** requested for the Dundarave Village development on July 25 and maintain the maximum height as defined by the current zoning and the OCP.

Yours truly,

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

---

**From:** s. 22(1)  
**Sent:** Tuesday, July 12, 2022 2:25 PM  
**To:** correspondence  
**Subject:** 2452-2496 Marine Drive

CAUTION: This email originated from outside the organization from email address 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.

Hello,

I wanted to voice my support for the proposed project at 25th and Marine. As a resident of West Vancouver, I use Dundarave Village on an almost daily basis. It is an important commercial area of West Van, near to transit, as well as commercial and recreational amenities. This proposal sees some much needed new housing at a height and density that is reasonable and fits in with the village.

I encourage council to approve this gentle and respectful densification of Dundarave.

Thanks,

s. 22(1)

---

**From:** [REDACTED] s. 22(1) >  
**Sent:** Tuesday, July 12, 2022 2:49 PM  
**To:** correspondence  
**Subject:** 2452 - 2496 Marine Drive

**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.

This is NOT a NIMBY complaint.

It would be great to see part of Dundarave being upgraded/redeveloped BUT;

Not to this height and not without a pharmacy.

It has always puzzled me that District planners seem to think that District/Community Plans are just a minimum starter for variations.

I think that;

1/ Council needs to send this plan back to the drawing board and

2/ Council needs to tell the relevant staff not to allow schemes to even get to their desks that do not follow the District/community plan or get fired.

Regards, [REDACTED] s. 22(1) ..



---

**From:** [REDACTED] s. 22(1)  
**Sent:** Tuesday, July 12, 2022 3:26 PM  
**To:** correspondence  
**Subject:** re Proposed Development Permit 20-105

**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.

I am a resident of Dundarave and have been watching the application closely. I have always agreed that the community would benefit from improvements to the proposed development area. As the plans stand I feel that the proposed scale is too much for Dundarave and will not fit in with the village appeal of the place. The village block on both Marine Drive and Bellevue Avenue is already often heavily congested with traffic and this will only worsen with a development of this size. Dundarave lane (between Marine and Bellevue) will be particularly bad given the number of additional residential and customer parking spots to be created. It is a single lane road.

Regards,  
My name is [REDACTED] s. 22(1)  
Address is:  
[REDACTED] s. 22(1)  
West Vancouver  
[REDACTED] s. 22(1)

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Tuesday, July 12, 2022 8:30 PM  
**To:** correspondence  
**Subject:** Fwd: Dundarave proposal

**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.

[REDACTED] s. 22(1)

Begin forwarded message:

**From:** [REDACTED] s. 22(1)  
**Date:** July 12, 2022 at 8:26:15 PM PDT  
**To:** MayorandCouncil <MayorandCouncil@westvancouver.ca>  
**Subject:** Dundarave proposal

I would like place on record my objection to the design as proposed in Dundarave. I think it is too high, too dense and wouldn't allow the necessary space for the drugstore which is very much needed.

If this project gets approved, my vote will reflect my disappointment in the next municipal election.

[REDACTED] s. 22(1)

THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ARTS FACILITIES ADVISORY COMMITTEE  
CAPITAL FUNDING SUBCOMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
THURSDAY, APRIL 7, 2022

---

Committee Members: G. Nicholls (Chair), R. Brown, R. Finley, E. McHarg, J. Wexler, and R. Yaworsky attended the meeting via electronic communication facilities.

Staff: C. Rosta, Cultural Services Manager (Staff Liaison); D. Niedermayer, Senior Manager, Cultural Services; and F. Costa, Cultural Services Department Secretary (Committee Clerk) attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 2:05 p.m.

**2. Election of Chair**

It was Moved and Seconded:

THAT G. Nicholls be elected as Co-Chair for 2022.

CARRIED

It was Moved and Seconded:

THAT R. Yaworsky be elected as Co-Chair for 2022.

CARRIED

**3. Subcommittee Meeting Schedule**

It was Moved and Seconded:

THAT the Capital Funding Subcommittee Meeting Schedule for 2022 be adopted as follows:

- May 5, 2022 at 4 p.m.
- June 2, 2022 at 4 p.m.
- June 30, 2022 at 4 p.m.
- July 28, 2022 at 4 p.m.
- September 8, 2022 at 4 p.m.
- October 13, 2022 at 4 p.m.
- November 10, 2022 at 4 p.m.
- December 15, 2022 at 4 p.m.

CARRIED

#### **4. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the April 7, 2022 Capital Funding Subcommittee meeting agenda be approved as circulated.

CARRIED

#### **REPORTS / ITEMS**

##### **5. Review of Planning Timeline**

Staff informed the members that the District is in the process of securing specialists to assist the Subcommittee with the development of the capital funding framework.

Discussion was held regarding different potential scenarios, and funding sources to be considered in the capital funding framework for a new arts and culture facility.

It was Moved and Seconded:

THAT the discussion regarding Review of Planning Timeline be approved for information.

CARRIED

#### **PUBLIC QUESTIONS**

##### **6. PUBLIC QUESTIONS**

B. Shard: Questioned the Arts and Culture Facilities Plan's calculation of population increase over the next 20 years in determining the size of a proposed arts facility; asked if other facilities in the Lower Mainland are being considered as examples; why Klee Wyck Park is not in consideration as a location; and, if the replacement size of the current arts facilities (Art Museum, Music Box, Silk Purse) has been calculated without the supplementary amenities.

J. Lord: Asked if the public will receive an update on the Arts & Culture Facility Vision and Concept at the May 11th meeting of the Arts Facilities Advisory Committee.

B. Chaworth-Musters: Questioned whether the committee will seek Council approval on a change in the terms of reference to incorporate a business case as well as a capital funding plan.

#### **NEXT MEETING**

##### **7. NEXT MEETING**

Staff confirmed that the next Capital Funding Subcommittee meeting is scheduled for May 5, 2022 at 4 p.m.

It was Moved and Seconded:

THAT

1. all remaining Capital Funding Subcommittee meetings for 2022 be held via electronic communication facilities only;

2. the Raven Room in the Municipal Hall be designated as the place where the public may attend to hear, or watch and hear, the Capital Funding Subcommittee meeting proceedings; and
3. a staff member be in attendance at the Raven Room in the Municipal Hall for each of the scheduled meetings.

CARRIED

8. **ADJOURNMENT**

It was Moved and Seconded:

THAT the April 7, 2022 Capital Funding Subcommittee meeting be adjourned.

CARRIED

The meeting adjourned at 3:05 p.m.

Certified Correct:

s. 22(1)  
[Redacted Signature]

Chair

s. 22(1)  
[Redacted Signature]

Committee Clerk

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ARTS FACILITIES ADVISORY COMMITTEE  
GOVERNANCE SUBCOMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
TUESDAY, MAY 24, 2022**

---

Committee Members: J. Webb (Chair), M. Beckerman, C. Sully, and B. Helliwell attended the meeting via electronic communication facilities. Absent: G. Froome.

Staff: C. Rosta, Cultural Services Manager (Staff Liaison); D. Niedermayer, Senior Manager, Cultural Services; and F. Costa, Cultural Services Department Secretary (Committee Clerk) attended the meeting via electronic communication facilities.

Guest: A. Tse from Urban Arts Architecture; and G. Nicholls attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 2:03 p.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the May 24, 2022 Governance Subcommittee meeting agenda be approved as circulated.

CARRIED

**3. ADOPTION OF MINUTES**

It was Moved and Seconded:

THAT the April 26, 2022 Governance Subcommittee meeting minutes be adopted as circulated.

CARRIED

**REPORTS / ITEMS**

**4. Vision & Concept Planning**

Staff informed the Subcommittee about the meeting with the Community Engagement Committee (CEC). The main feedback was:

- the visioning workshops should share the state of the existing arts facilities;
- the importance of being clear about the current phase of the arts facility planning and the workshops' objectives; and
- opportunities for all people who want to participate in the workshops.

Staff reported that there are four workshops planned, and more sessions may be scheduled. Using one of the existing arts facilities to host a workshop was discussed with the CEC but none have adequate space. The workshops will be held outside in



**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ARTS FACILITIES ADVISORY COMMITTEE  
CAPITAL FUNDING SUBCOMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
THURSDAY, JUNE 2, 2022**

---

Committee Members: R. Yaworsky (Chair), R. Brown, R. Finley, and G. Nicholls attended the meeting via electronic communication facilities. Absent: E. McHarg and J. Wexler.

Staff: C. Rosta, Cultural Services Manager (Staff Liaison); D. Niedermayer, Senior Manager, Cultural Services; and F. Costa, Cultural Services Department Secretary (Committee Clerk) attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 4:03 p.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the June 2, 2022 Capital Funding Subcommittee meeting agenda be approved as circulated.

CARRIED

**3. ADOPTION OF MINUTES**

It was Moved and Seconded:

THAT the April 7, 2022 Capital Funding Subcommittee meeting minutes be amended by:

- Correcting the spelling of R. Yaworski to R. Yaworsky;

AND THAT the minutes be approved as amended.

CARRIED

**REPORTS / ITEMS**

**4. Capital Funding Framework**

Staff introduced C. McCauley and S. Howard, who will undertake a capital fundraising feasibility study to support the development of a new arts facility in West Vancouver. S. Howard presented an overview of the feasibility study process. The feasibility study will determine whether the District has the resources required, both human and financial, to oversee and achieve a successful philanthropic campaign in support of a new arts facility. C. McCauley presented the communications aspect of the feasibility study. The goal of communications in the feasibility exercise is to develop a case statement for an arts facility and the proposed campaign, providing guidance and feedback on the appropriate positioning. The project will include a Scale of Giving to test the philanthropic target.



The Committee asked questions and discussed the goals and timeframe of the feasibility study. Staff will re-circulate the report presented to Council in March 2020, which presented an estimation of the operational costs for a new arts facility.

Staff presented the research regarding facilities from other municipalities, showing examples of the different funding sources to finance capital and operating costs.

Staff also presented a draft outline of the capital funding framework. The Committee discussed the items and timeframe for each topic in the plan.

It was Moved and Seconded:

THAT

1. the capital fundraising feasibility study discussion be received for information and the study move forward.
2. the research report be received for information.
3. the discussion regarding Capital Funding Framework be received for information.

CARRIED

## PUBLIC QUESTIONS

### 5. PUBLIC QUESTIONS

B. Chaworth-Musters: Questioned the funds' calculation for the new arts facility in West Vancouver compared to facilities from other municipalities, as shown in the research presented by Staff.

## NEXT MEETING

### 6. NEXT MEETING

Staff confirmed that the next Capital Funding Subcommittee meeting is scheduled for June 30, 2022 at 4 p.m. via electronic communication facilities.

## ADJOURNMENT

### 7. ADJOURNMENT

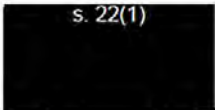
It was Moved and Seconded:

THAT the June 2, 2022 Capital Funding Subcommittee meeting be adjourned.

CARRIED

The meeting adjourned at 5:19 p.m.

Certified Correct:

  
Chair

  
Committee Clerk

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
COMMUNITY ENGAGEMENT COMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
TUESDAY, MAY 17, 2022**

---

Committee Members: E. McHarg (Acting Chair), J. Berg, G. Nicholls, J. Roote, J. Sidhu, and J. Webbe; and Councillors C. Cameron (Chair), N. Gambioli, and S. Thompson attended the meeting via electronic communication facilities. Absent: L. Carver.

Staff: D. Powers, Director of Community Relations & Communications; A. Mafi, Communications & Engagement Manager (Staff Liaison); K. Andrzejczuk, Communications & Engagement Coordinator (Committee Clerk); D. Niedermayer, Senior Manager, Cultural Services; and C. Rosta, Cultural Services Manager attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 3:05 p.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the May 17, 2022 Community Engagement Committee meeting agenda be approved as circulated.

CARRIED

Councillor Thompson absent at the vote

**REPORTS / ITEMS**

**3. Arts and Culture Engagement**

D. Powers (Director, Community Relations & Communications) spoke relative to the document regarding “Communications & Engagement Overview: Arts Planning: Visioning” and informed that:

- The Arts Facilities Advisory Committee has been tasked by Council to confirm the vision and concept for an arts and culture facility by engaging with the arts and culture community, community user groups, and the public;
- This engagement is an opportunity to re-think the concept and vision for an arts and culture centre, as new needs may have emerged following the pandemic, and it follows the inconclusive 2021 engagement on an arts and culture centre site selection which raised concerns in the community;
- This engagement will take a step back to first confirm the vision and concept;
- The Arts Facilities Advisory Committee has also been tasked with recommending a framework for capital fundraising and a governance model for an arts and culture facility; the vision and concept will inform the development of a framework for capital fundraising and a governance model; and

- The Community Engagement Committee is asked to provide feedback on the engagement tactics and timeline for confirming the vision and concept.

Councillor Cameron (Chair) informed that the role of the Community Engagement Committee is to provide non-partisan advice to the District regarding communication and engagement with residents; and the committee does not make recommendations regarding the content of proposals.

D. Powers spoke relative to the document regarding “Communications & Engagement Overview: Arts Planning: Visioning” and informed that this engagement will involve three phases:

- Phase one (workshops): Four interactive workshops (two in-person and two virtual) will be held in June 2022; two of the workshops will be for arts groups and facility users and two of the workshops will be for arts program participants and the general public; all workshops will be facilitated by a contractor, Urban Arts, which has worked with the District on previous projects; additional workshops will be added if they fill up;
- Phase two (survey): An online survey will be available during summer 2022 on westvancouverITE and at pop-up booths at the Harmony Arts Festival; and
- Phase three (touch base): Another round of workshops will be held in September 2022 to regroup with the public and stakeholders to report back on what was heard at the workshops.

Councillor Thompson entered the meeting at 3:30 p.m. via electronic communications facilities.

Discussion ensued and the Community Engagement Committee provided the following feedback:

- It is important to establish the problem we are trying to solve; explain the limitations of existing facilities and work that has already been done;
- Develop an educational video, such as a virtual tour of the Silk Purse and Music Box;
- Consider holding workshops in an arts facility; D. Powers informed that the arts facilities are not being used because they are too small;
- In the survey, ask “What have people learned from the pandemic?”;
- Post signage advertising the engagement in Ambleside Park;
- An important key message is that an arts facility has the potential to accommodate a broad range of uses, such as other community groups;
- A risk is lack of trust; be very clear that a decision has not been made;
- It is best to avoid a survey during the summer; consider launching the survey in September;
- It is important to acknowledge the past work; consider a video to explain the background;
- Include workshops during the morning and afternoon;

- When using Miro in the virtual workshops, allow time for participants to learn how to use it;
- Consider inclusivity; ensure technology is accessible and facilitate diversity in participation;
- A risk is the perception that we are doing more consultation without conclusion; be very clear regarding objectives of the engagement and what we are trying to capture;
- Be as definitive as possible regarding location, governance, and funding to manage questions;
- A risk is that people may be tired of participating; make information as simple as possible; and
- Inform that the consultation is being funded COVID-19 recovery funds.

It was Moved and Seconded:

THAT the presentation regarding Arts and Culture Engagement be received for information.

CARRIED

## **PUBLIC QUESTIONS**

### **4. PUBLIC QUESTIONS**

A member of the public commented regarding and the arts and culture engagement and suggested including comparisons to arts facilities located in other municipalities.

A member of the public commented regarding the Arts Facilities Advisory Committee; the arts and culture engagement; collecting feedback from West Vancouver residents only; Council direction regarding the arts facility; and requested that the District provide information regarding arts facility operation costs.

J. Webb (member of the public) commented regarding the arts and culture engagement and suggested that it is important to communicate Council direction and how the need for an arts facility was determined.

C. Reynolds (member of the public) thanked the committee for their feedback and offered to include District information in her publication, West Van Matters.

## **NEXT MEETING**

### **5. NEXT MEETING**

Staff confirmed that the next Community Engagement Committee meeting is scheduled for June 1, 2022 at 3:30 p.m.

**ADJOURNMENT**

**6. ADJOURNMENT**

It was Moved and Seconded:

THAT the May 17, 2022 Community Engagement Committee meeting be adjourned.

CARRIED

The meeting adjourned at 4:22 p.m.

Certified Correct:

s. 22(1)  
\_\_\_\_\_  
Chair

s. 22(1)  
\_\_\_\_\_  
Committee Clerk

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
COMMUNITY ENGAGEMENT COMMITTEE MEETING MINUTES  
RAVEN ROOM, MUNICIPAL HALL  
WEDNESDAY, JUNE 1, 2022**

---

Committee Members: E. McHarg (Acting Chair), J. Berg, G. Nicholls, J. Roote, and J. Sidhu; and Councillors C. Cameron (Chair), N. Gambioli, and S. Thompson attended the meeting in the Raven Room, Municipal Hall. Absent: L. Carver and J. Webbe.

Staff: D. Powers, Director of Community Relations & Communications; A. Mafi, Communications & Engagement Manager (Staff Liaison); K. Andrzejczuk, Communications & Engagement Coordinator (Committee Clerk); A. Banks, Senior Manager of Parks attended the meeting in the Raven Room, Municipal Hall.

**1. CALL TO ORDER**

The meeting was called to order at 3:35 p.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the June 1, 2022 Community Engagement Committee meeting agenda be approved as circulated.

CARRIED

**3. ADOPTION OF MINUTES**

Discussion ensued regarding how feedback from the Community Engagement Committee should be recorded in the meeting minutes, as committee members have concerns that comments may be taken out of context.

K. Andrzejczuk (Committee Clerk) informed that C. Reynolds had provided a correction by email regarding her comments at the April 6, 2022 Community Engagement Committee meeting; C. Reynolds' clarified that her comment was that "people who live outside of West Vancouver should be allowed to speak, and even if noted not a resident, their feedback be considered".

It was Moved and Seconded:

THAT the May 4, 2022 Community Engagement Committee meeting minutes be adopted as circulated.

CARRIED

## **REPORTS / ITEMS**

### **4. Hugo Ray Pickleball Engagement**

D. Powers (Director, Community Relations & Communications) spoke relative to the document regarding “DRAFT Communications & Engagement Plan: Hugo Ray Park Pickleball Courts” and informed that:

- Pickleball is a rapidly-growing sport and West Vancouver does not have dedicated pickleball courts;
- At the January 24, 2022 Council meeting, staff were directed to report on the feasibility of installing permanent pickleball courts at Hugo Ray Park; staff reviewed each site and considered four criteria:
  - Minimize the impact of dedicated pickleball courts on existing park users;
  - Minimize the impact of the noise of the sport on nearby residences;
  - Construction considerations and costs; and
  - Ability to expand and add more dedicated pickleball courts in the future.
- At the May 30, 2022 Council meeting, Council considered the report from staff outlining options for new pickleball courts at Hugo Ray Park and directed staff to proceed to engage the community on two site options for the location of pickleball courts in Hugo Ray Park;
- Community engagement is planned for June 2022 in order for staff to report back to Council by the end of July 2022; and
- Staff have developed an engagement plan that includes a survey, one virtual information meeting on a weeknight, one in-person meeting at the park on a Saturday, promotion using a variety of communications tactics, and connecting with key stakeholder groups (players, neighbourhood residents, and current users of the park).

Discussion ensued and the Community Engagement Committee provided the following feedback:

- Focus on engaging neighbourhood residents and park users; use fewer communications tactics;
- Simplify the survey; add “neither site option” as an answer; allow space for comments;
- Install a sign advertising this engagement at the entrance to the cemetery and at the 29th Street tennis courts;
- Be prepared to answer questions regarding funding;
- Survey questions that involve ranking are confusing; considering using the word “priorities”;
- Remove the survey question regarding traffic, as traffic will not differ between the two site options;

- Engage with the entire neighbourhood, not only adjacent residents;
- Be prepared to address noise concerns from nearby residents; include information about sound on the project webpage;
- Structure the engagement to allow stakeholder groups to get together for a discussion; encourage compromise;
- Clearly state that studies have determined that Hugo Ray Park is the best location;
- Inform that pickleball is popular because it is social, active, and accessible, which aligns with District priorities in the Official Community Plan;
- Position this as a preliminary consultation; explain that a location is needed prior to determining the cost and formally considering the project, which is a standard parks planning process;
- In the FAQ, address whether there will be hours of operation, where other pickleball courts are located, and whether there will be lights; and
- Asking participants to choose between the two sites gives the impression that it has been decided that pickleball courts will be installed at Hugo Ray Park; consider not focusing on that question.

It was Moved and Seconded:

THAT the presentation regarding Hugo Ray Pickleball Engagement be received for information.

CARRIED

A. Banks (Senior Manager of Parks) left the meeting at 5:03 p.m.

## 5. Community Engagement Policy Review

D. Powers (Director, Community Relations & Communications) informed that the Community Engagement Policy contains outdated procedures and that staff are planning to begin work on an updated policy.

Discussion ensued and the Community Engagement Committee suggested an in-person workshop format to review the Community Engagement Policy at a future meeting.

It was Moved and Seconded:

THAT the discussion regarding Community Engagement Policy Review be deferred to the next meeting.

CARRIED

## 6. Staff Update: Review of Engagement Underway

A. Mafi (Communications & Engagement Manager) spoke relative to the document regarding “Staff update to CEC – June 1, 2022” and informed that:

- Engagement on the Urban Forest Management Plan recently closed and feedback received was excellent; staff attended Spring Fest West at the suggestion of the Community Engagement Committee, which was well-attended;



- Engagement on the Arts & Culture Centre has launched and workshops have been scheduled for June; a letter has been sent to arts programmers and administrators; and digital advertising will begin this week; and
- There will be a pause on engagement during the election.

Discussion regarding doing more open-ended surveys and in-person events.

It was Moved and Seconded:

THAT the presentation regarding Staff Update: Review of Engagement Underway be received for information.

CARRIED

## 7. Committee Member Update

There were no comments.

## PUBLIC QUESTIONS

### 8. PUBLIC QUESTIONS

K. Andrzejczuk (Committee Clerk) informed that C. Reynolds (member of the public) provided comments by email regarding support for hybrid meetings.

## NEXT MEETING

### 9. NEXT MEETING

Staff confirmed that the next Community Engagement Committee meeting is scheduled for July 6, 2022 at 3:30 p.m.

## ADJOURNMENT

### 10. ADJOURNMENT

It was Moved and Seconded:

THAT the June 1, 2022 Community Engagement Committee meeting be adjourned.

CARRIED

The meeting adjourned at 5:23 p.m.

Certified Correct:

s. 22(1)

\_\_\_\_\_  
Chair

s. 22(1)

\_\_\_\_\_  
Committee Clerk

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
BOARD OF VARIANCE HEARING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
WEDNESDAY, MAY 18, 2022**

---

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

**STAFF:** P. Cuk, Board Secretary; M. McGuire, Senior Manager, Current Planning & Urban Design; and S. McSherry, Supervisor of Inspections, 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 May 18, 2022 Board of Variance hearing agenda be approved as circulated.

CARRIED

**4. Adoption of the April 20, 2022 Minutes**

Chair Radage referred to the minutes of the Board of Variance hearing held on April 20, 2022.

It was Moved and Seconded:

THAT the April 20, 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 22-008 (4190 Rose Crescent)**

Staff confirmed the following requested variances regarding a proposed private power pole (accessory structure):

- a) 0.87 m to Front Yard Setback
- b) 3.92 m to Accessory Structure Height.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

T. DiDonato (Envision Improvements, representing the owner of 4190 Rose Crescent) described the variance application for a proposed private power pole (accessory structure).

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 April 12, 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 T. DiDonato:

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 22-008 regarding a proposed private power pole (accessory structure) at 4190 Rose Crescent with variances of:

- 0.87 m to Front Yard Setback
- 3.92 m to Accessory Structure Height

BE ALLOWED pursuant to the plans dated April 8, 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 22-009 (1050 11th Street)**

Staff confirmed the following requested variance regarding a proposed addition to the second floor:

- a) 3.2% (22.91 m<sup>2</sup>) to Addition to Second Floor.

Staff informed that the applicant had not yet entered the hearing, but that she had indicated her intention to attend in order to address the Board.

It was Moved and Seconded:

THAT consideration of Application 22-009 be deferred until after consideration of the other applications.

CARRIED

**8. Application 22-010 (3312 Westmount Road)**

Staff confirmed the following requested variances regarding a proposed power pole (accessory structure):

- a) 8.5 m to Front Yard Setback
- b) 0.7 m to Minimum Side Yard Setback
- c) 2.4 m to Accessory Building Height.

Staff provided permit history of the subject property.

J. Fan (3312 Westmount Road) described the variance application for a proposed power pole (accessory structure). J. Fan and staff responded to Board members' questions.

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

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	May 10, 2022	1
Redacted	May 10, 2022	2
J. Fan	May 13, 2022	3
Redacted	May 16, 2022	4
J. Fan	May 18, 2022	5

Chair Radage queried whether anyone had signed up to address the Board regarding the subject application.

D. Marwig (3310 Westmount Road) spoke in opposition to the requested variances and commented regarding: the size of the proposed house; impermeable surfaces; views; and property values.

M. Reeve (3310 Westmount Road) spoke in opposition to the requested variances and commented regarding views.

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 April 20, 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 J. Fan, D. Marwig, and M. Reeve:

It was Moved and Seconded:

THAT the Board finds that undue hardship would not be caused to the Applicant by compliance with the Zoning Bylaw and orders that Application 22-010 regarding a proposed power pole (accessory structure) at 3312 Westmount Road with variances of:

- 8.5 m to Front Yard Setback
- 0.7 m to Minimum Side Yard Setback
- 2.4 m to Accessory Building Height

BE NOT ALLOWED pursuant to the plans dated April 19, 2022 submitted with the application.

CARRIED

**9. Application 22-011 (6226 St. Georges Avenue)**

Staff confirmed the following requested variances regarding a proposed power pole (accessory structure):

- a) 8.34 m to Front Yard Setback
- b) 0.88 m to Minimum Side Yard Setback.

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

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
Redacted	May 10, 2022	1
Redacted	May 18, 2022	2

Staff provided permit history of the subject property.

S. Mitchell-Ahmadi (6226 St. Georges Avenue) described the variance application for a proposed power pole (accessory structure) and 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 April 20, 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 S. Mitchell-Ahmadi:

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 22-011 regarding a proposed power pole (accessory structure) at 6226 St. Georges Avenue with variances of:

- 8.34 m to Front Yard Setback
- 0.88 m to Minimum Side Yard Setback

BE ALLOWED pursuant to the plans dated April 20, 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 22-009 (1050 11th Street)**

Staff confirmed the following requested variance regarding a proposed addition to the second floor:

- a) 3.2% (22.91 m<sup>2</sup>) to Addition to Second Floor.

Staff informed that no written submissions were received for this application prior to the Board of Variance hearing.

Written submissions received:

SUBMISSION AUTHOR	SUBMISSION DATED	#
None.		

Staff provided permit history of the subject property.

J. Lynch-Lawrenson and R. Lawrenson (1050 11th Street) described the variance application for a proposed addition to the second floor. 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 and responded to a Board member's questions.

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 April 18, 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 J. Lynch-Lawrenson and R. Lawrenson:



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 22-009 regarding a proposed addition to the second floor at 1050 11th Street with a variance of:

- 3.2% (22.91 m<sup>2</sup>) to Addition to Second Floor

BE ALLOWED pursuant to the plans dated January 3 and March 9, 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

#### **10. Receipt of Written and Oral Submissions**

It was Moved and Seconded:

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

- Application 22-008 (4190 Rose Crescent);
- Application 22-009 (1050 11th Street);
- Application 22-010 (3312 Westmount Road);
- Application 22-011 (6226 St. Georges Avenue);

up to and including May 18, 2022, be received.

CARRIED

#### **11. Public Question Period**

There were no questions.

#### **12. Next Hearing**

Staff confirmed that the next hearing of the Board of Variance is scheduled for June 22, 2022 at 5 p.m.

**13. Adjournment**

It was Moved and Seconded:

THAT the May 18, 2022 Board of Variance hearing be adjourned.

CARRIED

The Board of Variance hearing adjourned at 5:51 p.m.

Certified Correct:

s. 22(1)

L. Radage, Chair

s. 22(1)

P. Cuk, Secretary

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ART MUSEUM ADVISORY COMMITTEE  
STRATEGIC PLANNING SUBCOMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
WEDNESDAY, MAY 25, 2022**

---

Committee Members: F. Patterson (Chair), S. Donaher, and R. Van Halm attended the meeting via electronic communication facilities.

Staff: H. Letwin, Administrator/Curator (Staff Liaison) attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 12:36 p.m.

**2. Election of Chair**

It was Moved and Seconded:

THAT F. Patterson be elected as Chair for 2022.

CARRIED

It was Moved and Seconded:

THAT S. Donaher be elected as Acting Chair for 2022.

CARRIED

**3. Subcommittee Meeting Schedule**

It was Moved and Seconded:

THAT no additional Strategic Planning Subcommittee meetings be scheduled for 2022.

CARRIED

**4. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT May 25, 2022 Strategic Planning Subcommittee meeting agenda be approved as circulated.

CARRIED

**REPORTS / ITEMS**

**5. Review of the Draft Strategic Plan**

Staff and Subcommittee members reviewed the draft Strategic Plan and made minor changes. The Subcommittee would like for the draft Strategic Plan to go to the Art Museum Advisory Committee as a whole for further review.

It was Moved and Seconded:

THAT the discussion regarding Review of the Draft Strategic Plan be received for information and presented to the Committee as a whole at the next Art Museum Advisory Committee meeting, scheduled for June 7.

CARRIED

**PUBLIC QUESTIONS**

**6. PUBLIC QUESTIONS**

There were no questions.

**NEXT MEETING**

**7. NEXT MEETING**

Staff confirmed that no additional Strategic Planning Subcommittee meetings are scheduled for 2022.

**ADJOURNMENT**

**8. ADJOURNMENT**

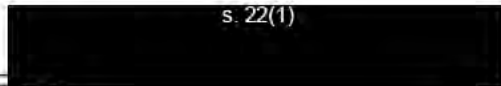
It was Moved and Seconded:

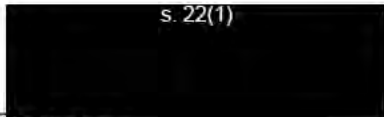
THAT the May 25, 2022 Strategic Planning Subcommittee meeting be adjourned.

CARRIED

The meeting adjourned at 1:34 p.m.

Certified Correct:

 s. 22(1)  
Chair

 s. 22(1)  
Staff Liaison

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ART MUSEUM ADVISORY COMMITTEE  
FUNDRAISING SUBCOMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
TUESDAY, MAY 31, 2022**

---

Committee Members: F. Patterson (Chair), and M. Price attended the meeting via electronic communication facilities. Absent: D. Becker.

Staff: H. Letwin, Administrator/Curator (Staff Liaison) attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 10:02 a.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the May 31, 2022 Fundraising Subcommittee meeting agenda be approved as circulated.

CARRIED

**3. ADOPTION OF MINUTES**

It was Moved and Seconded:

THAT the March 10, 2022 Fundraising Subcommittee meeting minutes be adopted as circulated.

CARRIED

**REPORTS / ITEMS**

**4. Upcoming Fundraising Initiatives**

The subcommittee discussed details relating to the following events and initiatives:

- Spring Ask on Envoke to support West Coast Modern Week
- West Coast Modern Week, July 5 to 10, 2022
- Endowment Tea, July 14 at a private residence
- Endowment Dinner, July 19 at a private residence
- Dine for Art Dinner, September 15 at the West Vancouver Art Museum

It was Moved and Seconded:

THAT the discussion regarding Upcoming Fundraising Initiatives be received for information.

CARRIED

**PUBLIC QUESTIONS**

**5. PUBLIC QUESTIONS**

There were no questions.

**NEXT MEETING**

**6. NEXT MEETING**

Staff confirmed that the next Fundraising Subcommittee meeting is scheduled for October 18, 2022 at 10 a.m. via electronic communication facilities

**ADJOURNMENT**

**7. ADJOURNMENT**

It was Moved and Seconded:

THAT the May 31, 2022 Fundraising Subcommittee meeting be adjourned.

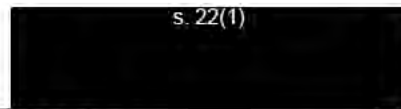
CARRIED

The meeting adjourned at 10:42 a.m.

Certified Correct:

 s. 22(1)

Chair

 s. 22(1)

Staff Liaison

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER  
ART MUSEUM ADVISORY COMMITTEE MEETING MINUTES  
VIA ELECTRONIC COMMUNICATION FACILITIES  
TUESDAY, JUNE 7, 2022**

---

Committee Members: F. Patterson (Chair), D. Becker, C. Gotay, B. Helliwell, D. LaCas, M. Price, and R. Van Halm attended the meeting via electronic communication facilities. Absent: S. Donaher, K. Duffek, H. Greenwood, and Councillor C. Cameron.

Staff: D. Niedermayer, Senior Manager, Cultural Services; and H. Letwin, Administrator/Curator (Staff Liaison) attended the meeting via electronic communication facilities.

**1. CALL TO ORDER**

The meeting was called to order at 10:18 a.m.

**2. APPROVAL OF AGENDA**

It was Moved and Seconded:

THAT the June 7, 2022 Art Museum Advisory Committee meeting agenda be approved as circulated.

CARRIED

**3. ADOPTION OF MINUTES**

It was Moved and Seconded:

THAT the April 5, 2022 Art Museum Advisory Committee meeting minutes be adopted as circulated.

CARRIED

**REPORTS / ITEMS**

**4. Arts Facilities Planning**

Prior to the June 7, 2022 Art Museum Advisory Committee meeting being called to order, C. Rosta (Manager, Cultural Services) presented an overview of the current work of the Arts Facilities Advisory Committee. A summary of the presentation will be provided to the Art Museum Advisory Committee at its next meeting.

**5. Harmony Arts Festival**

H. Letwin presented the plan to show the off-site exhibition, *North Shore Modern: John Fulker* at the Harmony Arts Festival 2022. Committee members will have the opportunity to work as volunteers at the off-site exhibition.

It was Moved and Seconded:

THAT the discussion regarding Harmony Arts Festival be received for information.

CARRIED

## **6. Administrator / Curator's Report**

H. Letwin updated the Committee on a number of upcoming and recent events and exhibition-related activity including:

- West Coast Modern Week (July 5-10, 2022)
- Rabbit Lane: Douglas Coupland Exhibition
- A Twist of the Rules: The Architecture of Paul Merrick
- Child and Youth Programming including Summer Camps, assisted with the hiring of the Education Assistant, Larissa Schemmann, supported by Young Canada Works

It was Moved and Seconded:

THAT the verbal report regarding Administrator / Curator's Report be received for information.

CARRIED

## **7. Strategic Planning Report**

F. Patterson reviewed the Strategic Priorities Document, prepared and approved by the Strategic Planning Subcommittee. Committee members expressed their unanimous approval and support of the document. H. Letwin confirmed that the Strategic Priorities Document will be included in the year-end Art Museum Advisory Committee report to Council and included in the 2023 Work Plan. H. Letwin confirmed that minutes from the recent Subcommittee meeting will need to be approved by the Committee at the July meeting.

It was Moved and Seconded:

THAT the Strategic Priorities Document, prepared and approved by the Strategic Planning Subcommittee, be approved.

CARRIED

## **8. Fundraising Report**

F. Patterson presented about the upcoming fundraising activities of the Committee, including the upcoming Endowment Tea and Dinner, West Coast Modern Week, and the Dine for Art dinner in September. R. Van Halm suggested that it may be appropriate to invite artists to attend the various Endowment Events.

It was Moved and Seconded:

THAT the verbal report regarding Fundraising Report be received for information.

CARRIED



**9. Collections Report**

H. Letwin confirmed that some recent donations are being accessioned into the West Vancouver Art Museum Collections.

It was Moved and Seconded:

THAT the verbal report regarding Collections Report be received for information.

CARRIED

**10. Programming Report**

F. Patterson and H. Letwin updated the Committee about the recent Programming Subcommittee meeting, during which programming for 2022 and 2023 was presented and considered. H. Letwin confirmed that minutes from the recent Subcommittee meeting will need to be approved by the Committee at the July meeting.

It was Moved and Seconded:

THAT the verbal report regarding Programming Report be received for information.

CARRIED

**PUBLIC QUESTIONS**

**11. PUBLIC QUESTIONS**

There were no questions.

**NEXT MEETING**

**12. NEXT MEETING**

Staff confirmed that the next Art Museum Advisory Committee meeting is scheduled for July 5, 2022 at 10 a.m. via electronic communication facilities.

**ADJOURNMENT**

**13. ADJOURNMENT**

It was Moved and Seconded:

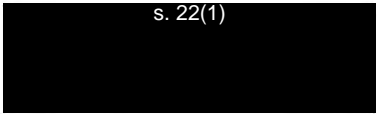
THAT the June 7, 2022 Art Museum Advisory Committee meeting be adjourned.

CARRIED

The meeting adjourned at 11:30 a.m.

Certified Correct:

 s. 22(1)  
Chait

 s. 22(1)  
Staff Liaison

---

**From:** Jessika Rahmberg  
**Sent:** Wednesday, July 6, 2022 4:27 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 4, 2022 Titled Letter to Council  
**Attachments:** s. 22(1).pdf

Good Afternoon s. 22(1),

Please see the attached response regarding your correspondence of July 4, 2022 titled letter to council.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sk̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tsleil-Waututh Nation), and x̣ʷməθkʷəỵəm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



s. 22(1)

West Vancouver, BC

s. 22(1)

July 6, 2022

Dear s. 22(1),

### **Regarding Your Correspondence of July 4, 2022 Titled Letter to Council**

Your letter to West Vancouver District Council has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British*

*Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

s. 22(1)

A large black rectangular redaction box covers the signature area, with the text 's. 22(1)' printed in white at the top left corner of the box.

Dave Clark, Fire Chief

---

**From:** s. 22(1)  
**Sent:** Monday, July 4, 2022 9:48 AM  
**To:** correspondence  
**Subject:** Bylaw 5163  
**Attachments:** Letter to Council.pdf

**CAUTION:** This email originated from outside the organization from email address 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.

Please find attached our concern re Bylaw 5163

Thank you,

s. 22(1)

July 4, 2022

RE [REDACTED] s. 22(1) West Vancouver [REDACTED] s. 22(1)

Dear West Vancouver Council

This letter is to address the confusion with respect to the recently adopted West Vancouver Fire Rescue Bylaw 5163, as well the approach taken by the Assistant Fire Marshall (AFM) in enforcement.

We fully agree that the safety of our fire fighters is of the utmost importance and must be protected. In no way are we debating that this is the ultimate intent of the BC Building code and bylaw 5163.

Having said that, we believe this bylaw is primarily focused on open parkades, and not enclosed, fire separated and suppression sprinklered individual garages. We also understand the BC Building code, under which this bylaw was drafted, does not contemplate private garages within multi-unit residential buildings, and was created before the proliferation of condominium apartment buildings, which are still included in the BC building code under the section for Hotels...

Our building was completed [REDACTED] s.22(1) and at that time met all current BC Building Code and West Vancouver bylaws. Permits were issued and occupancy was granted. Since then many of our garages were further improved with permanent shelving and storage cabinets. For over 30 years these garages have passed inspection by the West Vancouver Fire Department (WVFD).

Until the BC Building code is amended to better capture a private garage within a multi-unit residential building, we ask that West Vancouver Council work within its bylaws for approved storage spaces and parking garages. A simple amendment to allow parking within an approved storage space, which carries a much higher standard of construction than a parking garage, would begin to solve this issue. Further, if the garage door exits outside, there should be no need for it to be 1.5 hour fire rated, which is only required where a space adjoins the interior of a building.

With regard to the AFM, we take issue with the "no discretion, no practical consideration, no reasonable cure period" approach to compliance. We are seniors and full time residents in West Vancouver. We have lived in this building since [REDACTED] s.22(1) To expect compliance under a 30 day order, for something that has passed inspection for several decades, is unreasonable and/or impossible. Our council president has not had any response, positive or negative, to an attempt to discuss any of this with the AFM.

We ask that WVC consider the above solutions in its review of the situation, which has caused me undue stress and worry.

Regards,

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)

West Vancouver

---

**From:** Fire Department  
**Sent:** Wednesday, July 6, 2022 4:32 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 4, 2022 Titled New Fire Regulations  
**Attachments:** s. 22(1).pdf

Good Afternoon s. 22(1)

Please see the attached response regarding Your Correspondence of July 4, 2022 Titled New Fire Regulations.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sḵw̱x̱w̱7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tsleil-Waututh Nation), and xʷməθkʷəy̍əm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



s. 22(1)

West Vancouver, BC

s. 22(1)

July 6, 2022

Dear s. 22(1),

### **Regarding Your Correspondence of July 4, 2022 Titled New Fire Regulations**

Your letter to West Vancouver District Council has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British*

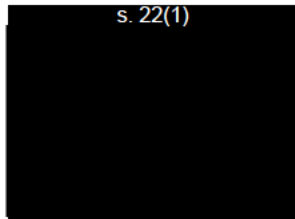


*Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

s. 22(1)  


Dave Clark, Fire Chief

**From:** [REDACTED] s. 22(1)  
**Sent:** Friday, July 1, 2022 11:24 AM  
**To:** ccameron@westvancouver.bc; Nora Gambioli; Peter Lambur; Bill Soprovich; Sharon Thompson; Marcus Wong; correspondence; Mary-Ann Booth  
**Subject:** New Fire Regulations.....  
**Attachments:** image001.png

**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.

Dear all,

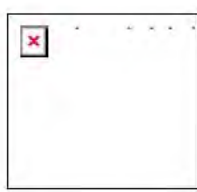
I am writing concerning the new regulations from the West Vancouver Fire Department limiting the use of storage in our garages in our condo building at [REDACTED] s. 22(1) .

1. This is a NEW regulation. It was passed after our condo was built. How can it be attributed retroactively to our building ??
2. When we purchased our condo we were told our garage unit could be used for storage. Our garages have concrete floors, concrete walls and sprinklers. Our cabinetry is metal. At a minimum, why are we not allowed to store non-flammable items in our garage??
3. If this new regulation is to apply to garages within condo buildings, why does it not also apply to garages in single family homes, all over West Vancouver?
4. This is an unthoughtful regulation in the extreme.  
I am certain everyone of you on Council has a garage that you also use for storage! Are you going to apply this ridiculous by-law to yourselves???

Sincerely,

[REDACTED] s. 22(1)

[REDACTED] s. 22(1)



---

**From:** Fire Department  
**Sent:** Thursday, July 7, 2022 8:23 AM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 4, 2022 Titled West Vancouver Fire Bylaw  
**Attachments:** s. 22(1).pdf

Good Morning s. 22(1),

Please see the attached response regarding Your Correspondence of July 4, 2022 Titled West Vancouver Fire Bylaw.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sḵw̱x̱w̱ú7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tsleil-Waututh Nation), and xʷməθkʷəy̍əm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



s. 22(1)

West Vancouver

s. 22(1)

July 6, 2022

Dear s. 22(1)

### **Regarding Your Correspondence of July 4, 2022 Titled West Vancouver Fire Bylaw**

Your letter to Mayor Booth has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

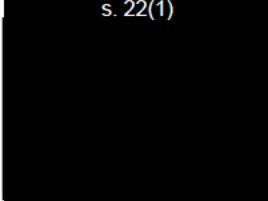
We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

s. 22(1)  


Dave Clark, Fire Chief

From: [REDACTED] s.22(1)  
Sent: Monday, July 4, 2022 8:00 AM  
To: correspondence <correspondence@westvancouver.ca>; Mary-Ann Booth <mbooth@westvancouver.ca>; Nora Gambioli <ngambioli@westvancouver.ca>; Peter Lambur <plambur@westvancouver.ca>; Bill Soprovich <bsoprovich@westvancouver.ca>; Sharon Thompson <sthompson@westvancouver.ca>; Marcus Wong <mwong@westvancouver.ca>; Craig Cameron <ccameron@westvancouver.ca>  
Subject: West Vancouver Fire Bylaw

**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.

[REDACTED] s.22(1)  
[REDACTED] West Vancouver

July 4, 2022

Ms Mary-Ann Booth  
Mayor, West Vancouver  
750 15<sup>th</sup> Street  
West Vancouver, BC  
V7V 3T3

**Re: West Vancouver Fire Bylaw**

-  
Dear Ms Booth,

I am writing to express my deep frustration with the inflexible, heavy-handed, and retroactive application of the fire bylaw passed in West Vancouver in December 2021. It was passed quickly and quietly without any West Vancouver resident input or notification. It is now being strictly applied without regard to individual circumstances.

My understanding after speaking with current and former West Vancouver fire officials is that there have been **zero fires in individual concrete garages in multi-family concrete buildings in West Vancouver in 20 years**. Note I say **West Vancouver**. I understand this is a very different circumstance than North Vancouver City or District; different types of buildings and a different demographic. I also understand that in the past, when garages were inspected, common sense was used. This doesn't seem to be the case any longer!

- **The preface to the bylaw states that it has been brought about by a high incidence of fires.**

[REDACTED] s.22(1) building I live in received its occupancy permit in [REDACTED] s.22(1). However, as Council well knows, ample parking spaces in each [REDACTED] s.22(1) garage were required for the building permit, even though there was not an accommodation for storage in the building. We, the new owners in this

building, were all led to believe we had ample space to park 3 cars as well as space to provide for our own storage needs.

All garages in [REDACTED] s.22(1) building are concrete – floors, ceilings, walls; they are all separate enclosed garages; all are sprinklered; all are ventilated. The majority of the garages fall on an outside wall. Mine is one of them. I think (but am not sure) that the 7 largest garages are in the centre of the [REDACTED] s.22(1) private parking area.

In my garage I have installed 6 steel cabinets along one wall: [REDACTED] s.22(1) [REDACTED] tool cabinet on the opposite wall - containing metal tools. This is ample storage, and still allows me to open my car doors easily. I have 2 cars, and 2 bicycles which are off the floor as required (hanging on the opposite wall). I have no combustibles stored either in the cabinets or anywhere in my garage. Everything is clean and tidy. There are 4 sprinklers in my garage.

My garage has been inspected. For my steel cabinets and tool cabinet I was given a conditional pass - in other words, get rid of them! The baby carseat for [REDACTED] s.22(1) was given a fail. Really?! It sits on top of the steel cabinet. A level hanging from the wall beside the tool cabinet was failed, as was a solid bronze sculpture on the front wall, and the cart in which we carry our groceries to our apartment! Seriously?! The residents in this building are mainly seniors!

- **Fire requires heat, oxygen, fuel, and needs a spark to start a flame. There are: 1) no combustibles in my garage to start a fire; 2) nowhere for this supposed fire to go.**

The garages at the Bellevue have been inspected 3 times within the past 2 months (??!!)

- **This begs the question: who has time for that?!**

**I DO** believe in the safety of buildings and property. **I DO** respect the firemen's safety. **I DO** believe in data. **I DO NOT** believe there is any West Vancouver data to support the strict and inflexible enforcement of this bylaw. **I DO NOT** believe my concrete, ventilated, sprinklered garage with steel storage cabinets, and no combustibles, poses a fire hazard. This bylaw was passed and applied without any warning to, or input from West Vancouver residents, and without any West Vancouver specific statistical data to support it.

I will band together with other concerned (angry!) residents in similar situations to oppose such strict enforcement of this bylaw.

**I am expecting to see:**

- **The West Vancouver specific historical data which precipitated and which supports the necessity of such strict enforcement of this bylaw;**
- **A repeal, an amendment, or at the very least, intelligent, data supported, and logical exemptions applied!**

Sincerely,  
[REDACTED] s.22(1)

Cc: Councillor Craig Cameron

Councillor Bill Soprovich

Councillor Nora Gambioli  
Councillor Peter Lambur

Councillor Sharon Thompson  
Councillor Marcus Wong

s.22(1)

Reply Reply all Forward

--  
s.22(1)



---

**From:** Fire Department  
**Sent:** Wednesday, July 6, 2022 4:33 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 4, 2022 Titled Garage Storage Bylaw  
**Attachments:** s. 22(1).pdf

Good Afternoon s. 22(1),

Please see the attached response regarding Your Correspondence of July 4, 2022 Titled Garage Storage Bylaw.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sk̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation), sə́l̓ílwətaʔ (Tsleil-Waututh Nation), and x̓m̓əθk̓əy̓əm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



s. 22(1)

West Vancouver, BC

s. 22(1)

July 6, 2022

s. 22(1)

### **Regarding Your Correspondence of July 4, 2022 Titled Garage Storage Bylaw**

Your letter to West Vancouver District Council has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

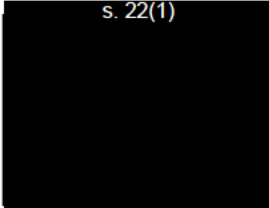
This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British*

*Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

s. 22(1)  


Dave Clark, Fire Chief

**From:** [REDACTED] s. 22(1)  
**Sent:** Monday, July 4, 2022 8:17 AM  
**To:** correspondence; Mary-Ann Booth  
**Cc:** Craig Cameron; Nora Gambioli; Peter Lambur; Bill Soprovich; Sharon Thompson; Marcus Wong  
**Subject:** Garage storage bylaw

**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.

Hello Mayor Booth,

In December of 2021 a new fire bylaw was passed in West Vancouver without citizen consultation and in a manner that can only be described as stealthy. West Vancouver Fire Department is now enforcing this bylaw rigorously and inflexibly, as a broad brush, one-size-fits-all application across the entire community, causing wide spread disruption, angst, and confusion. I am writing to you to ask that you bring a sense of balance and common sense to this extremely distracting issue.

Over the past few decades, building codes have been extremely effective at reducing the incidence and destruction of fires by using new technologies and materials in the design and construction of residences of all sorts. It's why we have them. And they have been successful, as I'm certain a review of residential fire statistics for the past twenty years or so would quickly verify.

The building in which I live is brand new and is a shining example of the application of state of the art fire avoidance technology throughout. That is particularly the case for the parking areas, which appear to be the point of contention with WVFD. My 'garage' has room for three cars, has two concrete exterior walls and a concrete ceiling, **and has eight sprinklers**. When I purchased my unit, I had every reason to believe that my garage space would easily suffice for storage of items like luggage, foldable chairs, golf clubs, and the like. In the absence of information to the contrary, my impression that the garage doubled as a safe storage unit would surely be seen as reasonable in the eyes of an objective third party, like a court of law.

For the municipality to now retroactively enforce this bylaw for a building as distinct and compliant to all the latest codes as [REDACTED] s. 22(1), in the same manner as buildings decades older, makes no sense.

Energetic enforcement of every detail of this bylaw by WVFD will cause significant disruption for thousands of residents and, in some cases will significantly impact market values. Off-site

storage is scarce at best. The newest buildings, in particular, have built-in safety technology. Furthermore, statistics on fire events in West Vancouver simply don't support it and contradict the department's claim that they have data pointing to the need to clamp down.

**This is a draconian and expensive solution to a problem that does not exist**, and appears to support some other agenda. It's quite surprising to me that, given the widespread impact of this enforcement over-reach, it has not been picked up by the news media as just one more cost to residents in these inflationary times.

It also seems logical then that, considering the success of building codes on structure safety, firefighting resources and tax dollars gradually be shifted to other priorities as the needs of the community change.

**Here's what I ask of you and your colleagues on Council:**

Either provide **transparent data** that supports the need for such energetic enforcement of this bylaw;

or, set it aside and introduce a mechanism that reflects current fire security realities;

or, recognize that a one-size-fits-all approach is inappropriate and leave room for exemptions.

Sincerely,

s. 22(1)

s. 22(1)

West Vancouver

s. 22(1)

---

**From:** Fire Department  
**Sent:** Wednesday, July 6, 2022 4:38 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 3, 2022 Titled Fire Regulations  
**Attachments:** s. 22(1)

Good Afternoon s. 22(1),

Please see the attached response regarding Your Correspondence of July 3, 2022 Titled Fire Regulations.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sk̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tsleil-Waututh Nation), and x̓məθkʷəyəm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



s. 22(1)

July 6, 2022

Dear s. 22(1)

### **Regarding Your Correspondence of July 3, 2022 Titled Fire Regulations**

Your letter to West Vancouver District Council has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

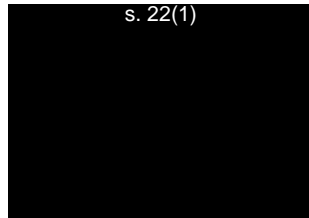
We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,



Dave Clark, Fire Chief



**From:** [Redacted] s. 22(1)  
**Sent:** Sunday, July 3, 2022 12:47 PM  
**To:** correspondence  
**Cc:** Peter Lambur; Nora Gambioli; Sharon Thompson; Bill Soprovich; ccameron@westvancouver.bc; Marcus Wong; [Redacted] s. 22(1)  
**Subject:** Re: Fire Regulations

**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.

Attention: West Vancouver District Council

Regarding the decision by Fire Department to implement the usage limit of the garages at [Redacted] s. 22(1) building, I wanted to express my disagreement and frustration with such unfair and unlogical decision as it would make it very hard for all the residents to lose their only storage space they have in the building and they have paid so much to have their spaces of multiple garages per unit with roll up garage doors which are fully safe and secure for general storage other than just parking cars and without the space we would not have anywhere else to store our goods such as tools, freezer, bikes, christmas tree, picnic chairs and many other accessories.

We adamantly protest against this decision and will not be able to adapt this change as it will be impossible.

[Redacted] s. 22(1)

**From:** [Redacted] s. 22(1)  
**Sent:** Thursday, June 30, 2022 10:11:38 AM  
**To:** [Redacted] s. 22(1)  
**Cc:** [Redacted] s. 22(1)  
**Subject:** Fire Regulations

Good morning residents,

Please see the message below:

Following is information should you wish to e-mail or write West Vancouver District Council to protest against the West Vancouver Fire Department's implementation of new rules limiting the use of private garages at [Redacted] s. 22(1) which we recommend be done soon while the matter is being discussed by West Vancouver District Council

E-mail to: [correspondence@westvancouver.ca](mailto:correspondence@westvancouver.ca), with a copy to: [mbooth@westvancouver.ca](mailto:mbooth@westvancouver.ca) and/or

- [ccameron@westvancouver.bc](mailto:ccameron@westvancouver.bc),
- [ngambiolli@westvancouver.ca](mailto:ngambiolli@westvancouver.ca),
- [plambur@westvancouver.ca](mailto:plambur@westvancouver.ca),
- [bsoprovich@westvancouver.ca](mailto:bsoprovich@westvancouver.ca),
- [sthompson@westvancouver.ca](mailto:sthompson@westvancouver.ca),
- [mwong@westvancouver.ca](mailto:mwong@westvancouver.ca)

Write to: Correspondence, 750 17th Street, West Vancouver V7V3T3, attention of Mayor Booth and/or any of the other council members

Phone for information: 604-925-7000.

Regards, s.22(1) for Strata Council

Thank you for taking the time to connect with me today. Your feedback is important, please take a few moments and [Click Here to Leave A Review](#).

s. 22(1)



---

**From:** Fire Department  
**Sent:** Wednesday, July 6, 2022 4:42 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Regarding Your Correspondence of July 4, 2022 Titled Fire Regulations  
**Attachments:** s. 22(1).pdf

Good Afternoon s. 22(1),

Please see the attached response Regarding Your Correspondence of July 4, 2022 Titled Fire Regulations.

Thank you,

Jessika

**Jessika Rahmberg**  
Administrative Assistant | District of West Vancouver  
d: 604-925-7370 | [www.westvancouver.ca/fire](http://www.westvancouver.ca/fire)



We acknowledge that we are on the traditional, ancestral and unceded territory of the Sk̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tsleil-Waututh Nation), and x̓məθkʷəyəm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

FIRE & RESCUE SERVICES  
760 16th Street West Vancouver BC V7V 3S1  
t: 604-925-7370 e: firedepartment@westvancouver.ca



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

July 6, 2022

Dear s. 22(1),

### **Regarding Your Correspondence of July 4, 2022 Titled Fire Regulations**

Your letter to West Vancouver District Council has been referred to me for response. I would like to take this opportunity to respond to your concerns.

The *British Columbia Building Code* defines “storage garage” to mean a building or part thereof intended primarily for the storage or parking of motor vehicles and containing no provision for the repair or servicing of such vehicles. Section 3.3.5.6 (1) of the *British Columbia Building Code* provides “A storage garage shall be separated from other occupancies by a fire separation with a fire-resistance rating not less than 1.5 h.” Similarly, section 2.2.1.1 (1) of the *British Columbia Fire Code* provides “Where a building contains more than one major occupancy, such occupancies shall be separated from each other in conformance with the *British Columbia Building Code*.”

West Vancouver Council has not introduced new bylaws related to storage garages. The *British Columbia Fire Code* does not allow storage garages to be used for storage of anything other than vehicles. This is not a new regulation and was in place when your building was constructed. When occupancy was granted for your building, the storage garage did not contain storage for unpermitted items and was compliant with Code.

As noted above, the *British Columbia Building Code* has specific requirements for storage garages. It’s important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage rooms or spaces within your storage garage is contrary to code and this work was not completed with permits.

We realize it has come as a surprise to learn that your storage garage is both non-compliant with provincial regulations and poses a fire risk to their property. Some residents will incur costs to bring their storage use into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This enforcement program is being prioritized because many West Vancouver stratas have established unpermitted storage use in storage garages in contravention of the *British*

*Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner, and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using storage garages unlawfully for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings an opportunity to rectify infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This enforcement has been ongoing in 2022 and there has been significant progress on properties achieving compliance. Our Fire Prevention team have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing, and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

s. 22(1)

A large black rectangular redaction box covers the signature area, with the text 's. 22(1)' printed in white at the top left corner of the box.

Dave Clark, Fire Chief

---

**From:** s. 22(1)  
**Sent:** Monday, July 4, 2022 12:03 PM  
**To:** correspondence; Mary-Ann Booth  
**Cc:** ccameron@westvancouver.bc; Nora Gambioli; Peter Lambur; Bill Soprovich; Sharon Thompson; Marcus Wong  
**Subject:** Fire Regulations

**CAUTION:** This email originated from outside the organization from email address 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.

Madam Mayor and Counciller's

I've lived here in West Van for over 40 years and seen some pretty silly municipal issues but the silliest one has got to be West Vancouver Fire Department's implementation of new rules limiting the use of private garages at s. 22(1). Everyone wants and supports fire safety but basic common sense should also prevail. Please make it a point to understand the good the bad and the ugly of what your new rule imposes and listen to the comments from the affected **VOTING** residents.

Regards

s. 22(1)

s. 22(1)

**From:** Corinne Ambor  
**Sent:** Thursday, July 7, 2022 4:14 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Pickleball at Hugo Ray Park

Dear s. 22(1)

Thank you for your email dated June 21, regarding pickleball at Hugo Ray Park. Your correspondence has been referred to staff for response.

Many of your questions regarding sound, traffic, and other considered locations are addressed in the FAQ section of the public engagement page for the proposed pickleball courts at Hugo Ray Park: <https://www.westvancouverite.ca/hugo>.

At its January 24, 2022 regular meeting, Council directed staff to report back on the feasibility of installing permanent pickleball courts at Hugo Ray Park during the summer of 2022, and at its May 30th meeting, Council directed staff to proceed with public engagement. Hugo Ray was identified as a potential location for dedicated pickleball courts for several reasons, including the fact that there are opportunities to place courts well away from residences. There is more information on the FAQ of the public engagement page.

The District has conducted a sound study at Hugo Ray Park which is now being finalized. An environmental site assessment is currently underway as well.

Hugo Ray Park has been used as a location for many recreational sports and activities over the years, as it was built by the District for that purpose. There are no plans for expansion to more than four pickleball courts, although the staff report notes that there is potential for expansion at Hugo Ray Park.

Other potential locations under consideration for dedicated pickleball courts include the Gleneagles area, near the community centre.

There have been no discussions regarding funding of pickleball courts by a pickleball group.

Regards,

Corinne Ambor  
Parks Stewardship Manager | District of West Vancouver  
T: 604.925.7138 | westvancouver.ca

.....  
We acknowledge that we are on the traditional, ancestral and unceded territory of the Skwxwú7mesh Úxwumixw (Squamish Nation), səliłwətaʔ (Tseil-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.

This email and any files transmitted with it are considered confidential and are intended solely for the use of the individual or entity to whom they are intended. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately and delete all copies of this email and attachment(s). Thank you.

**From:** s. 22(1)  
**Sent:** Tuesday, June 21, 2022 3:46 PM  
**To:** correspondence  
**Subject:** Hugo Ray Park rejection

**CAUTION:** This email originated from outside the organization from email address 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.

To Mayor and Council

I am writing to you today to declare my opposition to Pickleball courts being built at Hugo Ray Park. This location will disrupt a peaceful neighbourhood just like all the other neighbourhoods it has disrupted in its search for a home in West Vancouver

Why is council pushing a project that benefits North Vancouver Pickleball over West Vancouver residents, when its being paid for by West Vancouver residents.

Why is council going against the wishes of the West Vancouver Pickleball Club whose main aim is to get courts built in either Glen Eagles or Ambleside. They realize if the courts are built in Hugo Ray Park that the North Vancouver Pickleball club will take over the courts through sheer numbers and financial backing and they will be out in the cold. And the West Vancouver players will still be without courts,

Why after spending \$500,000 dollars to put courts on a dubious landfill site that West Van players will have difficulties getting playing time on.

I hope council reads the correspondence that is sent, if you did you would notice that there are already offers for 12 courts at Hugo Ray, so instead of free courts there will probably be a fee to play. So who ever the investor is will get land for free, so they can expand from 4 to 12 courts and charge West van players to play on courts that they have paid for with their taxes.

The lack of transparency with the neighbourhood is astounding. Negotiations with the Pickleball groups have been ongoing for at least 8 months. (in Public Correspondence) During all this time nothing was mentioned to the Hugo Ray Park neighbourhood just like all the other neighbourhoods that Pickleball courts went into. This confirms that the various reports and recommendations to council from staff amounted to a false, no test or studies have been done so of course you cant share results with the neighbourhood, because you don't have any, just hearsay and misleading opinions that staff are giving to council.

This is how it adds up for the Hugo Ray Park neighbourhood.

Minuses

Loss of peace and tranquility of our neighbourhood.

In safety of all users of Mathers Ave. & 3<sup>rd</sup> St.

In health and sleep, already in decline from anxiety. Because no creditable sound tests have been done.

In values of properties in and around the neighbourhood. So the neighbourhood is really paying for the courts in lost property value.

In trees and vegetation to make way for the courts

Increases

In the volume of traffic using s.22(1). The staff estimate number is a joke. We already have average One car a minute with no Pickleball players, Just imagine with 12 active courts, that number is easily doubled.

In the most annoying sound, the hitting of the ball and the echo of that sound from the hard court surface.

In anxiety over councils lack of respect for this neighbourhood.

In ill health such as high blood pressure from Stress, Migraines, Insomnia Etc

In chaos in the area from the increase in traffic

In the chance of and Environmental issue coming from the building of these courts.

Its revealing that all the Minuses and Increases all seem to add up to a loss for the Hugo Ray Park neighbours.



s. 22(1)

West Vancouver s. 22(1)  
BC

Sent from [Mail](#) for Windows

**From:** Corinne Ambor  
**Sent:** Thursday, July 7, 2022 4:20 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Pickleball at Hugo Ray Park

Dear s. 22(1),

Thank you for your emails dated June 12 and 22, regarding pickleball at Hugo Ray Park. Your correspondence has been referred to staff for response.

Many of your questions regarding sound, traffic, and other considered locations are addressed in the FAQ section of the public engagement page for the proposed pickleball courts at Hugo Ray Park: <https://www.westvancouverite.ca/hugo>.

At its January 24, 2022 regular meeting, Council directed staff to report back on the feasibility of installing permanent pickleball courts at Hugo Ray Park during the summer of 2022, and at its May 30th meeting, Council directed staff to proceed with public engagement. Hugo Ray was identified as a potential location for dedicated pickleball courts for several reasons, including the fact that there are opportunities to place courts well away from residences. There is more information on the FAQ of the public engagement page.

The District has conducted a sound study at Hugo Ray Park which is now being finalized. An environmental site assessment is currently underway as well.

Other users of the park have been informed using the same public engagement channels. Hugo Ray Park has been used as a location for many recreational sports and activities over the years, as it was built by the District for that purpose.

With regard to non-resident use of recreational facilities, District of West Vancouver residents are able access recreational facilities and parks in other municipalities. Additionally, with sport fields, the opposing team is almost always from another community.

There are no plans for expansion to more than four pickleball courts, although the staff report notes there is potential for expansion at Hugo Ray Park.

Other potential locations under consideration for dedicated pickleball courts include the Gleneagles area, near the community centre.

There have been no discussions regarding funding of pickleball courts by a pickleball group, no lighting is proposed and hours of use are not currently proposed.

Regards,

Corinne Ambor  
Parks Stewardship Manager | District of West Vancouver  
T: 604.925.7138 | [westvancouver.ca](http://westvancouver.ca)

.....  
We acknowledge that we are on the traditional, ancestral and unceded territory of the Skwxwú7mesh Úxwumixw (Squamish Nation), səliłwətaʔ (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.

This email and any files transmitted with it are considered confidential and are intended solely for the use of the individual or entity to whom they are intended. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately and delete all copies of this email and attachment(s). Thank you.

**From:** s. 22(1)  
**Sent:** Sunday, June 12, 2022 7:37 PM  
**To:** Marcus Wong; Bill Soprovich; Craig Cameron; correspondence; Mary-Ann Booth; Nora Gambioli; Peter Lambur; Sharon Thompson  
**Subject:** Pickleball at Hugo Ray Park

**CAUTION:** This email originated from outside the organization from email address 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.

Dear Mayor and Council,

I and members of our household are residents s.22(1) Hugo Ray Park. We are not, in principle, opposed to the sport of pickleball, but we are opposed to the proposal by staff to locate pickleball courts at the Park, and to the improper way in which this matter is being handled. Our reasons are as follows:

1. Staff's recommendations state that there would be no significant noise impact to the neighborhood residences. Yet, surprisingly, we understand from you that **no sound impact studies have been conducted** to back up this conclusion. We therefore ask:

(a) What is the basis for the staff's statement that there will be no 'significant' noise impact? Please **define 'significant'** in terms of dBA from the point of strike, and state whether this is based on maximum capacity court usage, or not.

(b) If sound impact studies have not been conducted, why has staff made a statement to the Mayor and Council -- about no significant impact from noise -- especially because such a statement could have unduly influenced its decision to greenlight the proposal to its next step?

(c) If sound impact studies are planned, I and our neighbours s.22(1) would like input into the terms of reference. Will we be allowed such input?

(d) If, despite our understanding, sound impact studies have in fact been conducted, will these be shared with us? It is clear that a number of households might well be faced with **sounds exceeding the limits stated for continuous noise in the relevant DWV bylaw**, and, if those kinds of noise are permitted, they may be tortiously actionable as a nuisance. Has the DWV obtained a legal opinion in this regard? Please share it with us.

(e) In view of other neighborhoods in West Vancouver having objected to pickleball in their vicinity, would you please share with us the **reasons for their objections** (duly redacting private information as required by law), responses by the staff to those objections, and any studies conducted in those contexts to enable DWV to reach its decision not to permit pickleball in those neighbourhoods? The time range for which we are seeking this information is during the 24 months preceding the date of this email.

(f) In view of other municipalities closing down pickleball facilities in park settings due to neighborhood complaints (see, for example, the following link: <https://www.cbc.ca/news/canada/british-columbia/pickleball-victoria-noise-complaints-1.6437623>), why are Mayor and Council considering such a **politically regressive proposal** for Hugo Ray Park and our neighborhood?

2. Staff's recommendations are **not in keeping with the Official Community Plan**, in particular the section (2.1) dealing with respecting the character of this quiet s.22(1) neighborhood of single-family residences, s.22(1) a park, a cemetery and three churches; nor with the section (2.6) dealing with the protection of the natural environment. We therefore ask:

(a) Have any studies been conducted to **protect the bat sanctuaries** located at the north west corner of the Park? Please provide us with a copy. If no study has been conducted, please explain why.

Please confirm whether such a study will be conducted, and its parameters and that its results will be shared with this neighborhood before any steps are taken to formally approve the proposal. If there are no such plans, please explain why.

(b) Have any **traffic studies** been conducted to establish the impact of increased traffic on this neighborhood? Please provide us with a copy. If no study has been conducted, please explain why.

Please confirm whether such a study will be conducted, and that its parameters and results will be shared transparently with this neighborhood before any steps are taken to formally approve the proposal. If there are no such plans, please explain why.

In particular, please identify the volumes of traffic expected, at what times of day this is expected, and the **pathways of ingress and egress**.

(c) Have any studies been conducted to establish **the impact of the plans on the other users -- the cricket club, the cemetery visitors, the church congregants, and (particularly) the safety of the many pre-schoolers who regularly use the roadways and park?** Please provide us with a copy. If no study has been conducted, please explain why.

Please confirm whether such a study will be conducted, and that its parameters and results will be shared transparently with this neighborhood before any steps are taken to formally approve the proposal. If there are no such plans, please explain why.

(d) The neighbourhood's ambience has already been substantially adversely effected by the removal of trees to install the bike path, and no remedial steps have been taken despite repeated correspondence asking that this be addressed. The residents are already aware of the adverse effect on sound insulation of the removal of tree cover, but have any studies been conducted to establish **the impact of the tree removal contemplated under Option A?** Please provide us with a copy. If no study has been conducted, please explain why.

Please confirm whether such a study will be conducted, and that its parameters and results will be shared transparently with this neighborhood before any steps are taken to formally approve the proposal. If there are no such plans, please explain why.

Please identify which trees are to be removed, and how many. Please advise how this is in keeping with generally-accepted principles of **neighbourhood ambience and environmental preservation** of bird, wildlife and human habitat in the area.

3. Have any studies been conducted to establish how many users of the proposed facilities are **non-residents of West Vancouver?** Please provide us with a copy. If no study has been conducted, please explain why.

Please confirm whether such a study will be conducted, and that its parameters and results will be shared transparently with this neighborhood before any steps are taken to formally approve the proposal. If there are no such plans, please explain why.

If there are non-WV residents who will be expected to use the facilities, please advise:

(a) whether those non-residents will be **funding** the construction and maintenance of those facilities, or whether the cost will be foisted instead solely on WV residents;

(b) whether Mayor and Council have considered **other (non WV) facilities** for pickleball. If so, please provide details; and if not, please explain why not;

(c) whether any **promises** have been made to any pickleball lobby group about the creation of these facilities at Hugo Ray Park. Please provide details.

4. Both proposals under consideration lack **critical information, which we request be provided in a timely way before any public consultation process takes place**. This includes:

(a) details of any plans for **expansion**, or limits on expansion — as expansion is referred to in the proposals;

(b) details of **limits and controls on the use** of the planned facilities, in particular, hours of use, lighting, protocols for equipment (for example, noise reducing balls and racquets), and protocols for behaviour by the sports users (booking, spectator attendance, shouting);

(c) details of any **acoustic curtain** to be used at the facilities, and its noise reduction impact calibrated in terms of dBA.

5. The process being followed is flawed as it is in violation of rules of fair consultation and is more in keeping with **railroading the neighbors with a 'fait accompli'** than engaging in any fair consultation because:

(a) it is based on **misleading information** having been provided to the Mayor and Council, in particular the statement that there will be no significant noise impact to neighbouring residents despite any formal sound impact study having been conducted;

(b) **none of the other impact studies (traffic, etc) have either been conducted, or, even if they have, the information has not been shared** with the neighbours in the interests of fairness and transparency and so as to be capable of being understood and internalized before the proposed community consultation;

(c) the community consultation is to include **non-residents whose status as 'stakeholders' is legally questionable**. What weight will be given to their voices over that of the immediately impacted local residents of the neighborhood? Please explain your policy.

No proposal conducted in this manner can be safe from downstream legal consequences.

That said, I would like to state that while we, as neighbors, would like to work constructively with the Mayor, Council and staff, that will require being given access to the relevant requested information in a fair and transparent way, and to be given meaningful involvement as legitimate stakeholders entitled to civically engage to reach a resolution in the common interest of all.

Yours truly,

s. 22(1)

s. 22(1) resident

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

**From:** [REDACTED] s. 22(1)  
**Sent:** Wednesday, June 22, 2022 8:30 AM  
**To:** Marcus Wong; Bill Soprovich; Craig Cameron; correspondence; Mary-Ann Booth; Nora Gambioli; Peter Lambur; Sharon Thompson  
**Subject:** Pickleball at Hugo Ray Park

**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.

To Mayor and Council,

Further to my recent correspondence on this matter, I am appending a few photographs I took on June 4th while walking at Hugo Ray Park. They depict a deer that had walked down the field while a cricket game was in progress. This is not an unusual occurrence. If pickleball's plans were to proceed, the noise from the sport (unlike from a quiet and leisurely cricket game) would scare away this kind of wildlife and would drastically alter the neighbourhood's quiet character.



In the above photo, you can see the cricket score board, with the game underway. In the photos that follow, you can see how the deer, having emerged via the precise areas where it is proposed to site the pickleball courts, made its way slowly across the cricket pitch (note the cricketers in several of the photos) and ambled towards the bush across the parking lot between the park and the cemetery. **This is the natural habitat which pickleball would destroy.**

(Photo credits: [REDACTED] s. 22(1) June 4, 2022, Hugo Ray Park)





As well, I question the plan to fell trees which provide a noise barrier from the highway traffic in order to replace it with a notoriously noisy sport.

Will you be requiring environmental impact studies, noise impact studies, and traffic studies, to assure the residents of this neighbourhood that the pickleball plans will not disrupt the neighbourhood character? If not, could you please state why not? And if you do plan such studies, will you allow me and other neighbours in the vicinity of the park a proper opportunity to provide input into those studies, including their protocols before commissioning them?

I look forward to your responses.

Regards,

s. 22(1)

s. 22(1)

s. 22(1)

, West Vancouver



**From:** Corinne Ambor  
**Sent:** Thursday, July 7, 2022 4:20 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Hugo Ray Park Pickleball

Dear s. 22(1)

Thank you for your email dated June 23, regarding pickleball at Hugo Ray Park. Your correspondence has been referred to staff for response.

Many of your questions regarding sound, traffic, trees, costs and other considered locations are addressed in the FAQ section of the public engagement page for the proposed pickleball courts at Hugo Ray Park, <https://www.westvancouverite.ca/hugo>. The traffic study is available on this page.

At its January 24, 2022 regular meeting, Council directed staff to report back on the feasibility of installing permanent pickleball courts at Hugo Ray Park during the summer of 2022, and at its May 30th meeting, Council directed staff to proceed with public engagement. Hugo Ray was identified as a potential location for dedicated pickleball courts for several reasons, including the fact that there are opportunities to place courts well away from residences. There is more information on the FAQ of the public engagement page.

The District has conducted a sound study at Hugo Ray Park which is now being finalized. An environmental site assessment is underway as well.

Regards,

Corinne Ambor  
Parks Stewardship Manager | District of West Vancouver  
T: 604.925.7138 | westvancouver.ca

.....  
We acknowledge that we are on the traditional, ancestral and unceded territory of the Skwxwú7mesh Úxwumixw (Squamish Nation), sə́lilwətaʔ (Tseil-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.

This email and any files transmitted with it are considered confidential and are intended solely for the use of the individual or entity to whom they are intended. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately and delete all copies of this email and attachment(s). Thank you.

From: [REDACTED] s. 22(1)  
Sent: Thursday, June 23, 2022 1:08 PM  
To: Bill Soprovich <bsoprovich@westvancouver.ca>; Craig Cameron <ccameron@westvancouver.ca>; Marcus Wong <mwong@westvancouver.ca>; Nora Gambioli <ngambioli@westvancouver.ca>; Peter Lambur <plambur@westvancouver.ca>; Sharon Thompson <sthompson@westvancouver.ca>; Mary-Ann Booth <mbooth@westvancouver.ca>  
Subject: Hugo Ray Park Pickleball

**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.

Good afternoon Mayor and Councils Members:

My name is [REDACTED] s. 22(1) and I am writing to you today on behalf of myself and my wife, [REDACTED] s. 22(1) and as such are heavily weighted stakeholders in the proposed creation of new pickleball (PB) courts at HRP.

Unfortunately, [REDACTED] s.22(1) do not allow for us to attend the in-person meeting at HRP this weekend, so we would like to use this opportunity to express the basis of our concerns.

I will note that we are in no way against sport or opposed to it, much the opposite as I play in a West Vancouver (WV) [REDACTED] s.22(1) league and have for several years (and will for several more, God willing). We very much support sport and all the positives it offers but we are afraid that the plans, as currently proposed, for HRP have costs that far outweigh the benefits in both a monetary sense but more importantly from an environmental and safety point of view which I will elaborate on further below.

In addition to this, the proposal feels rushed and leave us with heightened feelings of stress and anxiety as these proposals were just announced and we were presented with very limited options, both of which are at HRP, and the process from residents of the neighbourhood's point of view feels unfair in the way and via the options

presented. In a sense it feels like we are in a lunch line and the options presented are either 'steak' or 'chicken'....

As residents of the neighbourhood, we feel rushed into this decision with a narrow set of options to decide between; both of which would create significant negative impacts to everyone in the area.

My wife and I joined the city council meeting a few weeks ago where the plans were briefly discussed and laid out by the proponents of the PB courts. However, it seems as though no extensive or complete surveys for sound, traffic, etc have been done. One of the 2 options laid out for us involves the removal of a significant number of large trees (estimated by some at upwards of 20+) which provide a sound barrier from the highway traffic noise for the community, the churches, the cemetery and the residents of the area. So not only will we be facing the added noise of PB, which national studies in Canada show exceeds the WV noise bylaws, but we will also be left with a significant increase in highway noise from the removal of trees which provide a very necessary sound barrier for everyone in the neighbourhood. Ultimately, this will be a double negative on the noise side for all stakeholders in the nearby area, be it worshippers, cyclists, dog walkers, mourners and/or residents.

We are also concerned about traffic on Mathers. I drive to and from work daily and am constantly coming up behind bikers, dog walkers and runners (sometimes all 3 at the same time) who use and share this street (which is the only way to HRP and the proposed PB courts). There are no sidewalks or curbs of any kind which creates an already dangerous situation. I believe it was estimated that the addition of 4 PB courts would potentially increase traffic to 1 car every 4 minutes during "peak hours". I am curious to read more about this traffic study if possible as even today with no PB traffic there seems to be more than 1 car per 4 minutes at most times of day as traffic comes to and from the cemetery, church, daycares or homes in the area. I would also note that 'peak hours' for PB will also be "peak hours" for dog walks, runs, bike rides and neighbourhood kids' street hockey games which all happen on the same (and only) street that would be used to get to and from the proposed PB courts. I fear this is an accident waiting to happen and hope that more time and deliberation will be spent doing traffic studies prior to any decision being made.

We are also concerned about the environmental impacts of the creation of the proposed PB courts. How many trees will need to be removed and what impact will this have on noise? Were the noise studies that were presented at the council meeting done with this in mind? Or were they done based on the current state of the park which will certainly need to be altered in a material way to add the proposed courts? How will the removal of trees impact animals, birds and wildlife in the area?

We have other, lesser concerns, however in the respect of your time we wanted to highlight the most critical ones today.

We certainly support sport and see all the benefits of it in lives and communities. However, we live in this beautiful neighbourhood and we are very concerned that if the proposal does indeed go ahead, as planned, without these proper studies being completed and other possibly more viable options being explored (for example Ambleside and/or Eagle Ridge) the net impact will be a very negative one basis our understanding of the proposal today.

We are aware that previous PB courts in other residential neighbourhoods of WV have been permanently closed due to ongoing noise complaints by stakeholders in those neighbourhoods. Albert Einstein said, "the definition of insanity is doing the same thing over and over again and expecting different results".

With all due respect, we plead to council to not rush this major decision and to provide ample time to follow the process through for all stakeholders involved; from due diligence, to planning, to community engagement, especially for those most impacted. We realize PB is a rapidly growing sport, and it is not difficult to get several hundred residents from around GVA to support the creation of new courts but as WV taxpayers and residents s.22(1) the proposed courts we want to ensure that our voices are heard and considered in a fair and equitable way before any decision is made. I am sure all of you would agree that the last thing we want to do is spend taxpayer dollars to export a problem from other neighbourhoods and communities to ours only to have a multi year battle that ultimately ends the same way that 29th street, Victoria and several other courts around Canada have; ie: closed due to excessive noise complaints due to lack of proper process and oversight by decision makers that may have been rushed in those decisions.

We love West Vancouver and the British Properties and hope we can call it our home for years to come and for this very reason we are passionate and vocal about issues that will directly impact us, our neighbours and the environment around us.

Thank you for your time and for reading our letter. We are happy to discuss further and can be reached at s. 22(1)

Sincerely,

s. 22(1)

West Vancouver, BC

**From:** Corinne Ambor  
**Sent:** Thursday, July 7, 2022 4:21 PM  
**To:** Alex Turko - West Vancouver Cricket Club  
**Cc:** correspondence  
**Subject:** Pickleball at Hugo Ray Park

Dear Alex Turko,

Thank you for your email dated June 25, regarding pickleball at Hugo Ray Park. Your correspondence has been referred to staff for response.

Many of your questions regarding sound, traffic, trees, and other considered locations are addressed in the FAQ section of the public engagement page for the proposed pickleball courts at Hugo Ray Park:  
<https://www.westvancouverite.ca/hugo>.

The traffic study notes the expected parking demand from four dedicated pickleball courts.

There are no plans for expansion to more than four pickleball courts, although the staff report notes there is potential for expansion at Hugo Ray Park.

The District has conducted a sound study at Hugo Ray Park which is now being finalized. An environmental site assessment is currently underway as well.

Regards,

Corinne Ambor  
Parks Stewardship Manager | District of West Vancouver  
T: 604.925.7138 | westvancouver.ca

.....  
We acknowledge that we are on the traditional, ancestral and unceded territory of the Sḵwx̱wú7mesh Úxwumixw (Squamish Nation), səliłwətaʔ (Tseil-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.

This email and any files transmitted with it are considered confidential and are intended solely for the use of the individual or entity to whom they are intended. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately and delete all copies of this email and attachment(s). Thank you.

**From:** Alex Turko | President WVCC <president@westvancouvercricketclub.ca>  
**Sent:** Saturday, June 25, 2022 6:35 AM  
**To:** correspondence  
**Subject:** PICKLE BALL AT HUGO RAY PARK

**CAUTION:** This email originated from outside the organization from email address president@westvancouvercricketclub.ca. 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.

Dear Mayor and Council,

I am writing to clarify the West Vancouver Cricket Club's views and concerns the regarding pickleball courts proposal at Hugo Ray Park.

HRP has been Cricket's only West Vancouver home since early 1970s. Cricket has good league participation and good interactions with the neighbouring residents, churches, and cemetery visitors. The current proposal for pickleball courts at HRP will affect all of these, as well as Cricket itself.

First, I need to clarify a mistaken impression I have recently become aware of. I have seen a letter dated February 5, 2022 that was sent to Mayor and Council advocating HRP as a "Good spot for pickleball courts" which letter goes on to state "*...the administration of the West Vancouver Cricket Club has also thought this would be a benefit for them and allow for a cost and maintenance sharing of the existing Cricket clubhouse.*" I want to clarify that this statement was not made by the administration of the Cricket Club, nor is it true to the facts as they are known to me. Thank you for ensuring Cricket's views are not continued to be misunderstood in this regard. I, as the current President of the Cricket Club have spoken to the various Pickle Ball groups but we as a Club have not issued any official statement. We have suggested o the various pickle ball groups that if the courts are approved that they be placed well east of the Pavilion/clubhouse and that the trees not be cut providing a natural sound barrier.

Please note we are not against other user groups at Hugo Ray Park. The Pavilion/Clubhouse is used by other sport groups such as Field Hockey and WV Football Club. Also, other community groups use the Pavilion/Clubhouse for meetings, seminars, and other events. The Cricket Club would like to see a full and comprehensive study into the effects of Pickle Ball on cricket and the neighbourhood. The Cricket Club's main concern is the noise which will affect the current ambience during cricket games and events held at the Pavilion.

On behalf of Cricket, I would also like to ask for the following further information to be provided to the Cricket Club;

1. I have heard that the number of pickleball courts will not remain at 4, but that a Centre for Excellence comprising 16 courts is planned for HRP. Such a development will affect Cricket hugely, and Cricket is therefore not comfortable supporting any proposal the future extent of which has not been publicly disclosed.

Please confirm the full extent of pickleball development contemplated at HRP.

2. We are concerned that the pickleball proposal will introduce significant noise. We know that cemetery and church visitors as well as residents are very concerned about noise, as is Cricket. I have received a verbal assurance that pickleball will not be played while cricket games are ongoing. However, I do not know how this can be enforced at a public venue.

Please advise what acoustic studies have been done.

Please advise how pickleball (noise) will be prevented from being disruptive to ongoing cricket matches.

2. The increased traffic will affect the churches, residences and cemetery visitors and the additional people coming and going will adversely affect cricket ambience and participation. Cricket is concerned about the proposal's effect on the general ambience and relationships with area locals, and more directly on parking sufficiency for Cricket. Both proposal A and proposal C will reduce the parking available to Cricket, with proposal C being worse.

How many parking spaces are allocated for each of the two proposals?

3. The proposal for Field A contemplates the removal of tall trees behind the Clubhouse. This will effect both the sound curtain between the Clubhouse and Highway, and the acoustics from pickleball that reach or reverberate onto the cricket pitches and beyond.

Please advise how many trees are to be removed.

Please advise what the decibel level is expected to be if the specified number trees are removed, and 4/8/12/16 courts are in use?

4. The proposal mentions "earthworks" to be done. As we know, there is contaminated soil beyond our east cricket pitch.

Please advise what sort of earthworks are to be undertaken, and whether the contaminated area will be remediated.

I look forward to receiving your responses to my questions above.

Sincerely,

Alex Turko  
President | West Vancouver Cricket Club  
778-229-7858

s. 22(1)

West Vancouver, BC

s. 22(1)

---

**From:** Jeremy Calder  
**Sent:** Tuesday, July 12, 2022 4:38 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Your Correspondence Dated July 4, 2022 Titled Bylaw 5163

Hello s. 22(1),

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

To clarify, West Vancouver Council has not introduced new bylaws related to parking garages. The *British Columbia Fire Code* does not allow parking garages to be used for storage of anything other than vehicles, and this is not a new regulation.

The *British Columbia Building Code* has specific requirements for storage garages. It's important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage spaces within your storage garage is contrary to code. If a storage space was constructed in a storage garage, whether recently or in the past, it is likely that it was constructed without the benefit of permit or inspection approvals; and therefore, is not permitted to be there. A 'legally non-conforming' or 'grandfathered' status does not apply to these installations.

We realize it has come as a surprise to learn that your storage garages are both non-compliant with provincial regulations and pose a fire risk to your property. Some residents will incur costs to bring their storage garages into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This compliance program is in place now because many West Vancouver stratas have established use of storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using parking garages for storage for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings a conditional pass for infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This work towards compliance has been ongoing in 2022 and there has been significant progress. I have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's commitment to implementing the conditional pass and extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

**Jeremy Calder**  
Assistant Chief | Fire Prevention  
West Vancouver Fire Rescue  
t: 604-925-7381 | c: 604-808-5180 | [westvancouver.ca/fire](http://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 his territory, as well as their historic connection to the lands and waters around us since time immemorial.



---

To: correspondence <correspondence@westvancouver.ca>

From: [REDACTED] s. 22(1)

Sent: Monday, July 4, 2022 4:34 PM

To: Mary-Ann Booth <mbooth@westvancouver.ca>

Cc: Craig Cameron <ccameron@westvancouver.ca>; Nora Gambioli <ngambioli@westvancouver.ca>; Peter Lambur <plambur@westvancouver.ca>; Bill Soprovich <bsoprovich@westvancouver.ca>; Sharon Thompson <sthompson@westvancouver.ca>; Marcus Wong <mwong@westvancouver.ca>

Subject: Bylaw 5163

---

---

**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.

July 4, 2022

RE: [REDACTED] s. 22(1) West Vancouver. [REDACTED] s. 22(1)

Dear West Vancouver Council

This letter is to address the confusion with respect to the recently adopted West Vancouver Fire Rescue Bylaw 5163, as well the approach taken by the Assistant Fire Marshall (AFM) in enforcement.

We fully agree that the safety of our fire fighters is of the utmost importance and must be protected. In no way are we debating that this is the ultimate intent of the BC Building code and bylaw 5163.

Having said that, we believe this bylaw is primarily focused on open parkades, and not enclosed, fire separated and suppression sprinklered individual garages. We also understand the BC Building code, under which this bylaw was drafted, does not contemplate private garages within multi-unit residential buildings, and was created before the proliferation of condominium apartment buildings, which are still included in the BC building code under the section for Hotels...

Our building was completed in [REDACTED] s. 22(1) and at that time met all current BC Building Code and West Vancouver bylaws. Permits were issued and occupancy was granted. Since then many of our garages were further improved with permanent shelving and storage cabinets. For [REDACTED] s. 22(1) years these garages have passed inspection by the West Vancouver Fire Department (WVFD).

Until the BC Building code is amended to better capture a private garage within a multi-unit residential building, we ask that West Vancouver Council work within its bylaws for approved storage spaces and parking garages. A simple amendment to allow parking within an approved storage space, which carries a much higher standard of construction than a parking garage, would begin to solve this issue. Further, if the garage door exits outside, there should be no need for it to be 1.5 hour fire rated, which is only required where a space adjoins the interior of a building.

With regard to the AFM, we take issue with the "no discretion, no practical consideration, no reasonable cure period" approach to compliance. We are seniors, and have been full time residents in West Vancouver [REDACTED] s. 22(1). We bought into [REDACTED] s. 22(1) and will consider moving back into a home if this bylaw continues to be in effect. To expect compliance under a 30 day order, for something that has passed inspection for several decades, is unreasonable and/or impossible. Our council president has not had any response, positive or negative, to an attempt to discuss any of this with the AFM.

We ask that WVC consider the above solutions in its review of the situation, which has caused me undue stress and worry.

Regards,

[REDACTED] s. 22(1)

---

**From:** Jeremy Calder  
**Sent:** Tuesday, July 12, 2022 4:42 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Your Correspondence Dated July 5, 2022 Titled West Vancouver Fire Rescue Bylaw 5163

Hello s. 22(1),

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

To clarify, West Vancouver Council has not introduced new bylaws related to parking garages. The *British Columbia Fire Code* does not allow parking garages to be used for storage of anything other than vehicles, and this is not a new regulation.

The *British Columbia Building Code* has specific requirements for storage garages. It's important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage spaces within your storage garage is contrary to code. If a storage space was constructed in a storage garage, whether recently or in the past, it is likely that it was constructed without the benefit of permit or inspection approvals; and therefore, is not permitted to be there. A 'legally non-conforming' or 'grandfathered' status does not apply to these installations.

We realize it has come as a surprise to learn that your storage garages are both non-compliant with provincial regulations and pose a fire risk to your property. Some residents will incur costs to bring their storage garages into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This compliance program is in place now because many West Vancouver stratas have established use of storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using parking garages for storage for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings a conditional pass for infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This work towards compliance has been ongoing in 2022 and there has been significant progress. I have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's commitment to implementing the conditional pass and extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

**Jeremy Calder**  
Assistant Chief | Fire Prevention  
West Vancouver Fire Rescue  
t: 604-925-7381 | c: 604-808-5180 | [westvancouver.ca/fire](http://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 his territory, as well as their historic connection to the lands and waters around us since time immemorial.

---

To: correspondence <correspondence@westvancouver.ca>

---

From: [REDACTED] s. 22(1)

Sent: Tuesday, July 5, 2022 9:17 AM

To: Mary-Ann Booth <mbooth@westvancouver.ca>; Craig Cameron <ccameron@westvancouver.ca>; Nora Gambioli <ngambioli@westvancouver.ca>; Sharon Thompson <sthompson@westvancouver.ca>; Marcus Wong <mwong@westvancouver.ca>; Peter Lambur <plambur@westvancouver.ca>; Bill Soprovich <bsoprovich@westvancouver.ca>

Cc: [REDACTED] s. 22(1)

Subject: Re: West Vancouver Fire Rescue Bylaw 5163

**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.

Dear Mayor and Council,

Please see attached,

Regards,

[REDACTED] s. 22(1)

July 5, 2022

RE: [REDACTED] s. 22(1) West Vancouver, [REDACTED] s. 22(1)

Dear West Vancouver Council

This letter is to address the confusion with respect to the recently adopted West Vancouver Fire Rescue Bylaw 5163, as well the approach taken by the Assistant Fire Marshall (AFM) in enforcement.

We fully agree that the safety of our fire fighters is of the utmost importance and must be protected. In no way are we debating that this is the ultimate intent of the BC Building code and bylaw 5163.

Having said that, we believe this bylaw is primarily focused on open parkades, and not enclosed, fire separated and suppression sprinklered individual garages. We also understand the BC Building code, under which this bylaw was drafted, does not contemplate private garages within multi-unit residential buildings, and was created before the proliferation of condominium apartment buildings, which are still included in the BC building code under the section for Hotels...

Our building was completed in [REDACTED] s. 22(1) and at that time met all current BC Building Code and West Vancouver bylaws. Permits were issued and occupancy was granted. Since then many of our garages were further improved with permanent shelving and storage cabinets. For [REDACTED] s. 22(1) years these garages have passed inspection by the West Vancouver Fire Department (WVFD).

Until the BC Building code is amended to better capture a private garage within a multi-unit residential building, we ask that West Vancouver Council work within its bylaws for approved storage spaces and parking garages. A simple amendment to allow parking within an approved storage space, which carries a much higher standard of construction than a parking garage, would begin to solve this issue. Further, if the garage door exits outside, there should be no need for it to be 1.5 hour fire rated, which is only required where a space adjoins the interior of a building.

With regard to the AFM, we take issue with the "no discretion, no practical consideration, no reasonable cure period" approach to compliance. I am a senior, and am not a [REDACTED] s. 22(1) in West Vancouver. To expect compliance under a 30 day order, for something that has passed inspection for several decades, is unreasonable and/or impossible. [REDACTED] s. 22(1) I have not had any response, positive or negative, to an attempt to discuss any of this with the AFM.

We ask that West Vancouver Council consider the above solutions in its review of the situation.

Regards,

[REDACTED] s. 22(1)

West Vancouver

---

**From:** Jeremy Calder  
**Sent:** Tuesday, July 12, 2022 4:44 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Your Correspondence Dated July 5, 2022 Titled West Vancouver Fire Rescue Bylaw 5163

Hello s. 22(1)

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

To clarify, West Vancouver Council has not introduced new bylaws related to parking garages. The *British Columbia Fire Code* does not allow parking garages to be used for storage of anything other than vehicles, and this is not a new regulation.

The *British Columbia Building Code* has specific requirements for storage garages. It's important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage spaces within your storage garage is contrary to code. If a storage space was constructed in a storage garage, whether recently or in the past, it is likely that it was constructed without the benefit of permit or inspection approvals; and therefore, is not permitted to be there. A 'legally non-conforming' or 'grandfathered' status does not apply to these installations.

We realize it has come as a surprise to learn that your storage garages are both non-compliant with provincial regulations and pose a fire risk to your property. Some residents will incur costs to bring their storage garages into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This compliance program is in place now because many West Vancouver stratas have established use of storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using parking garages for storage for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings a conditional pass for infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This work towards compliance has been ongoing in 2022 and there has been significant progress. I have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's commitment to implementing the conditional pass and extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

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



We acknowledge that we are on the traditional, ancestral and unceded territory of the Skw̓wú7mesh Úxwumixw (Squamish Nation), sə́ilwətaʔt (Tsleil-Waututh Nation), and xʷməθkʷəy̓əm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.



To: correspondence  
<correspondence@westvancouver.ca>

From: [REDACTED] s. 22(1)

Sent: Tuesday, July 5, 2022 2:16 PM

To: Mary-Ann Booth <mbooth@westvancouver.ca>; Craig Cameron <ccameron@westvancouver.ca>; Nora Gambioli <ngambioli@westvancouver.ca>; Peter Lambur <plambur@westvancouver.ca>; Bill Soprovich <bsoprovich@westvancouver.ca>; Sharon Thompson <sthompson@westvancouver.ca>; Marcus Wong <mwong@westvancouver.ca>

Cc: [REDACTED] s. 22(1)

Subject: West Vancouver Fire Rescue Bylaw 5163

**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.

July 5, 2022

To: The District of West Vancouver -Mayor and Council

RE: [REDACTED] s. 22(1), West Vancouver. [REDACTED] s. 22(1)

Dear Mayor and Council:

This letter is to address a problem created for our household due to a recently adopted West Vancouver Fire Rescue Bylaw 5163, as well the approach taken by the Assistant Fire Marshall(AFM) in enforcement.

We are in full agreement that the implementation of Fire Codes are important for the safety of our entire Community and are not disputing the validity of its ordinances as part of the BC Building Code and bylaw 5163.

Having said that, we believe this bylaw is primarily focused and intended to be enforced on open parkades that are the generality of parking structures in apartment complexes in our Municipality.

We also understand the BC Building code, under which this bylaw was drafted, does not contemplate private garages within multi-unit residential buildings, and was created before the proliferation of condominium apartment buildings, which are still included in the BC building code under the section for Hotels and not directly referring to apartment complexes.

Our building was completed [REDACTED] s. 22(1), and at that time met all current BC Building Code and West Vancouver bylaws. Permits were issued and occupancy was granted. That was certainly including what is today denominated as private storage garages. These garages in our building are enclosed areas with walls, ceiling and floor made of concrete exceeding by far the required 1.5 fire rating and sprinklered as required by code.

Since then many of our garages were further improved with permanent shelving and storage cabinets. For [REDACTED] s. 22(1) years these garages have passed inspection by the West Vancouver Fire Department (WVFD).

Until the BC Building code is amended to better capture a private garage within a multi-unit residential building, we ask that West Vancouver Council work within its bylaws for approved storage spaces and parking garages. There are only a handful of such enclosed garages in a few of the apartment buildings in West Vancouver. A simple amendment to allow parking within an approved storage space, which carries a much higher standard of construction than a parking garage, would begin to solve this issue. Perhaps it would be simpler to avoid confusions and misinterpretation that this Council consider a "Grandfathering" ruling attached to the existing private storage garages at this time.

With regard to the AFM, we take issue with the “no discretion, no practical consideration, no reasonable cure period” approach to compliance. We are seniors and residents of West Vancouver s. 22(1) and to expect compliance under a 30 day order, for something that has passed inspection for several decades, is unreasonable and/or impossible to comply.

Our council president has not had any response, positive or negative, to an attempt to discuss any of this with the AFM.

We respectfully ask that you as carriers of the well being of this community, to please consider the above solutions in its review of the situation, which is causing to us and our neighbours undue stress and concerns.

Thank you all.

s. 22(1)

West Vancouver, BC s. 22(1)

Sent from my iPad

---

**From:** Jeremy Calder  
**Sent:** Tuesday, July 12, 2022 4:52 PM  
**To:** s. 22(1)  
**Cc:** correspondence  
**Subject:** Your Correspondence Dated July 9, 2022 Titled s.22(1), West Vancouver

Hello s. 22(1)

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

The *British Columbia Fire Code* does not allow parking garages to be used for storage of anything other than vehicles, and this is not a new regulation.

The *British Columbia Building Code* has specific requirements for storage garages. It's important to note that storage rooms are a different occupancy classification than storage garages. Many multi-residential properties have separate storage rooms that comply with the *British Columbia Building Code* and the *British Columbia Fire Code*. Installation of storage spaces within your storage garage is contrary to code and this work was not completed with permits.

We realize it has come as a surprise to learn that your storage garages are both non-compliant with provincial regulations and pose a fire risk to your property. Some residents will incur costs to bring their storage garages into compliance, but this must be weighed against the potential liability the strata may incur if compliance is not achieved.

This compliance program is in place now because many West Vancouver stratas have established use of storage garages in contravention of the *British Columbia Fire Code*. West Vancouver Fire Inspectors are agents of the provincial Fire Commissioner and the District is responsible for enforcing these provincial regulations.

We recognize that many buildings have been using parking garages for storage for some time and will need time to make changes to comply with the *British Columbia Fire Code*. That is why we have created a program that gives multi-family buildings a conditional pass for infractions until January 1, 2024. Between now and January 1, 2024, we are working to support residents to become compliant with provincial fire regulations and ensure that any new storage facilities comply with the *British Columbia Fire Code* and *British Columbia Building Code*.

This work towards compliance has been ongoing in 2022 and there has been significant progress. I have had many constructive discussions with Stata Presidents and property owners, most of whom are thankful for the District's commitment to implementing the conditional pass and extended timeline to achieve compliance. Some stratas are approaching the Planning Department to explore other possible storage options. These solution-based discussions are ongoing and we are moving forwards towards meeting the requirements of the *British Columbia Fire Code* in West Vancouver.

Thank you,

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





We acknowledge that we are on the traditional, ancestral and unceded territory of the Sk̓w̓x̓w̓ú7mesh Úxwumixw (Squamish Nation), sə́l̓wətaʔ (Tseil-Waututh Nation), and x̣ʷməθkʷəỵəm (Musqueam Nation). We recognize and respect them as nations in his territory, as well as their historic connection to the lands and waters around us since time immemorial.

---

**From:** [REDACTED] s. 22(1)  
**Sent:** Saturday, July 9, 2022 10:33 AM  
**To:** correspondence  
**Cc:** Mary-Ann Booth  
**Subject:** [REDACTED] s. 22(1), West Vancouver

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.

Dear Mayor Booth,

We are writing to express our concern relating to the requirement that we remove from our garage ALL items except cars, bikes or watercraft.

All the units in our building have large garages capable of parking at least three cars. Most residents only have a single or two cars leaving a considerable amount of space unused.

The garages are fully separated, sprinklered and comply with current building regulations.

We understand that combustible and dangerous items should be prohibited from being stored within the space but feel to ban all other storage is unreasonable and should be reconsidered.

Your attention to this matter would be appreciated, [REDACTED] s. 22(1),

[REDACTED] s. 22(1)

West Vancouver,

[REDACTED] s. 22(1)