

The Corporation of the  
CITY OF WHITE ROCK

Regular Council Meeting  
AGENDA



Monday, February 28, 2022, 7:00 p.m.

City Hall Council Chambers

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

**\*Live Streaming/Telecast:** Please note that all Committees, Task Forces, Council Meetings, and Public Hearings held in the Council Chamber are being recorded and broadcasted as well included on the City's website at: [www.whiterockcity.ca](http://www.whiterockcity.ca)

The City of White Rock is committed to the health and safety of our community. In keeping with Ministerial Orders from the Province of British Columbia, City Council meetings will take place without the public in attendance at this time until further notice.

T. Arthur, Director of Corporate Administration

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Pages

1. CALL MEETING TO ORDER

1.1. FIRST NATIONS LAND ACKNOWLEDGEMENT

*We would like to recognize that we are standing/working/meeting on the traditional unceded territory of the Semiahmoo First Nation, and also wish to acknowledge the broader territory of the Coast Salish Peoples.*

2. ADOPTION OF AGENDA

RECOMMENDATION

**THAT** the Corporation of the City of White Rock Council adopt the agenda for its regular meeting scheduled for February 28, 2022 as circulated.

3. ADOPTION OF MINUTES

RECOMMENDATION

**THAT** the Corporation of the City of White Rock Council adopt the February 7, 2022 meeting minutes as circulated.

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#### 4. QUESTION AND ANSWER PERIOD

Question and Answer Period will be taking place both in person at the meeting, as well as electronically through email.

If you wish to have your question submitted electronically you may forward questions and comments to Mayor and Council by emailing ClerksOffice@whiterockcity.ca with Question and Answer Period noted in the subject line.

As of 8:30 a.m., February 23, 2022, there was one (1) Question and Answer Period submission received:

- Submission from J. Arlington with a question regarding neon light strips on new property developments and whether they fall within the City's allowable parameters for brightness levels. A response from the Acting Director of Planning and Development Services is attached for information.

**Note:** there are to be no questions or comments on a matter that will be the subject of a public hearing (time between the public hearing and final consideration of the bylaw).

#### RECOMMENDATION

**THAT Council receive for information the correspondence submitted for Question and Answer Period by February 28, 2022, including "On-Table" information provided with staff responses that are available at the time.**

#### 4.1. CHAIRPERSON CALLS FOR SPEAKERS TO QUESTION AND ANSWER PERIOD

#### 5. DELEGATIONS AND PETITIONS

#### 5.1. DELEGATIONS

#### 5.1.a. KERRY WRAY AND SHELLEY MARE

Kerry Wray and Shelley Mare to attend to advocate for the trimming of the hump, as in past City practices.

**Note:** There will be further information provided in regard to this item by the delegation.

#### 5.2. PETITIONS

None

#### 6. PRESENTATIONS AND CORPORATE REPORTS

#### 6.1. PRESENTATIONS

**6.1.a. WHITE ROCK RCMP 2021 ANNUAL REPORT**

Staff Sergeant Kale Pauls, White Rock RCMP, to give a presentation regarding their 2021 Annual Report.

**6.1.b. UNITI - BEST PRACTICES IN THE DEVELOPMENT OF AFFORDABLE AND INCLUSIVE HOUSING**

Doug Tennant, Chief Executive Officer, Uniti, to attend to discuss best practices in the development of affordable and inclusive housing and the need for such housing in White Rock and South Surrey.

**6.2. CORPORATE REPORTS**

**6.2.a. COVID-19 UPDATE (ON TABLE MEMO TO BE PROVIDED)**

The Fire Chief to provide an On Table update regarding COVID-19.

**6.2.b. TREE PROTECTION, CANOPY ENHANCEMENT AND MANAGEMENT ON CITY LANDS POLICY 611 - UPDATE**

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Corporate report dated February 28, 2022 from the Director of Engineering and Municipal Operations titled "Tree Protection, Canopy Enhancement and Management on City Lands Policy 611 - Update".

**RECOMMENDATION**

**THAT Council approve the updates to Policy 611 as presented in this report to be incorporated in an updated Policy 611, attached as Appendix A.**

**6.2.c. 2022 COUNCIL CONSIDERATION OF BY-ELECTION**

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Corporate report dated February 28, 2022 from the Director of Corporate Administration titled "2022 Council Consideration of By-Election".

**RECOMMENDATION**

**THAT Council consider and endorse a by-election not being required to fill the vacancy on City Council of one (1) Councillor, as Council meets the requirements of section 54(3) of the *Local Government Act*.**

**6.2.d. STATUS UPDATE OF COUNCIL'S 2022 TOP PRIORITIES**

**Council's 2022 Top Priorities with new activity comments provided for information:**

- **Solid Waste Pickup for Multi-Family:** Consulting contract is being executed. Data input form is being finalized so contact with stratas and businesses for detailed data can get underway (last week of February). Staff initialized contact with the industry and will begin follow up. It appears there may be ten (10) or more haulers.

- **Housing Needs / Affordable Housing:** Staff are moving forward with the Housing Needs Report 2021 recommendations, preparation is underway for a public workshop to be held in April 2022.
  
- **Community Amenity Contribution "Shovel-in-the-Ground" Projects:**
  - **Emerson Park Playground Upgrade:** Staff delivered notices to nearby residents informing them of upcoming construction work scheduled at Emerson Park in the Spring of this year. The original plan was to add additional landscaping work throughout the park by removing nearby cedar hedges to help reduce illicit activity and improve site lines. However, after feedback from several residents and re-valuation of the security risks, staff determined the hedges will be kept. Other upgrades will proceed as planned (playground equipment, irrigation, surface grading and removal of deteriorating retaining wall).
  
  - **Maccaud Park Upgrade:** No new information, the designer continues to move forward toward the 90% design
  
  - **Centre Street Hillside Walkway Upgrade:** The lawyer for three (3) of the encroaching properties is in discussion with the City's legal resources. Staff continue to advise that the encroachments must be removed as there is no agreement with the owners that these must be removed. The design is proceeding with material and grade variations to mitigate costs. The design continues to be based on removal of the encroachments.
  
  - **Review Options for Upgrading Multiple Hillside Walkways (Road Ends) to the Waterfront:** No new information: Blackwood, Vidal and other walkways have been cleaned and plantings are redesigned and completed this will be ready for spring
  
- **The City's Relationship with the Semiahmoo First Nation (SFN):** Staff continue to reach out to SFN. One (1) response suggested that SFN would find a time in the subsequent week, however that did not work out. Staff will continue to reach out.

## 7. MINUTES AND RECOMMENDATIONS OF COMMITTEES



7.1. STANDING AND SELECT COMMITTEE MINUTES 75

**RECOMMENDATION**

**THAT Council receive for information the following standing and select committee meeting minutes as circulated:**

- Finance and Audit Committee - February 7, 2022.

7.2. STANDING AND SELECT COMMITTEE RECOMMENDATIONS

7.2.a. ENVIRONMENTAL ADVISORY COMMITTEE 2022 WORK PLAN UPDATE (COUNCILLOR KRISTJANSON, CHAIRPERSON) 79

The Director of Engineering and Municipal Operations to speak to the Environmental Advisory Committee's 2022 Work Plan.

**Note:** Work Plan and Committee's last meeting minutes from October 28, 2021 are attached for reference purposes.

7.2.b. HOUSING ADVISORY COMMITTEE - ADDITIONAL MEETING

The Housing Advisory Committee held their first meeting for 2022 on Tuesday, February 22<sup>nd</sup>. The meeting minutes were not completed by agenda distribution however due to timing the following recommendation has been brought forward for Council consideration at this time.

**RECOMMENDATION**

**THAT Council endorse the Housing Advisory Committee schedule an additional meeting to be held Thursday, March 17, 2022.**

8. BYLAWS AND PERMITS

8.1. BYLAWS

None

8.2. PERMITS

None

9. CORRESPONDENCE

9.1. CORRESPONDENCE - RECEIVED FOR INFORMATION

**Note:** Further action on the following correspondence items may be considered. Council may request that any item be brought forward for discussion, and may propose a motion of action on the matter.

**Note:** Council may wish to refer this matter to staff for consideration and response.

## **RECOMMENDATION**

**THAT Council receive correspondence circulated in the agenda as Items 9.1.a. - 9.1.c.**

**9.1.a. BC ASSOCIATION OF FARMERS' MARKETS 85**

Correspondence dated February 9, 2022 from the BC Association of Farmers' Markets requesting the City write a letter to the Minister of Health to inform of the positive impact of BC Farmers and farmers' markets in our Community in 2021. They addressed a fundamental community need as economic impacts were being felt due to the pandemic and multiple adverse weather events from the head dome to floods and fire throughout the province.

**9.1.b. ROBERTS BANK TERMINAL 2 PROJECT (RBT2) - FINAL PUBLIC COMMENT PERIOD 86**

Correspondence dated February 11, 2022 from the City of Delta to inform for the final public comment opportunity regarding the RBT2 project and concern noted by the City of Delta Council who state that a decision should be postponed until a comparative analysis with the Deltaport Berth 4 project has been undertaken, or failing that, be denied based on the expected adverse environmental impacts.

**9.1.c. BURRARD INLET RAPID TRANSIT IN 10-YEAR INVESTMENT PLAN 106**

Correspondence dated February 10, 2022 from the District of North Vancouver requesting support in asking the Mayors' Council on Regional Transportation to prioritize the inclusion of the Burrard Inlet Rapid Transit in the 10-Year Regional Transit and Transportation Vision.

**Note:** A full copy of the noted assessment is attached under separate cover due to the document size

**10. MAYOR AND COUNCILLOR REPORTS**

**10.1. MAYOR'S REPORT**

**10.2. COUNCILLORS REPORTS**

**11. MOTIONS AND NOTICES OF MOTION**

**11.1. MOTIONS**

**11.1.a. APPOINTMENT OF COUNCIL REPRESENTATIVES TO VACANT SELECT COMMITTEE CHAIR AND VICE-CHAIR POSITIONS**

Mayor Walker provided the following for consideration:

**RECOMMENDATION**

**THAT Council, in order to fill a vacancy left on the Council, now adjust and appoint the following as Chairperson and Vice-Chairperson to the Housing Advisory Committee until the end of the current Council term:**

- Councillor Manning, Chairperson
- Councillor Trevelyan, Vice-Chairperson.

**RECOMMENDATION**

**THAT Council, in order to fill a vacancy on the Council, now adjust and appoint the following as Chairperson and Vice-Chairperson to the Economic Development Advisory Committee until the end of the current Council term:**

- Councillor Trevelyan, Chairperson
- Councillor Manning, Vice-Chairperson.

**11.2. NOTICES OF MOTION**

**11.2.a. ETHICS COMMISSIONER**

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Councillor Johanson provided the following motion for consideration to be forwarded to the Lower Mainland Local Government Association (LMLGA) followed by the Union of British Columbia Municipalities (UBCM):

**RECOMMENDATION**

**WHEREAS Bill 26 – 2021: Municipal Affairs Statutes Amendment Act (No. 2), 2021 does not require a local government to adopt a Code of Conduct for Council members;**

**WHEREAS many local governments in British Columbia cannot afford or do not have an independent non-partisan Ethics Commissioner to review and resolve allegations of misconduct;**

**THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association and UBCM call upon the provincial government to immediately create an Office of the Municipal Ethics Commissioner within the Ministry of Municipal Affairs that will:**

- 1) respond to allegations of misconduct by an elected official of a municipal government and conduct an inquiry if warranted, and
- 2) review decisions imposed on an elected official of a municipal government and conduct an inquiry if warranted.

**11.2.b. RECONSIDERATION - WHITE ROCK PROMENADE SCULPTURE COMPETITION**

Councillor Johanson has requested Council to reconsider the carried motion in regard to the White Rock Promenade Sculpture Competition from the February 7, 2022 regular Council meeting:

*THAT Council not approve the following event for 2022:*

*2. White Rock Promenade Sculpture Competition, May 22, 2022, through April 2023, to be organized by the White Rock Events Society.*

**RECOMMENDATION #1 - MOTION TO RECONSIDER**

THAT Council endorses a reconsideration of the **second item (2.)** of the following carried resolution:

*THAT Council not approve the following events for 2022:*

*1. White Rock Lights display from November 18, 2022 to February 18, 2023, to be organized by the White Rock Lights Society; and*

*2. White Rock Promenade Sculpture Competition, May 22, 2022, through April 2023, to be organized by the white Rock Events Society.*

**RECOMMENDATION #2 - IF MOTION TO RECONSIDER IS CARRIED**

THAT Council approve the following event for 2022:

- **White Rock Promenade Sculpture Competition, May 22, 2022, through April 2023, to be organized by the White Rock Events Society.**

**11.2.c. RECONSIDERATION - BYLAW 2418 WHITE ROCK ZONING BYLAW, 2012 NO. 2000, AMENDMENT (CD-67 - 14937 THRIFT AVENUE AND 1441, 1443-45, 1465 VIDAL STREET) BYLAW, 2022 NO. 2418**

Councillor Manning has requested Council to reconsider the defeated motion in regard to Bylaw 2418 from the February 7, 2022 regular Council meeting.

**RECOMMENDATION #1 - DEFEATED MOTION (BYLAW 2418)**

**THAT Council endorse a reconsideration motion of the following that was defeated at the February 7, 2022 regular Council meeting:**

*THAT Council give first and second readings to "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-67 - 14937 Thrift Avenue and 1441, 1443-45, 1465 Vidal Street) Bylaw, 2022, No. 2418" as presented.*

**RECOMMENDATION #2 - IF MOTION TO RECONSIDER IS CARRIED**

**THAT Council directs staff to work with the developer to bring forward to a regular Council meeting the "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-67 – 14937 Thrift Avenue and 1441, 1443-45, 1465 Vidal Street) Bylaw, 2022, No. 2418" for consideration of first and second reading with an amended proposal to address the massing of the building.**

**11.2.d. CENTRE STREET WALKWAY DEDICATION FOR COUNCILLOR HELEN FATHERS**

Councillor Chesney has requested Council to consider the following:

**RECOMMENDATION**

**That Council approves the Centre Street project be dedicated in memory of Councillor Helen Fathers and directs the project be named with signage to be erected as follows:**

- Helen Fathers Centre Street Walkway.

**12. RELEASE OF ITEMS FROM CLOSED COUNCIL MEETINGS**

None

**13. OTHER BUSINESS**

**14. CONCLUSION OF THE FEBRUARY 28, 2022 REGULAR COUNCIL MEETING**

## Regular Council Meeting of White Rock City Council

### Minutes



February 7, 2022, 7:00 p.m.

City Hall Council Chambers

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

PRESENT: Mayor Walker  
Councillor Chesney  
Councillor Johanson  
Councillor Kristjanson  
Councillor Manning  
Councillor Trevelyan

ABSENT: Councillor Fathers

STAFF: Guillermo Ferrero, Chief Administrative Officer  
Tracey Arthur, Director of Corporate Administration  
Joe Calenda, Acting Director of Planning and Development Services  
Jim Gordon, Director of Engineering and Municipal Operations  
Eric Stepura, Director of Recreation and Culture  
Shannon Johnston, Acting Director of Financial Services  
Ed Wolfe, Fire Chief  
Debbie Johnstone, Deputy Corporate Officer

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#### 1. **CALL MEETING TO ORDER**

The meeting was called to order at 7:00 p.m.

##### 1.1 **FIRST NATIONS LAND ACKNOWLEDGEMENT**

*We would like to recognize that we are standing/working/meeting on the traditional unceded territory of the Semiahmoo First Nation, and also wish to acknowledge the broader territory of the Coast Salish Peoples.*

**2. ADOPTION OF AGENDA**

**Motion Number: 2022-033** It was MOVED and SECONDED

**THAT the Corporation of the City of White Rock Council adopt the agenda for its regular meeting scheduled for February 7, 2022, as amended to include:**

- **Two (2) on-table submissions for Question and Answer Period;**
- **On Table Covid-19 Update for Item 6.2.a; and,**
- **An updated Corporate Report for Item 6.2.d.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**3. ADOPTION OF MINUTES**

**Motion Number: 2022-034** It was MOVED and SECONDED

**THAT The Corporation of the City of White Rock adopt the January 24, 2022, meeting minutes as circulated.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**4. QUESTION AND ANSWER PERIOD**

Question and Answer Period was held both in person at the meeting, as well as electronically through email.

As of 8:30 a.m., February 2, 2022, there was one Question and Answer period submission received:

- Submission from P. Kealy with a question regarding the parking ticket appeal process. A response from the Manager of Parking Services is attached for information.

**Motion Number: 2022-035** It was MOVED and SECONDED

**THAT Council receive for information the correspondence submitted for Question and Answer Period by 8:30 a.m. February 7, 2022, including “On-Table” information provided with staff responses that are available at the time.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**4.1 CHAIRPERSON CALLS FOR SPEAKERS TO QUESTION AND ANSWER PERIOD**

E. Klassen, White Rock resident, provided information on the Pride Society (litigation postponed to May 2022). The Society is looking forward to getting back to activities, many being for fundraising, including the Coldest Night of the Year. In addition, the White Rock Pride Week and Annual Pride Flag Raising were discussed, and a Street Fair was proposed.

**5. DELEGATIONS AND PETITIONS**

**5.1 DELEGATIONS**

None

**5.2 PETITIONS**

None

**6. PRESENTATIONS AND CORPORATE REPORTS**

**6.1 PRESENTATIONS**

None

**6.2 CORPORATE REPORTS**

**6.2.a COVID-19 GLOBAL PANDEMIC UPDATE (ON TABLE MEMO TO BE PROVIDED)**

The Fire Chief provided an On Table update regarding the COVID-19 global pandemic.

The Fire Chief's On-Table Update was noted.



**Motion Number: 2022-036** It was MOVED and SECONDED  
**THAT Council receive the "On-Table" report from the Fire Chief dated February 7, 2022, that gives an update regarding COVID-19.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**6.2.b MIRAMAR VILLAGE PLAZA SPECIAL EVENTS 2022**

Corporate report dated February 7, 2022, from the Director of Recreation and Culture titled "Miramar Village Plaza Special Events 2022".

**Motion Number: 2022-037** It was MOVED and SECONDED

**THAT Council endorse the following events to be held on the public open space located in Miramar Village Plaza in 2022:**

- 1. White Rock Farmers' Market on Sundays from April 24, 2022, to October 16, 2022; and**
- 2. Christmas on the Peninsula on Saturday, November 26, 2022.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**6.2.c 2022 SPECIAL EVENTS**

Corporate report dated February 7, 2022, from the Director of Recreation and Culture, titled "2022 Special Events".

It was noted that the City would comply with any regulations put in place by the Province in regard to gatherings at the time of a scheduled/approved event.

**Motion Number: 2022-038** It was MOVED and SECONDED

**THAT Council approve the following new Special Events for 2022:**

1. **White Rock Blues & Jazz Festival, June 10 to June 12, 2022, to be organized by the White Rock BIA; and**
2. **White Rock Pride Day, July 23, 2022, to be organized by the White Rock Pride Society.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**Motion Number: 2022-039** It was MOVED and SECONDED

**THAT Council not approve the following events for 2022:**

1. **White Rock Lights display from November 18, 2022, to February 18, 2023, to be organized by the White Rock Lights Society;” and**
2. **White Rock Promenade Sculpture Competition, May 22, 2022, through April 2023, to be organized by the White Rock Events Society.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**6.2.d INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP)  
GREEN INFRASTRUCTURE - ENVIRONMENTAL QUALITY (EQ)  
PROGRAM APPLICATION**

Corporate report dated February 7, 2022, from the Director of Engineering and Municipal Operations, titled "Investing in Canada Infrastructure Program (ICIP) Green Infrastructure - Environmental Quality Program Application".

**Motion Number: 2022-040** It was MOVED and SECONDED

**THAT Council:**

1. **Receive for information the corporate report dated February 7, 2022, from the Director of Engineering and Municipal Operations, titled “Investing in Canada Infrastructure Program (ICIP) Green Infrastructure – Environmental Quality (EQ) Program Application;”**
2. **Approve ICIP-EQ program application for the Stormwater Management Improvements on Marine Drive; and**
3. **Approve a financial commitment in the amount of \$2.7M in City funding to be disbursed for this project in support of the grant application process.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**6.2.e WHITE ROCK ZONING BYLAW, 2012, NO. 2000, AMENDMENT (CD-67 - 14937 THRIFT AVENUE AND 1441, 1443-45, AND 1465 VIDAL STREET) BYLAW, 2022, NO. 2418**

Corporate report dated February 7, 2022, from the Acting Director of Planning and Development Services, titled "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-67 - 14937 Thrift Avenue and 1441, 1443-45, and 1465 Vidal Street) Bylaw, 2022, No. 2418".

**Note:** Bylaw 2418 is on the agenda for consideration under Item 8.1.b.

The following discussion points were noted:

- Procedural Fairness to hold a public hearing when the application complies with the current Official Community Plan (OCP)
- City process established to give early feedback to the applicant
- Calculation of height (building height and number of stories are not the same)
- Concern of the appearance of a fifth storey on the application / drawing

**Motion Number: 2022-041** It was MOVED and SECONDED  
**THAT Council receive for information the report from the Acting Director of Planning and Development Services, titled "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-67 - 14937 Thrift Avenue and 1441, 1443-45, and 1465 Vidal Street) Bylaw, 2022, No. 2418".**

Voted in the negative (2): Councillor Johanson, and Councillor Kristjanson

Absent (1): Councillor Fathers

**Motion CARRIED (4 to 2)**

**6.2.f STATUS UPDATE OF COUNCIL'S 2021-2022 TO PRIORITIES**

**Council's 2022 Top Priorities with new activity comments provided for information:**

- **Solid Waste Pickup for Multi-Family:** Staff are moving forward with less consulting resources. Recruitment of a Solid Waste Coordinator is underway. Staff are developing an input form for data collection from the properties that can be used to move forward for billing. The intent is to build in flexibility for changing customer needs. For this service it is projected to be quarterly billing.
- **Housing Needs / Affordable Housing:** Staff are moving forward with the Housing Needs Report 2021 recommendations. In addition, there is preparation being made to host a public workshop in April 2022.
- **Community Amenity Contribution "Shovel-in-the-Ground" Projects:**
  - **Emerson Park Playground Upgrade:** The Geotechnical Report is now complete; the City has received the Irrigation Schematic and staff continue to review the 50% design submission.
  - **Maccaud Park Upgrade:** The designer is moving forward towards the 90% design.

- **Centre Street Hillside Walkway Upgrade:** Staff are working with the consultant to revise the 90% design, as the current cost projections based on this design are over budget. Cast in place concrete walls are to be reduced, potentially replacing with gabions and ornamental lock block walls instead (to be reviewed in detail). Legal discussions continue with two (2) property owners; it appears a third may be close to resolution.

- **Review Options for Upgrading Multiple Hillside Walkways (Road Ends) to the Waterfront:** No new information from January. Blackwood Street Walkway, Vidal Street Walkway and other walkways are cleaned; plantings are redesigned and completed in time for spring.

- **The City's Relationship with the Semiahmoo First Nation (SFN):** Staff reached out to SFN to set up a meeting to discuss drainage improvements and an application to the Federal/Provincial Infrastructure Program for a grant to cover a significant portion of the works.

**Note:** In regard to Solid Waste Pick Up for Multi-Family, there may be possible consideration to allow strata buildings to apply for the service (allowing some to get underway). Staff noted the challenge with this is the job needs to be defined in order to hire a contractor.

## 7. **MINUTES AND RECOMMENDATIONS OF COMMITTEES**

### 7.1 **STANDING AND SELECT COMMITTEE MINUTES**

**Motion Number: 2022-042** It was MOVED and SECONDED

**THAT Council receive for information the following standing committee meeting minutes as circulated:**

- **Finance and Audit Committee, January 24, 2022.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

### 7.2 **STANDING AND SELECT COMMITTEE RECOMMENDATIONS**

None

## 8. BYLAWS AND PERMITS

### 8.1 BYLAWS

#### 8.1.a **BYLAW 2417 – 2022 FEES AND CHARGES BYLAW, 2021, NO. 2401, AMENDMENT NO. 1, 2022, NO. 2417**

Bylaw 2417 – A Bylaw to amend Schedule “A” of the Fees and Charges Bylaw in regard to Item: Development Category Application Fees for Planning and Development Services. This bylaw received first, second and third reading on January 24, 2022, and is on the agenda for consideration of final reading.

**Motion Number: 2022-043** It was MOVED and SECONDED

**THAT Council give final reading to the “2022 Fees and Charges Bylaw, 2021, No. 2401, Amendment No. 1, 2022, No. 2417”.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

#### 8.1.b **BYLAW 2418 – WHITE ROCK ZONING BYLAW, 2012, NO. 2000, AMENDMENT (CD-67 – 14937 THRIFT AVENUE AND 1441, 1443-45, 1465 VIDAL STREET) BYLAW, 2022, NO. 2418**

Bylaw 2418 – A Bylaw to amend the “White Rock Zoning Bylaw, 2012, No. 2000” to allow for a four-storey 82-unit rental apartment building at 14937 Thrift Avenue and 1441, 1443-45, 1465 Vidal Street.

**Note:** Bylaw 2418 was the subject of a corporate report under Item 6.2.e.

The following points were noted:

- Applicant to further address concerns brought forward by the City’s Advisory Design Panel (ADP), such as massing (horizontal scale of the building – length). The context and building should be reviewed as it may need to be broken up along the block (length of the corridor) due to the large size of the building (bulky). Some positive changes have been made, however, there is confidence that the applicant can fully address the ADP concerns (Councillor Manning)

- A concern with number of units in the building including the number of studios and one (1) bedroom units (density and population) (Councillor Trevelyan)
- The massing is too large and there needs to be a definite definition regarding height rules (Councillor Kristjanson)

**Motion Number: 2022-044** It was MOVED and SECONDED

**That Council give first and second readings to “White Rock Zoning Bylaw, 2012, No. 2000, Amendment (CD-67 – 14937 Thrift Avenue and 1441, 1443-45, 1465 Vidal Street) Bylaw, 2022, No. 2418” as presented.**

Voted in the negative (3): Councillor Johanson, Councillor Kristjanson, and Councillor Manning

Absent (1): Councillor Fathers

**Motion DEFEATED (3 to 3)**

## 8.2 PERMITS

None

## 9. **CORRESPONDENCE**

### 9.1 CORRESPONDENCE – RECEIVED FOR INFORMATION

**Motion Number: 2022-045** It was MOVED and SECONDED

**THAT Council receive correspondence circulated in the agenda as Items 9.1.a. to 9.1.d.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

#### 9.1.a METRO VANCOUVER BOARD IN BRIEF

Metro Vancouver Board in Brief for Metro meetings held January 28, 2022.

**9.1.b PRIMECORP ANNUAL REPORT AND FINANCIAL STATEMENTS**

Correspondence dated January 25, 2022, to introduce information in regard to the 2020 – 2021 PRIMECorp Annual Report and financial statements. PRIMECorp is the custodian of police information and data – PRIME-BC (Police Records Information Management Environment) is the information management system police across BC use to access data and other critical information that helps prevent and solve crime.

Further information may be found at the following link: [Publications | PRIMECorp \(primecorpbc.ca\)](https://publications.primecorpbc.ca)

**9.1.c CITY OF SURREY – REGIONAL LAND USE DESIGNATION AMENDMENT FOR SOUTH CAMPBELL HEIGHTS UPDATE**

Letter dated January 20, 2022, from the City of Surrey to the Metro Vancouver Board of Directors, providing an update on consultation efforts on South Campbell Heights since the closing of the Metro Vancouver Regional Growth Strategy amendment application formal comment period.

**9.1.d ACTION ON SMOKING & HEALTH (ASH CANADA)**

Correspondence dated January 21, 2021, from Action on Smoking and Health, to inform on the topic and request the City consider amending its White Rock Public Health Smoking Protection Bylaw, 2008, No. 1858.

**Motion Number: 2022-046** It was MOVED and SECONDED

**THAT Council support the request outlined in the January 21, 2022, correspondence from Action on Smoking and Health to inform on the topic that City consider amending its White Rock Public Health Smoking Protection Bylaw, 2008, No. 1858.**

Voted in the negative (3): Councillor Chesney, Councillor Johanson, and Councillor Trevelyan

Absent (1): Councillor Fathers

**Motion DEFEATED (3 to 3)**



## **10. MAYOR AND COUNCILLOR REPORTS**

### **10.1 MAYOR'S REPORT**

Mayor Walker noted the following:

- Jan 25, Annual Transportation Investment Update by Minister Rob Flemming
- Jan 25, Surrey Road to Home Society
- Jan 25, Facebook Live with Councillor Chesney
- Jan 26, South Surrey & White Rock Chamber of Commerce
- Jan 27, TransLink Mayors' Council on Regional Transportation
- Jan 27, DiverseAbility Exhibition Art Show presented by Semiahmoo Arts Society
- Jan 28, Metro Vancouver Board of Directors' meeting
- Jan 29, South Surrey & White Rock Chamber of Commerce's "Winter Variety Arts Show"
- Feb 1, Surrey Interfaith Council during United Nations' "World Interfaith Harmony Week"
- Feb 2, Metro Vancouver Mayor's Committee meeting
- Feb 3, Greater Vancouver Sewerage and Drainage District's Special Board meeting
- Feb 4, Peninsula Homeless to Housing Task Force meeting

### **10.2 COUNCILLORS REPORTS**

Councillor Kristjanson noted the following:

- Jan 29, South Surrey & White Rock Chamber of Commerce's "Winter Variety Arts Show"
- White Rock Players Club – current play: "The Curious Incident of the Dog in the Night-Time"

Councillor Trevelyan noted the following:

- Business Improvement Association (BIA) meeting

Councillor Johanson noted the following:

- Jan 26, South Surrey & White Rock Chamber of Commerce

Councillor Chesney noted the following:

- Feb 23, Pink Shirt Day (Anti-Bullying Day)
- Noted passing and condolences for long time City of White Rock employee Ken Michaelson, he will be truly missed.

## 11. **MOTIONS AND NOTICES OF MOTION**

### 11.1 **GASOLINE-POWERED LANDSCAPING EQUIPMENT**

Councillor Johanson provided the following motion for consideration:

**Motion Number: 2022-047** It was MOVED and SECONDED

**That Council directs staff to bring forward a corporate report on how the City can phase out and transition personal and commercial use of gasoline-powered landscaping equipment by 2024. The basis of the report will be the City of Vancouver’s Member Motion B.4 and include the negative effect these tools on health.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

### 11.2 **REQUEST FOR A NEW TITLE FOR THE FEDERAL “INDIAN ACT”**

At the January 24, 2022, regular Council meeting Council adopted the following resolution:

***THAT Council endorse a letter be forwarded to all cities/municipalities in British Columbia, to support White Rock in requesting the repeal of the name “Indian Act” (Act) and further***

***This request for support is for name change only and it is not the intent to impact the legality and wording of the Act;***

***If the support brings about change the final naming process would be fully directed by our First Nation neighbours.***

At this time the resolution has been placed in the format to be forwarded to the Lower Mainland Government Association (LMLGA) followed by the Union of British Columbia Municipalities (UBCM):

**Motion Number: 2022-048** It was MOVED and SECONDED

**WHEREAS** The title “*Indian Act*” (Act) is outdated, and the terminology is insulting to many;

**WHEREAS** It is not the intent to impact the legality and wording of the Act;

**THEREFORE IT BE RESOLVED:** The title of the Act be formally amended whereby the final naming process would be directed by First Nation representatives.

Voted in the negative (1): Councillor Johanson

Absent (1): Councillor Fathers

**Motion CARRIED (5 to 1)**

**12. NOTICES OF MOTION**

None

**13. RELEASE OF ITEMS FROM CLOSED COUNCIL MEETINGS**

None

**14. OTHER BUSINESS**

**14.1 2022 GRANTS-IN-AID COMMITTEE APPOINTMENTS**

Mayor Walker informed of the appointments he has made to serve on the Grants-in-Aid Sub Committee (Standing Committee established and appointed by the Mayor in accordance with the *Community Charter*) for 2022:

- Councillor Chesney, Chairperson
- Councillor Johanson
- Councillor Manning
- Councillor Kristjanson, Alternate

**14.2 2022 AUGUST CONTRACT COMMITTEE APPOINTMENTS**

Mayor Walker informed of the appointments he has made to serve on the August Contract Committee (Standing Committee established and appointed by the Mayor in accordance with the *Community Charter*) for 2022:

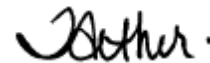
- Councillor Manning, Chairperson
- Councillor Johanson
- Councillor Kristjanson
- Councillor Trevelyan, Alternate

**15. CONCLUSION OF THE FEBRUARY 7, 2022, REGULAR COUNCIL MEETING**

The meeting was concluded at 8:35 p.m.

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Mayor Walker



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Tracey Arthur, Director of  
Corporate Administration

**From:** J. Arlington  
**To:** [Clerk's Office](#)  
**Subject:** Question  
**Date:** February 9, 2022 11:11:31 AM

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I'm not sure what department to contact so perhaps you could forward this on?

This is just a question/comment about the new Foster Martin condo complex. I think these buildings are architecturally beautiful with the curvature like ocean waves. I am hugely opposed however to the white neon strips running down the south side of each building. It completely ruins and monopolizes the night sky in this residential area and hopefully this allowance does not set a precedent for future builds. Do these light strips fall within the parameters of what's allowed within the City of WR?

Thank you very much for your reply. It's most appreciated.

Sincerely,

Sent from my iPhone

**From:** [Joseph Calenda](#)  
**To:** [Clerk's Office](#)  
**Cc:** [Guillermo Ferrero](#); [Wayne Berg](#); [Sherry Searle](#)  
**Subject:** RE: Question - J. Arlington - Foster Martin at 1484 Martin  
**Date:** February 10, 2022 6:38:32 PM

---

Here is the response you may use for J. Arlington's query.

"Foster Martin on White Rock Commons - Redeveloping the Town Centre of our 'City By The Sea' in the image of our OCP.

The 'light strip's' are an iconic architectural design feature of the 'Foster Martin on White Rock Commons' buildings at 1484 Martin Street. They are also a feature of the approved Development Permit. The Development Permit is consistent with the Official Community Plan. Two of the three towers are built. We expect occupancy permit to be issued in late February or early March. We expect the public plaza and fountain to be completed and fully accessible by May. We anticipate much of the off site landscaping to be done in April/May coincident with 'planting season'. And we expect construction on Tower 3 to commence in the spring."

---

Joseph A. Calenda, MCIP, RPP(Retired), DTM  
Director of Planning and Development Services, City of White Rock  
15322 Buena Vista Avenue, White Rock, BC V4B 1Y6  
Tel: 604.541.2293 | [www.whiterockcity.ca](http://www.whiterockcity.ca)

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THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
**CORPORATE REPORT**



**DATE:** February 28, 2022

**TO:** Mayor and Council

**FROM:** Jim Gordon, P.Eng., Director, Engineering & Municipal Operations

**SUBJECT:** Tree Protection, Canopy Enhancement and Management on City Lands Policy 611 - Update

**RECOMMENDATION**

THAT Council approve the updates to Policy 611 as presented in this report to be incorporated in an updated Policy 611, attached as Appendix A.

**EXECUTIVE SUMMARY**

On September 20, 2021, Council approved changes to the Tree Management on City Lands Policy 611 as recommended by the Environmental Advisory Committee (EAC). The recommendations are attached as Appendix B. One of the approved changes was to rename the policy to “Tree Protection, Canopy Enhancement and Management on City Lands Policy 611” (Policy 611).

This report is in follow up to Council discussion and recommendations at the September 20, 2021 meeting and aligns Policy 611 with City of White Rock Tree Protection Bylaw 2407 (Tree Bylaw) adopted by Council on December 14, 2021, which Bylaw is attached as Appendix C, and addresses feedback from members of Council and the EAC.

**PREVIOUS COUNCIL DIRECTION**

<b>Motion # &amp; Meeting Date</b>	<b>Motion Details</b>
2021-323 September 20, 2021	<p>That Council directs the following items be addressed and there be a report back:</p> <ul style="list-style-type: none"> <li>• Item 5: Investigate and report to Council on means to prevent the removal of or interference with trees, and to facilitate the planting of trees, by the City and BNSF on BNSF lands.</li> <li>• Item 9: Maintain a record of contractors that contravene Bylaw 1831 or Policy 611 and take steps to ensure that such contractors are not hired by the City, that relevant fines are levied on them, and/or that their business licenses are suspended or revoked; and</li> </ul>

<p>2021-324 September 20, 2021</p>	<ul style="list-style-type: none"> <li>• Item 1 Page 63: Monitor progress in achieving canopy recovery targets and tree planting goals through annual Tree Canopy Reports to Council that include statistics regarding tree permit applications’ actions taken by the City in the management of trees on City lands including the use of revenues from tree permits and tree protection securities; and an analysis of trends and implications for the effectiveness of the City’s tree protection and enhancement efforts.</li> </ul> <p style="text-align: right;">Motion Carried (7 to 0)</p> <p>THAT Council approve:</p> <ol style="list-style-type: none"> <li>1. The revised Tree Management on City Lands Policy 611 shown as Appendix B; and</li> <li>2. Adding a section to the Corporate Report Template to include implications for tree preservation and tree canopy enhancement where applicable.</li> </ol> <p style="text-align: right;">Motion Carried (7 to 0)</p>
<p>2021-457 November 22, 2021</p>	<p>THAT Council receive for information the corporate report in regard to the proposed City of White Rock Tree Protection Bylaw, 2021, No. 2407</p> <p style="text-align: right;">Motion Carried (6 to 0) Absent (1) Councillor Fathers</p>
<p>2021-471 November 22, 2021</p>	<p>THAT Council give first, second and third reading to “White Rock Tree Protection Bylaw, 2021, No. 2407”</p> <p style="text-align: right;">Motion Carried (6 to 0) Absent (1) Councillor Fathers</p>
<p>2021-493 December 13, 2021</p>	<p>Recommendation #1 To Rescind Readings as the Bylaw Contained and Error.</p> <p>THAT Council rescind first, second and third reading given to “White Rock Tree Protection Bylaw, 2021 No. 2407” at their November 22,2021 Regular Council Meeting.</p> <p style="text-align: right;">Motion Carried (5 to 0) Absent Councillors Fathers and Manning</p>
<p>2021-494 December 13, 2021</p>	<p>Recommendation #2</p> <p>THAT Council give first, second and third reading to “White Rock Tree Protection Bylaw, 2021 No. 2407” as circulated.</p> <p style="text-align: right;">Motion Carried (5 to 0) Absent Councillors Fathers and Manning</p>
<p>2021-505 December 14, 2021</p>	<p>THAT Council give final reading to “White Rock Tree Protection Bylaw, 2021 No. 2407”</p> <p style="text-align: right;">Motion Carried (5 to 0) Absent Councillors Fathers and Manning</p>
<p>2021-506 December 14, 2021</p>	<p>THAT Council rescind Council Policy 510 “Criteria for Type 2 Tree Removal Requests on Private Land” recognizing that the related</p>



	content has been incorporated into the City of White Rock Tree Preservation Bylaw 2021, No. 2407.  Motion Carried (5 to 0) Absent Councillors Fathers and Manning
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## **INTRODUCTION/BACKGROUND**

On September 20, 2021, Council approved changes to Policy 611. Recommended further updates to the Policy are discussed:

a) Reconcile Policy 611 Tree Replacement fees with Tree Bylaw Tree Replacement fees

Current Policy 611 fees for tree replacement are as shown below with reconciliation to Tree Bylaw No. 2407 shown in red:

- (a) 6 – 50 cm DBH tree removed - \$2,000 **(\$3,000)**
  - (b) 51 cm to 65 cm DBH tree removed - \$9,000 **(\$4,500)**
  - (c) 66 cm to 75 cm DBH tree - \$12,000 **(\$6,000)**
  - (d) 76 cm to 85 cm DBH - \$15,000 **(\$7,500)**
  - (e) Greater than 85 cm DBH tree - \$18,000 **(\$9,000)**
- b) Two members of the EAC followed up the September 20, 2021 Council report with suggestions that are outlined below. Staff included these for Council approval in an updated version of Policy 611 attached as Appendix A. The suggestions are consistent with discussions at EAC meetings:
- i)* Add a clause that “All members of Council will be informed at least 14 days in advance of the proposed removal of any non-hazardous ‘City tree’ and any member of Council objecting to measures arising from this may request a Council discussion and decision on the matter.” This clause is inserted as a new sub-para 3(f) of Policy 611.
  - ii)* Add a clause that “When the City is evaluating initiatives that might result in tree removal on City lands, all possible ways to protect the trees should be considered, and ambitious replacement requirements for trees that must be removed should be applied.” This clause is inserted as a new sub-para 3(e) of Policy 611.
  - iii)* Amend Sec 6.3 (a) to change “30 metres” to “100 metres.”
  - iv)* Add a clause that “City Arborists will visit and inspect all sites under consideration for a tree permit.”

Following is an update on other tree matters discussed by Council and the EAC:

- a) Item 5: Investigate and report to Council on means to prevent the removal of or interference with trees, and to facilitate the planting of trees, by the City and BNSF on BNSF lands.

Staff reached out to BNSF by email in December 2021 but haven’t heard back yet. Staff are not aware of any BNSF removal plans but will discuss the potential for tree planting in White Rock.

- b) Item 9: Maintain a record of contractors that contravene Bylaw 1831 (now Bylaw 2407) or Policy 611 and take steps to ensure that such contractors are not hired by the City, that

relevant fines are levied on them, and/or that their business licenses are suspended or revoked.

Staff are working to set up a process to record contravening contractors and to ensure that they are not hired by the City.

- c) Item 1 Page 63: Monitor progress in achieving canopy recovery targets and tree planting goals through annual Tree Canopy Reports to Council that include statistics regarding tree permit applications' actions taken by the City in the management of trees on City lands including the use of revenues from tree permits and tree protection securities; and an analysis of trends and implications for the effectiveness of the City's tree protection and enhancement efforts.

Annual Tree Canopy Report will be scheduled every Fall.

- d) All corporate reports and recommendations presented to Council regarding works to be conducted on City lands include a section describing any implications for tree protection and canopy enhancement.

This process will be undertaken.

### **FINANCIAL IMPLICATIONS**

The fees in Policy 611 will be adjusted to align with the fees in Bylaw 2407 and may result in an overall loss of tree replacement revenue; however, this is not expected to be significant.

### **LEGAL IMPLICATIONS**

The new Policy 611 establishes different policies for managing trees on City right-of-ways and more closely aligns with Bylaw No. 2407. It is not anticipated that there will be significant new legal implications.

### **COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS**

The changes to Policy 611 are based on the community involvement from the EAC Committee Members.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The Engineering & Municipal Operations Department and the Planning and Development Department worked together with the EAC in making the proposed changes.

### **CLIMATE CHANGE IMPLICATIONS**

More trees and a greater tree canopy have positive climate change implications.

### **IMPLICATIONS FOR TREE PRESERVATION AND TREE CANOPY ENHANCEMENT**

Positive implications are the intention of the changes to Policy 611.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

This aligns with "Our Environment and Our Community" strategic priorities.

### **OPTIONS / RISKS / ALTERNATIVES**

The following alternative option is available for Council's consideration:

1. Council not approve Policy 611 changes recommended in this report, however this would not be consistent with the recommendations of the EAC, nor enhance the White Rock tree canopy.

### **CONCLUSION**

On September 20, 2021, Council approved changes to Tree Management on City Lands Policy 611 as recommended by the Environmental Advisory Committee (EAC). One of the approved changes was to rename the policy “Tree Protection, Canopy Enhancement and Management on City Lands Policy 611” (Policy 611).

The recommendations in this report and updated Policy 611 attached as Appendix A reflect Council discussion and recommendations at the September 20, 2021 Council meeting, aligns Policy 611 with City of White Rock Tree Protection Bylaw 2407 (Tree Bylaw) adopted by Council December 14, 2021, and addresses feedback from members of Council and the EAC.

Respectfully submitted,



Jim Gordon  
Director, Engineering & Municipal Operations

### **Comments from the Chief Administrative Officer**

I concur with the recommendation of this corporate report.



Guillermo Ferrero  
Chief Administrative Officer

Appendix A: Proposed Amended Policy 611  
Appendix B: Recommendations of the Environmental Advisory Committee  
Appendix C: Tree Protection Bylaw 2407

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
 15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



**POLICY TITLE:     TREE MANAGEMENT ON CITY LANDS**

**POLICY NUMBER: OPERATIONS / ENG. - 611**

<i>Date of Council Adoption:</i> June 28, 2010	<i>Date of Last Amendment:</i> July 25, 2016
<i>Council Resolution Number:</i> 2012-008, 2013 – 134, 2016-282	
<i>Originating Department:</i> Engineering and Municipal Operations	<i>Date last reviewed by the Governance and Legislation Committee:</i> July 11, 2016

**1. Policy**

It is the policy of the City of White Rock to manage, preserve and enhance trees on City lands while taking into consideration established views from White Rock properties and scenic views in the City. The long-term objective is ensure the sustainability of the City’s urban forest assets by increasing the number of healthy trees and amount of tree canopy in the City, without negatively impacting established views that are important to City of White Rock property owners and the City.

**2. Definitions**

*City Land* - includes City property, *City Parkland*, public rights-of-way and easements, and property under lease to the City of White Rock.

*City Parkland* – means Bryant Park, Columbia & Balsam Hillside Park, Coldicutt Park, Memorial Park, Bayview Park, Oxford Street Park, Gage Park, Stager Park, Emerson Park, Upper Finlay (Davey) Park, Lower Finlay Park, Dolphin/Cliff Park, Five Corners Park, Ash Street Steps Park, Barge Park, Bergstrom Entrance Park, Hughes Park, Marine Drive Linear Park, Maccaud Park, Marine & Cypress Hillside Park, Prospect & Blackwood Hillside Park, Sanford Park, Stayte Road Entrance Park, Hodgson Park, Gogg’s Park, Totem Park, Peace Arch Elementary Park, Rotary Park, Vidal & Beachview Park.

*City Tree* – a living, woody plant with roots and branches that has a trunk DBH greater than 6 centimeters.

*DBH (Diameter at Breast Height)* - means the diameter of the trunk of a tree at 1.4 metres above the base of a tree. For multi-trunk trees, each trunk shall be measured 1.4 metres above the highest point of the natural grade of the ground measured from grade and the DBH of the tree shall equal the cumulative total of the three largest trunks.

*Hazardous Tree* - means a tree identified in writing by a Certified Tree Risk Assessor as having significant structural defects and an extreme hazard risk which could lead to part or the entire tree falling and causing personal injury or significant property damage.

*Significant Tree* – means any tree on *City land* that is of particular significance to the City, due to landmark value, cultural, historical, ecological or social import and has been included in the Significant Tree Registry of the Significant Tree Policy.

*Tree Topping* – means an inappropriate pruning technique to remove the top portion of a tree's main leader(s), resulting in an overall reduction in the tree's height, size and potential health or life expectancy.

*View/View Corridor* - A three dimensional area extending out from a viewpoint. The width and depth of the view corridor depends on the focus of the view. The focus of the view may be a single object, such as a mountain, which would result in a relatively narrow corridor, or a group of objects, such as a downtown skyline, which would result in a wide corridor. Panoramic views, such as areas of ocean, have wider corridors.

### **3. Management of City Trees**

- a) The City manages trees on City lands:
  1. for the trimming and removal of trees for health reasons, such as thinning, spacing, pruning and treatment of diseased trees;
  2. for the trimming, pruning or removal of trees for safety reasons such as hazardous, dead or diseased trees that cannot be treated;
  3. for the trimming or removal of trees and vegetation that interfere with visibility at intersections and driveway entrances, the illumination of City lands by street lighting, or pose a risk for damage to infrastructure such as water, sanitary, storm, sidewalks, power lines, etc.;
  4. for the control of invasive species;
  5. for the maintenance of views from City viewpoints;
  6. for the maintenance of slope stability and other geotechnical purposes;
  7. for the planting of replacement and new trees; and
  8. for the removal and replanting of trees as part of a parks or right-of-way (ROW) redevelopment plan.
- b) The pruning or removal of a City tree is the sole responsibility of the City of White Rock and its authorized agents. The pruning or removal of a City tree without a City permit is subject to fines as detailed in Section 9 of this Policy.
- c) The planting of trees, shrubs or other vegetation on City lands by White Rock property owners, residents or visitors is prohibited, unless authorized by a City Boulevard Improvement Permit. The City reserves the right to remove vegetation that has been planted on City property without a permit.
- d) Trees are considered to be joint property of the City and a property owner when any part of the tree trunk crosses a shared property line.

- e) When the City is evaluating initiatives that might result in tree removal on City lands, all possible ways to protect the trees should be considered, and ambitious replacement requirements for trees that must be removed should be applied.
- f) All members of Council will be informed at least 14 days in advance of the proposed removal of any non-hazardous “City tree” and any member of Council objecting to measures arising from this may request a Council discussion and decision on the matter.

#### **4. Exemptions**

This policy does not apply to trees on City lands that are cut, removed or damaged, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4<sup>th</sup> Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.

#### **5. Refusal of Requests to Prune or Remove Trees on City Lands**

The following types of requests to remove a tree on City land will not be considered:

- a) A tree will not be pruned or removed from City lands due to concerns related to size, shade or leaf, flower, pitch or seed litter. These are naturally occurring situations inherent to a tree and will not be considered as justification for tree pruning or removal.
- b) A tree will not be pruned or removed from City lands:
  - i) during bird nesting season from February 1 to August 31,
  - ii) which has evidence of active nesting, or
  - iii) has evidence of use by raptors, as defined in the *Section 34* of the *Wildlife Act*, R.S.B.C. 1996, c. 488.
- c) A *significant tree* on City lands will not be pruned or removed.
- d) A tree on *City parkland* will not be pruned or removed.
- e) A tree in a City ravine area will not be pruned or removed in contradiction to the federal *Fisheries Act* and the provincial *Riparian Areas Regulations*.
- f) A tree will not be pruned or removed from City lands to establish a new view.
- g) A tree on City land will not be topped. The topping of a tree can cause permanent damage by promoting decay as well as leading to hazardous conditions due to unnatural, dense and weak branching structure. Previously topped trees may be considered for re-topping, provided that the re-topping, in the opinion of the City Arborist, will not result in future hazardous conditions for the tree.

#### **6. Applications to Permit the Pruning or Removal of a Tree on City Lands**

- a) City policy is to retain trees on City lands where practical. However, residents may apply for the trimming, pruning or removal of trees on City lands as outlined below. (Application Form- Appendix A)
- b) Applications are made to the City’s Department of Engineering and Municipal Operations.
- c) The pruning or removal of a healthy tree on City land is a private benefit to the property owner. All costs necessary for the approved pruning or removal of a tree on City land, as determined by the Director of Engineering and Municipal Operations, will be at the expense of the applicant.
- d) Applications to trim, prune or remove a tree on City land to re-establish a view will be considered only in those instances in which a White Rock property owner is able to clearly demonstrate that a City tree has grown over a period of time to obscure an established view from their White Rock property.
- e) City Arborists will visit and inspect all sites under consideration for a tree permit.

### ***6.1 Applicant Requirements***

- a) Applicants must be an owner of a property in White Rock within 30 metres of the tree under application.
- b) Applicants must have owned the property for which the application has been made for a continuous period of not less than 2 years.
- c) No more than 1 application to prune or remove a specific tree(s) will be considered from a the same property owner within a 2 year period.

### ***6.2 Application Submission Requirements***

- a) Completed tree trimming/pruning/removal application.
- b) Written rationale describing the manner in which a view has been obscured by tree growth, and the manner in which the applicant wishes to have the tree pruned or removed in order to re-establish a view.
- c) Non-refundable fee as outlined in the City of White Rock Planning and Procedures Bylaw, 2009, No. 1869.
- d) Property title demonstrating 2 years of continuous property ownership prior to the date of application.
- e) Photographic and/or graphic information that clearly demonstrates the manner in which a view has become obscured by tree growth. City staff may require a site visit

to substantiate the information submitted. Refusal to allow City staff to access a property may result in the closing of the application.

- f) Funds for geotechnical/hydrological assessments, as deemed necessary by the Director of Engineering & Municipal Operations in order to review the application.



### ***6.3 Notification Prior to Decision***

The City will provide notification as follows:

- a) The City will mail letters, with an attached response form, to all White Rock property owners within 100 metres of the tree under application, notifying the property owners of the application, the rationale provided for tree pruning or removal, providing a recent photograph of the tree, and requesting that the White Rock property owners complete the response form and submit it to the Engineering and Municipal Operations Department, indicating either support or opposition to the application.
- b) Response forms indicating support or opposition to the proposed tree pruning or removal are to be received within 2 weeks of the letter delivery. Any response forms received after this time period will not be considered.

### ***6.4 Criteria for Decision***

- a) The tree under application must be clearly demonstrated to have increased in size to obscure an established view from the application property, as determined by the Director of Engineering and Municipal Operations.
- b) 65% of the response forms received by the Engineering and Municipal Operations Department from White Rock property owners within 30 metres of the tree must indicate support for the proposed tree pruning or removal. A maximum of one property owner response form will be considered from each White Rock address. Only response forms clearly indicating support or opposition to the proposed tree pruning or removal will be considered. Responses or surveys submitted on behalf of nearby property owners or residents will not be considered.

### ***6.5 Application Approval Requirements***

- a) Submission of funds for retaining systems and hydrological improvements, as determined by the Director of Engineering & Municipal Operations.
- b) Submission of tree pruning, tree removal and cleanup costs.
- c) Submission of funds for tree replacement, as follows:
  - (a) 6 – 50 cm DBH tree removed - \$3,000
  - (b) 51 cm to 65 cm DBH tree removed - \$4,500
  - (c) 66 cm to 75 cm DBH tree - \$6,000
  - (d) 76 cm to 85 cm DBH - \$7,500
  - (e) Greater than 85 cm DBH tree - \$9,000

### **6.6 Application Decision**

- a) The approval or denial of an application to prune or remove a tree on City lands will be made by the Director of Engineering & Municipal Operations, whose decision is final.
- b) A final decision on an application to prune or remove a tree on City lands will be provided in a timely manner, and in any case within 60 days of the date of application, unless extended by mutual agreement between the applicant and the Director of Engineering and Municipal Operations.
- c) Written confirmation of the decision will be provided to the applicant, all White Rock property owners within 30 metres of the tree, and Council.

### **7. Tree Pruning, Removal and Planting**

- a) All tree pruning, removal and replacement resulting from an approved application to prune or remove a tree on City lands will be conducted by City staff and/or their designated agents.
- b) A minimum of 2 trees will be planted on City property as replacements for each tree removed as a result of an approved tree removal application, except as detailed in the following sections c) and d).
- c) Securities submitted for tree replacement may be applied to the installation of any form of vegetation, including trees, on City lands, as determined by the Director of Engineering & Municipal Operations.
- d) Trees planted as new or replacement trees will be sited and of a species such that they will not grow to obscure established views from White Rock properties.

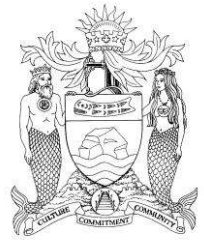
### **8. Trees on City Lands Impacted by Development**

Requests to prune or remove City trees that are the result of applications for rezoning, development permit, demolition permit, building permit, or subdivision of properties within 30 metres of the tree will be reviewed as Type 3 requests under Tree Management Bylaw No. 1831, in conjunction with the development proposal and forwarded to Council for decision simultaneous with the development proposal. Application fees, securities, proposals for cash-in-lieu, replacement trees, tree protection, and inspection and assessment shall be as outlined in Parts 7 to 10 of Bylaw No. 1831.

### **9. Fines**

Any person who willfully prunes, damages or removes a tree from City lands is guilty of an offense and is liable to the fines and penalties as set forth in the City of White Rock *Ticketing for Bylaw Offences Bylaw*, 2011, No. 1929, as amended, and any penalties imposed by the Offense Act R. S. B. C. 1996, C. 338.

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** September 20, 2021

**TO:** Mayor and Council

**FROM:** Jim Gordon P.Eng., Director, Engineering & Municipal Operations

**SUBJECT:** Tree Management on City Lands Policy 611

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**RECOMMENDATIONS**

THAT Council approve:

1. The revised Tree Management on City Lands Policy 611 and shown as Appendix B; and
  2. Adding a section to the Corporate Report Template to include implications for tree preservation and tree canopy enhancement where applicable.
- 

**EXECUTIVE SUMMARY**

In July 2019, Council requested the Environmental Advisory Committee (EAC) to review White Rock's principal tree management instruments, Tree Management Bylaw 1831 (Bylaw) and Tree Management on City Lands Policy 611 (Policy). The record of this referral underscores Council's concerns regarding both decision-making processes and the effectiveness of the City's tree protection efforts – the latter against the background of City and Metro assessments documenting a serious decline in White Rock's tree canopy over the past two decades.

The EAC provided Council with 19 recommendations that will result in enhanced tree protection and expanded opportunities for tree planting. Some of these recommendations can be incorporated in an amended Bylaw and an amended Policy. However, other more fundamental changes likely to shift the balance between views and tree protection were not approved by Council at the Governance and Legislation Committee meeting on April 26, 2021. Other changes introduced additional requirements for residents modifying their properties or addressing on site tree concerns.

This report is a follow up to the April 26, 2021 Governance and Legislation meeting concerning tree policies on City lands (Policy 611). A separate report will discuss proposed changes to the City Tree Bylaw 1831. A revised Tree Management on City Lands Policy 611 is attached as Appendix B.

**PREVIOUS COUNCIL DIRECTION**

<b>Motion # &amp; Meeting Date</b>	<b>Motion Details</b>
Governance & Legislation Committee April 26, 2021 Motion # 2021-G/L-031	THAT the Governance and Legislation Committee directs the following be removed from staff bringing forward with potential bylaw amendment: <i>Limit the criteria under which applications for pruning, crown thinning, or width reductions are approved to those where the property owner has clearly demonstrated that the tree has increased in size to completely obscure a previously existing view from the applicant's property.</i>
Governance & Legislation Committee April 26, 2021 Motion # 2021-G/L-032	THAT the Governance and Legislation Committee directs the following be removed from staff bringing forward with potential bylaw amendment: <i>Prohibit the topping or removal of city trees for the re-establishment of views.</i>

**INTRODUCTION/BACKGROUND**

In July 2019, Council requested the EAC to review White Rock’s principal tree management instruments, Tree Management Bylaw 1831 (Bylaw) and Tree Management on City Lands Policy 611 (Policy). The record of this referral underscores Council’s concerns regarding both decision-making processes and the effectiveness of the City’s tree protection efforts – the latter against the background of City and Metro assessments documenting a serious decline in White Rock’s tree canopy over the past two decades. This report addresses tree preservation on City lands through proposed amendments to Policy 611 while a separate report will address the Tree Bylaw (Bylaw 1831) and trees on private properties.

Council considered the recommendations from the EAC concerning trees on City lands and Policy 611 on April 26, 2021. It was noted that the next step was for staff to bring back a new Policy 611 with the EAC recommendations along with direction given at the meeting. In addition to the EAC recommendations, specific direction is outlined in the two approved motions shown above.

Appendix A details the recommendations from the EAC concerning Policy 611. Appendix B is a proposed revised Tree Management on City Lands Policy 611. Appendix C discusses tree preservation and tree canopy enhancement initiatives proposed by the EAC; many of these will be subject to Council’s future direction that may also consider budget and staffing priorities.

**DISCUSSION**

The Governance & Legislation Committee approved proposed changes to Policy 611 which are incorporated into a new Tree Management on City Lands Policy 611 in Appendix B. Appendix C details tree preservation and tree canopy enhancement initiatives proposed by the EAC. Many of these are subject to future Council direction and budgets as noted in Appendix C; however, the following are highlighted:

1. Tree Canopy Target – It is suggested that an explicit target be identified (such as 27% vs current estimate of 19%) by 2045; however, setting a target without fundamentally changing the policy relationship between trees and views and increased Council support for tree planting will not increase the tree canopy. Continuing the current practices and balances between trees and views, albeit with the recommendations in this report, will likely result in a slight reduction in the tree canopy as private properties are redeveloped with larger homes.

2. Council Report Template – The committee suggested that a section be included in the Corporate Report Template to discuss implications for tree protection and canopy enhancement. If Council directs, this can be done.

### **COMMUNICATION AND COMMUNITY ENGAGEMENT IMPLICATIONS**

The work of the EAC in preparing the extensive document related to tree preservation and canopy enhancement reflects community input into tree matters as does Council consideration of delegations related to trees and views.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

The Planning and Development Department also worked with the EAC on tree preservation and canopy enhancement but within the context of Bylaw 1831 that regulates activities related to trees on private properties. A report regarding the EAC recommendations for Bylaw 1831 is forthcoming.

### **CLIMATE CHANGE IMPLICATIONS**

Increasing the focus on tree preservation in White Rock is a small, but important step in the fight against climate change.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

The EAC suggesting improvements to bylaws and policies to protect the tree canopy is a Council Strategic Priority, as is a review of Policy 611 Tree Management on City Lands.

### **OPTIONS / RISKS / ALTERNATIVES**

The following alternate options are available for Council's consideration:

1. Remain with the status quo and not adopt the recommended changes to Policy 611 or the report template as proposed. There would be a diminished focus on tree protection and canopy enhancement.
2. Reverse the April 26, 2021 decision of the Governance and Legislation Committee and adopt the EAC recommendation shifting the balance between trees and views. This would result in more pushback from residents and delegations to Council related to views.

**CONCLUSION**

Council considered the recommendations from the EAC concerning trees on City lands and Policy 611 on April 26, 2021. Attached as Appendix B is a revised Tree Management on City Lands Policy 611 containing the EAC recommendations along with direction given at the Governance and Legislation Meeting.

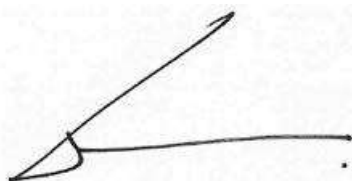
Respectfully submitted,



Jim Gordon, P.Eng.  
Director, Engineering and Municipal Operations

**Comments from the Chief Administrative Officer**

I concur with the recommendations of this corporate report.



Guillermo Ferrero  
Chief Administrative Officer

- Appendix A: Environmental Advisory Committee Recommendation Details Concerning Tree Management on City Lands Policy 611
- Appendix B: Revised Tree Management on City Lands Policy 611
- Appendix C: Tree Preservation and Tree Canopy Enhancement Initiatives proposed by the Environmental Advisory Committee

## APPENDIX A

### **Environmental Advisory Committee Recommendation Details Concerning Tree Management on City Lands Policy 611**

Following are EAC recommended changes to Policy 611 Tree Management on City Lands:

1. EAC recommendation 1 - *Change the title of the Policy to "Tree Protection, Canopy Enhancement and Management on City Lands.*
2. EAC recommendation 2 – Policy Primary heading 1: Replace with “*In managing trees on City land, it is the priority of the City of White Rock to protect existing trees and increase the number of healthy trees and amount of tree canopy and thus enhance and ensure the sustainability of the City’s urban forest and realization of the environmental and esthetic benefits it provides. In this context, the interest of property owners in preserving or restoring private views obstructed by City trees will be addressed through procedures outlined in **this Policy 611.**”* The intention of the EAC was to create a policy annex to describe the process in detail, but this was never accomplished. Instead of the reference to the Annex, reference is made to Policy 611 as shown above in red text.
3. EAC recommendation 3 - Primary heading 3, secondary heading a: Insert as tertiary heading 1 “*For the overriding purposes of protecting existing trees and increasing the number of healthy trees and amount of tree canopy*” Renumber the existing tertiary headings.
4. EAC recommendation 4 - Primary headings 5,6,7 and 8: The intention of the EAC was to develop an Annex to the Policy to incorporate the content of these primary headings; however, this was not done. It is recommended to leave these clauses in place and include further EAC recommendations within these existing clauses where feasible, subject to Council approval.
5. EAC recommendation 5: The EAC recommended “*Limit the criteria under which applications for pruning, crown thinning, or width reductions are approved to those where the property owner has clearly demonstrated that the tree has increased in size to completely obscure a previously existing view from the applicant’s property.* The Governance and Legislation Committee did not approve this recommendation.
6. EAC recommendation 6: *Prohibit the topping or removal of city trees for the re-establishment of views.* The Governance and Legislation Committee did not approve this recommendation.
7. EAC recommendation 7: *Remove references to "narrow corridor" and "single object" views in the definition of “view/view corridor.*
8. EAC recommendation 8: *Allow for the siting, species selection, and planting of new or replacement trees on City lands in all locations where future growth is not expected to completely obscure established views.* Even though approving this recommendation would be inconsistent with the two approved April 26, 2021 recommendations from the

Governance and Legislation Committee, the G&L Committee did not give direction on this recommendation.

9. EAC recommendation 9: *Provide that “significant trees” on City lands, to be defined pursuant to a “Significant Tree Policy” to be developed and presented to Council by Staff, will not be removed for other than safety reasons or as approved by Council. [R6]* Significant Tree Policy could be developed by staff subject to Council resource priorities.
10. EAC recommendation 10: *Require that, when the City is evaluating initiatives that might result in tree removal on City lands, all possible ways to protect the trees should be considered, and specify ambitious replacement requirements for trees that must be removed. [R8]* Staff will continue to investigate all ways to protect trees and will pursue ambitious tree replacement strategies. This could result in potential conflicts with residents who do not wish trees as per recent Council rejection of tree planting on Cypress Street.
11. EAC recommendation 11: *Require that notice of, and opportunity to comment on, any application or proposal to remove a “City tree” be provided to property owners within 100 metres of the affected tree at least 14 days in advance of a decision. [R15]* The EAC confirmed that this would not relate to the removal of hazardous or dead trees.
12. EAC recommendation 12: *Require that City Arborists visit and inspect all sites under consideration for a tree permit. [R16(b)]* This practice will continue.
13. EAC recommendation 13: *Incorporate criteria established in the revised Bylaw 1831 to govern decisions taken by officials regarding the management of trees on City lands. [R17(b)]* Staff to endeavor to ensure that Bylaw changes are consistently reflected in updates to Policy 611.
14. EAC recommendation 14: *Incorporate any amendments, consistent with the EAC’s recommendations, that may be needed to ensure currency and clarity and consistency with other policies and bylaws. [R19]*



**APPENDIX B**

**Revised Tree Management on City Lands Policy 611**

**APPENDIX B**  
**Revised Tree Management on City Lands Policy 611**

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



**POLICY TITLE: TREE PROTECTION, CANOPY ENHANCEMENT AND MANAGEMENT ON CITY LANDS**

**POLICY NUMBER: OPERATIONS / ENG. - 611**

<i>Date of Council Adoption:</i> June 28, 2010	<i>Date of Last Amendment:</i> July 25, 2016
<i>Council Resolution Number:</i> 2012-008, 2013 – 134, 2016-282	
<i>Originating Department:</i> Engineering and Municipal Operations	<i>Date last reviewed by the Governance and Legislation Committee:</i> July 11, 2016

**1. Policy**

In managing trees on City land, it is the priority of the City of White Rock to protect existing trees and increase the number of healthy trees and amount of tree canopy and thus enhance and ensure the sustainability of the City’s urban forest and realization of the environmental and esthetic benefits it provides. In this context, the interest of property owners in preserving or restoring private views obstructed by City trees will be addressed through procedures outlined in this Policy 611.

~~It is the policy of the City of White Rock to manage, preserve and enhance trees on City lands while taking into consideration established views from White Rock properties and scenic views in the City. The long term objective is ensure the sustainability of the City’s urban forest assets by increasing the number of healthy trees and amount of tree canopy in the City, without negatively impacting established views that are important to City of White Rock property owners and the City.~~

**2. Definitions**

*City Land* - includes City property, *City Parkland*, public rights-of-way and easements, and property under lease to the City of White Rock.

*City Parkland* – means Bryant Park, Columbia & Balsam Hillside Park, Coldicutt Park, Memorial Park, Bayview Park, Oxford Street Park, Gage Park, Stager Park, Emerson Park, Upper Finlay (Davey) Park, Lower Finlay Park, Dolphin/Cliff Park, Five Corners Park, Ash Street Steps Park, Barge Park, Bergstrom Entrance Park, Hughes Park, Marine Drive Linear Park, Maccaud Park, Marine & Cypress Hillside Park, Prospect & Blackwood Hillside Park, Sanford Park, Stayte Road Entrance Park, Hodgson Park, Gogg’s Park, Totem Park, Peace Arch Elementary Park, Rotary Park, Vidal & Beachview Park.

*City Tree* – a living, woody plant with roots and branches that has a trunk DBH greater than 6 centimeters.

*DBH (Diameter at Breast Height)* - means the diameter of the trunk of a tree at 1.4 metres above the base of a tree. For multi-trunk trees, each trunk shall be measured 1.4 metres above the highest point of the natural grade of the ground measured from grade and the DBH of the tree shall equal the cumulative total of the three largest trunks.

*Hazardous Tree* - means a tree identified in writing by a Certified Tree Risk Assessor as having significant structural defects and an extreme hazard risk which could lead to part or the entire tree falling and causing personal injury or significant property damage.

*Significant Tree* – means any tree on *City land* that is of particular significance to the City, due to landmark value, cultural, historical, ecological or social import and has been included in the Significant Tree Registry of the Significant Tree Policy.

*Tree Topping* – means an inappropriate pruning technique to remove the top portion of a tree's main leader(s), resulting in an overall reduction in the tree's height, size and potential health or life expectancy.

*View/View Corridor* - A three dimensional area extending out from a viewpoint. The width and depth of the view corridor depends on the focus of the view. The focus of the view may be a ~~single object, such as a mountain or a group of objects, such as a downtown skyline, which would result in a relatively narrow corridor, or a group of objects, such as a downtown skyline, which would result in a wide corridor.~~ Panoramic views, such as areas of ocean, have wider corridors.

### 3. Management of City Trees

a) The City manages trees on City lands:

1. For the overriding purposes of protecting existing trees and increasing the number of healthy trees and amount of tree canopy.
2. for the trimming and removal of trees for health reasons, such as thinning, spacing, pruning and treatment of diseased trees;
2. for the trimming, pruning or removal of trees for safety reasons such as hazardous, dead or diseased trees that cannot be treated;
3. for the trimming or removal of trees and vegetation that interfere with visibility at intersections and driveway entrances, the illumination of City lands by street lighting, or pose a risk for damage to infrastructure such as water, sanitary, storm, sidewalks, power lines, etc.;
4. for the control of invasive species;
5. for the maintenance of views from City viewpoints;
6. for the maintenance of slope stability and other geotechnical purposes;
7. for the planting of replacement and new trees; and
8. for the removal and replanting of trees as part of a parks or right-of-way (ROW) redevelopment plan.

- b) The pruning or removal of a City tree is the sole responsibility of the City of White Rock and its authorized agents. The pruning or removal of a City tree without a City permit is subject to fines as detailed in Section 9 of this Policy.
- c) The planting of trees, shrubs or other vegetation on City lands by White Rock property owners, residents or visitors is prohibited, unless authorized by a City Boulevard Improvement Permit. The City reserves the right to remove vegetation that has been planted on City property without a permit.
- d) Trees are considered to be joint property of the City and a property owner when any part of the tree trunk crosses a shared property line.

#### **4. Exemptions**

This policy does not apply to trees on City lands that are cut, removed or damaged, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4<sup>th</sup> Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.

#### **5. Refusal of Requests to Prune or Remove Trees on City Lands**

The following types of requests to remove a tree on City land will not be considered:

- a) A tree will not be pruned or removed from City lands due to concerns related to size, shade or leaf, flower, pitch or seed litter. These are naturally occurring situations inherent to a tree and will not be considered as justification for tree pruning or removal.
- b) A tree will not be pruned or removed from City lands:
  - i) during bird nesting season from February 1 to August 31,
  - ii) which has evidence of active nesting, or
  - iii) has evidence of use by raptors, as defined in the *Section 34* of the *Wildlife Act*, R.S.B.C. 1996, c. 488.
- c) A *significant tree* on City lands will not be pruned or removed.
- d) A tree on *City parkland* will not be pruned or removed.
- e) A tree in a City ravine area will not be pruned or removed in contradiction to the federal *Fisheries Act* and the provincial *Riparian Areas Regulations*.
- f) A tree will not be pruned or removed from City lands to establish a new view.
- g) A tree on City land will not be topped. The topping of a tree can cause permanent damage by promoting decay as well as leading to hazardous conditions due to unnatural, dense and weak branching structure. Previously topped trees may be

considered for re-topping, provided that the re-topping, in the opinion of the City Arborist, will not result in future hazardous conditions for the tree.

## **6. Applications to Permit the Pruning or Removal of a Tree on City Lands**

- a) City policy is to retain trees on City lands where practical. However, residents may apply for the trimming, pruning or removal of trees on City lands as outlined below. (Application Form- Appendix A)
- b) Applications are made to the City's Department of Engineering and Municipal Operations.
- c) The pruning or removal of a healthy tree on City land is a private benefit to the property owner. All costs necessary for the approved pruning or removal of a tree on City land, as determined by the Director of Engineering and Municipal Operations, will be at the expense of the applicant.
- d) Applications to trim, prune or remove a tree on City land to re-establish a view will be considered only in those instances in which a White Rock property owner is able to clearly demonstrate that a City tree has grown over a period of time to obscure an established view from their White Rock property.

### ***6.1 Applicant Requirements***

- a) Applicants must be an owner of a property in White Rock within 30 metres of the tree under application.
- b) Applicants must have owned the property for which the application has been made for a continuous period of not less than 2 years.
- c) No more than 1 application to prune or remove a specific tree(s) will be considered from a the same property owner within a 2 year period.

### ***6.2 Application Submission Requirements***

- a) Completed tree trimming/pruning/removal application.
- b) Written rationale describing the manner in which a view has been obscured by tree growth, and the manner in which the applicant wishes to have the tree pruned or removed in order to re-establish a view.
- c) Non-refundable fee as outlined in the City of White Rock Planning and Procedures Bylaw, 2009, No. 1869.
- d) Property title demonstrating 2 years of continuous property ownership prior to the date of application.

- e) Photographic and/or graphic information that clearly demonstrates the manner in which a view has become obscured by tree growth. City staff may require a site visit to substantiate the information submitted. Refusal to allow City staff to access a property may result in the closing of the application.
- f) Funds for geotechnical/hydrological assessments, as deemed necessary by the Director of Engineering & Municipal Operations in order to review the application.

### ***6.3 Notification Prior to Decision***

The City will provide notification as follows:

- a) The City will mail letters, with an attached response form, to all White Rock property owners within 30 metres of the tree under application, notifying the property owners of the application, the rationale provided for tree pruning or removal, providing a recent photograph of the tree, and requesting that the White Rock property owners complete the response form and submit it to the Engineering and Municipal Operations Department, indicating either support or opposition to the application.
- b) Response forms indicating support or opposition to the proposed tree pruning or removal are to be received within 2 weeks of the letter delivery. Any response forms received after this time period will not be considered.

### ***6.4 Criteria for Decision***

- a) The tree under application must be clearly demonstrated to have increased in size to obscure an established view from the application property, as determined by the Director of Engineering and Municipal Operations.
- b) 65% of the response forms received by the Engineering and Municipal Operations Department from White Rock property owners within 30 metres of the tree must indicate support for the proposed tree pruning or removal. A maximum of one property owner response form will be considered from each White Rock address. Only response forms clearly indicating support or opposition to the proposed tree pruning or removal will be considered. Responses or surveys submitted on behalf of nearby property owners or residents will not be considered.

### ***6.5 Application Approval Requirements***

- a) Submission of funds for retaining systems and hydrological improvements, as determined by the Director of Engineering & Municipal Operations.
- b) Submission of tree pruning, tree removal and cleanup costs.
- c) Submission of funds for tree replacement, as follows:

- (a) 6 – 50 cm DBH tree removed - \$2,000
- (b) 51 cm to 65 cm DBH tree removed - \$9,000
- (c) 66 cm to 75 cm DBH tree - \$12,000
- (d) 76 cm to 85 cm DBH - \$15,000
- (e) Greater than 85 cm DBH tree - \$18,000

### **6.6 Application Decision**

- a) The approval or denial of an application to prune or remove a tree on City lands will be made by the Director of Engineering & Municipal Operations, whose decision is final.
- b) A final decision on an application to prune or remove a tree on City lands will be provided in a timely manner, and in any case within 60 days of the date of application, unless extended by mutual agreement between the applicant and the Director of Engineering and Municipal Operations.
- c) Written confirmation of the decision will be provided to the applicant, all White Rock property owners within 30 metres of the tree, and Council.

## **7. Tree Pruning, Removal and Planting**

- a) All tree pruning, removal and replacement resulting from an approved application to prune or remove a tree on City lands will be conducted by City staff and/or their designated agents.
- b) A minimum of 2 trees will be planted on City property as replacements for each tree removed as a result of an approved tree removal application, except as detailed in the following sections c) and d).
- c) Securities submitted for tree replacement may be applied to the installation of any form of vegetation, including trees, on City lands, as determined by the Director of Engineering & Municipal Operations.
- d) Trees planted as new or replacement trees will be sited and of a species such that they will not grow to obscure established views from White Rock properties.

## **8. Trees on City Lands Impacted by Development**

Requests to prune or remove City trees that are the result of applications for rezoning, development permit, demolition permit, building permit, or subdivision of properties within 30 metres of the tree will be reviewed as Type 3 requests under Tree Management Bylaw No. 1831, in conjunction with the development proposal and forwarded to Council for decision simultaneous with the development proposal. Application fees, securities, proposals for cash-in-lieu, replacement trees, tree protection, and inspection and assessment shall be as outlined in Parts 7 to 10 of Bylaw No. 1831.

## **9. Fines**

Any person who willfully prunes, damages or removes a tree from City lands is guilty of an offense and is liable to the fines and penalties as set forth in the City of White Rock *Ticketing for Bylaw Offences Bylaw*, 2011, No. 1929, as amended, and any penalties imposed by the Offense Act R. S. B. C. 1996, C. 338.



## **APPENDIX C**

### **Tree Preservation and Tree Canopy Enhancement Initiatives proposed by the Environmental Advisory Committee**

This appendix lists recommendations from the EAC to Council and subsequent staff comments. Staff are able to move forward on some of the recommendations; however, others as noted below require Council direction. The Governance and Legislation Committee did not give direction on this list during consideration on April 26, 2021:

3. Develop proposals to give tree preservation and canopy enhancement greater and more explicit priority in zoning and planning regulations and procedures throughout the City. [R1] Comment to be addressed in report considering Bylaw 1831.
4. Develop proposals for the adoption of an explicit canopy recovery target (eg, 27% canopy coverage by 2045), for increasing the currently projected maximum number of trees (2500) that can be planted on City land, and for increasing lands on which the City can plant additional trees to help meet the target. [R2(a)] Staff will continue to administer the Bylaw 1831 and Policy 611 to minimize tree removals and to maximize tree plantings. However, without Council fundamentally changing the policy relationship between views and trees and increased Council support for tree planting, the tree canopy is not likely to increase. Setting a target without administrative policy tools to achieve the target could be considered naïve or even disingenuous.
5. Investigate and report to Council on means to prevent the removal of or interference with trees, and to facility the planting of trees, by the City and BNSF on BNSF lands. [R2(c)]If Council directs, staff could enter dialogue with BNSF.
6. Review regulations and policies concerning “significant trees” and “heritage trees” and establish a consolidated definition of “significant tree”, a “Significant Tree Policy” and a “Significant Tree Registry To be considered as part of Bylaw 1831 report.
7. Review fees, securities, cash-in lieu requirements, replacement values and quotas, and fines to ensure they are commensurate with best practices conducive to preserving and increasing the number of healthy trees and the amount of tree canopy in the City. [R9]Staff will review and make recommendations to Council as appropriate.
8. Review and present any appropriate advice to Council regarding methods and resources employed to ensure effective enforcement of Bylaw 1831 and Policy 611. [R10]Staff will continue to look to Council for support in tree planting and tree preservation efforts.
9. Maintain a record of contractors that contravene Bylaw 1831 or Policy 611 and take steps to ensure that such contractors are not hired by the City, that relevant fines are levied on them, and/or that their business licences are suspended or revoked. [R11] If Council directs, this can be done, subject to legal review.
10. Review and improve methods by which residents and property owners are informed of the importance of tree preservation and the requirements of Policy 611 and Bylaw 1831, and how to notify the City when they believe the Policy and Bylaw are being contravened. [R13] Staff will investigate increased communication to residents.
11. Establish International Society of Arboriculture (ISA) certification as the sole and exclusive credential required for a business licence as an arborist. [R16(a)] Staff will do this.
12. Develop amendments to Planning Procedures Bylaw 2234 to require that all corporate and Advisory Design Panel reports and recommendations to Council regarding planning and development on private lands include a description of implications for tree protection and canopy enhancement. [R18(b)] To be addressed as part of Bylaw 1831 report.

13. Develop revisions to City policies and procedures, including Policy 611, to prescribe that:

- (i) All corporate reports and recommendations presented to Council regarding works to be conducted on City lands include a section describing any implications for tree protection and canopy enhancement. If Council directs, this can be made part of the report template.
- (ii) All members of Council be informed at least 14 days before the proposed removal of any “City tree”. The EAC agreed that this would not apply to hazardous or dead tree removal.
- (iii) Any member of Council objecting to measures arising under subparagraphs (i) and (ii) may request a Council discussion and decision on the matter. [R18(c)]

Decides to:

1. Monitor progress in achieving canopy recovery targets and tree planting goals through annual Tree Canopy Reports to Council that include statistics regarding tree permit applications; actions taken by the City in the management of tree on City lands including the use of revenues from tree permits and tree protection securities; and an analysis of trends and implications for the effectiveness of the City’s tree protection and enhancement efforts. [R2(b), R14(b) R18(d)] If Council directs, a report can be made; however, reference is made to the comments in Section 2 above.
2. Conduct, on an annual basis, a public discussion of Tree Canopy Reports prepared by staff. [R18(d)]

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
BYLAW 2407

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A Bylaw to regulate and prohibit the *cutting*, removal and *damage of protected trees* through the issuance of *Tree Management Permits* and the establishment of requirements for *tree* replacement and the posting of securities for *tree* protection and *tree* maintenance.

**WHEREAS** pursuant to Sections 8(3) (c) and 50 to 52 of the *Community Charter*, a *City* may, by bylaw, exercise certain powers to preserve and protect *trees* within the *City*, regulate the removal of *trees*, and require their replacement;

**AND WHEREAS** *trees* provide an essential environmental function in sequestering carbon dioxide, being a known contributor to climate change, while also helping to reduce the urban heat island effect;

**AND WHEREAS** *trees* can provide habitat for birds and wildlife;

**AND WHEREAS** the root system of *trees* can provide for slope stabilization and the uptake of stormwater helping to protect against *damage to property*, threats to human safety, and lessened impacts to municipal infrastructure;

**AND WHEREAS** Council considers it is in the public interest to provide for the conservation and propagation of *trees*, and the regulation of their removal and replacement;

**THEREFORE** under its statutory powers, including Sections 8(3) (c) and 50 to 52 of the *Community Charter*, the Council of the Corporation of the *City of White Rock*, in open meeting assembled, enacts the following provisions:

**Part 1 –Introductory Provisions**

**Title**

1. This Bylaw may be cited as “White Rock *Tree* Protection Bylaw, 2021 No. 2407”

**Purpose**

2. This Bylaw is intended to:
  - (a) Protect *trees* on private *property* and *City-Owned Properties* within the *City*;
  - (b) Prohibit the removal of *protected trees* in the *City of White Rock* without a permit;
  - (c) Prohibit the *damaging* of *protected trees*;
  - (d) Regulate and establish requirements for the removal, preservation, protection and replacement of *protected trees* through a permit process; and,
  - (e) Set forth inspection and enforcement provisions for *protected tree* conservation, removal and replacement, and penalties for *damaging* or removing *protected trees* without a permit.

## Definitions

3. The following words and terms shall be used in applying the provisions of this Bylaw. Where any word or term is not defined, a standard English dictionary shall be used to aid in matters of interpretation.

### **“Applicant”**

means the person(s) making application to the *City of White Rock* for a *Tree Management Permit*. An *Applicant* may be the *Owner(s)* or an authorized agent working on behalf of the *Owner(s)*.

### **“Arborist”**

means a *tree* care professional who:

- (a) is recognized as a Certified *Arborist* by the International Society of Arboriculture (ISA); and
- (b) holds a valid ISA *Tree Risk Assessment Qualification* (TRAQ)

### **“Arborist Report” or “Tree Assessment Report”**

means a report prepared by an *Arborist* or *Project Arborist* which includes:

- (a) a description of the subject *property* and proposal warranting the application;
- (b) a table identifying each *protected tree* on-site and off-site captured within the *Tree Survey (Inventory)* including: the *tree* species, size in *DBH*, *critical root zone*, *Tree Protection Zone*, condition and risk rating, reason for the removal, as well as any other information relevant to reviewing the potential impact of the proposal on the *tree(s)*;
- (c) colour photographs of the *protected tree(s)* in the context of the site, including photos of any aspect of the *tree(s)* which relate to their health / condition (e.g., evidence of structural defects, insect infestation, etc.);
- (d) the reason for any proposed removal of a *protected tree*, including reference to efforts undertaken to limit *tree* removal by way of alternative building siting and design;
- (e) for *protected trees* that are part of a stand of *trees*, comments on the impact of *tree* removal on the stability of the remaining *trees* in the stand;
- (f) for high risk *trees*, include a completed copy of the “ISA *Tree Risk Assessment Form*” and provide a summary of pruning and/or removal mitigation options in the event that *tree* removal is not necessary;
- (g) the following drawings / plans must be included in the Report, as applicable, with the scope of such satisfying the requirements included in the definition of each item (term):
  - a. *Tree Survey (Inventory)*;
  - b. *Tree Protection Plan*; and
  - c. *Tree Replacement Plan*;
- (h) includes the *Arborist’s* ISA Certification Number and TRAQ credential; and
- (i) includes the *City of White Rock* business license number

The scope of an *Arborist Report* or *Tree Assessment Report* may be modified on the basis of the extent of work proposed as determined by the *City*.

### **“Arboricultural Technician”**

means someone employed by the *City* and assigned the responsibility of administering *Tree Management Permits* applications made pursuant to the provisions of this Bylaw.

**“branch”**

means a shoot or *stem* arising from a *stem* or trunk.

**“caliper”**

means the diameter of a *tree* at 15 centimeters (6 inches) above the *natural grade* of the ground, measured from the base of *tree*.

**“City”**

means the Corporation of the *City of White Rock*.

**“City-Owned Properties”**

means all properties owned by the *City of White Rock*, plus all road rights-of-way and dedications under the jurisdiction of the *City of White Rock*.

**“conifer” or “coniferous”**

means a *tree* that has needle-shaped or scale-like leaves and is cone-bearing.

**“Coordinated Site Development Plan (CSDP)”**

means a site development plan for a project that has been coordinated with all project consultants and reviewed, approved and signed by the *owner* (or authorized agent), Architect, Landscape Architect, *Project Arborist*, and Builder (the “Project Team”), where appropriate.

**“Council”**

means the municipal *Council* of the Corporation of the *City of White Rock*.

**“crown”**

means the upper *branching* or spreading part of the *tree*.

**“critical root zone”**

means the area of land surrounding the *trunk* of a *tree* contained within a radius equal to the *DBH* of the *tree* multiplied by six (6), or one (1) metre beyond the *drip line* of the *tree*, whichever is greater.

**“cut” or “cutting”**

means to *cut* down a *tree* and shall include to pull up, push or pull over or otherwise fall a *tree*.

**“damage”, “damaged”, or “damaging”**

means any action which will cause, or is reasonably likely to cause, a *tree* to die or to decline in health, including, but not limited to:

- (a) girdling, ringing, removing bark, denting, gouging, puncturing, using spurs to prune or maintain, poisoning, burning, undermining *structural roots* within the *critical root zone*, excessive pruning, excessive *crown* lifting or raising, *topping*, or any other activity not undertaken in accordance with *sound arboricultural practice*; and
- (b) disturbing the lands within a *Tree Protection Zone* or *critical root zone* through site grading, excavation, the deposition of soil or any other material (e.g., construction

waste, lumber, landscaping products, etc.), and the use of heavy equipment, which could result in soil compaction, impacts to water infiltration, and irreparable harm to root systems.

**“deciduous”**

means a *tree* that naturally loses most or all of its leaves seasonally, most often in or around autumn.

**“diameter at breast height” or “DBH”**

- (a) means the diameter of the *trunk* of a *tree* measured 1.4 metres above the highest point of *natural grade* of land measured from the base of the *tree*;
- (b) in the case of a *tree* with two *trunks*, shall be measured 1.4 metres above the *natural grade* of land at the base of the *tree* and the *DBH* shall equal the cumulative total of the two *trunks*; or
- (c) for multi-trunk or multi-stemmed *trees*, each *trunk* or *stem* shall be measured 1.4 metres above the *natural grade* of land at the base of the *tree* and the *DBH* shall equal the cumulative total of the three largest *trunks*.

**“Director of Planning and Development Services” or “Director”**

means the person appointed by *Council* as the *Director of Planning and Development Services* or the duly authorized designate.

**“drip line”**

means the line around the *trunk* of a *tree* defined by the outermost extent of *branches* of the *tree* drawn vertically down to the *natural grade*.

**“hazardous tree”**

means a *tree* assessed against the ISA Basic *Tree Risk Assessment Form* by an *Arborist*, and has an “extreme” risk rating or with an “imminent” likelihood of failure which cannot be mitigated through maintenance.

**“hedge”**

means four or more *trees* or shrubs 6 metres high or less, planted 1 metre or less apart, that forms a continuous, linear screen of vegetation that provides privacy, fencing, wind breaking, and/or boundary definition.

**“live crown ratio”**

means the percentage of the height of the *crown* containing live foliage to the overall height of the *tree*.

**“lot” or “property”**

means an area designated as a separate and distinct entity on a legally recorded subdivision plan or description filed under the *Land Title Act* or *Strata Property Act* in the Land title Office, or surveyed and registered under the Land Act. Distinction is provided for: a “fee-simple *lot*” which applies to *lots* created by subdivision under Part 7 of the *Land Title Act*; a “strata *lot*” which applies to *lots* created by subdivision under Part 14 of the *Strata Property Act*; and, a

“lease *lot*” which applies to a parcel of land created by subdivision under Part 7 of the Land Title Act for the purpose of a lease of more than three (3) years.

**“lower value tree”**

means a *protected tree* with structural issues from past pruning or *natural causes*, or a severely diseased *protected tree* with limited life expectancy, as determined by the *City*.

**“natural causes”**

means death or decline of a *tree* as a result of natural diseases, pests, climactic, hydrological and geotechnical conditions, inherent structural defects or senescence.

**“natural grade”**

means the grade of the *lot* prior to any construction or alteration of the site.

**“Official Community Plan”**

means the *Official Community Plan* of the *City of White Rock*, No. 2220, as may be amended or replaced from time to time.

**“off-site tree”**

means a *tree* of any size within four (4) metres of the legal boundaries of the *lot*, including *shared trees*.

**“on-site tree”**

means a *tree* of any size within the legal boundaries of the *lot*.

**“owner”**

means the registered *owner* in fee simple of a *lot*.

**“Project Arborist”**

Means an *Arborist* hired by the *Applicant*.

**“protected tree”**

means any one or more of the following:

- (a) a *tree* with a *DBH* of 20cm or greater;
- (b) a *replacement tree* of any size planted as a requirement of a *Tree Management Permit*;
- (c) a *tree, hedge, or shrub* of any size on *City-Owned Properties*;
- (d) a *tree* with evidence of nesting or use by raptors as defined in the Wildlife Act, R.S.B.C. 1996, c. 488 or the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl; and
- (e) an *Arbutus (Arbutus menziesii)*, Garry Oak (*Quercus garryana*), or Pacific Dogwood (*Cornus nutalii*) of any size.

**“replacement tree”**

means a *tree* required to be planted using *sound arboricultural practices* in accordance with the provisions of this Bylaw and being recognized as a *tree* which contributes to the ecological diversity of plant species in the *City*.

**“remove” or “removed”**

means to *cut* a *tree* and/or to *remove* it from the *lot* where it exists, or the elimination of any *tree* from its present location.

**“shared tree”**

means a *tree* with any part of its trunk or trunk flare crossing a *property* line, including where the adjacent *property* is a highway, park, or *City*-owned *property*.

**“sound arboricultural practice”**

means the practices endorsed by the International Society of Arboriculture recommended by the American National Standards Institute (ANSI) in the A300 Standards for the planting, pruning and maintenance management of *trees*.

**“structural root”**

means large, woody, *tree* roots that anchor and support the trunk and *crown*; roots characterized by secondary thickening and relatively large diameter (greater than 2 cm diameter) giving form to the root system and functioning in anchorage and support.

**“stem”**

means a dominant leader or *branch* bearing buds, foliage, and giving rise to other *branches* and *stems*.

**“Tree Barrier Confirmation Letter”**

means a letter prepared by the *Project Arborist*, confirming through inspection, that all required *Tree Protection Barriers* have been constructed and located as required. The letter must include photos of the *Tree Protection Barriers* and a plan showing the approved location of the *Tree Protection Barriers*.

**“tree”**

means a woody perennial plant with a single or multiple trunk

**“Tree Management Permit”**

means the written authority granted by the *City* pursuant to Parts 6 and 7 of this Bylaw to regulate the protection and retention of *protected trees*, the removal of *protected trees*, and/or the removal of *structural roots* within the *critical root zone* of *protected trees*.

**“Tree Protection Barrier”**

means a barrier installed around a *tree* in a location, as outlined in Schedule A to this Bylaw, defined by the *critical root zone* or a larger area as recommended by the *Project Arborist* or the *City*, intended to protect the *tree* from *damage* during site work or construction.

**“Tree Protection Zone”**

- (a) means the area within a defined *Tree Protection Barrier*; or
- (b) where a *Tree Protection Barrier* has not yet been installed as required by this Bylaw, the *Tree Protection Zone* shall be the area within which a *Tree Protection Barrier* should have been installed in accordance with this Bylaw.



**“Tree Protection and Replacement Report”**

means a report prepared by the *Project Arborist* upon completion of all works on a site that confirms that all requirements related to *tree* protection outlined in the *Tree Management Permit* and CSDP have been followed. The report must include the following:

- (a) an up-to-date *Tree Replacement Plan*, including photos of all *replacement trees*, and reference to the reason for any deviation from the original *Tree Replacement Plan*;
- (b) photos of the work that was supervised including evidence that the *Project Arborist* was on site during the works (as required). Photos should include a date;
- (c) statement from the *Project Arborist* confirming:
  - i) they were on site during the installation of the *replacement trees*;
  - ii) that the *trees* were planted in accordance with ANSI standards and *sound arboricultural practices*;
  - iii) that all site works were supervised throughout the completion of the works (as required); and
  - iv) the long-term viability of all retained *protected trees*.

**“Tree Replacement Plan”**

means a plan which draws on the *Tree Protection Plan* and illustrates all *protected trees* to be retained and the location of any proposed *replacement tree(s)*. The Plan should include planting details and a table summarizing the species and size of each *replacement tree*.

**“Tree Protection Plan”**

means a plan which draws on the *Tree Survey (Inventory)*, illustrating: the proposed development, including any new buildings, structures, additions, service connections, alterations to driveways and other surface features; the extent of any *Tree Protection Zone* for each *protected tree*; *trees* proposed for removal and retention; and the location of all required *Tree Protection Barriers* where applicable.

**“Tree Survey (Inventory)”**

means a plan illustrating all *on-site* and *off-site trees*, including the *DBH*, *drip line*, and *natural grade* elevation at the base of each *tree*, prepared by a BC Land Surveyor. The Plan must also include existing buildings, structures, service and utility locations, and the extent of any hardened surfaces such as driveways, decking, and stone patios.

**“trunk”**

The main or primary *stem* or *stems* of a *tree*.

**“topped” or “topping”**

means the reduction of *tree* size by *cutting branches*, leaders and *stems* to stubs, without regard to long-term *tree* health or structural integrity.

**“Zoning Bylaw”**

means *City of White Rock Zoning Bylaw*, 2012, No. 2000, as amended

## **Part 2 – Application and Exemptions**

1. This Bylaw applies to *protected trees* within the municipal boundaries of the *City of White Rock*.
2. This Bylaw does not apply to *protected trees* that are *cut, removed* or *damaged*, pursuant to the *Railway Safety Act*, R.S. 1985, c. 32 (4<sup>th</sup> Supp.), the *Hydro and Power Authority Act*, R.S.B.C. 1996, c. 212 or the *Pipeline Act*, R.S.B.C. 1996, c. 364.
3. This Bylaw does not apply to *protected trees* on *City-Owned Properties* that are *cut* or *removed* by the *City* or its authorized agents as part of the *City's* operations.
4. Requests by residents for the trimming, pruning or removal of *protected trees* on *City-Owned Properties* require separate approval through the *City's* Department of Engineering and Municipal Operations.

## **Part 3 – Prohibitions**

1. No person shall *cut, remove* or *damage* any *protected tree* or cause, suffer or permit any such *tree* to be *cut, removed* or *damaged*, except where permitted by and in accordance with the terms of this Bylaw.
2. No person shall fail to comply with the terms and conditions of a *Tree Management Permit* issued pursuant to this Bylaw.
3. In the event that a *protected tree* is in imminent danger of falling due to *natural causes* and it is not possible to obtain a *Tree Management Permit* prior to the *tree* falling, the *Owner* may *cut* the *tree* or have it *cut*, but shall report the *cutting* of the *tree* to the *City* on the next business day. The *Owner* shall not *remove* the *tree* from the *property* until the *City* has visited the *property* and confirmed that the *tree* was in imminent danger of falling due to *natural causes* and injuring people or *property*. If the *City* determines that the *tree* was not in imminent danger, or was in imminent danger due to reasons other than *natural causes*, the *City* may consider the filing of an offense in accordance with Part 11 of this Bylaw.
4. No person shall alter, falsify, omit or otherwise misrepresent any information on or for a permit or application.

## **Part 4 – Delegation of Council Authority**

1. *Council* hereby delegates to the *Director* the authority but not the duty to:
  - (a) administer the provisions of this Bylaw; and
  - (b) approve or deny an application for a Type 1, Type 2, and Type 3 *Tree Management Permit*, if the application complies with the requirements for the applicable permit under Part 6.
2. *Council* hereby delegates to the *Director* the authority to grant exemptions in respect of a provision of this Bylaw, in circumstances where:
  - (a) the presence of utility infrastructure that cannot be relocated, and/or *City* infrastructure, as well as sight-line areas for the safe operation of motor vehicles and safe passage of cyclists and pedestrians, impacts the ability to fully implement the provisions of this Bylaw;
  - (b) the configuration, slope and geotechnical characteristics of the subject *property*, and abutting properties, impacts the ability to fully implement the provisions of this Bylaw; and
  - (c) *replacement trees* having the size specified in this Bylaw are not reasonably available from area suppliers, subject to confirmation of this lack of availability.

**Part 5 – Tree Management Permits**

1. A person applying for a Demolition Permit or a Building Permit or a person wishing to *cut* or *remove* a *protected tree* or *cut* and *remove* roots within the *critical root zone* of a *protected tree*, must apply to the *Director* for a *Tree Management Permit*. The *Tree Management Permit* must be approved prior to the issuance of the Demolition or Building Permit. A *Tree Management Permit* is not required if it is confirmed through a *Tree Survey (Inventory)* and a site visit by *City* staff that no *protected trees* or *critical root zones* of *protected trees* are present within the boundaries of the *lot*.
2. The design of buildings and other site features (e.g., hardened walkways, driveways, outdoor patios, etc.) ought to demonstrate every effort to preserve *protected trees* where doing so would not take away from established density rights. The *City’s Arboricultural Technician* may refuse to issue a *Tree Management Permit* if it is determined that there are reasonable alternative design options to enable *tree* retention.
3. A notice shall be posted at the *property* line of the *lot* for which a *Tree Management Permit* has been issued, in a location visible to the public and facing the *street*, prior to the commencement of any *cutting* or removal of a *protected tree* or roots and shall remain posted until the completion of all work related to the *cutting* or removal of *protected trees* or a portion thereof on the *lot*. The notice shall include a copy of the *Tree Management Permit*, identify by species and location the *trees* which are to be *cut* or *removed*, and provide a contact number for the permit holder and the *City*.
4. The *City’s Arboricultural Technician* will undertake a minimum of one site inspection upon receipt of a *Tree Management Permit* application.
5. A *Tree Management Permit* is not required for the pruning of a *protected tree* provided that the pruning is conducted in accordance with *sound arboricultural practice*. The pruning and treatment of diseased *trees* shall be practiced where possible and practical as an alternative to the *cutting* or removal of a *protected tree*. Pruning shall, specifically, not include:
  - (a) *crown* raising of lower limbs to the extent that the *live crown ratio* is less than 65%;
  - (b) the removal of more than 25% of the *crown* in one season; and
  - (c) the pruning or removal of a *structural root* within the *critical root zone* of a *protected tree*.

**Part 6 – Types of Tree Management Permit Applications, Submission and Approval Requirements**

1. The *owner* of a *lot* where a *protected tree* is located shall apply for one of the following types of *Tree Management Permits* to *remove* a *protected tree* or *prune* or *remove structural roots* within the *critical root zone* of a *protected tree*, and shall provide the documentation outlined below.

**Type 1:**

*Tree Management Permit* to:

- a) *Remove* a Dead, Dying (i.e., beyond a reasonable expectation of recovery due to *natural causes*), or High Risk *Protected tree*; and
- b) Re-top a *protected tree* where the *owner* has shown to the *Arboricultural Technician’s* satisfaction that re-topping for canopy restoration is required to mitigate risk and preserve the *tree*;

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Title Search

- c) *Arborist Report* including a completed ISA *Tree Risk Assessment Form* confirming the *tree* is high risk with an extreme risk rating (not required if documentation/photos provided confirming that the *tree* is an imminent hazard to the public, as indicated in Part 3 of this Bylaw)
- d) Letter from *property owner* with rationale for removal of *protected tree*
- e) If applicable, letter from adjacent *property owner* agreeing to proposed removal (for *shared trees*)

*Tree Management Permit* Issuance Requirements

- a) No *replacement tree* requirements

**Type 2:**

*Tree Management Permit* to remove an Unwanted *Protected tree* subject to satisfying one or more of the following criteria:

- a) the *tree's* roots are destroying *property* and cannot be resolved with *sound arboricultural practices*: or:
- b) the *tree* is completely obstructing views and views cannot be resolved with *sound arboricultural practices*.

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Application fee
- c) Title Search
- d) *Arborist Report*
- e) Structural Engineer report and/or Plumber report
- f) Letter from *property owner* with rationale for *tree* removal and commitment to plant and maintain *replacement trees*.
- g) Photos and plan showing the *tree(s)* proposed for removal and *tree* replacement.
- h) If applicable, letter from adjacent *property owner* agreeing to proposed removal (for *shared trees*)

*Tree Management Permit* Issuance Requirements

- a) *Tree* replacement securities and/or combination cash-in-lieu
- b) *Tree Replacement Plan*

**Type 3:**

*Tree Management Permit* for a *property* under application for a Demolition Permit or a Building Permit:

Submission Requirements (subject to confirmation by *Arboricultural Technician*):

- a) Complete application form
- b) Application fee
- c) Title Search
- d) *Arborist Report* (colour copies only)
- e) Legal Survey (sealed or stamped, copies not accepted)

*Tree Management Permit* Issuance Requirements (subject to confirmation by *Arboricultural Technician*)

- a) *Tree* protection and replacement securities and/or combination cash-in-lieu
- b) *Coordinated Site Development Plan* (CSDP)
- c) *Tree Barrier Confirmation Letter*
- d) Letter from adjacent *property owner(s)* agreeing to proposed removals and acknowledging work around *trees* that are to be retained (for *shared trees*)
- e) *Tree Replacement Plan*

2. The *City* may require the submission of a new or updated *Arborist Report* at any time in the *Tree Management Permit* approvals process if a period of more than six months elapses between the receipt of the Report and the issuance of a *Tree Management Permit*.
3. *Coordinated Site Development Plans (CSDP)* must be submitted to the *City of White Rock* for approval, clearly identifying all site works proposed within or immediately adjacent to the *critical root zones* of all *protected trees*, and clearly stating when the *Project Arborist* is required to be on-site to supervise work. Site works to address include but are not limited to building location, excavation, site grading, site servicing, driveway location, sidewalks, retaining walls, and *tree removals*. Specific construction techniques must be outlined that will minimize potential impacts to *protected trees*, where appropriate.
4. The *City* may revoke a *Tree Management Permit* if the terms and conditions of the permit have been breached or the information supplied by the *Applicant* in support of the permit is found by the *City* to have been inaccurate, incomplete or erroneous.

### **Part 7 – Permit Fees and Securities**

1. There are no fees for a Type 1 *Tree Management Permit*. Fees for a Type 2 and Type 3 *Tree Management Permit* are outlined in the *City of White Rock Fees and Charges Bylaw 2020, No. 2369*, as amended. The *City of White Rock Planning Procedures Bylaw, 2017, No. 2234* sets out the general procedures for managing *Tree Management Permit* applications.
2. Any request to amend the terms of a *Tree Management Permit* or to address a matter which relates to compliance with the conditions of a Permit, may require the payment of a new application fee.
3. Any request to transfer a *Tree Management Permit*, which has been issued, to a new *Owner* will require the payment of new application fee in addition to the posting of replacement securities deposits and/or cash-in-lieu payments as applicable.
4. A security deposit shall be provided to the *City* in the form of cash, an irrevocable letter of credit in an amount determined in accordance with the provisions of this Bylaw for:
  - a) The retention of *protected trees*; and
  - b) The provision and maintenance of *replacement trees* that will be planted after site development and construction is complete.
5. Any irrevocable letter of credit required under this Bylaw shall be a clean, unconditional and irrevocable letter of credit drawn from a Canadian financial institution acceptable to the *City*. If, for any reason, the irrevocable letter of credit ceases to be an effective security or become unenforceable so as to *remove* or reduce its purpose as full security for the due and proper performance of the requirements of this Bylaw, the *owner* shall replace it with a further letter of credit acceptable to the *City* within 21 days prior to the expiry of the letter of credit held by the *City*. If the *owner* fails to do so, the *City* will draw down on the current letter of credit without notice or restriction and hold the monies in lieu thereof as security.
6. If at any time an *owner* fails to comply with the provisions of this Bylaw relating to requirements for retention of existing *trees* or *replacement trees* and their maintenance, the *City* may confiscate all or a portion of the security deposit provided. Further, securities for *tree* protection may be retained by the *City* if the *Applicant* *damages* or *removes a protected tree* contrary to the terms and conditions of their *Tree Management Permit*, or if the *Applicant* fails to provide required information from the *Project Arborist* confirming that all terms and conditions of the *Tree Management Permit* have been met. It will be a condition of release of any security provided in accordance with this Bylaw that the

*City* will be satisfied that the *Applicant* has complied with the *tree* protection requirements of this Bylaw and the *Tree Management Permit*.

7. The extent to which securities are confiscated will be dependent on the circumstances of non-compliance observed and the likelihood of retained and/or *replacement trees* surviving any potential impacts, as determined by the *City's Arboricultural Technician*.

8. *Replacement trees* shall be required as follows:

- a) Less than 50 cm *DBH protected tree removed* – Two (2) *replacement trees*
- b) 51 cm to 65 cm *DBH protected tree removed* – Three (3) *replacement trees*
- c) 66 cm to 75 cm *DBH protected tree* – Four (4) *replacement trees*
- d) 76 cm to 85 cm *DBH protected tree* – Five (5) *replacement trees*
- e) Greater than 85 cm *DBH protected tree* – Six (6) *replacement trees*

Notwithstanding the foregoing, two (2) *replacement trees* shall be required for the removal of a *lower value tree* regardless of their size (*DBH*).

9. The security required for the provision and maintenance of *replacement trees* shall be \$1,500 per *replacement tree*.

10. Where Type 3 Permits require a *City-owned tree* to be *removed* in order to accommodate construction, the *City* will collect \$1,500 per *replacement tree* with a cash-in-lieu payment.

11. If *replacement trees* are not planted within one year of the issuance of a Type 2 *Tree Management Permit*, or within three years of the issuance of a Type 3 *Tree Management Permit*, the *Applicant* will forfeit the *tree* protection securities to the *City*.

12. For *protected trees* that are to be retained, securities deposits will be required prior to the issuance of a *Tree Management Permit* in the following amounts:

- a) \$3,000 per retained *protected tree* with a *DBH* of less than 50cm;
- b) \$4,500 per retained *protected tree* with a trunk *DBH* of 51-65cm; or,
- c) \$10,000 per retained *protected tree* with a trunk *DBH* greater than 65 cm.

Notwithstanding the foregoing, the amount of security required for a *lower value tree* of any size (*DBH*) shall be \$2,500 per *tree*.

13. Security deposits received by the *City* for the purposes of *tree* replacement and *tree* retention will be held for a period of one year following the receipt of an approved *Tree Protection and Replacement Report*.

14. Cash-in-lieu of *replacement trees* and / or forfeited security deposits tied to a *Tree Management Permit* may be used by the *City* to:

- a) plant and maintain *trees* on *City-Owned Properties*;
- b) support a local *tree* subsidy program; and
- c) support educational programs and the production of related materials that contribute to the enhancement of the *City's tree* canopy.

### **Part 8 – Replacement trees**

1. A minimum of one (1) *replacement tree* shall be planted for each *tree removed* on a *lot* that is the subject of a *Tree Management Permit* application.
2. *Replacement tree* species are to be proposed by the *Project Arborist* subject to *City* approval. The *City* encourages *replacement trees* that are of a species that will thrive in the proposed location's growing conditions and that are native species and/or comparable to type of *tree(s)* that was *removed*.
3. *Replacement trees* must meet the plant condition and structure requirements as set out in the latest edition of the "Canadian Standards for Nursery Stock" as referenced by the British Columbia Landscape and Nursery Association (BCLNA).
4. *Hedges*, palms, dwarf, topiary and shrub species will not be considered as *replacement trees*.
5. *Deciduous replacement trees* must have a minimum *caliper* of 6 centimeters and *coniferous replacement trees* must be at least 3 metres in height.
6. *Replacement trees* must satisfy the following minimum siting requirements and shall be:
  - a. 3 metres from any retained *protected tree* or *replacement tree*;
  - b. 3 metres from any BC Hydro line, service line, building foundation, pool and ancillary building;  
and
  - c. 1 metre from any *property* line, driveway, underground utility / service, and retaining wall
7. *Replacement trees* must be planted and maintained in accordance with *sound arboricultural practices*. *Replacement trees* will not be accepted that have been planted in gravel, sand or artificial turf.
8. Only the *City* and its designated personnel may plant *trees* on *City* lands.
9. Where conditions on a *lot* make it impractical to plant *replacement trees*, an *Applicant* may make a proposal for a cash-in-lieu payment equivalent to all or a portion of the total amount securities required for *replacement trees*. In evaluating proposals for cash-in-lieu payments, the *Project Arborist* must demonstrate there are no reasonable alternatives to replacing *trees* within the *Lot* subject to the permit application. The *Arboricultural Technician* shall be responsible for the determination of whether cash-in-lieu payments are an acceptable alternative to *tree* replacement.

### **Part 9 – Tree Protection**

1. *Tree Protection Barriers* must be installed in accordance with Schedule A prior to the commencement of any work on the *lot* which requires a *Tree Management Permit*, with the locations as recommended by the *Project Arborist* and approved by the *City* based on the *critical root zones* of *protected trees*.
2. Signage provided by the *City* shall be placed around the *Tree Protection Barrier*.
3. All *protected trees* to be retained shall have a designated *Tree Protection Zone*, based on the *critical root zone*, protected with *Tree Protection Barriers* during demolition and building. The size of the *Tree Protection Zone* will only be reduced where the full *critical root zone* cannot be protected and the reduced *Tree Protection Zone* will still allow the *tree* to be retained. The final location of the *Tree Protection Barriers* must be proposed by the *Project Arborist* and approved by the *City* in the *Tree Management Permit*.

4. No demolition permit, building permit or *Tree Management Permit* shall be issued for work on the *lot* where the *protected tree* is located until a *Tree Protection Barrier* has been installed and confirmed by an approved *Tree Barrier Confirmation Letter* from the *Project Arborist*.
5. *Tree Protection Barriers* must remain in place throughout demolition, building, and landscaping, unless otherwise approved in the *Tree Management Permit* and CSDP. *Tree Protection Barriers* are only *removed* and relocated under the supervision of the *Project Arborist*.
6. The *Project Arborist* is to submit reports to the *City* upon completion of the demolition and building stages, confirming when they were on site and the conditions of the *Tree Management Permit* and CSDP were followed. Reports from the *Project Arborist* may be required more frequently, as outlined in the *Tree Management Permit*, depending on the nature of the work.
7. Site disturbance within a *Tree Protection Zone* is prohibited unless specifically permitted in the *Tree Management Permit* and CSDP, and unless such disturbance is supervised by the *Project Arborist*. Prohibited site disturbance includes but is not limited to: site grading, excavation, deposition or storage of soil or any other landscaping material, disposal of any toxic material, access by any vehicle or heavy equipment, use of the area as an amenity space during construction, or use of *tree* trunks as a winch support, anchorage, or temporary power.
6. The care and maintenance of *protected trees* to be retained through demolition, building and landscaping is the responsibility of the *property owner* and permit holder.

#### **Part 10 - Inspection and Assessment**

1. The *City* is authorized to enter, at all reasonable times and after notification to the *owner*, any *lot* that is subject to the Bylaw to ascertain whether the regulations, prohibitions and requirements of this Bylaw or any *Tree Management Permit* are being met or to assess or inspect any *tree* or *tree* remains on the *lot*.
2. Where a *protected tree* has been *cut* or *damaged* on a *lot* in violation of this Bylaw, without a *Tree Management Permit*, or in excess of any permission or in violation of any terms and conditions of a *Tree Management Permit*, the trunks, limbs, roots and remains of the *cut* or *damaged tree* shall not be *removed* from the *lot* until an investigation and assessment by the *City* is completed and the removal is expressly authorized by the *City*.
3. Upon completion of all works and once all *replacement trees* required under a *Tree Management Permit* have been planted, the *owner* shall submit a *Tree Protection and Replacement Report* from the *Project Arborist*.

#### **Part 11 – Offences**

1. Offences against this Bylaw are subject to fines in accordance with the Ticketing for Bylaw Offences Bylaw. Offences include but are not limited to:
  - (a) *cuts, removes* or *damages* a *protected tree* contrary to this Bylaw or contrary to the terms and conditions of a *Tree Management Permit*;
  - (b) violates any of the provisions of this Bylaw or a *Tree Management Permit*;
  - (c) suffers or permits any act or thing to be done in contravention or violation of any provision of this Bylaw or a *Tree Management Permit*; or
  - (d) alters, falsify, misrepresent or omits to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or a *Tree Management Permit*.



2. For the purposes of this Bylaw, each *tree cut, removed or damaged* in violation of this Bylaw and each day that a violation of this Bylaw is caused or permitted to continue shall constitute a separate offence.
3. Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars or to imprisonment for not more than six months.

#### **Part 12 – Penalties**

1. In the event that a person who commits an offense against this Bylaw fails to pay the fine before the 31st day of December in the year following the year that the fine was effected by the *City*, the costs shall be added to and form part of the taxes payable on the *lot* as taxes in arrears.
2. Prosecution of a person pursuant to Part 11 of this Bylaw does not exempt the person from the provisions of Part 12 of this Bylaw.
3. In addition to any prosecution pursuant to Part 11 of this Bylaw, where an *owner cuts, removes or damages*, or suffers or permits any *tree* to be *cut, removed or damaged*, in contravention of this Bylaw, or in excess of any permissions, of in violation of any terms and conditions of a *tree cutting* permit issued pursuant to this Bylaw, the *owner* shall pay the penalties imposed under this Part 12 and:
  - (a) shall plant on the same parcel of land the number, size and species of *replacement trees* required by this Bylaw, as determined by the *Director* in accordance with this Bylaw: and, in addition,
  - (b) where the *tree cut, removed or damaged* is identified in a *tree* preservation plan approved by the *City* as a *tree* to be retained or protected, then the *Director* may require the *owner* to plant the *replacement trees* at the exact location as the *tree* that had been *cut, removed or damaged* and may require that any building or structure shall not be located within the *critical root zone* of the *replacement trees* expected at full growth.

#### **Part 13 – Schedules**

1. Schedule “A” forms part of this Bylaw.

#### **Part 14 – General Provisions**

1. “*White Rock Tree Management Bylaw, 2008, No. 1831*”, consolidated with amendments is hereby repealed.
2. This Bylaw shall come into force on the date of final adoption hereof.

RECEIVED FIRST READING on the	13	day of	December,	2021
RECEIVED SECOND READING on the	13	day of	December,	2021
RECEIVED THIRD READING on the	13	day of	December,	2021
RECONSIDERED AND FINALLY ADOPTED on the		day of	,	2021

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MAYOR

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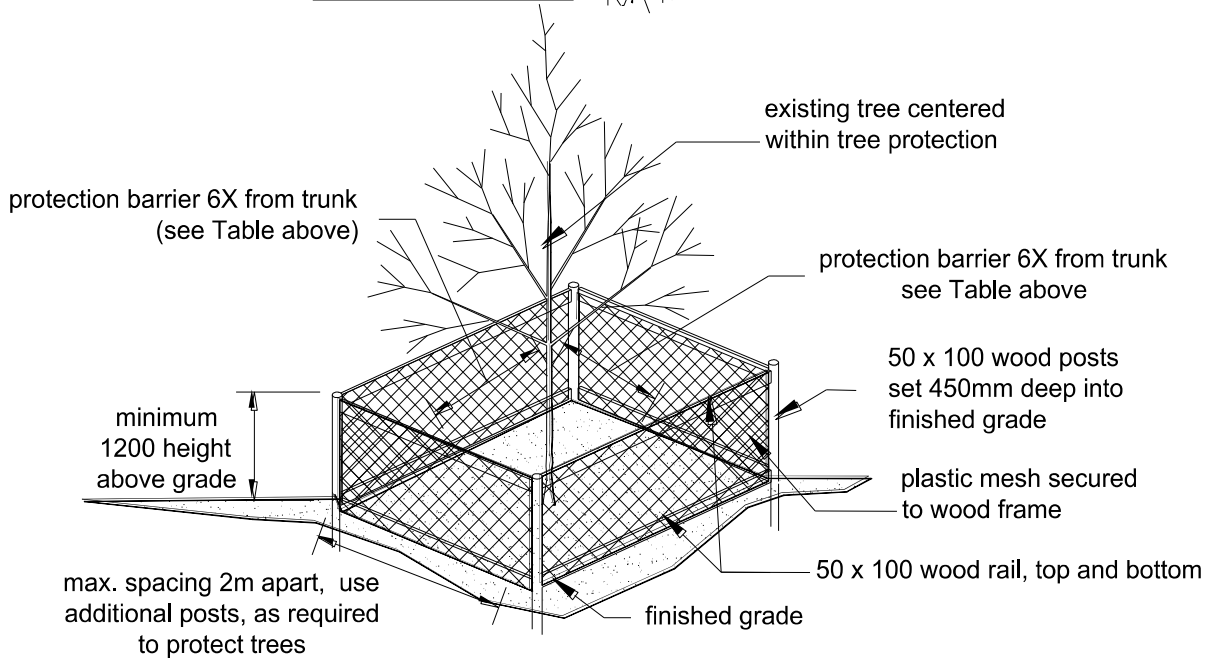
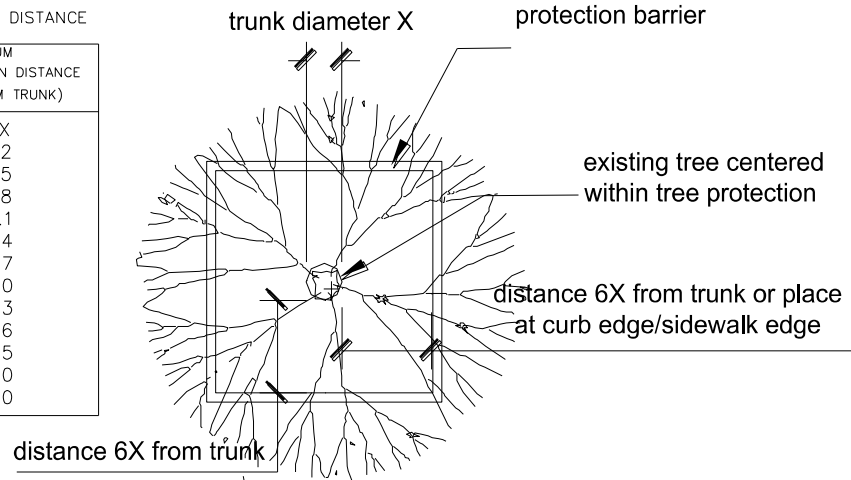
DIRECTOR OF CORPORATE ADMINISTRATION

**SCHEDULE "A"**

**Specifications for Tree Protection Barriers**

TABLE: PROTECTION BARRIER DISTANCE

TRUNK DIAMETER (CM)	MINIMUM PROTECTION DISTANCE (M FROM TRUNK)
X	6X
20	1.2
25	1.5
30	1.8
35	2.1
40	2.4
45	2.7
50	3.0
55	3.3
60	3.6
75	4.5
90	5.0
100	6.0



**NOTES**

Install tree protection barrier before construction begins and keep in place until landscape installation is complete.

Storage of building materials & litter within or against protection barrier is prohibited. Developer/Owner responsible for maintenance within Tree Protection Barrier.

Damaged trees will be replaced at Developer/Owner's cost.

Maintain existing grades at protection barrier for all protected retained and existing trees.

Regrading outside of protection barrier should not adversely compromise protected retained and existing trees.

THE CORPORATION OF THE  
**CITY OF WHITE ROCK**  
CORPORATE REPORT



**DATE:** February 28, 2022  
**TO:** Mayor and Council  
**FROM:** Tracey Arthur, Director, Corporate Administration  
**SUBJECT:** 2022 Council Consideration of By-Election

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**RECOMMENDATION**

THAT Council consider and endorse a by-election not being required to fill the vacancy on City Council of one (1) Councillor, as Council meets the requirements of section 54(3) of the *Local Government Act*.

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**EXECUTIVE SUMMARY**

The City of White Rock was notified of Councillor Helen Fathers passing on Monday, February 7, 2022. Councillor Fathers was re-elected as a Councillor to White Rock City Council on October 20, 2018. In accordance with legislation, Council must consider and direct staff regarding a possible by-election to be held to fill a vacancy on City Council. If holding a by-election is directed, it would be at a cost of up to \$80,000 and would allow the new Councillor to attend approximately six (6) meetings before the mandatory Local Government election to be held October 15, 2022.

**INTRODUCTION/BACKGROUND**

Due to the recent passing of Councillor Helen Fathers there is one (1) vacant position on City Council. In accordance with the *Local Government Act*, a by-election can be considered.

In addition, the *Local Government Act* states that a by-election is not required if the vacancy occurs after June 1 in the year of a general election that will fill the office.

As well, a Council may decide not to hold a by-election if all the following circumstance apply:

- (a) the vacancy occurs after January 1 in the year of a general local election that will fill the office;
- (b) the vacancy is not in an office elected on the basis of a neighbourhood constituency;
- (c) the number of remaining council members is at least one greater than the quorum for the council, as set under section 129 (1) [*quorum for conducting business*] of the *Community Charter*.

Councillor Fathers had been ill on and off for the past year and a half and her limited attendance had not been an issue with Council meeting quorum nor Council's ability to conduct business.

A by-election would pose a significant cost to the taxpayers and would take away resources for staff to prepare for the mandated election to be held October 15, 2022.

The City of White Rock conducted by-elections in 2009 and 2012 for position of Councillor, both had relatively low voter turnout of 16% and 14% respectively. Both by-elections were required due to the vacancies occurring at the start of the Council term.

A by-election would take approximately two and a half months to conduct (80 days following the appointment of the Chief Election Officer and Deputy). This would mean the newly elected member of Council would not be in place until June 2022. By this time there would be approximately five (5) to six (6) scheduled Council meetings for the newly elected Councillor to participate in.

The mandated election in October would be for all seats of Council, even though the new Councillor was just elected.

Much time is required to run an election, and there is concern if a by-election were to be held that it would take away focus and resources for the mandated election that staff are in the initial stages of preparing for at this time.

In consideration of this and with a municipal election occurring in October, risk in leaving this seat vacant for the remainder of the current Council term is low.

### **FINANCIAL IMPLICATIONS**

The cost to conduct the election held in 2018 was \$78,000. At this time there is currently \$80,000 budgeted for a mandated Local Government election to be held October 15, 2022.

If Council were to proceed with a by-election, a further \$80,000 would need to be placed in the budget for 2022.

A by-election has limited room for cost savings, as it would have the same requirements needed as a regular scheduled election.

### **OPTIONS / RISKS / ALTERNATIVES**

The following alternate options are available for Council's consideration:

1. Direct a by-election be held at an approximate cost of up to \$80,000.

Staff recommend that a by-election not take place due to cost, the time and resources required to hold a by-election where the newly elected Councillor would only be able to participate in a few meetings prior to the mandated election to be held October 15, 2022.

### **CONCLUSION**

In accordance with legislation Council must consider whether to hold a by-election to fill a recent vacancy and direct staff.

Due to the timing of the vacancy, a by-election is not required but can occur.

The next mandated election will be held Saturday, October 15, 2022, less than eight (8) months away Staff have begun working towards the delivery of this election and the upcoming months are needed to prepare.

In consideration of the municipal election in the fall, significant cost and staff time and resources needed to conduct a by-election, as well as Council's ability to carry on its duties in the absence

of one Council member, staff recommend that a by-election not take place.

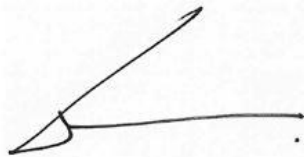
Respectfully submitted,



Tracey Arthur  
Director, Corporate Administration

**Comments from the Chief Administrative Officer**

I concur with the recommendation of this corporate report.



Guillermo Ferrero  
Chief Administrative Officer



## Finance and Audit Committee

### Minutes

February 7, 2022, 6:00 p.m.

City Hall Council Chambers

15322 Buena Vista Avenue, White Rock, BC, V4B 1Y6

PRESENT: Mayor Walker  
Councillor Chesney  
Councillor Johanson  
Councillor Kristjanson  
Councillor Manning  
Councillor Trevelyan

ABSENT: Councillor Fathers

STAFF: Guillermo Ferrero, Chief Administrative Officer  
Tracey Arthur, Director of Corporate Administration  
Jim Gordon, Director of Engineering and Municipal Operations  
Jacquie Johnstone, Director of Human Resources  
Eric Stepura, Director of Recreation and Culture  
Ed Wolfe, Fire Chief  
Chris Zota, Manager of Information Technology  
Debbie Johnstone, Deputy Corporate Officer

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#### 1. CALL TO ORDER

Councillor Chesney, Chairperson

The meeting was called to order at 6:06 p.m.

2. **ADOPTION OF AGENDA**

**Motion Number: 2022-F&A-008** It was MOVED and SECONDED

**THAT the Finance and Audit Committee adopt the agenda for February 7, 2022, as amended to include:**

- **Updated corporate report for Item 4.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

3. **ADOPTION OF MINUTES**

**Motion Number: 2022-F&A-009** It was MOVED and SECONDED

**THAT the Finance and Audit Committee adopt the January 24, 2022, meeting minutes as presented.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**Motion Number: 2022-F&A-010** It was MOVED and SECONDED

**THAT the Finance Audit Committee endorse limiting discussion for this meeting to be only based on the requested materials presented to the committee since the past meeting.**

**Note: There will be full discussion opportunity following each Department giving their presentation and being able to answer questions in regard to possible impact(s) on the proposed 2022 reductions.**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

4. **CITY OF WHITE ROCK 2022 BUDGET - REQUEST FOR CAPITAL BUDGET CARRY FORWARD INFORMATION**

Corporate report dated February 7, 2022, from the Acting Director of Financial Services and P. Murray, Consultant titled "City of White Rock - Request for Capital Budget Carry Forward Information".



There was a general overview provided for the agenda noting the two (2) corporate reports on the agenda and clarification that there will be a series of departmental presentations for the budget scheduled early March 2022.

The following discussion points were noted:

- Capital project carry forward funds, why can't the City reduce the reserves as we know we are not going to spend all the funds currently set aside for this? Staff noted there are assets that continue to need work, leaving funds in the reserve accounts / adding funds to the reserve are a way to smooth out taxation. There is work that needs to be done, the funds are there for when the work can be done
- Asset Management required to address infrastructure built in the 1950 - 1980's in the past there has been more grant opportunities available to help with this, this is no longer the case, municipalities are needing to find the funds to do the work to ensure the infrastructure is available
- Mr. Murray suggested there be asset management discussion as part of each budget meeting, consideration of policy rather than on a project basis

**Motion Number: 2022-F&A-011** It was MOVED and SECONDED

**THAT the Finance and Audit Committee receive for information the February 7, 2022, Corporate Report from the Acting Director of Finance, titled "City of White Rock 2022 Budget – Request for Capital Budget Carry Forward Information".**

Absent (1): Councillor Fathers

**Motion CARRIED (6 to 0)**

**5. CITY OF WHITE ROCK 2022 BUDGET - POSSIBLE REDUCTIONS AND EFFECTS IF IMPLEMENTED**

Corporate report dated February 7, 2022, from the Acting Director of Financial Services and P. Murray, Consultant titled "City of White Rock 2022 Budget - Possible Reductions and Effects if Implemented".

**Motion Number: 2022-F&A-012** It was MOVED and SECONDED

**THAT the Finance and Audit Committee receive the February 7, 2022, Corporate Report from the Acting Director of Finance, titled "City of White Rock Proposed 2022 Financial Plan – Possible 2022 Reductions and Effects**

**if Implemented” and defer consideration until after the department presentations are completed.**

Absent (1): Councillor Fathers

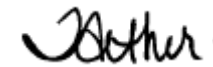
**Motion CARRIED (6 to 0)**

**6. CONCLUSION OF THE FEBRUARY 7, 2022 FINANCE AND AUDIT COMMITTEE MEETING**

The meeting was concluded at 6:31 p.m.

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Councillor Chesney, Chairperson



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Tracey Arthur, Director of Corporate Administration

Unapproved

**ENVIRONMENTAL ADVISORY COMMITTEE: WORKPLAN 2021-22**

<b>Task/Activity</b>	<b>Objective</b>	<b>Action Steps</b>	<b>Priority Level</b>	<b>Target Due Date</b>	<b>Referred by Council?</b>	<b>Expectation by Council</b>	<b>Assigned Member</b>
<b>Climate Strategy Review</b>	Practical measures for City to mitigate and adapt to impacts of climate change on citizens and contribute to regional, provincial and national efforts to address critical challenges posed by global warming.	Review measures re: 1. Broad Planning 2. Building & Lighting 3. Energy Generation 4. Greenspace/Natural Resource Protection 5. Solid Waste 6. Transportation 7. Water/Waste Water 8. Climate Change Adaptation	1	Timing of committee discussions on each element to be determined through consultations among co-chairs, staff and assigned lead-members.	Council Resolution 2020-20, 13/1/20		1. R. Hynes 2. I. Lessner/J. Holm 3. J. Lawrence 4. J. Lawrence 5. P. Byer 6. tbd 7. J. Holm 8. P. Byer/R. Hynes
<b>Stormwater Management</b>	Meet Metro Vancouver requirements for the Integrated Stormwater Management Plan (ISMP), and identify how we might move further than these requirements via an update for the City's current ISMP	Staff to brief committee on where the City stands and any required future steps or advice from committee..	2	To be determined via consultations between co-chairs and staff.			
<b>Water Quality and Treatment</b>	Ongoing monitoring of water quality and the investigation of these treatment processes.	Staff to brief committee on current situation and possible requirements for additional steps or advice.	2	To be determined via consultations between co-chairs and staff.			



## Environmental Advisory Committee

### Minutes

October 28, 2021, 4:00 p.m.

Via Microsoft Teams

PRESENT: Wilma Boyd, Community Member  
Phil Byer, Community Member  
Jeff Holm, Community Member  
Ross Hynes, Community Member  
John Lawrence, Community Member  
Ivan Lessner, Community Member

NON-VOTING MEMBERS: Cabrinha Clark, Grassroots Environmental Club  
Alex Passmore, Grassroots Environmental Club

COUNCIL: Councillor Erika Johanson, Chairperson (non-voting)

ABSENT: David Riley, Community Member

STAFF: Jim Gordon, Director of Engineering and Municipal Operations  
Janessa Auer, Committee Clerk

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#### 1. **CALL TO ORDER**

The meeting was called to order at 4:05 p.m.

The Chairperson introduced C. Clark and A. Passmore, Earl Marriott Secondary's Grassroots Environmental Club representatives, who then gave brief introductions of themselves and their Club's current activities and initiatives.

2. **ADOPTION OF AGENDA**

**Motion Number 2021-EAC-010:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee adopts the agenda for the October 28, 2021 meeting as circulated.

**Motion CARRIED**

3. **ADOPTION OF MINUTES**

**Motion Number 2021-EAC-011:** It was MOVED and SECONDED

THAT the Environmental Advisory Committee adopts the minutes of the September 23, 2021 meeting as circulated.

**Motion CARRIED**

4. **UPDATE ON CITY STATUS WITH CARIP-TYPE ACTIVITIES**

The Director of Engineering and Municipal Operations provided an update regarding the City's status with Climate Action Revenue Incentive Program (CARIP) related activities. He shared detailed findings from the City's most recent annual greenhouse gas calculations, as well as updates regarding the City's use of trenchless technology.

Committee member, R. Hynes, noted that, although the CARIP has concluded, the provincial government has recently developed a new "Clean BC" program, which provides an extensive road map detailing the province's plans until 2030 to address climate change, including a chapter on communities and municipal government action.

5. **2021-2022 WORK PLAN**

The Chairperson facilitated a roundtable discussion regarding the On Table Document 2, the 2021-2022 EAC Work Plan spreadsheet, which outlines eight (8) action step categories pertaining to the Climate Strategy Review objective, as well as activities and tasks for each of these categories.

The Committee discussed the eight (8) action step categories individually and determined achievable work and research that can be completed between now and the next meeting in 2022. Individual Committee members or working groups were assigned to complete work on these categories as follows:

- Broad Planning Including GHG Reduction Targets:

**ACTION ITEM:** Committee member, R. Hynes, was assigned to this action step, with the suggestion that he will circle back to this step after work on more detailed action steps is completed.

- Building & Lighting:

**ACTION ITEM:** a working group, comprised of Committee members I. Lessner and J. Holm, was assigned to this action step.

- Energy Generation:

**ACTION ITEM:** Committee member, J. Lawrence, was assigned to this action step.

- Greenspace/Natural Resource Protection:

**ACTION ITEM:** Committee member, J. Lawrence, was assigned to this action step.

- Solid Waste:

**ACTION ITEM:** Committee member, P. Byer, was assigned to this action step.

- Transportation:

No volunteer/assigned member for this action step at present.

- Water/Waste Water:

**ACTION ITEM:** Committee member, J. Holm, was assigned to this action step.

- Climate Change Adaptation:

**ACTION ITEM:** a working group, comprised of Committee members P. Byer and R. Hynes (in an assisting role), was assigned to this action step.

**ACTION ITEM:** Committee member, R. Hynes, to update the 2021-2022 Work Plan template (On Table document which was also presented to Council during their October 25, 2021 meeting) to indicate which volunteers/working groups are assigned to each category.

**Motion Number 2021-EAC-012:** It was MOVED and SECONDED

**THAT the Environmental Advisory Committee removes the priority item, Stormwater Management, from their 2021-2022 Work Plan.**

*W. Boyd, J. Holm, J. Lawrence, and R. Hynes voted in the negative.*

**Motion DEFEATED**

6. **OTHER BUSINESS**

The Director of Engineering and Municipal Operations provided an update regarding metal levels found during testing at the City's water treatment plant.

**ACTION ITEM:** Committee Clerk to include Water Treatment Update as a standing item on all EAC meeting agendas going forward.

7. **INFORMATION**

7.1 **COMMITTEE ACTION TRACKING**

Corporate Administration provided the action and motion tracking document to the Committee. This document is updated after each meeting and provided to members for information purposes.

8. **2021-2022 MEETING SCHEDULE**

**It was announced that there will be no further meetings for 2021.** It is anticipated that Environmental Advisory Committee meetings will resume in February 2022.

The adoption of the 2022 Environmental Advisory Committee meeting schedule will take place at the first meeting in 2022.

9. **CONCLUSION OF THE OCTOBER 28, 2021 ENVIRONMENTAL ADVISORY COMMITTEE MEETING**

The Chairperson declared the meeting concluded at 5:53 p.m.



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Councillor Johanson, Chairperson

---

Janessa Auer, Committee Clerk

Unapproved





RECEIVED

FEB 14 2022

February 9, 2022

Darryl A Walker  
Mayor of White Rock  
15322 Buena Vista Avenue  
White Rock, BC V4B 1Y6

CITY OF WHITE ROCK  
ADMINISTRATION

Dear Mayor Walker and Council,

There is no question that 2021 was challenging for British Columbians. The province continued to struggle with the pandemic, economic consequences of the pandemic and multiple adverse weather events from the heat dome to floods and fire.

BC farmers and farmer's markets across the province were on the frontlines, doing the work to remain open, supporting our communities with food, and our farmers with a strong source of income.

BC Association of Farmers' Markets worked diligently with the Province of BC's Ministry of Health to deliver, for the 10<sup>th</sup> year, the BC Farmers' Market Nutrition Coupon Program across the province. We are extremely proud of its deep impact on both people and farmers across British Columbia. This valued program connected with 86 communities making fresh, healthy, local foods more accessible to over 19,000 lower-income British Columbians and directly benefited 1,125 farmers across British Columbia.

In **White Rock**, residents redeemed **\$26,907** with local farmers at the **White Rock** and we proudly partnered with **Sources White Rock/South Surrey Food Bank**.

This community partner provided lower-income pregnant people, families and seniors with coupons to purchase fresh fruits, vegetables, cheese, eggs, nuts, fish, meat and herbs from farmers at your local farmers' market.

Over lower-income residents from White Rock ate more local foods, learned about healthy eating, and felt connected to their community. At the same time, the local food system was strengthened with farmers in your community benefitting from additional revenue to sustain their farms.

#### **Our Request To You**

Our community partners, participants and farmers are grateful for this Program in White Rock. If you agree, we kindly ask you to send a letter to the Minister of Health Adrian Dix. Your encouragement and feedback can strengthen support for ongoing funding for the Farmers' Market Nutrition Coupon Program and ensure we continue to build healthier BC communities together.

We are ready to roll up our sleeves and work with your community again in 2022!

With gratitude,

Heather O'Hara  
Executive Director

Vickey Brown  
President, Board of Directors

BC Association of Farmers' Markets

208 - 1089 West Broadway Vancouver, BC V6H 1E5  
604-734-9797 | bcfarmersmarket.org | bcfarmersmarkettrail.com

## Chris Magnus

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**From:** Mayor George Harvie  
**Sent:** February 11, 2022 12:42 PM  
**To:** Darryl Walker  
**Cc:**  
**Subject:** Roberts Bank Terminal 2 Project  
**Attachments:** F07 Roberts Bank Terminal 2 Project - Final Public Comment Period.pdf; Feb 7 Regular Council Meeting Item F07.pdf

*CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Dear Mayor Walker,

On behalf of Mayor Harvie, please find attached the following information from the February 7, 2022 Regular Council meeting regarding RBT2:

- Council Report - Item F.07 Roberts Bank Terminal 2 Project – Final Public Comment Period
- Excerpt of Regular Minutes for Item F.07
- Broadcast of February 7<sup>th</sup> Regular Council Meeting. To hear Mayor Harvie speak about this report, you can click on Item F.07 or fast forward to 30:47: [Regular Council Meeting - February 7, 2022 \(granicus.com\)](https://www.granicus.com/RegularCouncilMeeting-February7,2022)

Yours truly,  
Tanya



Tanya Bader  
Administrative Secretary  
Mayor's Office | City of Delta  
P: 604-946-3205 E: [tbader@delta.ca](mailto:tbader@delta.ca)





To: **Mayor and Council**

From: **Corporate Services Department**

Date: **January 4, 2022**

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**Roberts Bank Terminal 2 Project - Final Public Comment Period**

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The following report has been reviewed and endorsed by the City Manager.

▪ **RECOMMENDATIONS:**

- A. THAT the federal government be requested to:
- i. postpone its decision on the Roberts Bank Terminal 2 project (RBT2) until the environmental and community impacts of the proposed GCT Deltaport Berth 4 project (DP4) have been reviewed; or
  - ii. deny approval of RBT2 based on:
    - the Federal Review Panel Report which, among other things, concludes that the project would result in numerous adverse residual and cumulative effects, and that many of those effects would be significant and unable to be mitigated;
    - Environment and Climate Change Canada's (ECCC) concerns that some adverse effects will be "*immediate, continuous and cannot be mitigated*" and that impacts on biofilm could have species-wide impacts on migratory birds.
- B. THAT City of Delta reiterate previous requests for the federal and provincial governments to undertake a regional environmental assessment of the Fraser River estuary and Salish Sea, and develop a long-term environmental management plan for the region to guide conservation efforts and sustainable development, consistent with recommendations in the Federal Review Panel Report.
- C. THAT Delta's comments regarding the draft federal conditions, as detailed in Attachment A, be forwarded to the Impact Assessment Agency of Canada (IAAC) and the BC Environmental Assessment Office (BCEAO).
- D. THAT copies of this report be forwarded to the Mayor's Youth Council and the Climate Action and Community Liveability Advisory Committee for information.

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▪ **PURPOSE:**

The purpose of this report is to update Council on (i) new information provided by Vancouver Fraser Port Authority (VFPA) on the RBT2 project, and (ii) the draft federal conditions that are being proposed should the project be approved.





**■ BACKGROUND:**

In March 2020, the RBT2 Federal Review Panel submitted its final report to the Minister of Environment and Climate Change (the Minister). In August 2020, the Minister requested that VFPA provide additional information about project impacts and mitigation, and the deadline for a decision on the project was put on hold. In November 2021, VFPA submitted its response to the Minister's questions.

**■ DISCUSSION:**

On December 15, 2021, the Impact Assessment Agency of Canada (IAAC) announced a public comment period on the Port's response to the Minister's request for additional information, and on the draft potential environmental assessment conditions that are being proposed should the project be approved. The deadline for comments is February 13, 2022.

**Additional Information Provided by VFPA:**

More than 2,500 pages of additional information has been submitted for review (available at <https://iaac-aeic.gc.ca/050/evaluations/document/141453>). This information represents more than a year of technical work and continued engagement with regulators, indigenous groups and local governments. Most of the issues relate to mitigation and offsetting, biofilm and effects on birds, effects on marine mammals and fish, and consultation with Indigenous groups. Some additional proposals include:

- A proposed increase of offsetting habitat from 29 hectares to 86 hectares to compensate for impacts to fish and fish habitat (the Westham Island-Canoe Pass tidal marsh project is included as an offset despite uncertainty that the project will go ahead due to unresolved concerns from the Delta Farmers' Institute).
- Additional noise and light mitigation measures to protect fish and Southern Resident Killer Whales (SRKW).
- A causeway breach feasibility study to facilitate fish migration.
- A requirement for vessels destined for RBT2 to participate in the Port's Enhancing Cetacean Habitat and Observation (ECHO) program.
- The development of a \$30 million Prey Abundance Fund to support the availability of Chinook salmon for SRKW, which will be developed in collaboration with Indigenous groups and federal agencies.

Should the project be approved, the implementation of the additional mitigation and offsetting measures proposed by the Port would help to further reduce the negative impacts of the project. These measures are set out in over 2,500 pages of material and, as noted as above, result from significant further engagement and technical work by the Port. Based on the conclusions of the Federal Review Panel Report and the ongoing concerns of Environment and Climate Change Canada, however, those additional mitigation and offsetting measures do and cannot substantially address some of the key environmental concerns identified through the assessment project. Key concerns raised by Delta and by Mayor Harvie during his presentation to the Federal Review Panel in May 2019, including:



- the lack of a multi-jurisdictional port policing authority (reflected in Panel recommendation # 48);
- the need for increased Canadian Border Services Agency resources; and
- \* • increased pressure on Delta's agricultural land,

also remain unaddressed. These concerns are noted in the comments to be forwarded to the IAAC and BCEAO (Attachment 'A'), as further discussed below. In light of the foregoing, Delta's previously-stated positions that:

- a decision should be postponed pending completion of the DP4 environmental assessment; and
- RBT2 should be denied based on the conclusions of the Federal Review Panel,

continue to apply.

A decision to proceed with RBT2 would have significant impacts on the environment, as outlined in the Review Panel report, as well as a range of impacts on the local community, both positive and negative. The environmental assessment process for DP4 has another 2-3 years before completion, at which time a comparative assessment of the two projects could be undertaken.

Given the magnitude of these proposed port expansions, planning timeframes in multiples of decades, and billions of dollars in investment, this should not be considered an unreasonable delay, especially if it results in the best option for the environment and the community.

A delay would also provide time for the federal and provincial governments to respond to outstanding requests to undertake a regional assessment of the Fraser River estuary and Salish Sea, and develop a long-term plan to guide conservation efforts, climate change adaptation, and future sustainable development in the region. This could include the re-establishment of an inter-governmental agency, similar to the Fraser River Estuary Management Program, to coordinate environmental management review and interagency communication for projects that could impact the estuarine or marine environment.

It is therefore recommended that Delta reiterate its previous requests to the federal government regarding the RBT2 project (Recommendation A) and a regional environmental assessment (Recommendation B).

#### **Draft Federal and Provincial Conditions:**

The Impact Assessment Agency of Canada has provided 48 pages of draft conditions that would become legally binding on VFPA should RBT2 be approved (<https://www.iaac-aeic.gc.ca/050/evaluations/document/142133?culture=en-CA>). The Technical Advisory Group, comprising federal and provincial agencies, Metro Vancouver and local governments, including Delta, has been providing feedback on both federal and provincial draft conditions as they have been developed over the last 18 months. A list of outstanding comments is provided in Attachment 'A' and it is recommended that these comments be provided to the IAAC and BCEAO (Recommendation C).





**Implications:**

Financial Implications – none.

**▪ CONCLUSION:**

The additional information provided by the proponent with respect to RBT2 does not substantially address concerns regarding the project as outlined in the Federal Review Panel Report and by Environment and Climate Change Canada and therefore does not alter Delta's previously stated position that a decision should be postponed until a comparative analysis with the DP4 project has been undertaken, or failing that, be denied based on the expected adverse environmental and community impacts. It is recommended that Delta continue to advocate for a development of a more flexible process that would facilitate better informed decision-making and better outcomes for the environment and community.



Mel Cheesman

Director of Corporate Services

Department submission prepared by: Bernita Iversen, Manager of Corporate Policy

**▪ ATTACHMENT:**

A. Comments on draft federal conditions

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COMMENTS ON DRAFT FEDERAL CONDITIONS FOR RBT2

Federal condition (paraphrased)	Previous staff comment	Updated comment
Use of qualifier "technically and economically feasible".	The use of this term can be problematic when there are different opinions as to what constitutes technical and economic feasibility. Authority to determine feasibility is not assigned; however, it is typically the proponent who makes the decision. The ongoing issue of burying the overhead power lines along the causeway is an example <sup>1</sup> .	Acknowledge this is standard terminology used in most federal certificates, but reiterate concern.
2.10 Proponent is required to submit annual reports, including a plain language executive summary.	Requested that the federal government provide an assessment of each annual report, including the Agency's determination of compliance status, issues of concern and corrective actions.	Reiterate request.
3.2.4 Proponent is required to review existing voluntary and incentive-based greenhouse gas reduction programs, and indicate if they could be improved to include mandatory measures.	To more proactively air quality and noise concerns, Delta has asked that more aggressive measures be taken to accelerate the use of shore power, including more incentives for ships to use shore power and a mandated phasing-in period for the use of shore power similar to those being implemented at ports in California.	Reiterate request.
4.1 The proponent is required to monitor noise and vibration and implement mitigation measures where Health Canada guidelines are exceeded.	Mitigation options are often extremely limited, either because the noise source cannot be identified or is not under the control of the port.	4.3.6 requires noise mitigation at source or at any receptor location where sound levels exceed

<sup>1</sup> There is a longstanding issue with existing overhead power lines where Delta and other groups and agencies have asked that they be buried along the causeway to reduce the risk of bird collisions and mortalities. This issue was identified as a concern by the Federal Environmental Assessment Review Panel in 1979 and subsequently in 1996, when the Panel recommended that "the Vancouver Port Corporation, BC Hydro and appropriate provincial and federal government agencies develop and implement a strategy to phase out overhead power lines on the Roberts Bank causeway by the year 2002". Since that time, various studies have been undertaken and bird diverters and spiral vibration dampers have been placed on the lines. A 2005 study into the effectiveness of these measures was determined by Environment Canada to be inadequate in 2010. Nevertheless, the issue of bird mortalities continues to be of concern for Canadian Wildlife Service as well as local birders and biologists.



Federal condition (paraphrased)	Previous staff comment	Updated comment
4.4 The proponent is required to develop a protocol for communicating about noise, and receiving and managing complaints.	Requested that mitigation options include receptor locations (house, school) in addition to source locations. Communication relating to noise is important to reduce complaints and manage public expectations. Delta asked to be consulted on the protocol.	The proponent will develop the noise protocol in consultation with City of Delta. Issue addressed.
5.1.7 The proponent is required to implement measures to “reduce effects caused by light emitted from the marine terminal on Brunswick Point”.	At night Brunswick Point will be significantly impacted by terminal lighting; however, no specific mitigation options have been identified by either the proponent or the Agency. Requested clarification on this.	Reiterate request.
13.8 The proponent is required to participate in any regional initiative related to the prevention, monitoring and compensation of any adverse environmental effect attributable to the project on ALR properties located adjacent to the designated project area.	Staff is concerned about the vagueness of this condition but note that this issue is addressed in the draft provincial conditions which would require the proponent to develop an Agricultural Management Plan and an Agriculture Land Offsetting Plan to address RBT2 impacts on land in the ALR.	Addressed by draft Provincial condition. Note, however, that Delta’s broader concern that agricultural land is under pressure from port-related development is not addressed. The proponent has stated that the construction of the project will require 2,500 acres of well-located developable industrial land, and that it would consider using agricultural lands as a ‘last resort’ to accommodate this.
18. Environmental Monitoring Committee	The formation of this committee appears to be discretionary.	Request that an Environmental Monitoring Committee be made a requirement of project approval.

**Other Comments:**

What mechanism is in place to ensure that the following Panel recommendations are acted upon in a timely manner:

- Panel recommendation # 48: the development of a multi-jurisdictional port policing authority.
- Panel recommendation # 54: the development/implementation of a charter to minimize visual effects of port expansions and promote social acceptance.
- Panel recommendation # 68: the development/implementation of intergovernmental management programs for the improvement and long-term environmental management of the Fraser River estuary and the Salish Sea.





- Panel recommendation # 69: will the federal government ensure that there is adequate funding to pursue the Cumulative Effects of Marine Shipping Initiative of the Ocean's Protections Plan?
- Panel recommendation # 70: the undertaking of regional environmental assessments for the Salish Sea and lower Fraser River.







**CITY OF DELTA**  
Office of the City Clerk  
4500 Clarence Taylor Crescent, Delta, British Columbia  
Tel 604.946.3220 Fax 604.946.3390

**CERTIFIED TRUE EXTRACT OF THE UNADOPTED MINUTES  
PASSED BY THE COUNCIL OF THE CITY OF DELTA  
AT THE REGULAR MEETING HELD ON the 7<sup>th</sup> of February 2022**

**F. ADMINISTRATIVE REPORTS**

**FOR DISCUSSION**

-- Conflict of Interest

In accordance with Section 100 of the *Community Charter*, Cllr. Kruger declared to be in a conflict of interest with respect to Item F.07, as his firm has a contract with Vancouver Fraser Port Authority, and he left the meeting at 4:33 p.m.

**Roberts Bank  
Terminal 2 (F.07)**

Report by the Corporate Services Department dated January 4, 2022 regarding Roberts Bank Terminal 2 Project - Final Public Comment Period.

MOVED By Cllr. Kanakos,  
SECONDED By Cllr. McDonald,

A. THAT the federal government be requested to:

- i. postpone its decision on the Roberts Bank Terminal 2 project (RBT2) until the environmental and community impacts of the proposed GCT Deltaport Berth 4 project (DP4) have been reviewed; or
- ii. deny approval of RBT2 based on:
  - the Federal Review Panel Report which, among other things, concludes that the project would result in numerous adverse residual and cumulative effects, and that many of those effects would be significant and unable to be mitigated;
  - Environment and Climate Change Canada's (ECCC) concerns that some adverse effects will be "immediate, continuous and cannot be mitigated" and that impacts on biofilm could have species-wide impacts on migratory birds.



- B. THAT City of Delta reiterate previous requests for the federal and provincial governments to undertake a regional environmental assessment of the Fraser River estuary and Salish Sea, and develop a long-term environmental management plan for the region to guide conservation efforts and sustainable development, consistent with recommendations in the Federal Review Panel Report.
- C. THAT Delta's comments regarding the draft federal conditions, as detailed in Attachment A, be forwarded to the Impact Assessment Agency of Canada (IAAC) and the BC Environmental Assessment Office (BCEAO).
- D. THAT copies of this report be forwarded to the Mayor's Youth Council and the Climate Action and Community Liveability Advisory Committee for information.

The question on the motion was not called as discussion ensued regarding the adverse effects and impacts of the Roberts Bank Terminal 2 Project and the proposed location of a 2,500 acre parcel of land for this project.

-- Amendment  
Endorsed

MOVED By Cllr. Kanakos,  
SECONDED By Cllr. McDonald, THAT the Main Motion be amended to add, "E. THAT this report be copied to the Prime Minister of Canada, the Premier of British Columbia, the Federal Minister of Environment and Climate Change, the Provincial Minister of Environment and Climate Change Strategy, Delta Members of Parliament and Delta Members of the Legislative Assembly, the Tsawwassen First Nation and the Musqueam Indian Band.

CARRIED UNANIMOUSLY

-- Recommendations  
Endorsed as  
Amended

The question on the Main Motion as amended, was then called.

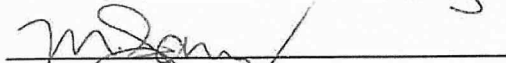
CARRIED UNANIMOUSLY

-- Councillor returns

Cllr. Kruger rejoined the meeting at 4:36 p.m.

This is certified as a true extract of the unadopted minutes of the Council of the City of Delta and the resolutions will be adopted at the Regular meeting of February 14, 2022.

Dated this 11<sup>th</sup> of February, 2022



Michelle Jansson, CMC  
City Clerk



February 10, 2022  
File: 01.0110/Admin General/2022

Tracey Arthur  
Director of Corporate Services  
City of White Rock  
15322 Buena Vista Avenue  
White Rock, BC V4B 1Y6

Dear Ms. Arthur

**Re: Burrard Inlet Rapid Transit in 10-Year Investment Plan**

Please be advised that at the Regular Meeting of Council held on February 7, 2022, the Council for the District of North Vancouver passed the following resolution:

*THAT Council request that the Mayors' Council on Regional Transportation (Mayors' Council) prioritize the inclusion of the Burrard Inlet Rapid Transit in the 10-Year Regional Transit and Transportation Vision given the far reaching regional benefits of the investments as outlined in the Benefits Assessment Report as attached to the January 18, 2022 report of the Section Manger – Transportation entitled Burrard Inlet Rapid Transit in 10-Year Investment Plan;*

*AND THAT a copy of this resolution and Benefits Assessment Report is sent to all member municipalities of the TransLink Mayors' Council.*

The Benefits Assessment Report is attached.

Regards,



James Gordon  
Municipal Clerk

Resolution: Ethics Commissioner

WHEREAS Bill 26 – 2021: Municipal Affairs Statutes Amendment Act (No. 2), 2021 does not require a local government to adopt a Code of Conduct for Council members;

WHEREAS many local governments in British Columbia cannot afford or do not have an independent non-partisan Ethics Commissioner to review and resolve allegations of misconduct;

THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association and UBCM call upon the provincial government to immediately create an Office of the Municipal Ethics Commissioner within the Ministry of Municipal Affairs that will 1) respond to allegations of misconduct by an elected official of a municipal government and conduct an inquiry if warranted, and 2) review decisions imposed on an elected official of a municipal government and conduct an inquiry if warranted.

### Backgrounder

Municipalities in B.C. are responsible for providing local services and governance to its residents. The B.C. government regards municipalities as autonomous, responsible and accountable governments directed by democratically elected councils and is unique in Canada in this regard.

Currently, there is no procedure in BC for an elected municipal official to appeal a decision by council or board except to file for a judicial review in the Supreme Court of BC. This is a costly and lengthy procedure for both the municipality and the elected municipal official and is not in the best interest of the municipality and its residents.

The rationale for this Office includes:

- Promote public confidence in elected public officials as they conduct public business.
- Provide advice on standards of conduct issues to municipalities
- Seek out guidance and advice from the BC Public Service Agency on issues that are complex and/or cannot be easily resolved
- Document any advice provided and/or decisions made
- Participate as ministry representative in working with the municipality to ensure a consistent and coordinated approach to ethics management across municipalities in the province.