



Governance and Legislation Committee

Minutes

April 26, 2021, 5:00 p.m.

City Hall Council Chambers

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

PRESENT: Mayor Walker
Councillor Chesney
Councillor Johanson
Councillor Kristjanson (arrived at 5:03 p.m.)
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
Carl Isaak, Director of Planning and Development Services
Eric Stepura, Director of Recreation and Culture
Chris Zota, Manager of Information Technology
Greg Newman, Manager of Planning
Donna Kell, Manager of Communications and Government Relations
Debbie Johnstone, Deputy Corporate Officer

1. CALL TO ORDER

Councillor Trevelyan, Chairperson

The meeting was called to order at 5:01 p.m.

2. **MOTION TO CONDUCT GOVERNANCE AND LEGISLATION COMMITTEE MEETING WITHOUT PUBLIC IN ATTENDANCE**

Motion Number: 2021-G/L-028 It was MOVED and SECONDED

WHEREAS COVID-19 has been declared a global pandemic;

WHEREAS the City of White Rock has been able to continue to provide the public access to the meetings through live streaming;

WHEREAS holding public meetings in the City Hall Council Chambers, where all the audio/video equipment has been set up for the live streaming program, would not be possible without breaching physical distancing restrictions due to its size, and holding public meetings at the White Rock Community Centre would cause further financial impact to City Operations due to staffing resources and not enable live streaming;

WHEREAS Ministerial Orders require an adopted motion in order to hold public meetings electronically, without members of the public present in person at the meeting;

THEREFORE BE IT RESOLVED THAT the Governance and Legislation Committee (including all members of Council) authorizes the City of White Rock to hold the April 26, 2021 meeting to be video streamed and available on the City's website, and without the public present in the Council Chambers.

Motion CARRIED (5 to 0)

3. **ADOPTION OF AGENDA**

Motion Number: 2021-G/L-029 It was MOVED and SECONDED

THAT the Governance and Legislation Committee adopt the agenda for April 26, 2021 as amended to vary the agenda so Item 6. will be discussed directly following Item 4. Adoption of the Minutes.

Note: Item 6. Environmental Advisory Committee will now be noted as Item 5. and the Policy Review will now be noted as Item 6.

Motion CARRIED (5 to 0)

4. **ADOPTION OF MINUTES**

Councillor Kristjanson arrived at the meeting at 5:03 p.m.

Motion Number: 2021-G/L-030 It was MOVED and SECONDED

THAT the Governance and Legislation Committee adopt the April 7, 2021 meeting minutes as circulated.

Motion CARRIED (6 to 0)

5. **Environmental Advisory Committee (Council Representative - Councillor Johanson)**

The following item was referred to the Committee from Council at their February 22, 2021 Regular Council meeting:

Recommendation #1 - Draft Resolution for Council's Consideration: White Rock Tree Protection Bylaw 1831 and Tree Management on City Lands Policy

THAT Council refer the following recommendations to the Governance and Legislation Committee:

Recognizing the critical role played by trees on both private and public lands in maintaining the health of ecosystems and the quality of human habitats in urban settings,

Concerned by the loss of trees and decline of tree canopy that have occurred over the past decades in White Rock, particularly on private lands,

Determined to strengthen the City's efforts to protect its trees and preserve and enhance its tree canopy, and

Having considered the Report of the Environmental Advisory Committee titled "Updating and Strengthening White Rock's Protection and Management of Trees",

Directs staff to prepare for Council's consideration a proposed revision of Tree Management Bylaw 1831, based on the EAC's recommendations, to:

- a. *Change the title of the Bylaw to "White Rock Tree Protection Bylaw". [R3]*
- b. *Reduce the minimum size for the definition of "protected tree" to a trunk DBH of 20 cm or less. [R5]*
- c. *Provide that "significant trees" on private or 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]

- d. Remove fruit trees, alders and cottonwoods from the definition of "lower value trees". [R7]*
- e. Authorize the utilization of tree replacement security and deposit revenues for a broadened range of activities to enhance and protect the City's tree canopy. [R12]*
- f. Incorporate Policy 510's provisions regarding notice to adjacent property owners and applicant appeals for Type 2 permit applications and extend these provisions to Type 3 applications, as well as incorporate Planning Procedures Bylaw 2234's appeal provisions. [R14(a), R18(a)].*
- g. 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]*
- h. Establish International Society of Arboriculture (ISA) certification as the sole and exclusive credential in the definition of "arborist". [R16(a)]*
- i. Require that City Arborists visit and inspect all sites under consideration for a tree permit. [R16(b)]*
- j. Provide that only City Staff or agents are allowed to remove or plant trees on City lands. [R16(c)]*
- k. Establish explicit criteria for approval of Type 2 and Type 3 permits and to govern decisions by officials regarding the management of trees on City land, taking into account the provisions of Policy 510 and best practices in other jurisdictions. [R17(a)]*
- l. Incorporate any amendments, consistent with the EAC's recommendations, that may be needed to ensure currency and clarity and consistency with other bylaws and policies. [R19]*

Directs staff to prepare for Council's consideration a proposed revision of Tree Management on City Lands Policy 611, based on the EAC's recommendations, to:

- a. Change the title of the Policy to "Tree Protection, Canopy Enhancement and Management on City Lands". [R4(a)]*
- b. Revise the Section 1 Policy Statement to read as follows: "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 a procedure described in Annex I to this Policy." [R4(b)]*
- c. Insert in Section 3 "Management of City Trees", a new clause 3(a)1 specifying an additional statement of purpose to read as follows: "For the overriding purposes of protecting existing trees and increasing the number of healthy trees and amount of tree canopy". [R4(c)]*
- d. Transfer the provisions of Sections 5, 6, 7 and 8 to an Annex to the Policy. [R4(d)]*
- e. 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. [R4(e)]*
- f. Prohibit the topping or removal of city trees for the re-establishment of views. [R4(f)]*
- g. Remove references to "narrow corridor" and "single object" views in the definition of "view/view corridor". [R4(g)]*
- h. 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. [R4(h)]

- i. 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]
- j. 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]
- k. 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]
- l. Require that City Arborists visit and inspect all sites under consideration for a tree permit. [R16(b)]
- m. Incorporate criteria established in the revised Bylaw 1831 to govern decisions taken by officials regarding the management of trees on City lands. [R17(b)]
- n. 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]

Motion CARRIED

THAT Council refers the following recommendations to staff:

Further directs staff to:

- a. 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]

- b. *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)]*
- c. *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)]*
- d. *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”. [R6]*
- e. *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]*
- f. *Review and present any appropriate advice to Council regarding methods and resources employed to ensure effective enforcement of Bylaw 1831 and Policy 611. [R10]*
- g. *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]*
- h. *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]*
- i. *Establish International Society of Arboriculture (ISA) certification as the sole and exclusive credential required for a business licence as an arborist. [R16(a)]*

- j. *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)]*
- k. *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.*
 - (ii) *All members of Council be informed at least 14 days before the proposed removal of any “City tree”.*
 - (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:

- a. *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)]*
- b. *Conduct, on an annual basis, a public discussion of Tree Canopy Reports prepared by staff. [R18(d)]*

Motion CARRIED

The discussion at this time is for the Committee to review the recommendations and bring forward comments in regard to what staff should consider when they bring the bylaw and policy for consideration.

It was noted that the next step was for staff to bring back a bylaw and policy with the Committee Recommendations along with direction given at this time.

Motion Number: 2021-G/L-031 It was MOVED and SECONDED

THAT the Governance and Legislation Committee directs the following be removed from staff bringing forward with potential bylaw amendment:

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.

Voted in the Negative (2): Councillor Johanson, and Councillor Manning

Motion CARRIED (4 to 2)

Motion Number: 2021-G/L-032 It was MOVED and SECONDED

THAT the Governance and Legislation Committee directs the following be removed from staff bringing forward with potential bylaw amendment:

Prohibit the topping or removal of city trees for the re-establishment of views.

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

Motion CARRIED (4 to 2)

6. POLICY REVIEW

6.1 General Administration

Admin Policy 200

Note: It was recommended that the policy be rescinded as it is now outdated and addressed through other means / legislation (*Community Charter, Employment Standards Act, Human Rights Code, Collective Bargaining and Human Resources Policies*).

Note: It was requested that staff forward Members of Council a copy of the Use of City Vehicle policy.

Motion Number: 2021-G/L-033 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council rescind Admin Policy No. 200 - General Administration, as the function is addressed through legislation, collective bargaining and Human Resource policy.

Voted in the Negative (1): Councillor Kristjanson

Motion CARRIED (5 to 1)

6.2 Lighting of the White Rock Pier

Council Policy 168

Note: Introduction of a new policy and process in regard to lighting of the pier.

It was noted that the Committee may require further information. Staff to bring forward a corporate report including the following:

- Council may consider requests for international holidays
- Possible limit of days per month or times per year there be changes made to the lighting (help alleviate staff time)
- Software to run the lighting remotely must be purchased for the policy to work best
- Amendment requested at the meeting (4th bullet in regard limit of one (1) week)

Motion Number: 2021-G/L-034 It was MOVED and SECONDED

THAT the Governance and Legislation Committee requests the proposed policy Council 168 - Lighting The White Rock Pier be amended as follows:

- 4th bullet to state "the duration of the event or festival up to a maximum of one (1) week".

Motion CARRIED (6 to 0)

Motion Number: 2021-G/L-035 It was MOVED and SECONDED

THAT the Governance and Legislation Committee direct the policy be brought back with further information including budget implications.

Motion CARRIED (6 to 0)

6.3 Corporate Process Regarding Requirements for City Issued Cell Phone Text Messages and Email Records and Back Up Data

Administration Policy 213

Note: The policy was initiated in 2014, it has not been reviewed since 2015. The changes that are included on the document have been brought forward to help clarify the policy.

Motion Number: 2021-G/L-036 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Admin Policy 213 - Corporate Process Regarding Requirements for City Issued Cell Phone Text Messages and Email Records and Back Up Data as circulated.

Voted in the Negative (2): Councillor Chesney, and Councillor Kristjanson

Motion CARRIED (4 to 2)

6.4 City of White Rock Flag Policy

Council Policy 167 City of White Rock Flag Policy (New)

Council Policy 146 Use of City Flag Pole (Previous)

Note: The new policy addresses the matter of flags in a more expansive manner including half mast procedure / process.

Motion Number: 2021-G/L-037 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council rescind Council Policy 146 Use of City Flag Pole.

Motion CARRIED (6 to 0)

Motion Number: 2021-G/L-038 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Council Policy 167 City of White Rock Flag Policy with an amendment that it includes information in regard to the public purchasing City of White Rock flags.

Motion CARRIED (6 to 0)

6.5 Photos of Council at City Events

Council Policy 169

Note: A new Council policy as per request by the Committee at the June 29, 2020 meeting.

Motion Number: 2021-G/L-039 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Council Policy 169 - Photos of Council at City Events as circulated.

Motion CARRIED (6 to 0)

6.6 Coat of Arms and City Logo

Admin Policy 201

Note: Staff have no suggested amendments for this policy.

Motion Number: 2021-G/L-040 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Admin Policy 201 - Coat of Arms and City Logo, as circulated.

Motion CARRIED (6 to 0)

6.7 Mourning the Passing of a Member of the Royal Family

Council Policy - 170

Note: Introduction of a new policy and process to address the passing of a Member of the Royal Family due to Canada being a constitutional monarchy.

Motion Number: 2021-G/L-041 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Council Policy 170 - Mourning the Passing of a Member of the Royal Family as circulated.

Motion CARRIED (6 to 0)

6.8 White Rock Outstanding Canadians on the Peninsula Legacy Program

Council Policy 125

Note: Minor amendments have been suggested by staff and are noted as tracked changes.

Motion Number: 2021-G/L-042 It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommend Council endorse Council Policy 125 - White Rock Outstanding Canadians on the Peninsula Legacy Program as circulated.

Motion CARRIED (6 to 0)

7. CONCLUSION OF THE APRIL 26, 2021 GOVERNANCE AND LEGISLATION COMMITTEE MEETING

The meeting was concluded at 6:21 p.m.

Mayor Walker



Tracey Arthur, Director of Corporate Administration