



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, NOVEMBER 7, 2017 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AGENDA

- 1. Call to Order**
- 2. Adoption of Agenda**
- 3. Public Participation (2 minutes per person totalling 10 minutes maximum)**
- 4. Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)**
- 5. Review & Approval of Minutes of Prior Meetings**
 - A. Regular Council Meeting – October 17, 2017 (Page 7)

THAT the Regular Council Meeting Minutes of October 17, 2017 be adopted as circulated.
 - B. Special Council Meeting – October 24, 2017 (Page 15)

THAT the Special Council Meeting Minutes of October 24, 2017 be adopted as circulated.
- 6. Business Arising from the Minutes**
- 7. Unfinished Business**
 - A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Person Responsible
27	October 17, 2017	Correspondence G3: Salish Sea Heritage & House of Commons E-Petition 1269	Karl

- 8. Reports**
 - A. Staff
 - i. CFO: Third Quarter Review (Page 19)

THAT the Information Report “2017 Third Quarter Review” be received for information purposes.

- ii. CFO: Finance Work Plan (Page 39)
 THAT the Information Report “2018 Finance Workplan” be received for information purposes.
- iii. PWM: Encroachment Application – 85 Creekview Place (Page 45)
 THAT the application for encroachments at 85 Creekview Place be approved subject to and in accordance with the following terms:
 - a. the applicant shall sign a standard licence of occupation with respect to the encroachment in substantially the form of Attachment (a) as prepared by the Village of Lions Bay indemnifying the Municipality from any and all liability and costs related to the driveway encroachment;
 - b. the applicant shall pay the sum of \$400 in accordance with Schedule 2 of Fees Bylaw No. 497, 2016, in respect of the encroachment application.
- iv. PWM: CWWF Project Status Update (Page 57)
 THAT the Information Report “CWWF Project Status Update” be received.

B. Mayor - None

C. Council - None

D. Committees

- i. Trees, Views & Landscapes Committee – Application #80 – 20 Kelvin Grove Way (Page 61)
 THAT as mentioned by the Public Works Department and the Village Office, the applicant may top the trees mentioned in the application. The trees should be trimmed following the downward slope, parallel to the land; and

 THAT no trees may be trimmed or cut within 55 Kelvin Grove Way. The applicant should take care and attention to avoid any damage, when cutting or trimming and trees nearby their neighbour at 10 Kelvin Grove Way. All wood and debris should be removed.

E. Emergency Services - None

9. Resolutions

- A. 2018 Regular Council Meeting Schedule
 THAT Council approve the following 2018 Regular Council Meeting Schedule:
January 9 & 23

February 6 & 20

March 6 & 20

April 10 & 24

May 8 & 22

June 5 & 19

July 3 & 17

AUGUST BREAK

September 4 & 18

October 2 & 16

November 6 & 20

December 4 & 18

B. 2018 Acting Mayor's Schedule

THAT Council approve the following amended Acting Mayors Schedule for 2017/2018:

October – December: Councillor Fred Bain

January – March: Councillor Norman Barmeier

April – June: Councillor Jim Hughes

July – September: Councillor Ron McLaughlin

C. Glass Sponge Reefs (Page 63)

WHEREAS the Ocean Water Task Force recommends that Howe Sound Community Forum members take steps to protect glass sponge reefs;

NOW THEREFORE the Council of the Village of Lions Bay resolves to:

(a) communicate their endorsement for the protection of glass sponge reefs by the Department of Fisheries and Oceans ("DFO") and that there be a further request to DFO to conduct consultations with local governments, stakeholders and First Nations who may be affected by steps taken to preserve and protect glass sponge reefs in Howe Sound;

(b) endorse and support initiatives to protect and preserve glass sponge reefs in Howe Sound, either presently known or that may be discovered in the future."

D. Howe Sound Marine Reference Guide (Page 69)

WHEREAS the Ocean Water Task Force recommends to the Howe Sound Community Forum (Forum) that its members endorse the preparation of the Howe Sound Marine Reference Guide (Guide) and that the Forum members communicate this endorsement to their respective local governments with a request for a financial commitment to cost-share a

regional total of \$20,000.00 per year for three years as the local government contribution to the production of the "Guide";

NOW THEREFORE the Council of the Village of Lions Bay resolves to support the recommendation and contribute its proportional contribution of \$631.76 per year for three years under Scenario A; or \$293.71 per year for three years under Scenario B.

10. Bylaws

- A. Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017 – Adoption (Page 73)
 THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017 be adopted.
- B. Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017 – First and Second Reading (Page 107)
 THAT Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017 be introduced and read a first and second time.

11. Correspondence

- A. List of Correspondence to Thursday, November 2, 2017 (Page 125)
 THAT the following actions be taken with respect to the correspondence:

12. New Business

- A. Resident Welcome Packages (Page 147)
 THAT the Information Report “Resident Welcome Packages” be received.

13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

14. Closed Council Meeting

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- c) labour relations or other employee relations;
- d) the security of the property of the municipality;

- e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*].
- m) a matter that, under another enactment, is such that the public may be excluded from the meeting.

90 (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

- b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;
- d) a matter that, under another enactment, is such that the public must be excluded from the meeting.

15. Reporting Out From Closed Portion of Meeting

16. Adjournment

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, OCTOBER 17, 2017 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Karl Buhr
Councillor Fred Bain
Councillor Ron McLaughlin

Regrets: Councillor Jim Hughes

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Office Coordinator Shawna Gilroy (Recorder)

Delegations: 0

Public: 3

1. Call to Order
Mayor Buhr called the meeting to order at 7:00 p.m.

2. Adoption of Agenda
Moved/Seconded

THAT an amended version of Land Reserve Fund Bylaw No. 532, 2017 and a draft resolution be added as an attachment to item 10A; and

THAT item 8A – By-Election and Staffing Update be added; and

THAT the title of item 8Bi be reworded to say “Recommendation for Resolution to Action MOTI”; and

THAT the agenda be adopted as amended.

CARRIED

3. Public Participation (2 minutes per person totalling 10 minutes maximum)

A. Mr. Scott Ando

Mr. Ando queried the status of the water tank replacement project.

4. Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)

None

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – October 3, 2017

Moved/Seconded

THAT the Regular Council Meeting Minutes of October 3, 2017 be adopted as circulated.

CARRIED

6. Business Arising from the Minutes

None

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
2	January 10, 2017	2017 Parking Plan Initiatives	Remove – add to Council Strategy Session
26	October 3, 2017	Correspondence G5: Metro Vancouver 2040 – Regional Growth Strategy – staff requested to put links to the information more prominently on the municipal website than simply in the minutes	Remove – links were added to website

Audio: 00:10

B. Information and Resource Requests (IRRs)

Moved/Seconded

THAT the IRRs be updated in accordance with the following:

- ID 141: Trail Signage – ongoing
- ID 142: Traffic Logger – ongoing
- ID 143: Public Works Yard Title – completed
- ID 145: Traffic Delineator Posts – ongoing

- ID 146: Upper Chambers – ongoing – staff is working on a plan to reconfigure the office and the potential new Council Chambers
- ID 147: Website KPI's – ongoing
- ID 148: Salt Barrels – completed – salt barrels will remain on roadways, stencil to be added to the barrels indicating they contain road salt.

CARRIED

Audio: 00:22

8. Reports

A. Staff

i. By-Election and Staffing

Mayor Buhr queried what the plan is for staffing of the by-election, and that usually consultants are hired rather than paying staff. It was noted that staff and outside consultants are both working the election, as usual, and that no overtime is paid out since shifts are staggered. Advance polling in Chambers was handled by staff as they are in the office working in any event and a presiding election official must be present.

Moved/Seconded

THAT the verbal update regarding the by-election and staffing be received.

CARRIED

Audio: 00:26

B. Mayor

i. Recommendation for Resolution to Action MOTI

Mayor Buhr explained the reasons for working with MOTI to increase the speed limit to 70km/h along Highway 99 through Lions Bay. He outlined key points such as the multiple speed changes from 90 to 70 to 60 kmh and the statistics of actual speeds through Lions Bay, evaluation of extending the zone 200 meters beyond the north and south municipal boundaries, to try and alleviate noise, and encourage adding appropriate signage to remind drivers, especially motorcycles, to slow down and reduce their RPMs.

Motion as amended:

Moved/Seconded

THAT as a result of recent discussion between Mayor and the Ministry of Transport (MOTI), Council requests MOTI:

1. To evaluate and if so indicated effect removal of the 60 km/h speed zone on Highway 99 through Lions Bay, paying particular attention to the efficacy of the sound reduction pavement, on the following grounds as understood by Council on a non-expert basis:
 - a. Recent MOTI review has shown that 60 km/h is not being observed by the expected 85 percent of traffic for the given combination of road configuration, driving conditions and drivers. The 85th percentile speed, used by highway managers to determine the speed at which the majority of traffic is comfortable driving at, in fact ranges from 110 to 85 km/h through Lions Bay depending on measurement location. Current accident rates, noise levels and journey times are thus being achieved at these speeds, not 60.
 - b. While 60 might be too slow, 110 is too fast, given the disproportionate accident rates at Lions Bay, so the 70 km/h zone that would result from removal of the 60 zone might produce better compliance, as being more believable on a road the average road user may perceive to be an expressway.
 - c. On and off ramp lengths are understood to be technically adequate for a posted 70 km/h limit.
 - d. One fewer speed zone may produce less variability in speeds, a primary cause of accidents.
 - e. A reduction in noise of deceleration and acceleration, particularly of motorcycles, might be expected.
2. To evaluate extending the 70 km/h zone to 200 meters beyond the north and south municipal boundaries to move acceleration and deceleration further from residences, with relocation of speed-change warning signage to standard distances, or possibly to two warning signs in each direction.
3. Prior to and independent of potential removal of the 60 km/h zone, to institute noise measuring at the existing dynamic sign location for an extended period, with a view to determining correlations between comparative noise level and a) speed, b) time of year, week and day, c) weather and road conditions, and other such considerations as may be relevant.
4. To add appropriate signage, whether via Manual of Standard Traffic Signs guidelines or ad hoc, that might:
 - a. Mitigate noise, particularly from cooperative motorcyclists who may be otherwise unaware that the noise from 500-1000 motorcycles every fine weather day can be a burden on nearby residents, akin to:



or



or better yet

**FOR MUTUAL
 COMMUNITY
 RESPECT,
 KEEP IT DOWN IN
 TOWN.**

**RIDE UNDER 2000
 RPM NEXT 2 KM.**

- b. Inform road users that despite appearances, 99 at Lions Bay is not an expressway, akin to:



CARRIED

C. Council

None

D. Committees

None

E. Emergency Services

None

9. Resolutions

None

Audio: 00:42

10. Bylaws

A. Land Reserve Fund Bylaw No. 532, 2017

An amended version of Land Reserve Fund Bylaw No. 532, 2017, and an additional draft resolution for Council's consideration at the proposed upcoming Special Council Meeting, were added On Table. Mayor Buhr questioned the need for the bylaw and/or its form. Staff explained the logic for the new reserve bylaw, as being necessary to

address the circumstances related sale of lands and that the bylaw and the method of proceeding had been vetted by both our legal and accounting advisors.

Moved/Seconded

THAT Land Reserve Fund Bylaw No. 532, 2017 be introduced and read a first, second and third time.

CARRIED

Moved/Seconded

THAT Council call a Special Meeting for October 24, 2017 at 10:00 am for the purpose of adopting Land Reserve Fund Bylaw No. 532, 2017, followed by consideration of the attached draft resolution re: transfer of funds from unrestricted general funds to the Land Reserve Fund, and any other matter Council wishes to consider at that time.

CARRIED

Audio: 01:00

B. Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017

Staff outlined the changes to the penalty schedules of the enforcement bylaw.

Moved/Seconded

THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017 be introduced and read a first, second and third time.

CARRIED

Audio: 01:07

11. Correspondence

Moved/Seconded

THAT the following actions be taken with respect to the correspondence:

- G1: The Joy Smith Foundation – no response
- G2: Invitation to Regional Transportation DCC Workshop – no response, CAO DeJong is attending the workshop
- G3: Salish Sea Heritage & House of Commons E-Petition 1269 – Mayor Buhr to respond
- G4: George Massey Tunnel – Angus Reid Poll – no response
- G5: Letter from the Honourable Katrine Conroy – no response
- R1: Brunswick Parking Response – no further response

- R2: Smoking Bans on Public Beaches, Parks & Hiking Trails Response – no further response

CARRIED

Audio: 01:09

12. New Business

A. RCMP Integrated Teams Annual Report

Mayor Buhr noted that the Integrated Collision Analysis and Reconstruction Services stat was incorrect in the report as he recalls at least three incidents under Squamish RCMPs jurisdiction (which Lions Bay is part of) where they called in Integrated Collision Analysis and Reconstruction Service (ICARS) for at least two fatal accidents. He did not suggest they request an amendment to the report, but simply wished to bring it to Council's attention.

Moved/Seconded

THAT the RCMP Integrated Teams Annual Report be received for information.

CARRIED

13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

None

14. Closed Council Meeting

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

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- e) the acquisition, disposition, or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 (*annual municipal report*);

90 (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

The meeting was closed to the public at 8:11 p.m.

The meeting was re-opened to the public at 9:02 p.m.

15. Reporting Out From Closed Portion of Meeting

THAT staff prepare a report on the pros and cons of eliminating the Secondary Suite Fee, for consideration during the budget process.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:02 p.m.

Mayor

Corporate Officer

Date Approved by Council:	
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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**SPECIAL MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, OCTOBER 24, 2017 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Karl Buhr
Councillor Fred Bain
Councillor Ron McLaughlin

Regrets: Councillor Jim Hughes

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Office Coordinator Shawna Gilroy (Recorder)

Delegations: 0

Public: 0

1. Call to Order
Mayor Buhr called the meeting to order at 10:05 a.m.

2. Adoption of Agenda
Moved/Seconded

THAT items (i), (k) and (l) be struck from the reasons for closing the meeting to the public; and

THAT the agenda be adopted as amended.

CARRIED

3. Public Participation
None

4. Delegations
None

5. Minutes

None

6. Business Arising from the Minutes

None

7. Unfinished Business

None

8. Reports

None

9. Resolutions

None

10. Bylaws

A. Land Reserve Fund Bylaw No. 532, 2017

Amended motion:

Moved/Seconded

THAT Land Reserve Fund Bylaw No. 532, 2017 be adopted.

CARRIED

Main motion as amended:

WHEREAS:

- (a) The municipality wishes to sell certain lands located at 52 Brunswick Beach Road. These lands are comprised of a closed portion of road which formerly provided access to water;
- (b) The municipality wishes to buy certain lands located at 63 Brunswick Beach Road. These lands provide access to the same water as the closed road at 52 Brunswick Beach Road;
- (c) Monies received from the sale of 52 Brunswick Beach Road will be credited to the Land Reserve Fund and are intended to buy 63 Brunswick Beach Road; and
- (d) The purchase of 63 Brunswick Beach Road may complete before the sale of 52 Brunswick Beach Road. Therefore, the municipality may need to use monies from a fund other than the Land Reserve Fund to pay for 63 Brunswick Beach Road. These monies would have to be repaid from the Land Reserve Fund when the municipality sells 52 Brunswick Beach Road.

NOW THEREFORE, Council of the Village of Lions Bay resolves:

- (1) THAT if the purchase of 63 Brunswick Beach Road completes before the sale of 52 Brunswick Beach Road, the purchase of 63 Brunswick Beach Road will be funded from a transfer of unrestricted general revenues on account of the Land Reserve Fund;
- (2) THAT monies received from the sale of 52 Brunswick Beach Road will be credited to the Land Reserve Fund; and
- (3) THAT when the sale of 52 Brunswick Beach Road completes, the following amounts will be transferred from the Land Reserve Fund to unrestricted general reserves:
 - (i) amount spent to buy 63 Brunswick Beach Road; and
 - (ii) interest that would have accrued on this amount.

CARRIED

11. Correspondence

None

12. New Business

None

13. Public Questions & Comments

None

14. Closed Council Meeting

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

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- e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

CARRIED

The meeting was closed to the public at 10:09 a.m.

The meeting was re-opened to the public at 10:29 a.m.

15. Reporting Out From Closed Portion of Meeting

None

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 10:29 a.m.

Mayor

Corporate Officer

Date Approved by Council:	
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DRAFT



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	2017 Third Quarter Review		
Author	Pamela Rooke	Reviewed By:	Peter DeJong
Date	November 1, 2017	Version	
Issued for	November 7, 2017 Regular Council Meeting		

RECOMMENDATION

THAT the report “2017 Third Quarter Review” be received for information purposes.

ATTACHMENTS

1. 2017 Third Quarter Review

KEY INFORMATION

The attached third quarter review includes:

1. Consolidated Financial Results at September 30, 2017
2. Revenue Summary at September 30, 2017
3. Departmental Expense Summaries at September 30, 2017
4. Capital Expenditure Summary at October 31, 2017

The reports compare the actual results to the 2017-2021 Five Year Financial Plan Bylaw which was adopted May 5, 2017.

Revenues:

Revenue is expected to be close to budget at yearend with the following exceptions:

- Fees, Licenses and Permits - will finish the year favourable to budget due to higher than anticipated building permit revenue, and parking meter revenue which was not budgeted.
- Grants - will finish the year unfavourable to budget due to the CN Railway grant (budgeted for 84.2k) and the Translink grant (budgeted for \$25k) which will not be



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

received in 2017. The revenue shortfall will be offset by the related project expenses that will not be spent.

Expenses:

Expenses are tracking favourable to budget due to the following reasons:

- Administration – communications and hall maintenance expense should finish the year favourable to budget. Contract services (asset management and records management) will not be fully spent by the end of the year and will need to be re-budgeted.
- Council – will be favourable at the end of the year due to savings from the councillor vacancy and lower than budgeted by-election expenses.
- EOC – the emergency management planning will not be fully spent by yearend and will need to be re-budgeted.
- Fire - lower than budgeted training expenses will result in a favourable variance at yearend.
- Bylaw Services - salaries and benefits expenses were lower than budgeted for the season, due to one of the Bylaw Enforcement Officers only being available on Sundays.
- Public Works – tracking favourable due to lower than budgeted maintenance, contract services and training. These savings may be offset by roads winter maintenance as most of the budget was spent at the beginning of the year due to heavy snowfall.
- Planning – the planning consultant funds will not be fully spent by yearend and will need to be re-budgeted.
- Water – will finish the year favourable to budget due to savings in maintenance and contract services.

More detailed variance explanations are provided on the attached fund and departmental summaries.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

FOLLOW UP ACTION

Staff will be available to respond to any questions at the November 7, 2017, 2017 Council meeting.

Village of Lions Bay
For the period ended September 30, 2017

Consolidated Financial Results				
	2017			2016
	YTD Actual	Budget	%	YTD Actual
Revenues				
Taxation	1,453,647	1,453,628	100.0%	1,407,804
Utility Fees and Rates	1,087,239	1,087,239	100.0%	1,030,874
Fees, Licenses, Permits and Fines	160,682	152,253	105.5%	85,635
Grants	1,178,636	2,897,116	40.7%	383,269
Other	80,073	3,790,952	2.1%	52,451
	3,960,276	9,381,188	42.2%	2,960,033
Expenditures				
Administration	713,923	992,276	71.9%	698,537
Council	35,092	70,853	49.5%	36,947
EOC	9,914	40,285	24.6%	8,719
Fire Department	176,861	310,017	57.0%	200,109
Bylaw Services	24,192	34,233	70.7%	25,132
Public Works	235,037	475,086	49.5%	205,087
Planning and Development	38,452	120,925	31.8%	18,910
Parks, Recreation and Facilities	151,036	207,307	72.9%	149,969
Solid Waste	138,635	184,784	75.0%	150,573
Sewer Fund	59,054	71,677	82.4%	71,435
Water Fund	497,963	818,654	60.8%	604,838
	2,080,159	3,326,097	62.5%	2,170,257
Surplus/(Deficit)	1,880,117	6,055,091		
Amortization	380,621	507,494		
MFA Actuarial Gain on Debt	(15,317)	(20,422)		
Cash Surplus	2,245,421	6,542,163		
Repayment of Debt Principal	(82,141)	(109,521)		
Capital Expenditures	(1,208,019)	(4,041,280)		
Transfer from (to) Surplus	-	134,338		
Transfer to Gas Tax Reserve	(28,251)	(56,450)		
Transfer from (to) Reserves	-	(2,469,250)		
Transfer (from) to Reserves	927,011	0		

Village of Lions Bay
For the period ended September 30, 2017

Revenue Summary

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Taxation					
General Municipal Property Tax	1,404,485	1,404,442	100.0%	1,105,803	
Fire Levy - from Municipal Taxation	-	-	n/a	231,703	
Parcel Taxes	10,585	10,585	100.0%	35,931	
Grants in Lieu	38,577	38,601	99.9%	34,367	
	1,453,647	1,453,628	100.0%	1,407,804	
Utility Fees and Rates					
Water User Rates	834,605	834,605	100.0%	786,865	
Sewer User Rates	67,234	67,234	100.0%	44,822	
Solid Waste User Rates	185,400	185,400	100.0%	199,187	
	1,087,239	1,087,239	100.0%	1,030,874	
Fees, Licenses and Permits					
Building Permits	56,446	58,500	96.5%	9,799	
Board Of Variance Application Fee	1,500	3,000	50.0%	500	
Secondary Suite Surcharge Fees	20,685	18,200	113.7%	15,673	
Dumpster Bin Permit Fees	2,140	750	285.3%	1,400	
Other Permits	1,000	-	n/a	200	
Fire Training Programs	900	300	300.0%	300	
Recreation Programs	2,625	3,700	71.0%	2,755	
Hall Rental	6,817	7,500	90.9%	6,410	
In-Kind Revenue	90	3,160	2.8%	3,850	
Boat Space Rentals	9,894	7,250	136.5%	5,600	
Rental Agree - BC Ambulance	18,835	25,113	75.0%	18,835	
Parking Fines	8,603	8,000	107.5%	5,796	
Parking Passes	4,755	6,500	73.2%	2,120	
Parking Meters	16,337	-	n/a	298	
Dog Licences / Animal Control Fines	4,875	4,000	121.9%	5,205	
Filming Revenue	3,100	1,750	177.1%	2,200	
Tree Cutting Applications	300	750	40.0%	280	
Tax Information Charges	-	1,800	0.0%	1,950	
Miscellaneous	1,781	1,980	89.9%	2,465	
	160,682	152,253	105.5%	85,635	
Grants					
Small Community Grant	298,898	295,000	101.3%	296,372	
Grant - New Build Canada	134,282	144,509	92.9%	54,145	1
CWWF Grant	715,704	2,250,130	31.8%	-	2
Gas Tax Funding	28,251	56,450	50.0%	28,225	3
CN Railway Grant	-	84,152	0.0%	-	4
Whistler Grant	-	20,375	0.0%	-	5
Other Grants	1,500	46,500	3.2%	4,527	6
	1,178,636	2,897,116	40.7%	383,269	
Other Revenue					
External Borrowing - Water	-	460,870	0.0%	-	7
Land Sales	-	3,219,250	0.0%	-	8

Village of Lions Bay
For the period ended September 30, 2017

Revenue Summary					Notes
	2017			2016	
	YTD Actual	Budget	%	YTD Actual	
Fire Department Callouts Highway	6,600	26,000	25.4%	12,286	
Donations to LB Fire Department	900	10,000	9.0%	4,118	
Fire Fighter Day Revenue	23,234	20,000	116.2%	-	
Tax Penalties and Interest	21,454	22,800	94.1%	24,164	
Admin Fees - Schools Taxes	2,959	2,800	105.7%	2,856	
MFA Actuarial Interest	-	20,422	0.0%	-	
Bank Return on Investment	12,568	6,110	205.7%	8,667	
Miscellaneous	2,086	1,500	139.1%	266	
Connection Fees	10,272	1,200	856.0%	94	
	80,073	3,790,952	2.1%	52,451	
Total Revenues	3,960,276	9,381,188	42.2%	2,960,033	

Notes:

- 1 Revenue represents 2/3 of actual expenditures (amount covered by the grant).
- 2 An advance payment of the provincial portion of the grant was received in April.
- 3 First installment of \$28,251 received in August.
- 4 The Village's CN Rail grant application was not successful. The Public Works budget includes maintenance expenses of \$107k which were to be partially offset by the 80% grant. The maintenance will not proceed in 2017 - another grant application will be submitted in 2018 and the cost will be re-budgeted in 2018.
- 5 The Village was awarded the Whistler grant in the amount of \$20,375 for turnout gear. Funds will be received in November.
- 6 The Village was awarded a \$12.5k TransLink grant (budgeted \$25k). Funds were to be used for the Lions Bay Avenue stairs to Bus Stop project, but the bids were too high to proceed. Staff to seek extension on grant funding in order to attempt a re-tender in 2018.
- 7 Funds were received from the MFA in October.
- 8 The property at 52 Brunswick Avenue has been listed for sale.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Administration

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Amortization	249,176	332,235	75.0%	251,837	
Communications	36,032	59,437	60.6%	35,939	
Fiscal Charges	2,498	3,750	66.6%	2,703	
Insurance	30,211	30,900	97.8%	26,341	
Internal Allocations	(40,125)	(53,500)	75.0%	(40,125)	
Maintenance	2,553	7,212	35.4%	3,308	
Material, Supplies and Equipment	9,347	12,477	74.9%	7,577	
Professional Fees / Contract Services	44,970	104,500	43.0%	36,867	1
Salaries and Benefits	366,111	474,219	77.2%	355,515	
Sundry	1,189	2,942	40.4%	2,987	
Training / Professional Development	10,432	15,445	67.5%	14,053	
Utilities	1,527	2,658	57.4%	1,534	
	713,923	992,276	71.9%	698,537	

Notes:

- 1 Budget includes \$20k for an asset management plan and \$20k for records management:

Asset Management: Staff to submit two grant applications, a \$15k Infrastructure Planning Grant to develop an Organizational Assessment Roadmap with a consultant (Village share \$5k) and a \$30k UBCM grant to develop an Asset Management Plan with a consultant (Village share \$15k). Work will continue into 2018 requiring a re-budget of funds.

Records Management: Staff have engaged Ricoh to make electronic copies of PW plans, maps and drawings. Work commenced in October - a portion of the funds may have to be re-budgeted in 2018.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Council					
	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	84	250	33.4%	83	
Material, Supplies and Equipment	-	200	0.0%	-	
Salaries and Benefits	27,524	43,003	64.0%	29,208	1
Election	1,649	14,000	11.8%	1,176	2
Sundry	5,061	7,400	68.4%	4,194	
Training / Professional Development	774	6,000	12.9%	2,286	3
	35,092	70,853	49.5%	36,947	

Notes:

- 1 Favourable due to the Councillor vacancy (vacant 8 months - since February).
- 2 Budget includes \$10k for the by-election. Costs were lower than budgeted due to reduced training costs. Anticipate a \$2.2k favourable variance at the end of the year.
- 3 Training/PD/Conferences will be underspent at the end of the year.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - EOC

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	2,752	3,750	73.4%	1,275	
Grants	507	4,535	11.2%	507	1
Maintenance	3,784	6,000	63.1%	2,765	
Material, Supplies and Equipment	-	500	0.0%	(18)	
Training / Professional Development	-	21,000	0.0%	17	2
Utilities	2,870	4,500	63.8%	4,172	
	9,914	40,285	24.6%	8,719	

Notes:

- 1 Budget includes a \$3.9k grant for ESS - expenses will be submitted by the end of the year.
- 2 Budget includes \$20k for Emergency Management Planning which will not be spent by yearend.
Amount will be re-budgeted - staff to issue an RFP for an Emergency Management consultant
(reconfigure EOC, review emergency plans, create new plans and programs).

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Fire Department

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	42,565	57,825	73.6%	37,877	
Fiscal Charges	122	200	61.1%	166	
Insurance	12,221	12,316	99.2%	11,318	
Maintenance	19,800	38,750	51.1%	27,151	1
Material, Supplies and Equipment	20,886	32,400	64.5%	17,400	
Salaries and Benefits	56,178	119,676	46.9%	86,924	2
Training / Professional Development	22,969	45,950	50.0%	18,383	3
Utilities	2,119	2,900	73.1%	890	
	176,861	310,017	57.0%	200,109	

Notes:

- 1 Tracking favourable due to lower than budgeted vehicle servicing and maintenance.
- 2 Fire fighters receive on-call and shift payments in June and December each year.
- 3 Training will be underspent at the end of the year. The Fire Department hired a new trainer in September - part of the duties will be ensuring fire fighters take required courses.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Bylaw Services

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	802	850	94.3%	589	
Material, Supplies and Equipment	2,906	4,300	67.6%	1,661	
Professional Fees / Contract Services	1,290	2,000	64.5%	1,321	
Salaries and Benefits	19,194	24,583	78.1%	20,319	1
Training / Professional Development	-	2,500	0.0%	1,242	
	24,192	34,233	70.7%	25,132	

Notes:

- 1 Actual hours worked were less than budgeted; there was only one 8 hour shift on Saturdays versus the two 6 hour shifts budgeted.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Public Works

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	9,355	15,606	59.9%	9,495	
Interest Payments	7,347	16,526	44.5%	8,141	
Insurance	11,142	11,500	96.9%	10,959	
Internal Allocations	(11,250)	(15,000)	75.0%	(11,250)	
Maintenance	58,912	214,399	27.5%	35,367	1
Material, Supplies and Equipment	25,721	31,121	82.6%	22,362	
Professional Fees / Contract Services	8,965	20,000	44.8%	19,338	
Salaries and Benefits	118,060	168,935	69.9%	104,088	
Training / Professional Development	1,015	6,000	16.9%	2,487	2
Utilities	5,770	6,000	96.2%	4,101	
Total Expenditures	235,037	475,086	49.5%	205,087	

Notes:

- 1 Budget includes \$107k for railway maintenance which was to be partially offset by an 80% CN grant. The grant application was not successful so the maintenance will not proceed this year. Another grant application will be submitted in 2018 and the costs will be re-budgeted in 2018.
- 2 Training/PD will be underspent at the end of the year. Staff did not have time to attend courses due to understaffing caused by two WCB claims and staff turnover (one position).

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Planning and Development

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	627	1,200	52.2%	675	
Professional Fees / Contract Services	18,085	86,868	20.8%	782	1
Salaries and Benefits	17,735	29,657	59.8%	16,245	
Sundry	525	750	70.0%	213	
Training / Professional Development	1,480	2,450	60.4%	995	
	38,452	120,925	31.8%	18,910	

Notes:

- 1 Budget includes \$60k for a planning consultant and \$12k for land surveys and appraisals. A firm has been engaged for \$25k to complete a Natural Hazards Assessment study and S. Olmstead's contract has been extended to the end of the year (7.5k). Balance to be re-budgeted in 2018.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Parks and Recreation					
	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Communications	446	350	127.4%	198	
Grants	23,400	27,940	83.8%	32,610	1
Insurance	2,400	2,746	87.4%	2,400	
Maintenance	23,075	27,615	83.6%	16,532	
Material, Supplies and Equipment	2,521	4,000	63.0%	3,564	
Professional Fees / Contract Services	-	22,500	0.0%	2,418	2
Hall Programs	2,294	2,960	77.5%	1,748	
Salaries and Benefits	92,342	112,219	82.3%	87,529	
Sundry	105	515	20.4%	471	
Utilities	4,453	6,461	68.9%	2,499	
	151,036	207,307	72.9%	149,969	

Notes:

- 1 Municipal grant expenses include the in-kind charges that are booked at the end of the year.
- 2 Budget includes \$22.5k for a landscaping plan of which \$20k is to be funded by MOTI. Removal of the invasive species will be completed in November. The balance of funds will be used to implement the landscaping plan approved by Council at the October 3 Council meeting. Some of the work will need to be completed in 2018, which will require a re-budget of funds.

Village of Lions Bay
For the period ended September 30, 2017

General Fund - Solid Waste

	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Supplies and Education	776	3,100	25.0%	1,250	
Collection Contract	48,738	60,112	81.1%	72,331	1
Recycle Removal Contract	31,877	43,671	73.0%	22,929	1
Green Waste Contract	45,148	62,901	71.8%	41,385	1
Prompt Payment Discounts	4,971	5,500	90.4%	5,554	
Internal Allocations	7,125	9,500	75.0%	7,125	
	138,635	184,784	75.0%	150,573	

Notes:

- 1 New contract effective April 1 with Waste Control Services. Collection expenses will be on budget at the end of the year.

Village of Lions Bay
For the period ended September 30, 2017

Sewer Fund					
	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Amortization	10,971	14,628	75.0%	22,294	
Insurance	2,123	2,123	100.0%	2,230	
Maintenance	27,540	26,000	105.9%	27,662	1
Material, Supplies and Equipment	212	1,000	21.2%	60	
Professional Fees / Contract Services	-	2,000	0.0%	2,254	
Salaries and Benefits	11,500	16,409	70.1%	12,590	
Sundry	1,455	1,917	75.9%	-	
Training / Professional Development	185	1,500	12.3%	-	
Utilities	2,068	2,100	98.5%	1,346	
Internal Allocations	3,000	4,000	75.0%	3,000	
	59,054	71,677	82.4%	71,435	

Notes:

- 1 Annual pump out of the Waste Water Treatment Plant.

Village of Lions Bay
For the period ended September 30, 2017

Water Fund					
	2017			2016	Notes
	YTD Actual	Budget	%	YTD Actual	
Expenditures					
Amortization	120,473	160,631	75.0%	113,204	
Communications	2,072	2,700	76.7%	2,074	
Interest Payments	37,540	74,930	50.1%	39,175	
Emergency Repairs	-	-	n/a	99,113	
Insurance	22,752	22,752	100.0%	23,077	
Maintenance	12,047	50,577	23.8%	14,851	1
Material, Supplies and Equipment	6,103	25,144	24.3%	9,561	2
Professional Fees / Contract Services	30,543	94,000	32.5%	25,669	3
Salaries and Benefits	200,957	295,678	68.0%	212,188	
Sundry	15,308	17,858	85.7%	14,581	
Training / Professional Development	274	5,200	5.3%	3,168	4
Utilities	8,645	14,183	60.9%	6,926	
Internal Allocations	41,250	55,000	75.0%	41,250	
	497,963	818,654	60.8%	604,838	

Notes:

- 1 Anticipate maintenance will be underspent at the end of the year. Some SCADA maintenance deferred due to CWWF project SCADA upgrades. Minimal maintenance required at the intakes due to NBCF works at Magnesia and Harvey intakes by North Construction.
- 2 Anticipate being on budget at the end of the year. Q4 maintenance of UV Reactors is pending and will require parts and supplies. Water quality equipment (turbidity reader and colorimeter) will be purchased in Q4.
- 3 Budget included \$30k for rock slope remediation which will not be completed this year due to later than expected completion of the NBCF works at Magnesia and Harvey intakes and \$18k for water modelling that will be covered by the CWWF grant.
- 4 Training/PD will be underspent at the end of the year. Staff did not have time to attend courses due to understaffing caused by two WCB claims and staff turnover (one position).

Village of Lions Bay
2017 Preliminary Mid-Year Capital and Operational Supplemental Expense Summary
as at October 31, 2017

2017 Capital Expenditures	YTD Actual	Budget	Status / Notes
CWWF Grant - Water Tanks	\$125,562	\$2,711,000	Conservative progress report by AECOM indicates that 40% of budget to be completed beyond the CWWF deadline. Extension request has been submitted. Tender to be let November 20, 2017.
Cellular Communications (SCADA)	\$0	\$23,500	SCADA communications being reviewed as a component of the CWWF project. Re-budget of the SCADA component (\$18,500) may be required for 2018.
Chlorine Analyzers / Turbidity Meters / Automated Blow Off's	\$23,240	\$38,000	Turbidity meters and chlorine analyzers purchased - installation yet to take place. Automated blow off's to be ordered in Q4.
Mag Intake Safety Improvements (Infiltration Gallery)	\$40,100	\$47,135	Project complete - awaiting final project invoices
Harvey Intake Safety Improvements (Weir)	\$161,323	\$169,129	Project complete - awaiting final project invoices.
Purchase of 63 Brunswick Beach Road	\$750,000	\$750,000	Complete. Agreement of Purchase and Sale closed October 31, 2017.
Detailed Bridge Inspections	\$0	\$20,000	Bridge inspections scheduled for November 8th and 9th - review and analysis of findings along with final bridge inspection report to be finalized in January.
Lions Bay Beach Park	\$6,294	\$36,108	On hold pending overall landscape design being considered by LBBPAC. To be incorporated into larger park landscaping plan. Balance to be re-budgeted in 2018.
Kelvin Grove Stairs to Beach	\$0	\$15,000	Staff reviewing Sartori Environmental design / recommendations - tendering for quotes and completion of work to be completed in Q4.
Lions Bay Avenue Stairs to Bus Stop	\$0	\$25,000	RFP posted to BC Bid on September 9, 2017. In addition, RFP was sent to 4 contractors for review and bid. Only two proponents responded. One at ~62k, and the other at ~250k. PW seeking extension on grant funding in order to attempt re-tender in 2018.
Works Yard Fencing	\$2,817	\$10,000	Complete.
Bayview Road Engineering & Design	\$11,707	\$13,750	Drawings to be finalized - final draw remaining.

Village of Lions Bay
2017 Preliminary Mid-Year Capital and Operational Supplemental Expense Summary
as at October 31, 2017

2017 Capital Expenditures	YTD Actual	Budget	Status / Notes
Air Compressor Works Yard	\$1,605	\$1,000	Complete.
Forklift	\$21,207	\$13,000	Complete. Council approved additional funds to purchase a 2011 unit with approx. 3,000 hours. Received \$3,300 for old forklift.
AV Suite for Council Chambers	\$3,204	\$3,000	Complete. Surplus used to enhance WIFI within the Broughton Hall/Library areas.
Emergency Generator - Village Hall/Broughton Hall	\$0	\$15,000	Staff to review options regarding single dual service generator vs. separate generators in 2018. To be re-budgeted in 2018 and augmented with additional \$15,000 per 5 Year Financial Plan.
Broughton Hall Threshold/Humidifier/Doors/Locks	\$13,504	\$14,102	Complete.
Street Signage - Parking Plan	\$0	\$25,000	Review of parking signage completed and awaiting sign off from Mayor and CAO. Signage, brackets, posts, and bases to be ordered in 2017 with installation in Q1/Q2 of 2018.
Heat Pump for Ambulance Station (Klatt)	\$5,265	\$5,265	Complete.
Fire Capital Maintenance	\$34,113	\$55,916	Remaining projects (Hall Exhaust System \$6,500; Medical AED's \$5,100; Interface Fire Pump \$5,438) should be completed by yearend.
Turn-Out Gear (funded by Whistler grant)	\$3,069	\$20,375	Grant received from Whistler Blackcomb for \$20,375 of turn-out gear - purchase to be completed in November.
Completion of FD Burn Building	\$5,009	\$30,000	Permission from FLNRO has been obtained. Engineer has inspected site and will issue a report. Anticipate completion by end of year/early 2018.
	\$1,208,019	\$4,041,280	

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	2018 Finance Workplan		
Author	Pamela Rooke	Reviewed By:	Peter DeJong
Date	November 1, 2017	Version	-
Issued for	November 7, 2017 Regular Council Meeting		

RECOMMENDATION

THAT the report “2018 Finance Workplan” be received for information purposes.

ATTACHMENTS

- 2018 Finance Workplan – by task
- 2018 Finance Workplan – by date

KEY INFORMATION

The attached workplan is a preliminary, high-level overview of key tasks (with deadlines) that must be completed by the Finance department. The workplan has been sorted by date and by task.

The Village of Lions Bay

Finance Workplan 2018 - Preliminary

Deliverable	Item	Due
Annual Report	Annual Report made available for public inspection	Monday, June 18, 2018
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 22, 2018
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 29, 2018
Annual Report	Council to consider the Annual Report	Tuesday, July 03, 2018
Fees Bylaw	Fees Bylaw - Review of Proposed Changes/1st & 2nd Reading	Tuesday, November 21, 2017
Fees Bylaw	Fees Bylaw - 3rd Reading	Tuesday, December 05, 2017
Fees Bylaw	Fees Bylaw - Adoption	Tuesday, December 19, 2017
Five Year Financial Plan 2018-2022	Budget Schedule to Council	Tuesday, December 05, 2017
Five Year Financial Plan 2018-2022	Preliminary Budget to Council	Tuesday, January 09, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, January 23, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, February 06, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, February 20, 2018
Five Year Financial Plan 2018-2022	Start work on 5 Year Financial Plan	Wednesday, February 21, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan to Council for review	Tuesday, March 06, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: First and second reading	Tuesday, March 20, 2018
Five Year Financial Plan 2018-2022	Public Presentation	Wednesday, March 28, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: Third reading	Tuesday, April 10, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: Adoption	Tuesday, April 24, 2018
Five Year Financial Plan 2018-2022	Submission of 5 Year Financial Plan to Ministry	Tuesday, May 15, 2018
Property Taxes	Property Tax Rate Bylaw: First and second reading	Tuesday, April 10, 2018
Property Taxes	Property Tax Rate Bylaw: Third reading	Tuesday, April 24, 2018
Property Taxes	Property Tax Rate Bylaw: Adoption	Tuesday, May 08, 2018
Property Taxes	Property tax brochure finalized	Monday, May 21, 2018
Property Taxes	Property tax bills mailed to residents	Friday, May 25, 2018
Quarterly Reviews	First Quarter Review to Council	Tuesday, May 08, 2018
Quarterly Reviews	Second Quarter Review to Council	Tuesday, September 04, 2018
Quarterly Reviews	Third Quarter Review to Council	Tuesday, November 06, 2018

The Village of Lions Bay

Finance Workplan 2018 - Preliminary

Deliverable	Item	Due
Water, Sewer and Solid Waste	Preliminary Water, Sewer and Solid Waste budget to Council	Tuesday, January 23, 2018
Water, Sewer and Solid Waste	Final Water, Sewer and Solid Waste budget to Council	Tuesday, February 06, 2018
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: 1st, 2nd and 3rd reading	Tuesday, February 06, 2018
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: Adoption	Tuesday, February 20, 2018
Water, Sewer and Solid Waste	Utility brochure finalized	Monday, February 19, 2018
Water, Sewer and Solid Waste	Utility bills mailed to residents	Friday, February 23, 2018
Year-end Preparations	BDO Interim Audit (3 days)	Monday, December 11, 2017
Year-end Preparations	Draft financial statements complete for BDO audit	Wednesday, April 11, 2018
Year-end Preparations	Audit package complete for BDO audit	Wednesday, April 11, 2018
Year-end Preparations	BDO commence audit (one week)	Monday, April 16, 2018
Year-end Preparations	Draft audited financial statements	Wednesday, April 25, 2018
Year-end Preparations	BDO presentation of the draft audited financial statements	Tuesday, May 8, 2018
Year-end Preparations	Council approval of the financial statements	Tuesday, May 8, 2018
Year-end Preparations	LGDE submission to Ministry	Tuesday, May 15, 2018
Year-end Preparations	Statement of Financial Information (SOFI) report to Ministry	Friday, June 29, 2018

The Village of Lions Bay

Finance Workplan 2018 - Preliminary

Deliverable	Item	Due
Fees Bylaw	Fees Bylaw - Review of Proposed Changes/1st & 2nd Reading	Tuesday, November 21, 2017
Fees Bylaw	Fees Bylaw - 3rd Reading	Tuesday, December 05, 2017
Five Year Financial Plan 2018-2022	Budget Schedule to Council	Tuesday, December 05, 2017
Year-end Preparations	BDO Interim Audit (3 days)	Monday, December 11, 2017
Fees Bylaw	Fees Bylaw - Adoption	Tuesday, December 19, 2017
Five Year Financial Plan 2018-2022	Preliminary Budget to Council	Tuesday, January 09, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, January 23, 2018
Water, Sewer and Solid Waste	Preliminary Water, Sewer and Solid Waste budget to Council	Tuesday, January 23, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, February 06, 2018
Water, Sewer and Solid Waste	Final Water, Sewer and Solid Waste budget to Council	Tuesday, February 06, 2018
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: 1st, 2nd and 3rd reading	Tuesday, February 06, 2018
Water, Sewer and Solid Waste	Utility brochure finalized	Monday, February 19, 2018
Five Year Financial Plan 2018-2022	Budget Presentations to Council	Tuesday, February 20, 2018
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: Adoption	Tuesday, February 20, 2018
Five Year Financial Plan 2018-2022	Start work on 5 Year Financial Plan	Wednesday, February 21, 2018
Water, Sewer and Solid Waste	Utility bills mailed to residents	Friday, February 23, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan to Council for review	Tuesday, March 06, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: First and second reading	Tuesday, March 20, 2018
Five Year Financial Plan 2018-2022	Public Presentation	Wednesday, March 28, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: Third reading	Tuesday, April 10, 2018
Property Taxes	Property Tax Rate Bylaw: First and second reading	Tuesday, April 10, 2018
Year-end Preparations	Draft financial statements complete for BDO audit	Wednesday, April 11, 2018
Year-end Preparations	Audit package complete for BDO audit	Wednesday, April 11, 2018
Year-end Preparations	BDO commence audit (one week)	Monday, April 16, 2018
Five Year Financial Plan 2018-2022	5 Year Financial Plan Bylaw: Adoption	Tuesday, April 24, 2018
Property Taxes	Property Tax Rate Bylaw: Third reading	Tuesday, April 24, 2018
Year-end Preparations	Draft audited financial statements	Wednesday, April 25, 2018
Property Taxes	Property Tax Rate Bylaw: Adoption	Tuesday, May 08, 2018
Quarterly Reviews	First Quarter Review to Council	Tuesday, May 08, 2018
Year-end Preparations	BDO presentation of the draft audited financial statements	Tuesday, May 08, 2018
Year-end Preparations	Council approval of the financial statements	Tuesday, May 08, 2018

The Village of Lions Bay

Finance Workplan 2018 - Preliminary

Deliverable	Item	Due
Fees Bylaw	Fees Bylaw - Review of Proposed Changes/1st & 2nd Reading	Tuesday, November 21, 2017
Five Year Financial Plan 2018-2022	Submission of 5 Year Financial Plan to Ministry	Tuesday, May 15, 2018
Year-end Preparations	LGDE submission to Ministry	Tuesday, May 15, 2018
Property Taxes	Property tax brochure finalized	Monday, May 21, 2018
Property Taxes	Property tax bills mailed to residents	Friday, May 25, 2018
Annual Report	Annual Report made available for public inspection	Monday, June 18, 2018
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 22, 2018
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 29, 2018
Year-end Preparations	Statement of Financial Information (SOFI) report to Ministry	Friday, June 29, 2018
Annual Report	Council to consider the Annual Report	Tuesday, July 03, 2018
Quarterly Reviews	Second Quarter Review to Council	Tuesday, September 04, 2018
Quarterly Reviews	Third Quarter Review to Council	Tuesday, November 06, 2018

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Encroachment Application – 85 Creekview Place		
Author	Naizam Jaffer	Reviewed By:	Peter DeJong
Date	October 31, 2017	Version	2
Issued for	November 7, 2017 Council Meeting		

Recommendation:

- (1) THAT the application for encroachments at 85 Creekview Place be approved subject to and in accordance with the following terms:
 - a. the applicant shall sign a standard licence of occupation with respect to the encroachment in substantially the form of Attachment (a) as prepared by the Village of Lions Bay indemnifying the Municipality from any and all liability and costs related to the driveway encroachment;
 - b. the applicant shall pay the sum of \$400 in accordance with Schedule 2 of Fees Bylaw No. 497, 2016, in respect of the encroachment application.

Attachments:

- (a) Draft Licence of Occupation for 85 Creekview Place

Key Information:

As Council is aware, staff will be reviewing the Village's encroachment policies and other relevant information in light of the perceived need of the municipality to protect and reclaim its rights of way. However, staff believes that this encroachment application needs to proceed for reasons of safety and security.

Maintaining access to the residences on the upslope side of Creekview Place is not possible without some form of retaining wall or structure along driveways. Likewise, any potential use of the highway right of way for Village purposes would also require significant retaining structures making it impractical and cost prohibitive for any potential use. There is a small portion of useable land at the toe of the slopes that might serve as a location for future pipe works (drainage, water, or future sanitary) and this is maintained as usable land in this application. In its current condition, the driveway access to the residence is unusable during



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

the winter months due to its steepness. The revised design will improve the slope, provide a partial hammerhead at the top of the driveway, and provide for off-street parking.

Options:

- (1) Deny the application for the driveway realignment encroachment as proposed;
- (2) Allow the application but require amendments to the plan or the conditions set out above, as seen fit by Council;
- (3) Allow the application in full as proposed, with the conditions as set out above.

Preferred Option: The preferred option is number 3, as indicated in the recommendations at the beginning of this report. Notwithstanding that staff has not yet had an opportunity to report back to Council on the larger issues pertaining to encroachments, this application does not impede the future installation of pipeworks or other infrastructure.

Legal Considerations: The applicant must sign a licence to occupy providing the Village with a six month notice period to terminate the agreement and request removal of the encroachment. It is not anticipated that we will ever need to rely upon this provision, or the provision allowing Council to shorten the notice period if necessary.

Follow Up Action: If approved, staff will follow up with the applicant for processing an encroachment covenant under Schedule 2 of Fees Bylaw No. 497, 2016.

Communication Plan: The applicant will be directly notified of Council's decision.

**HIGHWAY ENCROACHMENT AGREEMENT
(LICENCE TO OCCUPY)**

THIS AGREEMENT dated for reference the 7th day of February, 2017.

BETWEEN:

KIRK D. MOSES AND JNGE HALTINNER residing at 85 Creekview Place, Lions Bay BC, V0N 2E0

(hereinafter called the “**Licensee**”)

AND:

THE VILLAGE OF LIONS BAY, a municipal corporation, having offices at 400 Centre Road, Lions Bay BC, V0N 2E0

(hereinafter called the “**Village**”)

GIVEN THAT:

- A. The Village holds ownership and possession of highways lying and being in the Village of Lions Bay in the Province of British Columbia as per s. 35(1) of the *Community Charter*. The highway subject to this agreement is outlined in black as shown on the sketch plan in Schedule “A”

(the “**Road**”).

- B. The Licensee is the fee simple owner of those lands adjacent to the Road being in the Village of Lions Bay in the Province of British Columbia, more particularly known and described as:

PID: 005-159-083 Lot 9 Block 8 Plan 13431

(the “**Licensee’s Property**”).

- C. The Licensee wishes to encroach upon an area of the Road as outlined in black crosshatches on Schedule “A” to this agreement (the “**Licence Area**”).

- D. The Village has agreed that the Licensee may occupy the Licence Area for the purposes and on the terms and conditions herein set forth.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and covenants contained herein and sum of \$10.00 now paid by the Licensee to the Village and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Grant of Licence** – The Village, on the terms and conditions set forth herein, grants to the Licensee the non-exclusive right and licence (the “**Licence**”) to construct and maintain in good working order retaining walls as identified in Schedule “B” (the “**Proposed Structures**”) for only the Licensee and its permitted assigns and their servants, agents and invitees and for the Village and its successors and assigns and their servants, agents and invitees.
2. **Term and Renewal** – This Licence shall commence on the **7th day of November, 2017** (the “**Commencement Date**”), and shall terminate upon the occurrence of any of the circumstances detailed in section 3, unless otherwise agreed in writing by the Village.
3. **Termination**
 - (a) This Licence does not create any interest in property and is exclusively for the benefit of the Licensee. The Licence will automatically terminate upon any of the following occurrences:
 - (i) the Licensee disposing of the Licensee’s Property by sale, agreement for sale or lease;
 - (ii) the Proposed Structures being torn down, removed, or replaced;
 - (iii) at any time upon the Licensee providing written notice to the Village; or
 - (iv) at any time upon the Village providing at least 6 months written notice of termination to the Licensee.
 - (v) where the Council of the Village considers that, in its sole discretion, the interest of the public in the highway on which the Encroachment Area lies makes it necessary or advisable, or in the case of an emergency, the Council may shorten the time limits in this section.
 - (b) The Licence may be cancelled or terminated despite any rule of law or equity to the contrary in accordance with any of the following provisions:
 - (i) if the Licensee defaults in the observance or performance of any of the terms and conditions contained in this Licence and the Licensee fails to cure such default(s) within 30 days after written notice from the Village then the Village will be entitled to terminate the Licence without limiting the Village’s other remedies at law or at equity; and
 - (ii) if the default under subsection (i) reasonably requires more time to rectify or cure than 30 days, the Licensee will be deemed to have complied with the rectification or curing of it if the Licensee commences rectifying or curing the default within 30 days after notice from the Village and diligently completes same as soon thereafter as is reasonably practical.

All of the Licensee's obligations under this Licence that are outstanding on the date that this Licence is terminated will survive the termination of this Agreement. For certainty, the Licensee's obligations to release and indemnify the Village shall survive the termination of this Agreement, but only in respect of events occurring before termination of this Agreement.

4. **License Fee** - The Licensee shall pay to the Village in advance a license fee in accordance with Schedule 2 of Fees Bylaw No. 497, 2016 (the "**License Fee**").
5. **Powers** – For the purposes of the Licence herein, the Licensee and its servants, agents and invitees shall have the right to:
 - (a) use the Licence Area;
 - (b) have unobstructed access to and from the Licence Area at any and all times;
 - (c) clear the Licence Area and keep it clear of anything which might in the opinion of the Licensee, acting reasonably, constitute an obstruction to the use of the Licence Area by the Licensee; and
 - (d) do all other things on the Licence Area as may be reasonably necessary, desirable and incidental to the use of the Licence Area.
6. **Village May Access and May Undertake Work** – The Village shall have free access to all parts of the Licence Area. The Village is not required to give any notice to repair the Road or the Licence Area.
7. **No Other Improvements** – The Licensee will not, without the prior written consent of the Village, construct, install, affix, place or store or permit the construction, installation, affixing, placing or storage of any buildings, structures, works, improvements, fencing, or materials on any part of the Licence Area.
8. **Use** – The Village will at all times have a priority right to use and occupy any portion or all of the Licence Area, without notice, in order to access other portions of the Road, or the Licensee's property, or to carry out any public service or responsibility that requires use of or access to the Licence Area.

The Licensee acknowledges and agrees that, by granting this Agreement, the Village is not accepting any responsibility for the Licensee's use of the Licence Area. The Licensee shall use best efforts to cause a minimum of obstruction and inconvenience in the Licence Area.

9. **Site Clean-up** – Upon termination of this Licence, the Licensee will leave the Licence Area in a tidy condition, and the Licensee, if required by the Village in its sole discretion, shall remove all personal property belonging to the Licensee within 60 days after termination of this Agreement. Any personal property not removed by the Licensee shall become the absolute property of the Village free of all encumbrances, without payment of any compensation to the Licensee.

10. **No Waste or Nuisance** – The Licensee will not commit or allow any wilful or voluntary waste or destruction of the Licence Area, or do anything that may become a nuisance or annoyance to other occupiers of the Road or adjoining lands. The Licensee will not stockpile or burn any materials on the Licence Area.
11. **Compliance with Laws** – The Licensee will at all times during the currency of this Licence use the Licence Area in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or local government laws or statutes or bylaws relating to environmental matters, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws.
12. **Assignment** – Except as expressly set out herein, the rights granted to the Licensee under this Agreement may not be sublicensed, assigned, or otherwise transferred. The Licensee may assign its interest under this Licence with the prior written consent of the Village, such consent not to be unreasonably withheld or delayed.
13. **Risk** – The Licensee accepts the Licence Area on an as-is basis and agrees that it will use the Licence Area at its own risk, and that the Village will not be liable in respect of any loss of life, personal injury, damage to property or loss of property suffered by the Licensee, its servants, agents, or invitees arising out of this Agreement or its or their use and occupation of the Licence Area.
14. **Indemnity** – The Licensee hereby indemnifies and saves harmless the Village, its officers, directors, elected officials, employees and agents from and against any and all losses, claims, costs, expenses, damages and liabilities, causes of action, suits and judgments including all costs of defending or denying the same, and all costs of investigation, monitoring, remedial response, removal, restoration or permit acquisition and including all solicitor's fees and disbursements in connection therewith which at any time may be paid or incurred by or claimed against the Village, its officers, directors, elected officials, employees, agents and invitees arising, directly or indirectly, out of:
 - (a) the uses of the Licensee under this Licence;
 - (b) a breach by the Licensee of any of the covenants contained in this Licence;
 - (c) any wrongful act or neglect of the Licensee on or about the Licence Area;
 - (d) any damage to property related to the Licensee's use and occupancy of the Licence Area;
 - (e) the death of or injury to any person arising out of or in any way connected with, directly or indirectly, the Licensee's use and occupancy of the Licence Area.

This section does not apply to liabilities, damages, costs, claims, suits or actions arising out of the gross negligence or wilful misconduct of the Village, its agents, servants, employees or contractors.

15. **Insurance** – The Licensee shall obtain and keep in force throughout the existence of the Licence insurance naming the Village as an additional insured and protecting the Village and the Licensee (without any rights of cross-claim or subrogation against the Village) against claims by any person, including any member of the public using the Road, for personal injury, death, property loss or damage, and third party liability or public liability claims arising from any accident or occurrence on the Road or other loss relating to the Licensee's use of the Road to an amount of not less than Two Million (\$2,000,000.00) Dollars per occurrence (the “**Insurance Policy**”).
- (a) The Insurance Policy shall provide that it is not terminable or alterable without the giving of 30 days' written notice to the Village.
 - (b) At the time of execution of this Licence, the Licensee shall deliver to the Village a copy of the Insurance Policy or an insurance binder or note evidencing that the Licensee has obtained the Insurance Policy on the terms set out herein.
 - (c) At any time during the Term of this Licence the Village may require the Licensee to provide evidence to it that the Insurance Policy is valid and in full effect.
16. **Breach** – In the event that the Licensee breaches any term, condition, or provision of this Agreement, the Licensee shall remedy the breach within 30 days of receipt of a notice from the Village and if the breach is not remedied within that time period, all rights accruing to the Licensee under this Agreement shall cease without further notice to the Licensee, unless the Village, in its sole discretion, decides otherwise.
17. **Village May Take Action** – If the Licensee fails to do any matter required of them under this Agreement, the Village is entitled to take all such actions on the Licensee's behalf and at the Licensee's cost as are reasonably necessary to rectify the Licensee's failure, but the Village is in no circumstance liable for not taking such action or its manner of doing so, provided that the Village acts reasonably. The Licensee shall pay to the Village the costs the Village incurs pursuant to this provision forthwith upon receipt of an invoice.
18. **General**
- (a) This Agreement will enure to the benefit of and be binding upon the Licensee and its successors, administrators and approved assigns and upon the Village and its successors, administrators and assigns.
 - (b) Every reference to each party is deemed to include the heirs, executors, administrators, corporate successors, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or permits.
 - (c) Wherever the singular or masculine or neuter is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
 - (d) The Schedules attached to this Agreement form part of this Agreement.

- (e) This Agreement constitutes the entire agreement between the parties and no understanding or agreement, oral or otherwise, exists between the parties with respect to the subject matter of this Agreement except as expressly set out in this Agreement, and this Agreement may not be modified except by subsequent agreement in writing between the parties.
- (f) Time is of the essence of this Agreement.
- (g) The section headings have been inserted for reference only and do not define, limit, alter or enlarge the meaning of any provision of this Agreement.
- (h) The Licensee's use of the Licence Area will under all circumstances be viewed as a licence only and will not create nor be deemed to create any property interest in favour of the Licensee in the Licence Area.
- (i) This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.
- (j) Nothing contained or implied in this Agreement shall fetter in any way the discretion of the Village or the Council of the Village. Further, nothing contained or implied in this Agreement shall derogate from the obligation of the Licensee under any other agreement with the Village or, if the Village so elects, prejudice or affect the Village's rights, powers, duties or obligation in the exercise of its functions pursuant to the *Community Charter* or the *Local Government Act*, as amended or replaced from time to time, or act to fetter or otherwise affect the Village's discretion, and the rights, powers, duties and obligations of the Village under all public and private statutes, by-laws, orders and regulations, which may be, if the Village so elects, as fully and effectively exercised in relation to the Road as if this Agreement had not been executed and delivered by the Licensee and the Village.

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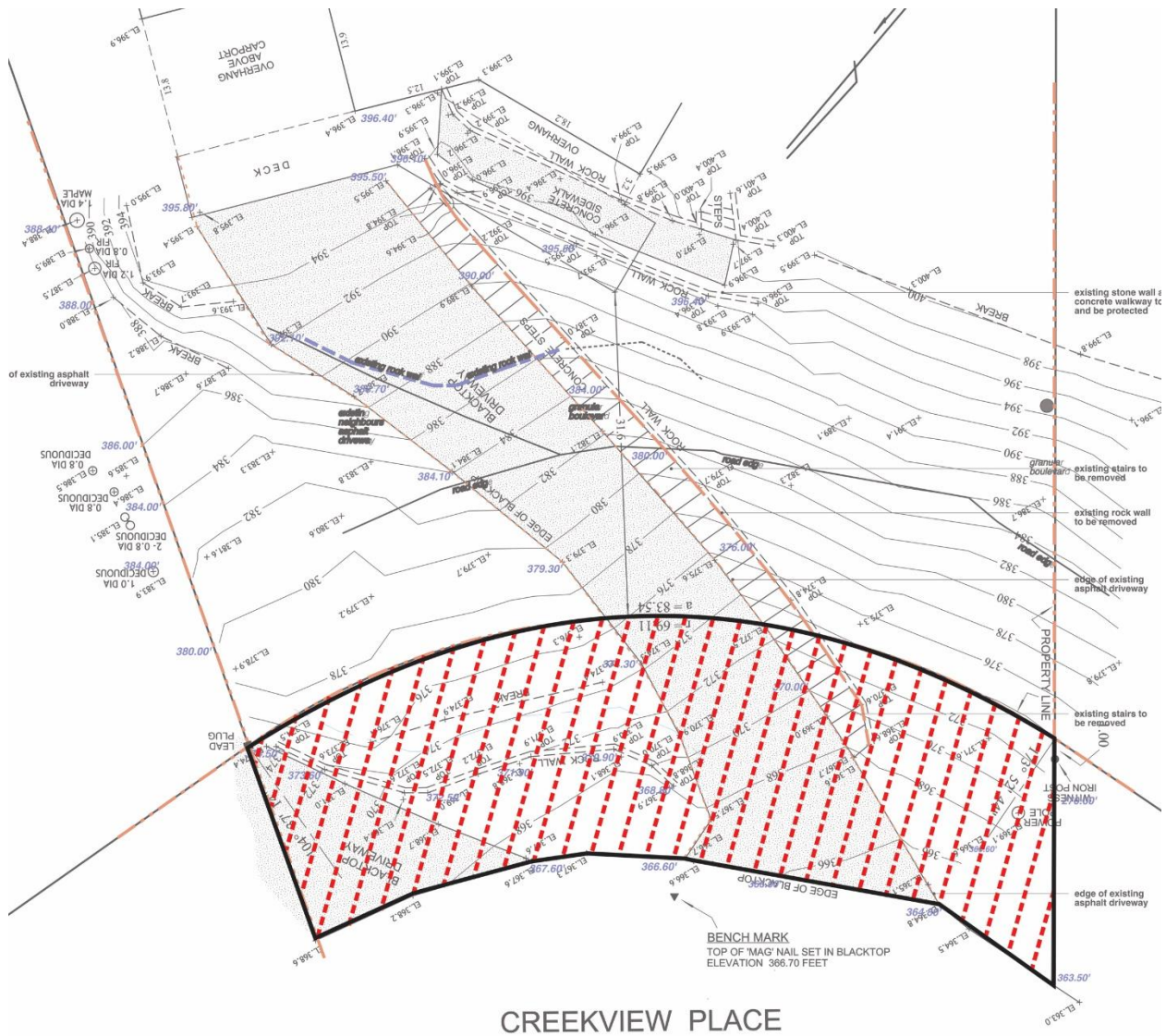
IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

Village of Lions Bay)
by its authorized signatories:)
)
)
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)
_____)
Mayor)
)
)
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_____)
Corporate Administrator)

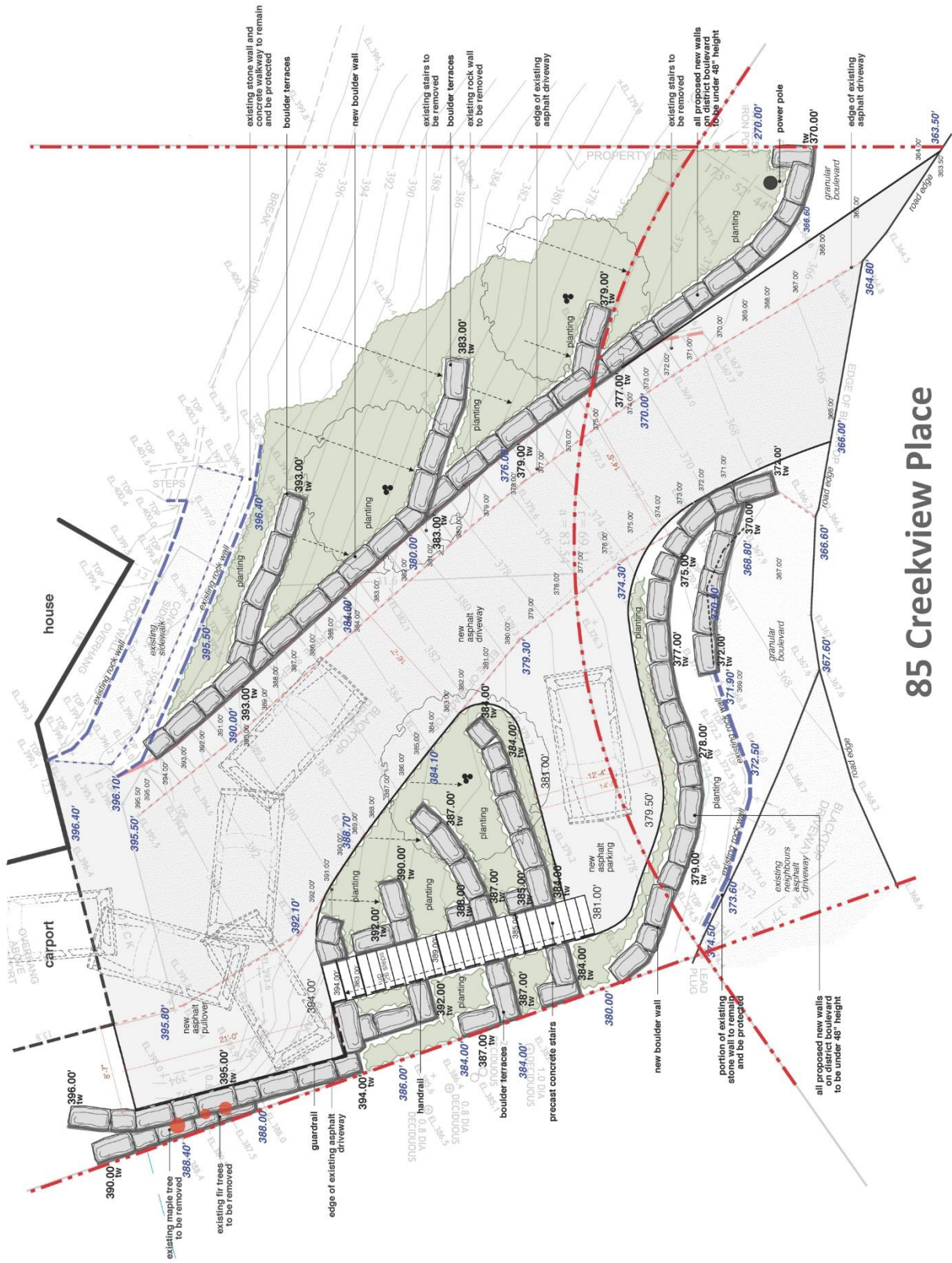
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SCHEDULE A
SKETCH PLAN OF ROAD AND LICENSE AREA



SCHEDULE B PROPOSED STRUCTURES



85 Creekview Place

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	CWWF Project Status Update		
Author	Nai Jaffer	Reviewed By:	Peter DeJong
Date	November 2, 2017	Version	1
Issued for	November 7, 2017 Regular Council Meeting		

Recommendation:

THAT the Information Report, "CWWF Project Status Update" be received.

Attachments:

(1) CWWF Project Schedule Revision 2 dated October 30, 2017.

Key Information:

The Village of Lions Bay was awarded a CWWF grant for the replacement of four of its aging concrete water storage tanks with new steel and glass-lined tanks.

The Municipality tendered the design and project management through a request for proposal (RFP) which was issued on April 6, 2017. As part of the design process, the RFP included a review of the Municipality's water storage requirements, firefighting flow requirements, infrastructure redundancy, and lifecycle cost analysis in order to determine the optimal number and configuration of the new tanks.

Key Project Milestones and Issues:

Project Award:

The RFP closed on May 2, 2017 and three proposals were received. After a thorough and detailed analysis of the proposals, staff recommended Council award the project to AECOM at the May 16, 2017 Regular Meeting of Council. AECOM was notified of the project award the following morning. AECOM's initial project schedule was based on an award date of May 10, 2017.

Water Model Inconsistencies:

Initial review of the water model versus actual flows resulted in inconsistencies that compromised some of the design works. The Municipality's initial data set used to



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calibrate the water model were erroneous. In order to correctly calibrate the model, transient fire hydrant testing was required to ensure the determination of whether to replace or eliminate the Highway Tank was accurate. Coordination of this testing and revisions to the pre-design reports required additional time to complete.

Steel vs Concrete:

During the predesign process, the initial lifecycle costing analysis and review identified conventional and pre-stressed concrete as better long term options for the Municipality. This information was presented to the Infrastructure Committee who recommended that Council move forward with the use of conventional or pre-stressed concrete in order to ensure the best priced solution is available to the Village when evaluating tenders. Both steel and pre-stressed tank designs are prepared by the respective manufacturers of these products; however, the use of conventional concrete necessitated additional design work over and above the original project scope.

Magnesia Tank Fire Flow Analysis:

During the pre-design process a review of the fire flow requirements at the Lions Bay Community School highlighted a deficiency in the fire storage capacity in the Magnesia Creek water tank. The report further identified that the Harvey Tank could be upgraded to include this additional fire flow storage capacity and the water system reconfigured to make use of this additional supply. This was discussed and reviewed by the Infrastructure Committee and a recommendation made that Council approve this option. The option resulted in additional modeling and review.

Additional Geotechnical Reviews

Once the decision to replace the Highway tank was made, AECOM was asked to review options that included the undergrounding of this tank to remove the visual obstruction to resident views. This resulted in additional geotechnical works that were not included in the overall project design.

Preliminary geotechnical investigations at the Harvey Creek Tank site did not locate bedrock at the east end of the existing site. In order to meet the latest seismic design criteria as well as to provide accurate information for the tendering process, additional geotechnical investigation in the form of ground penetrating equipment was brought in to map the subgrade around the tank.



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Village Staff and Committee Review

The Municipality's limited staff resources and reliance upon community volunteers in the form of the Infrastructure Committee have resulted in scheduling delays. For example, AECOM's schedule allowed five days for the Village to review the Pre-Design Report, Technical Memorandum, and the 60% Design Submissions; however, the Village required 15 days to complete these reviews.

Although none of these items on their own put the schedule behind substantively, each has contributed to the revised rescheduling and tendering timeline. From the onset of this project AECOM was advising of tight project timelines and the likelihood that an extension would be required. We are now at the point where 40% of the project's timeline and expenditure are set to be completed after the March 31 CWWF deadline.

While we could put tighter timelines in the tender documents, this would result in inflated costs from potential bidders. To this end we have submitted an extension request to CWWF administrators and await a response.

Adding to this time crunch is the fact that this winter is projected to be colder than normal with snowfall similar to last year. This will impact all of the CWWF projects in BC and likely lead to increased costs across the board as we are not the only ones facing tight timelines.

Follow Up Action:

Staff will check back with the CWWF administrators in due course as to the status of our extension request.

Communication Plan:

Project signage will be installed as soon as delivered in the next week or so.

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Minutes of the Tree Committee meeting

October 17th, 2017

On-site @ 20 Kelvin Grove Way

1. In attendance; Chair, Simon Waterson, Ron McLaughlin, Tony Clayton, Jim Cannell and Michael Jury.
2. The meeting was called to order at 09:31am.
3. Simon Waterson was appointed Recorder for the meeting.
4. The Agenda was approved unanimously.
5. Public Participation – owner of # 30 Kelvin Grove Way
 - He was enquiring about protocol for removing trees on village land.
6. The previous minutes from the meeting dated 2nd June 2017 were approved unanimously.
7. Old Business; None.
8. New Business;
 - *Tree Application #80 – 20 Kelvin Grove Way – moved by Ron McLaughlin, seconded by Simon Waterson, that as was mentioned by the public works department and the village office, the applicant may top the trees mentioned in the application. The trees should be trimmed following the downward slope, parallel to the land.*
 - No trees may be trimmed or cut within #55 Kelvin Grove Way. The applicant should take care and attention to avoid any damage, when cutting or trimming any trees nearby their neighbour at #10 Kelvin Grove Way. All wood and debris should be removed.*
9. Adjournment; - The meeting adjourned at 09:58am.

Simon Waterson

Recorder

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Fisheries and Oceans
Canada

Pêches et Océans
Canada

Pacific Region
Suite 200 – 401 Burrard Street
Vancouver, British Columbia
V6C 3S4

Région du Pacifique
Péce 200 – 401 rue Burrard
Vancouver (C.-B.)
V6C 3S4

September 21, 2017

Dear stakeholder,

In 2014, the Department of Fisheries and Oceans embarked on a consultation process to protect nine glass sponge reefs in the Strait of Georgia and Howe Sound through a process called the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative*. In 2015, fishery closures were put in place to protect these nine glass sponge reefs from all bottom contact fishing activities including aboriginal fisheries for Food, Social and Ceremonial purposes.

During the 2014 consultation process, 13 additional sponge reefs were brought to the Department's attention by the Marine Life Sanctuaries Society (MLSS) (Attachment 1.) At the time, it was decided that consultations would proceed on the original nine reefs while the new reefs would be set aside for further research and consideration. Since that time, DFO has initiated work in partnership with MLSS and other groups to gain a better understanding of the location of the new reefs (Attachment 2) and their biological composition.

Although a final report from DFO Science is pending, DFO has concluded that these additional 13 reefs are biologically significant enough to warrant a precautionary management approach and are asking the public to voluntarily avoid fishing in these areas with bottom contact fishing gear until further research and consultation with First Nations and stakeholders can occur. Bottom contact fishing gear includes crab by trap; shrimp by trap; prawn by trap; shrimp by trawl; scallop by trawl; and groundfish by trawl, hook & line, and trap.

Further research will be completed over the coming months with consultations anticipated in Winter 2017. For your information, I have also provided a *Management Update Report* on the management activities DFO has taken since the establishment of the original nine reefs (Attachment 3).

If you have any questions or would like further information on the Strait of Georgia and How Sound Glass Sponge Reef Conservation Initiative, please visit Canada.ca/glass-sponge-closure or contact Aleria Ladwig at Aleria.ladwig@dfo-mpo.gc.ca.

Sincerely,

Aleria Ladwig
Ecosystems Approach Officer
Fisheries and Oceans Canada

Canada

Attachments:

- 1. Map showing newly identified sponge reefs in Howe Sound**
- 2. Table showing Latitudes and Longitudes of reefs where DFO is requesting voluntary avoidance**
- 3. Strait of Georgia and Howe Sound Conservation Initiative: Management Update Report, August 2017**

Map showing newly identified sponge reefs in relation to existing Sponge Reef Conservation Areas and Rockfish Conservation Areas in Howe Sound.

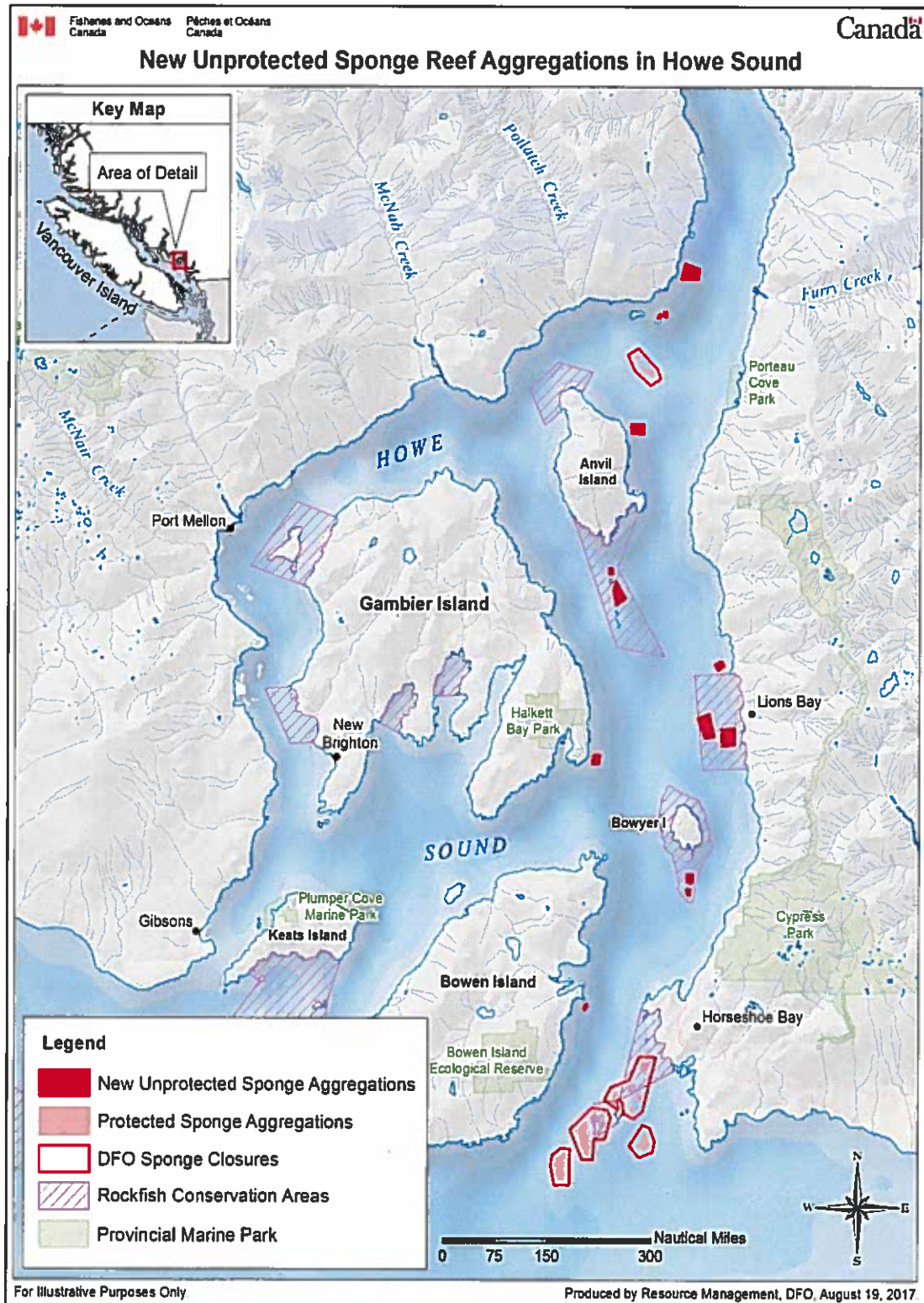


Table 1

Latitude and Longitudes for newly identified sponge reefs in Howe Sound. DFO is asking the public to voluntarily avoid these areas with all bottom contact fishing gear until further scientific analysis and consultations regarding protection measures can occur.

Defence Islands/Ellsemere Creek					
D1-a: Ellsemere Creek bioherm (dead)		D1-b: East Defence Island		D1-c: East Defence Island pinnacle	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
49°35.572'N	123°15.635'W	49°34.639'N	123°16.281'W	49°34.630'N	123°16.449'W
49°35.293'N	123°15.763'W	49°34.653'N	123°16.213'W	49°34.663'N	123°16.366'W
49°35.281'N	123°15.283'W	49°34.728'N	123°16.243'W	49°34.687'N	123°16.422'W
49°35.472'N	123°15.243'W	49°34.713'N	123°16.313'W	49°34.641'N	123°16.481'W
Anvil Island					
A1-a Clayton bioherm		A1-b: North Christie		A1-c: Lost Reef	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
49°32.756'N	123°17.356'W	49°30.208'N	123°18.156'W	49°29.812'N	123°18.043'W
49°32.607'N	123°17.353'W	49°30.118'N	123°18.133'W	49°29.559'N	123°17.970'W
49°32.581'N	123°17.009'W	49°30.116'N	123°18.040'W	49°29.660'N	123°17.701'W
49°32.749'N	123°16.992'W	49°30.208'N	123°18.070'W	49°29.958'N	123°17.961'W
Lions Bay					
LB-a: Brunswick bioherm		LB-b: Lions Bay Seamount		LB-c: Kelvin Grove Seamount	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
49°28.324'N	123°15.062'W	49°27.126'N	123°15.512'W	49°26.973'N	123°15.028'W
49°28.397'N	123°14.886'W	49°27.145'N	123°15.243'W	49°26.981'N	123°14.676'W
49°28.475'N	123°14.959'W	49°27.543'N	123°15.379'W	49°27.270'N	123°14.660'W
49°28.420'N	123°15.154'W	49°27.481'N	123°15.688'W	49°27.260'N	123°15.016'W
Halkett Point, Gambier Island		South Bowyer Island			
HP: Halkett West Pinnacle		SB-a: South Bowyer		SB-b: Southern-South Bowyer	
Latitude	Longitude	Latitude	Longitude	Latitude	Longitude
49°26.747'N	123°18.825'W	49°24.715'N	123°16.158'W	49°24.352'N	123°16.156'W
49°26.740'N	123°18.658'W	49°24.586'N	123°16.162'W	49°24.357'N	123°16.112'W
49°26.887'N	123°18.598'W	49°24.567'N	123°16.021'W	49°24.448'N	123°16.095'W
49°26.884'N	123°18.790'W	49°24.703'N	123°16.0074'W	49°24.449'N	123°16.185'W
Dorman Point, Bowen Island					
DP: Dorman Point bioherm					
Latitude	Longitude				
49°22.481'N	123°19.241'W				
49°22.416'N	123°19.311'W				
49°22.384'N	123°19.292'W				
49°22.452'N	123°19.209'W				

Management Update Report

August 2017

One of the messages Fisheries and Oceans Canada (DFO) heard during the 2014 consultation process for the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative* was the need for ongoing management of conservation closures once established.

Stakeholders, including the environmental and fishing sectors, stated the need for better enforcement and scientific monitoring to ensure the biological objectives of conservation closures are achieved. This *Management Update Report* provides a brief overview of the management actions DFO has taken since the Strait of Georgia and Howe Sound glass sponge reef closures were established.

Education and Awareness

DFO has embarked on a number of activities to ensure the public is informed about the new glass sponge reef closures. Actions DFO has taken include:

- The establishment of a dedicated web page for the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative*, which can be found at: canada.ca/glass-sponge-closures
- The development and posting of eight alupanel interpretive signs in partnership with the Canadian Parks and Wilderness Society and a number of marinas. These signs can be found at the following locations:
 - Gibsons Landing Harbour Authority
 - Gibsons Marine Education Centre
 - Sewell's Marina in Horseshoe bay
 - Thunderbird Marina in West Vancouver
 - French Creek Harbour Authority (near Parksville)
 - Nanaimo Marina (Nanaimo Port Authority)
 - Whaler Bay Harbour Authority – Whaler Bay (south end of Galiano)
 - Steveston Harbour Authority – Gulf of Georgia (Fisherman's Wharf)
 - False Creek Harbour Authority
 - Deep Bay Harbour Authority (near Bowser/Hornby Island)
- In support of a request made by the Sechelt First Nation during consultations, DFO worked in partnership with the Sechelt Band Office on the development of a custom made sign designed to educate the public about the reefs in their traditional territory.
- Developed 2500 waterproof brochures for Conservation and Protection (C&P) officers to hand out during patrols.
- Developed 3000 non-waterproof brochures for distribution at DFO offices and other distribution locations.
- Developed 500 posters for various public events.

- Posted two Fishery Notices to remind fishers about the closures, and participated in three media events including 1 interview and two newspaper articles.
- Partnered with the Sport Fishing Institute to include the sponge reef closures on the Fishing BC app.

Enforcement

To ensure the Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative closures are enforced, DFO has:

- Developed an internal *DFO Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative Enforcement Working Group*.
- Developed a DRAFT *DFO Strait of Georgia and Howe Sound Glass Sponge Reef Conservation & Protection Compliance Plan* which outlines the different strategies, offices and tools used to ensure the closures are being enforced. This plan is nearing completion and will be posted on the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative* web page in the coming months.
- Developed a DRAFT annual reporting template which will share the observations and results of the C&P efforts over the past calendar year. This report will be posted annually on the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative* web page.

Scientific Monitoring

Since the establishment of the Strait of Georgia and Howe Sound Glass Sponge Reef closures, DFO Science has:

- Completed a working paper in March 2017 on the baseline status and monitoring of the glass sponge reefs that was peer reviewed through a formal Canadian Science Advisory Secretariat (CSAS) process. The title of this working paper is: *Glass Sponge Reefs in the Strait of Georgia and Howe Sound: Status Assessment and Ecological Monitoring Advice*. This SAR is online and available here: http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2017/2017_026-eng.html. The ResDoc is now complete and is in the process of being published by the CSAP office.
- Will be collaborating on a Fisheries Management led initiative to develop a long term monitoring plan in 2018.

Measures taken to date will continue to be discussed and adjusted as necessary through DFO's enforcement and monitoring working groups. DFO is committed to taking the necessary steps to ensure the biological objectives of the *Strait of Georgia and Howe Sound Glass Sponge Reef Conservation Initiative* are achieved.

Howe Sound Marine Reference Guide Summary Ocean Watch Task Force October 2017

i. Background

The Ocean Watch Task Force was formed in June 2017 by members of the Howe Sound Community Forum (HSCF). Task Force members are elected officials and staff representatives of the HSCF member communities. The Task Force has a mission to advance the implementation of action items outlined in the [Ocean Watch – Howe Sound Edition](#). To achieve this goal, the Task Force will provide recommendations to Howe Sound's local governments to support initiatives and projects that further marine ecosystem protection and ocean health. This document will outline one such project proposal.

ii. The Howe Sound Marine Reference Guide

Action 1 in the Ocean Watch – Howe Sound Edition [Executive Summary](#) is to create a marine guide for Howe Sound that pulls together information on the region's marine ecosystem. This guide will be a non-binding informative tool that will help Howe Sound develop into an international leader in marine sustainability.

The Howe Sound Marine Reference Guide will use scientific, indigenous, and local knowledge to identify areas of significant ecological and human value. It will consist of an interactive map accompanied by narrative documentation, education resources, and media. It will be a unified resource on marine data for planning and decisions by all government levels and community groups, and will support collaborative management and stewardship of the region's marine ecosystems.

The information will be openly accessible, subject to privacy concerns, and is intended to be used by local governments and First Nations to support zoning and marine planning, official community planning, and by community groups to strategize stewardship initiatives. However, it alone will hold no authority beyond providing data and recommendations.

Data collection for this project will involve workshops, meetings, interviews, field work, and surveys. Part of this knowledge gathering has already occurred through the work of the Coastal Ocean Research Institute and the David Suzuki Foundation. Their data on spatial attributes of Howe Sound, and ecosystem, recreation, cultural, economic, spiritual, and conservation values associated with Howe Sound's marine habitats will be a valuable resource for the Howe Sound Marine Reference Guide to use and build off of.

iii. West Coast Aquatic's Marine Ecosystem Reference Guide: an existing template for Howe Sound's Project

The Ocean Watch Task Force suggests that to better understand this project proposal, local governments familiarize themselves with West Coast Aquatic's Marine Ecosystem Reference Guide (MERG): marineguide.ca.

WCA's MERG is an interactive map developed to support decision-making and integrated ecosystem-based management on the west coast of Vancouver Island. MERG provides hundreds of data layers on ecosystems, marine resources, human activities, conservation needs, and social systems within the Barkley and Clayoquot Sound regions. It divides each region into marine units, which are based on administrative boundaries, biophysical characteristics, and common uses and activities. Each marine unit is accompanied by documentation that provides recommendations on suitable uses and activities, as well as each unit's vulnerability to stressors.

This model will provide a useful framework that the Howe Sound Marine Reference Guide can build off of.

iv. Financial breakdown

The projected budget for this initiative is approximately \$200,000 per year over the course of three years. Funding sources may include local, provincial, and federal governments, First Nations, supporting NGOs, and private funders.

To help acquire external funding, local governments are asked to give their official support to the project, and to participate in a cost-share of \$20,000/year, which will be shared amongst participating local governments. The task force is recommending a three-year commitment from local governments to provide a sound baseline for the large financial requests to non-governmental granting organizations for this project.

To help understand each community's potential contribution to this project, the Ocean Watch Task Force asks the HSCF member communities **to determine the worth of this tool to their community, and the financial contribution they are willing to make towards it**. Following these determinations, member communities of Howe Sound can construct a cost-share breakdown.

RECOMMENDATION TO THE HOWE SOUND COMMUNITY FORUM MEMBERS

"That the Task Force recommends to the Howe Sound Community Forum ("Forum") that its members endorse the preparation of the Howe Sound Marine Reference Guide ("Guide") and that the Forum members communicate this endorsement to their respective local governments with a request for a

financial commitment to cost-share a regional total of \$20,000.00 per year for three years as the local government contribution to the production of the Guide."

Ocean Watch Task Force Monetary breakdown for Howe Sound Marine Reference Guide

Project timeline	3 years
Annual project budget	\$200,000 / year
Total project budget	\$600,000
Annual LG budget	\$20,000/ year
Total LG budget	\$60,000

Population estimates are obtained from Canadian Census data:

<http://www.bcstats.gov.bc.ca/StatisticsBySubject/Census/2016Census/PopulationHousing/CensusSubdivisions.aspx>

Scenarios for breaking down annual Local Government financial contribution

Scenario A*

Local Government	Area Type	Population	Ppltn % Contribution to Regional %	Annual financial contribution
Bowen Island	IM	3680	8.71	1742.80
Gibsons	T	4605	10.90	2180.86
Lions Bay	VL	1334	3.16	631.76
Sunshine Coast Area F	RDA	1743	4.13	825.46
Squamish	DM	19512	46.20	9240.61
Squamish-Lillooet D Islands Trust Local Trust Committee	RDA	1057	2.50	500.58
		300	0.71	142.08
Metro Vancouver Electoral Area A**	RDA	1000	2.37	473.59
West Vancouver**	DM	9000	21.31	4262.27
Total		42231	100	20000

Scenario B***

Local Government	Area Type	Population	Ppltn % Contribution to Regional %	Annual financial contribution
Bowen Island	IM	3680	4.05	810.24
Gibsons	T	4605	5.07	1013.90
Lions Bay	VL	1334	1.47	293.71
Sunshine Coast Area F	RDA	1743	1.92	383.76

Squamish	DM	19512	21.48	4296.05
Squamish-Lillooet D	RDA	1057	1.16	232.72
Islands Trust Local Trust Committee		300	0.33	66.05
Metro Vancouver				
Electoral Area A	RDA	16133	17.76	3552.08
West Vancouver	DM	42473	46.76	9351.48
Total		90837	100	20000

*This scenario depicts each government's contribution based on population estimates for Howe Sound

**Please note the population amount for Metro Vancouver Electoral Area A and West Vancouver are estimates based on the Biosphere Working Group assessment and need to be confirmed with data.

***This scenario depicts each government's contribution based on population estimates for whole municipality, regional district etc.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Bylaw Notice Enforcement Bylaw Amendments		
Author	Peter DeJong	Reviewed By:	
Date	November 1, 2017	Version	1
Issued for	November 7, 2017 Regular Council Meeting		

Recommendation:

THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017 be adopted.

Attachments:

- (1) Draft Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017;
- (2) Draft Consolidation of Bylaw Notice Enforcement Bylaw No. 385, 2006.

Key Information:

Bylaw Notice Enforcement Bylaw No. 385, 2006 had not been updated after adoption of the new Zoning Bylaw and amendments to the Building Bylaw and the Traffic and Parking Bylaw earlier this year. Bylaw 533 addresses this and includes a couple of small increases to the fines for parking infractions.

Options:

- (1) Approve the recommended resolution;
- (2) Rescind third reading, amend, and re-read a third time;
- (3) Alternatively, rescind third reading and re-read at a future meeting.

Preferred Option: Option 1.

Follow Up Action: In accordance with Council's resolution.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017

Adopted: November __, 2017

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Bylaw No. 533, 2017

Bylaw Notice Enforcement Bylaw Amendment

A bylaw to amend of Bylaw Notice Enforcement Bylaw No. 385, 2006

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 533, 2017".
2. Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended, is hereby amended as follows:
 - (a) Schedule A to Bylaw No. 385, as enacted by Bylaw No. 495, is amended by adding the following to the provisions dealing with contraventions of Building Bylaw No. 234, 1994, as amended:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
234	10.1	Secondary Suite contrary to bylaw requirements	475	450	500	YES

- (b) Schedule A to Bylaw No. 385, as enacted by Bylaw No. 495, is amended by striking the existing penalty amounts and replacing them with new penalty amounts for the following provisions dealing with contraventions of Traffic and Parking Bylaw No. 413, 2009, as amended:

Bylaw Notice Enforcement Bylaw No. 385, 2006,
Amendment Bylaw No. 507, 2016

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
TRAFFIC AND PARKING BYLAW NO. 413, 2009						
413	8(2)	Interfere with traffic control device	\$300	\$200	\$400	NO
413	10 (a)	Park in contravention of a traffic control device	\$65	\$50	\$80	NO
413	10 (h)	Park without permit for zone	\$65	\$50	\$80	YES
413	10 (k)	Park more than 72 hours	\$55	\$40	\$70	NO

(c) Schedule A to Bylaw No. 385, as enacted by Bylaw No. 495, is amended by striking and replacing all references to Zoning Bylaw No. 362, 2004 with the following table referencing Zoning and Development Bylaw No. 520, 2017:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
ZONING AND DEVELOPMENT BYLAW NO. 520, 2017						
520	3.2	Non-compliance with bylaw	\$300	\$250	\$350	NO
520	4.3	Use prohibited in all zones	\$475	\$450	\$500	NO
520	4.3.7	Short-term rental without a Temporary Use Permit	\$475	\$450	\$500	NO
520	4.5	Accessory building, structure or use not permitted	\$400	\$350	\$450	NO
520	4.10	Fence or retaining wall contrary to bylaw	\$300	\$250	\$350	NO
520	4.11	Visibility obstruction contrary to bylaw	\$250	\$200	\$300	NO
520	4.12	Home-based business contrary to conditions	\$300	\$250	\$350	YES
520	4.13-4.14	Off-street parking requirements not met	\$350	\$300	\$400	YES
520	4.15	Parking and storage of commercial or industrial vehicles, equipment, or materials contrary to bylaw	\$475	\$450	\$500	NO

READ A FIRST TIME	this	17 th	day of	October,	2017
READ A SECOND TIME	this	17 th	day of	October,	2017
READ A THIRD TIME	this	17 th	day of	October,	2017
ADOPTED	this	—	day of	November,	2017

Bylaw Notice Enforcement Bylaw No. 385, 2006,
Amendment Bylaw No. 507, 2016

Page 5

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 533, 2017 as adopted.**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Bylaw Notice Enforcement Bylaw No. 385, 2006

Office Consolidation

This document is an office consolidation of Bylaw Notice Enforcement Bylaw No. 385, 2006 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Bylaw Notice Enforcement By-law No. 385, 2006 as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: admin@lionsbay.ca

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VILLAGE OF LIONS BAY
Bylaw No. 385, 2006

List of Amending Bylaws

Bylaw No.	Section	Description	Adopted
415	1 2 3	Amends s.9.2 re. designated classes of persons that may be appointed as screening officers Amends s.11.1 re. RCMP as police force Replaces Schedule A	July 21, 2009
434	Sched A	Replaces Schedule A	June 20, 2011
492	Sched A	Replaces Schedule A	June 2, 2015
495	Sched A	Replaces Schedule A	July 7, 2015
507	2(a) 2(b)	Amends penalties under Bylaw No. 428 (Fire), Sections 32, 33, 35 and 52. Adds penalties for Bylaw No. 393 (Trees)	July 19, 2016
533	2(a) 2(b) 2(c)	Adds penalties for Secondary Suite contraventions per s.10.1 of Bylaw No. 234 Amends penalties for provisions re. ss. 8(2), 10(a), 10(h), and 10(k) of Bylaw No. 413 Deletes penalties for Bylaw No. 362 and substitutes penalties for Bylaw No. 520	November 7, 2017

VILLAGE OF LIONS BAY

BYLAW NO. 385, 2006

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Village of Lions Bay

Bylaw Notice Enforcement

Bylaw No. 385, 2006

A bylaw respecting the enforcement of bylaw notices in conjunction with the
North Shore Bylaw Adjudication Registry

The Council of the Municipality of Village of Lions Bay enacts as follows:

Part 1 Citation

- 1.1 This Bylaw may be cited as Bylaw Notice Enforcement Bylaw No. 385, 2006
(North Shore Bylaw Notice Dispute Adjudication Registry).

Part 2 Severability

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then
the invalid portion must be severed and the remainder of this bylaw is deemed to
have been adopted without the severed section, subsection, paragraph,
subparagraph, clause or phrase.

Part 3 Definitions

- 3.1 In this bylaw:

"**Act**" means the *Local Government Bylaw Notice Enforcement Act*;

"**Municipality**" means the Municipality of the Village of Lions Bay;

"**Registry**" means the North Shore Bylaw Notice Adjudication Registry
established pursuant to Part 8 of this Bylaw.

Part 4 Terms

- 4.1 The terms in this bylaw have the same meaning as the terms defined in the Act.

Part 5 Bylaw Contraventions

- 5.1 The bylaw and bylaw contraventions designated in Schedule A may be dealt with by bylaw notice.

Part 6 Offence and Penalty

- 6.1 The penalty for a contravention referred to in Part 5 is as follows:
- 6.1.1 subject to subsection 6.1.2 and 6.1.3, is the Penalty amount set out in column A1 of Schedule A,
 - 6.1.2 if received by the Municipality within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in column A2 of Schedule A,
 - 6.1.3 if more than 28 days after the person received or is presumed to have received the bylaw notice, is subject to a late payment surcharge in addition to the penalty under subsection 6.1.1, and is the Late Payment Penalty set out in column A3 of Schedule A,

Part 7 Period for Paying a Disputed Notice

- 7.1. A person who receives a bylaw notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw notice:
- 7.1.1 pay the penalty, or
 - 7.1.2 request dispute adjudication by filling in the appropriate portion of the bylaw notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Village of Lions Bay Village Office.
- 7.2 A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment accordance with subsection 6.1.3, but no person may dispute the notice after 14 days of receiving the bylaw notice.
- 7.3 Pursuant to the requirements of section 25 of the Act, where a person was not served personally with a bylaw notice and advises the Municipality that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under Part 6 and section 7.1 of this bylaw do not begin to run until a copy of the bylaw notice is re-delivered to them in accordance with the Act.

Part 8 Bylaw Notice Dispute Adjudication Registry

- 8.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the Act to resolve disputes in relation to bylaw notices.
- 8.2 The Municipality is authorized to enter into, and the Mayor and Administrator are authorized to execute, the dispute adjudication system agreement with the District of North Vancouver and the City of North Vancouver and the Municipality of Bowen Island and the Municipality of the Village of Lions Bay in the form and with the content of the agreement attached as Schedule B.
- 8.3 Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the Municipality an additional fee of \$25 for the purpose of the Municipality recovering the costs of the adjudication system.

Part 9 Screening Officers

- 9.1 The position of screening officer is established.
- 9.2 The following are designated classes of persons that may be appointed as screening officers:
- 9.2.1 Village Manager
 - 9.2.2 Corporate Secretary
 - 9.2.3 Treasurer
 - 9.2.4 Bylaw Enforcement Officer

[Amended by Bylaw No. 415, 2009]

and Council may appoint screening officers from these classes of persons by name of office or otherwise.

Part 10 Powers, Duties and Functions of Screening Officers

- 10.1 The powers, duties and functions of screening officers are as set out in the Act, and include the following powers:

-
- 10.1.1 Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw notice dispute adjudication system and the fee or fees payable in relation to the bylaw notice enforcement process;
- 10.1.2 To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the Act:
- (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the notice;
 - (c) the complainant or their representative;
 - (d) the Municipality's staff and records regarding the disputant's history of bylaw compliance.
- 10.1.3 To prepare and enter into compliance agreements under the Act with persons who dispute bylaw notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- 10.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in column A4 of Schedule A; and
- 10.1.5 To cancel bylaw notices in accordance with the Act or Municipal policies and guidelines.
- 10.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in column A4 of Schedule A.
- 10.3 The maximum duration of a compliance agreement is one year.

Part 11 Bylaw Enforcement Officers

11.1 Persons acting as any of the following are designated as bylaw Enforcement Officers for the purposes of this bylaw and the Act:

11.1.1 Special constables, officers, members or constables of:

(a) The provincial police force as defined in section 1 of the *Police Act*, or

(b) The Royal Canadian Mounted Police;

[Amended by Bylaw No. 415, 2009]

11.1.2 Bylaw enforcement officers appointed pursuant to the *Police Act* and *Community Charter*;

11.1.3 Local assistants to the fire commissioner under section 6 of the *Fire Services Act*;

11.1.4 Bylaw enforcement officers, licensing inspectors, building inspectors, animal control officers or other persons acting in another capacity on behalf of a municipality, regional district or local trust committee for the purpose of enforcement of one or more of its bylaws.

Part 12 Form of Bylaw Notice

12.1 The Municipality may from time to time provide for the form or forms of the bylaw notice, provided the bylaw notice complies with section 4 of the Act.

Schedules

Schedule A - Designated Bylaw Contraventions and Penalties

Schedule B – North Shore Bylaw Dispute Adjudication Registry Agreement

READ A FIRST TIME

this 5th of September, 2006

READ A SECOND TIME

this 5th of September, 2006

READ A THIRD TIME

this 5th of September, 2006

ADOPTED

this 19th of September, 2006

Mayor

Administrator

Certified a true copy of
By-law No. 385, 2006
as adopted.

Administrator

Schedule 'A' to Bylaw No. 385

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
BUILDING REGULATION BYLAW, NO. 234, 1994						
234	5 (a)	Construct without a building permit	\$300	\$280	\$320	YES
234	5 (c)	Tamper with posted notice	\$500	\$475	\$500	NO
234	5 (d)	Work contrary to approved plans	\$300	\$280	\$320	YES
234	5 (e)	Obstruct Village officer or employee	\$500	\$475	\$500	NO
234	5 (f)	Fail to stop work	\$500	\$475	\$500	YES
234	5 (h)	Submit false information	\$500	\$475	\$500	YES
234	6 (b)	Unauthorized use of Village property	\$100	\$90	\$110	YES
234	10.1	Secondary Suite contrary to bylaw requirements	475	450	500	YES
234	12	Fail to post building permit	\$300	\$280	\$320	NO
234	16 (a)	Occupy without approval	\$300	\$280	\$320	YES
NOISE CONTROL BYLAW NO. 283, 1998						
283	2	Sound which disturbs	\$110	\$100	\$120	NO
283	3	Decibel level	\$110	\$100	\$120	NO
283	4 (a)	Continuous sound	\$110	\$100	\$120	NO
283	4 (b)	Construction sound	\$220	\$200	\$240	YES
283	5 (a)	Improper use of vehicle horn	\$110	\$100	\$120	NO
283	5 (b)	Car alarm noise	\$110	\$100	\$120	NO
TREES, VIEWS AND LANDSCAPES BYLAW NO. 393, 2007, as amended						
393	3.2	Obstruct Village Official	\$300	\$250	\$350	NO
393	3.3	Cut tree without permit	\$475	\$450	\$500	NO
393	3.4.5	Cut tree after expiry of permit	\$400	\$350	\$450	NO
393	3.4.6	Tree cut by unqualified owner or contractor	\$475	\$450	\$500	NO
393	3.4.8	Tree cut without exemption during bird nesting period	\$475	\$450	\$500	NO
393	3.4.9	Failure to provide insurance	\$475	\$450	\$500	YES

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
		certificate prior to commencement of work				
393	3.5	Tree damaging activities	\$475	\$450	\$500	YES
393	Schedules A and B	Failure to replant in accordance with approved plan and permit	\$400	\$350	\$450	YES
GOOD NEIGHBOR BYLAW NO. 412, 2009						
412	5.1.1	Create or cause a nuisance	\$200	\$185	\$215	YES
412	5.1.2	Permit a nuisance	\$200	\$185	\$215	YES
412	5.1.3	Allow unsightly parcel	\$200	\$185	\$215	YES
412	5.1.4 (a)	Allow an unsightly accumulation	\$200	\$185	\$215	YES
412	5.1.4 (b)	Permit or cause water to collect	\$200	\$185	\$215	YES
412	5.1.4 (c)	Store rubbish where visible	\$200	\$185	\$215	YES
412	5.1.4 (d)	Place graffiti	\$100	\$90	\$110	YES
412	5.1.4 (g)	Accumulate building materials	\$100	\$90	\$110	YES
412	5.1.4 (h)	Storage or accumulation of motor vehicle	\$100	\$90	\$110	YES
412	5.2.1	Fail to abate nuisance	\$100	\$90	\$110	YES
412	5.2.2 (a)	Fail to remove unsightly accumulation	\$100	\$90	\$110	YES
412	5.2.2 (b)	Fail to prevent or clear insect infestation	\$100	\$90	\$110	YES
412	5.2.2 (d)	Fail to clear parcel of brush, noxious weeds and grass	\$100	\$90	\$110	YES
412	5.2.2 (e)	Fail to shield or deflect outdoor light	\$100	\$90	\$110	YES
412	5.2.2 (f)	Fail to repair or remove fence	\$200	\$185	\$215	YES
412	7.3.2	Interfere with, resist or obstruct authorized person	\$500	\$475	\$500	NO
TRAFFIC AND PARKING BYLAW NO. 413, 2009						
413	8 (1)	Fail to obey traffic control device	\$100	\$90	\$110	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	8 (2)	Interfere with traffic control device	\$300	\$200	\$400	NO
413	8 (3)	Plant interferes with traffic control device	\$45	\$35	\$55	YES
413	8 (4)	Illegal traffic control device	\$45	\$35	\$55	YES
413	10 (a)	Park in contravention of a traffic control device	\$65	\$50	\$80	NO
413	10 (b)	Fail to display insurance decal	\$45	\$35	\$55	NO
413	10 (c)	Park on or too near crosswalk	\$45	\$35	\$55	NO
413	10 (d)	Park near traffic control device	\$45	\$35	\$55	NO
413	10 (e)	Park on bridge	\$45	\$35	\$55	NO
413	10 (f)	Park near fire hydrant/equipment	\$80	\$70	\$90	NO
413	10 (g)	Park to obstruct or interfere with traffic/maintenance	\$80	\$70	\$90	NO
413	10 (h)	Park without permit for zone	\$65	\$50	\$80	YES
413	10 (i)	Park too near driveway	\$45	\$35	\$55	NO
413	10 (j)	Failure to park off roadway	\$45	\$35	\$55	NO
413	10 (k)	Park more than 72 hours	\$55	\$40	\$70	NO
413	10 (l)	Park more than 24 hours in snow	\$45	\$35	\$55	NO
413	10 (m)	Park in intersection	\$45	\$35	\$55	NO
413	11 (1)	Park extraordinary vehicle overnight	\$100	\$90	\$100	YES
413	11 (2)	Unattached trailer	\$100	\$90	\$110	YES
413	12	Park near school	\$45	\$35	\$55	NO
413	16	Fail to comply with direction of enforcement officer	\$100	\$90	\$110	NO
413	17	Hinder, obstruct or delay enforcement officer	\$100	\$90	\$110	NO
413	19	Operate sound broadcasting vehicle	\$45	\$35	\$55	NO
413	20	Drive over fire hose	\$80	\$70	\$90	NO
413	21 (a)	Drop or spill on highway	\$45	\$35	\$55	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	21 (b)	Noxious flow on highway	\$45	\$35	\$55	NO
413	21 (c)	Damage plants/grass on highway	\$100	\$90	\$100	NO
413	21 (d)	Damage or deface highway	\$100	\$90	\$110	NO
413	21 (e)	Dead animal on highway	\$45	\$35	\$55	NO
413	21 (f)	Camp on highway	\$45	\$35	\$55	NO
413	21 (g)	Make fire on highway	\$100	\$90	\$110	NO
413	21 (h)	Unsecure load	\$100	\$90	\$100	NO
413	21 (i)	Urinate/defecate on highway	\$100	\$90	\$100	NO
413	21 (j)	Overweight vehicle on highway	\$100	\$90	\$100	NO
413	21 (k)	Operate vehicle with lugged wheels	\$100	\$90	\$100	NO
413	24	Sell/display goods/services on highway	\$100	\$90	\$100	YES
413	25	Chattel/structure on highway	\$100	\$90	\$100	YES
413	26	Dumpster on highway	\$100	\$90	\$100	YES
413	27	Accumulations on highway	\$100	\$90	\$100	YES
413	28	Unfenced excavation near highway	\$100	\$90	\$100	YES
413	29	Construction obstructing highway	\$100	\$90	\$100	YES
413	31	Fail to disperse on highway when directed	\$100	\$90	\$100	NO
413	32	Skate/blade/scoot without helmet	\$45	\$35	\$55	NO
ANTI-IDLING BYLAW NO. 416, 2010						
416	3	Unlawful idling	\$100	\$90	\$110	YES
FIRE BYLAW NO. 428, 2011						
428	27	Unauthorized entry to area limited for Fire Rescue purposes	\$100	\$80	\$120	NO
428	28	Hinder Fire Rescue operations	\$450	\$425	\$120	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	29	Damage or destroy Fire Rescue apparatus or equipment	\$450	\$425	\$120	NO
428	30	Drive vehicle over Fire Rescue equipment without permission	\$100	\$80	\$120	NO
428	31	Falsely represent to be Fire Rescue member	\$100	\$80	\$120	NO
428	32	Obstruct/interfere with approach to Fire Rescue incident	\$200	\$180	\$220	NO
428	33	Interfere with fire hydrant	\$450	\$425	\$475	NO
428	34	Fail to maintain clearance around fire hydrant	\$50	\$40	\$60	YES
428	35	Fail to address fire hazard when ordered	\$450	\$425	\$475	YES
428	36	Construct fire pit or fire ring	\$100	\$80	\$120	YES
428	37	Burn wood outside a building	\$100	\$80	\$120	NO
428	38	Open burning	\$100	\$80	\$120	NO
428	39	Drop burning substance into or near combustible material	\$100	\$80	\$120	NO
428	40	Burn or use combustion device outside when banned	\$100	\$80	\$120	YES
428	41	Burn unauthorized material inside or outside a building	\$100	\$80	\$120	NO
428	42	Use water contrary to designated purpose, hours or methods	\$100	\$80	\$120	NO
428	44	Fail to install sprinklers in new residence	\$450	\$425	\$475	YES
428	45	Fail to install sprinklers during alteration to residence	\$450	\$425	\$475	YES
428	46	Fail to install fire extinguisher	\$100	\$80	\$120	YES
428	47	Fail to install smoke alarms	\$100	\$80	\$120	YES

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	48	Use fireworks when under age 18	\$50	\$40	\$60	NO
428	49	Use unauthorized Consumer Fireworks	\$100	\$80	\$120	NO
428	50	Use High Hazard Fireworks	\$200	\$180	\$220	NO
428	52	Fail to comply with order to address violations, requiring re-inspection	\$450	\$425	\$475	YES
PESTICIDES BYLAW NO. 430, 2011						
430	3	Use of pesticide for cosmetic purposes	\$250	\$225	\$275	NO
430	4	Use of non-permitted pesticide	\$250	\$225	\$275	NO
PARKS REGULATIONS BYLAW NO. 448, 2012						
448	5.1	Damage park	\$500	\$475	\$500	YES
448	5.2	Molest animals or birds	\$100	\$90	\$100	NO
448	5.3	Contaminate water in park	\$500	\$465	\$500	NO
448	5.4	Release water in park	\$500	\$465	\$500	NO
448	5.5	Improper climbing on structure	\$100	\$90	\$100	NO
448	5.6	Litter in park	\$100	\$90	\$100	NO
448	5.7	Unlawful waste in park receptacle	\$100	\$90	\$100	NO
448	6.1	Fireworks in park	\$250	\$230	\$270	NO
448	6.2	Make fire in park	\$100	\$90	\$100	NO
448	6.3	Improper barbecue in park	\$100	\$90	\$100	NO
448	6.5	Place burning substance in park	\$250	\$230	\$270	NO
448	6.6	Enter park at fire risk	\$250	\$230	\$270	NO
448	7.1	Sell/display goods/services in park	\$100	\$90	\$100	YES
448	7.2	Advertise in park	\$100	\$90	\$100	YES
448	7.3	Amplified noise in park	\$100	\$90	\$100	NO
448	8.1	Organized activity in park with no contract	\$100	\$90	\$100	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
448	9.1	Operate motorized watercraft near beach	\$250	\$230	\$270	NO
448	9.2	Motorized vehicle or device in park	\$250	\$230	\$270	NO
448	9.3	Unauthorized entry to closed park	\$100	\$90	\$100	NO
448	10.1	In park outside open hours	\$100	\$90	\$100	NO
448	10.3	Enter or remain in closed park	\$100	\$90	\$100	NO
448	11.1	Create a nuisance in park	\$100	\$90	\$100	NO
448	11.2	Obstruct use and enjoyment of park	\$100	\$90	\$100	NO
448	11.3	Fail to comply with direction of enforcement officer	\$100	\$90	\$100	NO
448	11.4	Obstruct or delay enforcement officer	\$100	\$90	\$100	NO
448	11.5	Urinate/defecate in park	\$100	\$90	\$100	NO
448	12.1	Store watercraft on beach	\$100	\$90	\$100	YES
448	12.2	Camp in park	\$100	\$90	\$100	NO
448	12.3	Prohibited sport in park	\$100	\$90	\$100	NO
WASTE COLLECTION BYLAW NO. 455, 2013						
455	5	Excess garbage	\$60	\$50	\$70	NO
455	6	Fail to securely house wildlife attractants	\$300	\$280	\$320	YES
455	6	Garbage receptacle encroaching on street	\$60	\$50	\$70	NO
455	10	Solid waste out before 5 AM	\$60	\$50	\$70	NO
455	11	Placing for collection inappropriate substance	\$60	\$50	\$70	NO
455	18	Storage not wildlife resistant, single family residential	\$60	\$50	\$70	NO
455	19	Storage not wildlife resistant, multi-family and commercial	\$60	\$50	\$70	NO
455	21	Fail to repair wildlife resistant containment	\$60	\$50	\$70	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
455	22 (a)	Feeding dangerous wildlife	\$300	\$280	\$320	NO
455	22 (a)(b)	Storing edible wildlife attractants	\$300	\$280	\$320	YES
455	22 (c)	Bee hives accessible to wildlife	\$60	\$50	\$70	NO
455	22 (d)	Outdoor fridge or freezer accessible to wildlife	\$60	\$50	\$70	NO
455	22 (e)	Meat waste in compost	\$60	\$50	\$70	NO
ANIMAL CONTROL & LICENSING BYLAW NO. 461, 2014						
461	5.1	No dog license	\$85	\$75	\$95	YES
461	5.5	No dog tag	\$40	\$30	\$50	YES
461	6.3	Fail to remove dog waste	\$60	\$50	\$60	NO
461	6.6.1	Dog at large	\$85	\$75	\$95	NO
461	6.6.5	Allow dog barking	\$85	\$75	\$95	NO
461	6.6.6	Keep more than three dogs	\$110	\$100	\$120	YES
461	6.7.1	Dog in prohibited area	\$60	\$50	\$60	NO
461	7.1(a)	Fail to provide food or water	\$60	\$50	\$60	NO
461	7.1(c)	Fail to exercise dog	\$60	\$50	\$60	NO
461	7.1(e)	Fail to provide medical care for dog	\$60	\$50	\$60	NO
461	7.2	Fail to provide proper shelter for dog	\$60	\$50	\$60	NO
461	7.4	Choke collar/neck cord used to tether	\$60	\$50	\$60	NO
OUTDOOR WATER USE BYLAW NO. 484, 2015						
484	6.1	Fail to Follow Water Conservation Level 1	\$100	\$75	\$125	NO
484	6.1	Fail to Follow Water Conservation Level 2	\$150	\$125	\$175	NO
484	6.1	Fail to Follow Water Conservation Level 3	\$200	\$175	\$225	NO
ZONING AND DEVELOPMENT BYLAW NO. 520, 2017						
520	3.2	Non-compliance with bylaw	\$300	\$250	\$350	NO
520	4.3	Use prohibited in all zones	\$475	\$450	\$500	NO

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
520	4.3.7	Short-term rental without a Temporary Use Permit	\$475	\$450	\$500	NO
520	4.5	Accessory building, structure or use not permitted	\$400	\$350	\$450	NO
520	4.10	Fence or retaining wall contrary to bylaw	\$300	\$250	\$350	NO
520	4.11	Visibility obstruction contrary to bylaw	\$250	\$200	\$300	NO
520	4.12	Home-based business contrary to conditions	\$300	\$250	\$350	YES
520	4.13-4.14	Off-street parking requirements not met	\$350	\$300	\$400	YES
520	4.15	Parking and storage of commercial or industrial vehicles, equipment, or materials contrary to bylaw	\$475	\$450	\$500	NO
520	4.16	Temporary structure without valid permit	\$250	\$200	\$300	NO
520	4.17	Metal shipping container contrary to permitted uses	\$250	\$200	\$300	NO
520	4.18	Solar energy device not installed per requirements of bylaw	\$150	\$100	\$200	NO
520	4.19	Building or structure contrary to flood protection provisions	\$450	\$400	\$500	YES
520	7.1-7.11	Use, siting, setback, height, size or density not permitted in RS-1 Zone	\$450	\$400	\$500	YES
520	8.1-8.6	Use, siting, setback, height, size or density not permitted in RM-1 Zone	\$450	\$400	\$500	YES
520	9.1-9.5	Use, siting, setback, height, size or density not permitted in C-1 Zone	\$450	\$400	\$500	YES

VILLAGE OF LIONS BAY
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
520	10.1-10.5	Use, siting, setback, height, size or density not permitted in C-2 Zone	\$450	\$400	\$500	YES
520	11.1-11.2	Use, siting, setback, height, size or density not permitted in C-3 Zone	\$450	\$400	\$500	YES
520	12.1-12.2	Use, siting, setback, height, size or density not permitted in W-1 Zone	\$450	\$400	\$500	YES
520	13.1-13.2	Use, siting, setback, height, size or density not permitted in W-2 Zone	\$450	\$400	\$500	YES
520	14.1-14.5	Use, siting, setback, height, size or density not permitted in CU-1 Zone	\$450	\$400	\$500	YES
520	15.1-15.2	Use, siting, setback, height, size or density not permitted in RU-1 Zone	\$450	\$400	\$500	YES
520	16.1-16.2	Use, siting, setback, height, size or density not permitted in RS-1 Zone	\$450	\$400	\$500	YES

[Successively replaced by Bylaw Nos. 434, 492, 495]
[Amended by Bylaw No. 507, 2016]
[Amended by Bylaw No. 533, 2017]

Schedule B

North Shore Bylaw Notice Dispute Adjudication Registry Agreement

This Agreement, dated the _____ day of _____, 2006

AMONG:

THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER, 7501 7th
Street, West Vancouver, British Columbia, V7V 3T3

("DWV")

AND:

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, 355 West
Queens Road, North Vancouver, British Columbia, V7N 2K5

("DNV")

AND:

THE CORPORATION OF THE CITY OF NORTH VANCOUVER, 141 West 14th
Street, North Vancouver, British Columbia, V7M 1H9

("CNV")

AND:

THE MUNICIPALITY OF BOWEN ISLAND, Box 279, 981 Artisan Lane,
Bowen Island, British Columbia, V0N 1G0

("MBI")

AND:

THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY, P.O. Box 141, 400
Centre Road, Lions Bay, British Columbia, V0N 2E0

("VLB")

Witnesses that Whereas:

- A. The Act permits local governments to create a bylaw designating certain bylaw contraventions that can be enforced by way of bylaw notice as an alternative to traditional bylaw enforcement mechanisms; and
- B. The Act permits two or more local governments to enter into an agreement, adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system; and
- C. Pursuant to the Act, DWV, DNV, and CNV have established the North Shore Bylaw Notice Dispute Adjudication Registry which they jointly administer and share the costs of;
- D. MBI and VLB wish to become participants in the Registry and DWV, DNV and CNV have agreed to permit them to join; and
- E. The Parties have agreed to administer the Registry on the terms and conditions set out in this Agreement;

NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:

PART I - INTRODUCTORY PROVISIONS

Definitions

In this Agreement, the following definitions apply:

- (a) "Act" means *the local Government Bylaw Notice Enforcement Act*,
 - (b) "**Adjudication Fee**" means the sum of \$75.00 payable by each Party for each adjudication scheduled to be conducted by the Registry;
 - (c) "**Agreement**" means this Agreement;
 - (d) "**Authorizing Bylaws**" means the bylaws adopted by the Councils of each of the Parties authorizing this Agreement;
 - (e) "**Committee**" means the North Shore Bylaw Notice Dispute Adjudication Registry's Administrative Committee;
- "**Contribution Adjustment Amount**" means, for each Party, the amount calculated in accordance with Section 21 herein in any year of the Term;
- "**Contribution Amount**" means the amount determined by the Administrative Committee as required by each of the parties to meet the operational costs to fund the Registry in accordance with subsection 14(d);

- (h) **"Parties"** means all of DWV, DNV, CNV, MBI or VLB;
- (i) **"Party"** means any one of DWV, DNV, CNV, MBI or VLB;
- (j) **"Registry"** means the North Shore Bylaw Notice Dispute Adjudication Registry established by this Agreement;
- (k) **"Revenues"** means any revenue actually received or estimated to be received, as the case may be, by the Registry, excluding Contribution Amounts or Contribution Adjustment Amounts;
- (i) **"Term"** means the term of this Agreement as set out herein.

PART II - ADMINISTRATION

Administrative Committee

- 2. The Parties agree to establish the Committee to implement and administer the Registry.
- 3. The Parties agree that authority of the Committee will include but not be limited to:
 - (a) preparing operational budgets; and
 - (b) setting policy as authorized under this Agreement and the Act.

Representation

- 4. Each of the Parties will appoint one representative to serve on the Committee. The Parties agree that **representatives** will be paid employees of their respective local governments and will not be remunerated by the Registry.

PART III - ADJUDICATION

Screen inn Officers

- 5. The Parties agree that responsibility for the appointment, administration and funding of the position of screening officer will reside with each Party individually and will not in any way be a function of the Registry.

Bylaw Notice Dispute Adjudication Registry

- 6. The Parties agree that the Registry will administer the dispute adjudication system and that disputes will be heard by a bylaw notice dispute adjudicator in the circumstances prescribed in the Act and Authorizing Bylaws.
- 7. The Parties agree that the Committee will select a roster of adjudicators who may hear and determine disputes from the provincial roster of adjudicators to be established by the Attorney General.

8. Adjudicators will be assigned to individual disputes in the manner prescribed by any applicable regulation and policy established by the Committee.

PART IV - OPERATIONS

Location

9. The location of the Registry will be in the municipal offices of the City of North Vancouver, 141 West 14th Street, North Vancouver, B.C. V7M 11-19 or such other location as may be designated by the Parties.

Administrative Services

10. CNV will provide and supervise all administrative services required by the Registry, subject to the following:
 - (a) the collection of any fees, fines or penalties levied against an unsuccessful party in the dispute adjudication process will be the responsibility of the relevant municipality if not collected by the Registry immediately following the adjudication; and
 - (b) any penalty arising directly out of the bylaw notice itself may be paid to the relevant Party or to the Registry,

and any amounts collected by or paid to the Registry pursuant to (a) and (b) will be credited to the relevant Party's Contribution Adjustment Amount.

Financial Reporting

11. CNV will ensure that its Director of Finance will conduct and oversee the financial reporting and record keeping of the Registry based on normal procedures, subject to the requirements outlined herein.

PART V - FINANCIAL PLANNING

Start-Up Costs

12. Each new Party is responsible for its own start-up costs with respect to its participation in the Registry and the dispute adjudication system.

Budget Year

13. The budget year of the Registry is the calendar year.

Operating Budget

14. The Parties agree that, no later than August 31 of each year, the Committee will prepare a draft operating budget for the following budget year, setting out in detail the operational funds required by the Registry for the carrying out of its mandate and responsibilities, including:

- (a) the estimated operational expenditures for:
 - (i) office and administration including financial reporting and administrative services;
 - (ii) bylaw dispute adjudicators; and
 - (iii) other functions of the Registry;
- (b) the anticipated revenues (if any) of the Registry;
- (c) the difference between estimated revenues and operational expenditures for the Registry; and
- (d) the Contribution Amount required from each of the Parties. **Budget**

Submissions

15. The Committee will prepare the operating budget in a manner satisfactory to, and in such detail as requested by, the Directors of Finance of each of the Parties, and submit the draft operating budget to the Directors of Finance of each of the Parties each year when required.

Budget Approval and Adjustments

16. The Parties will consider and approve, or recommend amendments to, the Registry's operating budget.
17. The Parties **agree** that all recommendations by them for adjustments to the Registry's draft operating budget will
 - (a) be reasonable and made in good faith; and
 - (b) ensure that a reasonable level of service quality can be maintained by the Registry.

Use of Funds

18. The Committee and CNV may make only those expenditures during the budget year for the purposes and up to the amounts authorized in the approved operating budget. The Registry (or the Committee or CNV on behalf of the Registry) will not incur any other indebtedness or liability, or make any further expenditure, except that:
 - (a) CNV may make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$1,000 limit; and
 - (b) the Committee may:
 - (i) **make** a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$10,000 limit;
 - (ii) re-allocate funds within categories of the operating budget as reasonably required; and

- (iii) **make** a further expenditure or contract a further indebtedness or liability without limitation if approved in advance by all Parties.

PART VI - COST ALLOCATION

Funding Contributions and Adjustments

19. The Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by CNV on behalf of the Registry.
20. DWV, DNV, MBI and VLB will, upon approval of the Registry's operating budget by each of the Parties, pay to the CNV their respective Contribution Amounts for the upcoming budget year no later than June 30 of that budget year.
21. The CNV will, as soon following the end of **a Budget Year** as practicable, calculate the amount of each Party's Contribution Adjustment Amount by
 - (a) determining the amount by which Actual Expenditures exceed Budget Expenditures for the relevant year;
 - (b) determining the respective share of each Party; and
 - (c) deducting, if applicable, the aggregate of fines and administrative fees collected by the CNV on behalf of each Party for the relevant year.
22. Each of DWV, DNV, MBI and VLB will, within 30 days of receipt of notice of its respective Contribution Adjustment Amount, pay (if required) to CNV the Contribution Adjustment Amount.
23. CNV will pay (if required) any Contribution Adjustment Amount owing to DWV, DNV, MBI and VLB, as appropriate, within 30 days of preparation of a statement outlining the Contribution Adjustment Amounts of each Party or may, at the election of CNV in each year except the final year, credit the amount owing to the Contribution Amount required from each Party for the following year.
24. Each Party will pay to the CNV, within fifteen days following each of March 31, June 30, October 31 and December 31 of each year of the Term, the Adjudication Fee for each adjudication scheduled in respect of that Party in the previous quarter.

Maintenance of Records

25. The Director of Finance of CNV will:
- (a) exercise the duties and powers of the officer responsible for financial administration as provided in the *Community Charter*, in maintaining the financial records for the Registry on behalf of the Parties;
 - (b) ensure that accounting and payroll records of the Registry are properly prepared and maintained, such records to include payroll, accounts payable, cash receipts and disbursements, accounts receivable, general ledger, subsidiary cost ledger, financial statements and reports and supporting documents to the foregoing;
 - (c) provide, when possible, any additional financial systems that have been requested by the Committee; and
 - (d) direct employees and officers of the Registry to the extent necessary to ensure that the systems and procedures established for financial controls *are in effect and are in accordance with the Community Charter*.

Examination of Records

28. The Directors of Finance of DWV, DNV, MBI or VLB may, acting reasonably with regard to minimizing the administrative burden on the CNV, and no more frequently than once in each year of the Term, conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained for the Registry. CNV will cooperate with any reasonable request by the DWV, DNV, MBI or VLB Directors of Finance for access to financial records, user statistics and other information of the Registry.

PART VII - GENERAL PROVISIONS

Insurance

27. CNV will ensure that the Registry and its activities are covered under CNV's general liability policy and will provide copies of all relevant insurance policies and changes thereto to the Directors of Finance of DWV, DNV, MBI or VLB upon request.

Amendments

28. The Parties will, in good faith, negotiate any proposed amendment to this Agreement upon request of any Party, all amendments to be in writing and executed by the Parties.

Dispute Resolution

29. The Parties will submit any dispute arising out of the interpretation or application of this Agreement:
- (a) first, to the Committee to resolve the dispute;
 - (b) second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
 - (c) third, if the Chief Administrative Officers **are** unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the *Commercial Arbitration Act*, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

Term

30. This Agreement comes into effect on _____ 2006 and continues in effect until December 31, 2008. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

IN WITNESS WHEREOF DWV, DNV CNV, MSI and VLB have executed this Agreement on the date first above written.

THE CORPORATE SEAL of THE
CORPORATION OF THE DISTRICT OF
WEST VANCOUVER was hereunto affixed in
the presence of:

Mayor CIS

Municipal Clerk)

THE CORPORATE SEAL of THE
CORPORATION OF THE DISTRICT OF
NORTH VANCOUVER was hereunto
affixed in the presence of:

Mayor) CIS

City Clerk

VILLAGE OF LIONS BAY

Bylaw No. 385, 2006

THE CORPORATE SEAL of THE
CORPORATION OF THE CITY OF
NORTH VANCOUVER was hereunto
affixed in the presence of:

Mayor) CIS

Municipal Clerk

THE CORPORATE SEAL of THE
MUNICIPALITY OF BOWEN ISLAND
was hereunto affixed in the presence of:

Mayor) CIS

Municipal Clerk

THE CORPORATE SEAL of THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY was
hereunto affixed in the presence of:

Mayor

Administrator



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Fire Bylaw No. 428, 2011 - Amendments to Sprinklering Provisions		
Author	Peter DeJong	Reviewed By:	Name
Date	November 2, 2017	Version	
Issued for	November 7, 2017 Regular Council Meeting		

Recommendation:

THAT Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017 be introduced and read a first and second time.

Attachments:

- (1) Draft Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017;
- (2) Draft Consolidation of Fire Bylaw No. 428, 2011.

Key Information:

The current sprinklering provisions in Fire Bylaw No. 428 do not provide a clear means of determining the trigger point for the requirement to add sprinklering for renovations of residential buildings in Lions Bay. The wording is ambiguous and has caused issues of interpretation in the past for the Building Inspector and the Fire Chief vis-à-vis owners and developers seeking to avoid the requirement.

The intent is that sprinklering be included in all new residences and in any substantial renovations of existing residences. This is a particularly important policy position in any community with a volunteer fire department. Sprinklering is acknowledged to provide additional time to the fire department to get to the scene of a fire before the fire reaches the “flashover” point (the near-simultaneous ignition of most of the directly exposed combustible material in an enclosed area). This substantially improves the potential for the fire department to save the building and to prevent the fire from spreading to adjoining homes and/or forested areas, a key consideration in suppressing the ignition of the wildfire interface.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

The new wording stipulates that all residential buildings in Lions Bay must have a fire sprinkler system or fire suppression system. This does not mean that everyone has to go out and retrofit their existing premises. All non-compliant buildings are “legally non-conforming” and are not required to install such a system until they are rebuilt or substantially renovated. In terms of seeking an appropriate percentage for triggering the requirement, staff looked to section 532 of the Local Government Act which states:

Restrictions on repair or reconstruction of non-conforming structures

532 (1) If a building or other structure, the use of which does not conform to the provisions of a land use regulation bylaw, is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the building inspector, the structure must not be repaired or reconstructed except for a conforming use in accordance with the bylaw.

While the circumstances are slightly different, staff believes this approach provides us with a solid rationale for our methodology and a clear calculation for determining if the sprinklering or suppression system requirement is triggered. The wording of the provision also does not specify what kind of system is required, which may provide some room for creative solutions, especially for those projects where the sprinklering requirement may have a substantial cost in relation to the value of the improvements. Nevertheless, it is prudent for the municipality’s requirement to support the principle that safety considerations, for both the subject residence and neighbouring properties and/or the surrounding vegetation, be elevated in priority for renovation applications. The provisions regarding fire extinguishers and smoke alarms have also been tweaked for clarity.

Options:

- (1) Give the bylaw two readings;
- (2) Amend the bylaw and then give it two readings;
- (3) Send the bylaw back to staff for further information prior to giving it one or two readings.

Preferred Option: Option 1 – Give the bylaw two readings. If there are questions or suggestions for staff to review prior to third reading, Council could provide that now.



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Legal Considerations: The December 15, 2017 In Force date for key sections of new Building Act will prevent any further amendments of sprinklering bylaws after that date. The issue of sprinklering is being reviewed by the Province and it is expected that a new sprinklering regulation will be published, which local governments may elect to implement as their only option. Until then, we can rely on our provisions.

Follow Up Action: Next reading(s) November 21st Council meeting.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017

Adopted: _____, 2017

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “Fire Bylaw No. 428, 2011, Amendment Bylaw No. 535, 2017”.
2. The section 1 citation for Fire Bylaw No. 428, 2011 (“Bylaw 428”) is amended by deleting “Fire Bylaw Number ____” and substituting “Fire Bylaw No. 428, 2011”.
3. Sections 44 through 47 of Fire Bylaw No. 428, 2011 (“Bylaw 428”) are hereby deleted and the following substituted therefore:

“44. All residentially zoned buildings in the Village of Lions Bay must have a fire sprinkler system or fire suppression system installed by a qualified professional.

45. If a person makes an alteration to a residentially zoned building which does not have a fire sprinkler system or fire suppression system, and the value of the alteration as specified in the applicable building permit is more than 75% of the assessed value of the building, as determined by the most recent BC Assessment Authority stipulated value of the improvements on the parcel, then the entire building must have a fire sprinkler system or fire suppression system installed by a qualified professional.

46. Every dwelling unit, as defined in Zoning and Development Bylaw No. 520, 2017, must contain a minimum five pound A.B.C dry chemical ULC, UL or CSA approved fire extinguisher, which must be located in or on the same floor level as the kitchen.

47. Every dwelling unit, as defined in Zoning and Development Bylaw No. 520, 2017, must contain smoke alarms installed in accordance with the current BC Building Code, and every owner of a dwelling unit must replace each smoke alarm in accordance with the manufacturer’s rated service life for the smoke alarm.”

READ A FIRST TIME

November 7, 2017

READ A SECOND TIME

November 7, 2017

READ A THIRD TIME

November __, 2017

ADOPTED

December __, 2017

Lions Bay Parks Regulation Bylaw No. 448, 2912,
Amendment Bylaw No. 527, 2017

Page 3

Mayor

Corporate Officer

**Certified a true copy of Fire Bylaw No. 428, 2011,
Amendment Bylaw No. 535, 2017 as adopted.**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fire Bylaw No. 428, 2011

Office Consolidation

This document is an office consolidation of Fire Bylaw No. 428, 2011 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Fire Bylaw No. 428, 2011, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: admin@lionsbay.ca

List of Amending Bylaws

Bylaw No.	Section	Description	Adopted/In Force
465	3.1(11)	Deletes Appendix B, renumbers s53 to s54, and adds a new s53.	September 2, 2014
497	10	s.53 amended to be s.54, references inserted, appendix B deleted	December 20, 2016 / January 1, 2017
<u>535</u>	<u>3</u>	<u>Deletes and replaces sections 44-47 re: sprinklers</u>	

VILLAGE OF LIONS BAY**Bylaw No.428**

A bylaw to provide for the establishment and operation of a Lions Bay Fire Rescue service.

NOW THEREFORE, the Council of the Village of Lions Bay in open meeting assembled, enacts as follows:

CITATION

1. This bylaw may be cited as “Fire Bylaw No. 428, 2011.”
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

REPEAL

3. Bylaws number 175, 196, 228, 316, 321 and 325 are hereby repealed.

DEFINITIONS

4. In this bylaw,

Apparatus – means any vehicle provided with machinery, or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.

Approved – means acceptable to the authority having jurisdiction.

Authority having jurisdiction – means any person or agency authorized by this or any other bylaw, regulation or statute to inspect and/or approve any thing or place.

Consumer Fireworks – means outdoor, low-hazard recreational fireworks (Canadian Class 7.2.1) such as showers, fountains, golden rain, Roman Candles, volcanoes as may be designated under the provisions of the Natural Resources Canada “Display Fireworks Manual”, but excludes sparklers.

Council – means the Council of the Village of Lions Bay.

“Enforcement officer” means:

- (a) every person designated by Council by name of office or otherwise as an enforcement officer for the purposes of administering and enforcing this Bylaw; and
- (b) a peace officer, including every officer of the Royal Canadian Mounted Police;

Equipment – means any tools, contrivances, devices, or materials used by Lions Bay Fire Rescue to combat an incident or other emergency.

Fire Chief – means the member appointed by Council, as head of Lions Bay Fire Rescue, or in his absence, his designate.

Fire Pit – means a pit partially or wholly dug into the ground or made from stones, concrete, masonry or the like, for open burning.

Fire Protection – means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, pre-fire planning, fire investigation, public education and information, training or other staff development and advising.

Fire Ring – means a device of metal, stones, concrete, masonry or the like, without a bottom, placed upon the ground or partially dug into it, for open burning.

Fireworks – means any explosive product or device manufactured to produce a noise, explosion, detonation or pyrotechnic effect for entertainment purposes, but does not include caps for toy products, sparklers, Christmas crackers or model rocket engines.

“He”, “him” and “his” – also equally means “she”, “her” and “hers,” if the individual referred to is female.

High Hazard fireworks – means those fireworks defined as such under the Explosives Regulations made under the current Explosives Act of Canada.

Incident – means a fire, an explosion, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property or the environment and to which Lions Bay Fire Rescue has responded.

Member – means any person or officer that is duly appointed by the Fire Chief in concurrence of the Council as a member of Lions Bay Fire Rescue

Member in charge – means the senior member at the scene of an incident or the member who is appointed as such by the Fire Chief.

Open burning - means burning anything outside of a building, with the exclusion of the following: charcoal that is non-self-lighting and commercially-available, natural gas, butane or propane gas burned for the sole purpose of cooking food or heating; wood chips and the like used to flavor food in barbecuing; and clean, dry firewood (excluding driftwood) burned in permanently constructed outdoor fire pits or the like that were permitted and inspected by the Building Inspector prior to the effective date of this bylaw.

Village – means the Corporation of the Village of Lions Bay and the area within the boundaries of the Village of Lions Bay.

Village Manager – means the **Village Manager** or Administrator of the **Village** of Lions Bay, and also means the person appointed by **Council** to the **Village Manager** or Administrator position from time to time, or other persons authorized to carry out the duties ascribed to the said **Village Manager** or Administrator.

Adoption of BC Fire Code

5. The "British Columbia Fire Code" as it may be amended is hereby adopted and forms part of this bylaw and shall be applicable within the Village of Lions Bay.

Establishment

6. The Village of Lions Bay's Lions Bay Fire Rescue service is hereby established and will be known as Lions Bay Fire Rescue.

Appointments

7. The Fire Chief shall be appointed by a resolution of Council.
8. Other officers and members may be appointed by the Fire Chief.
9. The Fire Chief may designate other officers of Lions Bay Fire Rescue to act as Fire Chief on his behalf.
10. The Council shall determine the remuneration of all members of Lions Bay Fire Rescue.

Jurisdiction and Management

11. The limits of the jurisdiction of the Fire Chief, and the officers and members of Lions Bay Fire Rescue, will extend to the area and boundaries of the Village of Lions Bay to fight structural fires unless expressly authorized by a written contract or agreement providing for the supply of fire fighting services outside the municipal boundaries, or the prior approval of Council. Rescue and medical aid may be provided within an overall response area from the West Vancouver boundary to the South, to Furry Creek at the North.
12. The Fire Chief has complete responsibility and authority over Lions Bay Fire Rescue subject to the policy direction of Council and reporting to the Village Manager, to whom he shall be responsible, and in particular he is responsible for carrying out all fire protection activities and such other activities as the Village Manager directs, including but not limited to:
 - a. rescue, which includes without limitation auto extrication, bus extrication and technical rope rescue;
 - b. medical aid as first responders;
 - c. structural firefighting;
 - d. wild land fire fighting;
 - e. response, planning and education around the above and other types of incidents;
 - f. testing of fire hydrants for water flows; and
 - g. preventive patrols, including parking patrols, to ensure proper emergency access.

-
13. The Fire Chief, in consultation with Council and the Village Manager, shall establish policies and operating guidelines for the proper and efficient organization and administration and operation of Lions Bay Fire Rescue, including but not limited to:
- (a) use, care and protection of Lions Bay Fire Rescue property,
 - (b) the conduct and discipline of officers and members of Lions Bay Fire Rescue, and
 - (c) efficient operations of Lions Bay Fire Rescue.
14. The Fire Chief, or in his absence, the senior ranking member present, shall have control, direction and management of all Lions Bay Fire Rescue apparatus, equipment or manpower assigned to an incident, and, where a members is in charge, he shall continue to act until relieved by a senior officer.
15. The Fire Chief shall report to the Council on the operations of Lions Bay Fire Rescue and related matters in the manner designated by Council.

Powers of the Fire Chief

16. The Fire Chief, or any other member in charge, may take all necessary measures for the prevention, control and extinguishing of fires and for the protection of life and property during an incident. The Fire Chief and any member may enforce the *Fire Code* and any related municipal bylaws and regulations for the prevention and suppression of fires. The Fire Chief and the Assistant Fire Chief may exercise the powers provided in the *Fire Services Act*.
17. The Fire Chief, or any member of Lions Bay Fire Rescue he authorizes, may enter any premises at any reasonable time for the purpose of fire prevention inspections.
18. The Fire Chief or his designate may order an owner or an occupier of real property to undertake any actions for the purpose of removing or reducing any thing or condition that the Fire Chief or his designate considers is a fire hazard or increases the danger of fire, including but not limited to stored flammable materials, accumulations of litter or waste materials or vegetation of a nature especially liable to fire, and things impeding safe exits from a building or likely to impede the safe operations of Lions Bay Fire Rescue or its vehicular access to a building or premises for firefighting.
19. The Fire Chief, or any other member in charge at a fire, is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
20. The Fire Chief, or any other member in charge at an incident, is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment or Lions Bay Fire Rescue to enter, as he deems necessary, in order to combat, control or deal with the incident.

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21. The Fire Chief, or any other member in charge, at an incident is empowered to enter, pass through or over buildings, or property adjacent to an incident, and to cause members of Lions Bay Fire Rescue and the apparatus and equipment of Lions Bay Fire Rescue to enter or pass through or over buildings or property, where he deems it necessary to gain access to the incident or to protect any person or property.
 22. The Fire Chief, or the member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter by him.
 23. The Fire Chief, or the member in charge at an incident, may request an enforcement officer empowered under this Bylaw, or the Village of Lions Bay Traffic and Parking bylaw, to enforce restrictions on persons entering within the boundaries or limits outlined at an incident.
 24. The Fire Chief may obtain assistance from other officials of the municipality as he deems necessary in order to discharge his duties and responsibilities under this bylaw.
 25. The Fire Chief, or the member in charge, may close or restrict access, within the Village of Lions Bay, to any park or hiking trail, for the purposes of mitigating the risks of wildland fires or other risks to life and property.
 26. The Fire Chief, or the member in charge of an incident may request persons who are not members to assist in removing furniture, goods and merchandise from any building on fire or in danger thereof and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident.

Behavior of the Public

27. No person shall enter the boundaries or limits of an area prescribed in accordance with section 16 unless he has been authorized to enter by the Fire Chief or the member in charge.
28. No person at an incident shall impede, obstruct or hinder a member of Lions Bay Fire Rescue or other person assisting or acting under the direction of the Fire Chief or the member in charge.
29. No person shall damage or destroy Lions Bay Fire Rescue apparatus or equipment.
30. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
31. No person shall falsely represent themselves as a Lions Bay Fire Rescue member.
32. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any incident.
33. No person shall obstruct or interfere with a fire hydrant, cistern or body of water designated for fire fighting purposes.

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34. Where an owner of a property has a fire hydrant located adjacent to their property, the registered owner of the property must ensure the maintenance of appropriate clearance around the hydrant. The *Fire Code* regulates the standard for clearance around a hydrant.
 35. No person shall fail to comply with an order from the Fire Chief or his designate to remove or reduce any thing or condition that the Fire Chief or his designate considers is a fire hazard or increases the danger of fire.
 36. With the exception of members of Lions Bay Fire Rescue for reasons of their work, no person shall construct a fire pit or fire ring within the Village of Lions Bay.
 37. With the exception of wood used in fires by Lions Bay Fire Rescue for reasons of their work, no wood shall be burned outside a building in the Village of Lions Bay except in permanently constructed outdoor fire pits, fireplaces or the like that were permitted and inspected by the Building Inspector prior to the effective date of this bylaw.

Fires and Burning

38. Except for Lions Bay Fire Rescue upon Village-sanctioned public occasions, for training exercises or for purposes of fire prevention, no person shall carry out open burning within the boundaries of the Village of Lions Bay.
39. No person shall discard, throw down or drop any lighted match, cigar, cigarette, barbecue briquettes or other burning substance into combustible material or in close proximity thereto.
40. A total ban on burning may be imposed within the Village of Lions Bay, including on the use of any outdoor combustion device including barbecues, if and when, in the opinion of the Fire Chief, hazardous fire conditions merit such a ban.
41. No person shall burn material included in Schedule "A" (Section 2 (b) of the Waste Management Act, Open Burning Smoke Control Regulation, B.C. Reg 145/93, as it may be amended, including but not limited to domestic waste, demolition waste, plastics or rubber, within the boundaries of the Village of Lions Bay, whether inside or outside a dwelling, in any apparatus designed for combustion, including but not limited to stoves, fireplaces, barbecues, hibachis, incinerators, fire pits and fire rings.

Water for Firefighting

42. When in the opinion of the Fire Chief the supply, pressure and flow of water is considered inadequate or in danger of becoming inadequate for purposes of fire fighting protection, the Village Council may by resolution introduce and enforce such regulations as may be considered necessary to conserve the supply, pressure and flow of water for such purposes. Such regulations may control and designated the purpose and hours for and during which water may be used for other than fire fighting purposes and the methods and appliances permitted for

such use, including houses, sprays, nozzles and sprinklers, the Village Council may also appoint an Inspector or Inspectors to enforce such regulations and such Inspector or Inspectors shall during the term of his or their office appointment, be granted the same authority to enter premises within the Village for purposes of Inspection under the regulations as are possessed by the Fire Chief.

Fire Zones

43. The Village Council may designate certain areas within the Village of Lions Bay as fire zones, in which parking is restricted or prohibited and any abandoned vehicle or boat or other such obstruction may be removed.

Requirements in Dwellings

- ~~44. A new residence constructed within the Village of Lions Bay must have a fire suppression sprinkler system.~~
- ~~45. If a person makes an alteration to a one-family dwelling without a sprinkler system, other than to add a Secondary Suite, and the value of the alteration is more than 50% of the replacement value of the building, then the entire building including any Secondary Suite must have a fire suppression sprinkler system.~~
- ~~46. All construction of new dwelling units, and construction of additions to existing dwelling units, within the Village of Lions Bay requires the installation of a fire extinguisher (minimum 5 lb A.B.C. Dry Chemical). The fire extinguisher installed must be ULC, UL or CSA approved and located within a reasonable distance of the kitchen and on the same floor level as the kitchen.~~
- ~~47. Every owner of a dwelling unit as defined in the Village of Lions Bay Zoning bylaw must install smoke alarms in accordance with the current BC Building Code, as amended from time to time, and must replace each smoke alarm in accordance with the manufacturer's rated service life for the alarm.~~
44. All residentially zoned buildings in the Village of Lions Bay must have a fire sprinkler system or fire suppression system installed by a qualified professional.
45. If a person makes an alteration to a residentially zoned building which does not have a fire sprinkler system or fire suppression system, and the value of the alteration as specified in the applicable building permit is more than 75% of the assessed value of the building, as determined by the most recent BC Assessment Authority stipulated value of the improvements on the parcel, then the entire building must have a fire sprinkler system or fire suppression system installed by a qualified professional.

46. Every dwelling unit, as defined in Zoning and Development Bylaw No. 520, 2017, must contain a minimum five pound A.B.C dry chemical ULC, UL or CSA approved fire extinguisher, which must be located in or on the same floor level as the kitchen.

47. Every dwelling unit, as defined in Zoning and Development Bylaw No. 520, 2017, must contain smoke alarms installed in accordance with the current BC Building Code, and every owner of a dwelling unit must replace each smoke alarm in accordance with the manufacturer's rated service life for the smoke alarm."

[Amended by Bylaw No. 535]

Fireworks

48. No person shall sell, offer for sale, possess, light, hold, distribute to another person or persons, set off or explode any firework at any time within the Village of Lions Bay, unless that person is over the age of 18.
49. No person shall set off or explode any Consumer Fireworks within the Village of Lions Bay unless that person has complied with the attached Village of Lions Bay Fireworks Policy (Appendix A).
50. No person shall set off or explode any High Hazard Fireworks within the Village of Lions Bay, except members of Lions Bay Fire Rescue on Village-sanctioned public occasions.

Cost Recovery

51. The Village of Lions Bay may recover the costs and expenses of and incidental to the taking of any measures pursuant to removal of a fire hazard at a building or premises, from any person who at the time had the charge, management, or control of the building or premises. Failure of that person to pay may result in the Village of Lions Bay recovering the expenses incurred from the owner by direct invoice, together with costs and interest at the rate of the Taxation (Rural Area) Act. Default on those costs will result in those costs being added to the property taxes of the owner of the property.
52. If the Fire Chief or a Member finds any violations of the B.C. Fire Code, Fire Services Act, or this Bylaw while performing an inspection as set out in this Bylaw, that Member will write an order directing the violation(s) be corrected within a defined time period and will advise of a return date for a re-inspection to ensure the appropriate correction(s) is made. If the order has not been complied with upon re-inspection, a fee will be charged for that re-inspection and each additional re-inspection if required. The Fire Inspector may issue a Municipal Ticket or Bylaw Notice to any person whose property requires re-inspection.

Penalties

53. Additional fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended.

[Amended by Bylaw No. 465]

[Amended by Fees Bylaw No. 497, 2016]

54. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, or who does any act or thing or omits any act or thing thus violating any of the provisions of this bylaw, shall be deemed to have committed an offence, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a minimum fine of \$2,500 and a maximum of \$10,000, or to both fine and imprisonment. This bylaw is designated under section 264(1)(a) of the Community Charter as a bylaw that may be enforced by means of a municipal ticket information under the Community Charter, and is also designated under section 4 of the Local Government Bylaw Notice Enforcement Act as a bylaw that may be enforced by means of a bylaw notice.

READ A FIRST TIME	October 4th, 2010
READ A SECOND TIME	November 1st, 2010
READ A THIRD TIME	February 21st, 2011
ADOPTED	March 7, 2011

Mayor

Village Manager

**Certified a true copy of
Bylaw No. 428, 2011 as adopted.**

Village Manager

Appendix A

Village of Lions Bay Consumer Fireworks Policy

Background: The Village of Lions Bay is surrounded by forest that typically becomes tinder-dry during summer conditions, and this situation is becoming over time more risky because of global warming. Fireworks are explosive devices which can create injury, and they can also pose a safety risk to the Village, depending on how and where they are let off and how they are handled. The Fire Bylaw bans the use of High Hazard Fireworks within the Village, except by Lions Bay Fire Rescue on Village-sanctioned public occasions. It does allow the use of Consumer Fireworks under the policy and conditions outlined below. Consumer Fireworks are outdoor, low-hazard recreational fireworks (Canadian Class 7.2.1) such as showers, fountains, golden rain, Roman Candles, and volcanoes as may be designated under the provisions of the Natural Resources Canada "Display Fireworks Manual". They do not include sparklers, which may be therefore be used without reference to this Policy.

Policy: Residents may use Consumer Fireworks on October 31 and New Year's Eve of any year, but not Canada Day because of the high risk at that time. They must give the Village Office notice one week in advance. The notice given to the Village Office must include the time, place and type of fireworks to be involved, who is to handle them and set them off and contact information for that person. This will allow time for the Fire Chief to conduct an inspection as he deems necessary of where and how the fireworks are to be let off. The fireworks may then only be used if the Fire Chief is satisfied that they:

- a. May be discharged without creating a risk of fire or injury;
- b. May be discharged without being propelled at any building, structure, hedge or vegetation;
- c. Will not be discharged within 30 metres of any location where flammable materials are stored;
- d. Are not High Hazard fireworks;
- e. Are not Movie Pyrotechnics, which are addressed under the Village of Lions Bay Filming Policy.

VILLAGE OF LIONS BAY

Incoming Correspondence - November 7, 2017

General Correspondence:

G-1: Mobility Pricing Mayors and Council Workshop Invite (Page 1)

G-2: Microcell Resolution & Notice of Wireless Harm (Page 3)

G-3: Salish Sea - Letter to Mayors, Councils, Regional Directors (Page 19)

Resident Correspondence:

R-1: Joe Jankovics (Page 20)

From: [Stevens, Cynthia](#)
To: [Council @ Lions Bay; Agenda](#)
Subject: PLEASE HOLD -- Mayors and Council Workshop Invite (Wednesday, November 15th @ 2:00 - 4:00pm)
Date: Monday, October 23, 2017 9:43:30 AM
Importance: High

Dear Mayor and Council,

I am writing to you on behalf of the Mobility Pricing Independent Commission (MPIC). MPIC was established by the Mayors' Council on Regional Transportation and TransLink Board of Directors to explore mobility pricing options to reduce congestion, promote fairness, and support investments in the region's transportation system. The Independent Commission is led by an exceptional group of community leaders, supported by small expert staff and technical consultants that will carry out research, analysis and public engagement. It will evaluate mobility pricing options based on the following objectives:

- Reduce traffic congestion on roads and bridges across the region, so people and goods can keep moving and businesses can thrive and be competitive;
- Promote fairness to address concerns around Metro Vancouver's long-standing approach to tolling some bridges but not others; and
- Support transportation investment to improve the current transportation system in Metro Vancouver for all users.

MPIC will deliver its recommendations in a report to the TransLink Board and the Mayors' Council in Spring, 2018. These recommendations will be developed by consulting with members of the public, key stakeholders and elected officials at all levels of government. Public and stakeholder engagement will commence at the beginning of November.

We would like to organize two sub-regional workshops with the mayors and councils sometime in November for a briefing session and workshop with the Commission, which would include providing information about the mobility pricing study and opportunities to provide input and feedback. We have included your municipality in **sub-regional workshop 1 on November 15th** with the following municipalities: Bowen/ Burnaby/ Lions Bay/ New Westminster/ North Vancouver/ West Vancouver/ Richmond/ Vancouver/ Electoral Area A.

Kindly advise as soon as possible if this date conflicts with any council meetings and/or events in your city.

Regards,
 Cynthia Stevens
 Senior Administrator

FleishmanHillard | Suite 1600 | 777 Hornby Street | Vancouver | Canada | V6Z 2T3
 O (604) 688-2505 | F (604) 688-2519
 E cynthia.stevens@fleishman.ca

This email is intended only for the named addressee. It may contain information that is confidential/private, legally privileged, or



Dear Mayor and Council Members,

The Mobility Pricing Independent Commission, established by the Mayors' Council on Regional Transportation and TransLink Board of Directors to explore mobility pricing options to reduce congestion, promote fairness, and support investments in the Metro Vancouver region's transportation system, would like to invite the mayor and council of Lions Bay to a sub-regional workshop on November 15th from 2-4pm at the Inn at the Quay in New Westminster.

The workshop will be hosted by Daniel Firth, Executive Director of the Independent Commission and internationally renowned mobility pricing expert.

During the workshop, information on the Independent Commission's objectives and mobility pricing in general will be shared. Mayors and members of council will participate in several interactive discussions focused on goals and principals associated with mobility pricing. The workshop on November 15th will include mayors and councils from Bowen Island, Lions Bay, West Vancouver, District of North Vancouver, City of North Vancouver, Richmond, Vancouver, and the Director for Electoral Area A.

The Independent Commission is led by an exceptional group of community leaders, supported by a small expert staff team and technical consultants that will carry out research, analysis and public engagement. It will evaluate mobility pricing options based on the following objectives:

- Reduce traffic congestion on roads and bridges across the region, so people and goods can keep moving and businesses can thrive and be competitive;
- Promote fairness to address concerns around our long-standing approach to tolling some bridges but not others; and
- Support transportation investment to improve the current transportation system in Metro Vancouver for all users.

Please confirm your attendance by emailing Cynthia Stevens at Cynthia.stevens@fleishman.ca

We look forward to hearing back from you and hope that your mayor and council can be in attendance. Please RSVP by November 3rd, and let me know if you have any further questions.

Sincerely,
Mobility Pricing Independent Commission

Workshop Details

Time: Wednesday, November 15th, 2-4pm

Location: Hyack Room, Inn at the Quay, 900 Quayside Dr., New Westminster, B.C.

From: [Lions Bay Reception](#)
To: [Agenda](#)
Subject: FW: ACTION REQUIRED: Microcell Resolution & Notice of Wireless Harm
Date: Wednesday, October 25, 2017 11:33:24 AM
Attachments: [Letter to municipalities_Oct_2017.pdf](#)

Incoming Correspondence for next Council Meeting.

Susan Loutet

Administrative Assistant

The Municipality of the Village of Lions Bay. www.lionsbay.ca

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 CANADA

Tel: (604) 921-9333 ext. 1000 | Fax: (604) 921-6643

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From: s.ridout@shaw.ca [mailto:s.ridout@shaw.ca] **On Behalf Of**
cst.citizensforsafetechnology@gmail.com
Sent: Tuesday, October 24, 2017 8:37 PM
To: s.ridout@shaw.ca
Subject: ACTION REQUIRED: Microcell Resolution & Notice of Wireless Harm

Sherry Ridout

On Behalf Of: **Citizens for Safe Technology**

cst.citizensforsafetechnology@gmail.com

Dear Mayors and Councillors,

At last month's UBCM, BC municipalities voted in favour of a Resolution mandating that land use authorities and the public be consulted when microcells are placed within 100 metres of schools, hospitals, and residences. This requested change to existing policy closes a federal loophole that allows microcells to be placed on existing structures with no public consultation whatsoever. Over the next several months, the FCM (Federation of Canadian Municipalities) will be discussing the content of the UBCM resolution with the federal government.

Microcell placement and municipal rights is a hot topic. While some individuals perceive microcells as benign or even benevolent transmitters that are essential to improving connectivity and achieving economic prosperity, a growing number of civic leaders are concerned about the many issues arising from installing microcells in the public right of way. (See Section 3: **Why Local Governments are Concerned about Microcells** below.) On October 15th 2017, SB 69 - a bill giving telecoms free rein to install microcells on California rights of way, [which 300 Californian cities opposed](#) - was vetoed by state Governor Jerry Brown.

High-speed connectivity is not dependent on microcells. Safe and data-secure technological options are available. (See Section 4: **Tech-Wise-Solutions for Connectivity** below.)

The material below summarizes the concerns about microcells and outlines important actions you may take **now** to insure that as a local government you are as fully engaged as current federal policy allows in the placement of microcells in your community.

Suggested Approach:

- 1) Put the brief **Notice of Wireless Harm** in Section 2 below on the agenda of your next council meeting.
- 2) Review all permits, antenna siting policies, and agreements currently in place between your government and telecommunication companies. (See Section 5: **Action Check List** below.)
- 3) Take a few moments to read the material below so that you may make informed telecommunications decisions. This letter and that material are also attached as a PDF,

With Best Wishes,
Citizens for Safe Technology
cst.citizensforsafetechnology@gmail.com

Section 1: Overview

The Resolution that was passed:

WHEREAS public consultation on the placement of cell towers is mandated; and

WHEREAS new technology is moving away from these large towers to micro-transmitters which do not require local government or public consultation;

THEREFORE BE IT RESOLVED that the AKBLG request the UBCM petition relevant provincial and federal governments to mandate consultation with the land use authorities and the public regarding microcell transmitter siting within 100 metres of residences, schools and hospitals.

Why this Resolution Matters

ISED (*Innovation, Science and Economic Development*, formerly *Industry Canada*) allows microcells, or small cell antennas, to be placed on existing structures without any public input or often knowledge. In their 2014 [Guide to Assisting Land-Use Authorities in Developing Antenna Siting Protocols](#), Industry Canada makes an assumption that: "certain proposals ... have minimal impact on the local surroundings and so are excluded from public and land-use consultations."

The UBCM's support for the microcell placement resolution shows that ISED has underestimated and overlooked the impact microcells have on municipalities and their residents.

Section 2: Microcells - Notice of Wireless Harm

There is no scientific research proving microcells are safe. The widespread installation of microcell technology is based on the misconception that wireless transmitters cause no harm. [Thousands of independent scientific studies](#), however, link the RFR (radiofrequency radiation) microcells emit to increased cancer risk, neurological disorders, and infertility. Even low levels of RFR exposure over time have been linked to adverse effects on plants and [insects, especially pollinators](#)

- As of October 2017, 235 scientists from 41 countries have signed the [International EMF Scientists Appeal](#) urging world leaders to "protect mankind and wildlife from the dangers of EMFs and wireless technology."

ISED says microcells are safe as long as they comply with Health Canada's Safety Code 6. Health Canada, however, continues to ignore the non-thermal effects of artificial electromagnetic frequencies as well as the science which shows that exposure to these frequencies, [even at levels lower than those deemed safe by Safety Code 6](#), cause potential biological harm.

- On September 28, 2014, over [50 Canadian physicians](#) condemned Safety Code 6. On July 9, 2014, [fifty-three scientists from eighteen countries](#) called on Health Canada to intervene to "help avoid an emerging health crisis."

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technology which the telecom industry is poised to install across the nation. "5G" microwave frequencies have never been independently tested to prove they will not cause adverse biological and/or health effects. By allowing telecoms to install microcells, local governments currently have no recourse over how many transmitters are placed and if these microcells will be used to transmit "5G."

- On Sept. 13, 2017, over 180 scientists from 35 countries sent a [declaration to the European Commission](#) calling for a moratorium on the rollout of microcell transmitters and "5G" saying that fifth generation technology "could lead to tragic, irreversible harm"

In 1998, Canada adopted the Wingspread Precautionary Principle, which states: "When an activity raises threats of harm to human health or the environment, precautionary measures should be taken, even if some cause and effect relationships are not fully established scientifically."

Rethinking the indiscriminate installation of microcells in our communities supports this principle and protects local governments from being liable for damage and injury resulting from wireless harm.

Section 3: Why Local Governments are Concerned about Microcells

- **Public and Environmental Health and Safety** - as discussed in the above **Microcells - Notice of Wireless Harm**

- **Liability**

Once a municipal government has been made aware that microcells may cause personal injury or environmental harm (the **Notice of Wireless Harm** above informs you of this), permitting microcell transmitters to be installed in your ROWs may be deemed an act of negligence, and you may be held liable for any environmental damage or personal injury resulting from this equipment having been installed. Telecommunication workers ("linemen") are at particular risk.

In 2013, the *CRTC* and the *FCM* established this liability criterion in their **Model Municipal Access Agreement**, which may be downloaded here: <http://crtc.gc.ca/cisc/eng/ciscmanu.htm>.

- **Local Authority & Urban Planning**

The [Antenna Siting Systems Protocol Template](#) developed in 2013 by the FCM and the *Canadian Wireless Telecommunications Association* ([CWTA](#)) offers municipalities examples of how they may add their input to antenna siting in their communities, specifying design preferences, for instance, or naming preferred and discouraged locations for antenna siting. However, once a land use authority gives its permission for microcells to be installed, telecommunication companies have the final say in where microcells are placed.

This Lack of Local Authority over microcells negatively impacts:

- **Public Health and Safety** Transmitters in the public right of way are affecting pole integrity, creating increased distraction for drivers, and causing sidewalk and roadway crowding.
- **Urban Planning:** There is no limit to the number of small cells allowed per property, and no consideration for competing demands, noise, size, lighting, design, or fiscal impacts.
- **Aesthetics & Property Values:** Universal deployment of microcells degrades intentionally designed neighborhoods and historic buildings, and negatively affects property values.
- **The Public's Use and Enjoyment of the ROW:** Street-side gardening, block parties, neighbours visiting across the fence, children riding their bikes on the road by their homes... So many pastimes that add colour to a community and pleasure to life may be curtailed as citizens experience legitimate concern about lingering under the microcells and being exposed to radio frequencies.

Section 4: Tech-Wise - Solutions for Connectivity

Safe and data-secure technological options are available.

For mobile connectivity we could emulate Paris, France's pilot project and install small cells with signals that are adequate for mobile use but do not penetrate buildings or peoples' homes. For home and business internet access, wired networks of fiber optic and Ethernet cables or of fiber optic, copper wire and Ethernet cables (G-Fast) provide safe, fast, reliable, and cyber-secure connection, and will not blemish or obstruct local rights of way.

Section 5: Microcells - Municipal Rights and Responsibilities

Action Check List

- ☐ Have microcells been installed on existing structures in your municipality?
- ☐ If not, do you want to discuss other connectivity options with telecom providers before giving them access to your ROWs?
- ☐ Do you have an Antenna Siting Protocol in place? If so, does it require that notification is required for all new transmitters? If not, consider writing one that does, even for microcells being installed on existing structures.
- ☐ If microcells are installed in your ROWs:
- ☐ Has written consent been given to the telecom by local land use authorities for each transmitter installed?
- ☐ Have you asked the company who installed the microcell network for RF exposure level data?
- ☐ Have you asked this company what strategies they have employed to keep the ambient RF radiation levels in residential areas as low as possible, and what strategies could still be implemented?
- ☐ Have you negotiated a Municipal Access Agreement with the telecom who has installed these microcells?
- ☐ Has the telecom submitted detailed before and after plans to your municipal engineer for each microcell installation?

The Model Municipal Access Agreement and You

The **Model Municipal Access Agreement** negotiated between the CRTC and the FCM in 2013 (<http://crtc.gc.ca/cisc/eng/ciscmanu.htm>) defines the parameters of local governments' current rights and responsibilities in relation to microcell placement. Most significantly:

1. **Consent:** Pursuant to section 43 of the Telecom Act a company must have a municipality's written consent prior to constructing equipment within the ROW.

2. **Permits:** Work within the ROWs by the company is subject to the authorization requirements established by the municipality. Municipalities determine if permits are required for each and every microcell.

3. **Plans:** Unless otherwise agreed to by the municipality, prior to installing microcells the company must submit the following to the municipal engineer:

- Construction plans of the proposed work showing the locations of the proposed and existing equipment and other facilities, and specifying the boundaries of the area within the municipality within which the work is proposed to take place

And


- All other relevant plans, drawings and other information as may be normally required by the municipal engineer from time to time for the purposes of issuing permits.

4. **Refusal to issue Permits.** In case of conflict with any *bona fide* municipal purpose, including reasons of public safety and health and conflicts with existing infrastructure, the municipality may request amendments to the plans provided by the company or may choose to refuse to issue a permit.

5. **Utility co-ordination committee.** The company shall participate in a utility co-ordination committee established by the municipality and contribute to its equitable share of the reasonable costs of the operation and administration of the committee as approved by such committee.

6. **"As-built" drawings.** The municipality may request that, no later than a given number of days after completion of any work, the company shall provide the municipal engineer with accurate "as-built" drawings sufficient to accurately establish the plan, profile, and dimensions of the equipment installed within the ROWs.

7. **Liability.** The municipality is responsible for any damage to the natural environment and any injury to any person arising from the presence of electromagnetic radiation in connection with the company's use of the ROWs if such damage was caused directly or indirectly, in whole or in part, by the negligence of the municipality.

 Virus-free. www.avast.com



Citizens for Safe Technology

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The SalishSea

...World Heritage

To: Mayors & Councils, and Regional Directors in the Province of BC

re: A Grande Finale for 2017,
...Sustainable Development, & Our Local & World Heritage

October 27, 2017

Dear Mayor & Councils, and Regional Directors,

We have two requests which would greatly benefit from your personal consideration ...and your formal support as representatives of local government in British Columbia.

1) Recognition for December 11th, A Day For Our Common Future, this year being the 30th anniversary of the Brundtland Report's presentation to the United Nations. The BC Government, and many local governments have supported this designation since 2012.

<http://viccs.vcn.bc.ca/all-nations-and-peoples-proclamation-a-day-for-our-common-future/>

2) Praise and recognition of the 41 UNESCO World Heritage Site applications submitted in 2017, from across Canada; Minister McKenna to announce ten successful bids this December.

<http://salishseatrust.ca/2016/10/31/updating-canadas-tentative-list-for-world-heritage-sites/>

As 2017 comes to an end we find a wonderful opportunity before us, a chance to provide leadership and commitment to the very best our communities, province and country have to offer. And as respected and honourable representatives of local government - Mayors & Council Members and Directors in the Province of BC, we are then approaching you - to champion the spirit and strength that vitalizes and runs throughout our communities in British Columbia, and Canada.

In the near future, over the next month, we hope you might then find a chance to support the 30th anniversary of UNCED and sustainable development. And as you debate our legacy, and future, please consider support for UNESCO and our rich cultural and natural World Heritage ...in your neighbourhoods and regions, and across our great province and country.

Additional information is available, at your request. As non-profit organizations we are working together to encourage efforts locally which reflect national and global goals. These requests highlight new and ongoing work in the community of communities that is B.C. and Canada, and the benefits that follow from such initiatives.

Thank you for your time and consideration.

Laurie Gourlay
Interim Director, Salish Sea Trust
President, V.I. Coast & Conservation Society

c.c. - MP Rachel Blaney, MP, North Island - Powell River,

**sponsor of House of Commons Salish Sea World Heritage Petition E-1269*

*Salish Sea Trust, Box 333, Cedar, B.C., V9X 1W1
250.722.3444, <SalishSeaTrust@shaw.ca> (www.salishseatrust.ca)*

From: Joe Jankovics
Sent: Friday, October 20, 2017 6:14 PM
To: Council @ Lions Bay <council@lionsbay.ca>
Subject: Table salt, medicinal salt, he'll maybe even road salt

So councillors, new and old, what is the production date of our above mentioned line from our unique, one-and-only salt plant???

Sent from my iPhone

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	New Resident Welcome Package		
Author	S. Gilroy	Reviewed By:	P. DeJong
Date	October 31, 2017	Version	
Issued for	November 7, 2017 Regular Council Meeting		

Recommendation:

THAT the Information Report, "New Resident Welcome Package" be received.

Attachments:

None

Key Information:

The Village Office once provided welcome packages for new residents a few years ago, however they are no longer up to date, so staff compiled a list of ideas which they feel would be helpful for new residents. Staff agree that the idea of having this package available as a separate page on the municipal website, as opposed to a printout, is more convenient, especially for those who phone for information as opposed to dropping into the office. Information could easily be printed out should someone wish to have a hard copy in person.

The top of the web page would have a blurb requesting that residents follow up with the Village Office to provide their mailing address, phone number and email, provide instructions on how to sign up for the Village Update, and inform them of the Resident Parking Permits. The following is the compiled list which would be laid out at the bottom using an "accordion" drop down providing a brief explanation and a link to either our website pages or external pages:

- Municipal Office Hours
- Education (SD45)
- Taxes and Utilities
- Garbage, Recycling and Organics
- Transit Information



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- Lions Bay Trail Map
- Community Groups, Events and Activities
- Volunteer Opportunities
- Blockwatch
- Emergency Services (911, LBFR, SAR, ESS)
- Public Works Emergencies/Non-Emergencies
- Lions Bay Alert
- Building Permits
- Zoning Map
- Secondary Suites & Short Term Rentals
- Council and Committee Meetings
- BC Newcomers Guide

Most of the information listed above is already provided on the Village website and would only require a quick explanation and direction to the appropriate page. The Resource Directory, published by the Seniors Social Circle, is expected to launch this year which is another option in terms of having something physical to hand to new residents at the front counter, while also directing them to our “New Residents” page of the website.

Follow Up Action: Council to provide feedback on the foregoing.

Communication Plan: Staff to provide the web link to any new residents who contact the Office and promote the link with local realtors.