



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JULY 2, 2019 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier
Councillor Jaime Cunliffe

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

Delegations: 3

Public: 13

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:03 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 12A – Village Mailbox Inserts be added; and

THAT item 90(1)(f) be added as an additional item for closing the meeting; and

THAT item 11B – Additional Correspondence be added; and

THAT item 4C – Delegation: Emma Shaw, be addressed ahead of item 4B – Delegation:

Kambiz Azordegan; and

THAT the agenda be adopted, as amended.

CARRIED

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

A. Ruth Simons

Ms. Simons advised Council that they are close to the second draft of their nomination submission to UNESCO's biosphere program. She explained that there are over 700 biosphere reserves around the world and 18 in Canada and the hope is that Howe Sound will become the 19th. She explained that biosphere reserves seek to reconcile human activity with a conservation of biodiversity through a sustainable use of natural resources. This reflects UNESCO's key objective of fostering innovative sustainable development practices and combating the loss of biodiversity by accompanying communities to understand, appreciate, and safeguard the living environment of our planet. Ms. Simons further explained that the framework for the biosphere program would meet the common objectives of those they have heard from around the region (Agenda package p.166). Ms. Simons was seeking Council's endorsement for this program which will take at least 2 months for a site visit and hopefully have official designation by 2021. Ms. Simons will provide Council with a template from other communities to wordsmith and sign to support this endorsement.

Moved/Seconded

THAT Council endorse UNESCO's Biosphere Initiative Program and agree to sign the letter provided by Ms. Simons in support.

CARRIED

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

A. Glen Dennison – Howe Sound Sponge Reef Discoveries and Rockfish Protection

Mr. Dennison updated Council via a slideshow presentation on the sponge reef discoveries and Rockfish Conservation Areas (RCA) in Howe Sound, and how they are being supported by the Department of Fisheries and Oceans (DFO). He explained that sponge locations, also known as Bioherms, are mostly on the east side of Howe Sound, but in the last few weeks a few more discoveries have been identified by the Langdale ferry terminal and by Gambier Island, thus expanding their knowledge of where the glass sponge reefs are located. He explained that Professor Dr. Manfred Krautter established the appearance of glass sponges 570 million years ago, and the formation of the BC glass sponge reefs 14,000 years ago. He noted the sponge reefs in Howe Sound are approximately 6,000-7,000 years old and described some of the types of glass sponges in Howe Sound. To protect these, they worked with the DFO, First Nations, BC Parks and various local societies, but noted that it all starts with gathering mapping data through temperature data and dropping cameras down in areas deeper than scuba divers can reach, and now with submarines. The information was recorded and reported to the DFO who then ground truthed the data. In March 2019, the Government of Canada announced full protection of the Howe Sound Sponge Reefs. The DFO also requested the Province expand the Halkett Marine Park which will become a rockfish conservation area, and their most recent work has been at the Brigade Reef in Howe Sound by Gambier Island where teams count rockfish and compile the information on waterproof paper for the DFO. It has been requested to have this reef and areas around the UCBC mooring buoy moved into RCA status. There is a need for increased protection, increased monitoring and the need to move into an RCA status.

B. Emma Shaw – Amplified Music at the General Store Café

Ms. Shaw spoke on behalf of herself and her husband of unit 2-350 Centre Road, as well as on behalf of the owners of units 4, 5 and 6 to discuss the concerns with Council's recent decision to relax the noise bylaw to allow live amplified music outside the General Store and Café on summer weekends from noon to 8 pm Ms. Shaw explained that she is starting a young family and moved here a couple of years ago to the only affordable place on the North Shore, and although they were aware they would experience some noise living above a store and café, they were not aware they would be playing live amplified music. She explained that they had a family gathering at their home and had to yell to have a conversation on their deck as well as inside their home, and that since the building is approximately 40 years old, the sound proofing is minimal. She reiterated sections of the Noise Control Bylaw where amplified music is not allowed and found it unfair for Council to amend the bylaw for live amplified music on Friday's, Saturday's, Sunday's and holiday Monday's through the summer. She explained that the patio is small, approximately 300 sq.ft and suggested it is unnecessary to have amplified music in such a small space. She noted they were not against music and the atmosphere that it brings, however she was against it being amplified with residential units overhead. The owners of the 4 units asked that the Noise Bylaw not be relaxed and to take in consideration the negative impact this may have on the owners in the strata. She advised that a hearing has been scheduled to discuss this issue with their Strata Council.

C. Kambiz Azordegan

Mr. Azordegan explained that he had previously sent photos of the filming issues near his home in Kelvin Grove. He spoke regarding the filming policy which was changed one time to accommodate an application. He noted that Lions Bay is residential, not commercial, and his query from Council was to enforce the existing filming policy where if one resident opted not to allow filming, the application was immediately void. He also requested that Council does not change the existing policy every time a filming company comes to Lions Bay which defeats the purpose of the policy. He asked that an action plan be created and that this be a priority.

Secondly, Mr. Azordegan discussed the signage issue in Kelvin Grove, whereby the green parking signage invites people to the beach parking lot, explaining that on the weekend someone knocked on his door asking to use his electricity for their RV, and another RV used his driveway as a turnaround. He noted that increasing the penalty for parking tickets and doubling the fine for repeat offenders should become another priority. He advised that visitors know that on weekdays there are no bylaw officers and after 10 pm nothing can be enforced.

He noted that everything between filming and parking is regarding the issue of noise, and to gain peace and tranquility. He requested that Council make a plan for bylaw enforcement during the week and after 10 pm, and to remove the directional parking signage pointing to the Kelvin Grove Parking Lot.

CAO DeJong spoke to a few of the points listed on Mr. Azordegan’s delegation form, such as:

- It is not Municipal policy to exclude people from visiting Lions Bay and parking in the lot, after they have exited the highway and are looking for public parking;
- Additional resident permit spots have been added to the lot;
- We cannot install a gate or a chain as the opening is so large it would be very costly and ineffective;
- Residents cannot call the towing company; a vehicle must be ticketed, and it is the Bylaw Officers discretion to have a vehicle towed;
- We have already raised the ticket prices to be in line with other municipalities;
- There is no way of ticketing repeat offenders at a higher penalty and it was noted that in June there was only one repeat offender, indicating this is not an issue;
- The police have been requested to do patrols in the summertime, however they have limited resources;
- Hiring Bylaw Officers during the week has a budget implication, and the lack of work during the week when the beaches are not busy posed an issue when this was explored in the past, but staff would review the suggestion of having a rotation of a bylaw officer on random evenings during the week in the summertime during the next budget discussion in the fall.

Audio: 01:02

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – June 18, 2019

The following was amended:

- Item 6: Business Arising from the Minutes, subsection 8Av – add to the end of the paragraph “Councillor Abbott made the point that residents with suitable qualifications who are not necessarily looking may well be interested in working closer to home.”;
- Item 8Aii: 110 Sunset Drive Encroachment Agreement – add the words “and fence” after “retaining wall”.

Moved/Seconded

THAT the Regular Council Meeting Minutes of June 18, 2019 be approved as amended.

CARRIED

B. Special Council Meeting – June 25, 2019

Moved/Seconded

THAT the Special Council Meeting Minutes of June 25, 2019 be approved as circulated.

CARRIED

6. Business Arising from the Minutes

A. Mailbox Survey Inserts

Councillor Abbott expressed his issue with the mailbox inserts with respect to the filming and transit surveys, noting that it explains “Council wants to hear from you” however Council had not discussed what was sent out. He felt strongly about allowing more than one person per household to fill out the survey as members of a household may have different opinions on a subject. Council discussed having some input on surveys before going to the public in future.

Audio: 01:16

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
76	March 19, 2019	Staff to consider the creation of a policy for the Infrastructure Committee and report back to Council.	[completed]
83	April 2, 2019	Item 8Aiii: Investigate option of falling outside the UCB to avoid future bylaws intended for larger municipalities	[pending]
94	June 4, 2019	R1: Ivo Mencke – Highway Noise – Mayor McLaughlin to respond	[completed]
95	March 19, 2019	EV Charging Station – staff to find a location in the Village for the station	[ongoing]
96	June 18, 2019	Correspondence R1: Karl Buhr – New Parking Measures – Mayor McLaughlin to respond	[pending]
97	June 18, 2019	Correspondence R3: Craig Doherty – Utilities Hardship – for follow up during the next budget process – Mayor McLaughlin to respond	[completed]

8. Reports

A. Staff

None

B. Mayor

None

C. Council

None

D. Committees

i. CAO & Councillor Bain: Verbal Update re. Evacuation Route Planning Select Committee

Councillor Bain advised that a group of residents met to discuss evacuation routes, but he had nothing to report at this point. Rather than continuing with committee meetings, he proposed interviewing residents who might have good information and ideas on potential routes so that when the Deputy Emergency Program Coordinator is hired, it would be helpful for them in terms of starting the process of planning. It was noted that the trails on the Lions Bay Trail Map are all passable; however, areas such as easements need to be investigated, and that major evacuation routes should be determined first.

E. Emergency Services

None

9. Resolutions

A. Relaxation of Bylaws – 39 Brunswick Beach Road

CAO DeJong reached out to the applicant, Pat Taylor, to determine the extent of outreach to immediate neighbours regarding the event. He queried the idea of supportive neighbours offering up their driveways or alternatively figuring out transit options. The applicant advised that they are capping the event at 80 people including the band and support team, and an initial invitation was sent out in early June to register before June 30. At present, there was a total of 44 people from Brunswick Beach and 2 from the other areas of Lions Bay. The applicant noted in the email that guest parking passes will be arranged for those who are not residents. Council was concerned with the lack of parking and would like to see commitment from the neighbourhood to offer their driveways, confirmation this event is to be held at a home (not the beach) and that there is an overwhelming commitment to the event from the residents in Brunswick Beach. CAO DeJong was asked to acquire this information from the applicant for the next meeting; therefore, this item was tabled.

Moved/Seconded

THAT Council relax the Noise Bylaw to allow live music from 5 pm until 8:30 pm at 39 Brunswick Beach Road on August 5th, 2019.

TABLED TO NEXT MEETING

10. Bylaws

A. Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019 - Adoption

Moved/Seconded

THAT Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019 be adopted.

CARRIED

11. Correspondence

A. List of Correspondence to June 27, 2019

Moved/Seconded

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

- G1: BC Hydro – 2019 UBCM – no response
- G2: Lions Gate Wastewater Replacement Plant – no response
- G3: Provincial Support for Libraries – no response
- G4: Letter to UBCM re. Proposed Vacancy Tax – no response
- G5: Metro Vancouver – Regional Long-Range Growth and Transportation Scenarios – no response
- G6: Amending Metro Vancouver 2040 to Reflect Accepted Regional Context Statements – no response
- R1: Anne Crosthwait – Newcomers Event – Councillor Cunliffe to remind Council of this event closer to the date (Sep.26th)
- R2: Craig Doherty – Utilities Inequality – Mayor Response – no further response
- R3: Ivo Mencke – Highway Noise – Mayor McLaughlin responded, no further response
- R4: Susan Leeson – Relaxing Noise Bylaw at 350 Centre Road – pending response
- R5: Paula Vendargon – Visibility Concerns at Brunswick – PWM Jaffer advised that the hedge is on private property and is there because of a privacy concern; the zoning bylaw provision referenced by Ms. Vendargon is not applicable, PWM Jaffer to respond
- R6: Ruth Simons – Biosphere Initiative – Ms. Simons was present during public correspondence, no further response

CARRIED

B. Additional Correspondence – On Table

Mayor McLaughlin requested that this matter be brought back to the next meeting for reconsideration. The On Table correspondence is to be added to that Agenda.

12. New Business

A. Village Mailbox Inserts

This item was discussed in item 6A.

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

Doug Pollock

Mr. Pollock queried how many of the people attending the BC Day block party are residents and how many are outsiders and whether they are being charged for a ticket or not. CAO DeJong responded that it appeared all current ticket holders (free) are residents (44 Brunswick/2 other).

Deirdre Bain

Ms. Bain discussed the BC Day block party and understood from the application that the party is on the beach and the rainy-day location was at the home. CAO DeJong will clarify in his other requests to the applicant.

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*:

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;

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 9:04 p.m.

The meeting was re-opened to the public at 9:17 p.m.

15. Reporting Out From Closed Portion of Meeting

Council reported that the Infrastructure Committee Terms of Reference will become public by way of the July 4 Infrastructure Committee Meeting agenda.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:17 p.m.

Mayor

Corporate Officer

Date Approved by Council:

July 16, 2019