



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, SEPTEMBER 22, 2020 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY AND VIA ZOOM VIDEO CONFERENCE

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott (via video conference)
Councillor Fred Bain (via video conference)
Councillor Norm Barmeier (via video conference)

Regrets: Councillor Jaime Cunliffe

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer (via video conference)
Municipal Coordinator Karla Duarte (Recorder)

Delegations: 1

Public: 4

1. Call to Order

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

2. Adoption of Agenda

Moved/Seconded

THAT

- (1) Item 8Aii – Paving Map be added as additional information to the report; and
- (2) Item 8Bii Signage be added; and
- (3) Item 8Biii UBCM Speculation and Vacancy Tax Resolution – District of West Vancouver; and
- (4) Item 11A – Hot Tub placement diagram be added as additional information to correspondence item R16; and
- (5) The agenda be adopted, as amended.

CARRIED

Audio 00:04:17

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

A. George Liu

Mr. Liu provided a summary of his understanding of the CAO's email regarding the current offer on 35 Kelvin Grove Way and emphasized that rezoning should not be an option regardless of the outcome. He noted that the OCP should be followed strictly and referred to the petition from 43 residents of Kelvin Grove Way and requested that they be updated and notified on the progress of the sale of the lot.

Audio 00:7:57

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

A. Marek Sredzki – Kelvin Grove Sewage Plant and anticipated sale of two multi-dwelling properties in Kelvin Grove.

Mr. Sredzki questioned the allocation of funds for the Kelvin Grove Sewage Plant. Mr. Sredzki requested information on the following:

monetary total collected in sewage levies since the opening of the plant;
annual operating expenses of plant; the financial structure of operating and contingency funds for 35 plus years, particularly regarding maintenance, salary, and amortization.

Mr. Sredzki questioned the collection of amortization charges and whether a submission is required for this information under the Freedom of Information and Protection of Privacy Act.

Mr. Sredzki noted the capacity of the new plant and speculated on the potential to subdivide for multi dwelling units to help pay for the plant. He noted Kelvin Grove residents have provided many improvements to the entire Village without direct benefits to Kelvin Grove residents and that there is no revenue problem, but rather a spending problem. He asked for clarification on plans for Oceanview Road and Highview Place.

Mayor McLaughlin noted that a response may be expected in a month's time and information regarding the financial aspects of the plant will be presented to Council in the next three to four months. Mayor McLaughlin confirmed that a land survey has been held at Oceanview Road and that no other discussions have been held.

Audio 00:15:35

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – July 28, 2020

Councillor Bain noted that he was present via phone conference.

Moved/Seconded

THAT the Regular Council Meeting Minutes of July 28, 2020 be approved, as amended.

CARRIED

B. Special Council Meeting – September 1, 2020

The following item was identified as requiring an amendment:

- (1) Page 4, Item 4Aiii, bullet point 3 be amended to read “In the past, the garbage consisted mainly of dog waste. Second can also becoming overflowed.”

Moved/Seconded

THAT the Special Council Meeting Minutes of September 1, 2020 be approved, as amended.

CARRIED

Audio 00:20:04

6. Business Arising from the Minutes

None

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Person Responsible
104	September 17, 2019	Unfinished Business: Speeding on Sea to Sky and noise	Mayor McLaughlin and CAO DeJong are in communication with the Province (MOTI) CAO DeJong provided an update regarding the Squamish Mayor and CAO meeting with the Ministry, noting their similar concerns – they received no positive response. The Village has a contract and will review it in due course. PWM Jaffer noted that the Ministry advised they are doing vacuuming of pavement in the middle of the night.
127	May 5, 2020	Options for Electronic Building Submissions	CAO DeJong – nothing to report (future consideration)
145	July 28, 2020	Slow down sign on Oceanview Rd.	PWM Jaffer – completed, moving to Bayview and PWM will present a report on result of speed
146	July 28, 2020	Notice of Councillor Cunliffe’s	completed

		acceptance into the Climate Leadership Course to be placed in the Village Update	
147	July 28, 2020	R6: Kate re: delineator request	Completed
148	July 28, 2020	R8: T. Luethy re: parking	Completed
149	July 28, 2020	R9: L. Nolin re: parking	Completed
150	July 28, 2020	R10: re relaxation of amplification bylaw granted to Craig Doherty	CAO to respond to Strata Council
151	July 28, 2020	R11: Simpson re: parking	Completed
152	July 28, 2020	R12: M. Gewurz re: beach concerns	Completed
153	July 28, 2020	R5: Nelson re 35: Kelvin Grove Way	Councillor Cunliffe to respond

B. 35 Kelvin Grove Way – Verbal Update (current status provided in Sept.11th Village Update)

Councillor Abbott questioned whether there are any further procedural requirements needed regarding 35 Kelvin Grove Way.

CAO DeJong noted that Council has already directed staff to no longer proceed with the matter. Any future status on the lot will be brought back to Council for direction and new resolution at that time.

Audio: 00:29:43

8. Reports

A. Staff

i) Public Works Manager: Stairs to Bus Stop on Oceanview Road/Lions Bay Avenue

PWM Jaffer presented an overview of the results of the bids.

PWM Jaffer confirmed that it is not a legal issue that the stairs were noted as being on Lions Bay Avenue.

Councillor Barmeier expressed gratitude to PWM Jaffer for continuing infrastructure projects during the COVID-19 pandemic.

PWM Jaffer confirmed that a drawing is available on the Village website and that it will be a like for like replacement. He noted that the rise and run will be confirmed once the stairs and asphalt are removed, which will be checked by the building inspector and PWM.

Moved/Seconded

- (1) THAT Council award the replacement of the concrete stairs leading to the bus stop under the highway overpass on Oceanview Road to G.E. Koba Enterprises Inc. for the amount of \$80,000.00 plus GST; and
- (2) THAT Council authorize the Mayor and Corporate Officer to execute contract documents substantially in the form attached.

CARRIED

Audio 00:34:18

ii) Chief Financial Officer: 2020 Capital Update

CFO Rooke presented the 2020 Capital Update, highlighting the rationale for covering paving costs.

Council questioned whether the new paving will have to be dug up if the watermain has to be replaced and questioned whether paving could be delayed until such time.

PWM noted the urgency required for repaving due to deterioration and confirmed that:

- Watermain design will take one year to complete and design will come back to Council;
- Majority of road paving will remain as only a trench patch will be required to access watermain;
- Full design will include milling and the full width of road will be milled;
- Responded that he will confirm if geo-cloth is used by municipalities in road sub-base between coarse material and new gravel and will inform Council.

Council requested that this information be presented at the Infrastructure Committee meeting on September 24, 2020.

Moved/Seconded

THAT Council direct staff to proceed with all of the paving quoted, the budget shortfall of \$83,000 to be covered off with \$52,000 saving from the CN railway crossing project; and

THAT Council direct staff to defer the minor culvert replacement project to 2021 and that those funds of \$25,000 be used towards the paving; and

THAT \$6,000 of the operational paving budget be used for the paving.

CARRIED

Audio 00:43:45

Mayor McLaughlin requested that information regarding the stair replacement and paving projects be provided in an upcoming Village Update.

iii) CAO: Broughton Hall Re-Opening Plan

CAO DeJong presented the rationale on the approach for opening the Broughton Hall facility, noting:

- policy 20.04, which forms the basis of the rationale;
- provided an overview of the risk assessment for the hall, an overview of each activity's risk assessment, and expectations of participants to sign acknowledgement of the risk and provide contact tracing protocols;
- scheduling and cost challenges with bringing in a cleaning contractor;
- other events scheduled for the hall: October 24, 2020 Provincial election and flu shot program.

Discussion ensued on cleaning protocols for the hall in comparison with the Lions Bay Beach Washrooms.

CAO DeJong noted that the intent is to provide supplies for users to clean after their event. He also noted that historically, common practice has been that users are responsible for cleaning and that the new protocol adds using disinfecting products. This incremental addition in responsibility to the user will be less logistically challenging than find a cleaning contractor, as currently, availability and cost is an issue.

Discussion ensued on:

- where Lions Bay is in terms of opening in comparison with other communities; most user groups shut down in the summer and Lions Bay is in step with what others are doing;
- Suggestion of adding a self declaration form for users; templates available online;
- Consideration of whether to open the kitchen – Council consensus is to keep it closed;
- Description of different user groups, particularly craft groups;
- Advocacy for mandatory mask spaces and protocols for when to wear a mask; mask compulsory except when there is strict physical distancing or if the activity does not allow for that;

- VCH confirmation of cleaning protocols for the hall - only required after each use;
- Communication to user groups that the hall will not be professionally cleaned.

Moved/Seconded

THAT staff proceed with the Broughton Hall Re-Opening Plan as substantially set out in the Broughton Hall Re-Opening Plan report dated September 17, 2020 and in consideration of Council’s comments from the September 22, 2020 regular Council meeting.

CARRIED

Audio: 1:20:10

- iv) Emergency Program Act Update – Information Report
CAO DeJong presented an overview of the updates to Emergency Program Act.

Mayor McLaughlin requested that any comments and feedback to the Province be submitted by email.

Moved/Seconded

THAT the Information Report, “Emergency Program Act Update” be received.

CARRIED

Audio 1:24:00

- v) Council Resolution for 2021 UBCM CRI Firesmart Grant
CAO DeJong presented an overview of the grant program and the activities available for funding, as referenced in the report. He noted that the Village has started identifying critical infrastructure within the Village for firesmart treatment.

CAO DeJong responded to questions and comments from Council, noting:

- Examples of tangible projects would be protection of critical infrastructure such as water infrastructure
- Funding would be for projects on the ground
- Grant application deadline prior to having a wildfire plan in hand with recommendations – this is noted within the application
- Eligible projects are noted in items 1 and 2

- Choosing to opt out does not impact the Village’s ability to apply or receive other grants – separate from Provincial and Federal initiatives
- The Village has committed to the Community Wildfire Protection Plan, which provides eligibility to be able to apply for this particular program
- The eligible items listed in the report are examples and there are no requirements to pursue those – they are listed as options
- If the Village is successful in receiving the grant, priorities can be reviewed in order to determine which ones to pursue

Discussion ensued on:

- Ideas where funding can be directed (salaries, etc.)
- Uncomfortable with commitment
- No tangible suggestions to spend money on as it precedes recommendations from consultant

Moved/Seconded

THAT an application be submitted under the UBCM Community Resiliency Initiative Firesmart grant program for the purpose of funding the execution of a project designed to undertake some of the mitigation project recommendations expected to be contained in the Community Wildfire Protection Plan currently being written with an expected completion date at the end of October 2020. Support for this project and overall grant management will be provided by the Village of Lions Bay.

CARRIED

OPPOSED: Cllr. Abbott

Audio 1:45:00

- vi) Council Resolution for UBCM Evacuation Route Planning Grant
CAO DeJong provided an overview of the Evacuation Route Planning Grant, noting that it is an opportunity to address capacity issues and preplanning needs.

Discussion ensued on:

- The amount of the grant - \$25,000
- Planning should be practical and down to earth
- Residents should be well informed
- Plan should not be too high level, making it redundant
- Plan should be very specific and tailored to the Village

CAO DeJong noted that the Village provides Terms of Reference within the parameters of the program and should the Village be successful in obtaining any grants, next steps will be presented to Council.

Moved/Seconded

THAT an application be submitted under the UBCM Community Emergency Preparedness Fund for an Evacuation Route Planning stream grant for the purpose of funding the execution of a project designed to support the improvement of the Lions Bay Evacuation Plan. Support for this project and overall grant management will be provided by the Village of Lions Bay.

CARRIED

Audio: 1:51:50

B. Mayor

i) 50th Anniversary Planning Committee – Appointment of Select Committee

Mayor McLaughlin noted that a plan and ideas for celebrating the 50th Anniversary will be pursued and brought back to Council.

CAO DeJong suggested that a committee be formed from existing volunteer groups and that a budget should be allocated based on any ideas and events that will take place.

Audio: 1:56:00

ii) Signage

Mayor McLaughlin requested guidance on commercial signage in the Village.

Council noted that commercial signage is supporting small business, is not intrusive and adds character and supports vibrancy around town. Council noted that owners are responsible to manage their signs and should be maintained neat and tidy and removed right after event.

iii) UBCM Speculation and Vacancy Tax Resolution – District of West Vancouver

Mayor McLaughlin requested feedback regarding the District of West Vancouver's proposed resolution for UBCM.

Council discussed the relevancy and validity of the tax for the Village, noting that it is not relevant to Lions Bay and that such a program does not provide services but controls behaviour. Should such a program be pursued, residents should be informed.

C. Council

- i) Councillor Barmeier: A local perspective on “cliff jumping”
Councillor Barmeier presented his report on cliff jumping Lions Bay, noting the historical perspectives of the activity.

Mayor McLaughlin noted that progress with CN is pending.

Moved/Seconded

THAT the Information Report, “A local perspective on “cliff jumping” be received.

- ii) Councillor Barmeier: Lions Bay ZEV initiative – fast charger revenue projections

Councillor Barmeier presented the report on ZEV initiatives noting:

- Potential estimated revenue
- Alignment with federal government

Moved/Seconded

THAT the Information Report, “Lions Bay ZEV initiative – fast charger revenue projections” be received.

CARRIED

D. Committees

None

E. Emergency Services

- i) Surrey Regional Fire Dispatch Monthly Report – Lions Bay Fire Rescue

Moved/Seconded

THAT the August 2020 Surrey Regional Fire Dispatch Monthly Report – Lions Bay Fire Rescue be received for information.

CARRIED

9. Resolutions

None

10. Bylaws

None

11. Correspondence

- A. List of Correspondence to September 17, 2020

Moved/Seconded

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

General Correspondence:

G1 - E-Comm 911 re: E-Comm Board of Directors Designate – received

G2 - Selina Robinson, Minister, Ministry of Municipal Affairs and Housing re: Housing and homelessness management following the COVID-19 pandemic – received

G3 - Tracey Saxby, Executive Director, My Sea to Sky re: BC EAO draft assessment of Woodfibre LNG's extension application - received

G4 - Lori Halls, Deputy Minister, Emergency Management BC re: requesting optional feedback for report "What We Heard - Modernizing BC's Emergency management Legislation" - received

G5 - Agnes Jackman, Board Member, Council of Senior Citizens' Organizations of B.C. re invitation to publicly declare support for UN International Day of Older Persons (UNIDOP) 2020, October 1st, 2020 - received

G6 - Patrick Weiler, MP, re: Safe Restart Agreement - received

Resident Correspondence:

R1 - J. Kemp re: parking – received, PWM and Mayor replied

R2 - N. Rodgers re: human waste and parking – Mayor McLaughlin to respond

R3 - I. Wray re: 35 Kelvin Grove Way - Mayor McLaughlin to respond

R4 - T. Leger re: OCP alignment and decision making - Mayor McLaughlin to respond

R5 - Davids re: 35 Kelvin Grove Way

R6 - D. Kirkwood re: Parking at Crystal Falls Rd. - Mayor McLaughlin to respond bring to strategy session

R7 - response to D. Simpson re: parking – received

R8 - KC Dyer re: parking – received

R9 - L. van Knotsenburg re: sign at Cloudview and accompanying response – received

R10 - J. Stoddart re: Lions Bay Postal Code – Councillor Barmeier to respond

R11 - Residents of Tidewater Way petition – Mayor McLaughlin to respond

R12 - Liu re: 35 Kelvin Grove Way – Mayor McLaughlin to respond

R13 - Liu re: 35 Kelvin Grove Way - Mayor McLaughlin to respond

R14 - Liu re: 35 Kelvin Grove Way - Mayor McLaughlin to respond

R15 - Liu re: 35 Kelvin Grove Way - Mayor McLaughlin to respond

R16 - re: 61 Brunswick Beach Road

CARRIED

Mayor McLaughlin declared a conflict of interest under the *Community Charter* and recused himself from the meeting at 9:25p.m. in relation to the encroachment request at 61 Brunswick Beach Road.

Councillor Barmeier assumed the role of Chair.

CAO DeJong presented correspondence item R16 from Eyford Partners LLP, requesting that Council reconsider the resolution that was made on July 28, 2020 regarding the hot tub removal at 61 Brunswick Beach Rd. He noted that in the event it is not reconsidered, there is a second request to consider selling a part of the esplanade to accommodate the proposed new location.

CAO DeJong noted the procedural requirements for reconsideration and that if Council wished to discuss the new information regarding placement in a different location, only minimally encroaching on the Esplanade, they would need to pass a motion for reconsideration. When asked, he noted that not a lot of staff time had gone into this latest request.

CAO DeJong asked if any Council member wished to put forward a motion for reconsideration of the July 28, 2020 resolution. Council confirmed there was no desire to reconsider the resolution; Council also confirmed there was no interest in selling part of the Esplanade to the owner of 61 Brunswick Rd.

Mayor McLaughlin resumed the role of Chair at 9:42PM

12. New Business

None

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

None

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

A. Project estimates

B. Project quotes

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:

- 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;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

The meeting was closed to the public at 9:44 p.m.

The meeting was re-opened to the public at 10:14 p.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 10:15 p.m.

Mayor

Corporate Officer

Date Approved by Council:	October 20, 2020
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