



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, DECEMBER 3, 2019 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 – November 19, 2019 (Page 5)
THAT the Regular Council Meeting Minutes of November 19, 2019 be approved 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
104	September 17, 2019	G2: Letter from Minister of Public Safety re. Speeding on Sea to sky – CAO DeJong to contact the CAO's of Squamish, Whistler and Pemberton	CAO DeJong
115	October 15, 2019	Bill Srigley of 205 Panorama Place and Stewart Nimmo of 202 Panorama Place - Public Works Manager and CAO to follow up by November 19 th	CAO DeJong PWM Jaffer
116	October 15, 2019	G3: Climate Leaders Institute – Councillor Cunliffe to respond	Councillor Cunliffe
117	November 19, 2019	G2: Letter re: Notification Regarding Update to Metro 2040 –Mayor to ask Metro if they can tailor the presentation for Lions Bay and include a presentation on wood-burning	Mayor McLaughlin

118	November 19, 2019	R2: Ian Mackie re: Air Quality in Lions Bay – Received; Mayor to respond	Mayor McLaughlin
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8. Reports

A. Staff

- i. EA: Information Report - Public Feedback on Funding the 3rd PRV with Borrowing or Reserves (Page 15)
 THAT the Information Report, “Public Feedback on Funding the 3rd PRV with Borrowing or Reserves” be received.
- ii. CAO: Request for Decision - Funding the 3rd PRV - MFA Borrowing or Reserves (Page 41)
 - (1) THAT the third PRV adjacent to the school be funded via:
 - (a) MFA borrowing; or
 - (b) reserves.
 - (2) AND THAT staff take all required steps associated with this direction.

B. Mayor

C. Council

- i. Councillor Barmeier: Decision re: EV Charging Station Location

D. Committees

E. Emergency Services

9. Resolutions

A. Municipal Security Issuing Resolution

THAT Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2020 Spring Borrowing Session, \$xxx,xxx as authorized through “Infrastructure Master Plan Financing Loan Authorization Bylaw No. 508, 2016” and that the Metro Vancouver Regional District be requested to consent to our borrowing over a twenty (20) year term and include the borrowing in their Security Issuing Bylaw.

10. Bylaws

- A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 (Page 43)
 THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 be given third reading.
- B. Emergency Plan Bylaw No. 566, 2019 (Page 69)
 THAT Emergency Plan Bylaw No. 566, 2019 be read a third time, as amended.

11. Correspondence

- A. List of Correspondence to November 28, 2019 (Page 77)

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

12. New Business**13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)****14. Closed Council Meeting**

Proposed topics for discussion in the absence of the public:

- A. Legal matter

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:

- (c) labour relations or other employee relations;
- (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;
- (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; and
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

Council does not anticipate reconvening the open meeting for any purpose other than to adjourn the meeting generally.

[OR]

Council anticipates reconvening the open meeting to discuss the following item(s):

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, NOVEMBER 19 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
Executive Assistant Nicole Dumas (Recorder)

Delegations: 1

Public: 11

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:02 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 8Avi – Information Report: PRV Funding Feedback be added;

THAT item 8Ci – Councillor Cunliffe: Verbal Report Re: Howe Sound Community Forum be deferred to the December 3, 2019 meeting;

THAT item 8Ci – Councillor Barmeier: EV Charging Station be added; and

THAT the agenda be adopted, as amended.

CARRIED

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

A. Charlie Bradbury

Charlie Bradbury expressed that she felt the proposed cell tower 200 meters from her house posed health risks to the community, which directly contrasts her motivation for residing in Lions Bay. She advised Council that studies are not yet conclusive on long-term effects of cell towers, and that the potential revenues are not worth any risk to residents.

B. Jerry Blackwell

Jerry Blackwell expressed his support of the View Preservation Restoration Bylaw. In his opinion, the views are the biggest resale driver in Lions Bay's Real Estate market. Some content within our tree bylaws are out of date, namely: diameters of the trees. Jerry also raised concern over the hemlocks being affected by mistletoe and other diseases resulting in weaker trees, the height of the houses competing with the height of the trees and the resulting shade on neighbouring houses. He also asked that the Village consider performing more maintenance of their trees and referred to a specific area on Stewart Road, where he lives.

C. Jeff Stone

Climate change is a sensitive topic. Many people believe in it, but it's a misnomer and doesn't exist. Many experts agree that climate change is a hoax and that CO2 has no effect on climate. Rather, it is just "globalists" trying to use climate change as a means of uniting the world.

D. Scott Ando

Village Update – thank you for asking for feedback on borrowing vs. using reserves. Not enough information was provided – need to know how much is in reserves and how much is the 3rd PRV; also who wrote the piece? His own opinion was that it should be paid for from reserves.

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

A. Mr. J. Stone

Objective to inform of dangers of Electro Magnetic waves, or EMFs. Cell phone industry makes approx. \$25 billion/year in Canada as of 2016. Wants to make sure that use looks safe. Canadian gov also receives billions in income from fees and taxes on the industry. Government tests focus on thermal effects of cell phones, which is not to say there are no other negative effects. Actual danger is from EMFs. Micro waves can be emitted in monotone or steady wave, or variable. WIFI wave is emitted in pulses and is concentrated with a greater magnitude of force. They affect plants, animals and humans and delegation materials cite many studies. When low emission microwaves enter the body they penetrate through liquid membrane and into the plasma of our cells, which emit different particles to fight back, causing a breakdown of the cells, which may die or mutate. The nervous system is affected and the reproductive system is most affected. Young children and babies have a greater susceptibility to EMFs and if you live within ½ kilometer of the cellphone tower, you are at a greater risk/more likely

to become ill. He implored the Village not to go ahead with the cell tower for safety reasons.

Audio 00:25:30

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – November 5, 2019

Moved/Seconded

THAT item 7A. Follow-Up Action Items from Previous Meetings - #105 be amended to add “Policy formulation complicated and no residents affected;

THAT item 8Aiii – CFO: Request for Direction – Borrowing for the CWWF Harvey Tank Project, sixth bullet be amended to read “It was suggested by Councillor Abbott that we should be using money we have in reserves instead of borrowing money”;

THAT item 8Cii – Councillor Barmeier: Infrastructure Committee – EV Charging Station, last bullet be amended to read “may be small air-cooled transformer”; and

THAT the Regular Council Meeting Minutes of November 5, 2019 be approved as amended.

CARRIED

Audio: 00:33:00

6. Business Arising from the Minutes

A. Harvey Cell Tower

Councillor Abbott suggested that Council ought to reconsider the decision made on October 1, 2019 conditionally approving the cell tower license agreement. CAO DeJong indicated that the resolution was not at the last Council meeting and was more than 30 days prior so there may be procedural and legal implications that could preclude a reconsideration, but that deferring the matter to the December 3rd meeting would not further prejudice the issue and would allow the CAO an opportunity to review the options and report back.

Audio 37:39

Councillor Abbott also queried why the On Table documents regarding reserves were not added to the end of the Agenda yet on the website. It was agreed that should happen as soon as possible and did not need to await approval of the minutes at the next meeting.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
104	September 17, 2019	G2: Letter from Minister of Public Safety re.	In Progress

		Speeding on Sea to sky – CAO DeJong to contact the CAO's of Squamish, Whistler and Pemberton	
113	October 1, 2019	R1: Roy Matthias – Proposed Unobstructed View Bylaw vs. Privacy – Acting Mayor Cunliffe to respond	Completed – Response to be circulated
114	October 1, 2019	R3: Julie and Rob Kemp – Proposed View Bylaw vs. Privacy – Acting Mayor Cunliffe to respond	Completed – Response to be circulated
115	October 15, 2019	Bill Srigley of 205 Panorama Place and Stewart Nimmo of 202 Panorama Place - Public Works Manager and CAO to follow up by November 19 th	In progress - PWM & CAO met with residents and will continue to consult in effort to resolve.
116	October 15, 2019	G3: Climate Leaders Institute – Councillor Cunliffe to respond	In progress

8. Reports

A. Staff

i. CAO: Renewal of Listing Agreement for 35 Kelvin Grove Way

CAO explains listing expiring, offers currently on table. New listing to hit more inboxes – about a week away. Concern by a neighbour that some of the trees being cut down may affect the noise and privacy of his lot. CAO has responded.

Moved/Seconded

(1) THAT the Listing Agreement renewal contract with Kim Taylor, realtor, for the sale of the lands located at 35 Kelvin Grove Way be approved;

(2) THAT the CAO be authorized to execute the Listing Agreement in substantially the form attached; and

(3) THAT, prior to the execution of the new Listing Agreement with Kim Taylor, realtor, the CAO be directed to execute an extension of the current listing agreement and cancellation of it when the new Listing Agreement is ready to be signed.

CARRIED

ii. CAO: Commercial Filming Policy No. 1902

The Filming Policy had come back to Council in respect of the staff recommendation to amend the definition of “Daytime Filming Hours” to extend the such hours from 7am to 10 pm, or to 9pm at the least, on the basis that industry filming days are notoriously long and failure to take that into account could result in most filming applications having to come to Council rather than being dealt with by staff under the terms of the Policy. Discussion ensued regarding lights, noise and seasonal changes based on daylight

savings time start and stop dates. Alternative suggestions included basing on “dawn to dusk” and restricting filming on Sundays and statutory holidays

Moved/Seconded

(1) THAT the draft Commercial Filming Policy No. 1902 be amended in respect of the policy number in the title of this policy and in respect of the change to the definition of Daytime Filming Hours to be 7am – 10pm during Summer months and 7am – 7pm during Winter months;

(2) THAT the draft Commercial Filming Policy No. 1902 be adopted by Council, as amended to include a definition of:

Daytime Filming Hours means 7 am to 7 pm, other than the period from the start of daylight savings time in the spring to the end of daylight savings time in the fall, during which period it shall mean 7 am to 10 pm, and in either event, during which Filming Activity is regularly permitted, notwithstanding Noise Control Bylaw No. 283, 1998;

(3) THAT the draft Commercial Filming Policy No. 1902 be posted as adopted to the Municipal website with a notice included in the Village Update on November 22, 2019;

(4) THAT the Fees Bylaw No. 497, 2016 be amended to include the draft fee amendments to Schedule 7 as attached to this report and brought to the November 19, 2019 Council meeting for consideration of first and second reading, along with any other recommended amendments to Fees Bylaw No. 497, 2016; and

(5) THAT staff proceed with incorporating the necessary delegations of authority in the draft general delegation bylaw staff is presently working on, to be brought to Council before the end of the year.

CARRIED

OPPOSED: COUNCILLORS BAIN AND ABBOTT

iii. CFO: 2020 Preliminary Budget

CFO Rooke presented the preliminary 2020 Budget – a high level report to initiate discussion on the 2020 budget and process. The low cash surplus (before the addition of any supplemental and capital costs) was highlighted. The 2020 Finance Workplan was also presented.

Moved/Seconded

THAT the report “2020 Preliminary Budget” be received for information purposes.

CARRIED

iv. EA: Consent to Metro Vancouver Regional Parks Service Amendment Bylaw No. 1290

Moved/Seconded

(1) THAT the Council of the Village of Lions Bay consent to the approval of the adoption of Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1290, 2019 on behalf of the electors; and

(2) THAT staff be directed to notify the Metro Vancouver Regional District Board of Council's consent.

CARRIED

vi. EA: PRV Funding Feedback – Information Report

A variety of feedback had been received to date with another week left for public feedback. The CAO was directed to respond to some of the comments in order to provide additional information and clarification of some issues raised. Also, he is to provide additional information/clarification in the next Village Update, including links to On Table documents provided at the last Council meeting regarding Municipal reserves and borrowing capacity.

Further responses to come back to Council for the December 3rd meeting.

Moved/Seconded

THAT the Information Report, "PRV Funding Feedback" be received for information purposes.

CARRIED

v. CAO: Strategic Planning and Priority Setting for 2020

Councillor Barmeier asked to have the Electric Vehicle (EV) project included and agreed it should be under Community Planning.

Councillor Abbott requested that headings be added for the Closed portion of meeting to provide insight about topics without divulging content.

Moved/Seconded

THAT the Information Report, "Strategic Planning and Priority Setting for 2020" be received.

CARRIED

B. Mayor

i. Verbal Report re: Metro Climate Action Committee Meeting

Mayor McLaughlin reported a very robust discussion amongst members of the Committee – unfortunately there was some confusion regarding the vote counting for the motions to alternatively exempt or include Lions Bay under the proposed wood-burning restrictions and he intends to pursue at the next meeting in January a reconsideration of the resolution ultimately passed in favour of including Lions Bay under the restrictions. Further discussion by Council will take place at the Lions Bay strategic planning sessions next week.

ii. Translink Workshop for Mayors

This will be taking place on Wednesday at Translink and previous discussions involving himself, CAO DeJong and Translink staff have resulted in a clear direction regarding our requests for increased service hours.

C. Council

i. Councillor Barmier: EV

Met with one of the technical reps – very informative. BC Utilities authority. We can meter and charge – need a revenue grade meter. Stations on back end have ability to provide different rates (ie. Residents could be revenue neutral and non-residents could pay slightly more to help subsidize). Stations are expandable. Units are fully supported by manufacturers with a 5 year service contract, the cost of which can be included in the grant application and can be paid out of that fund. Grant should be coming out soon.

Need to conduct RAR (Riparian Areas Regulation) review to ensure that location adjacent to Harvey Creek will not be an issue. Coming back for site selection Dec 3rd.

D. Committees

None

E. Emergency Services

i. Monthly RCMP Report

THAT the monthly RCMP report be received for information.

9. Resolutions

None

10. Bylaws

A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019

The CAO led Council through a quick review of the amendments dealing with a number of administrative tidy-ups with a few highlights as follows:

Schedule 4 includes amended dog license dates and lowers the late fee for altered dogs;
 Schedule 6 includes clarification of prior day set up fees for the hall and lowers the fee for liquor licensed events;

Schedule 7 incorporates all the changes to the Filming Policy fees previously considered by Council;

Schedule 8 has a clarification as to the only two dates of the year for which a fireworks permit may be granted (Oct.31 and Dec.31) [A request was made to consider removing entirely the ability to obtain a fireworks permit, which would not be applicable to LBFR supervised events at the beach].

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 be introduced and read a 1st time.

CARRIED

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 be introduced and read a 2nd time.

CARRIED

Audio: 8:55

11. Correspondence

A. List of Correspondence to November 14, 2019

Moved/Seconded

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

- G1: Letter re: UBCM Member Local Governments - Received
- G2: Letter re: Notification Regarding Update to Metro 2040 –Mayor to ask Metro if they can tailor the presentation for Lions Bay and include a presentation on wood-burning
- G3: Letter re: Establishment of an Intergovernmental Advisory Committee – Received
- R1: Karl Buhr – re: Village Update - Received
- R2: Ian Mackie re: Air Quality in Lions Bay – Received; Mayor to respond

CARRIED

12. New Business

None

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

Mr. J Stone

Dog fees – dogs not allowed to roam freely, so what does it matter whether the dog is altered or unaltered? What is the function of the differential fees?

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;
 - (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 (which the Council does);
- (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 (which the Council does);
- (g) litigation or potential litigation affecting the municipality;
- (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 (which the Council does);
- (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;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

CARRIED

The meeting was closed to the public at 9:06 p.m. with no expectation of returning to open meeting other than to adjourn generally.

The meeting was re-opened to the public at 9:30 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 9:30 p.m.

Mayor

Corporate Officer

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

Type	Information Report		
Title	Public Feedback on Funding the 3rd PRV with Borrowing or Reserves		
Author	Nicole Dumas	Reviewed By:	Peter DeJong
Date	November 27, 2019	Version	
Issued for	Date of Council Meeting (note if Closed Meeting)		

Recommendation:

THAT the Information Report, “Public Feedback on Funding the 3rd PRV with Borrowing or Reserves” be received.

Attachments:

- (1) Have Your Say communication dated November 15, 2019;
- (2) Have Your Say communication dated November 22, 2019;
- (3) Compilation of Public Feedback.

Key Information:

Staff added a piece to the Village Update on successive Fridays, November 15 and 22, 2019, which provided some background information on the PRVs that are currently identified as high priority within the Infrastructure Master Plan and are to be replaced in the new year. MFA borrowing will be used to fund our share of the first two PRVs, after using the balance of grant funding from the Harvey Water Tank project. Information was provided in respect of the pros and cons of borrowing to fund the 3rd PRV, versus using reserves to fund it.

Residents were requested to provide their feedback on borrowing for the 3rd PRV in light of there being no grant funding attached to it, contrary to the statements of the previous Council that borrowing would not be used unless a project had at least 50% grant funding. Resident feedback is attached.

Follow Up Action: Per the Recommendation in the CAO’s Request for Decision Report preceding this report in the Agenda.



HAVE YOUR SAY!

With the new Harvey Water Tank up and running with 25% more capacity for additional required fire flows, it's time to provide an update on what's next. We're pleased to advise that the Province has agreed to allow us to utilize the balance of the grant funds remaining after completion of the new tank in order to construct two critical Pressure Reducing Valves (PRVs). These two PRV's were part of the original project scope of work and will enable us to decommission the old Phase 4 and 5 Tanks. Some additional borrowing is required but the grant funding / loan funding ratio is still about 75/25 and has been approved by Council.

A 3rd PRV identified in the Infrastructure Master Plan as a high priority for replacement is the temporary above ground PRV adjacent to the school. The existing 75mm (3") valve is too small to provide requisite fire flows, with several critical deficiencies south of this station, including the school, which cannot be alleviated without installing a permanent larger sized PRV at this location. This strategic PRV is required in order to utilize the increased fire storage capacity built into the new Harvey Tank. It will also enable transfer of supply between the Harvey and Magnesia water systems and improve water quality. For these reasons and cost efficiencies of doing it with the other two, this project has also been approved by Council. So what's the catch, you ask?

Well, while the grant/loan ratio to fund all three PRVs with borrowing would still be a very acceptable 68/32, and it would only be an extra \$29/year on your water utility bill for the 3rd PRV, the fact of the matter is the 3rd PRV does not actually have grant funding attached to it. Why does that matter, some of you may ask? It matters because when the previous Council took the \$3M loan authorization bylaw to referendum, a promise was made to only draw from the loan funding if a project had at least 50% grant funding. Your current Mayor and Council want to be completely transparent about these details and get your feedback on the notion of borrowing for this 3rd PRV.

FROM THE DESK OF THE CAO



HAVE YOUR SAY!

Feedback on last week's piece by the CAO, regarding infrastructure borrowing vs. using reserves, was brought to Council on Tuesday evening this past week. There's still an opportunity to send in your feedback on this matter by end of day on Monday, November 25th. The following is a recap of the key points, some additional information and some clarification intended to address a few of the questions and comments that have been received:

- The Province is letting us use up the remainder of the CWWF grant after completing the new water tank by doing 2 PRVs that were part of the original scope of work. We will borrow through the Municipal Finance Authority (MFA) for our share of the funding. Council has approved this plan.
- A 3rd PRV, adjacent to the school, included as a high priority under the Infrastructure Master Plan (IMP) Capital Projects list (identified as the "Bayview PRV" in Project #57) is also to be replaced at the same time. This has been approved by Council.
- For the same reasons that Council approved borrowing for the first 2 PRVs (using MFA borrowing when available and saving our reserves for emergencies and all the infrastructure projects that won't get grant funding), it has been recommended that the 3rd PRV also be funded in that manner.
- Cost of borrowing at the current MFA rate of 2.51% for the 3rd PRV is estimated at \$29/year for an amortization period of 20 years. If reserves are used, they will need to be replenished, through taxation or other means.

- The question was asked as to how much these PRVs will cost. Our cost estimates were shared with Council in Closed meeting, which is the normal procedure for projects that have not yet been subjected to a competitive bid process.
- The Municipality does not have significant reserves compared to its infrastructure deficit. Click [here](#) for an overview of reserves and click [here](#) for Phase 1 of the Asset Management Investment Plan.
- All potential sources of funding, including loans, will be required over the next several years in order to address all of the work that needs to be done. We are seeing grant funding becoming more and more a diminishing source for these projects, many of which will need to be funded without grants (eg: roads, bridges, storm culvert replacements, sidewalk installations, zone water metering, watermain construction, railway crossings and more).
- It was asked whether we could use last year's infrastructure levy towards paying for this 3rd PRV. The answer is, in part, yes, but these funds are part of the reserve so the same considerations as above apply.
- It was also asked whether we could loan money to ourselves from the "restricted" reserve created for the net proceeds of about \$1M from the sale of the lot at 52 Brunswick Beach and the purchase of 63 Brunswick Beach. The answer is conditionally yes, but it must still be set up with a reasonable rate of interest (eg: the MFA rate) and repaid in due course. Using this restricted reserve as a bank for infrastructure financing should be a course of last resort, when there are no other options.
- Council has already agreed that borrowing is the best option for the first two PRVs. Had it not been for the statements made by the last Council with respect to having at least 50% grant funding before using the loan authorization bylaw, the decision on how to fund the 3rd PRV would have been easy. It was a great plan, to leverage grant funding with borrowed funds to get the most possible projects accomplished. Unfortunately, the grant landscape has changed and at some point, whether now or later, we will need to borrow without grant funding in hand.
- The core question is whether you, the taxpayers of Lions Bay, feel it is acceptable to revisit Council's decision to only borrow for projects that are attached to a grant. If it is, we'll borrow; if it isn't, we'll pay from reserves.

Council wants to hear what you have to say! Send your comments by November 25th to feedback@lionsbay.ca, or fill out the box below and either fax them to 604-921-6643, or drop them off in the Village Office or through the mail slot after hours.

Peter DeJong
Chief Administrative Officer
Village of Lions Bay

-----Original Message-----

From: Andrew Wray

Sent: Friday, November 15, 2019 4:59 PM

To: Lions Bay Feedback <feedback@lionsbay.ca>

Subject: 3rd PRV for location by the school

Good evening... I applaud council for all the work that you have done to bring our aged infrastructure back to life. We are supportive of the 3rd PRV and subsequent \$29 increase to insure good fire coverage to the school and to enable the water transfer. It would certainly seem to make sense to do this PRV at the same time as the other two.

Regards,

Andrew & Ingrid

Andrew Wray

-----Original Message-----

From: Louis Peterson

Sent: Friday, November 15, 2019 4:59 PM

To: Lions Bay Feedback <feedback@lionsbay.ca>

Subject: Borrowing

Hello Council,

A very well presented case for the 3rd PRV valve. I support the borrowing requirement.

Louis.

-----Original Message-----

From: jay hope

Sent: Friday, November 15, 2019 5:14 PM

To: Lions Bay Feedback <feedback@lionsbay.ca>

Subject: PRV

Agreed on 3rd PRV loan

-----Original Message-----

From: Ian Mackie

Sent: Friday, November 15, 2019 4:49 PM

To: Lions Bay Feedback <feedback@lionsbay.ca>

Subject: Third PRV funding

We are opposed to the Village using the loan authorization to fund the third PRV which would be contrary to the terms on which the residents approved the Village obtaining the loan

Ian D. Mackie

Danielle Mackie

Lions Bay

-----Original Message-----

From: Lee Rivett
Sent: Friday, November 15, 2019 5:29 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Funding PRVs

Sounds good for going ahead with the loan/valve replacement and thank you for the transparency!

Lee Rivett

-----Original Message-----

From: Rod Baker
Sent: Friday, November 15, 2019 8:55 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: \$29

I am ok with a \$29 increase in utilities

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Rod Baker

-----Original Message-----

From: Ralph Markham
Sent: Saturday, November 16, 2019 12:28 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Infrastructure Borrowing

After reading your letter, we both feel that borrowing for the proposed projects is very sensible and is the best solution for the necessary improvements at this time.

Sincerely,
Ralph Markham & Kenneth Broadway

-----Original Message-----

From: jimcave
Sent: Saturday, November 16, 2019 1:59 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Re: Feedback on PRVs.

Council notes:

“Well, while the grant/loan ratio to fund all three PRVs with borrowing would still be a very acceptable 68/32, and it would only be an extra \$29/year on your water utility bill for the 3rd PRV, the fact of the matter is the 3rd PRV does not actually have grant funding attached to it.”

Here's My problem: Lions Bay already has **BY FAR** the highest water utility bill in British Columbia. Note: **BY FAR**. But you dangle for “only another \$29/year, you can get...! It comes across like an infomercial on late night TV!

Quite frankly I oppose any increases to the already usurious water rates.

Jim Cave

-----Original Message-----

From: Rob Peebles
Sent: Monday, November 18, 2019 4:26 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Infrastructure borrowing

By all means, let's go forward with the increased borrowing to fund the 3rd PRV valve. Using reserve funds for such a project seems contrary to the principle of having a reserve fund in the first place.

Rob Peebles

-----Original Message-----

From: Penny Nelson
Sent: Monday, November 18, 2019 4:57:02 PM
To: Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: Village Update piece regarding borrowing

Council,

I would like to voice my concern and disappointment about the piece that appeared in the last Village Update regarding proposed borrowing. There is a lot wrong with this piece, but suffice to say it is written with the sole intention of swaying residents to a specific point of view.

Even more troubling is that it purports to be "transparent", but **it does not provide the necessary numbers to allow us to make a decision**, and necessary information is withheld.

What we are not told is:

1. How much does council want to borrow? The entire crux of the question. It doesn't say.
2. Whatever that number is, it will apparently "only" cost \$29 a year on our water bills... for how long?
3. Do we have options to borrowing? Very important information and not provided.
 - a) How much money do we have in our various reserves right now? The implication is that whatever the number is, it would not cover a bill of \$327,000, which is not true. I'm told we have around \$2.5 million in our reserves and around \$2.5 million more available. But the VU piece did not tell us how much money we have. I have no idea what a PRV costs or how much we want to borrow but, since the Harvey Tank Project cost less than \$3 million, I'm sure a PRV costs a fraction of that, meaning we could afford to pay for it without borrowing.
 - b) The 10% Infrastructure tax generated \$144,658 (Agenda Package, Regular Council Meeting 15th October 2019). Will this be used to pay for this PRV, if not in total, maybe in part? If not, why not?
 - c) We recently sold a prime piece of waterfront real estate to generate revenue, hopefully to cover the cost of much-needed critical infrastructure projects such as this PRV. At worst, we could loan ourselves money from this account. Why are we not using this instead of borrowing elsewhere? The VU piece does not address this. If we are not going to use this, what else are we going to spend that \$1,070 million on?

In closing, the piece that appeared in the VU is an unfortunate piece of communication and I'm sure this is not how members of council intended for the issue to be presented to the community. I and others had hoped that we'd moved away from this type of "communication" permanently.

It does not engender trust between residents and Council and it certainly does not support the 7 Core Values of Public Participation: "Public participation provides participants with the information they need to participate in a meaningful way" (#6).

Please make sure this email is included in the next agenda package for the public record.

Sincerely,
Penny Nelson

-----Original Message-----

From: Marek Sredzki
Sent: November 16, 2019 10:21 AM
To: McLaughlin Ron [REDACTED]
Subject: Harvey Water Tank & 3rd PRV
Hi Ron,

Good news on the completion of Harvey Water Tank and extra capacity available for fire fighting. Hopefully residents don't get any ideas on unlimited water supply in late summers.

In reference to the 3rd PRV, if required, it should be upgraded in a principle of safety first.

When you say "extra \$29/year", residents may wish to know for how long: 1 year or 5 years or in perpetuity. Better understanding might make it easier for many to accept.

Cheers

Marek Sredzki

-----Original Message-----

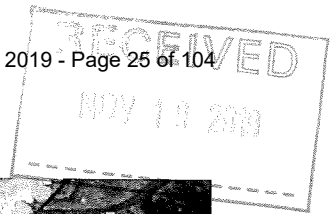
From: Monica
Sent: Tuesday, November 19, 2019 12:55 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: INFRASTRUCTURE SURVEY

Since our reserves are small we need to keep a reserve. So I concur on BORROWING and if need me charge an extra \$29/year on our water utility bill .

Thanks for consulting
Monica

***"Art isn't life, art makes us realize
what life is" - Picasso***

Monica Gewurz



HAVE YOUR SAY!

With the new Harvey Water Tank up and running with 25% more capacity for additional required fire flows, it's time to provide an update on what's next. We're pleased to advise that the Province has agreed to allow us to utilize the balance of the grant funds remaining after completion of the new tank in order to construct two critical Pressure Reducing Valves (PRVs). These two PRV's were part of the original project scope of work and will enable us to decommission the old Phase 4 and 5 Tanks. Some additional borrowing is required but the grant funding / loan funding ratio is still about 75/25 and has been approved by Council.

A 3rd PRV identified in the Infrastructure Master Plan as a high priority for replacement is the temporary above ground PRV adjacent to the school. The existing 75mm (3") valve is too small to provide requisite fire flows, with several critical deficiencies south of this station, including the school, which cannot be alleviated without installing a permanent larger sized PRV at this location. This strategic PRV is required in order to utilize the increased fire storage capacity built into the new Harvey Tank. It will also enable transfer of supply between the Harvey and Magnesia water systems and improve water quality. For these reasons and cost efficiencies of doing it with the other two, this project has also been approved by Council. So what's the catch, you ask?

Well, while the grant/loan ratio to fund all three PRVs with borrowing would still be a very acceptable 68/32, and it would only be an extra \$29/year on your water utility bill for the 3rd PRV, the fact of the matter is the 3rd PRV does not actually have grant funding attached to it. Why does that matter, some of you may ask? It matters because when the previous Council took the \$3M loan authorization bylaw to referendum, a promise was made to only draw from the loan funding if a project had at least 50% grant funding. Your current Mayor and Council want to be completely transparent about these details and get your feedback on the notion of borrowing for this 3rd PRV.

Why borrow instead of using reserves? Well, for starters, our current reserves won't put much of a dent in our infrastructure deficit as identified in the Asset Management Investment Plan, which is why Council has been focused on building up these reserves. Moreover, depletion of reserves now may result in having insufficient funds in the event of an emergency (eg: the Kelvin Grove watermain break in 2011 had to be funded from reserves to the tune of about \$327K).

As well, grants are becoming smaller, less frequent, more restrictive and more competitive, and there are many projects in our Infrastructure Master Plan which will not be eligible for grants or loans (eg: roads). Therefore, the case can be made that it is better to save reserves for projects not eligible for grants or loans. The 3rd PRV is legally eligible for funding under our loan authorization bylaw; the question is whether you agree that such funding is the smart choice in the circumstances.

Council wants to hear what you have to say! Send your comments by November 25th to feedback@lionsbay.ca, or fill out the box below and either fax them to 604-921-6643, or drop them off in the Village Office or through the mail slot after hours.

Comments:

We should maintain the decision to borrow on minimum 50% funding by senior governments, for which this item does not qualify. This strategic investment approach would allow us to complete more important projects first.

No explanation given why this was not part of original project. This PRV is not on the Capital Projects List.

The Infrastructure Master Plan (IMP) defines this PRV as "only used in the case of extreme emergencies".

The IMP recommends as a very high priority item to lower the psi on this PRV to "allow PRV-4 to be the primary feed".

There other projects which are equally important and can serve more residents beyond "extreme emergencies" e.g. projects #6, 8, 10, 43, 51 are "highest priority", while #19, 21, 33, 46 are "high" in the IMP, to name a few. Each of these costs less than a PRV.

The additional \$29 per year for 30 years (a total of over \$450K) is on top of increases already planned and on top of increases levied over recent years.

For the five-year period 2014 to 2018, residents have experienced an overall tax increase of over 28%. Utilities alone have increased nearly 75% in five years. (source: Village Financial Statements)

Lions Bay has the second highest total residential property taxes & charges in the 161 municipalities in BC. Lions Bay has the highest user fees in the province, nearly 40% higher than West Vancouver in second place.
https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/local-governments/finance/local-government-statistics/schedule704_2019.xls

Recommend this project be deferred for future consideration and focus on the Capital Projects List.

I VOTE YES



HAVE YOUR SAY!

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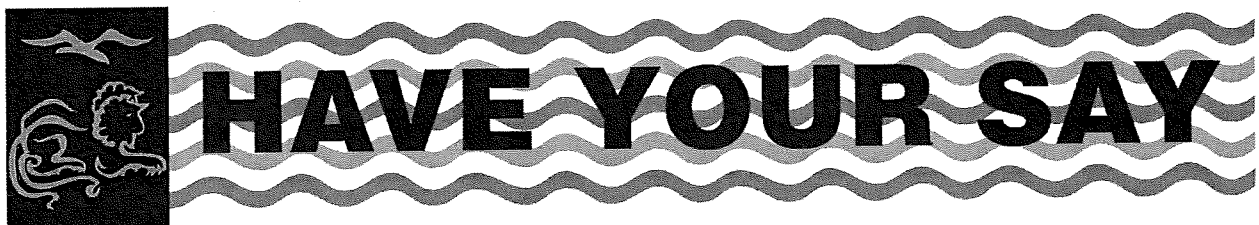
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Comments:

NOTE YES TO BORROWING
SUSAN & MILTON LOWTET



From: Val [REDACTED]
Sent: Thursday, November 28, 2019 6:33 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Third PVR

Sorry we did not respond by Nov 25. We hope our input is not too late.

With respect to the following question:

- The core question is whether you, the taxpayers of Lions Bay, feel it is acceptable to revisit Council's decision to only borrow for projects that are attached to a grant. If it is, we'll borrow; if it isn't, we'll pay from reserves.

We are fine with borrowing to pay for the third PVR, as it seems to be a necessary infrastructure item and the additional tax required to pay for it is relatively small.

Thank you.
Val and Stew Morton

From: [REDACTED]
Sent: Monday, November 25, 2019 4:59 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Cc: Council <council@lionsbay.ca>
Subject: Paying for a third PRV

Hello Council,

I appreciate you asking for public input on using debt to fund a third PRV. I am in favour of using debt to fund infrastructure, but not in this particular case:

1. By referendum Lions Bay voters gave Council an very strong mandate to take on debt to pay for infrastructure projects. The condition was that projects would be at least 50 percent grant funded. There was a reason to offer that condition. Council felt that give our low economies of scale, it is imprudent for Lions Bay to undertake new capital projects on its own, and if there wasn't a grant, we would have to wait. Grant cycles come and go, and we have been unsuccessful lately, but all Councils prior to this term believed we had to rely on them. This project does not meet this not legally binding but still real condition.
2. Until the advent of this year's infrastructure levy, other than recent land sale proceeds and a partially unused loan, Lions Bay's reserves come from continued annual surpluses of budgeted operating and capital expenditure. Past taxpayers still living here might reasonably expect to see their past taxes spent if not on the original purpose, on anything overdue. According to the IMP this is an overdue project. But as far as I can make out you are proposing to use debt instead, in order to retain reserves for *other* projects. You say that such projects are ones not eligible for grants

or loans. The third PRV is such a project! (*Any* project is eligible for loan funding if a Council so decides, so that part of the point is kinda circular).

Your writeups mention that our reserves won't put a dent in the infrastructure deficit. True, but not being considered here or ever. We're talking about one valve. I believe that 2019's accumulated surplus will stand at \$2.3 mil. and reserves at \$1.2 mil., not counting funds earmarked for water and sewer and not counting just over \$1 mil. in land-sale proceeds*. I understand that you can't offer indicative costs for the third PRV, but I'm pretty sure that reserves can pay for it with plenty left over to fund the annual cashflow cycle and emergencies.

Should reserves be used? I don't know whether Council ever received the report requested two years ago on prudent reserve levels and best practices in comparable municipalities, but I'm pretty certain that \$4.5 million is more than we need for cashflow and emergency reserves, especially since before the advent of this year's infrastructure levy, Council has never taxed to fund reserves of any nature as far as I can tell. Other than an unneeded loan, all of the \$2.3 mil. surplus, and much of \$1.2 in reserves comes either from past taxpayers who expected it to be spent at the time, or from grants from the Gas Tax Fund that were made to be spent, not kept in a perpetual savings account. I fully understand that funds need to be built up to fund projects at an economic scale, even overdue ones, but this is a small one, and to turn the reasoning around, it won't put (much of) a dent in reserves. It makes no strategic difference whether you use available surplus cash to fund projects now, or later, as long as there's enough. As you know, municipal reserves are not like household savings (where more is always better). Municipalities are more like businesses than households, with the added advantage that they have guaranteed revenue. Just as a business's owners would question why management was sitting on cash instead of using it, the owners of a municipality would rightfully wonder why funds raised to be spent are still sitting there.

By the way, with the infrastructure levy Council overturned prior thinking that in sub-economic Lions Bay future projects should be funded by future debt paid off by future taxpayers as long as they owned property here and hence received benefit from the asset. Clearly policy has changed to dinging current taxpayers for the benefit of future taxpayers (I'm opposed to that), but is policy also to use future debt for overdue benefit even when funds are available? We're tackling our infrastructure deficit now, but before we take on more debt to do it, I believe we should use up surplus cash first, rather than save it for some arbitrary time or for some arbitrary number.

We are currently at around 50 percent of our provincially-mandated debt cap, so we are already taking advantage of debt. Too much debt? I was looking to the requested report to tell us, but in principle, I'd say no, it is not too much. This is not family finance. With a guaranteed revenue stream to pay for it, at today's low carrying costs debt is a great way to smooth acquisition and ownership costs over the life of an asset, with future taxpayers paying off the asset for a fee (interest) only as long as they share its ownership.

Also by the way, I was bemused to learn that a merely six-year-old (?) valve no longer has spare parts available, when 50-year and older water infrastructure in the Lower Mainland is still serviceable. The issue is moot if the valve is too small, but I wonder if we would even be facing upgrading it now if the Infrastructure Committee of the day had been asked for review before a wrong and *not* temporary unit was installed. I've taken comfort that grant-funded

projects have an implicit provincial and federal sanity check. Without a grant, Council has no such assurance for this project, so I trust the IC will look at it this time.

In summary, I believe that if the third PRV must be done now reserves should be used to fund it.

Regards,
Karl Buhr, Mayor 2014-2018

*In the absence of any plans to use these funds, we are free to lend them to ourselves. The interest, paid to ourselves, nets to zero. The best kind of debt!

From: Lorne Yawney [REDACTED]
Sent: Monday, November 25, 2019 1:09 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: Borrowing vs Drawing on Reserves

Hello,

Having read the material released through the recent village update email, we support the village increasing borrowing rather than using reserves at this point.

Regards,
Lorne and Paola Yawney
50 Seaview Place
Lions Bay, BC

From: GREG WEARY [REDACTED]
Sent: Saturday, November 23, 2019 1:46 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: BORROWING FOR THE 3RD PRV

Given the detailed analysis of the options and explanation given by mayor and council I am in favour of borrowing.
Greg Weary
115 Panorama

From: [REDACTED]
Sent: Friday, November 22, 2019 10:02 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: 3rd PVR Installation

Hi: This email is to give our approval for the installation for the 3rd PVR installation at an estimated increase to our taxes of \$29/year (it may be more & we would approve that as well). We believe that the emphasis on the upkeep/improvement of the village's infrastructure is of paramount importance.

Thanks
Josephine & Bob Wright
105 Sunset Drive

From: emilie montgomery [REDACTED]
Sent: Friday, November 22, 2019 7:34 PM

To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: borrowing

Village should be allowed to borrow for infrastructure improvements after a vote (plebiscite) from residents allowing them to do so.

cheers

E Montgomery

From: Carol Brien [REDACTED]
Sent: Friday, November 22, 2019 7:04 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: how to fund the 3rd PRV

I think we should not borrow for the 3rd PVR but pay for it from reserves.

Carol Brien
570 Upper Bayview Road

From: Jon Povill [REDACTED]
Sent: Friday, November 22, 2019 5:11 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Cc: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: On the subject of infrastructure funding

Hi Peter,

Michele and I are not wildly enthusiastic about borrowing money for the 3rd PRV without a grant attached, but it does appear to be the best of the bad available alternatives. That said, if the mechanisms for subdivisions were finally worked out and approved the tax base would be at least somewhat expanded and there might be a bit more money in the till. So, how're we coming with that? Is it ever going to happen?

Real estate values have fallen quite a bit since the bylaw was changed to permit subdivisions making the value of our land -- assuming we ever get to subdivide and sell it -- substantially less than it was when we first began this process. At this point, we might be wiser to wait until the prices rebound, which is why we've been nagging you a lot less of late, but we'd still love to have some kind of idea if and when the logistical steps for subdividing in the village will be worked out and announced.

Finally, once upon a time, I had emailed Karl Buhr with what seemed like a crazy idea to use snowmaking equipment at the top of the Lions during the winter to ensure that we had sufficient snowpack to meet our water demands through the summer. It was rightly shot down because snowmaking equipment is both expensive to buy and expensive to run -- but I recently ran across this vastly simpler and cheaper related concept: <https://www.goodnewsnetwork.org/engineer-creates-green-oasis-growing-glaciers-desert/>

Maybe it's still crazy, but I thought it was worth sharing.

All the best,
Jon

From: Jurgen Odefey [REDACTED]
Sent: Friday, November 22, 2019 4:28 PM
To: Lions Bay Feedback <feedback@lionsbay.ca>
Subject: 3rd PRV

Hi, this is Jurgen Odefey, 50 Panorama Rd. Nobody wants to see an increase in taxes or fees, however, I believe that it is wise to borrow the money and to increase our fees by \$ 29/year. Thus we'll keep the reserves for what they are meant for : emergencies and/or unforeseen expenses.

Thanks for all your good work.

Sincerely,

Jurgen

--

Life is good

November 23, 2019

To: Lions Bay Mayor and Councillors

Fr: Douglas Miller

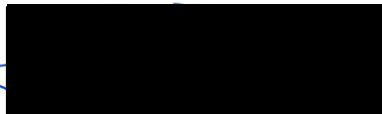
Re: PRV borrowing versus reserves

Thank you for giving Village residents the opportunity to voice their opinions on this issue. However, I am not convinced that such a poll is either accurate or appropriate.

In that regard, I would like to draw your attention to the attached document concerning Nebraska State Senator Ernie Chambers. Although you do not deal with issues of the magnitude of the one faced by Senator Chambers, I believe the principles stated in his remarks are universal in matters of governance.

I hope this is of assistance in your current deliberations.

Sincerely

A large black rectangular redaction box covering the signature area. A blue arrow points to the left edge of the box.

Douglas Miller
229 Bayview Road

A black rectangular redaction box covering the contact information below the name and address.

Thursday, May 28, 2015

For nearly 40 years, Nebraska State Senator Ernie Chambers has been trying to abolish the state's death penalty. Yesterday, after an epic debate in the legislature, he finally succeeded. For the first time in decades, a conservative state has repealed capital punishment.

In each of the 36 years he's been in office, Chambers has introduced a bill to end capital punishment. Though he was smiling after yesterday's vote, he says the victory did not fill him with euphoria.

"When you've worked on something that you believe in to the extent that I believe in this, when it actually comes it's really anti-climactic," Chambers tells *As It Happens* host Carol Off.

Nebraska lawmakers actually passed the bill to repeal the death penalty last week, but it was vetoed by Governor Pete Ricketts. Yesterday, Senators debated to override the Governor's veto. Chambers needed 30 votes against the Governor's veto for his bill to pass. The final vote was 30-19.

Following the vote, Senator Chambers was interviewed by Carol Off on CBC's *As It Happens*.

Toward the end of the interview, AIH's co-host Carol Off asked Senator Chambers: "Is the will of Nebraskans reflected in that vote yesterday?"

Senator Chambers:

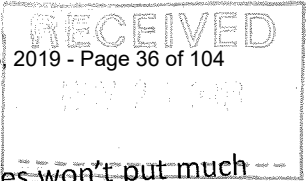
"If 99% of the people wanted the death penalty, I would still oppose it.

"In my view, our job as elected officials is to inform ourselves on the issue, analyze it, arrive at a judgment then cast our vote and take whatever the consequences.

"Our role is not to be an echo, it is not to take a popularity poll and to have our values determined by how many people are on the side of an issue. So I don't even speculate on which way the people, as a whole, would go.

"If I am no more informed than they are, I shouldn't be here. If they are as informed as I am then I am not doing my job.

"I have access to information, and facts that they don't. I am expected, based on my standard, to act in accord with the information and knowledge that I have...not to reflect ignorance."



Why borrow instead of using reserves? Well, for starters, our current reserves won't put much of a dent in our infrastructure deficit as identified in the Asset Management Investment Plan, which is why Council has been focused on building up these reserves. Moreover, depletion of reserves now may result in having insufficient funds in the event of an emergency (eg: the Kelvin Grove watermain break in 2011 had to be funded from reserves to the tune of about \$327K).

As well, grants are becoming smaller, less frequent, more restrictive and more competitive, and there are many projects in our Infrastructure Master Plan which will not be eligible for grants or loans (eg: roads). Therefore, the case can be made that it is better to save reserves for projects not eligible for grants or loans. The 3rd PRV is legally eligible for funding under our loan authorization bylaw; the question is whether you agree that such funding is the smart choice in the circumstances.

Council wants to hear what you have to say! Send your comments by November 25th to feedback@lionsbay.ca, or fill out the box below and either fax them to 604-921-6643, or drop them off in the Village Office or through the mail slot after hours.

Comments:

Are we not using the infrastructure levy on our tax bill to pay for this? If we borrow what interest rate do we pay? WHAT are different options? available
Also why are we part of Metro Vancouver? So they can tell us what we are allowed to do?



HAVE YOUR SAY

How much do we pay them?

RECEIVED

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Comments:

USUALLY YOU SHOULD PUT OFF BORROWING UNTIL FORCED TO DO SO BUT SINCE RATES ARE LOW AND PROBABLY WILL REMAIN SO IT REALLY DOESN'T MATTER. IT'S YOUR JOB TO MAKE THESE DECISIONS.

ABOUT TRANSPARENCY, WHERE DO WE STAND CONCERNING BURNING WOOD FOR HEAT?

HOW ABOUT AN UPDATE?

WHAT ABOUT LEAVING THE VANCOUVER AREA AS IT'LL KEEP COSTING US MONEY AND WE AREN'T MASTERS IN OUR HOUSE.

SPEND LESS WHEREVER POSSIBLE AS THE OPPORTUNITIES TO SPEND WILL BE ENDLESS.



HAVE YOUR SAY

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Comments:

ABOVE NARRATIVE DOES NOT INDICATE THE POSITION OF THE INFRASTRUCTURE COMMITTEE ON THIS PROJECT. SINCE THAT COMMITTEE IS OUR TECHNICAL INPUT INTO THE DECISION I WOULD LIKE TO KNOW THEIR POSITION AS TO: 1) TIMING - IS IT URGENT?, AND 2) COST - IS THE PROPOSED DESIGN THE MOST COST EFFICIENT FOR THIS APPLICATION?

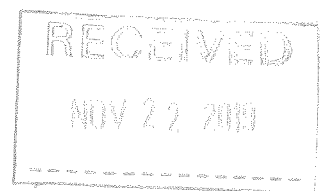
IF THEY HAVE BLESSED THE ABOVE COURSE OF ACTION, THEN I SUPPORT PROCEEDING.

OTHERWISE, LET'S DELAY AND BUILD THE APPROPRIATE ACTIONS/COSTS INTO NEXT YEAR'S BUDGETING PROCESS.

COLIN WATSON
340 KELVIN GROVE WAY



HAVE YOUR SAY



Intentionally Blank



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Funding the 3rd PRV - MFA Borrowing or Reserves		
Author	Peter DeJong	Reviewed By:	Pamela Rooke
Date	November 28, 2019	Version	
Issued for	December 3, 2019 Regular Council Meeting		

RECOMMENDATION

THAT the third PRV adjacent to the school be funded via:

- (a) MFA borrowing; or
- (b) reserves.

AND THAT staff take all required steps associated with this direction.

KEY INFORMATION

Infrastructure Master Plan Financing Loan Authorization Bylaw No. 508, 2016 (the “Bylaw”) was adopted on December 6, 2016 and received a Certificate of Approval from the Ministry of Community and Rural Development on February 2, 2017. The Bylaw authorizes the Village to borrow up to \$3,000,000 for a variety of infrastructure items from the Infrastructure Master Plan, as specifically listed in the Bylaw. The Village borrowed \$460,900 as part of the MFA’s 2017 Fall Borrowing Session to fund the Village’s share of the Clean Water and Wastewater Fund grant funded Water Storage Facilities capital project.

At the November 5, 2019 Council Meeting, it was resolved

THAT both the Bayview Road PRV and the Mountain Drive PRV be funded through the balance of the CWWF Grant and MFA borrowing; and

THAT the third PRV adjacent to the school be funded via MFA borrowing, subject to positive public feedback.

Public feedback was canvassed via direct mail to all mail boxes at the Lions Bay Post office, as well as via two successive editions of the Village Update. The feedback received is contained within the Information Report immediately following this report, with opinions expressed both in favour of and against using borrowing to fund this 3rd PRV.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

All long-term financing under Section 179 of the *Community Charter* must be done by the municipality's regional district, through the MFA. A security issuing resolution is the final step in the completion of the debt funding requirements and is included under Item 9 of this Agenda, with the amount to be inserted dependent upon Council's decision as to whether the borrowing will be only in respect of the first two PRVs or for all three.

FINANCIAL CONSIDERATIONS

The loan proceeds revenue and the related interest and principal payments will be included in the 2020-2024 Five Year Financial Plan Bylaw.

FOLLOW UP ACTION

Once approved, the Security Issuing Resolution will be forwarded to the Metro Vancouver Regional District (MVRD) along with the Loan Authorization Bylaw and the Certificate of Approval by the December 16, 2019 deadline. Upon consent of the undertaking, the MVRD will proceed with the issuing of their Security Issuing Bylaw and submit it to the MFA by the February 14, 2020 deadline.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019		
Author	Nicole Dumas	Reviewed By:	P. DeJong
Date	December 3, 2019	Version	1
Issued for	December 3, 2019 Regular Council Meeting		

Recommendation:

(1) THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 be read a 3rd time.

Attachments:

(1) Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019, as at second reading.

(2) Fees Bylaw No. 497, 2016 (Consolidation BL567)

Key Information:

The purpose of this amendment is to perform the annual update which ensures that the content of the bylaw remains current.

Options:

(1) Approve the recommendation above and give the bylaw third reading.

(2) Provide additional amendments and then give the bylaw third reading.

(3) Refer the bylaw back to staff for revisions.

Preferred Option:

Option 1: approve the recommendation and give the bylaw third reading.

Follow Up Action:

Bring the bylaw back to the December 17, 2019 meeting for adoption.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fees Bylaw No. 497, 2016

Amendment Bylaw No. 567, 2019

Adopted: _____, 20__

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

Fees Bylaw No. 497, 2016 Amendment Bylaw No. 567, 2019

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 “Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019”.
2. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 is hereby amended as follows:
 - (a) Schedule 1 – General Administration:
 - i. Remove the entire row referencing “Shipping documents”;
 - ii. Change “(FOI)” to read “(Fee applies to 8 pages and more)” in the description column of the Photocopying/printing/scanning documents row and change the fee from \$1.65 to \$1.00;
 - iii. Add “of printing copy” to the end of the sentence in the fee column for the Copy of house plans row; and
 - iv. Remove the entire row referencing “Permit under Outdoor Water Use Bylaw No. 484”.
 - (b) Schedule 2 – Development, Land and Building Services:
 - i. Change the second sentence underneath “Permit renewals” in the description column to read “A permit may be renewed only once...” instead of “... once only...”; and
 - (c) Schedule 3 – Engineering and Public Works:
 - i. Remove the entire row referencing “Bear Smart garbage container”;
 - (d) Schedule 4 – Animal Control & Licencing:
 - i. Under the fee for an altered dog, change the date from “March 31st” to “February 28th”;
 - ii. Change the fee after February 28th to read “\$45 thereafter” instead of “\$60 for all others” for an altered dog;
 - iii. Under the fee for an unaltered dog, change the date from “March 31st” to “February 28th”;
 - iv. Change the fee after February 28th to read “\$60 thereafter” instead of “\$60 for all others” for an unaltered dog;

(e) Schedule 5 – Traffic & Parking Fees:

- i. Change the word “annual” to “resident” under description and remove “per year” under fees in the first line.

(f) Schedule 6 – Community Facility Rentals:

- i. Change the “set-up fee” to read “Prior day hall rental set-up fee (subject to availability)”; and
- ii. Change the fee from \$220 to \$150 for liquor being served.

(g) Schedule 7 – Filming

- i. Remove the table in Schedule 7 and replace with the following table:

Description	Fee
Filming application fee (non-refundable)	\$300
Filming fees (per day):	
Residential Zone	\$1,000
Commercial Zone	\$500
Additional Location Fees (per day):	
Undeveloped Municipal Land	\$500
Tennis Courts, Wade Park, Trails (eg: Centennial, Pride, Marjorie Meadows)	\$750
Lions Bay Beach Park, Kelvin Grove Beach Park, Brunswick Beach Park/Esplanade	\$1,000
Broughton Hall	\$500
Council Chambers	\$250
Fire Hall (Requires at least one member of LBFR present - Interruptions possible)	\$100/hour
LBFR Training Facility (Requires LBFR personnel on site – minimum number depends on filming activity)	\$100/hour per person
Temporary closure of road (total blockages generally no more than 10 minutes at a time)	\$80/hour (plus costs of certified traffic control company at applicant’s expense)
Pyrotechnics Permit (per day)	\$500
Parking fees:	
Car	\$30/day (Completely Electric Vehicles \$0/day)
Truck (includes generator)	\$120/day (Solar/Battery Generators \$0/day)
Filming Liaison	\$80/hour (regular hours)
Public Works Services	\$80/hour per person (regular hours)
Village Manager	\$160/hour (regular hours)
Lions Bay Fire Rescue Services (LBFR)	\$500/hour
Extraordinary Services (Municipal staff call outs outside regular hours or requirement to hire contractor)	Hourly rate x 1.5 or contractor’s costs x 1.25

Fire Hydrant Use (only to be operated by Municipal employees)	\$80 per hour - regular hours (7am – 3pm) \$120 per hour (3 hours minimum) outside regular hours
Damage deposit	\$10,000 (refundable)

(h) Schedule 8 – Fire Rescue/Emergency Permits & Fees:

- i. Add “(valid only Oct 31st & New Year’s Eve)” after “Fireworks Permit”.

3. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 is further amended in respect of various inconsequential typographical and punctuation changes throughout the bylaw.

READ A FIRST TIME this __ day of _____, 2019
READ A SECOND TIME this __ day of _____, 2019
READ A THIRD TIME this __ day of _____, 20__

ADOPTED this __ day of _____, 20__

Mayor

Corporate Officer

**Certified a true copy of Fees Bylaw No. 497, 2016,
Amendment Bylaw No. 567, 2019 as adopted.**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fees Bylaw No. 497, 2016

Office Consolidation

This document is an office consolidation of Fees Bylaw No. 497, 2016 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, and 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 Fees Bylaw No. 497, 2016, 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
519	3	Deletes section 5.1.13	April 4, 2017
526	2.1	Amends schedule 1	May 5, 2017
530	2(a)	Adds metered parking fees to schedule 5	July 4, 2017
534	2.1	Replaces Schedules 1-10	December 19, 2017
544	2(a) 2(b)	Adds soil deposit and removal fees in schedule 2 Amends parking meter rates in schedule 5	May 11, 2018
547	2(a)-(c)	Amends text in Schedules 2 and 5	June 5, 2018
551	2(a)-(d) 3	Amends birthday party rental fees and non-profit rental fees in schedule 6 Deletes insurance costs from the table	September 18, 2018
554	2(a)-(f)	Amends text and fees in schedules 1, 2, 3, 5, 6	December 18, 2018

		and 7	
563	2(a)-(b)	Amends Extra Annual Parking Permit description and Parking Meters Fees in schedule 5	May 14, 2019
567			

Fees Bylaw No. 497, 2016

A bylaw to provide for the imposition of fees.

WHEREAS, pursuant to the provision of the *Community Charter and the Local Government Act*, the Village of Lions Bay may impose municipal fees in respect of all or part of a service of the municipality, the use of municipal property, the exercise of authority to regulate, prohibit or impose requirements, or in respect of such other matters permitted by an enactment;

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

Part 1 – CITATION:

1.1 This Bylaw may be cited for all purposes as "Fees Bylaw No. 497, 2016".

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 – FEES AND CHARGES

3.1 The municipality hereby imposes the fees for the provision of services and information as specified in Schedules 1 to 10 inclusive, which are attached hereto and form part of this bylaw.

Schedules

Schedule 1: General Administration

Schedule 2: Development, Land and Building Services

Schedule 3: Engineering and Public Works

Schedule 4: Animal Control & Licencing

Schedule 5: Traffic & Parking Fees

Schedule 6: Community Facility Rentals

Schedule 7: Filming

Schedule 8: Fire Rescue / Emergency Permits & Fees

Schedule 9: Memorials and Dedications

Schedule 10: General

- 3.2 Fees imposed under this bylaw for the provision of services or information apply instead of any fees imposed under other bylaws for the same services or information, in the event of any conflict between this bylaw and any other bylaw.

Part 4 – REPEAL

- 4.1 The following bylaws are hereby repealed:

1. Security Alarm System Regulation Bylaw No. 272, 1997;
2. Fees and Charges Bylaw No. 462, 2014;
3. Repeal of Prior Fees and Charges Bylaw No. 465, 2014;
4. Fees and Charges Amendment Bylaw No. 480, 2014; and
5. Fees and Charges Amendment Bylaw No. 490, 2015.

Part 5 – CONSEQUENTIAL AMENDMENTS

- 5.1 The following bylaws are hereby amended as follows:

1. Water Rates and Regulation Bylaw No. 2, 1971, as amended:
 - (a) Section 4 is amended to read: "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"; and
 - (b) Schedule A is amended by deleting section 2, Connection Charges.
2. Village of Lions Bay Sewer Bylaw #101, 1984, as amended:
 - (a) Section 3 is amended by striking the heading and substituting therefore the heading "Fees";
 - (b) Section 3 is further amended by deleting the existing wording and substituting therefore: "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";
 - (c) Section 17 is hereby renumbered as Section 18; and
 - (d) The following is hereby inserted as Section 17:

"17. The tie-in of the building sewer shall be made into a wye at the property line. The owner shall be required to install this wye. A plug shall be inserted into the upper end of the wye to prevent any flow into the sewer system. After the acceptance of the house plumbing by the building inspector and after the building sewer from the wye to the house has been tested successfully, the plug shall be removed in the presence of a representative of the Village. The wye branch shall then be plugged and the excavation backfilled with suitable material. Under no

- circumstances shall the building sewer be used for drainage purposes during construction.
- (e) Schedule A is hereby deleted.
3. Subdivision Bylaw No. 141, 1985, as amended:
- (a) Section 5 is amended to read: "Fees for services that may be or are provided under this Bylaw or Development Application Procedures and Fees Bylaw No. 431, 2011, as amended, shall be payable as set out in Fees Bylaw No. 497, 2016, as amended. These fees shall be in addition to any fees prescribed under the *Land Title Act*, RSBC 1996, Chapter 250".
4. Lions Bay Soil and Material Deposit Bylaw No. 157, 1987:
- (a) Section 6 is amended to read: "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".
5. Village of Lions Bay Blasting Bylaw No. 170, 1988:
- (a) Section 5 is amended to read: "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".
6. Building Regulation Bylaw 234, 1994:
- (a) The heading for Section 21 is hereby amended by adding the words: "and Fees" to the word: "Schedules";
- (b) The existing Section 21 is hereby renumbered as Section 21(b);
- (c) The following shall be inserted as Section 21(a): "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"; and
- (d) Schedule D, Village of Lions Bay Permit Fees, is hereby deleted.
7. Animal Control and Licencing Bylaw No. 461, 2014:
- (a) All references in Sections 5, 11 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.
8. Village of Lions Bay Trees, Views and Landscapes Bylaw No. 393, 2007, as amended:
- (a) The reference in Section 3.4.1.4 to Fees and Charges Bylaw No. 462, 2014 is hereby replaced with a reference to Fees Bylaw No. 497, 2016, as amended.
9. Traffic and Parking Bylaw No. 413, 2009, as amended:

(a) The following is inserted as Section 35: "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".

10. Fire Bylaw No. 428, 2011, as amended:

- (a) Section 53 is hereby renumbered as Section 54;
- (b) The following is hereby inserted as Section 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".
- (c) Appendix B is hereby deleted.

11. Development Application Procedures and Fees Bylaw No. 431, 2011, as amended:

- (a) All references in Sections 3 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.

12. Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015:

- (a) The reference in Section 4 of Schedule B to the Village of Lions Bay Fees and Charges Bylaw is hereby deleted and replaced with a reference to Fees Bylaw No. 497, 2016, as amended.

Part 6 – EFFECTIVE DATE

6.1 This bylaw shall come into force and take effect on January 1, 2017.

READ A FIRST TIME	December 15, 2015
READ A SECOND TIME	December 15, 2015
READ A THIRD TIME	December 6, 2016
ADOPTED	December 20, 2016

Mayor

Corporate Officer

**Certified a true copy of Fees
Bylaw No. 497, 2016 as adopted.**

Corporate Officer

SCHEDULE 1 – GENERAL ADMINISTRATION

Description	Fee
Freedom of Information and Protection of Privacy Act Fees payable for requests made under the <i>Freedom of Information and Protection of Privacy Act and Regulation</i>	As per <i>Freedom of Information and Protection of Privacy Act and Regulation</i> , Schedule of Maximum Fees.* *Note: For commercial applicants, for each service listed, the actual cost to the public body of providing that service shall be determined at the rate of \$10.00 per ¼ hour.
Locating, retrieving, producing or preparing records for disclosure	\$7.50 per ¼ hour
Shipping documents	Actual cost of shipping method chosen by applicant
Photocopying / printing / scanning documents (FOI) (Fee applies to 8 pages and more)	\$0.25 per page (black & white) \$1.00 65 per page (colour)
Copy of house plans	\$75 plus actual costs of printing copy
Tax certificates (no charge for property owners)	\$30 each
Property title search from Land Title Office	\$25
Property Tax and Utility Information:	
Property Tax Certificate	\$30 (no charge to owners)
Reprinted Property Tax/Utility Fee Notice	\$20 (no charge to owners)
Property Title Search from Land Title Office	\$25
Property Ownership Transfer Tax on tax sale properties	As per Land Title Office fees
Property Tax Sale, registration and removal of Liens	As per Land Title Office fees
Reprinted tax / utility documents	\$20 per document (no charge for property owner)
Lions Bay Flag	\$100
Lions Bay Historical Society Booklet	\$10
Lions Bay stickers	\$2
Community Garden	\$25 per plot annually
Permit under Outdoor Water Use Bylaw No. 484	\$40
Biodegradable Organics Bags	\$4 plus GST

[Amended by Bylaw No. 554]

SCHEDULE 2 – DEVELOPMENT, LAND AND BUILDING SERVICES

Description	Fee
Official Community Plan Amendment (Residential)	\$2,500 or \$3,000 if combined with rezoning application, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
Zoning Bylaw Amendment (Residential)	\$2,500, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
OCP or Zoning Amendment (Non-Residential)	\$2,500 for first 465 m2 of building area plus \$500 for each additional 100 m2 or part thereof.
Request for Preliminary Review of Subdivision Development Proposal (Initial Meeting)	\$250
Request for Preliminary Review of Subdivision Development Proposal (Preliminary Review Process)	\$2,000 plus \$300 for each additional lot after first lot created. Additional expenses may apply per Bylaw No. 431, as amended.
Land Subdivision (Final Approval) Application	\$1,000 plus \$200 for each additional lot or strata lot after first lot or strata lot created
Development Permit	\$1,200
Development Variance Permit	\$750
Temporary Use Permit Application Fee (non-refundable)	\$250
Inspection fee for Temporary Use Permit for Short Term Rentals	\$250 – Includes initial inspection plus one additional inspection. Each additional inspection \$75/hour
Temporary Use Permit	\$1,000 plus \$750 for renewal application
Board of Variance (non-refundable)	\$500
Building Permit Application Fee (non-refundable)	\$100
Pre-Building Permit Application Consultation Fee	\$75 per hour
Building Permits (based on value of construction):	
Minimum fee (<\$1,000)	\$150
• \$1,000-\$9,999	\$150 plus \$12 per \$1,000
• \$10,000-\$49,999	\$250 plus \$11 per \$1,000
• \$50,000-\$99,999	\$300 plus \$10 per \$1,000
• \$100,000 and greater	\$400 plus \$9 per \$1,000
<i>The minimum fee for a building permit for a <u>new dwelling</u> shall be not less than the fee for a building having a value of \$300,000 (\$3,100.00).</i>	<i>Building permits are valid for a maximum of two years, at which time they expire. A permit may be renewed once only in accordance with Building Bylaw No. 234, 1994, as amended.</i>

Permit renewals <i>A building permit is valid for a maximum of two years, at which time it expires. A permit may be renewed <u>only</u> once <u>only</u> in accordance with Building Bylaw No. 234, 1994, as amended.</i>	75% of current Building Permit Fee at time of renewal
Damage Deposit (based on value of construction): <ul style="list-style-type: none"> • Up to \$10,000 • Up to \$50,000 • Up to \$250,000 • Greater than \$250,000 <p><i>A Damage Deposit is required when taking out a Building Permit or a Demolition Permit, or when performing other works requiring an engineer's certificate or heavy machinery on Village highways. An occupancy certificate is needed with respect to a Building Permit and an inspection by the Public Works Manager is required prior to a Damage Deposit being returned.</i></p>	\$500 \$1,500 \$3,000 \$5,000
Demolition Permit fees: Accessory building or structure All other buildings	\$100 per building \$1,000 per building
Change of Address	\$500
Blasting permit application fee	\$250
Secondary suite surcharge	40% of Annual Utility Billing
Secondary suite inspection fee	Initial inspection plus one additional inspection free. Each additional inspection \$75/hour
Tree cutting permit applications	\$75 (non-refundable)
Lawn sprinkling permit application	\$40
Driveway Crossing Permit	\$100
Plumbing Fee	\$100 plus \$25 for each fixture
Fire Sprinkler Permit: New construction	\$125 plus \$2.50 per sprinkler head
Renovations requiring sprinkling	\$250 plus \$2.50 per sprinkler head
Alternate Solutions: Building Inspector (additional charge if required on more involved issues per Building Bylaw) Code Professional (additional charge if required on more involved issues per Building Bylaw)	\$75 per hour (\$225 minimum) Actual cost plus 10%
Extra Inspections (after second inspection)	\$100 per inspection
Pre-inspection of a building being moved within the Village	\$500 per structure

When a permit is surrendered and cancelled before any construction begins and the owner has provided written notification that the project will not be undertaken	50% of the building permit fee paid and 100% of the deposit shall be refunded to the property owner.
Plan review for building design modifications	\$75 per hour
Transfer of building permit	\$125
Unregistered Encroachment Agreement	\$400
Review & registration of Section 219 covenant placed according to the Land Title Act	\$400
For discharge of Section 219 covenant placed according to the Land Title Act	\$100
An application for the soil deposit or removal of more than 27 cubic meters (m ³) and up to 45 m ³ of in any one year.	\$100 (non-refundable)
Any application for the soil deposit or removal of more than 45 m ³ and up to 90 m ³ in any one year.	\$200 (non-refundable)
Any application for the soil deposit or removal of more than 90 m ³ and up to 180 m ³ in any one year.	\$400 (non-refundable)
Any application for the soil deposit or removal of more than 180 m ³ in any one year.	\$600 (non-refundable)

**NOTE: All permits include one inspection. All security deposits are refunded, less costs incurred, after Final Inspection*

[Amended by Bylaw No. 547]

[Amended by Bylaw No. 554]

SCHEDULE 3 – ENGINEERING & PUBLIC WORKS

Description	Fee
Water service connection fees	\$600 plus actual costs
Sewer service connection fees	\$600 plus actual costs
Locate water leak / water shutoff valve on private property / turn water on or off	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Locate Sewer Pipes / Connection	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Public Works hourly rate per worker (regular business hours)	\$75 per hour
Emergency after hours call-out	\$115 per hour (3 hour minimum)
Bear Smart garbage container	\$175

[Amended by Bylaw No. 554]

SCHEDULE 4 – ANIMAL CONTROL & LICENCING

Description	Fee
Annual licence for altered dog	\$30 if paid before March 31st <u>February 28th</u> or within 30 days of becoming a new resident or obtaining a new dog \$4560 for all othersthereafter
Annual licence for unaltered dog	\$60 if paid before March 31st <u>February 28th</u> or within 30 days of becoming a new resident or obtaining a new dog \$90 for all othersthereafter
Rebate of annual licence fee for dog altered subsequent to licence being paid	\$30
Tag replacement	\$10

SCHEDULE 5 – TRAFFIC & PARKING FEES**FEES FOR PERMITS**

Description	Fee
Extra <u>annual-resident</u> parking permit – obtainable by a resident, allows parking in “permit parking” zones	\$40 -per-year (1 free permit for each Lions Bay Fire Rescue member, Search and Rescue member, Non-Resident Volunteer member of a Lions Bay committee, and Village staff member, not otherwise receiving free permits with a property tax notice, and two free permits within 30 days of becoming a new property owner)
Worksite parking permit for building-site workers for three months – obtainable by homeowners or construction managers on projects, allows parking in “permit parking” zones	\$40 for three months
Film company parking Film worker’s personal vehicle Film company truck	Refer to Schedule 7: Filming
Daily parking permit – obtainable by residents, allows parking for one day for guests	\$0 per vehicle
Operating a vehicle or combination of vehicles in excess of 63,500 kgs licensed gross vehicle weight on highway	\$35 per vehicle load
Monthly fee for parking of extraordinary vehicle or trailer on Village property, with permission of Council Extraordinary vehicle or trailer under 6.1 metres in length Extraordinary Vehicle or trailer 6.1- 6.5 metres in length Extraordinary Vehicle or trailer 6.5-7.7 metres in length Extraordinary Vehicle or trailer over 7.7 metres in length	\$80 per month/\$960 per year \$80 per month/\$960 per year \$110 per month/\$1,320 per year \$135 per month/\$1,620 per year
Daily fee for placing dumpster/bin or construction material on highway	\$35
Where work is performed by the Village in cleaning up spills or deposits on a highway, or remediating damage to a highway, fees per hour of work will be charged as shown below, to cover staff time plus use of Village equipment. Actual extra costs to the Village for items such as fuel, materials, turf, plants, storage in commercial premises, and equipment rentals required for clean-up or remediation work, will also be charged, based on invoices or receipts for materials or equipment. If work is performed by a commercial contractor under contract to the Village, the actual cost of the contract will be charged, in addition to a \$150 flat fee for Village administration time.	
Clean-up of spills or deposits on highway	Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Remediation of damage to highway	Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)

FEES FOR REMOVALS FROM HIGHWAY

Where vehicles, obstructions and chattels are removed from a highway, fees per hour of work are charged for removals and towing. If these items are not claimed and must subsequently be advertised and sold at auction, a flat fee is charged to cover the cost of storage, administration time and advertising.	
Removal of chattels, obstructions and things seized from highway	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum) plus \$50 per day fee for storage
Towing of vehicle	Actual cost plus Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per person per hour (3 hour minimum)
Sale of chattels, obstructions and things seized from highway	\$1,000 flat fee

FEES FOR METERED PARKING

Description	Fee
Lions Bay Beach Park Lot (adjacent to train tracks) <i>*Permit holders NOT exempt from fee.</i>	\$4/hour or portion thereof up to a maximum of \$32 within a calendar day
Kelvin Grove Beach Park Lot <i>*Permit holders exempt from fee.</i>	\$3/hour or portion thereof up to a maximum of \$24 within a calendar day
Sunset Trailhead Lot <i>*Permit holders exempt from fee.</i>	\$2/hour or portion thereof up to a maximum of \$16 within a calendar day

[Amended by Bylaw No. 530]
[Amended by Bylaw No. 544]
[Amended by Bylaw No. 547]
[Amended by Bylaw No. 554]
[Amended by Bylaw No. 563]

SCHEDULE 6 – COMMUNITY FACILITY RENTALS

Rental fee includes use of kitchen, tables, chairs and music player.

Description	Fee*
Hall Rental for private events: Examples of use: dances, weddings, ceremonies, etc. <u>SPrior day hall rental set-up fee (subject to availability):</u>	\$ 220 <u>150</u> if liquor being served \$110 if no liquor being served \$55 <i>If event occurs over multiple days, the rate above applies per day</i>
Hall Rental for children’s Birthday parties	\$50 per event (maximum 4 hours)
Hall Rental for program use: Examples of use: programs contracted through the Village.	20% of revenue per session, or minimum payment amount of \$40.00 per month, whichever is greater.
Hall Rental for non-profit groups: Community group activities, meeting a maximum of once per week to a maximum of 12 hours per month. Additional fee for events exceeding the maximum Non-profit community groups (single event)	\$25 per month \$25 per event \$25 per event <i>This is the fee rate applicable to requests for fee waivers under the Municipal Grant program. Youth must be supervised by an adult while using Village facilities.</i>
Meeting Room Rental (accommodates up to 10 persons): Council Chambers (former library)	\$10 per hour (2 hour minimum)
Rental of Tennis Courts for Program Use (max 2 hours per day)	20% of revenue per session or minimum payment amount of \$40.00 per month, whichever is greater.
Cancellation Fee:	Refer to policy: POL-1408 Refunds & Cancellations
Staff Assistance (assemble <u>&/</u>disassemble equipment on-site – excluding stage):	\$50 set up \$50 take down
Stage (assemble <u>&/</u>disassemble):	\$100
Sound System: <i>No offsite rental for stage and sound equipment.</i>	\$50

<p>Equipment Rental Rates (for off-site use): Table rental Chair rental (No outside use of chairs without explicit written authorization) <i>Equipment not returned within 72 hours will result in forfeiture of deposit.</i></p>	<p>\$10 each \$1 each (\$10 minimum)</p>
<p>Deposit for facility / equipment rental:</p>	<p>\$100 Refundable in accordance with policy POL-1407 Community Facility Rentals. <i>Note: Liability for damage or loss is not limited to the deposit amount.</i></p>

**plus deposit*

[Amended by Bylaw No. 551]

[Amended by Bylaw No. 554]

SCHEDULE 7 – FILMING [to be reviewed with filming policy]

Description	Fee
Filming application fee (non-refundable)	\$250
Filming fee (per day)	\$300
Damage deposit	\$5000 (refundable)
Filming in VOLB parks (per day)	\$500
Parking fees:	
Car	\$25/day
Truck	\$100/day
Filming Liaison	\$40/hour
Municipal Services	\$80/hour
Fire Rescue Services	\$100/hour
Fireworks (pyrotechnics) permit	\$100

[Amended by Bylaw No. 554]

Description	Fee
Filming application fee (non-refundable)	\$300
Filming fees (per day):	
Residential Zone	\$1,000
Commercial Zone	\$500
Additional Location Fees (per day):	
Undeveloped Municipal Land	\$500
Tennis Courts, Wade Park, Trails (eg: Centennial, Pride, Marjorie Meadows)	\$750
Lions Bay Beach Park, Kelvin Grove Beach Park, Brunswick Beach Park/Esplanade	\$1,000
Broughton Hall	\$500
Council Chambers	\$250
Fire Hall (Requires at least one member of LBFR present - Interruptions possible)	\$100/hour
LBFR Training Facility (Requires LBFR personnel on site – minimum number depends on filming activity)	\$100/hour per person
Temporary closure of road (total blockages generally less than 10 minutes at a time)	\$80/hour (plus costs of certified traffic control company at applicant's expense)
	\$500
Parking fees:	
Car	\$30/day (Completely Electric Vehicles \$0/day)
Truck (includes generator)	\$120/day (Solar/Battery Generators \$0/day)
Filming Liaison	\$80/hour (regular hours)
Public Works Services	\$80/hour per person (regular hours)
Village Manager	\$160/hour (regular hours)
Lions Bay Fire Rescue Services (LBFR)	\$500/hour

<u>Extraordinary Services (Municipal staff call outs outside regular hours or requirement to hire)</u>	<u>Hourly rate x 1.5 or contractor's costs x 1.25</u>
<u>Fire Hydrant Use (only to be operated by Municipal employees)</u>	<u>\$80 per hour - regular hours (7am – 3pm)</u> <u>\$120 per hour (3 hours minimum) outside regular hours</u>
<u>Damage deposit</u>	<u>\$10,000 (refundable)</u>

SCHEDULE 8 – FIRE RESCUE / EMERGENCY PERMITS & FEES

Description	Fee
Fire investigation	\$200 per person per hour or portion plus actual site security costs
Fire Safety Plan Review	\$100
Inspection of buildings other than routine inspections (after 2 nd inspection) under the Fire Services Act	\$100
Inspection of buildings other than routine inspections (after 3 rd and subsequent inspection) under the Fire Services Act	\$200
Inspections – special request	\$150
Special events fire permit/inspection	\$100 per person per hour or portion thereof
Fireworks Permit (valid only Oct 31 & New Years Eve)	\$50
Cost recovery for work performed in removal or remediation of a fire hazard at or around a building or premises	<p>\$100 per person per hour or portion thereof to cover time plus use of municipal equipment.</p> <p>Actual extra costs for items such as equipment rentals required for clean up or remediation work will also be charged, based on invoices or receipts for materials or equipment.</p> <p>Actual costs of a commercial contractor under contract to the municipality will be charged in addition to a flat fee of \$150 for municipal administration.</p>

**Note: all permits include one inspection*

SCHEDULE 9 – MEMORIALS AND DEDICATIONS

Description	Fee
Bench Dedication	\$1,500 - \$1,750 includes cost and installation of bench, cost and installation of plaque and ongoing maintenance.

SCHEDULE 10 – GENERAL

Description	Fee
Boat space rental permit at Lions Bay Beach Park	\$125 per calendar year if paid by March 31 st \$150 if paid after March 31 st , but before May 31 st (after May 31 st , boat will be seized and removed) <i>*If a new boat space is obtained after March 31st, the \$150 permit fee shall be prorated based on the number of months left in the year. No refunds will be issued for permits terminated during the year.</i>
Seizure and removal of boat from boat space rental area for failure to pay annual fee by June 1 st .	\$100 plus \$20/day for storage
Sale of seized boat if unclaimed for 120 days after seizure.	\$500 flat fee



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Emergency Program Bylaw Third Reading		
Author	Robert Whitney	Reviewed By:	Peter DeJong
Date	November 28, 2019	Version	
Issued for	December 3, 2019 Council Meeting		

Recommendation:

THAT Emergency Plan Bylaw No. 566, 2019 be read a third time, as amended.

Attachments:

(1) Draft Emergency Plan Bylaw No. 566, 2019;

Key Information:

- A new Emergency Plan Bylaw No. 566, 2019 has been drafted to update the out-of-date Emergency Plan Bylaw No. 409, 2009 and has undergone first and second readings.
- On November 14, 2019 the Emergency Program Committee sat, at which time the proposed bylaw was presented to the committee. No comments or changes were forthcoming or proposed.

Options:

(1) Do nothing: While this is a potential option it would result in the Municipality keeping an old and outdated bylaw that has dated terms of reference and is not current with emergency management best practices and priorities.

(2) Complete Third Reading of the Bylaw as amended to incorporate pending changes to the Emergency Program Act.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

(3) Further revise the Emergency Plan Bylaw and proceed with Third Reading. No revisions were forthcoming from the Emergency Program Committee; if Council has any further revisions to the bylaw, they can be made and then a third reading could proceed.

Preferred Option: Option #2: Complete the Third Reading as amended. This will provide the Municipality with an up-to-date Emergency Plan Bylaw that has modern terms of reference, position descriptions and responsibilities as guided by emergency management best practices in the province of BC.

Legal Considerations: When the Auditor General for Local Government reviewed Emergency Management in Local Governments, they found many of the bylaws relating to emergency management to be old and out-dated. It is their recommendation that communities with old emergency management bylaws update and adopt new bylaws.

Follow Up Action: Consider adoption of Emergency Plan Bylaw No. 566 (2019) at the December 17, 2019 Council meeting.

Communication Plan: Once adopted the new bylaw would be uploaded to the Municipal website to be included in the library of bylaws.

EMERGENCY PROGRAM BYLAW NO.566, 2019

A bylaw to establish and operate a plan or scheme for preparedness, response and recovery in the case of emergencies pursuant to the provisions of the *Emergency Program Act*.

WHEREAS the Council of the Village of Lions Bay is required to prepare a local emergency plan respecting preparation for, response to, and recovery from emergencies and disaster,

AND WHEREAS the Village of Lions Bay wishes to provide a comprehensive management program to prepare for, respond to and recover from emergencies and disasters,

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

1. CITATION

1.1. This Bylaw shall be cited as Emergency Program Bylaw No. 566, 2019.

2. INTERPRETATION

2.1. In this bylaw, "Act" means the current *Emergency Program Act* as adopted by the province of British Columbia.

2.2. Unless otherwise specifically stated, the words used in this bylaw shall have the same meaning as words have in the *Act*.

a) "Council" means the municipal council of the Village of Lions Bay,

b) "Mayor" means that person elected by the Village of Lions Bay, and includes the person designated as acting mayor at the relevant time when the "Mayor" is absent, or otherwise unable to act or when the office of the Mayor is vacant,

c) "declaration of a state of local emergency" means a declaration of the Council or the Mayor that an emergency exists or is imminent in the regional district,

d) "disaster" means a calamity that:

i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and

ii. has resulted in serious harm to the health, safety or welfare of people, or in widespread damage to property.

- e) "emergency" means a present or imminent event that:
 - i. is caused by accident, fire, explosion or technical failure or by the forces of nature, and
 - ii. requires prompt coordination of action or special regulation of persons or property, to protect the health, safety or welfare of people or to limit damage to property.
- f) "Emergency Plan" means the Village of Lions Bay Emergency Plan as constituted at any point in time.

3. EMERGENCY MANAGEMENT ORGANIZATION

3.1. In accordance with the requirements of the *Act* to establish and maintain an emergency management organization to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters, an Emergency Management Organization, comprised of:

- a) the Council
- b) the Emergency Program Committee, and
- c) the Emergency Program Coordinator

is hereby established.

4. THE COUNCIL

4.1. The Council is at all times responsible for the general direction and control of the response of the Village of Lions Bay to an emergency or disaster, and in particular to:

- a) declare a State of Local Emergency,
- b) call upon or delegate powers available under the *Act*, as required, and to monitor the use of such powers,
- c) establish emergency policy and legislation necessary to facilitate the response to an emergency or disaster, and
- d) adopt and maintain an Emergency Plan respecting preparation for, response to, and recovery from an emergency or disaster.

- 4.2. Notwithstanding the provisions of subsection 4.1, the Mayor may carry out the responsibilities specified in clauses (a) and (b) where, because of the circumstances of an emergency or disaster, it is not possible to assemble a quorum of the Council, and provided the Mayor has made every effort to obtain the consent of the other members of the Council.
- 4.3. The Mayor and Council will appoint an Emergency Program Coordinator to facilitate emergency preparedness, response and recovery measures.
- 4.4. The Council will ensure that sufficient budget and staff are provided to maintain an essential level of emergency program preparedness.
- 4.5. The Council will report the annual status of the emergency program to the Minister responsible for the *Act*.

5. EMERGENCY PROGRAM COMMITTEE

- 5.1 The Emergency Program Committee is accountable to the Council.
- 5.2 The Emergency Program Committee shall comprise, at a minimum:
 - a) the Emergency Program Coordinator or Deputy Emergency Program Coordinator,
 - b) the Chief Administrative Officer,
 - c) the Public Works Manager,
 - d) the Fire Chief, or their designate,
 - e) the ESS Director, or their designate,
 - f) three members of Council including the Mayor,
 - g) such other members as Council may determine,
- 5.3 The Emergency Program Committee shall:
 - a) provide strategic direction and oversight to the Emergency Program Coordinator,

- b) provide strategic and budgetary advice and recommendations to Council regarding the Emergency Program and the Emergency Plan, including in respect of:
 - i) the Committee's terms of reference, policies and procedures;
 - ii) agreements with other municipalities or regional districts for the purpose of emergency assistance or the formulation of coordinated emergency preparedness, response or recovery;
 - iii) agreements with individuals, bodies, corporations or other non-government agencies for the provision of goods or services;
 - iv) assessment of hazards, risks and vulnerability on an ongoing basis;
 - v) staffing and support for the Emergency Operations Centre (EOC);
 - vi) training and exercise programs.

5.4 The Emergency Program Committee may strike such sub-committees and work groups as is deemed necessary.

5.5 The Emergency Program Committee will meet at least bi-annually, or as determined by the committee.

6. EMERGENCY PROGRAM COORDINATOR

6.1. The Emergency Program Coordinator, and the Deputy Emergency Program Coordinator, is accountable to the CAO and is responsible to:

- a) provide leadership and administration for the Emergency Program and the Emergency Program Committee,
- b) coordinate and/or supervise any sub-committees or work groups,
- c) develop an Emergency Program strategic plan, action plans and budget,
- d) maintain all emergency plans and documentation,
- e) provide an annual status report on the state of the Emergency Program and the level of preparedness,
- f) coordinate a training and exercise program,

- g) coordinate with other governments, non-government agencies, First Nations and private sector agencies,
- h) establish and maintain an Emergency Operations Centre, and
- i) establish, coordinate and support volunteer programs.

7. EMERGENCY RESPONSE AND DELEGATION OF AUTHORITY

- 7.1 The Emergency Management Program will conform to the “B.C. Emergency Management System” (BCEMS).
- 7.2 The Chief Administrative Officer or their designate shall be the Emergency Operations Centre (EOC) Director.
- 7.3 The EOC Director is authorized by Council to:
 - a) exercise any of the powers provided to local authorities by the *Act* under a state of local emergency;
 - b) expend Municipal funds which are not included in the financial plan of the Municipality, required for the preservation of life, health and the protection of property during an emergency or disaster, on the following basis:
 - i. following the declaration of an emergency by the Mayor and/or Council,
 - ii. up to an including \$25,000 at the discretion of the EOC Director, and
 - iii. an amount greater than \$25,000 at the discretion of Council,and any expenditure made in accordance with subsection 7.3.b) must be presented to the Council in a report under the signature of the EOC Director at the earliest available opportunity.
 - c) For certainty, the authority of the EOC Director in section 7.3 of this bylaw includes the authority to negotiate and execute any agreement, on behalf of the Municipality, on any terms or conditions considered appropriate.

8. LIABILITY

- 8.1 As stipulated by the *Act*, no person, including, without limitation, the Council, the Mayor, members of the Village of Lions Bay Emergency Management Organization, employees of the Village of Lions Bay, a volunteer and any other persons appointed, authorized or requested to carry out measures relating to

emergencies or disasters, is liable for any loss, cost, expense, damages or injury to persons or property that result from:

- a) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under this bylaw, unless, in doing or omitting to do the act, the person was grossly negligent, or
- b) any acts done or omitted to be done by one or more of the persons who were, under this bylaw, appointed, authorized or required by the person to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

9. REPEAL

9.1 Bylaw No. 409, The Emergency Program Bylaw (2009), is repealed.

10. COMMENCEMENT

10.1 This bylaw comes into force upon adoption.

VILLAGE OF LIONS BAY

Incoming Correspondence - December 3, 2019

General Correspondence:

G1: Ltr to Premier - MVA Modernization	Page 1
G2: Order of BC - 2020 Call fo Nominations	Page 4

Resident Correspondence:

R1: Ian Mackie Re: Air Quality	Page 6
R2: Bill Srigley re: View Bylaw	Page 7
R3: Valori McKay re: View Bylaw	Page 18
R4: John Dudley re: Tree Bylaw	Page 19



The Corporation of the District of Saanich | Mayor's Office

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | www.saanich.ca

November 28, 2019

via email: premier@gov.bc.ca

The Honourable John Horgan, M.L.A.
Premier of British Columbia
PO Box 9422 Stn Prov Govt
Victoria, BC V8W 9V1

Dear Premier Horgan:

RE: Modernizing the Motor Vehicle Act

We compliment you that British Columbia is recognized as a leader on so many levels. Consequently, Saanich Council received with disappointment your Deputy Director, South Coast Region's letter of November 5, 2019 (attached). We believe continued inaction to update the Motor Vehicle Act is concerning and contradicts a number of Provincial plans, studies and publications. We question why outdated statutory speed limits are retained while we continue to see unacceptable fatalities, collisions, and serious injury rates on our roads, far higher than many other progressive countries.

For the past three years local governments have been waiting, hoping, for change following the Ministry of Public Safety and Solicitor General's January 2016 publication of *Moving to Vision Zero: Road Safety Strategy Update and Showcase of Innovation in British Columbia*. And then the March 2016 publication from the Provincial Health Officer, *Where the Rubber Meets the Road: Reducing the Impact of Motor Vehicle Crashes on Health and Well-being in British Columbia*. Understandably, there was a period of silence as these documents circulated through government agencies and local municipalities followed by the Provincial Election in early 2017.

In the past couple of years we've seen two more plans, *Move Commute Connect* from CleanBC in December 2018 and most recently the *BC Active Transportation Design Guide*. Taken together, we have four excellent planning documents and it is time for action. Specifically, significant updates to the Motor Vehicle Act to support, protect and encourage healthy transportation choices and much safer roads.

The current legislative reality of enacting municipal bylaws to change the speed limit on every block of every street is an administrative burden, but not one that can't be overcome. Rather, it is the financial burden and visual clutter of having to install the tens of thousands of signs province-wide that is at issue. More importantly, the current piecemeal nature in which speed

limits are being lowered lacks consistency, effectiveness and safety. More cost-effective, consistent and safer solutions rest with changes that can be made through the Motor Vehicle Act.

We are looking for changes to your laws governing our roads to help end the epidemic of road crash fatalities, serious injuries, collisions, and near misses. We believe this is an opportunity for leadership from our Honourable Premier in directing action similar to the nation-leading impaired driving laws enacted in 2011 which were followed by an immediate and sustained drop in fatalities and serious injuries.

The broad and far reaching support for this change across British Columbia is shown by endorsed resolutions at UBCM in 1999, 2003, 2006, 2009, 2011, 2015, and 2019. As fellow politicians we understand that some issues are so large they transcend multi-election cycles and party lines. This is evident by the repeated discussions at UBCM. Road safety is not a political issue that can be continuously delayed and deferred, with endless studies and reports that wither with each change of government. We must do better. We can do better.

On behalf of the District of Saanich, and in the spirit of your leadership for all communities in British Columbia, we respectfully ask that you act swiftly and make the changes to the Motor Vehicle Act needed to improve road safety in our wonderful province.

With hope,



Mayor Haynes

cc:

Saanich Council
The Honourable Claire Trevana, MLA, Minister of Transportation & Infrastructure
MLA s of Greater Victoria
Mayors of British Columbia
President of the Union of British Columbia Municipalities



His Worship
Mayor Fred Haynes
District of Saanich
770 Vernon Ave.
Victoria, BC V8X 2W7

Dear Mayor Haynes,

Re: UBCM 2019 Follow Up – MoTI Staff Meetings

Thank you for taking the time to meet with me at the recent Union of British Columbia Municipalities (UBCM) Convention in Vancouver on September 24th, 2019.

I appreciated the opportunity to discuss your concerns on lowering default speed limits.

Though the Ministry of Transportation and Infrastructure does not plan on amending the MVA to redefining the current speed limit, the ministry will continue to engage with District of Saanich to ensure road safety for all users are supported. For more information, please refer to the B7 UBCM Resolution 2019 and the ministry's response found at the UBCM website.

If you have any further questions or concerns, please do not hesitate to contact our VID District Manager, Michael Pearson directly by telephone at [REDACTED] or via e-mail at [REDACTED]

Thank you again for taking the time to meet with me.

Sincerely,

[REDACTED]

Janelle Staite, P.Eng
Deputy Director, South Coast Region

From: [Nicole Dumas](#)
To: [Nicole Dumas](#)
Subject: FW: Order of British Columbia ~ 2020 Call for Nominations
Date: Thursday, November 28, 2019 2:35:37 PM
Attachments: [image001.png](#)
[image002.png](#)

From: BC Honours and Awards HAS:EX <bchonoursandawards@gov.bc.ca>
Sent: Wednesday, November 27, 2019 1:44 PM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: Order of British Columbia ~ 2020 Call for Nominations



Ron McLaughlin
Mayor
Village of Lions Bay

Dear Mayor:

Order of British Columbia ~ 2020 Call for Nominations

Nominations for the province's highest honour, the Order of British Columbia, are now being accepted. This prestigious honour recognizes individuals who have demonstrated outstanding achievement, excellence or distinction in a field of endeavour benefiting the people of the province or elsewhere. I would be grateful if you could please share information about the Order with your municipality and stakeholder groups.

Nomination forms for the Order are available [online](#) or by emailing the Honours and Awards Secretariat at bchonoursandawards@gov.bc.ca. Nominations must be received by **Friday, March 6, 2020**. Submissions received after this date will be considered in 2021.

Nominations will be reviewed by an independent Advisory Council chaired by the Chief Justice of British Columbia. Its membership also includes the President of the Union of British Columbia Municipalities. To date, 447 distinguished British Columbians have been appointed to the Order.

In addition to the Order of B.C., you may also nominate individuals for the province's other honour, the Medal of Good Citizenship. This medal recognizes citizens for their exceptional long-term service, and contributions to their communities without expectation of remuneration or reward. The medal reflects their generosity, service, acts of selflessness and contributions to community life. Nominations are accepted year-round and the nomination form can be found [here](#).

Your leadership in championing deserving citizens in your community and promoting the Order of B.C. and Medal of Good Citizenship is very much appreciated.

Yours sincerely,



Lucy Lobmeier
Honours and Awards Secretariat



From: [Nicole Dumas](#)
To: [Nicole Dumas](#)
Subject: FW: Air Quality in Lions Bay
Date: Friday, November 29, 2019 9:13:25 AM

From: Ian Mackie [REDACTED]
Sent: Friday, November 15, 2019 5:07 AM
To: AQinfo@metrovancover.org
Cc: Council
Subject: Air Quality in Lions Bay

All

The air quality in Lions Bay is terrible due to unrestricted burning of wood for home heating. While Lions Bay is one of the wealthiest communities in Metro the Council has asked that Lions Bay be exempted from the Metro wood smoke ban. This position is quite hypocritical given Lions Bay's stated support for higher environmental standards in Howe Sound. This is a case of some comparatively wealthy residents insisting on burning wood to heat their homes in order to save a few dollars while exposing their neighbours to the toxic effects of wood smoke. Lions Bay should be required to comply with the Metro wood smoke bylaw despite the fact that some residents would prefer to save a few dollars burning wood to heat their homes despite the provisions in the Official Community Plan espousing the need to protect the environment.

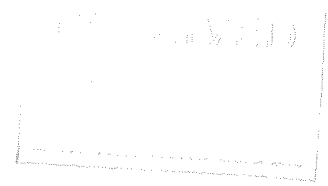
Regards

Ian D. Mackie

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPad

November 21, 2019



To: Peter Delong,
CAO of Lions Bay

With the View Preservation and Restoration Bylaw moved to FUTURE business in the November 26, 2019 council meeting.

I am requesting the following information from the Lions Bay Council.

The information request comes from an E-mail sent out by Marek Sredzki on November 16, 2019 about the Lions Bay View Bylaw petition in which he stated the following items: (Copy of letter attached)

An online petition was sent out in 2018 to the residents of Lions Bay?

The petition received OVERWHELMING SUPPORT?

The results have been presented to Lions Bay council?

Other municipalities with similar scenic views like Lions Bay have developed View Bylaws??

From presentation given to council September 18th 2018 and in July, have any of the following information given to the council:

How many online petitions were E-mail out?

How many petitions were rec'd back??

How many petitions were FOR or AGAINST the Bylaw?

Did they name any other municipalities with View Bylaw and which one listed?

This information would be of great help in the future.

Your sincerely

Bill Srigley

From: Cindy Nimmo
Sent: November 25, 2019 3:54 PM
To: [REDACTED]
Subject: Fwd: Supporting Development of the View Bylaw

----- Forwarded message -----

From: Marek Sredzki [REDACTED]
Date: Sat, Nov 16, 2019 at 5:19 PM
Subject: Supporting Development of the View Bylaw
To:

Hello Neighbours,

Further on the development of the View Bylaw, below and attached you can find information on the needed support.

Background:

A few years ago, we started a conversation with the former mayor, Karl Buhr, regarding a lack of framework in Lions Bay for dispute resolution among neighbors on view blockage caused by trees. We pointed out to the fact that other municipalities with similar scenic views like Lions Bay developed view restoration and preservation Bylaws. The former mayor indicated that the first step would be to educate the village on what has been done in other municipalities. The former mayor requested that we conduct a study on other municipalities view restoration bylaws and present that to the council. The study was completed last year and presented to the council at the meeting of 18th of Sep 2018. Ever since a new council is appointed. In order to show the new council how much support the bylaw has in the village, we started an online petition. The petition received overwhelming support. We presented the result of the petition to the council in July.

The former mayor and the CAO both mentioned that the development of such a bylaw would take lots of resources which municipality currently doesn't have. In order to assist with the bylaw development, we prepared a proposed view bylaw which was submitted to the council at the meeting of 17th of Sep 2019. The proposed bylaw is based on other municipalities bylaw, however, it is tailored for Lions Bay use. A group of residents developed the proposed bylaw, ensuring the bylaw provisions are aligned with common view restoration practices in Lions Bay. Please see attached the proposed bylaw. The presentation to the council is also attached for reference

Upon presenting the bylaw to the council, the mayor instructed the council to table the proposed bylaw at the planning session on 25th of November. During the planning session, the

From: Peter DeJong
Sent: Thursday, November 28, 2019 12:38 PM
To: Bill Srigley [REDACTED]
Subject: View Bylaw Petition

Hi Bill:

I have attached the View Bylaw Petition that was brought to the July 16, 2019 meeting by the proponents. The minutes of that meeting regarding the presentation of this topic read as follows:

D. Arash Iranshahi – Development of a View Bylaw

Mr. Iranshahi presented on the idea of a View Bylaw in Lions Bay. He explained that he started communicating with the previous Mayor with regards to such a bylaw and suggested that similar municipalities have similar bylaws. He advised that other residents are facing the same issue as he is in terms of overgrown trees blocking views, so he ran an online petition to get a feel for how much support he would have. Of the 50 people it was sent to, he received 28 positive responses along with many comments, and it was later noted that there was 1 negative response and the rest did not respond. He also suggested there would be no financial impact on the Village; however, it may require a View Restoration Committee potentially run by Lions Bay residents. He pointed out that the people who are affected by this issue also enjoy the green landscape of Lions Bay and are by no means against trees, but rather windowing and topping trees in order to restore how they used to be. Another issue Mr. Iranshahi discussed, based on discussions with the previous Mayor, is the lack of resources for the development for such a bylaw; therefore, he had a discussion with other residents in regards to this and can allocate some of their hours and perhaps come up with the first draft of the bylaw and can submit it to Council to do as they wish. Respectfully, he asked Council to proceed with this bylaw to provide unity throughout the Village.

Audio: 00:55

What the minutes don't reflect is that Mr. Iranshahi was advised the matter would be considered at Council's Strategic Planning and Priorities session in the late fall/early winter to determine if there was any appetite to devote any resources to reviewing and/or developing the matter any further.

I have also attached the presentation Mr. Iranshahi brought to Council in September 2018, which provides details of the cities he looked to for precedent bylaws. All three examples provided were from California and I'm unaware of any in BC or Canada.

As it presently stands, the concept of developing a view bylaw for Lions Bay has been put on the "Long Term" list at the Strategic Planning and Priority setting sessions on Nov.25/26, 2019. This means it won't come back to for consideration by this Council and the soonest it might be up for further consideration would be by a new Council in late 2022 or in 2023.

I trust this is the information you are looking for per your letter to me received this morning. Let me know if you have any other questions. Thanks.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
The Municipality of the Village of Lions Bay www.lionsbay.ca



Development of a View Bylaw for Lions Bay

<https://www.thepetitionsite.com/953/796/711/development-of-a-view-bylaw-for-lions-bay/>

Author: Lions Bay

Recipient: Lions Bay's Council

Petition:

Among the features that contribute to the beauty of the Village of Lions Bay are its scenic views. Indeed, the intentions of the original community development is evident in many street names: Bayview, Oceanview, Soundview, Seaview, Panorama, Isleview.

When the village was initially established in the early 1970s, trees were removed to make space for houses and open up the views. With annual growth of cedars at 3 ft, hemlocks at 2 ft and Douglas firs at 2 ft a year, in the ensuing 30-50 years, trees have grown to the point that they obscure, limit and in some cases block the views of many properties. A significant portion of these trees were planted by the original residence as hedges to mark property lines. Due to the rainforest climate of Lions Bay, these planted trees grow significantly over the years. Aside from the view, these overgrown trees also pose a hazard as they may fall down during the stormy season, resulting in personal injury or property damage. The sunlight blockage by trees can cause health issues in the long term as well.

View blockages by trees on private land have resulted in disputes among neighbours, especially in recent years as trees continue to grow. Property owners are often faced with a neighbour who does not agree to trimming of their tree in order to open up the view. Or, as property values increase, some neighbours are asking for significant sum of money to permit tree trimming. Or, a new neighbour is not aware of, or willing to honor the agreement neighbors had for years on opening each other's views.

Other municipalities' with similar scenic views developed regulation / bylaw to protect the views. The municipality of Lions Bay lacks such a bylaw. The purpose of this petition is to unite the residence of Lions Bay in order to request the municipality to develop a view bylaw for dispute resolution among neighbours for view protection.

	Name	From	Comments
1.	Arash Iranshahi	Lions Bay, ca	
2.	Shery Rezaei	Lions Bay, ca	
7.	Brigitta Shore	Lions Bay, ca	Our view has been diminishing every year dnice we bought our house, with one neighbor who is intent on growing a forest to block our view.
8.	Martin Richmond	Lions Bay, ca	Ocean views are why we moved here if i wanted to look at trees I'd move east away from the coast. Citizens of Lions Bay need to maintain the trees they plant and not expect that their neighbours are going to pay to maintain their trees & hedges for them so tired of that. Also wake up its a fire hazard.
9.	Carey Aronetz	Lions bay, ca	View
17.	Tony Iannetti	Lions Bay, ca	Safety
20.	Pieter Dorsman	Lions Bay, ca	Views are important and there is no mechanism to let residents maintain these and resolve potential conflicts between neighbours.
21.	Gary Parsons	lions bay, ca	My new neighbor is asking for \$100,000 to permit topping her trees. Citizens of Lions Bay are left with no protection when it comes to views.
22.	E.R. (Hardy) Goetsch	Lions Bay, ca	We live here for over 50 years and don't have this problem ourselves because we have reasonable neighbours and solve such issues among us in a caring manner. But unfortunately over the years LB had an influx of undesirables who should never have come here in the first place as they are only concerned about their own conveniences and cannot care less about their next door neighbour's concern. The village council could take a leading role rather than harassing a handful of elderly residents who live on a limited income and are trying to make an extra dollar by occasionally renting out a room to a tourist. Rather than spending money on the enforcement of bylaws that should never have been promulgated in the first place we hire staff who lack the original village spirit and try to prove their importance by harassing those who have the least means of defence. Let's see whether our council has the clout and the willingness to deal with the tree issue in a reasonable manner.
23.	Hella & Hans Duve	Lions Bay, ca	We have be
24.	Jill Iannetti	Lions Bay, ca	
27.	ken lang	Toronto, ca	

	Name	From	Comments
28.	Dale H.	Lions Bay, ca	Residential Area ----- Owners of residential trees should: - keep their trees below 18ft (5.5 m) in height for practicable maintenance by anyone. - keep their trees so branches will not blow off in the twice yearly 70 km/hr wind and hit power lines causing arching, fire and power outages - keep their trees so large branches will not blowing off the tree and be a danger to people, property and those traveling by car, bike or foot. - keep their trees such that they do not encroach on or cause damage to adjacent properties - keep their trees so that they do not block any other property's view or sunlight.
29.	Bernd Hahnhaussen	Lions Bay, ca	
30.	Hilary Anderle	LIONS BAY, ca	Mental health. I need some blue sky in my life and blue water would be a bonus.
31.	Druh Ireland	Lions Bay, ca	
34.	Rob Peebles	Lions Bay, ca	If I wanted to look at trees I would live in the forest - ocean views MUST be protected in Lions Bay.
35.	Mark Fleming	Lions Bat, ca	We have a neighbour who has refused to allow any tree trimming or spiralling. This affects the view of 6 other neighbours. This is strictly due selfishness.
38.	Russ & Dorothy Meiklejohn	Lions Bay, ca	Views are important for mental and physical well being. Also tree removal often assists in sunlight for vegetable gardens
39.	Betty Birrell	Lions Bay, ca	
40.	Marek Sredzki	Lions Bay, ca	In Lions Bay, we have some residents, a smaller but substantial percentage, who unfortunately ignore their neighbours. They assure own view of the fiord, yet block next door residents' view with overgrown trees, usually at the back of their house. Such disregard to others causes disputes, conflicts as well as a fire hazard, property damage and most of all lives. We are surrounded by a vast forest and exposed to the frightening danger of forest fire. This is the ongoing problem for decades that grows proportionally to vegetation growth. Therefore, we need a View Bylaw to end these ongoing and growing divisions.
41.	ekkehard goetting	Lions Bay, ca	
42.	Grace Sredzki	Lions Bay, ca	Views are important and vegetation height control assists in sunlight for our wellbeing. We need a system to assist residents.

	Name	From	Comments
43.	Brenda Broughton	Lions Bay, ca	<p>View re-creation and retention is very important in the Village of Lions Bay. Residents highly value views and views can be enjoyed by all.</p> <p>When home owners loose their view or have it decreased, their home equity decreases. This can form a real and significant concern.</p> <p>Also, importantly, sunlight is vital to our physical, mental and emotional health as it provides us with necessary Vitamin D. Additionally, Sunlight very importantly, provides our homes with the heat that is necessary for our wood construction homes to dry out on a regular basis. Trees that prevent sunlight to our homes cause rot, leaks, and lead to a shorter life span for roofs and exterior surfaces. This is perhaps unknown to home owners.</p> <p>Very importantly, the lack of sunshine prevents solar energy from naturally heating our homes and also makes solar panels less efficient and therefore less viable.</p> <p>We have had two trees fall onto our property. One onto our home which did not cause damage. The other fell conservatively 50' onto our property and I am so thankful that no one was hurt. The tree fell with such velocity that the forty foot long branches went deep into the property. Lawn furniture, fencing and hedges were demolished as though they had not ever existed. We are so grateful that it did not hit and seriously hurt anyone.</p> <p>Change is hard, but honestly, I have not ever removed a 100'+ tree that ultimately was not celebrated due to the removal that led to the enjoyment of additional light whether from the south, north, east or west. All directions provide light to your property. Lowering trees leads to additional sunlight as well, although this is not popular anymore, as feeder trees can grow out of them without maintenance.</p> <p>I have loved trees that are 100' tall that have been seriously spiralled, removing, I think, 3 of 4 branches. We had an example that could be seen from our home, but they must be maintained as the foliage can grow back over time. The result though of spiralling can be beautiful. Also branching up the tree to open up neighbours views can also be effective.</p> <p>The cost can be a challenge for home owners. If you want to remove trees on a neighbour's property, perhaps several neighbours can get together and pay for the tree work. These large trees also can present a fire hazard for your property and for the property of others.</p> <p>Thoughtfulness is important. If you have a view ~ does the neighbour behind you enjoy a view. This is the question to ask.</p> <p>We share the road, we share community facilities, we share our love of our fresh air and beautiful environment. We rejoice in the Spectacular Howe Sound.</p> <p><i>(continues on next page)</i></p>

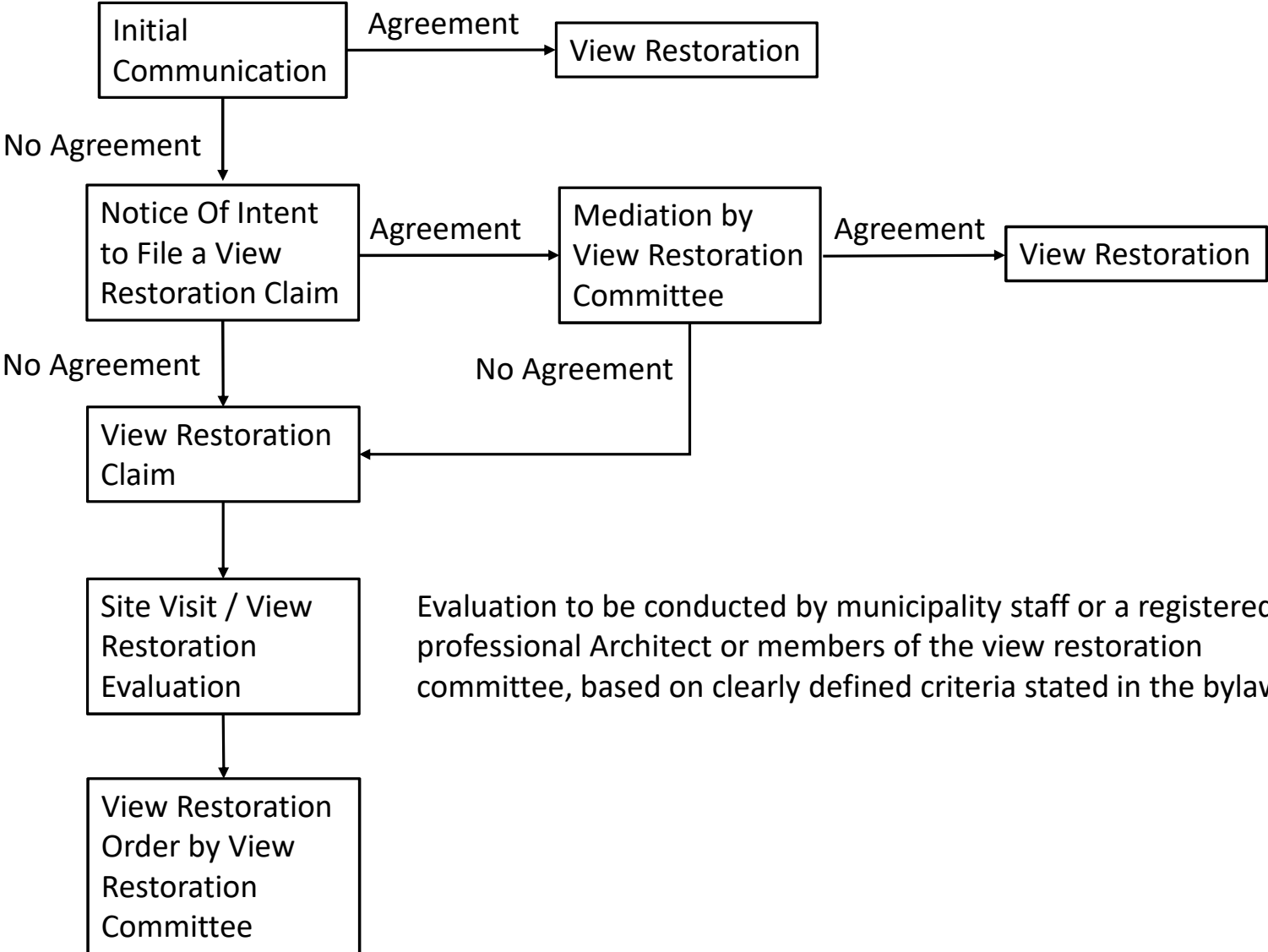
	Name	From	Comments
43.	Brenda Broughton	Lions Bay, ca	<p><i>(continued from previous page)</i></p> <p>Lions Bay is shaped like a coliseum and this allows for many view opportunities for most properties. How can we as neighbours help each other. A neighbour/s can provide permission and the affected neighbours can chip in to make it happen.</p> <p>As has been said these trees have really grown very tall over the years.</p> <p>One municipal example: The trees when you enter the LB Beach Park were intended to be kept as a hedge at about 15-20' high, I believe. They now block neighbours views. I do not believe that this was the intention whenever it was that they were planted. Today limited growth hedge trees would be planted in that location not natural seedlings from the forest.</p> <p>I believe that this is often the same with home owners. As a resident since 1974, and an owner since 1972, we know that many of these trees were planted from the forest by home owners who were saving on landscaping costs and these trees now stand very tall and may unintentionally be blocking neighbours views, preventing sunlight, and potentially providing a safety risk, while the original intention was likely simply gaining some privacy and greening up the property. I support encouragement of neighbours helping out neighbours to enjoy their views and sunlight.</p>
44.	Michael Broughton	Lions Bay, ca	<p>I fully support the consideration and creation of a Lions Bay View Protection Bylaw.</p> <p>Each residence I visit in Lions Bay has a unique and spectacular or potentially spectacular connection with the view of Howe Sound.</p> <p>I think view, light and safety are as much a right as quiet, clean air, and a place to park your car, matters that are currently already addressed by bylaws.</p> <p>I have read and fully support Brenda Broughton's comments and thus will not repeat them and encourage you to read them.</p>
45.	Lena Cuthbertson	Lions Bay, ca	<p>In the 33 years I have resided in the Village it has become "darker" as the tree canopy has become denser. While I love trees, I would welcome more sun/sunlight and guidelines to preserve and enhance our views, while keeping a balance of foliage and protecting the perimeter of our homes (as much as possible) from wildfires. Looking forward to the discussion!</p>
48.	David Shore	Lions Bay, ca	<p>When we bought our home Lions Bay 15 years ago, the number one attraction was the ocean views. Our previous home did not have a view at all so we were excited about our decision and the fact that our street is named Oceanview Road.</p> <p>Over time our excitement has turned to frustration with one</p> <p><i>(continues on next page)</i></p>

	Name	From	Comments
48.	David Shore	Lions Bay, ca	<p><i>(continued from previous page)</i></p> <p>neighbor that refuses to even have a conversation about maintaining our dwindling view. When we entertain, it is such an obvious eyesore, that people invariably ask “why don’t you do something about those trees? “</p> <p>This impacts our enjoyment of the view but also creates financial problems resulting from blocking the sunlight that is so rare in the winter and required to dry our wood decks and household siding and such. The result is a reduction in the value of our homes and an increase in the ongoing cost of maintenance. We are not talking about insignificant thousands of dollars here and there.</p> <p>Maintaining one’s property for the benefit of their neighbors is contained in the spirit of our existing Good Neighbor Bylaw 412. Allowing trees to grow unkempt makes the village look old and neglected the same as a weedy overgrown lawn, a derelict vehicle near the road or unused building materials. We all have to contribute to making the village look great for each other.</p> <p>No one wants a clear cut here; we don’t need to fear going too far. Our roads were not named for the trees, they we named for the views. We have plenty of trees all around us and a view bylaw will bring us back to levels enjoyed when the residents bought into Lions Bay 20 or 30 years ago. Talking to other homeowners about this makes it clear that the very few in the village that would oppose this bylaw are vastly outnumbered by the majority that would enthusiastically support it.</p>
49.	Jerry Blackwell	Lions Bay, ca	<p>It is necessary. All the comments displayed are valid, but I add that one of the most negligent property owners is the Village.</p> <p>There are many ways to tackle this issue but I’d like to see it as a municipal bylaw, thus making obligations on the homeowners stick, and they continue no matter who owns the property.</p>

Some Points for Discussion:

- The bylaw must not add any financial burden to the municipality. The view restoration application fee to be sufficient enough to cover all the potential costs associated with the implementation of the bylaw.
- The bylaw requires establishment of a View Restoration Committee, consists of Lions Bay citizens.
- The citizens whom are affected by the view blockage, also enjoy the beautiful green land escape of Lions Bay. The bylaw in no means encourages clear-cutting the trees. The bylaw would focus on trimming, windowing and topping the trees in order to restore the views.
- The term restoration would refer to the view at the time when a lot is created.
- If the municipality is short on manpower for the development of the bylaw, some Lions Bay citizens, myself included, are willing to volunteer to create the first draft of the bylaw for the council to work on. Less manpower would be required to work on a draft document comparing to starting a document from scratch.

The following page has the flowchart for the proposed view bylaw.



From: [Municipal](#)
To: [Municipal](#)
Subject: FW: Marek Szredski's proposal for a "View Bylaw"
Date: Friday, November 29, 2019 10:12:50 AM

-----Original Message-----

From: [REDACTED]
Sent: Monday, November 18, 2019 12:33 PM
To: Lions Bay Reception <reception@lionsbay.ca>
Subject: Re: Marek Szredski's proposal for a "View Bylaw"

Thank you, please forward it for me...

Valori McKay
[REDACTED]

> On Nov 18, 2019, at 9:58 AM, Lions Bay Reception <reception@lionsbay.ca> wrote:
>
> Hi Valori,
>
> If you wish to address Council, you would send an email to council@lionsbay.ca but I am happy to forward this to them if you'd like? If it is addressed to Council, it will go to the correspondence section of the next meeting.
>
> Please let me know if you would like me to forward it on your behalf.
>
> Shawna Driscoll
> Administrative Assistant
>

> -----Original Message-----

> [REDACTED]
> Sent: Sunday, November 17, 2019 6:39 PM
> To: Lions Bay Reception <reception@lionsbay.ca>
> Cc: [REDACTED]
> Subject: Marek Szredski's proposal for a "View Bylaw"

> I don't know if this is the proper way to make my views known to Council, if I need to submit my opinion to a different person please advise; I do NOT support Mr. Szredski's proposal, I have been a resident in Lions Bay for 30 years now and find the skirmishes around "views" to be self serving to newcomers to our Village.

> Valori McKay
> [REDACTED]
> [REDACTED]

From: [Municipal](#)
To: [Nicole Dumas](#)
Subject: FW: Support For Tree By-law
Date: Thursday, November 28, 2019 3:14:10 PM

From: John Dudley [REDACTED]
Sent: Tuesday, November 19, 2019 8:28 PM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Norm Barmeier <norm@umwelt.ca>; Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Baird [REDACTED]; Jaime Cunliffe <jaimecunliffe@gmail.com>
Subject: Support For Tree By-law

Dear Mayor and Council,

I wish to add my name to the list of people who are in favour of a recently drafted tree by-law. Throughout the many years I have resided in this village, trees have been the major source of neighbour conflict. Perhaps a carefully worded by-law might serve to reduce the number of tree-related issues.

In my experience, residents come to Lions Bay mainly for the wonderful views. I believe they have the right to maintain the view they had when they purchased the property, because that is usually why they chose the property in the first place. Any reduction in the view, also reduces the value of the property, and I don't believe that some other person has the right to do that.

At the same time, trees are also an integral part of the view, so I am not in favour of clear-cutting. I do, however, wish to point out that while some people enjoy panoramic views, they are somewhat hypocritical when it comes to removing trees behind their property so that others can enjoy a similar view.

Lastly, I am opposed to the topping of trees. Too much of that has been done in the past which detracts from the beauty of the tree and our village. I favour complete removal of some trees, spiralling, or lopping of branches.

Yours sincerely. Rose Dudley [REDACTED]

From: [Municipal](#)
To: [Nicole Dumas](#)
Subject: FW: Proposed View Preservation and Restoration Bylaw
Date: Thursday, November 28, 2019 3:13:39 PM

-----Original Message-----

From: Anne-Marie Halliday [REDACTED]
Sent: Tuesday, November 19, 2019 4:46 PM
To: Council <council@lionsbay.ca>
Cc: Municipal <agenda@lionsbay.ca>
Subject: Proposed View Preservation and Restoration Bylaw

Mayor McLaughlin and Council Members:

I wish to express my full support for the proposed new Bylaw relating to View Preservation within the Village of Lions Bay.

This is a matter which urgently needs addressing as diminishing views are a problem that affect almost everyone in the Village. There is no doubt that this is affecting our property values and concerns for our safety. The very close proximity to homes and height of many trees is hazardous and poses a fire risk as well.

In the twenty years that we have been in Lions Bay, we have seen our formerly majestic scenery disappear to merely peekaboo views.

Thank you!

Anne-Marie Halliday
115 Sunset Drive.

Sent from my iPad

From: [Municipal](#)
To: [Nicole Dumas](#)
Subject: FW: Proposed View Preservation and Restoration Bylaw
Date: Thursday, November 28, 2019 3:13:27 PM

-----Original Message-----

From: David Halliday [REDACTED]
Sent: Tuesday, November 19, 2019 4:55 PM
To: Council <council@lionsbay.ca>
Cc: Municipal <agenda@lionsbay.ca>
Subject: Proposed View Preservation and Restoration Bylaw

Mayor McLaughlin and Council members,

I would like to express my support for the proposed bylaw for View Preservation and Restoration.

Property values in Lions Bay are influenced positively by the views and the growth of trees over the past 20 years since we took up residence has continued and our views have been severely diminished resulting in decrease in the value of our property.

In my opinion, having the mechanism to attempt to restore views would be beneficial to most homeowners in the village.

Thank you.

David Halliday
115 Sunset Drive.

Public Works Manager Responses to Anonymous Correspondence

From: Naizam Jaffer

Sent: Thursday, November 21, 2019 5:51 PM

To: Peter DeJong <cao@lionsbay.ca>

Cc: Pam Rooke <finance@lionsbay.ca>

Subject: RE: Responses to the Anonymous On Table Feedback

1. No explanation given why this was not part of original project.:
The project was not included because it did not form part of the replacement of the 4 tanks originally scoped (Harvey, Phase 4, Phase 5, and Highway Tank). However, during the review and analysis of the water system by AECOM, it was determined that the Magnesia water system was deficient in water reserves for fire fighting purposes, and so the IC recommended that the Harvey Tank be upsized to make up for that deficiency. The inclusion of the Bayview PRV is so that we can use of that storage by facilitating the automatic transfer of water across the two systems (Mag and Harvey).
2. This PRV is not on the Capital Projects List.
The Bayview PRV is included in project #57 of the IMP and is rated "High" in priority.
3. The Infrastructure Master Plan (IMP) defines this PRV as "only used in the case of extreme emergencies".
The PRV is used in the summer during periods of drought. It was never meant to be permanent and therefore wasn't constructed with the adequate large diameter valve. The IMP does recommend that this station be converted to a permanent PRV station complete with large diameter pressure reducing valve.
4. The IMP recommends as a very high priority item to lower the psi on this PRV to "allow PRV-4 to be the primary feed".
The entire paragraph in the IMP reads:

"It should also be noted that an operational change is recommended for the PRV near Lions Bay Primary School. Currently, this PRV is only used in the case of extreme emergencies; however, **there are several critical fire flow deficiencies south of this station** that cannot be alleviated with pipe upgrades. **It is recommended that this PRV station be maintained full-time**, but its downstream setting lowered to approximately 30 psi (at the assumed elevation of 131.9 m). This will allow PRV-4 to act as the primary feed into the 160-m zone, while also avoiding the mixing of source water under normal operating conditions. At this recommended setting, this emergency PRV will only open in the event of a fire immediately downstream."

The key points have been **bolded** for emphasis. The IMP recommends that this PRV be maintained full-time and that it is critical for fire-flows. By maintaining this PRV as a full-time station and modifying the pressure settings, we can then enable PRV-4 to act as the primary feed for the 160 m zone.
5. There other projects which are equally important and can serve more residents beyond "extreme emergencies" e.g. projects #6, 8, 10, 43, 51 are "highest priority", while #19, 21, 33, 46 are "high" in the IMP, to name a few.
The replacement of our PRV's are covered under projects #57 and #58 and both are High Priority. The Bayview PRV is included in this list. The PRV's are old and have exceeded their 30-year life expectancy. Moreover, they are not WorkSafe BC compliant and put staff at risk

each time they enter the chambers. It should also be noted that staff are working on the 'highest priority items and some of these have been completed. We will endeavour to update the project list in the near future but for now we can provide the following:

#6 – these items were completed by staff in 2017.

#8 – ISL is working on a design for the stormwater system on Oceanview and it should be completed in 2020. It will then become a funding issue as typically these projects are not supported by grant funding and so Council will need to make a decision on using reserves **or borrowing** to effect these remediations.

#10 – staff are working on locating these services and have reduced the number missing by 50% since 2016.

#43 – Through the IC, UBC has been engaged to conduct a multi-year hydrology study that will answer the questions raised by the project #43.

#51 – this project was completed in 2017

With respect to the other projects identified in your feedback as 'high' – the IMP is structured such that priority amongst the projects ranked High is left to the discretion of staff. That is because some of the projects can be effected through grants and others cannot, some can be done internally and some cannot, operational needs will also dictate which projects within the High category are higher in priority than others. For example, maintaining the Bayview PRV as a full-time station will enable us to provide fire flows to the school while also enabling us to transfer water between zones in the event one of our systems (Mag or Harvey) go down due to a landslide or blockage.

6. Each of these costs less than a PRV.

The IMP was written prior to the design of the Harvey Tank replacement project and the costs associated with the PRV replacements within the IMP are for like-for-like replacements. During the design of the Harvey Tank Project, a new standard for above ground PRV's was established. Above ground PRV's are becoming the standard in the water industry because they eliminate the need for confined space entry and rescue and cut the staff time required to maintain a station by 66%. Although the initial cost for an above ground PRV is approximately double that of a standard PRV, they drastically reduce maintenance time and do not risk the health and wellbeing of workers.

All the best,

Naizam (Nai) Jaffer

Public Works Manager | Village of Lions Bay
Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Public Works Yard (604) 921-9833 | www.lionsbay.ca

CAO Responses to Correspondence from Penny Nelson

From: Penny Nelson [REDACTED]
Sent: Monday, November 18, 2019 4:57:02 PM
To: Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: Village Update piece regarding borrowing

Council,

I would like to voice my concern and disappointment about the piece that appeared in the last Village Update regarding proposed borrowing. There is a lot wrong with this piece, but suffice to say it is written with the sole intention of swaying residents to a specific point of view.

Even more troubling is that it purports to be “transparent”, but **it does not provide the necessary numbers to allow us to make a decision**, and necessary information is withheld.

What we are not told is:

1. How much does council want to borrow? The entire crux of the question. It doesn't say.

The reason we have not specified the amount is because we have yet to put the scope of work out for tender and did not want to provide potential bidders with our cost estimate. This is why discussion of the numbers at the last Council meeting was held in the Closed portion of the meeting. As noted in the November 22nd Village Update piece, this is the normal procedure for projects that have not yet been subjected to a competitive bid process.

2. Whatever that number is, it will apparently “only” cost \$29 a year on our water bills... for how long?

Yes, we should've stipulated that this figure is based on an amortization period of 20 years.

3. Do we have options to borrowing? Very important information and not provided.

The alternative option to borrowing is to pay from reserves. That was squarely stated in the original VU piece.

a) How much money do we have in our various reserves right now? This information was provided as an On Table item in the open meeting of the November 5th Council meeting. It has been uploaded to the website with the minutes of the November 5th meeting and a link was provided in the Nov.22nd VU piece. The implication is that whatever the number is, it would not cover a bill of \$327, 000, which is not true. I'm told we have around \$2.5 million in our reserves

and around \$2.5 million more available. But the VU piece did not tell us how much money we have. I have no idea what a PRV costs or how much we want to borrow but, since the Harvey Tank Project cost less than \$3 million, I'm sure a PRV costs a fraction of that, meaning we could afford to pay for it without borrowing.

The Nov.15th VU information piece plainly says we need to build up our reserves to tackle the infrastructure deficit as identified in the Asset Management Investment Plan. Of the \$40+ million in assets that the Municipality owns, we have already consumed over half so we are going to have to rapidly find ways to increase revenues and build up reserves to replenish our assets because unfortunately, government grants cannot be counted on to pay for at least half of all the projects on our Infrastructure Master Plan list.

b) The 10% Infrastructure tax generated \$144,658 (Agenda Package, Regular Council Meeting 15th October 2019). Will this be used to pay for this PRV, if not in total, maybe in part? If not, why not?

The funds raised by the infrastructure levy sit in reserves and *could* be used *toward* funding this 3rd PRV. Almost anything can be funded from reserves. However, there is a limited number of things that can be funded from the loan authorization bylaw. If you don't use the ability to borrow when you can and instead deplete your reserves, then you may not have sufficient reserves to tackle the improvements that cannot be funded from borrowing. Needlessly limiting one's ability to fund future projects, be they infrastructure, emergency or otherwise would be a less than prudent course of action.

c) We recently sold a prime piece of waterfront real estate to generate revenue, hopefully to cover the cost of much-needed critical infrastructure projects such as this PRV. At worst, we could loan ourselves money from this account. Why are we not using this instead of borrowing elsewhere? The VU piece does not address this. If we are not going to use this, what else are we going to spend that \$1,070 million on? This money sits in a restricted reserve that can only be used to acquire property that the council considers will provide public access to the same body of water that is of at least equal benefit to the public. The legal test for use of these funds is somewhat complex but suffice to say the money cannot be used to fund the 3rd PRV. Can we loan these moneys to ourselves? Yes, but arguably, we would need to show they cannot be used for the restricted purpose and assuming that bar is met, we must pay a reasonable rate of interest on any such loan (eg: the MFA rate of 2.51%). This does not net out to zero as suggested by another resident as the interest is paid into the restricted reserve to be used in the future for the restricted purpose. In any event, if this reserve is used to fund projects that can be funded through MFA borrowing, then they will not be available for use on projects where there is no such alternative financing opportunity. Using this fund as a bank for infrastructure financing should be a course of last resort, when there are no other options.

In closing, the piece that appeared in the VU is an unfortunate piece of communication and I'm sure this is not how members of council intended for the issue to be presented to the community. I and others had hoped that we'd moved away from this type of "communication" permanently.

The Municipality pays for professional staff to provide advice and recommendations to Council rendered in the best interests of the Municipality. Based on that advice (i.e. as set out in the VU piece and further expanded upon here), Council has already determined that it will fund the first two PRVs through MFA borrowing because that is the best option. Had it not been for the statements made by the last Council with respect to having at least 50% grant funds before using the loan authorization bylaw, there would not have been a request for feedback from the public for funding the 3rd PRV. The decision would've been as easy as it was for the first two PRVs.

It does not engender trust between residents and Council and it certainly does not support the 7 Core Values of Public Participation: "Public participation provides participants with the information they need to participate in a meaningful way" (#6).

The only pieces of information that were missing from the first VU piece was the amortization period of 20 years and my name, both of which have been addressed in the second VU piece. The expected price of the 3rd PRV should not be publicly disclosed right now. Essentially, Council is only asking the public if it's okay to revisit the previous Council's promise. If it is, we'll borrow; if it isn't we'll pay from reserves. We cannot be any more transparent and engaging than that.

Please make sure this email is included in the next agenda package for the public record.

The email was included in the last agenda and I was instructed to respond to some of the comments in order to provide additional information and clarification of some issues raised. I was also asked to provide additional information/clarification in the next Village Update, including links to On Table documents provided at the last Council meeting regarding Municipal reserves and borrowing capacity, which has been done. Further responses will come back to Council for the December 3rd meeting.

Thank you for writing and providing me with the opportunity to clarify the issues.
Peter DeJong, CAO

Sincerely,

Penny Nelson

Intentionally Blank

ON TABLE



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fees Bylaw No. 497, 2016

Amendment Bylaw No. 567, 2019

Adopted: _____, 20__

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

Fees Bylaw No. 497, 2016

Amendment Bylaw No. 567, 2019

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 “Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019”.
2. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 is hereby amended as follows:
 - (a) Schedule 1 – General Administration:
 - i. Remove the entire row referencing “Shipping documents”;
 - ii. Change “(FOI)” to read “(Fee applies to 8 pages and more)” in the description column of the Photocopying/printing/scanning documents row and change the fee from \$1.65 to \$1.00;
 - iii. Add “of printing copy” to the end of the sentence in the fee column for the Copy of house plans row; and
 - iv. Remove the entire row referencing “Permit under Outdoor Water Use Bylaw No. 484”.
 - (b) Schedule 2 – Development, Land and Building Services:
 - i. Change the second sentence underneath “Permit renewals” in the description column to read “A permit may be renewed only once...” instead of “... once only...”;
 - ~~and~~
 - ii. Add the following to the Demolition Permit Fees:
Under Description: “A portion of a building”; and
Under Fee: “Fee is proportional to the fee for complete demolition, up to demolition of 74% of a building; full fee payable for demolition of 75% or more of a building”.
 - (c) Schedule 3 – Engineering and Public Works:
 - i. Remove the entire row referencing “Bear Smart garbage container”;
 - (d) Schedule 4 – Animal Control & Licencing:
 - i. Under the fee for an altered dog, change the date from “March 31st” to “February 28th”;
 - ii. Change the fee after February 28th to read “\$45 thereafter” instead of “\$60 for all others” for an altered dog;
 - iii. Under the fee for an unaltered dog, change the date from “March 31st” to “February 28th”;

- iv. Change the fee after February 28th to read “\$60 thereafter” instead of “\$60 for all others” for an unaltered dog;

(e) Schedule 5 – Traffic & Parking Fees:

- i. Change the word “annual” to “resident” under description and remove “per year” under fees in the first line;
- ii. Strike “Daily fee for placing dumpster/bin or construction material on highway” and substitute with: “Upon approval of the Public Works Manager, daily fee for temporary placement of a moving container, a disposal container or construction material on a highway”; and add: “per day” after \$35.
- iii. Add the following description and fee:
Description: “Upon approval of Council, placement of an office trailer, storage container or other similar chattel reasonably required in respect of a building permit”; and
Fee: “\$300 per month”

(f) Schedule 6 – Community Facility Rentals:

- i. Change the “set-up fee” to read “Prior day hall rental set-up fee (subject to availability)”; and
- ii. Change the fee from \$220 to \$150 for liquor being served.

(g) Schedule 7 – Filming

- i. Remove the table in Schedule 7 and replace with the following table:

Description	Fee
Filming application fee (non-refundable)	\$300

Filming fees (per day):	
Residential Zone	\$1,000
Commercial Zone	\$500
Additional Location Fees (per day):	
Undeveloped Municipal Land	\$500
Tennis Courts, Wade Park, Trails (eg: Centennial, Pride, Marjorie Meadows)	\$750
Lions Bay Beach Park, Kelvin Grove Beach Park, Brunswick Beach Park/Esplanade	\$1,000
Broughton Hall	\$500
Council Chambers	\$250
Fire Hall (Requires at least one member of LBFR present - Interruptions possible)	\$100/hour
LBFR Training Facility (Requires LBFR personnel on site – minimum number depends on filming activity)	\$100/hour per person
Temporary closure of road (total blockages generally no more than 10 minutes at a time)	\$80/hour (plus costs of certified traffic control company at applicant's expense)
Pyrotechnics Permit (per day)	\$500
Parking fees:	
Car	\$30/day (Completely Electric Vehicles \$0/day)
Truck (includes generator)	\$120/day (Solar/Battery Generators \$0/day)
Filming Liaison	\$80/hour (regular hours)
Public Works Services	\$80/hour per person (regular hours)
Village Manager	\$160/hour (regular hours)
Lions Bay Fire Rescue Services (LBFR)	\$500/hour
Extraordinary Services (Municipal staff call outs outside regular hours or requirement to hire contractor)	Hourly rate x 1.5 or contractor's costs x 1.25
Fire Hydrant Use (only to be operated by Municipal employees)	\$80 per hour - regular hours (7am – 3pm) \$120 per hour (3 hours minimum) outside regular hours
Damage deposit	\$10,000 (refundable)

(h) Schedule 8 – Fire Rescue/Emergency Permits & Fees:

- i. Add "(valid only Oct 31st & New Year's Eve)" after "Fireworks Permit".

3. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 567, 2019 is further amended in respect of various inconsequential typographical and punctuation changes throughout the bylaw.

READ A FIRST TIME	this 19th day of November, 2019
READ A SECOND TIME	this 19th day of November, 2019
READ A THIRD TIME	this __ day of _____, 20__
ADOPTED	this __ day of _____, 20__

Mayor

Corporate Officer

**Certified a true copy of Fees Bylaw No. 497, 2016,
Amendment Bylaw No. 567, 2019 as adopted.**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fees Bylaw No. 497, 2016

Office Consolidation

This document is an office consolidation of Fees Bylaw No. 497, 2016 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, and 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 Fees Bylaw No. 497, 2016, 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
519	3	Deletes section 5.1.13	April 4, 2017
526	2.1	Amends schedule 1	May 5, 2017
530	2(a)	Adds metered parking fees to schedule 5	July 4, 2017
534	2.1	Replaces Schedules 1-10	December 19, 2017
544	2(a) 2(b)	Adds soil deposit and removal fees in schedule 2 Amends parking meter rates in schedule 5	May 11, 2018
547	2(a)-(c)	Amends text in Schedules 2 and 5	June 5, 2018
551	2(a)-(d)	Amends birthday party rental fees and non-profit rental fees in schedule 6	September 18, 2018
	3	Deletes insurance costs from the table	
554	2(a)-(f)	Amends text and fees in schedules 1, 2, 3, 5, 6	December 18, 2018

		and 7	
563	2(a)-(b)	Amends Extra Annual Parking Permit description and Parking Meters Fees in schedule 5	May 14, 2019
567			

Fees Bylaw No. 497, 2016

A bylaw to provide for the imposition of fees.

WHEREAS, pursuant to the provision of the *Community Charter and the Local Government Act*, the Village of Lions Bay may impose municipal fees in respect of all or part of a service of the municipality, the use of municipal property, the exercise of authority to regulate, prohibit or impose requirements, or in respect of such other matters permitted by an enactment;

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

Part 1 – CITATION:

- 1.1 This Bylaw may be cited for all purposes as "Fees Bylaw No. 497, 2016".

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 – FEES AND CHARGES

- 3.1 The municipality hereby imposes the fees for the provision of services and information as specified in Schedules 1 to 10 inclusive, which are attached hereto and form part of this bylaw.

Schedules

Schedule 1: General Administration

Schedule 2: Development, Land and Building Services

Schedule 3: Engineering and Public Works

Schedule 4: Animal Control & Licencing

Schedule 5: Traffic & Parking Fees

Schedule 6: Community Facility Rentals

Schedule 7: Filming

Schedule 8: Fire Rescue / Emergency Permits & Fees

Schedule 9: Memorials and Dedications

Schedule 10: General

- 3.2 Fees imposed under this bylaw for the provision of services or information apply instead of any fees imposed under other bylaws for the same services or information, in the event of any conflict between this bylaw and any other bylaw.

Part 4 – REPEAL

- 4.1 The following bylaws are hereby repealed:
1. Security Alarm System Regulation Bylaw No. 272, 1997;
 2. Fees and Charges Bylaw No. 462, 2014;
 3. Repeal of Prior Fees and Charges Bylaw No. 465, 2014;
 4. Fees and Charges Amendment Bylaw No. 480, 2014; and
 5. Fees and Charges Amendment Bylaw No. 490, 2015.

Part 5 – CONSEQUENTIAL AMENDMENTS

- 5.1 The following bylaws are hereby amended as follows:
1. Water Rates and Regulation Bylaw No. 2, 1971, as amended:
 - (a) Section 4 is amended to read: "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"; and
 - (b) Schedule A is amended by deleting section 2, Connection Charges.
 2. Village of Lions Bay Sewer Bylaw #101, 1984, as amended:
 - (a) Section 3 is amended by striking the heading and substituting therefore the heading "Fees";
 - (b) Section 3 is further amended by deleting the existing wording and substituting therefore: "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";
 - (c) Section 17 is hereby renumbered as Section 18; and
 - (d) The following is hereby inserted as Section 17:

"17. The tie-in of the building sewer shall be made into a wye at the property line. The owner shall be required to install this wye. A plug shall be inserted into the upper end of the wye to prevent any flow into the sewer system. After the acceptance of the house plumbing by the building inspector and after the building sewer from the wye to the house has been tested successfully, the plug shall be removed in the presence of a representative of the Village. The wye branch shall then be plugged and the excavation backfilled with suitable material. Under no

circumstances shall the building sewer be used for drainage purposes during construction.

(e) Schedule A is hereby deleted.

3. Subdivision Bylaw No. 141, 1985, as amended:
 - (a) Section 5 is amended to read: "Fees for services that may be or are provided under this Bylaw or Development Application Procedures and Fees Bylaw No. 431, 2011, as amended, shall be payable as set out in Fees Bylaw No. 497, 2016, as amended. These fees shall be in addition to any fees prescribed under the *Land Title Act*, RSBC 1996, Chapter 250".
4. Lions Bay Soil and Material Deposit Bylaw No. 157, 1987:
 - (a) Section 6 is amended to read: "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".
5. Village of Lions Bay Blasting Bylaw No. 170, 1988:
 - (a) Section 5 is amended to read: "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".
6. Building Regulation Bylaw 234, 1994:
 - (a) The heading for Section 21 is hereby amended by adding the words: "and Fees" to the word: "Schedules";
 - (b) The existing Section 21 is hereby renumbered as Section 21(b);
 - (c) The following shall be inserted as Section 21(a): "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"; and
 - (d) Schedule D, Village of Lions Bay Permit Fees, is hereby deleted.
7. Animal Control and Licencing Bylaw No. 461, 2014:
 - (a) All references in Sections 5, 11 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.
8. Village of Lions Bay Trees, Views and Landscapes Bylaw No. 393, 2007, as amended:
 - (a) The reference in Section 3.4.1.4 to Fees and Charges Bylaw No. 462, 2014 is hereby replaced with a reference to Fees Bylaw No. 497, 2016, as amended.
9. Traffic and Parking Bylaw No. 413, 2009, as amended:

(a) The following is inserted as Section 35: "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".

10. Fire Bylaw No. 428, 2011, as amended:

- (a) Section 53 is hereby renumbered as Section 54;
- (b) The following is hereby inserted as Section 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".
- (c) Appendix B is hereby deleted.

11. Development Application Procedures and Fees Bylaw No. 431, 2011, as amended:

- (a) All references in Sections 3 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.

12. Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015:

- (a) The reference in Section 4 of Schedule B to the Village of Lions Bay Fees and Charges Bylaw is hereby deleted and replaced with a reference to Fees Bylaw No. 497, 2016, as amended.

Part 6 – EFFECTIVE DATE

6.1 This bylaw shall come into force and take effect on January 1, 2017.

READ A FIRST TIME	December 15, 2015
READ A SECOND TIME	December 15, 2015
READ A THIRD TIME	December 6, 2016
ADOPTED	December 20, 2016

Mayor

Corporate Officer

**Certified a true copy of Fees
Bylaw No. 497, 2016 as adopted.**

Corporate Officer

SCHEDULE 1 – GENERAL ADMINISTRATION

Description	Fee
Freedom of Information and Protection of Privacy Act Fees payable for requests made under the <i>Freedom of Information and Protection of Privacy Act and Regulation</i>	As per <i>Freedom of Information and Protection of Privacy Act and Regulation</i> , Schedule of Maximum Fees.* *Note: For commercial applicants, for each service listed, the actual cost to the public body of providing that service shall be determined at the rate of \$10.00 per ¼ hour.
Locating, retrieving, producing or preparing records for disclosure	\$7.50 per ¼ hour
Shipping documents	Actual cost of shipping method chosen by applicant
Photocopying / printing / scanning documents (FOI) (Fee applies to 8 pages and more)	\$0.25 per page (black & white) \$1.0065 per page (colour)
Copy of house plans	\$75 plus actual costs <u>of printing copy</u>
Tax certificates (no charge for property owners)	\$30 each
Property title search from Land Title Office	\$25
Property Tax and Utility Information:	
Property Tax Certificate	\$30 (no charge to owners)
Reprinted Property Tax/Utility Fee Notice	\$20 (no charge to owners)
Property Title Search from Land Title Office	\$25
Property Ownership Transfer Tax on tax sale properties	As per Land Title Office fees
Property Tax Sale, registration and removal of Liens	As per Land Title Office fees
Reprinted tax / utility documents	\$20 per document (no charge for property owner)
Lions Bay Flag	\$100
Lions Bay Historical Society Booklet	\$10
Lions Bay stickers	\$2
Community Garden	\$25 per plot annually
Permit under Outdoor Water Use Bylaw No. 484	\$40
Biodegradable Organics Bags	\$4 plus GST

[Amended by Bylaw No. 554]

SCHEDULE 2 – DEVELOPMENT, LAND AND BUILDING SERVICES

Description	Fee
Official Community Plan Amendment (Residential)	\$2,500 or \$3,000 if combined with rezoning application, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
Zoning Bylaw Amendment (Residential)	\$2,500, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
OCP or Zoning Amendment (Non-Residential)	\$2,500 for first 465 m2 of building area plus \$500 for each additional 100 m2 or part thereof.
Request for Preliminary Review of Subdivision Development Proposal (Initial Meeting)	\$250
Request for Preliminary Review of Subdivision Development Proposal (Preliminary Review Process)	\$2,000 plus \$300 for each additional lot after first lot created. Additional expenses may apply per Bylaw No. 431, as amended.
Land Subdivision (Final Approval) Application	\$1,000 plus \$200 for each additional lot or strata lot after first lot or strata lot created
Development Permit	\$1,200
Development Variance Permit	\$750
Temporary Use Permit Application Fee (non-refundable)	\$250
Inspection fee for Temporary Use Permit for Short Term Rentals	\$250 – Includes initial inspection plus one additional inspection. Each additional inspection \$75/hour
Temporary Use Permit	\$1,000 plus \$750 for renewal application
Board of Variance (non-refundable)	\$500
Building Permit Application Fee (non-refundable)	\$100
Pre-Building Permit Application Consultation Fee	\$75 per hour
Building Permits (based on value of construction):	
Minimum fee (<\$1,000) <ul style="list-style-type: none"> • \$1,000-\$9,999 • \$10,000-\$49,999 • \$50,000-\$99,999 • \$100,000 and greater 	\$150 \$150 plus \$12 per \$1,000 \$250 plus \$11 per \$1,000 \$300 plus \$10 per \$1,000 \$400 plus \$9 per \$1,000
<i>The minimum fee for a building permit for a <u>new dwelling</u> shall be not less than the fee for a building having a value of \$300,000 (\$3,100.00).</i>	<i>Building permits are valid for a maximum of two years, at which time they expire. A permit may be renewed once only in accordance with Building Bylaw No. 234, 1994, as amended.</i>

<p>Permit renewals <i>A building permit is valid for a maximum of two years, at which time it expires. A permit may be renewed <u>only once</u> only in accordance with Building Bylaw No. 234, 1994, as amended.</i></p>	<p>75% of current Building Permit Fee at time of renewal</p>
<p>Damage Deposit (based on value of construction):</p> <ul style="list-style-type: none"> • Up to \$10,000 • Up to \$50,000 • Up to \$250,000 • Greater than \$250,000 <p><i>A Damage Deposit is required when taking out a Building Permit or a Demolition Permit, or when performing other works requiring an engineer's certificate or heavy machinery on Village highways. An occupancy certificate is needed with respect to a Building Permit and an inspection by the Public Works Manager is required prior to a Damage Deposit being returned.</i></p>	<p>\$500 \$1,500 \$3,000 \$5,000</p>
<p>Demolition Permit fees: Accessory building or structure All other buildings <u>A portion of a building</u></p>	<p>\$100 per building \$1,000 per building <u>Fee is proportional to the fee for complete demolition, up to demolition of 74% of a building; full fee payable for demolition of 75% or more of a building.</u></p>
Change of Address	\$500
Blasting permit application fee	\$250
Secondary suite surcharge	40% of Annual Utility Billing
Secondary suite inspection fee	Initial inspection plus one additional inspection free. Each additional inspection \$75/hour
Tree cutting permit applications	\$75 (non-refundable)
Lawn sprinkling permit application	\$40
Driveway Crossing Permit	\$100
Plumbing Fee	\$100 plus \$25 for each fixture
Fire Sprinkler Permit:	
New construction	\$125 plus \$2.50 per sprinkler head
Renovations requiring sprinkling	\$250 plus \$2.50 per sprinkler head
Alternate Solutions:	
Building Inspector (additional charge if required on more involved issues per Building Bylaw)	\$75 per hour (\$225 minimum)
Code Professional (additional charge if required on more involved issues per Building Bylaw)	Actual cost plus 10%
Extra Inspections (after second inspection)	\$100 per inspection

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Pre-inspection of a building being moved within the Village	\$500 per structure
When a permit is surrendered and cancelled before any construction begins and the owner has provided written notification that the project will not be undertaken	50% of the building permit fee paid and 100% of the deposit shall be refunded to the property owner.
Plan review for building design modifications	\$75 per hour
Transfer of building permit	\$125
Unregistered Encroachment Agreement	\$400
Review & registration of Section 219 covenant placed according to the Land Title Act	\$400
For discharge of Section 219 covenant placed according to the Land Title Act	\$100
An application for the soil deposit or removal of more than 27 cubic meters (m ³) and up to 45 m ³ of in any one year.	\$100 (non-refundable)
Any application for the soil deposit or removal of more than 45 m ³ and up to 90 m ³ in any one year.	\$200 (non-refundable)
Any application for the soil deposit or removal of more than 90 m ³ and up to 180 m ³ in any one year.	\$400 (non-refundable)
Any application for the soil deposit or removal of more than 180 m ³ in any one year.	\$600 (non-refundable)

**NOTE: All permits include one inspection. All security deposits are refunded, less costs incurred, after Final Inspection*

[Amended by Bylaw No. 547]
 [Amended by Bylaw No. 554]

SCHEDULE 3 – ENGINEERING & PUBLIC WORKS

Description	Fee
Water service connection fees	\$600 plus actual costs
Sewer service connection fees	\$600 plus actual costs
Locate water leak / water shutoff valve on private property / turn water on or off	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Locate Sewer Pipes / Connection	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Public Works hourly rate per worker (regular business hours)	\$75 per hour
Emergency after hours call-out	\$115 per hour (3 hour minimum)
Bear Smart garbage container	\$175

[Amended by Bylaw No. 554]

SCHEDULE 4 – ANIMAL CONTROL & LICENCING

Description	Fee
Annual licence for altered dog	\$30 if paid before March 31 ^{February 28th} or within 30 days of becoming a new resident or obtaining a new dog \$ 45 ⁶⁰ for all other s ^{thereafter}
Annual licence for unaltered dog	\$60 if paid before March 31 ^{February 28th} or within 30 days of becoming a new resident or obtaining a new dog \$90 for all other s ^{thereafter}
Rebate of annual licence fee for dog altered subsequent to licence being paid	\$30
Tag replacement	\$10

SCHEDULE 5 – TRAFFIC & PARKING FEES

FEES FOR PERMITS

Description	Fee
Extra annual resident parking permit – obtainable by a resident, allows parking in “permit parking” zones	\$40 per year (1 free permit for each Lions Bay Fire Rescue member, Search and Rescue member, Non-Resident Volunteer member of a Lions Bay committee, and Village staff member, not otherwise receiving free permits with a property tax notice, and two free permits within 30 days of becoming a new property owner)
Worksite parking permit for building-site workers for three months – obtainable by homeowners or construction managers on projects, allows parking in “permit parking” zones	\$40 for three months
Film company parking Film worker’s personal vehicle Film company truck	Refer to Schedule 7: Filming
Daily parking permit – obtainable by residents, allows parking for one day for guests	\$0 per vehicle
Operating a vehicle or combination of vehicles in excess of 63,500 kgs licensed gross vehicle weight on highway	\$35 per vehicle load
Monthly fee for parking of extraordinary vehicle or trailer on Village property, with permission of Council Extraordinary vehicle or trailer under 6.1 metres in length Extraordinary Vehicle or trailer 6.1- 6.5 metres in length Extraordinary Vehicle or trailer 6.5-7.7 metres in length Extraordinary Vehicle or trailer over 7.7 metres in length	\$80 per month/\$960 per year \$80 per month/\$960 per year \$110 per month/\$1,320 per year \$135 per month/\$1,620 per year
Daily fee for placing dumpster/bin or construction material on highway Upon approval of the Public Works Manager, daily fee for temporary placement of a moving container, a disposal container or construction material on a highway	\$35 per day
Upon approval of Council, placement of an office trailer, storage container or other similar chattel reasonably required in respect of a building permit	\$300 per month
Where work is performed by the Village in cleaning up spills or deposits on a highway, or remediating damage to a highway, fees per hour of work will be charged as shown below, to cover staff time plus use of Village equipment. Actual extra costs to the Village for items such as fuel, materials, turf, plants, storage in commercial premises, and equipment rentals required for clean-up or remediation work, will also be charged, based on invoices or receipts for materials or equipment. If work is performed by a commercial contractor under contract to the Village, the actual cost of the contract will be charged, in addition to a \$150 flat fee for Village administration time.	

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Clean-up of spills or deposits on highway	Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)
Remediation of damage to highway	Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum)

FEES FOR REMOVALS FROM HIGHWAY

Where vehicles, obstructions and chattels are removed from a highway, fees per hour of work are charged for removals and towing. If these items are not claimed and must subsequently be advertised and sold at auction, a flat fee is charged to cover the cost of storage, administration time and advertising.

Removal of chattels, obstructions and things seized from highway	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum) plus \$50 per day fee for storage
Towing of vehicle	Actual cost plus Regular hours (7 am to 3 pm): \$75 per person per hour or portion, plus equipment costs After hours: \$115 per person per hour (3 hour minimum)
Sale of chattels, obstructions and things seized from highway	\$1,000 flat fee

FEES FOR METERED PARKING

Description	Fee
Lions Bay Beach Park Lot (adjacent to train tracks) <i>*Permit holders NOT exempt from fee.</i>	\$4/hour or portion thereof up to a maximum of \$32 within a calendar day
Kelvin Grove Beach Park Lot <i>*Permit holders exempt from fee.</i>	\$3/hour or portion thereof up to a maximum of \$24 within a calendar day
Sunset Trailhead Lot <i>*Permit holders exempt from fee.</i>	\$2/hour or portion thereof up to a maximum of \$16 within a calendar day

[Amended by Bylaw No. 530]
 [Amended by Bylaw No. 544]
 [Amended by Bylaw No. 547]
 [Amended by Bylaw No. 554]
 [Amended by Bylaw No. 563]

SCHEDULE 6 – COMMUNITY FACILITY RENTALS

Rental fee includes use of kitchen, tables, chairs and music player.

Description	Fee*
<p>Hall Rental for private events: Examples of use: dances, weddings, ceremonies, etc.</p> <p>Prior day hall rental set-up fee (subject to availability):</p>	<p>\$220-150 if liquor being served \$110 if no liquor being served \$55</p> <p><i>If event occurs over multiple days, the rate above applies per day</i></p>
<p>Hall Rental for children’s Birthday parties</p>	<p>\$50 per event (maximum 4 hours)</p>
<p>Hall Rental for program use: Examples of use: programs contracted through the Village.</p>	<p>20% of revenue per session, or minimum payment amount of \$40.00 per month, whichever is greater.</p>
<p>Hall Rental for non-profit groups: Community group activities, meeting a maximum of once per week to a maximum of 12 hours per month.</p> <p>Additional fee for events exceeding the maximum</p> <p>Non-profit community groups (single event)</p>	<p>\$25 per month</p> <p>\$25 per event</p> <p>\$25 per event</p> <p><i>This is the fee rate applicable to requests for fee waivers under the Municipal Grant program. Youth must be supervised by an adult while using Village facilities.</i></p>
<p>Meeting Room Rental (accommodates up to 10 persons): Council Chambers (former library)</p>	<p>\$10 per hour (2 hour minimum)</p>
<p>Rental of Tennis Courts for Program Use (max 2 hours per day)</p>	<p>20% of revenue per session or minimum payment amount of \$40.00 per month, whichever is greater.</p>
<p>Cancellation Fee:</p>	<p>Refer to policy: POL-1408 Refunds & Cancellations</p>
<p>Staff Assistance (assemble &/disassemble equipment on-site – excluding stage):</p> <p>Stage (assemble &/disassemble):</p> <p>Sound System:</p> <p><i>No offsite rental for stage and sound equipment.</i></p>	<p>\$50 set up \$50 take down</p> <p>\$100</p> <p>\$50</p>

<p>Equipment Rental Rates (for off-site use): Table rental Chair rental (No outside use of chairs without explicit written authorization) <i>Equipment not returned within 72 hours will result in forfeiture of deposit.</i></p>	<p>\$10 each \$1 each (\$10 minimum)</p>
<p>Deposit for facility / equipment rental:</p>	<p>\$100 Refundable in accordance with policy POL-1407 Community Facility Rentals. <i>Note: Liability for damage or loss is not limited to the deposit amount.</i></p>

*plus deposit

[Amended by Bylaw No. 551]

[Amended by Bylaw No. 554]

SCHEDULE 7 – FILMING [to be reviewed with filming policy]

Description	Fee
Filming application fee (non-refundable)	\$250
Filming fee (per day)	\$300
Damage deposit	\$5000 (refundable)
Filming in VOLB parks (per day)	\$500
Parking fees:	
Car	\$25/day
Truck	\$100/day
Filming Liaison	\$40/hour
Municipal Services	\$80/hour
Fire Rescue Services	\$100/hour
Fireworks (pyrotechnics) permit	\$100

[Amended by Bylaw No. 554]

Description	Fee
Filming application fee (non-refundable)	\$300
Filming fees (per day):	
Residential Zone	\$1,000
Commercial Zone	\$500
Additional Location Fees (per day):	
Undeveloped Municipal Land	\$500
Tennis Courts, Wade Park, Trails (eg: Centennial, Pride, Marjorie Meadows)	\$750
Lions Bay Beach Park, Kelvin Grove Beach Park, Brunswick Beach Park/Esplanade	\$1,000
Broughton Hall	\$500
Council Chambers	\$250
Fire Hall (Requires at least one member of LBFR present - Interruptions possible)	\$100/hour
LBFR Training Facility (Requires LBFR personnel on site – minimum number depends on filming activity)	\$100/hour per person
Temporary closure of road (total blockages)	\$80/hour (plus costs of certified traffic control company at applicant's expense)
Parking fees:	
Car	\$30/day (Completely Electric Vehicles \$0/day)
Truck (includes generator)	\$120/day (Solar/Battery Generators \$0/day)
Filming Liaison	\$80/hour (regular hours)
Public Works Services	\$80/hour per person (regular hours)
Village Manager	\$160/hour (regular hours)
Lions Bay Fire Rescue Services (LBFR)	\$500/hour

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<u>Extraordinary Services (Municipal staff call outs outside regular hours or requirement to hire)</u>	<u>Hourly rate x 1.5 or contractor's costs x 1.25</u>
<u>Fire Hydrant Use (only to be operated by Municipal employees)</u>	<u>\$80 per hour - regular hours (7am – 3pm)</u> <u>\$120 per hour (3 hours minimum) outside regular hours</u>
<u>Damage deposit</u>	<u>\$10,000 (refundable)</u>

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SCHEDULE 8 – FIRE RESCUE / EMERGENCY PERMITS & FEES

Description	Fee
Fire investigation	\$200 per person per hour or portion plus actual site security costs
Fire Safety Plan Review	\$100
Inspection of buildings other than routine inspections (after 2 nd inspection) under the Fire Services Act	\$100
Inspection of buildings other than routine inspections (after 3 rd and subsequent inspection) under the Fire Services Act	\$200
Inspections – special request	\$150
Special events fire permit/inspection	\$100 per person per hour or portion thereof
Fireworks Permit <u>(valid only Oct 31 & New Year's Eve)</u>	\$50
Cost recovery for work performed in removal or remediation of a fire hazard at or around a building or premises	<p>\$100 per person per hour or portion thereof to cover time plus use of municipal equipment.</p> <p>Actual extra costs for items such as equipment rentals required for clean up or remediation work will also be charged, based on invoices or receipts for materials or equipment.</p> <p>Actual costs of a commercial contractor under contract to the municipality will be charged in addition to a flat fee of \$150 for municipal administration.</p>

**Note: all permits include one inspection*

SCHEDULE 9 – MEMORIALS AND DEDICATIONS

Description	Fee
Bench Dedication	\$1,500 - \$1,750 includes cost and installation of bench, cost and installation of plaque and ongoing maintenance.

SCHEDULE 10 – GENERAL

Description	Fee
Boat space rental permit at Lions Bay Beach Park	\$125 per calendar year if paid by March 31 st \$150 if paid after March 31 st , but before May 31 st (after May 31 st , boat will be seized and removed) <i>*If a new boat space is obtained after March 31st, the \$150 permit fee shall be prorated based on the number of months left in the year. No refunds will be issued for permits terminated during the year.</i>
Seizure and removal of boat from boat space rental area for failure to pay annual fee by June 1 st .	\$100 plus \$20/day for storage
Sale of seized boat if unclaimed for 120 days after seizure.	\$500 flat fee