



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL

OF THE VILLAGE OF LIONS BAY

HELD ON TUESDAY, SEPTEMBER 22, 2020 at 7:00 PM

COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AND VIA ZOOM VIDEO CONFERENCE

Please register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZwkc-qoqDojGdeF6GB7gzYKR0PWdL5hGXDz>

Once registered, to access the meeting by Computer, Tablet, or Mobile Device,
click the following link: <https://us02web.zoom.us/j/88943061933>

(When prompted, please download Zoom to your device
prior to the meeting if you don't already have the program).

You can also phone in from your landline phone or mobile phone by
dialing 1-778-907-2071 and entering the Conference ID: 889 4306 1933

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)**
 - A. Marek Sredzki – Kelvin Grove Sewage Plant and anticipated sale of two multi-dwelling properties in Kelvin Grove. (Page 7)
- 5. Review & Approval of Minutes of Prior Meetings**
 - A. Regular Council Meeting – July 28, 2020 (Page 9)
THAT the Regular Council Meeting Minutes of July 28, 2020 be approved, as circulated.
 - B. Special Council Meeting – September 1, 2020 (Page 23)
THAT the Special Council Meeting Minutes of September 1, 2020 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	Unfinished Business: Speeding on Sea to Sky and noise	Mayor McLaughlin and CAO DeJong are in communication with the Province
127	May 5, 2020	Options for Electronic Building Submissions	CAO DeJong – nothing to report (future consideration)
145	July 28, 2020	Slow down sign on Oceanview Rd.	PWM Jaffer
146	July 28, 2020	Notice of Councillor Cunliffe's acceptance into the Climate Leadership Course to be placed in the Village Update	Mayor McLaughlin
147	July 28, 2020	R6: Kate re: delineator request	PWM to respond
148	July 28, 2020	R8: T. Luethy re: parking	Councillor Abbott to respond - completed
149	July 28, 2020	R9: L. Nolin re: parking	Mayor McLaughlin to respond
150	July 28, 2020	R10: re relaxation of amplification bylaw granted to Craig Doherty	CAO to respond to Strata Council
151	July 28, 2020	R11: Simpson re: parking	Councillor Barmeier to respond
152	July 28, 2020	R12: M. Gewurz re: beach concerns	Councillor Cunliffe to respond
153	July 28, 2020	R5: Nelson re 35 Kelvin Grove Way	Councillor Cunliffe to respond

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

8. Reports

A. Staff

i) Public Works Manager: Stairs to Bus Stop on Oceanview Road/Lions Bay Avenue (Page 29)

Staff Recommendation:

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

ii) Chief Financial Officer: 2020 Capital Update (Page 75)*Staff Recommendation:*

THAT the report “2020 Capital Update” be received for information purposes.

iii) CAO: Broughton Hall Re-Opening Plan (Page 81)*Staff Recommendation:*

(1) THAT staff proceed with the Broughton Hall Re-Opening Plan as substantially set out in the Broughton Hall Re-Opening Plan report dated September 17, 2020.

iv) Emergency Program Act Update – Information Report (Page 113)*Staff Recommendation:*

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

v) Council Resolution for 2021 UBCM CRI Firesmart Grant (Page 143)*Staff Recommendation:*

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

vi) Council Resolution for UBCM Evacuation Route Planning Grant (Page 181)*Staff Recommendation:*

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

B. Mayor

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

C. Council

- i) Councillor Barmeier: A local perspective on “cliff jumping” (Page 189)

Recommendation:

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

- ii) Councillor Barmeier: Lions Bay ZEV initiative – fast charger revenue projections (Page 191)

Recommendation:

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

D. Committees**E. Emergency Services**

- i) Surrey Regional Fire Dispatch Monthly Report – Lions Bay Fire Rescue (Page 263)

Staff Recommendation:

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

9. Resolutions**10. Bylaws****11. Correspondence**

- A. List of Correspondence to September 17, 2020 (Page 267)

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. Project estimates
- B. Project quotes

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

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

- j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

Council does not anticipate reconvening the open meeting for any purpose other than to adjourn the meeting generally and report out if applicable.

[OR]

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

15. Reporting Out from Closed Portion of Meeting

16. Adjournment



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

Please forward your Delegation Request Form to the Village Office by 12:00 pm, the Thursday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total.

Today's Date: August 14, 2020 Council Meeting Date: September 22, 2020

SUBJECT OF DELEGATION I wish to speak before the Council regarding:

Kelvin Grove Sewage Plant and anticipated sale of two multi dwelling properties in Kelvin Grove

SUPPORTING MATERIAL I will provide additional information in advance of the Council meeting:

(by 12:00 pm the Thursday prior to the Council meeting so that the material can be included in Council package.)


Agenda of presentation
Information on:
- capacity limitation of Kelvin Grove Sewage Plant
- construction cost responsibility
- municipality financial gain from the sale of two multi dwelling properties in Kelvin Grove
- municipality financial and moral responsibility

ACTION. The specific action I would like Council to take is:

Re-evaluation of the addressed issues

NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:

Name: Marek Sredzki

Signature: 

Organization (if any): _____

Address: 260 Oceanview Road

Phone: 604 921 6957 Fax: _____

Email: marek@sredzki.com

Note: A telephone number (where a message can be left with a person or voicemail), fax number or email address is required so that we can contact you in a timely manner.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JULY 28, 2020 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance:

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

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Municipal Coordinator Karla Duarte (Recorder)

Delegations: 1

Public: 10

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:07 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT

- (1) The agenda be varied to consider item 8Av after item 4A; and
- (2) Item 3A Petition to Village Council re: rezoning of 35 Kelvin Grove Way be added;
and
- (3) Item 8Aiv. Parking Hot Spot Update report be added as an item under that report;
and
- (4) Item 8Biii Media coverage be added; and
- (5) Item 8Di On Table Recommended Resolution for Tree Application #103 be added as
an item under that report; and
- (6) Item 11B On-Table Correspondence be added; and

- (7) Item 14 be amended to include “C. Legal Matter” and an addition for reason for closing, (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (8) The agenda be adopted, as amended

CARRIED

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

A. George Liu

George Liu, presented a petition against rezoning of 35 Kelvin Grove Way and spoke to express his concerns against rezoning, noting that Lions Bay is a single-family housing community and that a dangerous precedent would be set with rezoning.

B. Richard David

Richard David expressed his concerns regarding the rezoning of 35 Kelvin Grove Way, noting that rezoning would add burden on a small group of residents and that the burden of financial compensation for the Village should not be a reason for rezoning.

C. Craig Doherty

Craig Doherty spoke regarding Council’s previous resolution for exemption to the noise bylaw at the Café. He noted the new resolution passed by Strata Council was a unanimous 2-0 to support music at the café. He noted the complaints were prejudicial to his business and music loving public of Lions Bay in the current economy when many businesses are struggling.

Mayor McLaughlin brought forward Correspondence item R10 regarding the concerns and response to the exemption to the noise bylaw.

Mayor McLaughlin asked Council whether they would like to bring a motion forward to amend the existing noise bylaw exemption resolution and there was no change to the previous motion.

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

Councillor Barmeier assumed the Chair

D. Russ Meiklejohn

Russ Meiklejohn spoke regarding the encroachment request for 61 Brunswick Beach Rd. and addressed several points in the report. He questioned why the Village would consider gifting space for a hot tub. He expressed concern about

the property use and structural integrity and suggested the owner consider putting it on his own property due to possible liability.

E. Dorothy Meiklejohn

Dorothy Meiklejohn noted their experience as architects and knowledge about bylaws.

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

A. Mark Woodside on behalf of Jorge Graham – Encroachment Request for 61 Brunswick Beach Road

Mark Woodside read a letter on behalf of Jorge Graham, which noted the previous use of the property, several accolades that the house has received, compliance with local bylaws and the Residential Tenancy Act. The letter also addressed concerns from neighbours and noted that encroachments have been granted since 2004 and have been inconsistent. He noted the insurance would include naming the Village as additional insured.

Council considered Correspondence items R1, R2, R3 and R6 under 11B of the agenda.

The agenda was varied to consider Item 8Avi.

vi. CAO: Encroachment Agreement for 61 Brunswick Beach Road

CAO DeJong presented the report regarding the encroachment agreement for 61 Brunswick Beach Rd. noting that:

- Village has lots of encroachments and lots of encroachment agreements, including ones granted by this Council in Brunswick Beach.
- This application pertains to 3 separate areas: driveway area, north side of the house and a small pre-existing portion of the Esplanade.
- Delay of application not the fault of the owner.
- Noise complaints subject to noise bylaw – regardless of where the hot tub is located.

CAO DeJong Addressed questions regarding liability to the Village, Good Neighbour Bylaw No. 412, noise bylaw, and timing of application noting that:

- Liability addressed adequately in the agreement.
- Letter from Mr. Woodside addresses indemnity provision, insurance requirements (\$5 million, naming Village additional insured).
- Good Neighbour Bylaw No. 412: oriented to properties not kept in state of repair or appearance such that it detracts from use of neighbours' property. Difficult to enforce – does not have applicability to the application.

- Noise bylaw: different exemptions under bylaw. Complaints driven, unless BEO are patrolling and happen to hear something.
- Neighbour input is not necessary in all cases; no process established for requiring consultation – intended to be reviewed as part of boulevard bylaw consultation
- Confirmed that patio/deck on Esplanade pre-existed the current owner

Discussion ensued on:

- Encroachments on Esplanades in different circumstances
- Hot tub not the same as patio furniture
- Justification requirements for a hot tub
- Timing – begging for forgiveness rather than asking for permission not appropriate
- Safety: should have been reviewed by engineering
- Struggle regarding patio/deck that pre-existed
- Whether the decision could be tabled while policy is reviewed.

CAO DeJong noted that encroachment agreements would not change due to a policy review. A review would allow Council to note what the process, criteria and what emphasis would be placed. Intended to be a village wide consultation – difficult to do in current circumstances. Would have to be tabled for a long period of time, due to pandemic.

CAO DeJong confirmed that

- maintenance and repair are responsibilities of owner, according to agreement.
- Agreement would have to be amended to allow for other use
- If the agreement was not granted, property owner would have no maintenance obligations
- If no agreement: then liability could be visited upon the Village.
- If owner required to remove the hot tub, can Village stipulate uses for patio/deck?
- Licence to Occupy – can stipulate what conditions are for use of the land.

Moved/Seconded

- (1) THAT Council approve the draft Encroachment Agreement dated for reference the 20th day of February 2020 for the Licensee, Jorge Erdely Graham
- (2) THAT staff instruct legal counsel to prepare a section 219 Covenant to incorporate the said Agreement into a registrable Land Title Office document;
- (3) THAT the Mayor or Acting Mayor and the Chief Financial Officer be authorized to execute the Agreement and the Covenant.

Moved/Seconded

THAT the motion on the floor be amended to add the following to (1)

“subject to amending the agreement to preclude the use of a hot tub on licence area.”

CARRIED

MAIN MOTION AS AMENDED

Moved/Seconded

- (1) THAT Council approve the draft Encroachment Agreement dated for reference the 20th day of February 2020 for the Licensee, Jorge Erdely Graham, subject to amending the agreement to preclude the use of a hot tub on the licence area; and
- (2) THAT staff instruct legal counsel to prepare a section 219 Covenant to incorporate the said Agreement into a registrable Land Title Office document; and
- (3) THAT the Mayor or Acting Mayor and the Chief Financial Officer be authorized to execute the Agreement and the Covenant.

CARRIED

Mayor McLaughlin returned to the meeting and resumed role of Chair at 8:58 pm.

The order of the agenda resumed.

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – June 23, 2020

The following items were identified as amendments for the June 23, 2020 regular Council meeting minutes:

- (1) Item 8Ai: CFO Rooke provided an update on the grant application for the DC EV fast charger noting that the Village is not required to proceed with the project, should the expected funding not be received. She also clarified the intent was that the Village would only consider proceeding with the project if the Village received both Federal (50%) and Provincial (25%) funding.

Moved/Seconded

THAT the Regular Council Meeting Minutes of June 23, 2020 be approved, as amended.

CARRIED

B. Special Council Meeting – June 30, 2020

The following items were identified for amendment:

- (1) Item 4, first bullet point under discussion, add the word “Tuesday”.

Moved/Seconded

THAT the Special Council Meeting Minutes of June 30, 2020 be approved, as amended.

CARRIED

6. Business Arising from the Minutes

- A. Councillor Abbott requested feedback on volunteer program.

CAO DeJong confirmed three volunteers and that the program has not been completely developed.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
104	September 17, 2019	Unfinished Business: Speeding on Sea to Sky and noise	Mayor McLaughlin and CAO DeJong are in communication with the Province
127	May 5, 2020	Options for Electronic Building Submissions	CAO DeJong – nothing to report
136	June 23, 2020	Request to have table plan set up in the Chamber and that staff adhere to strict distancing measures	CAO DeJong noted the new floor plan. Completed
137	June 23, 2020	G1: J. Morra re parking ticket complaint	Completed
138	June 23, 2020	G2: Metro Vancouver Mayors' re Local Government Support with Provincial Government	Completed
139	June 23, 2020	R1: K. Dyer re toilet facilities	Mayor McLaughlin to respond
140	June 23, 2020	R2: C. Bradbury re parking	Completed
141	June 23, 2020	R3: A. Dudley & E. Lofgren re parking for hikers	Completed
142	June 23, 2020	R4: Y. Godoy-Toku re parking	Completed
143	June 23, 2020	R5: N. McKenzie re Village reopening plans	Completed
144	June 23, 2020	R6: S. Jones re toilet facilities	Completed
145	June 23, 2020	R7: R. Meiklejohn re 61 Brunswick Beach	Completed

8. Reports

A. Staff

i. CFO: Annual Report

Council discussed friendly amendments to the report, provided suggestions for additional data and complimented staff on the report.

Moved/Seconded

THAT pursuant to section 99 of the *Community Charter*, Council has considered the Annual Report prepared under section 98 of the

Community Charter, and any oral and written submissions and questions from the public.

CARRIED

ii. CFO: 2019 Statement of Financial Information (SOFI)

CFO Rooke noted that no changes can be made to the SOFI due to reporting standards. The purpose of presenting the report is to answer Council questions.

CFO Rooke confirmed the following:

- Expenses for Sea to Sky Network Solutions include major equipment purchases
- Purchase of 5 public works vehicles
- Clarified the statement that there were no payments to suppliers for grants and contributions exceeding \$25,000
- Metro Vancouver Regional District expense was for debt repayment

Moved/Seconded

THAT Council approve the 2019 Statement of Financial Information for submission to the Ministry of Municipal Affairs and Housing; and

THAT the 2019 Statement of Financial Information be made available for public inspection.

CARRIED

iii. CFO: 2020 Preliminary Mid-Year Review

CFO responded to questions from Council and noted:

- Grants: clean water, left over from water tank and will be used for PRVs
- Asset management phase 3: FCM grant: open intake, will be presented to Council end of fall.
- Celebrate grants awarded: UBCM grants: ESS, EOC, evacuation route planning, fire department equipment and wildfire

Moved/Seconded

THAT the report “2020 Preliminary Mid-Year Review” be received for information purposes.

CARRIED

iv. CAO: Brunswick Beach Parking Survey

CAO DeJong presented the report on the Brunswick Beach Parking Survey, noting the results of the surveys, in particular, the Brunswick Beach resident sentiments.

CAO DeJong also noted that

- the Ministry of Transportation and Infrastructure asked the Village to remove the no parking/towing signage at the Interchange.
- Dog on beach question about 50/50 for and against
- Suggested Council consider bear proof bin
- Port-a-potty will not happen

Moved/Seconded

THAT the Information Report, “Results from the Brunswick Beach Parking Survey” be received and that staff be directed to place a bear-proof garbage can on Brunswick Beach Road and provide an update of the results of the survey in the Village Update.

CARRIED

CAO DeJong noted that a resident-led recommendation is expected to be coming in September, and it may fill in broader view on dog issue

At 9:46 pm the meeting was extended to 12:00 AM

Moved/Seconded

THAT the meeting be extended to midnight.

CARRIED

CAO DeJong clarified assumptions that led towards the survey results (percentage of those who identified as Brunswick Beach residents)

CAO DeJong noted that completion of the Kelvin Grove Water Treatment plant will happen in early September, if opportunity to open access prior to completion, will do so.

CAO DeJong provided an overview of the “Parking Hot Spot” report that was circulated on-table to Council.

He noted that staff do not recommend reopening Lions Bay Beach parking lot in order to control visitation of park.

Moved/Seconded

THAT Council supports the notion of closure of Lions Bay Beach Parking lot to control visitation to the Lions Bay Beach Park.

CARRIED

Councillor Barmeier requested that a reminder to slow down sign be placed on Oceanview Rd.

CAO DeJong confirmed that signage near the school parking lot applies to the street and that the Village cannot ticket in the school parking lot.

Moved/Seconded

THAT Council received the report “Parking Hot Spot” presented at the July 28, 2020 regular meeting of Council.

CARRIED

v. CAO: Encroachment Agreement for 52 Brunswick Beach Road

CAO DeJong presented the Encroachment Agreement for 52 Brunswick Beach Road and clarified that the 3 meters refers to exclusion zone for water main and that the Board of Variance provided variation for setback for this particular property.

Moved/Seconded

(1) THAT Council approve the draft Encroachment Agreement dated for reference the 28th day of July 2020 for the Licensee, Carl Lund and Nicola Lund;

(2) THAT staff instruct legal counsel to prepare a section 219 Covenant to incorporate the said Agreement into a registrable Land Title Office document;

(3) THAT the Mayor or Acting Mayor and the Chief Financial Officer be authorized to execute the Agreement and the Covenant.

CARRIED

B. Mayor

i. Kelvin Grove Lot Rezoning

Mayor McLaughlin presented feedback on Kelvin Grove Rezoning, noting that the positives are to help fund infrastructure needs for Village, opportunity for new younger home buyers, opportunity to downsize. He noted that current capacity from the new water treatment plant is higher than before.

CAO DeJong explained the process for obtaining community feedback and potential rezoning of the lot:

- August: put out one or more information pieces: process and cost to date, concept for duplex/triplex, applicable rationale, request public feedback – VU, website, direct mail
- Sept 22 Council meeting: report to Council on feedback received and request for direction
- Staff would prepare rezoning bylaw after that meeting, depending on public feedback and Council direction
- Council to determine next steps and whether to direct staff to continue by preparing a rezoning bylaw for consideration at October 20th meeting
- Oct. 20th meeting: if directed by Council, staff would bring a rezoning application and bylaw; Council would consider 3 readings of bylaw which would be sent to the Ministry of Transportation and Infrastructure (MoTI) for consideration because of proximity to highway
- If MoTI approval granted, set date for public hearing
- After public hearing, Council would consider motion for adoption of rezoning bylaw at November or December meeting

Discussion ensued on:

- Not the first time such a concept has been discussed
- Does not hurt to talk about it
- Bigger question: setting a precedent for rezoning

- Public participation during COVID-19
- Regional Context Statement and the concept being a bigger community issue; wait until the question can be put forward for the whole Village
- Conversation needs to be continued

Moved/Seconded

THAT Council direct staff to work with our real estate professional, which would include community input for rezoning of 35 Kelvin Grove Way.

CARRIED

Opposed: Councillor Abbott

ii. Village Update Statistics

Mayor McLaughlin provided an update on Village Update readership statistics, noting that it has been steadily increasing.

iii. Media Coverage

Mayor McLaughlin noted that the message to reporters he has been providing: we are a welcoming community; not only community with capacity management plan.

C. Council

Jaime Cunliffe provided an update that she was accepted to Climate Leadership Course that will be held by the Federation of Canadian Municipalities

Mayor McLaughlin requested that it be placed in Village Update.

D. Committees

i. Trees, Views and Landscapes Committee Application #103 – 95 Kelvin Grove Way

CAO DeJong presented Tree Application #103, noting the additional consideration to the resolution, which includes the recommendation by the Public Works Foreman.

Moved/Seconded

THAT Tree Cutting Permit Application #103 be approved subject to the following:

- a) Topping and trimming is to be in accordance with the photos and requested work in the application materials.
- b) The applicant may wish to consider the suggestion from Public Works to remove a few of the older trees to allow the smaller trees to grow

and if so, has permission to address this in consultation with Public Works to ensure slope stability.

- c) The applicant must clean up and remove all associated debris.
- d) The tree cutting permit shall be valid for a period of three years subject only to confirmation prior to any cutting, or repeated cutting, within that period of:
 - a. Compliance with the bylaw restrictions regarding nesting season,
 - b. A traffic control plan approved by Public Works, and
 - c. Damage deposit, arborist/contractor’s Worksafe BC certificate and insurance in compliance with Municipal requirements and any other requirements of the bylaw.

CARRIED

E. Emergency Services

- i. RCMP Lions Bay Activity Report – May and June 2020

Moved/Seconded

THAT Council receive the May and June 2020 RCMP Lions Bay Activity Report for information.

CARRIED

9. Resolutions

None

10. Bylaws

- A. 2020 Annual Tax Sale Deferral Bylaw No. 583, 2020

CFO Rooke presented the 2020 Annual Tax Sale Deferral Bylaw No. 583, noting that due to COVID-19, the tax sale has been deferred and clarified the process to which a tax sale occurs.

Moved/Seconded

THAT the 2020 Annual Tax Sale Deferral Bylaw No. 583, 2020 be introduced, and read a first time.

CARRIED

Moved/Seconded

THAT the 2020 Annual Tax Sale Deferral Bylaw No. 583, 2020 be read a second time.

CARRIED

Moved/Seconded

THAT the 2020 Annual Tax Sale Deferral Bylaw No. 583, 2020 be read a third time.

CARRIED

Moved/Seconded

THAT the 2020 Annual Tax Sale Deferral Bylaw No. 583, 2020 be adopted.

CARRIED

- B. Bylaw 584 – Fees Bylaw No. 497, 2016, Amendment Bylaw No. 584, 2020
CAO DeJong presented Bylaw No. 584, 2020, noting that some housekeeping items were required and to allow for different scenarios for damage deposits.

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 584, 2020 be introduced and read three times.

CARRIED

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 584, 2020 be adopted.

CARRIED

11. Correspondence

A. List of Correspondence to July 23, 2020

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

General Correspondence:

G1: J. Lloyd re: pay parking at Sunset Trailhead – received and responded

G2: J. Howes re: Parks and Parking restrictions – received and responded

G3: Roberts re: towing – received and responded

Council noted that they will not be responding to antagonistic non-resident correspondence

G4: Morra re: Village of Lions Bay Bylaw Complaint – received and responded

G5: Premier Horgan re: Mayors and Regional District Chairs - received

G6: Mayor and Regional District Chairs re: UBCM – received

G7: Woodfibre LNG re: extension request - comment responses - received

G8: E. Santas re: parking - received

G9 Nelson re: parking restrictions - received

Resident Correspondence:

R1: Takhar re: post office – received and responded

R2: Andrea B re: Parking on Mountain Dr. – received and responded

R3: Enns re: Village parking – received and responded

R4: Brown re: traffic calming on Lions Bay Follow Up – received and responded
R5: T. Giovanni re: parking ticket – received and responded
R6: Kate re: delineator request – PW Manager to respond
R7: French and Hotte re: parking – received and responded
R8: T. Luethy re: parking – received and Councillor Abbott to respond
R9: L. Nolin re: parking – received and Mayor McLaughlin to respond
R10: re relaxation of amplification bylaw granted to Craig Doherty – received and considered. CAO to respond to Strata Council
R11: Simpson re: parking – received and Councillor Barmeier to respond
R12: M. Gewurz re: beach concerns – received and Councillor Cunliffe to respond

B. On Table Correspondence

General Correspondence:

G1: Ministry of Energy, Mines and Petroleum Resources - the Low Carbon Fuels Branch re Expression of Interest to the 2020 Part 3 Agreement Program – received

CFO Rooke confirmed that the program was oversubscribed and noted that it does not preclude us from applying next year.

Resident Correspondence:

R1: B. Broughton re 61 Brunswick Beach Rd encroachment – received and considered

R2: Lund re 61 Brunswick Beach Rd encroachment – received and considered

R3: Klas re 61 Brunswick Beach Rd encroachment – received and considered

R4: Leger re: Noise Bylaw exemption request - received

Moved/Seconded

THAT Council provide an exemption per section 6(m) of the Noise Bylaw to allow live music at **415 Timbertop Drive** on August 15 & August 22 from 7-9pm.

CARRIED

R5: Nelson re 35 Kelvin Grove Way – received and Councillor Cunliffe to respond

R6: Silzer re 61 Brunswick Beach Rd. encroachment – received and considered

12. New Business

None

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

A. Philip Marsh

Spoke regarding rezoning – expressed disappointed. Will work on it to get across to Council that there is unanimous opposition.

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. ICIP Recreation Grant
- B. Awards
- C. 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:

- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

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

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

CARRIED

Council does not anticipate reconvening the open meeting for any purpose other than to adjourn the meeting generally and report out if applicable.

[OR]

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

15. Reporting Out from Closed Portion of Meeting

Mayor McLaughlin reported that the awards ceremony for the recipients of the Citizen of the Year and Citizen of Distinction will be held on July 29th with physical distancing measures.

Council passed the following resolution during the closed meeting:

Moved/Seconded

THAT staff submit an application for grant funding for the Lions Bay Beach Park Revitalization Project through the *Canada-British Columbia Investing in Canada Infrastructure Program – Community, Culture, and Recreation*; and

THAT Council supports the Lions Bay Beach Park Revitalization Project and commits the Village of Lions Bay’s share of the project of up to \$300,000, to be funded by transfers from reserves.

CARRIED

Opposed: Councillor Abbott

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 12:15 a.m.

Mayor

Corporate Officer

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

SPECIAL MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, SEPTEMBER 1, 2020 at 5:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY AND VIA ZOOM VIDEO CONFERENCE

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott (via video conference)
Councillor Fred Bain (via video conference at 5:42p.m.)
Councillor Norm Barmeier (via video conference)
Councillor Jaime Cunliffe (via video conference)

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

Delegations: 0

Public: 7

1. Call to Order
Mayor McLaughlin called the meeting to order at 5:05 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT

(1) Item 4aiii Information Report – Increased Waste Generated at Public Garbage Receptacles be added; and

(2) Item 6 be modified to add (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 under reasons for closing; and

(3) THAT the agenda be adopted, as amended.

CARRIED

3. Public Participation

A. Song Jing – 30 Kelvin Grove Way

Song Jing expressed her strong opposition to rezoning the lot at 35 Kelvin Grove Way.

B. William Jing – 30 Kelvin Grove Way

William Jing expressed his strong opposition to rezoning the lot at 35 Kelvin Grove Way. He noted that his family has experienced disturbances in their daily life due to branch cutting, which has exposed highway noise, light, and dust. He expressed that rezoning would ruin their quality of life and significantly lower value of home.

C. Cindy David, 20 Kelvin Grove Way

Cindy David expressed strong opposition for rezoning the lot at 35 Kelvin Grove Way. She noted that her driveway is short and steep and extra caution has to be taken due to traffic. She further noted that should the lot be rezoned, would significantly increase traffic and pose danger to the life of her family. She noted that rezoning would set a bad precedent for other vacant lands and questioned how Council would ensure the safety of her family.

D. Philip Marsh

Philip Marsh spoke in opposition to rezoning of the lot at 35 Kelvin Grove Way. He noted his past advocacy for secondary suites and coach housing. He noted that rezoning would be a massive departure from legacy, does not enhance affordability, and would be unsightly. He noted that upper Kelvin Grove residents are unanimously against rezoning and that rezoning has been fought before. He urged Council to have a sober second thought as they were under the impression that this was a done deal.

Mayor McLaughlin confirmed that rezoning was not a done deal.

E. George Liu – 30 Kelvin Grove Way

George Liu provided a timeline of his submitted correspondence and resident petitions to Council and noted that confirmation was not received. He noted that all homeowners feel blessed to live in single-family community and that they feel upset that no one got their feedback. He noted that it is wrong to rezone without consultation. He questioned what Council will do when other lots apply for rezoning and questioned the breakdown of cost of the lot.

Mayor McLaughlin requested that staff provide a response.

F. Richard David – 20 Kelvin Grove Way

Richard David noted that their impression of the July 28, 2020 motion from the regular Council meeting was that Council directed staff to go ahead with rezoning and to bring it back to Council at the September 22nd meeting. He expressed his opposition to the proposed rezoning, noting that 95% of Kelvin Grove Way residents



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

registered their objections and presented opposition. He noted there was no discussion, consultation or consideration about what rezoning would mean for community. He noted that residents yet to receive a response to the issues raised, which are the implications of Bylaw 553 on rezoning process, details of all prior offers and why they did not complete, any ongoing and past discussions of potential buyers predicated upon a rezoning, basis on which rezoning does not include a precedence. He expressed that Council has done no due diligence and provided minimal notice to residents.

Audio 00:19:10

4. Reports

A. Staff

i) Public Works Manager (PWM): Request for Decision – 3 PRV Station Project Contract Award

PWM Jaffer presented the 3 PRV Station Project Contract Award report and recommendation and the basis by which the lowest bidder was chosen.

PWM Jaffer responded to questions from Council noting:

- Both of the top two bids were from contractors equally competent and on par in terms of abilities and qualifications - just pricing differential.
- Unit rates were required in case of change order
- Work will be completed for lump sum value if there are no change orders
- No contingency value is included. The Municipality assumes risk based on unit rates that are provided in case of extra work and costs.

Moved/Seconded

- (1) THAT Council award the 3 PRV Station Project to Industria Construction Corporation in the amount of \$735,687.52 plus GST; and
- (2) THAT Council authorize the Mayor and Corporate Officer to execute contract documents substantially in the form attached.

Moved/Seconded

THAT the motion on the floor be amended to add “to the Public Works Manager’s report dated August 25th titled ‘3 PRV Station Project Contract Award’” to item 2 of the motion.

CARRIED

MAIN MOTION AS AMENDED

Moved/Seconded

- (1) THAT Council award the 3 PRV Station Project to Industria Construction Corporation in the amount of \$735,687.52 plus GST; and
- (2) THAT Council authorize the Mayor and Corporate Officer to execute contract documents substantially in the form attached to the Public Works Manager's report dated August 25th titled "3 PRV Station Project Contract Award".

CARRIED*Audio 00:31:30***ii) PWM: Information Report – Community Centre Complex Septic System Failure and Replacement**

PWM Jaffer presented the Community Centre Complex Septic System Failure and Replacement report, noting that the CAO approved the contract to replace it due to the urgency of the matter.

Moved/Seconded

THAT the Information Report, Community Centre Complex Septic System Failure and Replacement, be received.

CARRIED

Discussion ensued on delegation authority to the CAO and the need for a delegation bylaw covering approvals during emergency situations, amongst other matters.

*Audio 00:38:50****Councillor Fred Bain entered the meeting at 5:42p.m.*****iii) PWM: Information Report – Increased Waste Generated at Public Garbage Receptacles**

PWM Jaffer provided an overview of the waste mitigation at the public garbage receptacles noting that:

- increased cleaning of port-a-potty at trail head to twice per week
- added garbage can to Sunset trailhead
- dog waste most of garbage, second can also becoming overflowed
- more than usual amount of garbage being generated - checking cans 3 times/week and emptied as they are being checked



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- noticing residential bags being placed in public receptable - created restrictive plates to limit size of garbage that can be placed in the cans.
- Ordered another can
- Cost of extra staff time to maintain garbage receptacles.

Council discussed approval for additional staff to empty the garbage receptacles on weekends.

Moved/Seconded

THAT the Information Report, presented at the September 1, 2020 Special Council meeting, "Increased Waste Generated At Public Garbage Receptacles" be received for information purposes; and

THAT Council support expenditure for extra staff time for increase in waste management.

CARRIED

Audio 00:51:15

Mayor McLaughlin requested that an item regarding waste management be published in an upcoming Village Update.

- B. Mayor - None
- C. Council - None
- D. Committees - None
- E. Emergency Services - None

5. Public Questions & Comments - None

6. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. Employee Relations Matter
- B. Disposition of Lands
- C. Confidential Tender Information

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:

- 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;
- 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 under reasons for closing
- j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the [Freedom of Information and Protection of Privacy Act](#);
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

The meeting was closed to the public at 6:05 p.m.

The meeting was re-opened to the public at TIME 7:33 p.m.

7. Reporting Out from Closed Portion of Meeting

Council received an offer on the lot at 35 Kelvin Grove Way and as such, Council has asked staff to stand down on investigating options for rezoning at this time.

8. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 7:34 p.m.

Mayor

Corporate Officer

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

Type	Request for Decision		
Title	Stairs to Bus Stop on Oceanview Road/Lions Bay Avenue		
Author	Naizam Jaffer	Reviewed By:	Peter DeJong
Date	September 17, 2020	Version	1.0
Issued for	September 22, 2020 Regular Council Meeting		

Recommendation:

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

Attachments:

- (1) Tender Documents and Contract

Key Information:

During the winter of 2016/2017, staff identified a deterioration of the concrete on the staircase leading to the bus stop on Oceanview Road. The spalling concrete was creating a tripping hazard and staff began a regular maintenance exercise of sweeping the steps to clear the hazard. Staff reached out to local contractors for an estimate to replace the stairs. Fontaine Contracting provided a quote for \$25,047.00. Staff used this as our base cost for the 2017 Capital budget and upon approval of the budget in the Spring of 2017, a tender was issued. We received three bids at that time:

<i>Contractor</i>	<i>Bid Price (excl. tax)</i>
<i>Fontaine Construction</i>	\$ 58,795.00
<i>G.E. Koba Enterprises Inc.</i>	\$ 78,162.00
<i>Perpacific Holdings Ltd.</i>	\$ 244,000.00

Since these results far exceeded the available budget, the project was put on hold.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

In January of 2018, staff applied for grant funding through TransLink's 2018 Major Road Network, Bike, and Walking Upgrade Program. Staff used a budget figure of \$80,000.00 based upon G.E. Koba Enterprises Inc.'s (Koba's) bid due to concerns about the accuracy and reliability of the other two bids. We were successful in securing 50% of the funding through TransLink which included a deadline for completion of the project by December 31, 2021.

On August 26, 2020, staff issued a tender on BC Bid for the replacement of the stairs with a closing date of September 16, 2020. Five bids were received as follows:

<i>Contractor</i>	<i>Bid Price (excl. tax)</i>
<i>G.E. Koba Enterprises Inc.</i>	\$80,000.00
<i>MJI Contracting</i>	\$86,388.00
<i>Luxton Construction Inc.</i>	\$123,000.00
<i>Surespan Group of Companies</i>	\$126,148.05
<i>Landesign Landscape Construction</i>	\$148,946.70

Options:

- (1) Award the replacement of the stairs to G.E. Koba Enterprises Inc. in the amount of \$80,000.00 plus GST and authorize the Mayor and the Corporate Officer to execute contract documents substantially in the form attached to the RFP.
- (2) Direct staff in a manner other than as suggested above.

Preferred Option:

Option (1) is being recommended by staff as the preferred option. The low bid from Koba meets the requirements of the RFP and there is no additional benefit identified under the MJI bid that would provide any substantive reason to do otherwise.

Legal Considerations:

Contractual provisions to be finalized with lead proponent.

Follow Up Action and Communication Plan:

Staff to engage with lead proponent to finalize the contract and coordinate commencement of the project, which will be communicated in the Village Update once finalized.



The Municipality of the Village of Lions Bay

REQUEST FOR PROPOSAL (RFP)

LB-RFP-2020-04

For

OCEANVIEW ROAD CONCRETE STAIR REPLACEMENT

Village of Lions Bay
PO Box 141-400 Centre Rd,
Lions Bay BC, V0N 2E0

1. GENERAL INFORMATION

Issue Date:	August 26, 2020
Information Meeting:	At the time of issuance of this Request for Proposal (“RFP”), a meeting has not been scheduled (See section 2.1 of this RFP).
Closing Date:	<p>Proposals shall be submitted by no later than September 16, 2020 (the “Closing Date”) at 4:00pm. Proposals will be accepted between 10:00 AM and 4:00 PM only.</p> <p>The Village of Lions Bay’s Offices are closed on Wednesdays, weekends, and statutory holidays.</p>
Address for Proposal Delivery:	The Proponent shall only submit the Proposal (including Schedule C in this RFP) to the Municipality by email to works@lionsbay.ca .
RFP Inquiries / Municipal Representative:	<p>Naizam (Nai) Jaffer, Public Works Manager</p> <p>Telephone: (604) 921-9833</p> <p><i>See section 4.4 of this RFP.</i></p> <p>Email: works@lionsbay.ca</p>
Addenda Process:	If the Municipality determines that an amendment is required to this RFP, the Municipality will issue an addendum that will form part of this RFP and post the addendum on the BC Bid Website at www.bcbid.gov.bc.ca (the “BC Bid Website”) and upon posting on the BC Bid Website, the addendum will be deemed to form part of this RFP. Upon submitting a Proposal, Proponent will be deemed to have received notice of all addenda that are posted on the BC Bid Website.

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3. INTRODUCTION

3.1. Purpose

The purpose of this RFP is to select a qualified firm to replace an existing concrete pedestrian stairway on Oceanview Road in Lions Bay (see Schedule A).

3.2. Definitions

In this RFP the following definitions shall apply:

- (a) **“Agreement”** means a formal written contract between the Municipality and a Preferred Proponent to provide the Services, the preferred form of which is attached as Schedule B;
- (b) **“Municipality”** means the Village of Lions Bay;
- (c) **“Municipal Representative”** has the meaning set out in section 4.4;
- (d) **“Contract”** has the same meaning as Agreement;
- (e) **“Contractor”** means the company/person that is hired under the Agreement to provide the Services;
- (f) **“Evaluation Team”** means the team appointed by the Municipality to evaluate the Proposals in accordance with Part 6 of this RFP;
- (g) **“Exceptions and Departures”** means Schedule C-1 to the form of Proposal attached as part of Schedule C.
- (h) **“Information Meeting”** has the meaning set out in section 4.1 of this RFP;
- (i) **“Preferred Proponent(s)”** means the Proponent(s) selected by the Evaluation Team to enter into negotiations for a Contract;
- (j) **“Proponent”** means an entity that submits a Proposal;
- (k) **“Proposal”** means a proposal submitted in response to this RFP;
- (l) **“RFP”** means this Request for Proposals;
- (m) **“Services”** has the meaning set out in Schedule A of this RFP; and
- (n) **“Site”** means the place or places where the Services are to be performed.

4. INSTRUCTIONS TO PROPONENTS

4.1. Information Meeting

At the time of issuance of this RFP a meeting has not been scheduled; however, proponents may visit the stairs, located just east of the Sea to Sky Highway [on Oceanview Road](#), at their convenience.

4.2. Amendments to Proposals

Proposals may be revised by written amendment, delivered to the location set out above, at any time before the Closing Date but not after. An amendment shall be signed by an authorized signatory of the Proponent in the same manner as provided by section 5.2.

4.3. Late Proposals

Proposals received after 4:00 p.m. on the Closing Date may be rejected by the Municipality in its absolute discretion.

4.4. Inquiries

All inquiries related to this RFP should be directed in writing to the person named in section 1 of this RFP (the "**Municipal Representative**"). Information obtained from any person or source other than the Municipal Representative may not be relied upon.

Inquiries should be made no later than five (5) days before Closing Date. The Municipality reserves the right not to respond to inquiries made within five (5) days of the Closing Date. Inquiries and responses will be recorded and may be distributed to all Proponents at the discretion of the Municipality.

Proponents finding discrepancies or omissions in the Contract or RFP, or having questions as to the meaning or intent of any provision, should immediately notify the Municipal Representative. If the Municipality determines that an amendment is required to this RFP, the Municipal Representative will issue an addendum in accordance with section 1 of this RFP. No oral conversation will affect or modify the terms of this RFP or may be relied upon by any Proponent.

4.5. Examination of Contract Documents and Site

Proponents will be deemed to have carefully examined the RFP, including all attached Schedules, the Contract and the Site (as applicable) prior to preparing and submitting a Proposal with respect to any and all facts which may influence a Proposal.

4.6. Opening of Proposals

The Municipality intends to open Proposals in private but reserves the right to open Proposals in public at its sole discretion.

4.7. Status Inquiries

All inquiries related to the status of this RFP, including whether or not a Contract has been awarded, should be directed to the Municipal Representative.

5. PROPOSAL SUBMISSION FORM AND CONTENTS

5.1. Form of Proposal

Proponents should complete Schedule C - Form of Proposal. The schedules attached to Schedule C consisting of the following:

C-0 – Proponent Information

C-1 – Exceptions and Departures

C-2 – Questionnaire

C-3 – Pricing Proposal

Proponents are encouraged to use the forms provided and attach additional pages as necessary.

5.2. Signature

The legal name of the person or firm submitting the Proposal should be inserted in Schedule C. The Proposal must be signed by a person or persons authorized to sign on behalf of the Proponent.

5.3. Net Pricing on Proposal

All pricing shown on the Proposal is to be net, with Goods and Services Tax, (and Provincial Sales Tax if applicable), shown separately. All other taxes, duties, insurance in freight, customs clearance and other costs are to be included in the net price.

6. EVALUATION AND SELECTION

6.1. Evaluation Team

The evaluation of Proposals will be undertaken on behalf of the Municipality by the Evaluation Team. The Evaluation Team may consult with others including Municipal staff members, third party consultants and references, as the Evaluation Team may in its discretion decide is required. The Evaluation Team may give a written recommendation for the selection of a Preferred Proponent or Preferred Proponents to the Municipality.

6.2. Evaluation Criteria

The Evaluation Team will evaluate and may compare all Proposals to determine the Proponent's strength and ability to provide the Services in order to determine the Proposal which is most

advantageous to the Municipality. It is anticipated that the Evaluation Team will use the following criteria as part of its evaluation:

- | | |
|--|-----|
| (a) Experience with similar projects, Reputation and Resources | 30% |
| (b) Technical; Approach and Methodology | 30% |
| (c) Pricing Proposal | 40% |

The Evaluation Team will not be limited to the criteria referred to above, and the Evaluation Team may consider other criteria that the team identifies as relevant during the evaluation process. The Evaluation Team may apply the evaluation criteria on a comparative basis, evaluating the Proposals by comparing one Proponent's Proposal to another Proponent's Proposal. All criteria considered will be applied evenly and fairly to all Proposals.

The Evaluation Team reserves the right to not complete a detailed evaluation of a Proposal if the Evaluation Team concludes, having undertaken a preliminary review of the Proposal, that the Proponent or Proposal as compared to all the Proposals is not in contention to be the selected Proposal.

6.3. Litigation

In addition to any other provision of this RFP, the Municipality may, in its absolute discretion, reject a Proposal if the Proponent, or any officer or director of the Proponent submitting the Proposal, is or has been engaged directly or indirectly in a legal action against the Municipality, its elected or appointed officers, representatives or employees in relation to any matter.

In determining whether or not to reject a Proposal under this section, the Municipality will consider whether the litigation is likely to affect the Proponent's ability to work with the Municipality, its consultants and representatives and whether the Municipality's experience with the Proponent indicates that there is a risk the Municipality will incur increased staff and legal costs in the administration of the Contract if it is awarded to the Proponent.

6.4. Additional Information

The Evaluation Team may, at its discretion, request clarifications or additional information from a Proponent with respect to any Proposal, and the Evaluation Team may make such requests to only selected Proponents. The Evaluation Team may consider such clarifications or additional information in evaluating a Proposal.

6.5. Interviews

The Evaluation Team may, at its discretion, invite some or all of the Proponents to appear before the Evaluation Team to provide clarifications of their Proposals. In such event, the Evaluation Team will be entitled to consider the answers received in evaluating Proposals.

6.6. Multiple Preferred Proponents

The Municipality reserves the right and discretion to divide up the Services, either by scope, geographic area, budget availability, fiscal year, or other basis as the Municipality may decide, and to select one or more Preferred Proponents to enter into discussions with the Municipality for one or more Contracts to perform a portion or portions of the Services.

6.7. Negotiation of Contract and Award

If the Municipality selects a Preferred Proponent or Preferred Proponents, then it may:

- (a) enter into discussions and/or negotiations with the Preferred Proponent(s) to attempt to finalize the terms of the Contract(s), including financial terms and scope of services;
- (b) enter into a Contract with the Preferred Proponent(s); and
- (c) if at any time the Municipality reasonably forms the opinion that a mutually acceptable agreement is not likely to be reached within a reasonable time, give the Preferred Proponent(s) written notice to terminate discussions, in which event the Municipality may then either open discussions with another Proponent or terminate this RFP and retain or obtain the Services in some other manner.

7. GENERAL CONDITIONS

7.1. Proponent's Expenses

Proponents are solely responsible for their own expenses in preparing, and submitting Proposals, and for any meetings, negotiations or discussions with the Municipality or its representatives and consultants, relating to or arising from this RFP. The Municipality and its representatives, agents, consultants and advisors will not be liable to any Proponent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the Proponent in preparing and submitting a Proposal, or participating in negotiations for a Contract, or other activity related to or arising out of this RFP.

7.2. No Tender

This RFP is not a tender and does not commit the Municipality in any way. By submitting a Proposal and participating in the process as outlined in this RFP, Proponents expressly agree that no contract of any kind is formed under, or arises from, this RFP, prior to the signing of a formal written Contract. The Proponent may cancel or revoke its Proposal at any time until signing of a formal written Contract. The Municipality may cancel the RFP process at any time until signing of a formal written Contract.

7.3. Conflict of Interest

A Proponent shall disclose in its Proposal any actual or potential conflicts of interest and existing business relationships it may have with the Municipality, its elected or appointed officials or employees. The Municipality may rely on such disclosure.

7.4. Solicitation of Council Members, Municipal Staff and Municipal Consultants

Proponents and their agents will not contact any member of the Municipality's Council, staff or consultants with respect to this RFP, other than the Municipal Representative named in section 1 of this RFP, at any time prior to the execution of a contract or the cancellation of this RFP and which could be viewed as one Proponent attempting to seek an unfair advantage over other Proponents.

7.5. Confidentiality

All submissions become the property of the Municipality and will not be returned to the Proponent. All submissions will be held in confidence by the Municipality unless otherwise required by law. Proponents should be aware the Municipality is a "public body" defined by and subject to the *Freedom of Information and Protection of Privacy Act* of British Columbia.

SCHEDULE A – SCOPE OF SERVICES

Introduction / Objective

The Municipality invites proposals from experienced contractors to provide all labour, materials, equipment, and other related services in order to replace an existing stair case located on Oceanview Road between the Highway Water Tank and the Sea to Sky Highway overpass.

The general components of the work include, but are not limited to:

- preparation of a design drawing for review by the Municipality and submission to MOTI for permitting purposes;
- the demolition and disposal of the existing concrete stairs and wood cribbing;
- forming and reinforcing steel works;
- concrete pouring and finishing; and
- landscape and pavement restoration.

The lack of and/or omission of detailed specifications does not minimize the acceptable levels of service and only the best construction practices are acceptable. Alternative designs or methods of construction and materials will be considered. Contractors are required to visit the site and become fully familiar with all conditions affecting execution of this project.

A potential design drawing was prepared by AECOM but never followed through on. This drawing is attached as part of this package; however, it should be noted that the drawings depict two proposed staircases. The staircase for this tender is the one furthest west.

Project Generalities

Traffic Control: It will be the Contractor's responsibility to provide traffic control notifications and implement all traffic control procedures required. Traffic delays must be kept to a minimum and where full road closures of more than 15 minutes will need to be scheduled with Municipal staff to ensure appropriate public communication takes place. At a minimum, single lane alternating traffic must be provided for at all times and the proposal must include flagging costs.

Codes: Contractor to comply with all BC Workers' Compensation Act and Regulations, BC Building Code (2018), and any other authorities having local jurisdiction. Failure to abide by these rules and regulations will result in being immediately escorted from the work site.

Maintaining Safe Pedestrian Access: Contractor to ensure pedestrian access is maintained throughout the construction process. Interruptions are to be kept to the minimum.

Time Schedule

This project must be completed no later than December 31, 2020.

SCHEDULE B – DRAFT AGREEMENT

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT dated for reference **September 16, 2020**

BETWEEN:

VILLAGE OF LIONS BAY, a municipality duly incorporated under the laws of British Columbia and having an address at 400 Centre Road, Lions Bay, BC, V0N 2E0 (the "Municipality").

AND:

[NAME OF FIRM], an engineering firm having an address at 123 Address, City, BC, Postal Code (the "Contractor").

WHEREAS the Municipality wishes to engage the Contractor to provide Services in connection with the replacement of a concrete staircase on Oceanview Road just east of the Sea to Sky Highway in Lions Bay.

THEREFORE in consideration of the payment of one (\$1.00) dollar and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which is hereby acknowledged) the Municipality and the Contractor agree as follows:

1. DEFINITIONS AND INTERPRETATION**1.1 Definitions**

In these General Terms and Conditions:

- (a) "Agreement" means this Agreement and all appendices attached hereto;
- (b) "Municipality" means the Village of Lions Bay;
- (c) "Contractor" means the Contractor who is providing Services under this Agreement;
- (d) "Disbursements" means the actual out-of-pocket costs and expenses as identified in Appendix 2 (or Appendix 3 if applicable), which the Contractor incurs in providing the Services;
- (e) "Fees" means the price set out in Appendix 2 (or Appendix 3 if applicable) for the provision of the Services, unless otherwise agreed by the parties in writing, and includes all taxes;

- (f) "Indemnitees" means the Municipality and all of its elected and appointed officials, officers, employees, servants, representatives, and agents;
- (g) "Proposal" means the Contractor's Proposal attached as Appendix 2;
- (h) "RFP" means the Request for Proposals number RFP.17.10;
- (i) "Services" means the services as described generally in Appendix 1, including anything and everything required to be done for the fulfilment and completion of this Agreement; and
- (j) "Term" has the meaning described in Section 3.1

1.2 Agreement

This Agreement may be modified only by express and specific written agreement. In the event of a conflict between the provisions of any documents listed below, then the following documents shall govern and take precedence in the following order:

- (a) this Agreement;
- (b) Addenda;
- (c) the RFP;
- (d) the Proposal; and
- (e) other terms, if any, that are agreed to by the parties in writing.

1.3 Appendices

The following attached Appendices are part of this Agreement:

Appendix 1 – Scope of Services;

Appendix 2 – Contractor's Proposal;

Appendix 3 –Special Terms and Conditions and Negotiated Changes (if applicable)

2. SERVICES

2.1 Services

The Contractor covenants and agrees with the Municipality to provide the Services as described generally in Appendix 1, including anything and everything required to be done for the fulfillment and completion of this Agreement (the "**Services**"). The Services provided will meet the specifications and scope set out in Schedule A of the RFP and the Proposal.

2.2 Changes to Services

The Municipality may from time to time, by written notice to the Contractor, make changes in the scope of the Services. The terms of this Agreement will apply to any change in the Services, and the Fees for the changed Services, and the time for the Contractor's performance, will generally correspond to the Fees and time of performance as described in Appendix 2. The Contractor will not provide any additional Services in excess of the scope of Services requested in writing by the Municipality.

2.3 Standard of Care

The Contractor will perform the Services with that degree of care, skill and diligence normally provided by a qualified and experienced practitioner performing services similar to the Services, and on the understanding that the Municipality is relying on the Contractor's experience and expertise. The Contractor represents that it has the expertise, qualifications, resources, and relevant experience to provide the Services.

2.4 Inspection and Acceptance

All Services performed under this Agreement may be subject to inspection and verification by the Municipality. The Contractor shall provide the Municipality with copies of all documentation deemed necessary by the Municipality for efficient expediting. The Municipality will notify the Contractor in writing of its rejection of any Services which are not in accordance with the description or specifications stipulated in this Agreement and the Contractor shall forthwith rectify all such defects at its own expense and be held liable for any and all expenses or losses resulting from such defect. No acceptance by, or on behalf of, the Municipality shall release the Contractor of its obligations as further stated hereunder.

2.5 Holdback for deficient Services

The Municipality may hold back from payments otherwise due to the Contractor up to 200% of a reasonable estimate, as determined by the Municipality, on account of deficient Services. This holdback may be held, without interest, until such deficiency or defect is remedied.

2.6 Completion

Completion of the Services shall be made free and clear of all liens and encumbrances within the time, in the manner, and to the destination stipulated in this Agreement. In the event of failure to meet this condition, the Municipality shall be entitled to the return of all monies paid by the Municipality on account of this Agreement and, in addition, may

cancel this Agreement without liability or penalty and the Contractor shall be held liable for any and all expenses or losses resulting from such failure.

2.7 Patents

The Contractor warrants and guarantees that Services delivered under this Agreement do not infringe any valid patent, industrial design, copyright or trademark, foreign or domestic, owned or controlled by any other corporation, firm or person, and agrees to indemnify and save harmless the Municipality and all of its elected and appointed officials, officers, employees, servants, representatives and agents, from and against any and all claims, demands, causes of action, suits, losses, damages and costs, liabilities, expenses and judgments (including all actual legal costs) by reason of any claim, action or litigation arising out of any alleged or actual infringement of any patent, copyright or trademark, foreign or domestic, relating to the use or sale of any Services supplied under this Agreement.

3. TERM

3.1 Commencement Date and Term

The Contractor shall provide the Services for the period commencing on [INSERT START DATE] and terminating on [INSERT END DATE] (the "**Term**").

3.2 Term May Be Extended

The parties may extend the Term by mutual agreement. If the Term is extended, the provisions of this Agreement will remain in force except where amended in writing by the parties.

3.3 Time

The Contractor acknowledges that time is of the essence with respect to the provision of the Services and accordingly the Contractor will provide the Services within the performance or completion dates or time periods (the "**Time Schedule**") as set out in Appendix 2, or as otherwise agreed to in writing by the Municipality and the Contractor. If at any time the Contractor discovers that the Time Schedule cannot be met it will immediately advise the Municipality in writing and provide a revised Time Schedule. If the Contractor is delayed by an action or omission of the Municipality, then the Term will be extended for such reasonable time as agreed between the parties.

4. PERSONNEL

4.1 Qualified Personnel

The Contractor will provide only personnel who have the qualifications, experience and capabilities to perform the Services.

4.2 Listed Personnel and Sub-Contractors

The Contractor will perform the Services using the personnel and sub-contractors as may be listed in the Proposal and the Contractor will not remove any such listed personnel or sub-contractors from the provision of the Services without the prior written approval of the Municipality.

4.3 Replacement of Personnel or Sub-Contractors

If the Municipality reasonably objects to the performance, qualifications, experience or suitability of any of the Contractor's personnel or sub-contractors then the Contractor will, on written request from the Municipality, replace such personnel or sub-contractors.

4.4 Sub-Contractors and Assignment

Except as provided for in this Agreement, the Contractor will not engage any personnel or sub-contractors, or sub-contract or assign its obligations under this Agreement, in whole or in part, without the prior written approval of the Municipality.

4.5 Agreements with Sub-Contractors

The Contractor will preserve and protect the rights of the Municipality with respect to any Services performed under sub-contract and incorporate the terms and conditions of this Agreement into all sub-contracts as necessary to preserve the rights of the Municipality under this Agreement. The Contractor will be as fully responsible to the Municipality for acts and omissions of sub-contractors and of persons directly or indirectly employed by them as for acts and omissions of persons directly employed by the Contractor.

5. LIMITED AUTHORITY

5.1 Agent of Municipality

The Contractor is not and this Agreement does not render the Contractor an agent or employee of the Municipality, and without limiting the above, the Contractor does not have authority to enter into any contract or reach any agreement on behalf of the

Municipality, except for the limited purposes as may be expressly set out in this Agreement, or as necessary in order to provide the Services. The Contractor will make such lack of authority clear to all persons with whom the Contractor deals in the course of providing the Services.

5.2 Independent Contractor

The Contractor is an independent contractor. This Agreement does not create the relationship of employer and employee, a partnership, or a joint venture. The Municipality will not control or direct the details, means or process by which the Contractor provides the Services. The Contractor will determine the number of days and hours of work required to properly and completely provide the Services. The Contractor is primarily responsible for provision of the Services and may not delegate or assign the provision of any Services to any other person except as provided for in this Agreement. The Contractor will be solely liable for the wages, benefits, work schedules and work conditions of any partners, employees or sub-contractors.

6. FEES

6.1 Fees And Disbursements

The Municipality will pay to the Contractor the Fees and Disbursements in accordance with this Agreement. Payment by the Municipality of the Fees and Disbursements will be full payment for the Services and the Contractor will not be entitled to receive any additional payment without the prior written approval of the Municipality.

6.2 Costs included in Fees and Disbursements

For greater certainty, costs of general management, non-technical supporting services, general overhead, mobilization/demobilization, travel and all other items associated with the Services are deemed to be covered by the Fees and Disbursements and will not be subject to additional payment by the Municipality.

6.3 No increase in Fees and Disbursements without Written Agreement

No increases in Fees and Disbursements will be accepted by the Municipality without prior written acceptance by the Municipality.

6.4 Payment

Subject to any contrary provisions set out in this Agreement:

- (a) the Contractor will submit a monthly invoice (the “**Invoice**”) to the Municipality requesting payment of the portion of the Fees and Disbursements relating to the Services provided in the previous month and including the following information:
- an invoice number;
 - the Contractor's name, address and telephone number;
 - the Municipality's reference number for the Services: to be provided on execution of a signed contract;
 - the names, charge-out rates and number of hours worked in the previous month of all employees of the Contractor and any sub-contractors that have performed Services during the previous month;
 - the percentage of Services completed at the end of the previous month;
 - the total budget for the Services and the amount of the budget expended to the date of the Invoice;
 - taxes (if any); and
 - grand total of the Invoice;
- (b) the Contractor will on request from the Municipality provide receipts and invoices for all Disbursements claimed;
- (c) if the Municipality reasonably determines that any portion of an Invoice is not payable, then the Municipality will so advise the Contractor;
- (d) the Municipality will pay the portion of an Invoice which the Municipality determines is payable within 30 days of the receipt of the Invoice less any deductions for setoffs or holdbacks permitted by this Agreement, except the Municipality may hold back from payments 10% of the amount the Municipality determines is payable to the Contractor until such time as the Municipality gives final approval of completion of work;
- (e) if the Contractor offers the Municipality a cash discount for early payment, then the Municipality may, at the Municipality’s sole discretion, pay the portion of an Invoice which the Municipality determines is payable at any time after receipt of the Invoice;
- (f) Invoices will be submitted by the Contractor by mail to:
- (g) Accounts Payable Department
- (h) Village of Lions Bay
- (i) PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0;
- (j) the payment by the Municipality of any invoice will not bind the Municipality with respect to any subsequent payment or final payment and will not mean that the Municipality has accepted Services that are not in accordance with the

requirements of this Agreement, or that the Contractor is in any manner released from its obligation to comply with this Agreement; and

- (k) unless otherwise provided, all dollar amounts referred to in this Agreement are in lawful money of Canada.

6.5 Records

The Contractor will prepare and maintain proper records related to the Services, including records, receipts and invoices relating to Disbursements. On request from the Municipality, the Contractor will make the records available open to audit examination by the Municipality at any time during regular business hours during the time the Contractor is providing the Services and for a period of six years after the Services are complete. This right to audit shall include sub-contractors to the Contractor. The Contractor shall ensure the Municipality has this right to audit with all sub-contractors.

6.6 Non-Residents

If the Contractor is a non-resident of Canada and does not provide to the Municipality a waiver of regulation letter, the Municipality will withhold and remit to the appropriate governmental authority the greater of:

- (a) 15% of each payment due to the Contractor; or
- (b) the amount required under applicable tax legislation.

7. MUNICIPALITY'S RESPONSIBILITIES

7.1 Municipal Information

The Municipality will, in co-operation with the Contractor, make efforts to make available to the Contractor information, surveys, and reports which the Municipality has in its files and records that relate to the Services. The Contractor will review any such material upon which the Contractor intends to rely and take reasonable steps to determine if that information is complete or accurate. The Contractor will assume all risks that the information is complete and accurate and the Contractor will advise the Municipality in writing if in the Contractor's judgment the information is deficient or unreliable and undertake such new surveys and investigations as are necessary.

7.2 Municipal Decisions

The Municipality will in a timely manner make all decisions required under this Agreement, examine documents submitted by the Contractor and respond to all requests for approval made by the Contractor pursuant to this Agreement.

7.3 Notice of Defect

If the Municipality observes or otherwise becomes aware of any fault in the Services, it may notify the Contractor, but nothing in this Agreement will be interpreted as giving the Municipality the obligation to review the Contractor's performance of the Services.

8. INDEMNITY, INSURANCE, DAMAGES AND LICENCING

8.1 Indemnity

The Contractor will indemnify and save harmless the Municipality and all of its elected and appointed officials, officers, employees, servants, representatives and agents (collectively the "Indemnitees"), from and against all claims, demands, causes of action, suits, losses, damages and costs, liabilities, expenses and judgments (including all actual legal costs) for damage to or destruction or loss of property, including loss of use, and injury to or death of any person or persons which any of the Indemnitees incur, suffer or are put to arising out of or in connection with any failure, breach or non-performance by the Contractor of any obligation of this Agreement, or any wrongful or negligent act or omission of the Contractor or any employee or agent of the Contractor.

8.2 Survival of Indemnity

The indemnity described in section 8.1 will survive the termination or completion of this Agreement and, notwithstanding such termination or completion, will continue in full force and effect for the benefit of the Indemnitees.

8.3 Contractor's Insurance Policies

The Contractor will, without limiting its obligations or liabilities and at its own expense, provide and maintain throughout this Agreement the following insurances in forms and amounts acceptable to the Municipality from insurers licensed to conduct business in Canada:

- (a) commercial general liability insurance on an occurrence basis, in an amount not less than five million (\$5,000,000) dollars inclusive per occurrence against death, bodily injury and property damage arising directly or indirectly out of the work or

operations of the Contractor, its employees and agents. The insurance will include cross liability and severability of interests such that the coverage shall apply in the same manner and to the same extent as though a separate policy had been issued to each insured. The insurance will include, but not be limited to: premises and operators liability, broad form products and completed operations, owners and Contractors protective liability, blanket contractual, employees as additional insureds, broad form property damage, non-owned automobile, contingent employers liability and broad form loss of use and personal injury, and the Municipality will be added as an additional insured;

- (b) automobile liability insurance on all vehicles owned, operated or licensed in the name of the Contractor in an amount not less than five million (\$5,000,000) dollars per occurrence for bodily injury, death and damage to property;
- (c) professional errors and omissions liability insurance, in an amount not less than two million (\$2,000,000) dollars; and
- (d) Contractors' equipment insurance in an all risks form covering construction machinery and equipment used for the performance of the Services.

8.4 Insurance Requirements

The Contractor will provide the Municipality with evidence of the required insurance prior to the commencement of this Agreement. Such evidence will be in the form of a completed certificate of insurance acceptable to the Municipality. The Contractor will, on request from the Municipality, provide certified copies of all of the Contractor's insurance policies providing coverage relating to the Services, including without limitation any professional liability insurance policies. All required insurance will be endorsed to provide the Municipality with thirty (30) days advance written notice of cancellation or material change restricting coverage. To the extent the Municipality has an insurable interest; the builder's risk policy will have the Municipality as first loss payee. The Contractor will be responsible for deductible amounts under the insurance policies. All of the Contractor's insurance policies will be primary and not require the sharing of any loss by the Municipality or any insurer of the Municipality.

8.5 Contractor Responsibilities

The Contractor acknowledges that any requirements by the Municipality as to the amount of coverage under any policy of insurance will not constitute a representation by the Municipality that the amount required is adequate and the Contractor acknowledges and agrees that the Contractor is solely responsible for obtaining and maintaining policies of insurance in adequate amounts. The insurance policy coverage limits shall not be

construed as relieving the Contractor from responsibility for any amounts which may exceed these limits, for which the Contractor may be legally liable.

8.6 Additional Insurance

The Contractor shall place and maintain, or cause any of its sub-contractors to place and maintain, such other insurance or amendments to the foregoing policies as the Municipality may reasonably direct.

8.7 Waiver of Subrogation

The Contractor hereby waives all rights of recourse against the Municipality for loss or damage to the Contractor's property.

8.8 Protection of Property

The Contractor shall protect Municipality's property and adjacent properties from damage that may arise as the result of the Contractor's operations under the Agreement. Any such damage caused by the Contractor shall be made good by the Contractor at the Contractor's expense.

8.9 WorkSafe BC And Occupational Health And Safety

The Contractor agrees that:

- (a) it will, at its own expense, procure and carry full WorkSafe BC coverage for itself and all workers, employees, servants and others engaged in the supply of the Services;
- (b) the Municipality has the unfettered right to set off the amount of the unpaid premiums and assessments for the WorkSafe BC coverage against any monies owing by the Municipality to the Contractor and the Municipality will have the right to withhold payment under this Agreement until the WorkSafe BC premiums, assessments or penalties in respect of the Services have been paid in full;
- (c) it will provide the Municipality with the Contractor's WorkSafe BC registration number and a letter from the WorkSafe BC confirming that the Contractor is registered in good standing;
- (d) it is the prime contractor for the Services for the purposes of the *Workers Compensation Act*, it will have a safety program in place that meets the requirements of the WorkSafe BC Occupational Health and Safety Regulation and the *Workers Compensation Act*, as prime contractor, the Contractor will be responsible for appointing a qualified coordinator for insuring the health and

safety activities for the location of the Services and that person will be the person so identified in Schedule C, of the Proposal, and the Contractor will advise the Municipality immediately in writing if the name or contact number of the qualified coordinator changes;

- (e) without limiting the generality of any other indemnities granted by the Contractor in this Agreement, the Contractor will indemnify and save harmless the Indemnitees from and against all claims, demands, causes of action, suits, losses, damages, costs, liabilities, expenses, judgments, penalties and proceedings (including all actual legal costs) which any of the Indemnitees incur, suffer or are put to arising out of or in any way related to unpaid WorkSafe BC assessments owing from any person or corporation engaged in the performance of this Agreement or arising out of or in any way related to the failure to observe safety rules, regulations and practices of WorkSafe BC, including penalties levied by WorkSafe BC;
- (f) it will ensure compliance with and conform to all health and safety laws, by-laws or regulations of the Province of British Columbia, including without limitation the *Workers Compensation Act* and Regulations pursuant thereto;
- (g) the Municipality may, on 24 hours written notice to the Contractor, install devices or rectify any conditions creating an immediate hazard existing that would be likely to result in injury to any person; however, in no case will the Municipality be responsible for ascertaining or discovering, through inspections or review of the operations of the Contractor or otherwise, any deficiency or immediate hazard;
- (h) it understands and undertakes to comply with all the WorkSafe BC Occupational Health and Safety Regulations for hazardous materials and substances, and in particular with the "Workplace Hazardous Materials Information System (WHMIS)" Regulations;
- (i) it acknowledges its responsibility to have and adhere to a COVID-19 Workplace Safety Plan and comply with any orders, guidelines or recommendations of the Public Health Officer, as well as being aware of and following, to the extent applicable, the information and guidelines provided by the BC Construction Safety Alliance and the BC Construction Association.

9. TERMINATION

9.1 By the Municipality

The Municipality may at any time and for any reason by written notice to the Contractor terminate this Agreement before the completion of the provision of all Services, such

notice to be determined by the Municipality at its sole discretion. Upon receipt of such notice, the Contractor will provide no further Services other than what is reasonably required to terminate the supply of Services and return the Municipality's property to the Municipality. Despite any other provision of this Agreement, if the Municipality terminates this Agreement before the completion of providing all the Services, the Municipality will pay to the Contractor all amounts owing under this Agreement for Services provided by the Contractor up to and including the date of termination, plus reasonable termination costs in the amount as determined by the Municipality in its sole discretion. Upon payment of such amounts no other or additional payment will be owed by the Municipality to the Contractor, and, for certainty, no amount will be owing on account of lost profits relating to the portion of the Services not supplied or other profit opportunities.

9.2 Termination for Cause

The Municipality may terminate this Agreement for cause as follows:

- (a) if the Contractor is adjudged bankrupt, or makes a general assignment for the benefit of creditors because of its insolvency, or if a receiver is appointed because of its insolvency, the Municipality may, without prejudice to any other right or remedy the Municipality may have, terminate this Agreement by giving the Contractor or receiver or trustee in bankruptcy written notice; or
- (b) if the Contractor is in breach of any term or condition of this Agreement, and such breach is not remedied to the reasonable satisfaction of the Municipality within five days after delivery of written notice from the Municipality to the Contractor, then the Municipality may, without prejudice to any other right or remedy the Municipality may have, terminate this Agreement by giving the Contractor further written notice.

If the Municipality terminates this Agreement as provided by this Section, then the Municipality may:

- (c) enter into contracts, as it in its sole discretion sees fit, with other persons to complete the Services;
- (d) withhold payment of any amount owing to the Contractor under this Agreement for the Services;
- (e) set-off the total cost of completing the Services incurred by the Municipality against any amounts owing to the Contractor under this Agreement, and at the completion of the provision of Services pay to the Contractor any balance remaining; and

- (f) if the total cost to complete the provision of Services exceeds the amount owing to the Contractor, charge the Contractor the balance, which amount the Contractor will forthwith pay.

9.3 Curing Defaults

If the Contractor is in default of any of its obligations under this Agreement, then the Municipality may without terminating this Agreement, upon five days written notice to the Contractor, remedy the default and set-off all costs and expenses of such remedy against any amounts owing to the Contractor. Nothing in this Agreement will be interpreted or construed to mean that the Municipality has any duty or obligation to remedy any default of the Contractor.

10. COMPLIANCE WITH LAWS

10.1 Applicable Laws

This Agreement shall be governed by and construed in accordance with the laws and statutes of the Province of British Columbia, regulations or bylaws. The Municipality and the Contractor accept the jurisdiction of the courts of British Columbia and agree that any action under this Agreement shall be brought in such courts and that any reference to any statute, regulation or bylaw refers to that enactment as it may be amended or replaced from time to time.

10.2 Compliance with Applicable Laws

The Contractor will provide the Services in full compliance with all applicable federal, provincial and municipal enactments and regulations.

10.3 Interpretation of Enactments

The Contractor will, as a qualified and experienced contractor, interpret enactments and regulations applicable to the provision of the Services. If an authority having jurisdiction imposes an interpretation which the Contractor could not reasonably have verified or foreseen prior to entering into this Agreement, then the Municipality will pay the additional costs, if any, of making alterations so as to conform to the required interpretation.

11. CONFIDENTIALITY, DISCLOSURE OF INFORMATION AND WORK PRODUCT

11.1 No Disclosure

Except as provided for by law or otherwise by this Agreement, the Contractor will keep strictly confidential any information supplied to, obtained by, or which comes to the knowledge of the Contractor as a result of the performance of the Services and this Agreement, and will not, without the prior express written consent of the Municipality, publish, release, disclose or permit to be disclosed any such information to any person or corporation, either before, during or after termination of this Agreement, except as reasonably required to complete the Services.

11.2 Freedom of Information and Protection of Privacy Act

The Contractor acknowledges that the Municipality is subject to the *Freedom of Information and Protection of Privacy Act* of British Columbia and agrees to any disclosure of information by the Municipality required by law.

11.3 Return of Property

The Contractor agrees to return to the Municipality all of the Municipality's property at the completion of this Agreement, including any and all copies or originals of reports provided by the Municipality.

11.4 Use of Work Product

The Contractor hereby sells, assigns and transfers to the Municipality the right, title and interest required for the Municipality to use and receive the benefit of all the reports, drawings, plans, designs, models, specifications, computer software, concepts, products, designs or processes or other such work product produced by or resulting from the Services rendered by the Contractor.

12. DISPUTE RESOLUTION

12.1 Dispute Resolution Procedures

The parties will make reasonable efforts to resolve any dispute, claim, or controversy arising out of this Agreement or related to this Agreement ("**Dispute**") using the dispute resolution procedures set out in this section 12.1 as follows:

- (a) the parties will make reasonable efforts to resolve any Dispute by amicable negotiations and will provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate negotiations;
- (b) If all or any portion of a Dispute cannot be resolved by good faith negotiations within 30 days, either party may by notice to the other party refer the matter to mediation. Within seven days of delivery of the notice, the parties will mutually appoint a mediator. If the parties fail to agree on the appointment of the mediator, then either party may apply to the British Columbia International Commercial Arbitration Centre for appointment of a mediator. The parties will continue to negotiate in good faith to resolve the Dispute with the assistance of the mediator. The place of mediation will be Lions Bay, British Columbia, or such other place as the Municipality may, in its sole discretion, specify. Each party will equally bear the costs of the mediator and other out-of-pocket costs, and each party will bear its own costs of participating in the mediation; and
- (c) If within 90 days of the request for mediation, the Dispute is not settled, or if the mediator advises that there is no reasonable possibility of the parties reaching a negotiated resolution, then the parties may mutually agree to submit the Dispute to binding arbitration in accordance with the rules of the British Columbia International Commercial Arbitration Centre, or either party may, without further notice, commence litigation.

13. MUNICIPAL POWERS

13.1 Powers Preserved

Nothing in this Agreement limits or abrogates, or will be deemed to limit or abrogate, the jurisdiction of the Council of the Municipality in the exercise of its powers, rights or obligations under any public or private statute, regulation or by-law or other enactment.

13.2 No financial commitments beyond current fiscal year

The Contractor recognizes and agrees that the Municipality cannot make financial commitments beyond the Municipality's current fiscal year. The Municipality will annually make good faith requests for appropriation of sufficient funds to cover all payments covered by this Agreement. If Municipality Council does not appropriate funds, or appropriates insufficient funds, the Municipality will notify the Contractor of its intention to terminate or reduce the services so affected within 30 days after the non-appropriation becomes final. Such termination shall take effect 30 days from the date of notification, shall not constitute an event of default and shall relieve the Municipality, its

officers and employees, from any responsibility or liability for the payment of any further amounts under this Agreement.

14. GENERAL

14.1 Entire Agreement

This Agreement, including the Appendices and any other documents expressly included by reference in this Agreement, contains the entire agreement of the parties regarding the provision of the Services, and no understandings or agreements, oral or otherwise, exist between the parties except as expressly set out in this Agreement. This Agreement supersedes and cancels all previous agreements between the parties relating to the Services. In the event that the Contractor issues an invoice, packing slip, sales receipt, or any like document to the Municipality, the Municipality accepts the document on the express condition that any terms and conditions in it which constitute terms and conditions which are in addition to or which establish conflicting terms and conditions to those set out in this Agreement are expressly rejected by the Municipality.

14.2 Amendment

This Agreement may be amended only by agreement in writing, signed by both parties.

14.3 Merger And Survival

The representations, agreements, covenants and obligations set out in this Agreement shall survive the performance of the Services and payment of the Fees and Disbursements.

14.4 Unenforceability

If any provision of this Agreement is invalid or unenforceable, it will be severed from the Agreement and will not affect the enforceability or validity of the remaining provisions of the Agreement.

14.5 Cumulative Remedies

The Municipality's remedies under this Agreement are cumulative and in addition to any right or remedy which may be available to the Municipality at law or in equity.

14.6 Notices

Any notice, report or other document that either party may be required or may wish to give to the other must be in writing, unless otherwise expressly provided for, and will be deemed to be validly given to and received by the addressee:

- (a) by hand, on delivery;
- (b) by facsimile or email, by acknowledgement; or
- (c) by mail, five calendar days after posting.

The addresses for delivery will be as shown in the Proposal.

14.7 Headings

The headings in this Agreement are inserted for convenience of reference only and will not form part of nor affect the interpretation of this Agreement.

14.8 Assignment

This Agreement may not be assigned in whole or in part by the Contractor without the prior written consent of the Municipality.

14.9 Singular, Plural and Gender

Wherever the singular, plural, masculine, feminine or neuter is used throughout this Agreement the same will be construed as meaning the singular, plural, masculine, feminine, neuter or body corporate where the context so requires.

14.10 Waiver

Any failure of the Municipality at any time or from time to time to enforce or require the strict keeping or performance of any of the terms and conditions contained in this Agreement shall not constitute a waiver of the terms and conditions and shall not affect or impair the terms or conditions in any way or the Municipality's right at any time to avail itself of any remedies as the Municipality may have for any breach of the terms and conditions.

14.11 Counterparts

This Agreement may be executed in one or more counterparts all of which when taken together will constitute one and the same Agreement, and one or more of the counterparts may be delivered by fax transmission or as a PDF file by email or as a hard copy.

14.12 Enurement

This Agreement shall enure to the benefit of and be binding upon the respective successors and permitted assigns of the Municipality and the Contractor.

END OF PAGE

WHEREFORE, the parties have executed this Agreement on the dates indicated below:

VILLAGE OF LIONS BAY by its authorized signatories:

c/s

Mayor

Corporate Officer:

Date executed: _____, 2020.

[INSERT CONTRACTORS LEGAL NAME] by its authorized signatories:

[Name of Signatory]

[Name of Signatory]

Date executed: _____, 2020.

APPENDIX 1 – SERVICES

The Services shall consist of all Services described in this Agreement, the RFP and the Proposal (as amended by Appendix 3 if applicable) and shall include the following:

Services**APPENDIX 2 – PROPOSAL**

[INSERT COPY OF PROPOSAL]

APPENDIX 3 – SPECIAL TERMS AND CONDITIONS AND NEGOTIATED CHANGES

[INSERT ANY SPECIAL TERMS AND CONDITIONS AND/OR NEGOTIATED CHANGES TO RFP, PROPOSAL AND THIS AGREEMENT].

SCHEDULE C – FORM OF PROPOSAL

Schedule C0 – Proponent Information

Attach Schedule C to the front of your proposal

RFP Project Title:	Oceanview Road Concrete Stair Replacement
RFP Reference Number:	LB-RFP-2020-04
Legal Name of Proponent:	
Contact Person and Title:	
GST Number:	
WorkSafe Number:	
Health & Safety Coordinator:	
Business Address:	
Telephone:	
Fax:	
Email Address:	

To the Village of Lions Bay,

- 1.0 I/We, the undersigned duly authorized representative of the Proponent,** having received and carefully reviewed all of the Proposal documents, including the RFP and any issued addenda posted on the BC Bid Website (or having received directly), and having full knowledge of the Site, and having fully informed ourselves as to the intent, difficulties, facilities and local conditions attendant to performing the Services, submit this Proposal in response to the RFP.
- 2.0 I/We confirm** that the following schedules are attached to and form a part of this Proposal:
- 2.1** Schedule C-0 – Proponent Information;
 - 2.2** Schedule C-1 – Exceptions and Departures;
 - 2.3** Schedule C-2 – Questionnaire;
 - 2.4** Schedule C-3 – Pricing Proposal

- 3.0 **I/We confirm** that this proposal is accurate and true to best of my/our knowledge.
- 4.0 **I/We confirm** that, if I/we am/are awarded the Agreement, I/we will at all times be the “prime contractor” as provided by the Worker’s Compensation Act (British Columbia) with respect to the Services. I/we further confirm that if I/we become aware that another contractor at the place(s) of the Services has been designated as the “prime contractor”, I/we will notify the Municipality immediately, and I/we will indemnify and hold the Municipality harmless against any claims, demands, losses, damages, costs, liabilities or expenses suffered by the Municipality in connection with any failure to so notify the Municipality.
- 5.0 **I/We confirm** that by submitting a proposal and signing below, the undersigned declares that the owners and officers of the Proponent have no relationship with any employee, elected official, or committee member of the Municipality, or any other relationship or circumstance which could be perceived to be a conflict of interest, unless such relationship or circumstance is fully disclosed and attached to this form.

This Proposal is submitted this _____ day of _____, 20__.

I/We have the authority to sign on behalf of the Proponent.

(Name of Proponent)

(Signature of Authorized Signatory)

(Signature of Authorized Signatory)

(Print Name and Position of Authorized Signatory)

(Print Name and Position of Authorized Signatory)

Schedule C1 – Exceptions and Departures

If the Proponent takes exception to any of the requirements, terms or conditions contained in the RFP Documents please identify all such exceptions here. Proponents may add additional lines to the table below if required.

Reference should be made in each case to the relevant provision(s) of the RFP Documents to which the exception applies and, to the extent possible, Proponent should submit the wording it would propose.

Note: Exceptions not identified and submitted below may not be considered at a later date.

As of the date of this proposal, we advise that we have the ability to meet all of the above requirements except as follows (list in order of priority, if any):

Section Reference	Exception Description	Rationale	Proposed Wording

I/We offer the following alternates to improve the Services described in the RFP (list, if any):

Section	Requested Departure(s) / Alternative(s)

The Proponent acknowledges that the departures it has requested in Schedule C 1 will not form part of the Contract unless and until the Municipality agrees to them in writing by initialing or otherwise specifically consenting in writing to be bound by any of them.

Schedule C2 – Questionnaire

Proponents should respond to the questions under each heading clearly and concisely.

Through the information provided in your Proposal, the Municipality expects to gain an in-depth understanding of a Proponent's experience, capabilities, and capacity to provide the Services outlined in Schedule A, Scope of Services. The answers to the following questions may be taken directly from your proposal.

PROFILE, EXPERIENCE AND QUALIFICATIONS:

Q1: Describe the location of branches, background, years of business under the current legal entity, stability and structure of the Proponent. Provide an executive summary describing the Proponent's relevant experience and qualifications in delivering Services similar to those required by the RFP.

A1:

Q2: Describe three (3) specific examples of recent work completed by the Proponent that required the performance of services similar to the Services described in this RFP (to the extent possible). In each case, the Proponent should identify:

- Project and client name;
- Scope of services provided;
- Project actual start and completion dates;
- Names of key personnel involved in the project who will be available to perform the Services under the Agreement; and
- Contact reference information, phone number and email address of an individual from each client who can provide details and feedback regarding the services performed by the Proponent. The Municipality may contact these references.

A2:

TECHNICAL; APPROACH AND METHODOLOGY

Q3: Provide a narrative that illustrates an understanding of the Municipality's requirements and Services:

A3:

Q4: Provide a description of the general approach and methodology that the Proponent would take in performing and managing the Services and accomplishing the objectives within the Municipality's schedule:

A4:

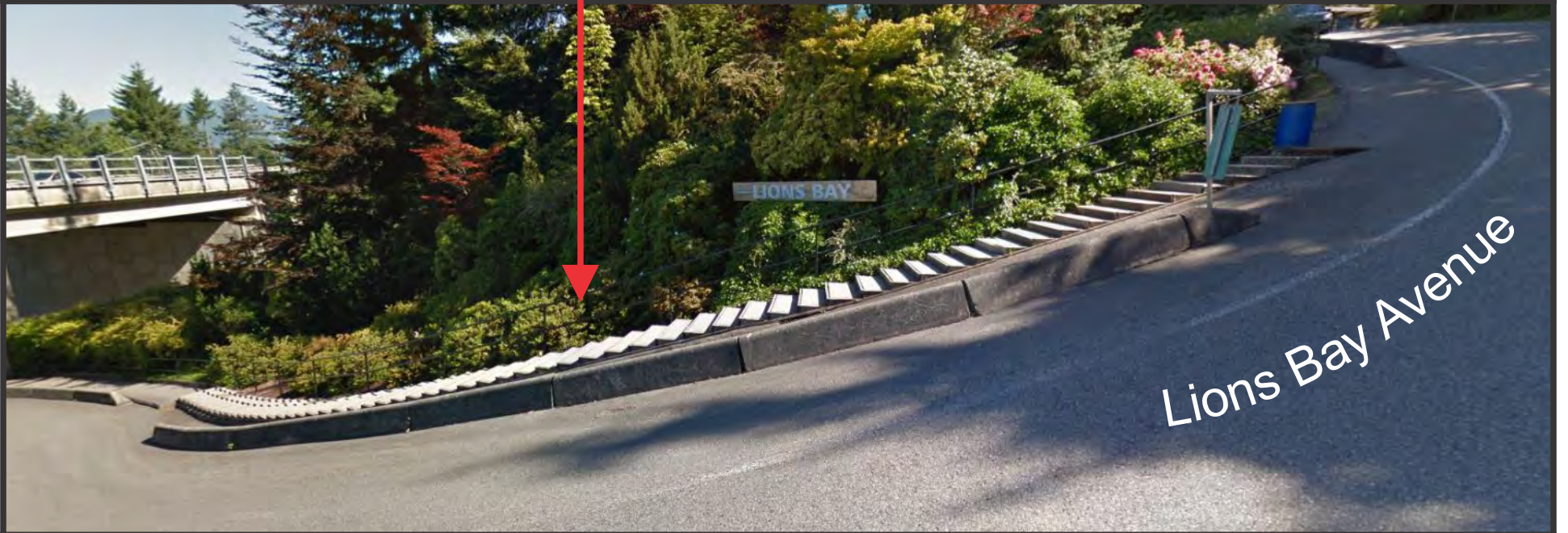
Schedule C3 – Pricing Proposal

Indicate the Proponent's proposed Fee (excluding GST), and the basis of calculation (use the spaces provided and/or attach additional pages, if necessary) as follows:

Item No.	Unit Pricing
1. Concrete Staircase Replacement	
2.	
3.	
4.	
Disbursements:	
Subtotal (Net Price):	
GST:	
TOTAL PROPOSAL PRICE (including taxes):	

Additional Expenses (if applicable):

The proposed Agreement attached as Schedule "B" to the RFP provides that expenses are to be included within the Fee, other than the expenses listed in the Contract as disbursements. Details of disbursements are to be shown in the chart above. Please indicate any expenses that would be payable in addition to the proposed Fee and proposed disbursements set out above:



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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report to Council		
Title	2020 Capital Update		
Author	Pamela Rooke	Reviewed By:	Peter DeJong
Date	September 17, 2020	Version	
Issued for	September 22, 2020 Regular Council Meeting		

RECOMMENDATION

THAT the Information Report “2020 Capital Update” be received.

ATTACHMENTS

1. 2020 Capital Update

KEY INFORMATION

Staff presented the Mid-Year review at the July 28, 2020 Council meeting which included a capital summary. Council directed staff to bring a Capital Update to the September 22 Council meeting for review and discussion. The update is attached to this report.

FINANCIAL CONSIDERATIONS

The 2020 budget included \$125k for road paving. The paving contract was awarded to BA Blacktop at the September 1 Special Council meeting. The road paving estimates for the scope of work determined by Public Works came in at \$208k and included Upper Bayview paving and Tidewater Way paving. Staff recommend proceeding with all of the paving quoted. The budget shortfall of \$83k can be covered off with \$52k of savings from the CN Railway Crossing project (due to unbudgeted grant funding of \$52k), deferral of the Minor Culvert Replacement project to 2021 (\$25k) and using a portion of the operational paving budget (\$6k).



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FOLLOW UP ACTION

Staff will be available to respond to any questions at the September 22, 2020 Council meeting.

**Village of Lions Bay
2020 Capital Expense Summary
as at September 17, 2020**

2020 Capital Expenditures	YTD Actual	Budget	Variance	%	Status / Notes
CWWF Water Tank (balance of work)	\$18,380	\$25,000	(\$6,620)	73.5%	Complete.
Three PRV's (funded by balance of CWWF grant and MFA Financing)	\$39,882	\$981,070	(\$941,188)	4.1%	Tender awarded to Industria. Pre-construction meeting occurred on September 10, 2020. Contract documents being prepared for signing. PRV shop drawings being prepared.
Upper Bayview - Watermain Survey/Design	-	\$90,000	(\$90,000)	0.0%	RFP for design work will be issued in early October. Survey and then design will begin shortly thereafter. This project will carry forward into 2021 and likely be complete by the spring.
Creekview Place - Watermain Replacement	\$0	\$65,000	(\$65,000)	0.0%	Project has been deferred and will need to be reassessed based upon the internal ability to perform the work due to our equipment. Large boulders under the road cannot be removed using our backhoe and rental equipment costs require additional funds.
Phase IV Bypass Watermain	\$0	\$20,000	(\$20,000)	0.0%	This work can only be initiated upon completion of the 3 PRV project and will likely not be done this year. The goal will be to have the contractor working on the project complete this work after the PRV on Bayview is installed and commissioned.
Wastewater Treatment Plant	\$1,001,364	\$1,150,000	(\$148,636)	87.1%	Completion by end of September.
High Priority Bridge Repairs	\$0	\$99,500	(\$99,500)	0.0%	Tender issued - closes September 21.
Public Works - Various Road Paving	\$0	\$125,000	(\$125,000)	0.0%	Road paving estimates based upon unit rates have come in at \$208,000 and staff believe it imperative to complete all the works on this year's list. Budget shortfall could be offset by anticipated savings in the Railway Crossings Budget (\$52k); Small Culvert Replacements (\$25k) and Operational Paving Budget (\$6k).
Lions Bay Avenue Stairs to Bus Stop (50% Translink grant)	\$0	\$80,000	(\$80,000)	0.0%	Tender issued - closed September 16.
Radar Speed Data Gathering Sign	\$6,132	\$0	\$6,132	n/a	Complete. Radar Speed Data Sign was purchased and 50% of the costs were offset by a \$3,000 ICBC grant.

**Village of Lions Bay
2020 Capital Expense Summary
as at September 17, 2020**

2020 Capital Expenditures	YTD Actual	Budget	Variance	%	Status / Notes
Culvert Replacements - Minor	\$0	\$25,000	(\$25,000)	0.0%	This work needs to be completed during the summer months but due to the workload generated by the pandemic, staff were unable to carry out this work. Staff will reassess and submit a revised budget request during the 2021 budget process.
LBBP Kayak Rack	\$0	\$20,000	(\$20,000)	0.0%	This work will be tendered in late September for completion by year end, subject to reapplying for the ICIP Recreation grant for LBBP.
LBBP Playground	\$0	\$40,000	(\$40,000)	0.0%	This work will be tendered in late September for completion by year end, subject to reapplying for the ICIP Recreation grant for LBBP.
Kelvin Grove Beach Park Stairs	\$0	\$25,000	(\$25,000)	0.0%	Access to the beach was restricted due to the KG WWTP project. In the interim, staff performed repairs to the wooden stairs. This project will be actioned in 2021.
Bike Park - Intitial Plans	\$0	\$5,000	(\$5,000)	0.0%	On hold.
PW Generator	\$6,180	\$0	\$6,180	n/a	Installation costs for the PW generator which was replaced in late 2019.
Emergency Generator for Municipal/Village Office	\$0	\$65,000	(\$65,000)	0.0%	Two quotes have been received; staff are waiting for the third quote before proceeding. Project will be completed in 2020.
Septic Field - Klatt Building	\$47,986	\$45,000	\$2,986	106.6%	Complete.
Laptop for Office	\$1,767	\$2,000	(\$233)	88.3%	Complete.
UBCM Grant Funded - EOC equipment	\$0	\$19,196	(\$19,196)	0.0%	Grant has been awarded. Equipment to be purchased over next the couple of months.
UBCM Grant Funded - ESS equipment	\$0	\$11,758	(\$11,758)	0.0%	Grant has been awarded. Equipment to be purchased over the next couple of months.
Burn Building - Completion	\$6,406	\$20,000	(\$13,594)	32.0%	Completing final stages of project.

**Village of Lions Bay
2020 Capital Expense Summary
as at September 17, 2020**

2020 Capital Expenditures	YTD Actual	Budget	Variance	%	Status / Notes
Fire Hall Expansion Phase 1 - Drawings, Building Permit, Tender, Initial Work	\$0	\$50,000	(\$50,000)	0.0%	Fire Chief reviewing final construction drawings; will then be submitted to office for a building permit.
Fire Capital - Various Equipment	\$0	\$27,000	(\$27,000)	0.0%	Ongoing.
UBCM Grant Funded - Fire Equipment	\$6,187	\$25,000	(\$18,813)	24.7%	Grant has been awarded. Equipment to be purchased over the next couple of months.
	\$1,134,284	\$3,015,524			

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Type	Request for Decision		
Title	Broughton Hall Re-Opening Plan		
Author	Peter DeJong	Reviewed By:	Pam Rooke and Nai Jaffer
Date	September 17, 2020	Version	
Issued for	September 22, 2020 Regular Council Meeting		

Recommendation:

THAT staff proceed with the Broughton Hall Re-Opening Plan as substantially set out in the Broughton Hall Re-Opening Plan report dated September 17, 2020.

Attachments:

1. Policy 20.04: Village of Lions Bay Strategic Plan for Re-opening Municipal Facilities and Increasing or Adjusting Municipal Services During the COVID-19 Pandemic;
2. Facility Hazard/Risk Assessment Form for Broughton Hall (Cleaning Protocols);
3. Broughton Hall COVID-19 Protocols and Procedures Poster;
4. Broughton Hall User Groups;
5. Broughton Hall Activities Hazard/Risk Assessments (HRAs) (General);
6. Broughton Hall HRAs (Specific)

Key Information:

The attached draft Policy 20.04: Village of Lions Bay Strategic Plan for Re-opening Municipal Facilities and Increasing or Adjusting Municipal Services During the COVID-19 Pandemic contains an in-depth background and policy description upon which staff has based this report. As identified in the Policy, re-opening and service increases or adjustments to any Village of Lions Facilities may result if the following criteria are met:

1. Ability to comply with Provincial Health Orders (eg: gatherings) and Directives (eg: physical distancing), along with applicable sector guidelines (eg: cleaning protocols);
2. Costs of operating the Facilities can be accommodated within the existing budget or through alternative means (eg: parking meters);



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3. There is reasonable public demand for the Facility re-opening or for the service increases/adjustments;
4. The re-opening or service increase/adjustments will benefit the community in one or more direct or indirect ways; and
5. Safety measures are in place to protect employees and the general public.

The second attachment details the identified areas of concern regarding cleaning protocols and the need to engage user groups in the cleaning and sanitizing process, given that thorough cleaning by a contractor has always only been done once per week. Contracted cleaning after each use would be both difficult to arrange and cost prohibitive given our fee structure for use of the community hall. COVID-19 protocols will require that user groups understand and agree to engage in a higher level of cleaning and sanitizing than has been required of them in the past (i.e. historically they have always been expected to clean up after themselves). Staff's role is to ensure that cleaning/sanitizing supplies are topped up at all times and check on the cleaning/sanitizing done by the user groups. The third attachment is a poster summarizing these matters.

These general concepts have been taken into account in the fifth attachment providing a general Hazard/Risk Assessment for use of the Hall during the pandemic. This is the same format that was used for other Municipal facilities in the June 23, 2020 Council report which brought forward Policy 20.04 referenced above.

The current user groups, as well as less frequent users and other potential users, are listed in the fourth attachment. There are some scheduling conflicts which will need to be addressed between users and staff as we move forward. In the sixth attachment, specific HRAs have been completed in respect of each identified user group.

As noted in various places in the materials, in addition to new cleaning protocols there will be some other requirements for hall users, such as all participants signing off on an Acknowledgement of Risk form and Contact Tracing information, as well as having to submit for approval a COVID-19 Safety Plan for their activity/use. Where appropriate, user groups will be referred to direction and guidance documents provided by the Province, BCCDC, WCB, industry associations and professional bodies to ensure they are considering how best to keep their activity participants safe.



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Conclusion

The COVID-19 pandemic has presented complex challenges for the Village of Lions Bay in resuming "normal" activities in our facilities. Staff is dedicated to working through these challenges and with the support of Council returning to "normal" operations for the community hall to the extent we can as effectively, efficiently and safely as possible. That way forward is set out in this report for Council's endorsement.

Options:

- (1) Adopt the recommendation at the beginning of this report;
- (2) Amend and then adopt the recommendations at the beginning of this report;
- (3) Refer the matters identified in this report, or any of them, back to staff for further information.

Preferred Option: Option 1 is the preferred option for the reasons stated in this report and the accompanying materials.

Financial Considerations: The COVID-19 pandemic has caused a variety of issues that require the Municipality to take steps to address, from cleaning supplies to signage to operational impacts to the way we do business and serve the community. Some of those financial impacts can be absorbed within the budget and some mitigated through recommended changes in this report.

Legal Considerations: Changes to our facility booking forms will incorporate the agreement and acknowledgment of hall users in respect of additional obligations required in order to safely participate in activities in Broughton Hall during the pandemic.

Follow Up Action and Communication Plan: Staff will continue to communicate and work with hall user groups to ensure a safe return to activities during the pandemic. The Municipal website will be updated and notice provided in the Village Update on changes to be implemented as we adjust operations for the "new normal".



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Type	COUNCIL POLICY		Policy No	POL – 20.04
Title	Village of Lions Bay Strategic Plan for Re-opening Municipal Facilities and Increasing or Adjusting Municipal Services During the COVID-19 Pandemic			
Author	CAO	Reviewed By:	All Staff	
Date	June 18, 2020		Version	1

Definitions

Facilities means all Village of Lions Bay facilities including:

- (i) Village Office
- (ii) Council Chambers (including ante room)
- (iii) Broughton Hall
- (iv) Klatt Emergency Building
- (v) Smith Public Works Yard and Building
- (vi) Lions Bay Beach Park, including:
 - A. Public Washrooms
 - B. Playground Equipment
 - C. Kayak Racks
 - D. Lori Beck Pavilion, Tables and Park Benches
 - E. Beach and Cordoned-off Swimming Area
 - F. Grassy Open Spaces
 - G. Lions Bay Beach Park Parking Lot
- (vii) Kelvin Grove Beach Park, including:
 - A. Public Washrooms
 - B. Beach
 - C. Kelvin Grove Beach Park Parking Lot
- (viii) Wade Park
- (ix) Brunswick Beach, including:
 - A. Brunswick Interchange Parking Areas
- (x) Hiking Trails to the Lions and Tunnel Bluffs including:
 - A. Sunset Trailhead Parking Lot
 - B. Brunswick Interchange Parking Areas
 - C. School Parking Lot
- (xi) Mountain Drive Tennis Court
- (xii) Marjorie Meadows

POL-20.04: Village of Lions Bay Strategic Policy for Re-opening Municipal Facilities and Increasing or Adjusting Municipal Services



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(xiii) Village Streets and Boulevards

and for clarity, Facilities does *not* mean the Raw Water Intakes, Water Treatment Plants, Water Tanks, Water Mains, Pressure Reducing Valves and Waste Water Treatment Plant, or other similar infrastructure.

Municipality means the Village of Lions Bay.

Workplace means wherever a Municipal employee may work, including at, in, on or about any of the Facilities, or at home or other remote place of work.

Background

A new coronavirus, SARS-CoV-2, which causes the disease known as COVID-19, has been declared a global pandemic by the World Health Organization (WHO) and national states of emergency have been declared in many countries.

British Columbia has declared a Provincial State of Emergency, along with the Public Health Order declared by the Provincial Health Officer and including prohibition of gatherings of more than 50 people (but could have more than 50 people on site if physical distancing remains possible given the size of the facility). The public has also been directed to maintain “physical distancing”, also known as “social distancing”, keeping at least 2 metres from others to help prevent the spread of the virus, and to engage in other measures, such as frequent hand washing, to minimize risks.

Employers are required by section 21 (2) (c) of the *Workers Compensation Act* to establish occupational health and safety policies and programs in accordance with the *Occupational Health and Safety Regulation* and have been directed by WorkSafeBC to develop a plan to ensure that the risk of transmission of SARS-CoV-2 at workplaces is minimized (hereinafter referred to as the “COVID-19 Workplace Safety Plan”).

The Public Health Officer for the Province of BC has issued an Order under the *Public Health Act* requiring every employer to:



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1. post a copy of their COVID-19 Workplace Safety Plan on their website, if they have one, and at their workplace so that it is readily available for review by workers, other persons who may attend at the workplace to provide services and members of the public; and
2. provide a copy of their COVID-19 Workplace Safety Plan to a health officer or a WorkSafeBC officer, on request.

More recently, the Province published its *Restart BC* plan to gradually re-open those sectors of our economy that have been shuttered and enable the re-opening of a wide variety of activities and community facilities across the Province. There are four phases to this plan and we are currently transitioning from Phase 2 to Phase 3, with many municipal facilities and services across Metro Vancouver coming on-stream, or planning to do so shortly, taking into account a range of new requirements and considerations that can make such re-openings complex and requiring local governments to create a range of policies and procedures to address the hazards and risks of operating facilities and services during a pandemic.

Purpose and Application

Amidst the foregoing background, the Municipality is planning for the gradual re-opening of Municipal Facilities and increased or adjusted services to reflect the “new normal” in which we now exist until the development of a vaccine or herd immunity. The purpose of this Policy is to provide guidance for Village of Lions Bay staff and others who may attend the Workplace to provide or receive services and to guide public expectations around the status of Municipal Facilities and services. It applies to all employees, both union and exempt staff, as well as to Council and committees, contractors attending Municipal Facilities, and members of the public using such Facilities, in order to protect the health and safety of all persons attending the Workplace or using Facilities and services against potential exposures to COVID-19.

Policy

Criteria to Re-open Village Facilities and Increase or Adjust Service Levels

To re-open Facilities and increase or adjust service levels, the Municipality needs locally developed, Provincially aligned criteria and plans for re-opening. Re-opening and service increases or adjustments to any Village of Lions Facilities may result if the following criteria are met:

POL-20.04: Village of Lions Bay Strategic Policy for
Re-opening Municipal Facilities and Increasing or Adjusting Municipal Services



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1. Ability to comply with Provincial Health Orders (eg: gatherings) and Directives (eg: physical distancing), along with applicable sector guidelines (eg: cleaning protocols);
2. Costs of operating the Facilities can be accommodated within the existing budget or through alternative means (eg: parking meters);
3. There is reasonable public demand for the Facility re-opening or for the service increases/adjustments;
4. The re-opening or service increase/adjustments will benefit the community in one or more direct or indirect ways; and
5. Safety measures are in place to protect employees and the general public.

The corollary of course is that failure to meet such criteria will likely result in the facility or service not re-opening in the manner proposed, or at all. In assessing these criteria, the Municipality will look to health and safety guidance provided by the Provincial Health Ministry, the Public Health Officer (PHO), BC Center for Disease Control (BCCDC), Vancouver Coastal Health (VCH) and WorkSafe BC.

Core Provincial Guidelines Informing the Policy

In developing the general framework for *Restart BC*, Provincial officials have established a series of core guidelines for all businesses and institutions considering resumption of service.

Core Guidelines for Personal Self Care:

- No hand shaking.
- Practice good hygiene.
- Maintain physical distancing of at least 2 metres when out in the community and using a nonmedical mask or face covering in situations where 2m distancing cannot be maintained.
- If you have the symptoms of a cold, flu, or COVID-19 stay at home and keep a safe distance from others until those symptoms have completely disappeared.
- If you are at greater risk (>60, compromised immune system, underlying chronic medical conditions) get informed about risk, assess your own risk tolerance, think through and apply extra precautions and heightened vigilance.



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Core Guidelines for Managing Social Interaction with Extended Family and Friends:

- A clear policy for not socializing when you have the symptoms of a cold, flu, or COVID-19, including coughing or sneezing.
- Maintain regular social contact with extended family or small groups of friends - but only in small groups (around 2-6 guests) while maintaining a safe physical distance.
- These considerations are especially important when visiting people who are more vulnerable to the health impacts of COVID-19.

Core Guidelines to Implement Safe Practices in Organizations and Public Institutions:

- Actively promote and monitor personal self-care actions in your organization.
- Actively promote and implement the core measures for managing social interaction in your organizational setting in congregate social areas (kitchens, staff room, canteens, and shared public spaces).
- Have clear policies to enable and ensure that individuals who have the symptoms of a cold, flu, or COVID-19 including any coughing or sneezing should not come into the workplace. Employers are expected to take leadership in this regard with routine screening/questions of staff for symptoms checking.
- Require and sustain higher levels of frequent cleaning of "high touch" areas in workplaces and retail outlets throughout the day and availability of hand sanitizer stands at entrances or around workplaces and shops.
- Where appropriate and practical, increase use of temporary physical barriers (such as plexiglass at service counters or checkouts).
- Focus on how you will support and accommodate higher-risk populations including those 65+ and those with underlying medical conditions.

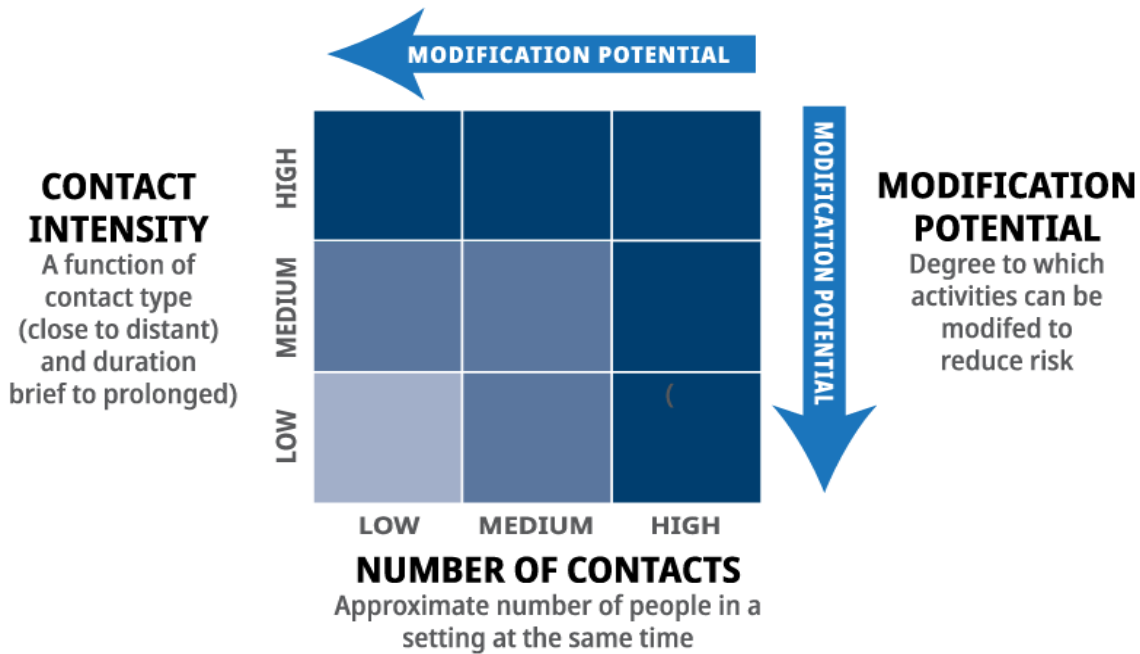
Hazard and Risk Assessment Identification and Mitigation

The following risk matrix illustrates the kind of hazard/risk analysis which the Village of Lions Bay has done or will do in respect of each of its Facilities and the manner in which its services are provided.

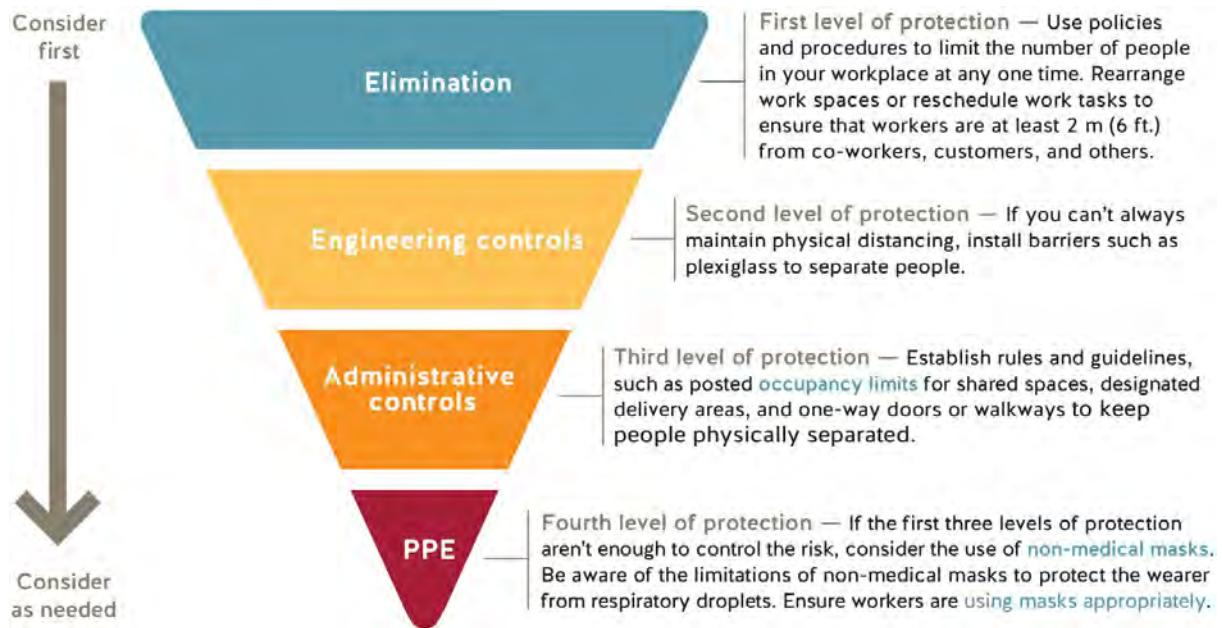
The low category is low risk; however, the medium and high categories are also subject to potential modification or controls which can help move you to a lower risk category by taking a range of actions.



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Modification options are illustrated by the four levels of protection diagram which follows.





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Application of these protection measures by the Village of Lions Bay is evidenced through the development of a variety of policies and procedures including those attached as follows:

- Appendix A: COVID-19 Interim Employment Policy 20.01;
- Appendix B: COVID-19 Interim Building Permit and Inspection Policy 20.02;
- Appendix C: COVID-19 Interim Remote Workplace Policy 20.03;
- Appendix D: COVID-19 Workplace Safety Plan, required by WorkSafe BC & the PHO.

The Workplace Safety Plan is intended to ensure that the risk of transmission of the SARS-CoV-2 virus at workplaces is minimized. The Plan incorporates the protection measures outlined above and includes: Hazard and Risk Assessment Forms for each Facility, a checklist of requirements from WorkSafe BC to which is attached the Policies above, Office Protocols and Procedures Posters, and Workplace & Equipment Cleaning and Operating Procedures.

Appendix E attached to this Policy consists of Re-Opening or Service Adjustment Plans for each Facility which take into account the earlier noted “Criteria to Re-open Village Facilities and Increase or Adjust Service Levels”, and which outline the current status of each, application of the risk matrix and modification options noted above, the requirements for re-opening, a re-opening analysis and a recommendation.

The Municipality will continue to be guided by the Provincial Health Ministry, the Public Health Officer (PHO), the BC Center for Disease Control (BCCDC), Vancouver Coastal Health (VCH) and WorkSafe BC in meeting the complex challenges posed by the COVID-19 pandemic and by putting forward our best efforts to maintain the principles of safety, efficiency, transparency, and compassion in the operation of our Facilities and delivery of our services for the greater good of the community in adjusting to our “new normal” .

Mayor

Chief Administrative Officer

Date Adopted:	June 23, 2020
Updated:	



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

FACILITY HAZARD/RISK ASSESSMENT FORM

Facility:	BROUGHTON HALL
Date:	July 20, 2020
Completed by:	Karen Jeffery

Identify the potential risks related to COVID-19 that are present for your facility and the protocols that will be put in place to minimize these risks.

Potential Risk: Exposure through being in close proximity to other employees		Protocols to be implemented (if required):
Identify locations where User Groups gather (break rooms, meeting rooms, etc.):	<p>1) BATHROOM</p> <p>2) KITCHEN</p> <p>3) LOUNGE AREA</p> <p>4) STORAGE ROOM</p> <p>5) MAIN HALL</p> <p>6) OUTSIDE DECK</p>	<p>Each user group is required to follow the cleaning protocols and procedures laid out below as it pertains to their specific activity in Broughton Hall. In other words, not all user groups will have the same requirements or cleaning paths that need to be followed after each use.</p> <p>The following are the areas that require cleaning after each use. Users will create their own personal paths by selecting the areas below. The Municipality will provide cleaning supplies.</p> <p>BATHROOM: After Each Use (and Contracted Cleaner Weekly)</p> <ul style="list-style-type: none"> Wash Your Hands Wipe down counter Wipe toilet seat Ensure paper towels and feminine hygiene products are disposed of appropriately <p>KITCHEN: After Each Use (and Contracted Cleaner Weekly)</p> <ul style="list-style-type: none"> Wipe down counters Wipe Appliances that were used Use Dishwasher to sanitize all dishes <p>LOUNGE AREA: After Each Use (and Contracted Cleaner Weekly)</p> <ul style="list-style-type: none"> Sanitize piano keyboard, phones, coat rack, any items on coffee table Wipe down chairs <p>STORAGE ROOM: After Each Use</p> <ul style="list-style-type: none"> Wipe down chairs and tables that were used Sports Equipment Sound Equipment (no microphone use permitted) <p>MAIN HALL After each use (and Contracted Cleaner Weekly)</p> <ul style="list-style-type: none"> Wipe Knobs, Light Switches, windows if touched Sweep Floor Tie and put garbage in receptacle outside on front of office Main Doors. Bring Recycling to Office or leave in Hall if Office is closed. <p>OUTSIDE DECK After Each Use</p> <ul style="list-style-type: none"> Clean picnic table area Clean shed if used Do not leave garbage or personal items in area



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Identify job tasks and processes where User Groups are close to one another:	1) ALL AREAS: Serving Public, taking payments (cash and by cheque), issuing permits, picking up or dropping off parcels, handling in person complaints and inquiries	<ul style="list-style-type: none"> • Use personal PPE when necessary • Use hand sanitizer (provided in Hall) • Report any changing conditions to Office staff • Be proactive to ensure next user group's safety • Fill in Contact Tracing Sheet for each participant per requirements of Public Health Officer Order (attached)
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Potential Risk: Exposure through contact with tools, machinery and equipment	Protocols to be implemented (if required):
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Identify items and equipment that User Groups share while working:	<ol style="list-style-type: none"> 1) SPORTING EQUIPMENT 2) DISHES, CUTLERY, GLASSWARE 3) SOUND EQUIPMENT 4) TABLES AND CHAIRS 5) WASHROOM FACILITIES 	Wipe down or use own equipment whenever possible <ul style="list-style-type: none"> • Sanitize in dishwasher or bring/use own cups, etc. • Wipe down (no microphone use) or bring own equipment • Wipe down if used • Wash and Sanitize hands after each bathroom use
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Potential Risk: Exposure through interaction with / being in close proximity to members of the public / "high-touch"	Protocols to be implemented (if required):
---	---

Identify job tasks and processes where User Groups are in close proximity to each other and members of the public:	MAIN HALL: Interacting with Public, classes, activity leaders, community members.	<ul style="list-style-type: none"> • Maximum of 25 people in Broughton Hall • Keep Hall doors propped open for coming and going and, to the extent possible, during the activity • Small bubbles of no more than 6 and/or keep 2m apart • Masks when not able to maintain physical distancing and as may be appropriate in the circumstances
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Responsibility of Cleaning Schedule	Protocols to be implemented (if required):
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Identify responsibility of Cleaning Schedule	USER GROUPS: Above Protocols and Cleaning to be done by each User Group at the end of each use. Cleaning checklist to be completed, signed and submitted to Office by activity leader/coordinator.	<ul style="list-style-type: none"> • CONTRACTED CLEANER: Deep Clean/Sanitize once per week. • CONTRACTED CLEANER OR VILLAGE STAFF: Required to check Hall between bookings and sanitize if required..
Identifying Cleaning Supplies and PPE	User Groups are responsible for their own PPE and for participants' PPE.	<i>Village of Lions Bay will provide all cleaning supplies and equipment necessary to fulfill the cleaning protocols listed above.</i>

Additional Comments

It is understood that each public use varies per visit and so cleaning protocols and procedures need to vary accordingly. Eg: If someone is just dropping off a key or picking up a table, not all cleaning protocols will be required. However, failure to comply with cleaning requirements may result in loss of use privileges.

User Group Lead Signature: _____

Date: _____



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

BROUGHTON HALL CLEANING CHECKLIST
COVID-19 UPDATE

To ensure the new Health and Safety Guidelines set out by the Province of BC and WorkSafe BC have been met with regard to COVID-19, please ensure your participants are aware of and have completed the following cleaning protocols before you leave the facility after your event:

BATHROOM: After Each Use

- Wipe down counter
- Wipe toilet seat
- Ensure paper towels and feminine hygiene products are disposed of appropriately

STORAGE ROOM: After Each Use

- Wipe down chairs and tables that were used
- Sports Equipment
- Sound Equipment (no microphone use allowed)

KITCHEN: After Each Use

- Wipe down counters
- Wipe Appliances that were used
- Take home your own personal dishes
- Use Dishwasher to sanitize dishes

MAIN HALL After each use

- Wipe Knobs, Light Switches, windows if touched
- Sweep Floor (if applicable)
- Tie and put garbage in receptacle outside front of office
- Bring Recycling to Office or leave in Hall if Office closed

LOUNGE AREA: After Each Use

- Sanitize piano keyboard, phones coat rack, any items on coffee table
- Wipe down chairs

OUTSIDE DECK After Each Use

- Clean picnic table area
- Shed if used
- Do not leave garbage or personal items in area

Floor has been dust-mopped and spills are cleaned up with water and mild soap

All equipment, tables and chairs are returned to the appropriate storage

Sound system is turned off and put away (no microphone use allowed)


All lights are turned off

Doors are locked

Please report any damage to facilities:


Cleaning supplies/equipment to be stocked or replaced:

Upon leaving the Community Hall, please return the key to the Village Office (drop through the front door slot if after hours). If any damage was made to the facilities, or you noticed any supplies/equipment that should be stocked or replaced, please notify Office Staff as soon as possible via email: reception@lionsbay.ca, phone: 604-921-9333, or by simply filling in the boxes above and dropping this form off with the key. Thank you!



Coronavirus COVID-19

BC Centre for Disease Control | BC Ministry of Health





CLEANING AND DISINFECTANTS FOR PUBLIC SETTINGS

Good cleaning and disinfection are essential to prevent the spread of COVID-19 in BC.

This document provides advice to public groups, transit, schools, universities, child care and other institutions in BC on cleaning for non-health care settings.

Make sure to wash hands with plain soap and water after cleaning or use an alcohol-based hand sanitizer.


OR


Cleaning: the physical removal of visible soiling (e.g. dust, soil, blood, mucus). Cleaning removes, rather than kills, viruses and bacteria. It is done with water, detergents, and steady friction from cleaning cloth.

Disinfection: the killing of viruses and bacteria. A disinfectant is only applied to objects; never on the human body.

All visibly soiled surfaces should be cleaned before disinfection.

Cleaning for the COVID-19 virus is the same as for other common viruses. Cleaning products and disinfectants that are regularly used in households are strong enough to deactivate coronaviruses and prevent their spread.

Recommendations:



- ✔ General cleaning and disinfecting of surfaces should occur at least once a day.
- ✔ Clean and disinfect highly touched surfaces at least twice a day and when visibly dirty (e.g. door knobs, light switches, cupboard handles, grab bars, hand rails, tables, phones, bathrooms, keyboards).
- ✔ Remove items that cannot be easily cleaned (e.g. plush toys).

Cleaning

For cleaning, water and detergent (e.g. liquid dishwashing soap), or common, commercially available cleaning wipes should be used, along with good physical cleaning practices (i.e. using strong action on surfaces).


Disinfection

For disinfection, common, commercially available disinfectants such as ready-to-use disinfecting wipes and pre-made solutions (no dilution needed) can be used. Use the figure and table below for guidance. Always follow the manufacturer's instructions printed on the bottle.

If you have fever, a new cough, or are having difficulty breathing, call 8-1-1.

Non-medical inquiries (ex. travel, physical distancing): 1-888-COVID19 (1888-268-4319) or text 604-630-0300



IPC v3.2



VILLAGE OF LIONS BAY

COVID – 19 BROUGHTON HALL PROTOCOLS AND PROCEDURES

COMMUNICATION GOAL

To ensure the safety of both staff and public through the COVID-19 RE-OPENING process.

- Desired outcomes are clearly stated
- User groups knowledgeable about guidelines and expectations

ASSESSMENT AND ACTION PLAN

1. Assess The Risk

- How many people will be using Hall facility
- Identify the user groups
- Manage calendar of bookings so there are no overlaps
- Identify needs of each user group. i.e. how are they using the facility?

2. Implement Measures To Reduce The Risk

- Cleaning and hygiene of equipment and facility after each use
- Frequent hand-washing
- Post cleaning protocols for hall, kitchen, lounge area, bathrooms
- Maintain physical distancing for small groups
- Family clusters and established bubbles
- Limit number of users in hall at any one time
- Sign in sheet with contact info for tracing
- Adequate cleaning supplies on hand for user groups

3. Develop Policies

- Facility must be booked in advance
- Key contact person to sign memo of understanding outlining the cleaning schedule and use policy
- Each adult user to sign acknowledgement of risk
- If anyone is sick, has a runny nose, cough or any symptoms that could be construed as COVID related they must stay home – no sick children allowed
- Cleaning checklist to be enforced

4. Develop Communication Strategy

- Create and post signage in key areas of Hall
- Update website with new procedures for use
- Communicate with established user groups

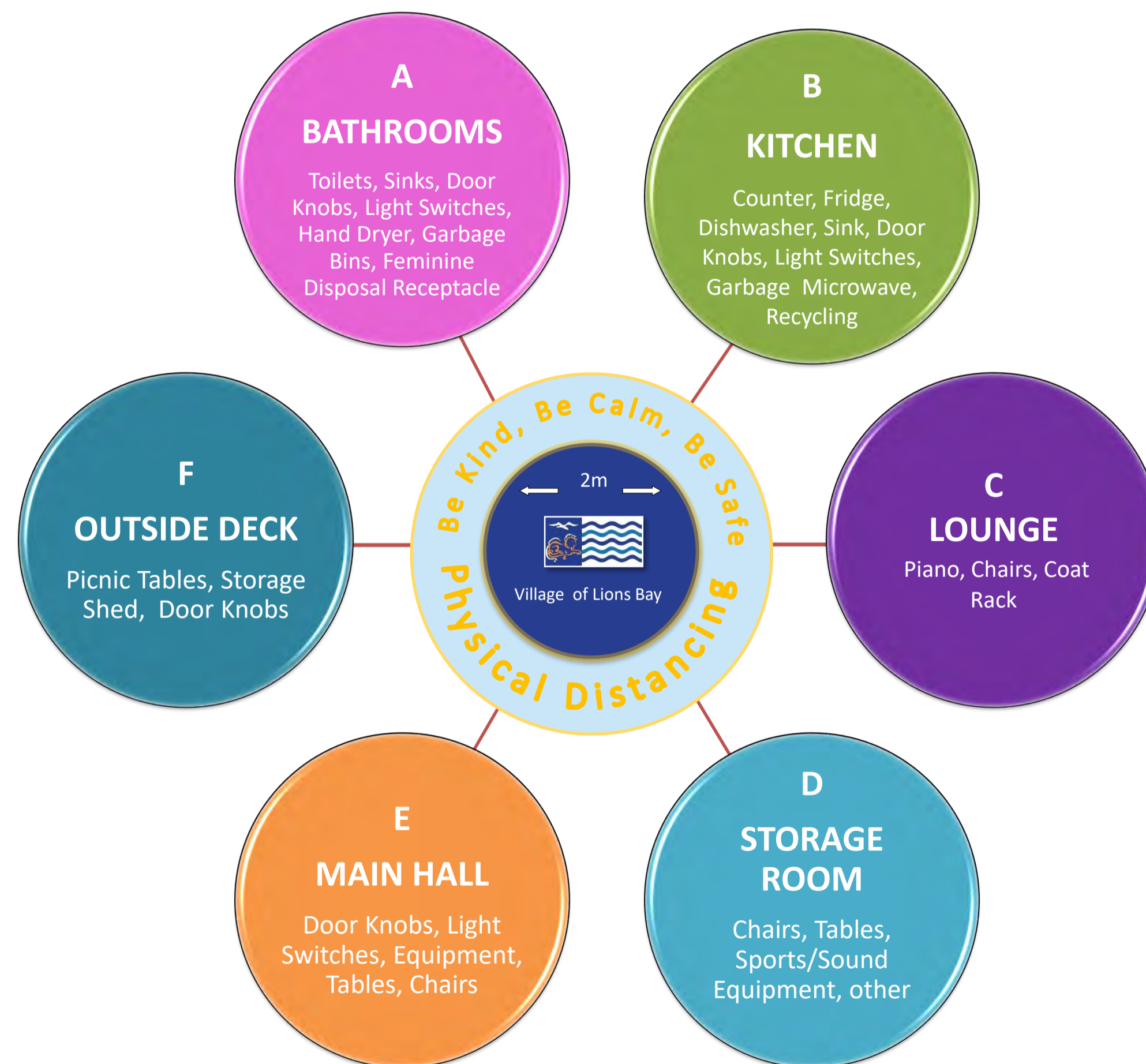
5. Monitor Success and Adjust as Necessary

- Develop a reporting system
- Seek feedback from user groups
- Get feedback from employees and contract cleaner
- Keep updated with COVID-19 Developments

BOOKING & CLEANING PROCEDURES

In order to maintain a safe and functional facility the following areas will need to be cleaned after each use. User Groups will be required to determine the cleaning paths specific to their uses.

- A. BATHROOMS:
- B. KITCHEN:
- C. LOUNGE:
- D. STORAGE ROOM: MAIN HALL:
- E. OUTSIDE DECK:



Group Representative:
Individual Cleaning Path:

LEVELS OF SIGNAGE

Floor Options ...



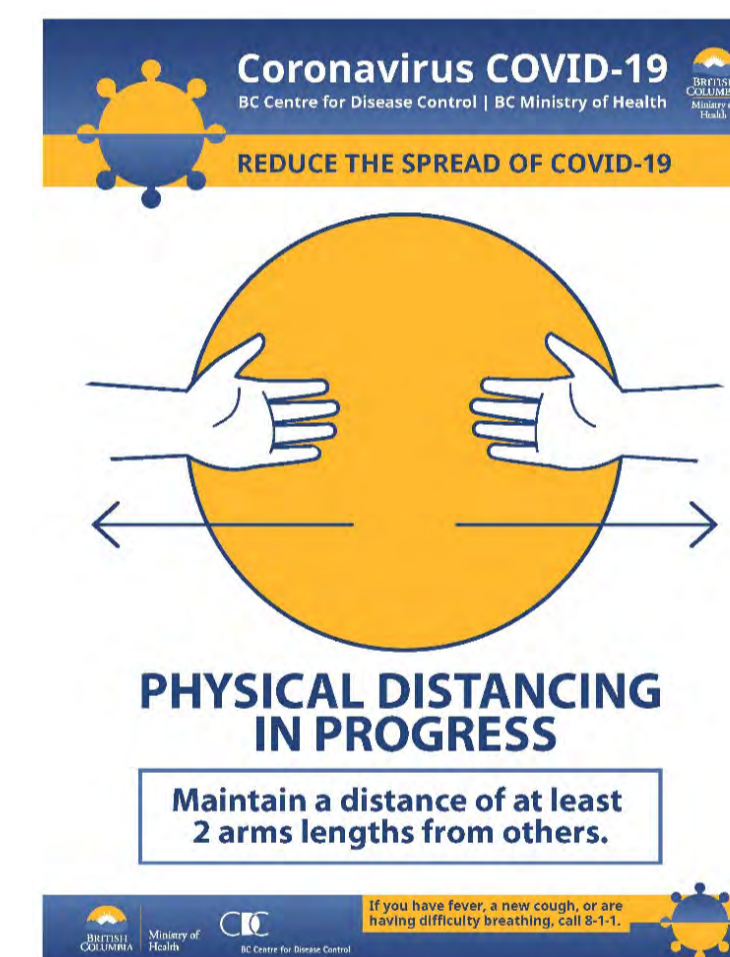
Directional...



Operational...



Notices...



USER GROUP EXPECTATIONS

- Adhere to COVID-19 protocols with regard to physical distancing and, when required, masks
- Follow cleaning protocols and document compliance
- Ensure all adult individual users have signed acknowledgment of risk and are aware of expectations
- Do not allow anyone to enter facility who show signs of sickness
- Keep strict attendance with tracking numbers for each participant
- Report any issues immediately to Office staff

VILLAGE OF LIONS BAY
BROUGHTON HALL RE-OPENING

Activity Name	Contact Person	Email	Phone	Day	Time	# of Participants	ROOM	Tables & Chairs	Sound System	Sports Equipment	Kitchen	Alcohol
WEEKLY REGULAR USERS TENTIVELY BOOKED												
Playgroup	Jill Fujibayashi			Monday	9:30 am – 11:30 am	Max 20	VH	●		●	●	
Volleyball	Tina Schneider			Monday	8:00 pm – 9:30 pm	Max 12	VH			●		
Meditation (SSC)	Anne Crosthwait			Tuesday	2:00 pm - 3:00 pm	12-15	CH		●		●	
Tai Chi (SSC)	John Phillips & Louis Peterson			Tuesday	10:30 am - 12:15 pm	12-15	VH		●		●	
Yoga1	Shannon Nering			Tuesday	6:45 pm - 8:30 pm	3-8	VH		●		●	
Badminton	David Halliday			Wednesday	7:00 pm- 9:00 pm	Max 20	VH			●	●	
Music Together x 2	Tanya Cosgrave			Thursday	9:00 am - 12:30 pm	3-6	VH	●	●		●	
Dance Your Muse	Cristina Vivani			Thursday	11:00 am - 12:30 pm	10-15	VH		●		●	
Yoga2	Jennie Klopfer			Thursday	7:00 pm - 8:30 pm	6-8	VH		●		●	
Yoga1	Shannon Nering			Friday	8:30 am - 10:30 am	3-8	VH		●		●	
PERIODIC & NEW USERS TENTIVELY BOOKED												
Westcoast Shamanic M	Angela Prider (Non Resident)			usually 3 day weekend, usually once every 2			VH		●		●	
Craft Day	Marsha McKay			Once Every	All day		VH	●	●		●	
Quilting	Penny Nelson			2 days over the weekend - once or twice a y			VH	●	●		●	
Quilting	Krista Hennibury (Non Resident)			2 days over the weekend - 3 times in 2019			VH	●	●		●	
Christmas Craft	Ute Phillips			Nov 21 & 2	All Day	20+	VH		●		●	
Remembrance Day	Trudi Leuthy			2 days – Nov 10 & 11, 2020			VH	●	●	●	●	
Softball		Request for evening pitching practice with own equipment)				2	VH				●	
OTHER ACTIVITIES POTENTIALLY TO BE BOOKED												
Trivia Night	Events Committee			Twice Per Year			VH	●	●		●	
Kids Halloween	Events Committee			Oct 29, 20 Tentatively Booked Early evening			VH	●	●		●	
Caroling	Tina Scheider			13-Dec-20			VH	●	●		●	●
Provincial Election				TBD (if necessary)			VH	●	●		●	
Federal Election				TBD (if necessary)			VH	●	●		●	



Badminton

Up to 20 adults playing active sport on Wednesday evenings.

Hazard/Risk Assessment

- Number of Contacts: Moderate to High - up to 20 people
 - Mixed age range
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Limiting number of players on each side of court to family members or established bubble members
 - Acknowledgement of risk

- Contact Intensity: Moderate to High – this is an active sport with physical exertion, involuntary loss of bodily fluids through sweat and via oral communication in a competitive environment, close contact to other players for an extended duration, and potentially shared contact with shuttlecocks.
 - This is non-sedentary activity with potential to spread the virus through droplets via the air and via surfaces
 - Modification Potential
 - Physical distancing between opposing teams/bubbles
 - PPE if practical
 - Separate shuttlecocks for each side, touched only by one team

Hazard/Risk Analysis

- Concern re. number of participants and way in which they engage in the sport in the hall
- Contact intensity is a concern re. proximity for the duration of the activity
- Staff intends to delay consideration at this time until further information is provided



Craft Days (2 separate groups)

There is a group that holds craft days in the hall every 2-3 months and then there is the Christmas Craft Fair put on by the Arts Council each fall.

Hazard/Risk Assessment

- Number of Contacts: High
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max at any one time, including vendors and public)
 - Rules prohibiting non-purchase touching of crafts etc.

Contact Intensity: Moderate – The activity is generally a sedentary one but holds potential for excessive touching of surfaces and proximate contact of vendors for long durations and public for shorter durations

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Mandating the use of masks for all participants

Hazard/Risk Analysis

- Contact numbers are concerning
- Contact intensity is concerning
- Staff intends to delay consideration at this time until further information is available



Dance Your Muse

Dance Your Muse is an improvised dance form with specific themes for each session. The intention is to bring more focus, awareness and creativity into dance/movement. It's a little like a cross between Tai Chi and (creative) dance. Currently seniors have been attending, but it's open to everyone.

Hazard/Risk Assessment

- Number of Contacts: Moderate – 6-10 persons, generally older adults
 - Higher risk users – coordinator doing health questionnaire for participants to review at beginning of each session.
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

- Contact Intensity: Low to Moderate – Each session starts off slow, picks up in rhythm/speed and movement range, then goes down to slow movements to close the sessions off. Mostly involves solitary dance, but sometimes participants work in pairs and sometimes in small groups with participants maintaining social distance during these smaller break out groups.
 - Modification Potential
 - Limitation of intensity through
 - Keeping Hall doors open when practical
 - Ensuring physical distancing
 - Use of masks during activity and any socializing periods (participant have agreed)

Hazard/Risk Analysis

- Contact numbers manageable for a higher risk group
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon compliance with other documentary requirements (eg: Acknowledgment of Risk, Contact Tracing Forms and Cleaning Checklist)



Meditation (Seniors Social Circle)

Meditation is a practice where an individual uses a technique – such as mindfulness, or focusing the mind on a particular object, thought, or activity – to train attention and awareness, and achieve a mentally clear and emotionally calm and stable state..

Hazard/Risk Assessment

- Number of Contacts: Low to Moderate – 4 to 12 persons, generally older adults
 - Higher risk users
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max for Hall and 10 + 2 for Chambers + Ante Room)
 - Acknowledgement of risk

Contact Intensity: Low – Meditation is sedentary activity

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Use of masks when physical distancing is difficult

Hazard/Risk Analysis

- Contact numbers manageable for this higher risk group
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk and Contact Tracing Forms)



Music Together

Activity coordinator/instructor has provided the following Covid protocol plan for this activity:

1. Everybody has their own instrument packets that I gave them back in the spring, so there will be no sharing of instruments anymore.
2. Each family will be sitting on their own individual floor mats, rather than all on the same large mat and socially distance of course by minimum of 6 feet and likely more than that, as the gymnasium is big enough.
3. Maximum six families per class....hence the two classes instead of one.
4. I'll be sure to set up a hand sanitizing station at the front for when they walk in.
5. And finally, I can also use my own amplified sound, if we're worried about communal touching of the music equipment.

Hazard/Risk Assessment

- Number of Contacts: Low to Moderate (up to 6 families per session)
 - Modification Potential
 - Limitation of number of people through
 - Protocols above
 - Acknowledgement of risk
- Contact Intensity: Low – Sedentary activity
 - Activity of toddlers is non-sedentary with potential to spreading of droplets through the air and via surfaces – adult activity is more sedentary but nonetheless exposed to active toddlers not likely to physically distance in an indoor environment and may involve raised voices due to surrounding noise.
 - Modification Potential
 - Limitation of intensity through
 - Physical Distancing
 - Non-sharing of instruments

Hazard/Risk Analysis

- Contact numbers manageable
- Contact intensity low
- Staff intends to enable the activity upon completion of documentary requirements



Other Potential Events

- **Trivia Nights**
- **Halloween**
- **Caroling**
- **Flu Vaccinations**
- **Provincial Election**
- **Federal Election**

Hazard/Risk Assessment

- Number of Contacts: High
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max at any one time)
- Contact Intensity: High – Some of these activities are non-sedentary with potential for proximate contact for long durations (eg: Halloween); Singing is known to spread droplets in greater quantities and further; flu vaccinations for as many people as possible this year is a vital goal and we are exploring options to have an expanded program set up in the hall this fall with appropriate COVID safeguards; potential elections would involve staffing decisions and Covid safety plans by other orders of government.
 - Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Mandating the use of masks for all participants

Hazard/Risk Analysis

- Contact numbers are concerning
- Contact intensity is concerning
- Staff intends to delay consideration at this time until further information is available.



Playgroup

Before school age accompanied with a parent – usually just play time, use kitchen and ride toys from outside shed.

Hazard/Risk Assessment

- Number of Contacts: Moderate to High - up to 20-25 people including parents and kids
 - Lower risk users
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk
- Contact Intensity: Moderate to High - Playtime with active toddlers will unavoidably involve proximate contact for up to 2 hours during the scheduled time
 - Activity of toddlers is non-sedentary with potential to spreading of droplets through the air and via surfaces – adult activity is more sedentary but nonetheless exposed to active toddlers not likely to physically distance in an indoor environment and may involve raised voices due to surrounding noise.
 - Modification Potential
 - Limitation of intensity through
 - Use of outdoor space when practical

Hazard/Risk Analysis

- Contact numbers near maximum
- Contact intensity difficult to modify
- Activity coordinator has not yet responded to staff inquiries
- Staff intends to delay consideration at this time



Quilting (2 separate groups)

There are two separate quilting groups which have historically booked the hall for 2-3 sessions annually.

Hazard/Risk Assessment

- Number of Contacts: Low to Moderate
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

Contact Intensity: Low – Quilting is a sedentary activity

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Use of masks when physical distancing is difficult

Hazard/Risk Analysis

- Contact numbers manageable for this sedentary activity
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk, Contact Tracing Forms and Cleaning Checklist)



Remembrance Day Celebration

The Remembrance Day Celebration is always a very popular and well-attended event with residents packed into the hall. Clearly, that is not going to be possible this year. One of the principal organizers of this annual event, Trudi Leuthy, recently provided the following proposal:

- Lower outside flags to 1/2 mast.
- Display flower arrangement and 1 wreath at Memorial Cairn.
- Hang Veteran Pictures at the Broughton Hall windows.
- Display wreaths at windows.
- Display flags inside Hall.
- Display School art at windows
- Display Lions Bay Students Poems.
- Display Winner of the 2020 National Poem Contest.
- Have one single table set up with Peace Candle.
- Display large flower arrangement in Hall.
- Broughton Hall would of course be locked up.
- On November 11th people could bring their children / families along and pause for a moment to reflect and honour with 2 minutes of silence in Remembrance.

Hazard/Risk Assessment

- Number of Contacts: High
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max at any one time)
 - Traffic flow signage to prevent clusters of people in any locations around the hall

Contact Intensity: Moderate – The activity is generally a sedentary one but holds potential for proximate contact although for shorter durations.

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing and pedestrian traffic flow, perhaps funneling people through the hall 25 at a time, exiting up the rear stairs and along the upper walkway past Council Chambers to the street/parking areas



- Keeping hall doors open at all times
- Mandating the use of masks for all persons arriving at the municipal complex

Hazard/Risk Analysis

- Contact numbers and intensity are concerning but manageable with a traffic flow plan and persons to monitor/limit the number of people passing through the hall at any given time.
- Would need to ensure physical distancing between family groups at 11 am for 2 minutes of silence.
- Staff recommends further discussions with event organizers regarding modifications to ensure a workable COVID-19 Safety Plan, but that the event would take place in substantially the manner proposed.



Tai Chi (Seniors Social Circle)

Tai Chi is an internal Chinese martial art practiced for both its defense training, its health benefits and meditation.

Hazard/Risk Assessment

- Number of Contacts: Moderate – 12 to 15 persons, generally older adults
 - Higher risk users
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

Contact Intensity: Low – Tai Chi is a gentle form of exercise intended to help maintain strength, flexibility and balance and is sometimes referred to as “meditation in motion”.

- As the description implies, Tai Chi is a blend of both sedentary and non-sedentary activity
- Modification Potential
 - Limitation of intensity through
 - Keeping Hall doors open when practical
 - Ensuring physical distancing
 - Use of masks during any socializing periods

Hazard/Risk Analysis

- Contact numbers manageable for a higher risk group
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk and Contact Tracing Forms)



Volleyball

Up to 12 adults playing active contact sport on Monday evenings.

Hazard/Risk Assessment

- Number of Contacts: Low to Moderate - up to 12 people (6 per side)
 - Mixed age range
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

- Contact Intensity: Moderate to High – this is an active sport with physical exertion, involuntary loss of bodily fluids through sweat and via oral communication in a competitive environment, close contact to other players for an extended duration, and shared contact with volleyball and sometimes the net.
 - This is non-sedentary activity with potential to spread the virus through droplets via the air and via surfaces
 - Modification Potential
 - Physical distancing and PPE is not practical

Hazard/Risk Analysis

- Number of participants not a concern
- Contact intensity is a concern and difficult if not impossible to modify
- Staff intends to delay consideration at this time



Westcoast Shamanic Meditation (periodic hall rentals for 2-3 days at a time)

Shamanism is a religious practice that involves a practitioner, a shaman, who is believed to interact with a spirit world through altered states of consciousness, such as trance. The goal of this is usually to direct these spirits or spiritual energies into the physical world, for healing or some other purpose.

Hazard/Risk Assessment

- Number of Contacts: Low to Moderate – approximately 9 to 12 adults
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

Contact Intensity: Low to Moderate – Meditation is sedentary activity but this form may involve singing or chanting, which is known to be a means of greater droplet transmission

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Use of masks when physical distancing or when singing/chanting

Hazard/Risk Analysis

- Contact numbers manageable
- Contact intensity low to moderate and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk, Contact Tracing Forms and Cleaning Checklist)



Yoga (2 separate programs/instructors)

Yoga is group of physical, mental and spiritual practices generally originating in ancient India. There are many branches or schools incorporating different beliefs and traditions, but in Western society it is most often coupled or associated with various forms of sedate individual exercise.

Hazard/Risk Assessment

- Number of Contacts: Low – 3 to 8 adults
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

Contact Intensity: Low – Yoga is sedentary activity

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Use of masks when physical distancing is difficult

Hazard/Risk Analysis

- Contact numbers manageable for this sedentary activity
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk and Contact Tracing Forms)



Yoga (2 separate programs/instructors)

Yoga is group of physical, mental and spiritual practices generally originating in ancient India. There are many branches or schools incorporating different beliefs and traditions, but in Western society it is most often coupled or associated with various forms of sedate individual exercise.

Hazard/Risk Assessment

- Number of Contacts: Low – 3 to 8 adults
 - Modification Potential
 - Limitation of number of people through
 - Occupancy limits (25 max)
 - Acknowledgement of risk

Contact Intensity: Low – Yoga is sedentary activity

- Modification Potential
 - Limitation of contact intensity through
 - Ensuring physical distancing
 - Keeping doors open when practical
 - Use of masks when physical distancing is difficult

Hazard/Risk Analysis

- Contact numbers manageable for this sedentary activity
- Contact intensity low and capable of further modifications
- Staff intends to enable the activity upon filing of a Covid-19 Safety Plan and compliance with other documentary requirements (eg: Acknowledgment of Risk and Contact Tracing Forms)

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	Emergency Program Act Update		
Author	Robert Whitney	Reviewed By:	Peter DeJong
Date	September 3, 2020	Version	1
Issued for	September 22, 2020		

Recommendation:

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

Attachments:

(1) EPA WWH Report Summary August 31 2020.pdf;

(2) epa_what_we_heard_report.pdf.

Key Information:

On August 31, 2020 the Government of BC released the “EPA What We Heard Report” to provide feedback to the public on the results of the series of consultations conducted with various stakeholders in 2019 to elicit feedback on a draft version of an updated *Emergency Program Act*. The Ministry’s report acknowledges the difficulties encountered during the COVID-19 Emergency of 2020; however, the consultations and report predate the COVID-19 Emergency, and as such do not include lessons learned during the Emergency.

An opportunity to provide feedback has now been offered and it is the intention of the Village of Lions Bay Emergency Program to provide feedback to the Provincial Government in an attempt to ensure that some of the lessons learned during the COVID-19 Emergency are addressed in the updated *Emergency Program Act*. If Council would like to see anything added before September 30, 2020, it will be included in the feedback to the Ministry of Public Safety.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Our feedback will include:

- One of the issues that we feel particularly needs to be addressed is the early protection of the supply chain of critical supplies. Early in the COVID-19 Emergency panic buying resulted in shortages of critical PPE items. Public Safety Minister Farnsworth enacted Orders to provide supply chain protection, however the damage was done, and some of the impacts of that damage are still being felt currently. There perhaps need to be provisions in the *Emergency Program Act* to account for the standing protection of “critical supplies”.
- Some businesses attempted to protect critical supplies for those who need it, often by limiting sales of these items to existing customers who had previously ordered the critical items. While this is a reasonable step to take, there are groups that may require those critical supplies that have a valid need that are now unable to obtain needed items resulting in a potentially dangerous situation. An example of this is a small municipality that requires protective equipment for staff that need to deal with water treatment chemicals but don’t have preferred customer status.
- A related issue is the funneling of PPE items to healthcare workers. It is acknowledged that they are a high priority group for these items; however, there are other groups that should also be considered high priority because of their work with critical infrastructure necessary to keep our communities operating. The *Emergency Program Act* should perhaps include a definition of what constitutes a “Critical Service Provider” to provide some guidance to businesses and communities when considering restricting access to critical items.

Follow Up Action and Communication: Provide feedback to the Ministry of Public Safety to ensure that the lessons learned from COVID-19 are considered when drafting the new *Emergency Program Act*.



Modernizing BC's Emergency Management Legislation

Summary of What We Heard in Response to the Discussion Paper Issued on October 28, 2019

August 31, 2020

The Discussion Paper and Engagement Process

On October 28, 2019, Emergency Management BC (EMBC) released a Discussion Paper on Modernizing BC's Emergency Management Legislation, which outlined a series of policy proposals for consideration in new emergency management legislation, replacing the existing Emergency Program Act (EPA).

During the engagement period, which ran until January 31, 2020, EMBC conducted some 172 meetings, webinars and teleconferences with partners and stakeholders, and received 239 written submissions.

The Impact of the COVID-19 Pandemic

The Discussion Paper and the responses pre-dated the pandemic and were informed more by other types of events such as floods, wildfires, and earthquakes. However, the lessons learned from managing the COVID-19 emergency will be considered and incorporated in the new legislative framework.

The pandemic delayed the release of the What We Heard Report, which was originally intended to be published in Spring 2020. More fundamentally, delivery of a complete, brand-new emergency management Act has been pushed from Fall 2020 to Spring 2021.

Overarching Themes

The engagement sessions and written responses to the Discussion Paper showed broad consensus on the need to modernize BC's emergency management legislation and widespread support for almost all of the specific proposals in the Discussion Paper. Key themes were:

- The need to demonstrate stronger connections to climate change, the Sendai Framework, disaster risk management and disaster risk reduction, including the issues and challenges faced by vulnerable populations.
- The need for additional resources and capacity to deliver on the new requirements.
- First Nations' expectation that the proposed legislation will adhere to the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) and reflect First Nations' right to self-determination.

- The need for more detail and clarity on specific proposals and how the new legislation will be implemented.
- Critical infrastructure operators, provincial ministries, Crown corporations and public sector agencies called for avoiding regulatory duplication and requested a system of equivalencies recognizing that legislative requirements may also be met through existing regulatory frameworks and requirements.
- A number of animal welfare organizations and members of the public stated that the legislation should specifically address animals, including domestic pets, animals in captivity, livestock and wildlife.

These themes will be reflected in the new emergency management legislation, which will position BC as a leader in disaster risk reduction. More detail is available in the full What We Heard Report:

www2.gov.bc.ca/ChangesToEmergencyProgramAct

Staying the Course, for the Most Part

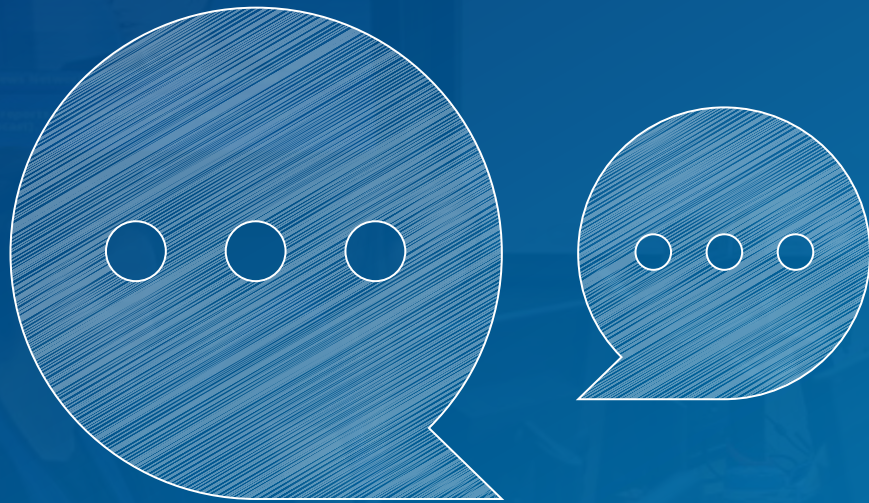
Based on the generally positive feedback, most of the proposals in the Discussion Paper will proceed. However, a small number of proposals were not supported and will not proceed or will be modified:

- The proposal to require greater consideration of current and future risk when making building and development decisions is being fleshed out and will likely be implemented through planning and building legislation rather than emergency management legislation.
- Rather than creating a new mechanism to enable Local Authorities and First Nations to form collaborative emergency management organizations, existing mechanisms will be continued and strengthened.
- Urgent recovery funding will be available prior to preparation of a post-disaster needs assessment and post-disaster recovery plan, as is the case now. Needs assessments and recovery plans based on the nature of the disaster will be required to inform longer-term funding decisions.
- While the concept of a transition period to bridge from response to recovery received strong support, the term “transition period” did not resonate with respondents. More work is being done to build out the concept, including incorporating learnings from the COVID-19 pandemic and considering whether the concept should apply on a provincial scale as well as on a local scale.
- The proposal for EMBC to audit emergency management plans will not proceed; this aspect of quality assurance will focus instead on a review function that relies more on support and collaboration.
- Proposals related to First Nations emergency management are being revisited through collaboration and engagement with Indigenous organizations and communities.
- Proposals related to critical infrastructure will be built out through consultation with critical infrastructure operators. This includes recognition of existing equivalences, so as not to create duplicative requirements.
- A comprehensive compliance and enforcement scheme is being developed which reflects learnings from the COVID-19 pandemic.

Next Steps

The feedback received in response to the Discussion Paper will inform BC’s modernized emergency management legislation, which is now targeted for the Spring 2021 legislative session. EMBC will continue to engage with local authorities, First Nations, Indigenous organizations and other partners and stakeholders as legislation is drafted, and during subsequent development of regulations, policies and processes.

The new legislation will be implemented in a phased fashion, recognizing that emergency management partners will need time and support to build capacity to meet the new requirements.



WHAT WE HEARD:

MODERNIZING BC'S EMERGENCY MANAGEMENT LEGISLATION

August 31, 2020

Minister's Message

On October 28, 2019, I released a public discussion paper on "Modernizing BC's Emergency Management Legislation", as a means of gathering valuable input to help shape new, modernized legislation to guide emergency management in BC. At that time, no one anticipated the unprecedented public health emergency on the horizon. The global COVID-19 pandemic has confirmed the need to update our emergency management legislation.

In reading this report, it may seem odd that none of the content relates to the COVID-19 pandemic or to health emergencies in general. That's because the Discussion Paper and the responses pre-dated the pandemic, and it's fair to say they were informed more by other types of events such as floods, wildfires, and earthquakes. Our government will, however, ensure that the lessons learned from our experience managing the COVID-19 emergency are considered in the new legislative framework.

The COVID-19 pandemic has stretched the resources and capacity of our emergency management partners at all levels of government and in the private and non-profit sectors, requiring collaboration and coordination on a province-wide scale. There are a lot of lessons to be learned from this challenge, but foremost is the importance of coordinating our response and recovery efforts.

One immediate consequence of the COVID-19 pandemic is that we will not be able to deliver a complete, brand-new emergency management Act by Fall 2020. We are now targeting Spring 2021 to deliver the new legislation. While it has changed our timelines, the pandemic has also shown how important it is to update our legislation and shift to a disaster risk management approach.

Through the Discussion Paper engagement process, the public, our partners and stakeholders were invited to submit comments until January 31, 2020 on the proposed legislative changes. We committed to reporting back on what we heard with a summary report. While the COVID-19 pandemic thwarted the goal of publishing a What We Heard Report earlier this spring, we are now able to fulfill our commitment.

We received 239 distinct submissions from members of the public, other ministries and levels of government, communities, First Nations, business and industry as well as from our vital non-profit and volunteer organizations and emergency management practitioners.

The response was substantial, thoughtful and largely positive. I am encouraged by the depth of engagement and shared concern for public safety

expressed by all who responded. My sincere thanks for the time and energy you invested in helping us move this new legislation forward.

When British Columbia became the first province to adopt the United Nations Sendai Framework for Disaster Risk Reduction (Sendai Framework) it was an acknowledgement of the need to embrace a broader vision of disaster risk management and emergency management, one that emphasizes the importance of identifying and mitigating risk before events occur and recognizes the complexities of recovery and the wisdom in building back better after events.

We are reminded daily of the increased risks we face from climate change and, through the COVID-19 pandemic, risks associated with our global inter-connectedness in trade and travel. Anticipating and mitigating these risks will inform the provincial government's actions regarding community and public safety and disaster risk and emergency management.

Our government has also taken important steps to develop a new relationship with First Nations and Indigenous peoples, as reflected in the Declaration on the Rights of Indigenous Peoples Act (Declaration Act). Indigenous communities often bear the

greatest impact from events such as wildfires and flooding. Indigenous leaders and emergency management practitioners have told us that Nations must have a strong, self-determined role in emergency management. We must forge new and stronger relationships that are collaborative and that better respect the unique perspectives and needs of Indigenous peoples.

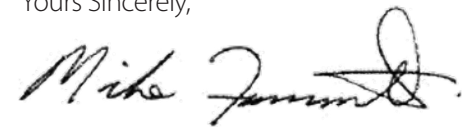
The thoughtful comments and suggestions we received represent a valuable resource, not just for shaping the new legislation but also for the development of regulations, policy and practices. I want to assure all those who responded that while they may not see their comments and suggestions reflected directly in the new legislation, their input is important when we move forward to develop new regulations and adapt our policies and practices to better meet society's changing needs.

One of the significant underpinnings of the Sendai Framework and our new legislation is the understanding that addressing disaster risk management and our emergency management needs is an all of society challenge. The current pandemic and the response from all levels of government and all segments of society demonstrate the far-reaching ramifications a major event can have for people and communities.

Our partners, our communities and our people have all stepped up to do their part. The efforts to keep our essential services going and provide the vital services we rely on for our health and safety need to be acknowledged.

The risks to people and society from a major emergency event are very real and we need to be prepared to mobilize all our resources to prepare for, mitigate, respond to and recover from such events. The significant and substantive response to our call for input on modernizing our emergency management legislation reflects that this is a message we all embrace, and that we are all in this together as we work to continuously improve the emergency management system for our people and communities.

Yours Sincerely,



The Honourable Mike Farnworth

Public Safety and Solicitor General and Minister
Responsible for Emergency Management BC

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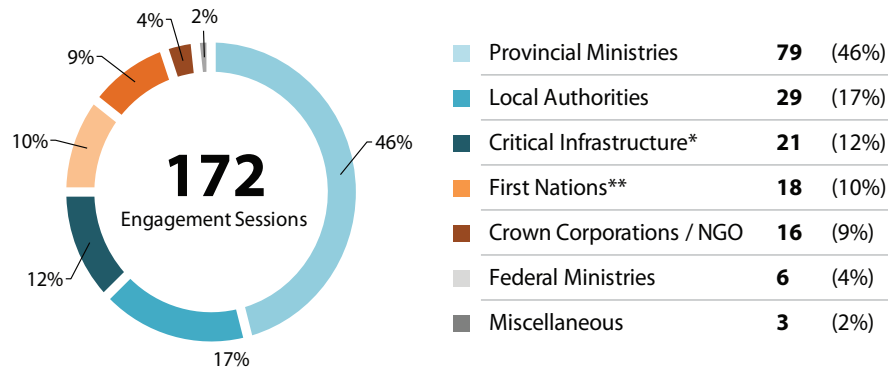
Introduction

On October 28, 2019, Emergency Management BC (EMBC) released a Discussion Paper on Modernizing BC’s Emergency Management Legislation, which outlined a series of policy proposals for consideration in new emergency management legislation, replacing the existing Emergency Program Act (EPA).

This report summarizes the feedback received in response to the Discussion Paper up to the January 31, 2020 close of the engagement period. During this time, EMBC conducted some 172 meetings, webinars and teleconferences with partners and stakeholders, and received 239 written submissions. This included five regional Indigenous engagement sessions reflecting the perspectives of approximately 80 Indigenous participants from 61 First Nations communities. The Union of British Columbia Municipalities (UBCM) Flood and Wildfire Advisory Committee was a key contact point with local government elected officials and senior staff.

This Report summarizes the feedback received and how it will be reflected as legislative development moves forward.

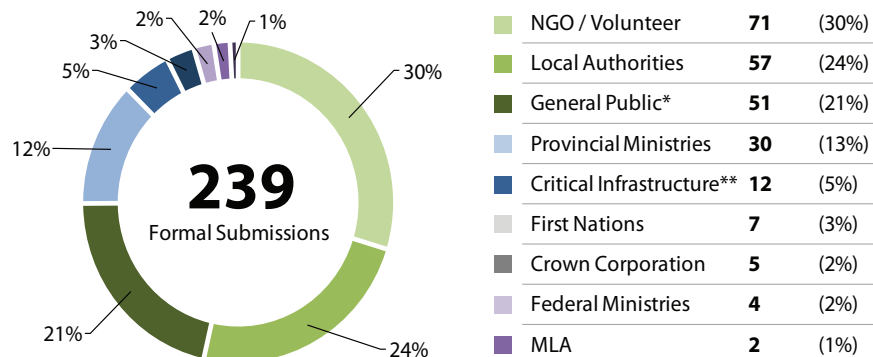
of Engagement Sessions by Sector



* Critical infrastructure engagement sessions were sectoral and included over 30 participants.

** Indigenous engagement sessions include 5 regional sessions with 80 participants from 61 Nations.

Formal Submissions Received



* A majority of the public submissions were focused on animal well-being issues.

** Critical infrastructure submissions were largely sector-based with multiple signatories.



Overarching Themes

There was broad consensus on the need to modernize BC’s emergency management legislation and widespread support for almost all of the specific proposals in the Discussion Paper. The engagement process surfaced several key themes which are identified below.

Theme #1

Climate change must be reflected in the legislation.



Moving forward:

In keeping with international best practices, the Act will include recognition of climate change as a key driver and consideration. New regulations regarding the content of emergency management plans and requirements for hazard, risk and vulnerability assessments will include requirements to consider the impacts of climate change. The Discussion Paper proposal to require greater consideration of current and future risk when making building and development decisions includes risk associated with climate change.

Theme #2

The Act should have a stronger connection to the Sendai Framework, disaster risk management, and disaster risk reduction, including the issues and challenges faced by vulnerable populations.



Moving forward:

The modernized legislation will incorporate key elements of the Sendai Framework. For example:

- the Act will include principles from the Sendai Framework;
- the Sendai Framework definitions of certain key concepts will be adopted, with some modifications to reflect the BC context;
- disaster risk governance will be addressed by extending disaster risk management responsibility across government and through periodic disaster risk management reporting; and,
- there will be a clear emphasis on disaster risk management in emergency management plans.

In addition, new regulations regarding the content of emergency management plans will include requirements to consider the needs of vulnerable populations.

Theme #3

Additional resources and capacity will be needed to deliver on the new requirements.



Moving forward:

The Province acknowledges that strengthening disaster risk and emergency management will require additional investment by both the Province and its emergency management partners. Local Authorities and First Nations will require support and time to develop the capacity needed to implement new requirements.

Theme #4

First Nations, including the First Nations Leadership Council (FNLC), stated their expectation that the proposed legislation will adhere to the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) and reflect First Nations' right to self-determination.



Moving forward:

The Province is committed to operating within the context of the Declaration Act and will engage with the First Nations Leadership Council and key Indigenous organizations as the new legislation is developed.

Theme #5

Calls for more detail and clarity on specific proposals and how the new legislation will be implemented. Requests for ongoing involvement as the legislation is developed, including an opportunity to review and comment on draft legislation.



Moving forward:

EMBC will continue to engage with partners, Treaty First Nations, Indigenous organizations and stakeholders as legislation is drafted and in the subsequent development of regulations, policies and processes.

Theme #6

Critical infrastructure operators, provincial ministries, Crown corporations and public sector agencies called for avoiding regulatory duplication and requested a system of equivalencies recognizing that legislative requirements may also be met through existing regulatory frameworks and requirements.



Moving forward:

Participating entities will be prescribed by regulation, with clarity about the requirements they must meet, and equivalencies will be established.

Moving forward:

The new legislation will clarify the powers available to protect animals and livestock during a state of emergency. In addition, new regulations regarding the content of emergency management plans will specify that consideration must be given to domestic animals, animals in captivity, and livestock. EMBC will work closely with stakeholders such as the BC Cattlemen’s Association to further strengthen policies and practices regarding livestock, and with the BCSPCA regarding domestic animals and animals in captivity. It should be noted that the proposed legislation will not address wildlife.

Theme #7

A number of animal welfare organizations and members of the public stated that the legislation should specifically address animals, including domestic pets, animals in captivity, livestock and wildlife.



Quotes

“The BC Chamber of Commerce fully supports the BC Government’s Emergency Program Act Modernization efforts, and are especially happy to see the Discussion Paper... highlights many of the concerns and solutions we brought forward to government.”
- BC Chamber of Commerce

“In our view, the proposed direction set out is well crafted and would clearly establish British Columbia as the leader in Canada in emergency management.”
- Institute for Catastrophic Loss

“UBCM wishes to express its support for the Province’s commitment towards the Sendai Framework on Disaster Risk Reduction, including the ‘all of society’ approach... UBCM recommends ... that EMBC develop an ongoing sustainable funding framework for local governments to address emergency management responsibilities.”
- Union of BC Municipalities

“The proposed changes to [the] EPA provide enhancement to emergency response and recovery processes in BC. But I believe the [discussion paper] comes short of proposing what is needed for building a strong disaster risk reduction approach and capacity in BC... The language and content of this document is not comprehensive nor strong enough for bringing the shift in focus and approaches that is required for [avoiding new and reducing existing risk].”
- Sage on Earth Consulting



“The BC Emergency Program Act Modernization Discussion Paper... and intentions for the modernization of emergency management need to be approached through the lens of [the Declaration on the Rights of Indigenous Peoples Act].”

- First Nations Leadership Council

“BCSPCA recommends that... the province mandate the inclusion of animals in emergency planning and response. Specifically, the legislation and accompanying policy should incorporate domestic animals and cover animals held in captivity.”

- BC Society for the Prevention of Cruelty to Animals

“The Advisory Group calls on BC to provide more consideration to First Nations funding needs and the funding and capacity implications of modernized EPA legislation. The discussion paper is inadequate in its attention to the financial implications for First Nations and the need for sufficient resources.”

- Indigenous Advisory Group on the Tripartite Memorandum of Understanding on Emergency Management

“Every program and plan should be inclusive of people with disabilities and other high-risk populations.”

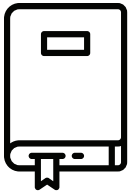
- Disability Alliance of BC

“Ranchers and farmers are pivotal in keeping their animals safe and managed during natural disasters, as not all livestock are able to be transported out of an emergency zone and instead need to be managed within that emergency zone.”

- BC Cattlemen’s Association

“We realize that there is a need for change... however the extent of the changes we are seeing could be and will be extensive and expensive.... Small communities such as Chetwynd do not have the staff, tax base, budget and expertise to complete the requirements of the new Emergency Program...”

- District of Chetwynd



Definitions

A wide range of respondents provided specific feedback on the proposed definitions, including suggestions for changes to proposed definitions and proposals for additional definitions.

There were many suggestions to adopt the Sendai Framework definition for “disaster” (rather than “emergency”) and support for the Sendai Framework definitions of prevention/mitigation, preparedness, response and recovery.

The majority of respondents who commented on the definition of

“emergency” supported the proposed addition of damage to the environment and significant Indigenous sites. Many respondents suggested including “Indigenous cultural values” as well as Indigenous cultural sites; others suggested including other sites with cultural or heritage value more broadly.

In response to the proposal to enable groups of willing First Nations, municipalities, and/or electoral areas to be prescribed as a unified Local Authority, several submissions noted that mechanisms already exist to allow such collaborative arrangements.

Quotes



“The framing of causation as the central aspect of an emergency (e.g., “accident, fire, explosion, technical failure or a force of nature”) is limiting. This only accomplish[es] limiting... communities’ ability to determine for themselves what is and is not an emergency. The important and defining aspect of an emergency is not what caused it, but rather what the consequences are to the community experiencing it.”

- First Nations Health Authority



“FVRD recommends the Province of BC adopt a set of terms already defined by either the UN Office for [Disaster Risk Reduction] or Public Safety Canada. Using common language that has consistent meaning across Canada will lead to greater interoperability...”

- Fraser Valley Regional District

Moving Forward

While some respondents recommended eliminating the definition of “emergency”, it will be retained as emergency management is still an important component of the new legislation, along with disaster risk management. The definition proposed in the Discussion Paper will be modified to include damage to cultural sites or cultural values, including those that are significant to an Indigenous Nation.

In keeping with the calls to better align with definitions in the Sendai Framework, EMBC will adopt those definitions for many key

concepts (e.g., disaster, prevention/mitigation, preparedness, response and recovery), with minor modifications to recognize our specific operational context in BC.

The proposed definition of Local Authorities will proceed, including the ability to designate new Local Authorities will proceed, as it could support inclusion of Treaty First Nations, depending on the terms and implementation stage of their Final Agreements, and an appropriate body in the Stikine region.



States of Emergency

Local Authorities provided most of the feedback on states of emergency; the majority supported the proposals for 14-day durations for states of local emergency and extensions, and 28-day durations

for states of provincial emergency and extensions. There were a few cautions about the use of extraordinary powers for longer periods.

Quotes



“This change [extending the SOLE duration from 7 to 14 days] will provide much needed stability during incidents and events when public communications are critical to ensure the safety of responders and the public.”

- Regional District Fraser-Fort George



“The extended duration to State-of-Local-Emergency and Provincial-State-of-Emergency are more reflective of what we have learned through previous declarations of states of emergency.”

- Resource Municipalities Coalition

Moving Forward

Following release of the Discussion Paper, EMBC reviewed the suite of powers available to the Minister and Local Authorities during a state of provincial emergency and a state of local emergency, respectively. Based on recent experience in other jurisdictions and the current experience with COVID-19, additional powers may be added, such as the ability to order businesses to close for reasons of public safety and/or the ability to ration key items. In addition, it is proposed to enable the Province to assume direction and control from a Local Authority (at

the Province's discretion) and to require a Local Authority to support emergencies outside their jurisdictions (e.g., to receive evacuees).

In response to concerns about animals (see page 9), the existing power related to "evacuation of persons and the removal of livestock, animals and personal property" will be split into two separate provisions to enhance clarity.



Enhancing Confidence in the Emergency Management System

There is general support for increasing transparency within the emergency management system, provided it is done in accordance with the Freedom of Information and Protection of Personal Privacy Act and other relevant information management standards with appropriate protection of sensitive information. Concerns were expressed about how data would be stored, accessed and used, and potential risks if confidential or proprietary information is publicly accessible. Caution was also expressed about making the location of hazards publicly available, including the potential impact on property values. This was countered by a call to make more risk information — such as disclosure of risk upon property purchase — available to the public.

Several respondents suggested including hazard, risk and vulnerability

data from reputable agencies and organizations outside the provincial government, such as hazard modelling and mapping and risk assessments.

While there was no objection to registering emergency management plans with EMBC, the proposed audit function provoked significant comment. Concerns included the protection of confidential information and privacy, EMBC's capacity to audit, and the need for best practices and standards. Several respondents noted the perception that audits are punitive, and called for a more collaborative, incentives-based approach. Alternatives to auditing were proposed, including exercising to test plans. Some respondents felt the proposal duplicates accreditation and review requirements already in place for organizations such as Health Authorities.

Quotes



“BCREA strongly supports a legislative requirement to centralize and make available data on hazard, risk and vulnerability assessments or mitigation planning documents conducted or prepared by provincial ministries, Crown corporations and agencies, Local Authorities and critical infrastructure operators. This is an area where more detail is required, including who will have access to the data and where will it be centralized.”

- BC Real Estate Association



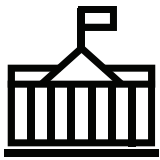
“The sharing of emergency plans with EMBC is fully supported by the CSRD and auditing the plan with a collaborative approach focused on continuous improvement is welcomed. There are concerns with having the audited results made public. Audited results, positive or negative, can be misconstrued. It is important that the Province and the local authority collaborate prior to any information being made public to ensure confidential or sensitive information is not released.”

- Columbia Shuswap Regional District

Moving Forward

Concerns about centrally housing hazard, risk and vulnerability data will be addressed during implementation. The proposal for EMBC to audit emergency management plans will not proceed; this aspect of quality assurance will focus instead on a review function that relies

more on support and collaboration. A system of equivalencies will be developed, so that a review function is not unnecessarily layered onto existing requirements for certain emergency management partners.



Provincial Ministries, Crown Corporations, and Public Sector Agencies

The proposals for provincial ministries, Crown corporations and public sector agencies to have business continuity plans and emergency management plans were supported, with some requests for more clarity about roles, responsibilities, and plan requirements. For example, Crown corporations that operate critical infrastructure want clarity

about which requirements they will have to meet, and that there should be no “doubling up”. Some respondents noted that there are opportunities for climate change considerations to be included in both business continuity plans and emergency management plans.

Quotes



“A requirement is needed for school districts, independent schools, universities and colleges... to have a continuity plan and to share their continuity plans with each respective Local Authority in which they operate.”

- Fraser Valley Regional District



“The Province must address the urgent need for up-to-date flood mapping that incorporates climate change adjusted assumptions concerning future flood levels and return periods.”

- Canadian Home Builders Association

Moving Forward

In keeping with calls for greater clarity, participating Crown corporations and public sector agencies will be prescribed by regulation, with a single set of clear requirements, including consideration of climate change impacts. For Crown corporations, the focus will be on large organizations with significant service delivery responsibilities and those that serve vulnerable populations. Public

sector agencies will focus on boards of education, public post-secondary institutions, and health authorities.

A system of equivalencies will be established to ensure that prescribed entities do not have to meet multiple requirements.



Local Authorities

There was significant support for the proposal to require Local Authorities and the Province, through the Ministry of Transportation and Infrastructure's (MOTI) subdivision approval authority in unincorporated areas, to give greater consideration to current and future risk when making building and development decisions in hazardous areas. That said, there were also many requests for more clarity about the proposal and how it would work in practice. Significant concern was raised about whether this would expose local governments to increased liability, whether from not approving or from allowing development to proceed in hazardous areas.

While a legislated requirement to identify, understand, and assess hazards, risks and vulnerabilities was generally supported in principle, there was also a desire for more clarity. Several Local Authorities suggested that the Province should be responsible for hazards that originate on Crown land and/or affect provincially-owned infrastructure that may have downstream impacts on Local Authorities' jurisdictions. Some respondents suggested a role for traditional knowledge and rural landowner knowledge in understanding risks and hazards.

There was general support for proposals around collaboration, coordination, and partnerships, and for standardized programs and plans. That said, there were several questions about how these proposals would be implemented, including: requests for guidance on engagement with First Nations; how to deal with sensitive information in emergency plans; what is appropriate to share with other jurisdictions and partners; and a desire to maintain some flexibility rather than having "cookie cutter" plans.

Several Local Authorities raised concerns about the proposal that recovery funding would be conditional on a post-disaster needs assessment and post-disaster recovery plan, which may generate delays, additional costs and uncertainty as communities transition from response to recovery. Commenters advocated for a flexible model with provisions for timely support in the short term, while still requiring needs assessments and recovery plans based on the nature of the disaster.

The proposal to enable Local Authorities to make emergency amendments to an Official Community Plan, Regional Growth Strategy, zoning or bylaws was not widely supported. Local Authorities stated that tools already exist to enable these actions. A new idea expressed by some respondents is that emergency management should be built into Official Community Plans.

The proposal to allow the Minister to grant a Local Authority the use of specific powers for a "transition period" of up to 90 days was widely supported. Local Authorities saw this as a useful tool to bridge between response and recovery and lessen the reliance on extensions of SOLEs. However, the term "transition period" did not resonate with respondents.

Quotes

“Moving forward, mandating greater consideration of current and future risk when considering development in hazardous areas does not pose a significant issue. Stronger legislation to enable local authorities to say “no” would be helpful in this regard, as there is a real cost to mitigating against potential risks.”

- City of Vernon

“BCCA would urge government to connect and utilize rural landowners’ knowledge of the landscape to assist with better understanding the current risks at large. Local knowledge is one of the most efficient ways to survey and categorize areas of high or low risk.”

- BC Cattlemen’s Association

“[Local governments] have little to no authority over what occurs on Crown land, yet are often left to lead the response and recovery when hazards occur on Crown land but impact private property.”

- Regional District of Central Kootenay

“Delays in the delivery of recovery support may be worse than the initial emergency event. The RDKB is concerned that the need for recovery plans – prior to any recovery funding being released by the Province – would cause serious delays in securing recovery support for those affected.”

- Regional District of Kootenay Boundary

Moving Forward

The proposals identified in the Discussion Paper will proceed. EMBC will work with the Ministry of Municipal Affairs and Housing (MAH) and UBCM to further explore the proposal to enable local governments to make emergency or temporary amendments to an Official Community Plan, Regional Growth Strategy, zoning or bylaws and to consider whether Official Community Plans should include an emergency

management lens. In addition, it will be made clear that funding for initial, urgent recovery action will not be delayed; post-disaster needs assessments and post-disaster recovery plans will be required in order to receive longer term recovery funding.

Further work will be done, in conjunction with MAH, to address the

many calls for more clarity about the proposal to require that local governments give greater consideration to current and future risk when making building and development decisions. This includes aligning the proposal with the complex development approvals process.

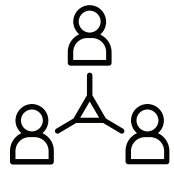
In response to comments about the term “transition period”, the concept will now be referred to as “recovery powers”.

EMBC will work with MAH and the Ministry of Indigenous Rights and Reconciliation to develop guidance for Local Authorities regarding the requirement to collaborate and engage with First Nations.

Additional work will be done to explore the following issues that arose

through the engagement period:

- The potential to reflect emergency management and disaster risk reduction considerations in Official Community Plans and/or Regional Growth Strategies;
- Hazards that originate on Crown land but may have downstream impacts on Local Authorities;
- The need to expedite provincial permitting processes during response and recovery; and,
- The concept of a provincial equivalent to the recovery powers proposed for Local Authorities.



First Nations as Emergency Management Partners

While there was a general sense that the proposals related to First Nations were appropriate, individual representatives and Indigenous organizations were clear that some refinements were needed to better incorporate an Indigenous world view. Respondents stated that Indigenous Nations must be able to decide for themselves what constitutes an emergency and to take actions to prevent/mitigate, prepare for, respond to, and recover from emergencies, with or without other government partners. At the same time, there is strong interest in

partnerships and collaboration. Some participants questioned whether provincial legislation can apply on federal reserve lands. A key message was that First Nations often lack capacity and capability when it comes to emergency management.

The First Nations Leadership Council clearly stated its expectation that it will be involved in developing the new legislation, in keeping with the Declaration Act.

Quotes

“As the Province moves forward with the modernization of the EPA, the FNLC highlights the importance and necessity of honouring the Declaration of the Rights of Indigenous Peoples Act and supporting the core principles of self-determination, self-government, participation in decision-making, and free, prior and informed consent.”

- First Nations Leadership Council

“Under the present emergency management structures, it is difficult for First Nation communities... to participate in the decisions leading to the declaration of an emergency. This is a challenge as even though the new legislation acknowledges damages to Indigenous cultural sites and the environment, only EMBC can declare an emergency.”

- Indigenous Advisory Group on the Tripartite Memorandum of Understanding on Emergency Management

“The term “cultural safety” is an extremely important added element to this document. There must be a clear definition of what this term is designed to achieve and how it will be received. Furthermore, it must be defined by Indigenous Peoples.”

- Simpcw First Nation

“The focus on proactive disaster risk reduction, and strengthened reconciliation and recognition of Indigenous emergency management partners are important values that should be at the heart of any contemporary emergency management legislation.”

- City of Enderby

Moving Forward

While the specific proposals in the Discussion Paper were supported, the overall approach to First Nations emergency management will shift to be more inclusive and holistic. EMBC will work with the Tripartite Memorandum of Understanding Technical Working Group on First

Nations Emergency Management on policy discussions in support of the legislative drafting process and subsequent development of regulations, policies, and processes.

- The new legislation will recognize First Nations as self-determining emergency management partners.
- First Nations will be able to declare their intent to assume some or all of the responsibilities under the new Act and to establish a local emergency management organization on treaty, title or federal reserve lands, and enter into agreements to describe roles for the Province and other parties.
- First Nations will explicitly be able to declare a state of emergency and access the extraordinary powers to manage an emergency.
- It will be made clear that jurisdictional areas for Local Authorities do not extend to treaty settlement lands, title lands, or reserve lands. Existing and new partnerships will be encouraged as a matter of policy so that plans can be developed jointly, and resources can be shared between authorities.
- Local Authorities and First Nations will be required to collaborate and engage with each other on evacuation alerts, orders, and re-entry.
- Bodies preparing emergency management plans or delivering services will be required to consider cultural safety and the needs of First Nations members living both in and away from First Nations communities.



Critical Infrastructure Operators

There was general support for the proposed approach for critical infrastructure, as well as general support from the critical infrastructure operator community with respect to the overall intent of the proposals. However, there were also strong concerns — even opposition — around proposals to audit plans and numerous cautions to avoid regulatory duplication. Another strongly heard theme

was management of sensitive information. There were also several recommendations to alter the scope of critical infrastructure, including adding or removing specific sectors and sub-sectors. Finally, there was strong interest to be provided additional information on the details of the proposals and how they would work.

Quotes

“We recognize that many changes have occurred in emergency management practices in BC over the years and we are supportive of the government’s intent to modernize its approach to emergency management throughout the province.”

- Canadian Association of Petroleum Producers

“CEPA and its members are concerned that some aspects of the discussion paper may either duplicate or be inconsistent with current provincial and federal legislation, regulation and policy. Consistency with current provincial and federal requirements is critical for effective and efficient response in the pipeline industry.”

- Canadian Energy Pipeline Association

“We strongly support BC’s focus on further improving the four above pillars of emergency management with the objective of implementing the Sendai Framework’s All-of-Society approach.”

- Telecommunication Service Provider Joint Submission (Telus, Shaw, Rogers, and Bell/MTS)

“Establishing requirements and expectations for sharing plans and hazard information between critical infrastructure and government is important and will support and enhance emergency management planning in the region.”

- Integrated Partnership for Regional Emergency Management

Moving Forward

To address concerns about the potential for duplicative requirements, the new emergency management legislation and subsequent regulations will recognize equivalencies with existing federal and provincial statutes and regulations. To address concerns about sensitive information, the Province will continue working with emergency management partners to further refine the balance between information provision and information security and will ensure appropriate security protections are in place. The proposal for EMBC to audit emergency management documentation will not proceed.

With respect to the many recommendations provided on defining critical infrastructure and the scope of potential requirements across and within sectors, the Province will use this feedback in combination with risk-based criteria to clearly articulate, in legislation and regulation, what entities will be considered critical infrastructure operators and what requirements they will have. EMBC will continue working closely with other provincial agencies and the federal government to ensure alignment wherever possible.



Supporting Volunteers and Non-Governmental Organizations

There was extensive support for the proposals to enhance support for volunteers. Responses reflected recognition and appreciation for the value that volunteers contribute and their passion.

The proposed new definitions were supported, although there were some suggestions for fine-tuning the definitions. A small number of respondents suggested different terminology, such as “affiliated and non-affiliated volunteers” or “spontaneous volunteers”. The proposal to include a definition of service provider is supported, with some respondents noting that their organizations provide comprehensive services in partnership with the Province, rather than episodic services.

Several respondents suggested certain categories of volunteers (generally referred to as Public Safety Lifeline Volunteers) should be specifically identified in the definition of registered volunteer or in the new legislation, although there was little consistency about which categories to include.

There was significant support for strengthening legal protection for volunteers and others, and to provide employment protection for registered volunteers. Some submissions suggested extending employment protection to volunteers from non-governmental organizations (NGOs) and other recognized service providers (such as the Canadian Red Cross, Canadian Disaster Animal Response Team, Salvation Army and others) when deployed during an emergency or disaster. There was some concern about the potential administrative burden of the proposed process for employers to dispute ongoing deployment as a volunteer where an employee is critical to business continuity or other hardship. There were also some requests to clarify whether and how WorkSafe BC provisions apply to volunteers.

There were also many issues raised about implementation and/or operational policy, such as the process to register, certify and train volunteers.

Quotes

“The CRC respectfully suggests that, in order to truly adopt a whole of society approach, the revised Act should offer further details on the role of “Service Providers” and include additional processes for partnering agencies that have existing knowledge, experience and capabilities within Emergency Management, like the Canadian Red Cross, to reflect the reality that full-service humanitarian organizations have an essential role in the delivery of services.”

- Canadian Red Cross

“The BCSARA board is delighted to see increased support for volunteers highlighted in the Discussion Paper... Job protection is very important to [Ground Search and Rescue] and other Public Safety Lifeline Volunteers; there have been instances during large scale emergencies where SAR volunteers were informed they had lost their jobs due to being away assisting in evacuations or other tasks when requested by the Province and/or Local Authorities.”

- BC Search and Rescue Association



“...IBC recommends that government ensure that all volunteers, including professionals, are protected from general liability and professional liability when working on behalf of the Province, either through a private liability insurance policy or civil liability coverage provided by the government.”

- Insurance Bureau of Canada

Moving Forward

The proposals identified in the Discussion Paper will proceed, with some clarification of the definitions for types of volunteers. Classes or groups of volunteers, such as Public Safety Lifeline Volunteers, may be prescribed by regulation, which allows for more flexibility than

embedding them in the legislation. Additional work is being done on the issue of WorkSafe BC coverage for volunteers. Many of the comments related to volunteers will be addressed through regulation, policy and guidance documents.



Supporting and Empowering Residents, Visitors and Businesses

The Province was encouraged to take a stronger role in public education and awareness. Specific suggestions included: mandating personal preparedness curriculum in elementary schools; increasing the use of public media channels; creating reward and incentive campaigns; increasing communications about emergency programs and protocols prior to an emergency and during response and recovery; and making preparedness literature and campaigns available in multiple languages, including sign language.

Some respondents noted there was little reference to business and the economy in the Discussion Paper. Some respondents called for requirements that businesses (and organizations that care for others, including animals) have business continuity and/or emergency

management plans, have emergency supplies on hand, and conduct annual training and exercises.

While insurance was not covered in the Discussion Paper, it was raised by some respondents, although there was little consistency in the comments. There were some suggestions that residential property owners and renters be required to have insurance on property and contents. Other commentators supported a stronger role for the Province; ideas ranged from directly offering pooled insurance for property owners and/or renters, to increasing awareness about the benefits of obtaining insurance privately, to addressing the gap between insurance and government funding mechanisms.

Quotes



“As part of the modernization project, intense public education and awareness campaigns will be critical to support shifting expectations from an outwards emphasis to an inwards focus when it comes to disaster mitigation.”

- Northern Rockies Regional Municipality



“We recommend... creat[ing] procedures for distributing emergency information to visitors via tourism operators and the visitor centre network through the use of regional tourism emergency programs as strategic partners.”

- Tourism Industry Association of BC

Moving Forward

The Act will note the need to work with individuals and businesses to strengthen resilience through an all-of-society approach to disaster risk management and emergency management. Through regulation, Local Authorities could be required to engage with individuals and businesses in the development of their emergency management plans. The small business sector will also be considered when the Compensation and Disaster Financial Assistance Regulation is revised.

EMBC will explore with the insurance industry how businesses and homeowners can be better supported by insurers through education programs about the types of insurance coverages available, as well as potential expansion of the types of perils insured and how to assist owners of high-risk properties. EMBC is also working with the federal government on a national program for homeowners through its Flood Working Group, co-chaired by Public Safety Canada and the Insurance Bureau of Canada.



Compliance and Enforcement

The Discussion Paper invited readers to provide ideas about tools, incentives, penalties and enforcement mechanisms. While there were not many comments on this topic, there was a clear interest in emphasizing incentives around compliance, with a few respondents supporting financial penalties for non-compliance.

A small number of submissions focused on evacuation orders, with opinion divided between allowing people to defend their properties if they choose and more stringent enforcement to ensure everyone leaves an evacuation area.

Quotes

“Incentives to ensure compliance should be tied to UBCM activities and awards for local governments. Stiff financial penalties must be incorporated to ensure participations. This must be balanced with the ability to carry out the work and the financial implications to smaller and rural communities.”

- City of Port Coquitlam

“Regulated entities should be given time and clear direction on how to comply before any punitive measures are implemented.”

- City of Vancouver

Moving Forward

A suite of tools, both legislative and non-legislative, will be developed to build the capacity and capability of local authorities and promote compliance with the new Act. These tools will focus on providing incentives that empower local authorities to embrace a disaster risk reduction mindset and take action to become resilient in the face of emergencies and disasters. For example, new tools coupled with better information and expert support could help planning efforts. New funding mechanisms may also be developed to support planning and training, and foster increased collaboration.

A compliance and enforcement regime will also be developed that emphasizes informal approaches such as partner-to-partner dialogue and continuous improvement, coupled with progressive formal compliance tools ranging from notifications of non-compliance to administrative penalties. Offences would apply only where individuals or corporations do not comply with the conditions set under a state of provincial or local emergency.

Conclusion

The feedback received will inform BC's modernized emergency management legislation, which is now targeted for the Spring 2021 legislative session. EMBC will continue to engage with local authorities, First Nations, Indigenous organizations and other partners and stakeholders as legislation is drafted, and during subsequent development of regulations, policies and processes.



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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Council Resolution for 2021 UBCM CRI Firesmart Grant		
Author	Robert Whitney	Reviewed By:	Peter DeJong
Date	September 13, 2020	Version	1
Issued for	September 22, 2020 Council Meeting		

Recommendation:

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

Attachments:

(1) Cri-fcfs-2021-program-guide.pdf

Key Information:

Currently our consultant is completing the Community Wildfire Protection Plan (CWPP) for the Village of Lions Bay. Within the report it can be expected that a number of recommendations are going to be made to help increase the resiliency of Lions Bay towards wildfire risks. UBCM has opened up the Community Resiliency Initiative Firesmart to assist communities in projects geared towards increasing resiliency against wildfire risk.

Although the CWPP is in the process of being completed and a finished list of recommendations is not yet available, when consulted the project lead suggested a couple of projects that could be completed using the UBCM grant:

1. Carry out projects to provide Firesmarting of Critical Infrastructure within the Village



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

2. Conduct an educational project to increase community awareness about the Firesmart program. (Please note that ALL grant applications must contain a Firesmart educational component.)

Additional considerations for use of FireSmart grant funding include:

- Amend Official Community Plans, neighbourhood plans and/or land use, engineering and public works bylaws to incorporate FireSmart principles
- Establish Development Permit Areas for Wildfire Hazard in order to establish requirements for the exterior design and finish of buildings
- Revise landscaping requirements in zoning and development permit documents to require fire resistant landscaping or include other FireSmart considerations
- Include wildfire prevention and suppression considerations in the design of subdivisions, strata developments or new roads (e.g. road widths, turning radius for emergency vehicles, and access and egress points)
- Amend referral processes for new developments to ensure multiple departments, including the fire department and/or emergency management personnel, are included

With Council's approval, the Village Emergency Program would like to submit an application to the CRI Firesmart Grant program to obtain funding up to the maximum allowable amount of \$50,000 to allow for the completion of some of the immediately/short term achievable recommendations that can be expected in the completed Community Wildfire Protection Plan currently being written.

Options:

(1) Do nothing: The Village will not be able to access grant funding to fund mitigation or community education projects.

(2) Provide the resolution: The Emergency Program will apply for a grant under the Firesmart Grant stream of the Community Resiliency Initiative.

Preferred Option: Council provides the resolution so that an application will be made before the October 9, 2020 deadline. Doing this will allow the Emergency Program to carry out a project developed to improve wildfire mitigation within the Village.



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Legal Considerations: None.

Follow Up Action: Upon receipt of the Council Resolution the DEPC will complete the application package for the Firesmart grant and submit to UBCM no later than October 9th, 2020.

Community Resiliency Investment Program

2021 FireSmart Community Funding & Supports

Program & Application Guide

1. Introduction

The [Community Resiliency Investment](#) (CRI) program was announced by the provincial government in 2018 and is intended to reduce the risk of wildfires and mitigate their impacts on BC communities. CRI includes two streams:

Stream 1: FireSmart Community Funding & Supports, administered by the Union of BC Municipalities

Stream 2: Crown Land Wildfire Risk Reduction, administered by the Ministry of Forests, Lands, Natural Resource Operations & Rural Development. Highlights of this program stream include:

- Fuel management planning and treatment activities focusing on provincial Crown land located around communities
- Prescribed fire (including planning and operational treatments) and the development of a comprehensive provincial prescribed fire program
- Risk reduction activities targeting provincially identified critical infrastructure, beginning with critical response infrastructure, such as government-owned radio repeaters, weather stations and airtanker bases

FireSmart Community Funding & Supports

The FireSmart Community Funding & Supports program provides funding to local governments and First Nations in BC to increase community resiliency by undertaking community-based FireSmart®¹ planning and activities that reduce the community's risk from wildfire. To date, 175 First Nations and local governments have received funding.

The First Nations' Emergency Services Society (FNESS), the Forest Enhancement Society of BC (FESBC) and the Union of BC Municipalities (UBCM) are working with the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) to deliver the FireSmart Community Funding & Supports program.

The program is structured to fund FireSmart activities in eligible communities throughout BC. Base funding is scaled to offer eligible applicants with lower risk of wildfire, generally demonstrated by WUI Risk Class 4 and 5, to apply for up to \$50,000, and applicants with a demonstrated higher risk of wildfire, generally demonstrated by WUI Risk Class 1 to 3, to apply for up to \$150,000 per year. Information on determining risk is provided in Appendix 1.

There are two opportunities to apply for additional funding:

1. **New in 2021** - Applications from regional districts may exceed the base funding maximum in order to fund FireSmart activities only in one or more electoral areas. Refer to Section 3 for more information.

¹ The FireSmart brand is a registered trademark of Partners in Protection



2. Applications that include fuel management on Provincial Crown land within municipal boundaries, regional district parks or First Nations land and that include contiguous, logical treatment units that extend onto the Crown land base may exceed the base funding maximum for fuel management activities on Provincial Crown Land only provided that:
 - a. Fuel management activities are adjacent to community structures, and
 - b. Fuel management activities extend no further than one-kilometre from the structure density class greater than 6 (see Appendix 1)

Fuel management located exclusively on Provincial Crown land, outside of municipal boundaries, regional district parks or First Nations land, is administered through the Crown Land Wildfire Risk Reduction stream. Applicants are required to contact the BC Wildfire Service for further discussion regarding identified fuel treatment units located on Provincial Crown land.

FireSmart in BC

The general goal of FireSmart is to encourage communities and citizens to adopt and conduct FireSmart practices to mitigate the negative impacts of wildfire to assets on public and private property:

- [Overview of the seven FireSmart disciplines](#)
- [BC FireSmart Information Sheet](#) has been developed to provide applicants with an overview of available resources, training and materials approved for funding

As identified in the [BC Flood and Wildfire Review](#), there is a critical need to “strengthen public understanding of the risks and personal responsibilities associated with living in a fire-dependent ecosystem.”² [FireSmart BC](#) and the Community Resiliency Investment program both follow the seven disciplines of FireSmart as a holistic approach to reducing wildfire risk to communities.

Further, findings from the [2016 Horse River wildfire in Fort McMurray](#) indicate that FireSmart principles were one of the main reasons why individual homes survived, regardless of the broader wildfire threat surrounding them.³ This was true in both the urban and rural areas.

2. Eligible Applicants

All local governments (municipalities and regional districts) and First Nations (bands, Treaty First Nations, and Indigenous National Governments with authority for lands and resources) in BC are eligible to apply.

Eligible applicants can submit one application per intake, including regional applications or participation as a partnering applicant in a regional application.

3. Eligible Projects

To be eligible for funding, applications must demonstrate that proposed activities will increase community resiliency by undertaking community-based FireSmart planning and activities that reduce the community’s risk from wildfire.

² *Addressing the New Normal: 21st Century Disaster Management in British Columbia*. p.90

³ Al Westhaver, *Why some homes survived: Learning from the Fort McMurray wildfire disaster* (Toronto: Institute for Catastrophic Loss Reduction, 2016)

Applicants must choose to apply as a single applicant (i.e. an individual local government or First Nation as identified in Section 2) or as part of a regional project.

Regional Projects

There are two opportunities to apply for regional projects within a single application. In all cases, it is expected that regional projects will demonstrate cost-efficiencies in the total grant request.

Regional Projects for Multiple Eligible Applicants

Funding requests from two or more eligible applicants for regional projects may be submitted as a single application for eligible, collaborative projects. In this case, the maximum base funding would be calculated by the number of eligible applicants included in the application and the associated risk class of each. Applications for regional projects for multiple eligible applicants can include FireSmart (Worksheet 1) and fuel management (Worksheet 2) activities.

The primary applicant submitting the application for a regional project is required to submit a resolution as outlined in Section 8 of this guide. Each partnering community is required to submit a resolution that clearly states their approval for the primary applicant to apply for, receive and manage the grant funding on their behalf.

New in 2021 - Regional Projects for Regional District Applications Including Multiple Electoral Areas

Regional Districts may submit a single application for eligible, collaborative projects that include multiple electoral areas. In this case, the maximum base funding would be the full eligible grant amount for the regional district (i.e. \$50,000 or \$150,000 depending on risk of wildfire) plus up to \$50,000 for FireSmart activities for each electoral area that is included in the application. In this case, the regional district would be required to submit a complete application package as well as a separate Worksheet 1 for each electoral area.

4. Requirements for Funding

To qualify for funding, applicants must demonstrate their level of engagement with a BCWS Wildfire Prevention Officer, FNESS Fuel Management Liaison/Specialist, and, if applicable, the FLNRORD district, region, or relevant Land Manager, to ensure project alignment with Land Manager priorities.

Applicants will be required to document this engagement in the application process. Planning and discussion must occur at a minimum of 30 days prior to submission of an application to allow for meaningful dialogue regarding the proposed FireSmart and fuel management activities and opportunities for integration of planning and implementing fuel management activities on provincial Crown lands.

For more information on the planning process and identified projects please see the [Crown Land Wildfire Risk Reduction webpage](#).

In addition, to qualify for funding, projects must:

- Be located within the applicant's administrative boundary (see exception for fuel management activities below)
- Include new activities or represent a new phase of an existing project (retroactive funding is not available)
- Be capable of completion by the applicant within one year of the date of grant approval. Projects that include fuel treatments, including prescribed fire, may be approved for up to two years.

- Be supported by a current plan, acceptable to the BCWS Wildfire Prevention Officer or the FNESS Fuel Management Liaison/Specialist, that includes assessment and identification of FireSmart and/or fuel management priorities (i.e. Community Wildfire Protection Plan, Community Wildfire Resiliency Plan, or Crown Land WRR Tactical or Fuel Management Plan, etc.). Note: applicants that do not have a current and acceptable plan may apply to develop or update a plan.
- Be completed by a qualified professional that is accredited by their professional association

Further, fuel management activities must:

- Be located within municipal boundaries, regional district parks or First Nations land and, if applicable, approved to extend onto the Crown Land base
- For activities that fall under the practice of forestry, be developed and, where applicable, signed/sealed by a forest professional that is accredited by the Association of BC Forest Professionals and operating within their [scope of practice](#)
- Ensure compliance with applicable legislation and regulations: Federal (e.g. Fisheries Act, Species at Risk Act); Provincial (e.g. Forest and Range Practices Act, Open Burning Smoke Control Act, and Wildfire Act); and local authority (e.g. burning bylaws or other bylaws or plans)
- Where applicable, be eligible for required approvals from the Land Manager (e.g. BC Parks Area Manager, Natural Resource District Manager etc.), authorizations and/or permits
- Where applicable, for any required professional assessments, be developed and signed/sealed by a qualified professional (e.g. terrain stability assessments must be signed/sealed by a professional engineer)

5. Definitions

Area of Interest (AOI): The AOI for a CWRP includes all the area that lies within the municipal boundary, regional district boundary, or boundary of First Nations land. For regional districts this could be the boundary of an electoral area that encompasses multiple communities. Refer to the CWRP template and guidance document for more information.

First Nations land: First Nation reserve land, land owned by a Treaty First Nation (as defined by the *Interpretation Act*) within treaty settlement lands, or land under the authority of an Indigenous National Government

First Nations owned buildings: Buildings owned by a Treaty First Nation (as defined by the *Interpretation Act*) within treaty settlement lands or buildings owned by a First Nation band

Private land: Fee-simple land that is not owned by a level of government

Publicly owned buildings: Buildings owned by a local government or public institution (such as health authority or school district)

Publicly owned land: Provincial Crown land, land owned by a local government or land owned by a public institution (such as a health authority or school district). For the purpose of the FireSmart Community Funding & Supports program, land owned by colleges and universities is not considered publicly owned land.

Publicly, provincially and First Nations owned critical infrastructure: Assets owned by the Provincial government, local government, public institution (such as health authority or school district), First Nation or Treaty First Nation that are either:

- Identified in a Local Authority Emergency Plan [Hazard, Risk & Vulnerability Analysis](#) and/or [Critical Infrastructure assessment](#) and/or
- Essential to the health, safety, security or economic wellbeing of the community and the effective functioning of government (such as fire halls, emergency operations centres, radio repeaters, etc.)

Vegetation management: The general goal of vegetation management is to reduce the potential wildfire intensity and ember exposure to people, infrastructure, structures and other values through manipulation of both the natural and cultivated vegetation that is within or adjacent to a community.

Vegetation management can be accomplished through two different activities:

1. **Residential scale FireSmart landscaping:** The removal, reduction, or conversion of flammable plants (such as landscaping for residential properties, parks and open spaces) in order to create more fire-resistant areas in FireSmart Non-combustible Zone and Priority Zones 1, 2 and 3. Refer to the [FireSmart Guide to Landscaping](#).
2. **Fuel management treatments:** The manipulation or reduction of living or dead forest and grassland fuels to reduce the rate of spread and head fire intensity, and enhance likelihood of successful suppression, generally outside of FireSmart Non-combustible Zone and Priority Zones 1, 2 and 3. See Appendix 3 for more information.

Wildfire risk: Commonly defined as:

1. Likelihood of a fire occurring
2. Associated fire behaviour
3. Impacts of the fire (consequence)

Wildfire threat: The ability of a wildfire to ignite, spread, and consume organic material (trees, shrubs, and other organic materials) in the forest. The major components used to define wildfire threat are fuel, weather, and topography which break down further to:

- Fuel: loading, size and shape, arrangement (horizontal and vertical), compactness, chemical properties, and fuel moisture
- Weather: temperature, relative humidity, wind speed, and direction and rainfall
- Topography: slope (increase/ decrease rate of spread), and aspect (fuel dryness)

Wildland Urban Interface (WUI): As defined in the FireSmart manual, the wildland urban interface (WUI) is any area where combustible forest fuel is found adjacent to homes, farm structures or other outbuildings. This may occur at the interface, where development and forest fuel (vegetation) meet at a well-defined boundary, or in the intermix, where development and forest fuel intermingle with no clearly defined boundary. Historically in BC, the WUI was created by buffering the structure density class greater than 6 by a 2-kilometre buffer to represent a reasonable distance that embers can travel from a wildfire to ignite a structure.

- **FCFS Eligible WUI one kilometre:** For the purpose of the FireSmart Community Funding & Supports program (FCFS) the eligible WUI is defined maximum of one kilometer from the structure density class greater than 6

WUI Risk Class (RC): The level of risk (“risk class”) reflects the analysis of weighted PSTA threat components within the individual WUI Risk Class polygons. Five risk class ratings were applied to the WUI polygons, with “1” being a higher relative risk and “5” being the lowest relative risk. The application of relative risk does not imply “no risk”, since the goal is to identify areas where there is higher risk. See Appendix 1 for more information.

6. Eligible & Ineligible Costs & Activities

Eligible costs are direct costs that are approved by the Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Table 1 identifies the activities that are eligible for funding. Eligible activities must be cost-effective and primarily located within the applicant’s administrative boundary. Please note that all FireSmart Home Ignition Zone Assessments must be conducted by a qualified Local FireSmart Representative or Wildfire Mitigation Specialist that has received training from FireSmart Canada.

Table 1: Activities Eligible for Funding
<p>1. EDUCATION</p> <p><i>Public education and outreach play a critical role in helping a community prepare for a wildfire and participate in wildfire risk reduction and resiliency activities by promoting a sense of empowerment and shared responsibility.</i></p> <p>New in 2021, all applications are required to include an education component in this section. This may include general FireSmart education, or be related to a proposed activity in categories 2 through 9 below.</p> <p>Also new in 2021, applicants are able to order FireSmart materials free of charge as part of their application (see Worksheet 1). Additional requests for educational events, such as event supplies, will be considered only when appropriate rationale is provided.</p>
<ul style="list-style-type: none"> • New in 2021 - Organize, implement and/or update public meetings, signage, social media, applicant websites and/or newsletters, community site visits, and community education related to a proposed activity in categories 2 through 9 below • Promote and distribute FireSmart educational materials and resources, such as FireSmart 101, FireSmart Begins at Home app, social media and/or FireSmart BC materials that are available free of charge • Develop and/or promote education for the reduction of local human-caused fires • Encourage community participation in Wildfire Community Preparedness Day • Organize and/or host a Farm and Ranch Wildfire Preparedness workshop, Neighbourhood Champion workshop, community FireSmart day, FireSmart events and workshops, and/or wildfire season open houses • Support neighbourhoods to apply for FireSmart Canada Neighbourhood Recognition Program

2. COMMUNITY PLANNING

Community planning is a very effective tool for reducing wildfire risk for lands and buildings within the administrative boundaries of a local government or First Nation communities.

Please note that FireSmart Assessments for neighbourhoods and/or residences should be included in Category 8.

- **New in 2021** - Develop a [Community Wildfire Resiliency Plan](#) (CWRP) in accordance with the 2021 template and guidance document
- Amend existing plans that are less than 5 years old to include:
 - recently acquired land or areas of new development, etc.
 - ground-truthing for new treatment units
 - significant changes to forest stand composition and/or forest health changes or impacts
 - integrating other plans or information into existing CWPP/CWRP
- Develop FireSmart policies and practices for the design and maintenance of First Nations land and publicly owned land, such as parks and open spaces
- Develop FireSmart policies and practices for the design and maintenance of First Nations owned buildings and publicly owned buildings
- Conduct [FireSmart Assessments](#) for First Nation and/or publicly owned buildings in order to support future FireSmart projects for critical infrastructure (see Category 7)

3. DEVELOPMENT CONSIDERATIONS

Community land use and development in wildfire-prone areas affects the susceptibility of the community at different scales and in terms of where and how a community is, or will be, developed.

- Amend Official Community Plans, Comprehensive Community Plans and/or land use, engineering and public works bylaws to incorporate FireSmart principles
- Revise landscaping requirements in zoning and development permit documents to require fire resistant landscaping or include other FireSmart considerations
- Establish Development Permit Areas for Wildfire Hazard in order to establish requirements for the exterior design and finish of buildings⁴
- Include wildfire prevention and suppression considerations in the design of subdivisions (e.g. road widths, turning radius for emergency vehicles, and access and egress points)
- Amend referral processes for new developments to ensure multiple departments, including the fire department and/or emergency management personnel, are included

⁴ Local governments should refer to [Changes for Local Governments Under Section 5 of the Building Act: Appendix to Section B1 of the Building Act Guide \(Revised February 2017\)](#) for information on the use of development permits for wildfire hazard.

4. INTERAGENCY CO-OPERATION

It takes the collaborative efforts of multiple stakeholders working together to achieve a wildfire resilient community. This may include local fire departments, First Nation and/or local government staff and elected officials, provincial government such as Emergency Management BC and BCWS, industry representatives and other community stakeholders.

- Develop, coordinate and/or participate in a Community FireSmart Resiliency Committee. The purpose of the committee is to bring together local communities and provincial agency staff (EMBC, FLNRORD) with stakeholders to coordinate, plan and share information on FireSmart activities at a regional level.
- Participate in multi-agency fire and/or fuel management planning tables to support the integration of fuel management planning across jurisdictional boundaries in the absence of a CFWR Committee
- **New in 2021** - Provide Indigenous cultural safety and humility training to emergency management personnel in order to more effectively partner with, and provide assistance to, Indigenous communities for both wildfire prevention and suppression
- **New in 2021** - Attend 2021 FireSmart BC Conference, to be hosted by the BC FireSmart Committee. Note: this is limited to two staff per applicant for costs related to travel, accommodation and per diems only (wages are not eligible), with a maximum of no more than \$1,000 per attendee.

5. EMERGENCY PLANNING

Community preparations for a wildfire emergency require a multi-pronged approach in order for a community to respond effectively to the threat of wildfires as a whole.

- Develop and/or participate in cross-jurisdictional meetings and tabletop exercises specifically focused on wildfire preparedness and suppression, including seasonal wildfire readiness meetings
- Assess structural protection capacity as required for wildfire response (i.e. assessment of community water delivery ability, structure protection inventory)
- Use and/or promote [EMBC Wildfire Preparedness Guide](#) for community emergency preparedness events focused on wildfire

6. FIRESMART TRAINING & CROSS TRAINING

FireSmart requires many different professions who may not typically work in a wildfire environment to understand other disciplines and wildfire management planning objectives. Cross-training firefighters, public works staff, utility workers, local government and First Nation administration staff, planning and logistics staff, and other key positions, supports local FireSmart activities, including a safe and effective wildfire response.

- Provide or attend training for Local FireSmart Representatives
- Support local government or First Nation staff that have completed Local FireSmart Representative training to qualify as facilitators, including travel costs for up to 3 workshops
- Cross-train fire department members to include structural fire and interface wildfire training. The following are the only courses eligible for funding:
 - SPP-WFF1 Wildland Firefighter Level 1
 - S-100 Basic fire suppression and safety

- S-185 Fire entrapment avoidance and safety
- ICS-100 (volunteer fire departments only)
- Cross-train emergency management personnel:
 - ICS-100
 - Professional development to increase capacity for FireSmart activities. Note: this is limited to two staff per applicant for costs related to travel, accommodation and per diems only (wages are not eligible), with a maximum of no more than \$1,000 per attendee.

7. FIRESMART PROJECTS FOR CRITICAL INFRASTRUCTURE

Implementing recommended FireSmart improvements to local critical infrastructure demonstrates wildfire prevention principles and best practices to community members and other stakeholders.

To be eligible for funding, all FireSmart Projects must have a completed FireSmart Assessment at the time of application submission. Refer to Category 2 for information on applying for assessments.

Eligible projects must be First Nations owned buildings or publicly owned buildings that are currently designated as critical to support effective emergency response to a wildfire event. This includes structures designated as Emergency Operations Centres or Emergency Support Services facilities (i.e. reception centres, group lodging locations for evacuees), water pump stations, communications towers, and electrical generating stations, but does not include all critical infrastructure identified through the Local Authority Emergency Plan.

The maximum funding request for this category is \$25,000 per application.

- Replacing building materials (i.e. siding or roofing) with fire-resistant materials
- Undertaking vegetation management within the FireSmart Non-combustible Zone and Priority Zones 1, 2 and 3 to remove, reduce, or convert flammable plants in order to create more fire-resistant areas outlined in the [FireSmart Guide to Landscaping](#)

8. FIRESMART ACTIVITIES FOR RESIDENTIAL AREAS

Residential areas are a critical component of every community. First Nations and local governments have a key role to play in supporting residents and property owners to undertake FireSmart activities that demonstrate wildfire prevention principles and best practices.

To be eligible for funding, all FireSmart activities for residential areas must be located in the FireSmart Home Ignition Zone which includes the home and surrounding yard area - FireSmart Non-Combustible Zone and Priority Zones 1, 2 and 3.

- Develop plans for residential areas (only with residential property and/or home owners' consent):
 - Conduct [Home Ignition Zone Assessments](#) for individual residential properties or homes
 - Develop FireSmart Neighbourhood Plans for specific areas
 - Undertake [Neighbourhood Wildfire Risk Assessments](#) for neighbourhoods pursuing FireSmart Canada Neighbourhood Recognition
- Offer local rebate programs to residential property or home owners that complete eligible FireSmart activities. Refer to Appendix 2 for requirements for funding this activity.
- Provide off-site vegetative debris disposal for residential property or home owners who have undertaken their own vegetation management, including:

- Provide a dumpster, chipper or other collection method
- Waive tipping fees
- Provide curbside debris pick-up

9. FUEL MANAGEMENT

Under the FireSmart Community Funding & Supports program, fuel management activities include the development of fuel management prescriptions and burns plans, as well as operational fuel treatments, including prescribed burns.

Applicants are advised to only propose fuel management activities that can be completed within two years.

To be eligible for funding, all fuel management activities must be in alignment with the requirements for funding fuel management activities identified in Appendix 3 and should generally be outside of FireSmart Non-combustible Zone and Priority Zones 1, 2 and 3.

- Undertake fuel management on publicly owned land or First Nations land. This is limited to:
 - Fuel management prescriptions consistent with [BC Wildfire Service 2020 Fuel Management Prescription Guidance Document](#)
 - New fuel management treatments or maintenance activities, including activities on grasslands
 - Prescribed burns are eligible when the primary objective is fuel management for community wildfire risk reduction. They must follow the provincial requirements for planning and implementing a burn and must utilize the BCWS Prescribed Fire [Burn Plan Template](#). (Note: per Appendix 1a of the template – Burn Plan Signature Sheet, the BCWS Fire Centre Manager or designate is required to approve the burn plan.)

Additional Eligible Costs & Activities

In addition to the activities identified in Table 1, the following expenditures are also eligible provided they relate directly to eligible activities:

- Incremental applicant staff and administration costs (i.e. creating a new position or adding new responsibilities to an existing position). This could include employment and/or training to increase local capacity through term contracts for:
 - FireSmart Coordinator
 - CWRP and/or CFRC Coordinator
 - Qualified Local FireSmart Representative
 - Summer/co-op students
- Consultant costs
- Public information costs

Ineligible Costs & Activities

Any activity that is not outlined in Table 1 or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for grant funding. This includes:

- Development of funding application package
- Purchase, construction or siting of Fire Danger rating signs
- Purchase of tools (e.g. hand saws, loppers) or structural protection equipment (e.g. hoses, sprinklers)

- Purchase of door prizes, give-away items and/or gifts for community events
- Purchase of emergency supplies (e.g. first aid kits) for community members or households
- Wildfire threat assessments and fuel treatment unit identification on private land (outside of GIS and/or FireSmart Home Ignition Zone Assessment, with the land owners consent) or outside of the eligible WUI
- For fuel management activities only:
 - Purchase of machinery, equipment and/or livestock for grazing
 - Work undertaken by FLNRORD, including prescribed fire staff support
 - Any third-party requirements to address hazard abatement under the *Wildfire Act*
 - Hazard abatement activities related to existing or decommissioned saw mills (i.e. removal of slabs and/or sawdust)

7. Grant Maximum

New in 2021 - Eligible applicants with a lower risk of wildfire, generally demonstrated by WUI Risk Class 4 and 5, can apply for 100% of the cost of eligible activities to a maximum of \$50,000.

Eligible applicants with a demonstrated higher risk of wildfire, generally demonstrated by WUI Risk Class 1, 2 and 3, can apply for 100% of the cost of eligible activities to a maximum of \$150,000. Information on determining risk is provided in Appendix 1.

In addition, as outlined in Sections 1 and 3 above, there are two opportunities to apply for additional funding: applications that include fuel management on Provincial Crown land, located within municipal boundaries, regional district parks or First Nations land and including contiguous, logical treatment units that extend onto the Crown land base, and applications from regional districts that include FireSmart activities only in one or more electoral areas.

In order to ensure transparency and accountability in the expenditure of public funds, all other financial contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant. This includes any other grant funding and any revenue (e.g. sale of forest products) that is generated from activities that are funded by the FireSmart Community Funding & Supports program.

8. Application Requirements & Process

Application Deadline

The application deadline is October 9, 2020. Applicants will be advised of the status of their applications by February 5, 2021.

Required Application Contents

- Completed Application Form with all required attachments
- Completed Worksheet 1: Proposed Activities & Cost Estimates and all required attachments
- For fuel management activities only: Completed Worksheet 2: Proposed Fuel Management Activities and all required attachments
- Council, Board or Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management

- For regional projects with multiple applicants only: Council, Board or Band Council resolution from each partnering community that clearly states approval for the applicant to apply for, receive and manage the grant funding on their behalf

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow. Total file size for email attachments cannot exceed 20 MB.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cri-swpi@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Applications

FNESS, FLNRORD, FESBC and UBCM will perform a preliminary review of all applications to ensure the required application contents have been submitted and to ensure that eligibility criteria have been met.

Complete, eligible applications will then be reviewed by the local BCWS Wildfire Prevention Officer or FNESS Fuel Management Liaison/Specialist.

Following this, an Evaluation Committee, including FNESS, FESBC and FLNRORD, will assess and score all eligible applications. Higher application review scores will be given to projects that:

- Clearly increase community resiliency by undertaking community-based FireSmart planning and activities that reduce the community's risk from wildfire
- Demonstrate evidence of local wildfire risk (within the past five years) and rationale for proposed activities. This can include:
 - Wildfire risk class of 1, 2 or 3 for the general area of interest. Refer to Appendix 1 for the risk framework and maps.
 - Current local threat based assessments that show wildfire threat in proximity to values at risk within and around the community that have been supported by the BCWS Wildfire Prevention Officer and/or FNESS Fuel Management Liaison/Specialist
 - Demonstrated history of recent repeated and/or significant interface wildfires and evacuations
- Are outcome-based and include performance measures
- Include collaboration with one or more partners (e.g. community or resident organization, First Nation or Indigenous organization, other local governments, industry, or other levels of government)
- Demonstrate cost-effectiveness and be in general alignment with established CRI FireSmart, planning and fuel management cost benchmarks
- In cases where the total project cost exceeds the grant request, include in-kind or cash contributions to the project from the eligible applicant, community partners or other grant funding

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

Following scoring by the Evaluation Committee, the [BC FireSmart Committee](#) will review a summary of all applications in order to prioritize funding. Funding decisions will be made by UBCM.

9. Grant Management & Applicant Responsibilities

Grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision & Payments

All applicants will receive written notice of funding decisions. Approved applicants will receive an Approval Agreement, which will include the terms and conditions of any grant that is awarded, and that is required to be signed and returned to UBCM. Grants are paid at the completion of the project and only when the final report requirements have been met.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Post-Grant Approval Meetings

As a condition of grant funding, all approved applicants are required to meet with the BCWS Wildfire Prevention Officer or FNESS Fuel Management Liaison/Specialist, or designate, to discuss the approved project prior to commencing work.

Progress Payments

Grants under the FireSmart Community Funding & Supports program are paid at the completion of the project and only when the final report requirements have been met. To request a progress payment, approved applicants are required to submit:

- Description of activities completed to date
- Description of funds expended to date
- Written rationale for receiving a progress payment

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from the Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, applicants are required to submit:

- Revised application package, including updated, signed application form, updated budget and an updated Council, Board or Band Council resolution
- Written rationale for proposed changes to activities and/or expenditures

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.

Extensions to Project End Date

All approved activities are required to be completed within the time frame identified in the approval letter and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed one year.

10. Interim & Final Report Requirements & Process

Applicants with phased fuel management projects are required to submit an interim report before fuel management treatments commence. Refer to Appendix 3 for requirements.

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form with all required attachments
- Final Report Worksheet 1 and all required attachments
- For fuel management activities only: Final Report Worksheet 2 and all required attachments
- Maps and spatial data (only required for CWPPs/CWRPs and fuel management activities) as outlined in Appendix 4
- Optional: any photos or media related to the funded project

Submission of Interim & Final Reports

Interim and final reports should be submitted as Word or PDF files. If you choose to submit your report by e-mail, hard copies do not need to follow. Total file size for email attachments cannot exceed 20 MB.

All interim and final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cri-swpi@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Final Reports

UBCM will perform a preliminary review of all final reports to ensure the required report elements have been submitted. Following this, all complete final reports and deliverables will be reviewed by FNESS and/or FLNRORD before grant payment is released.

All final report materials will be shared with the Province of BC and BC FireSmart Committee.

11. Additional Information

For enquiries about the application process or general enquiries about the program, please contact UBCM at cri-swpi@ubcm.ca or (250) 356-2947.

Appendix 1: Risk Framework & Risk Class Maps

The BC Flood and Wildfire Review recommended that the provincial government identify risk management strategies to guide and prioritize funding for wildfire mitigation activities based on community risk (recommendation #81).

Differing risk levels require tailored risk management to minimize negative impacts from wildfires to communities and high value resources and assets (HVRAs). The intent is to enable cost effective wildfire risk reduction strategies that will mitigate wildfire threat to communities and HVRAs at two different scales – local and provincial.

Identifying your WUI Risk Class (1-5) and Associated Polygon Name

Under the FireSmart Community Funding & Supports program, applicants are required to identify the WUI Risk class to provide evidence of wildfire risk in their community. The risk class framework and the related maps and Google Earth compatible KML files are used to support this requirement and applicants must locate their general area of interest on the [Wildland Urban Interface Risk Class Maps](#) or Google Earth compatible KML files in order to determine their wildfire risk class. In cases where local assessments provide additional evidence of higher wildfire risk (than the WUI Risk Class), applicants can provide this information in their application in support of their proposed activities.

New in 2021 - Google Earth compatible KML files have been created for each Fire Centre with the WUI Risk Class Maps information. An additional layer has been provided for the WUI Risk Class Maps and the Google Earth KML files with completed fuel treatments including treatments funded through the Strategic Wildfire Prevention Initiative, Forest Enhancement Society of BC, FireSmart Community Funding & Supports and Crown Land Wildfire Risk Reduction programs to date.

Wildfire Risk Framework

A risk-based framework consists of the consideration of the likelihood of an unwanted wildfire event and the consequences to communities and high value resources and assets as the measure of risk, as follows:

- Likelihood is the probability of the unwanted wildfire event occurring
- Consequence is the amount of damage occurring as a result
- Risk is measured as the product of likelihood and consequence, but multiple inputs are also required in order to effectively quantify risk, including severity, value type, and vulnerability

Through the identification of risk level, priorities for mitigation as well as opportunities for increasing community resiliency are both enhanced.

Provincial Strategic Threat Analysis

At a provincial scale, the wildfire risk framework starts with an analysis of the WUI. Quantification of wildfire threat components, including likelihood (fire occurrence) and severity (head fire intensity, which is calculated using the 90th percentile weather conditions and fuel type) and wildfire propagation potential (spotting) at the provincial scale, is represented by the [Provincial Strategic Threat Analysis](#) (PSTA).

The PSTA assesses and maps potential threats to values on the landscape, including communities, infrastructure and natural resources.

This identifies areas for wildfire risk reduction in order to minimize negative impacts to human life and safety including first responders, public health and the infrastructure required to maintain business continuity and support recovery efforts.

For areas where there is a discrepancy with the classification, local wildfire threat plots will need to be completed to quantify the change in the wildfire threat class. This process is described in the 2020 Wildfire Threat Assessment Guide and Worksheets. The updated wildfire threat will be used to develop local risk class assessments which will be planned and implemented on priority WUI areas and for isolated critical infrastructure.

Local risk class assessments can then be planned and implemented on priority WUI areas and for isolated critical infrastructure.

WUI Risk Class Assessment & Maps

In BC, structure densities are used to define the human structure interface boundary of the WUI for fire and risk management planning purposes. It identifies the zone of transition between unoccupied land and human development. A two-kilometre buffer distance is then applied to represent a reasonable maximum distance that embers can travel from a wildfire to ignite a structure. This has represented the historic approach to defining the WUI for BC.

New in 2021 – In accordance with the eligible activity criteria, the FCFS Eligible WUI one-kilometre buffer has been added to the WUI RC maps to aid applicants in designing fuel breaks and CWRPs. Spatial data for WUI Risk Class maps, including the one-kilometre buffer, are available at any time for local authorities by sending a request to BCWILDFIREGEO@gov.bc.ca

Once defined, the WUI layer is combined with the PSTA wildfire threat layer (Crown land) to highlight a coarse scale spatial pattern of risk area using certain criteria, such as density and threat ratings. The WUI risk class assessment is driven by structure location (not by administrative boundaries) to reflect the actual location of structures that exist on the land base in relation to wildfire threat. This creates WUI polygons that may include multiple jurisdictions (e.g. regional district, municipal or First Nations land) that are linked by the continuity of structure density.

Currently the province only has data available to support fire threat analysis on Provincial Crown land. There are large tracts of private land that exist within the WUI where no data is available. The amount of private land is an important component in the risk analysis due to the lack of data to inform fire risk identification across jurisdictional boundaries. Therefore the buffer was expanded to 2.75-kilometres around structure classes with a density of >25 for the analysis in order to create separate WUI polygons. A subsequent analysis of the PSTA data was performed to allocate polygons to one of five Risk Classes.

The resulting WUI Risk Class Map highlights patterns and trends in the WUI in a simplistic and easy to understand way. This is available as a high-level analysis to support the initial identification of areas for FireSmart Community Funding & Supports applications.

Subsequent activities or inputs are required to determine the most effective risk control options, including developing a Community Wildfire Resiliency Plan (or update) or other plan that includes assessment of local threat on the ground, and identification of FireSmart priorities, ground truthing the area to determine local threat, and developing a site level plan for treatments.

Private Land

In some areas of the province the private land percentage is still too high for the analyses to provide a meaningful risk class rating. For the northeast area of the province around Fort St. John and Dawson Creek, extensive tracts of private land surround the smaller WUI polygons. A manual process was used to assign the risk class to these areas. Additional PSTA map extents are provided for the map sheets

around the Vanderhoof, Kettle Valley and Prince George areas as well, for information only, as the risk classes were assigned for these additional WUI polygons. Please contact your local Fire Centre contact for further information regarding these specific areas.

Appendix 2 – Funding Requirements for FireSmart Rebate Program

Under the FireSmart Community Funding & Supports program, approved applicants can use grant funding to offer local rebate programs to residential property or home owners that complete eligible FireSmart activities on their properties in the FireSmart Home Ignition Zone which includes the home and surrounding yard area - Non-Combustible Zone and Priority Zones 1, 2 and 3.

To be eligible for funding, a rebate program must address the goals of FireSmart and follow the requirements outlined below.

Goals of FireSmart

The general goal of [FireSmart](#) is to encourage communities and citizens to adopt and conduct FireSmart practices to mitigate the negative impacts of wildfire to assets on public and private property.

Rebate Program Requirements

Approved applicants are required to adhere to the following requirements:

- Rebates are limited to 50% of the total cost of the eligible activities identified in Table 2 and no more than \$500 per property
- Areas of higher wildfire risk, such as neighbourhoods adjacent to the forested edge and/or areas that fall in an overall high to extreme category, should be prioritized for rebates. Current plans should be used to decide where to offer a FireSmart rebate program.
- The approved applicant must assess the FireSmart activities that are conducted by the residential property or home owner and review costs (e.g. receipts and/or proof of labour) before approving rebates

To qualify for a rebate:

- The residential property or home owner must have a [FireSmart Home Ignition Zone Assessment Score Card](#) of their property conducted by a qualified Local FireSmart Representative, that identifies the property in a moderate, high or extreme category (refer to Table 1 – Community Planning for funding eligibility)
- The qualified Local FireSmart Representatives must use the [FireSmart Assessment Work Hours Estimate Form](#) to outline mitigation recommendations to the residential property or home owner
- Residential property or home owners can complete the recommended mitigation activities themselves, or hire others to complete the work
- Only activities that are recommended in the completed assessment and that are identified in Table 2, are eligible for the rebate

Home or Structure		
1	Roof Material Gutters Vents and Openings	<ul style="list-style-type: none"> • Install UL/ASTM fire-rated roofing (metal, clay, asphalt shingles) • Install non-combustible gutters and/or gutter covers • Remove roof surface tree needles, debris or overhanging branches • Install closed eaves and/or non-combustible fire-rated vents or vents with 3 mm screening
2	Building Exterior or	<ul style="list-style-type: none"> • Install ignition resistant (fibre cement board or log) or non-combustible (stucco, metal, brick/stone) exterior siding material

	Siding	<ul style="list-style-type: none"> • Repair gaps, cracks or holes where embers could lodge or penetrate • Provide 15 cm non-combustible vertical ground-to-siding clearance
3	Windows & Doors	<ul style="list-style-type: none"> • Install tempered glass in all doors and windows • Replace single pane window glass with multi pane / thermal window glass • Repair gaps in doors / garage doors where embers could accumulate or penetrate
4	Balcony, deck, porch	<ul style="list-style-type: none"> • Install non-combustible or fire-rated, solid (no gaps or cracks) deck surface and support construction • Close up open deck structures or remove all combustibles below deck
Yard / Non-Combustible Zone (0 to 1.5 metres from Home)		
5	1.5 metres from furthest extent of home	<ul style="list-style-type: none"> • Replace combustible surfaces with non-combustible surfaces • Remove combustible debris, materials, fences or plants
Yard / Zone 1 (1.5 to 10 metres from Home)		
6	Adjacent Combustibles	<ul style="list-style-type: none"> • Move woodpiles, building materials and all other combustibles into Zone 2 or enclose in an outbuilding that meets FireSmart guidelines
7	Outbuildings not meeting FireSmart guidelines	<ul style="list-style-type: none"> • Relocate outbuildings not meeting FireSmart guidelines more than 10 metres from home or upgrade outbuildings to meet FireSmart guidelines
8	Trees	<ul style="list-style-type: none"> • Replace (with deciduous) or remove coniferous (evergreen) species
9	Surface vegetation and combustible materials	<ul style="list-style-type: none"> • Cut and maintain grass to less than 10 cm or shorter • Replace flammable - continuous or tall growing plants with low flammability, low growing, discontinuous plants • Remove branches, logs and needles, leaves and debris accumulations
Yard / Zone 2 (10 to 30 metres from Home) and Zone 3 (30 to 100 metres from Home)		
<i>Note: Zone 3 should not be addressed until the building, Non-Combustible Zone, Zone 1 and Zone 2 have first been addressed. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for Zone 3.</i>		
10	Trees	<ul style="list-style-type: none"> • Thin coniferous trees or replace with deciduous tree species • Remove conifer tree branches within 2 metres of the ground
11	Surface Vegetation	<ul style="list-style-type: none"> • Reduce surface vegetation – long grass and flammable shrubs • Reduce accumulations of branches, logs and debris

Appendix 3 – Funding Requirements for Fuel Management Activities

Fuel Management Activities

Under the FireSmart Community Funding & Supports program, fuel management activities include the development of fuel management prescriptions and burns plans, as well as operational fuel treatments, including prescribed burns. Refer to Section 3 for eligible projects and Section 4 for the requirements for funding.

Fuel management activities are required to be within municipal boundaries, regional district parks or First Nations land, however contiguous, logical treatment units that extend onto the Crown land base may be considered provided that:

- a. Fuel management activities are adjacent to community structures, and
- b. Extend no further than one-kilometre from the structure density class greater than 6 (see Appendix 1)

Fuel management located exclusively on Provincial Crown land, outside of municipal boundaries, regional district parks or First Nations land, is administered through the Crown Land Wildfire Risk Reduction stream. Applicants are required to contact the BCWS for further discussion regarding identified fuel treatment units located on Provincial Crown lands.

Prescriptions

A [Fuel Management Prescription](#) is a document that identifies the objectives and strategies to lower the wildfire hazard in an identified area. Prescriptions ensure that proposed treatments include clearly defined objectives for fuel management that will result in a measurable reduction in the wildfire risk to a value while meeting all legislated and non-statutory requirements. Updating prescriptions for maintenance treatments is also eligible for funding.

Prescriptions that are part of phased projects (discussed below) or that have been funded outside of the CRI or SWPI program streams are required to undergo a technical review by the BCWS Wildfire Prevention Officer or FNESS Fuel Management Liaison/Specialist.

Adequate time (at least 30 days) is required for technical review to be completed prior to submitting an application or planning for the initiation of the fuel treatment component of a phased project. When an approved project includes multiple prescriptions, it is preferred that all completed prescriptions are submitted at the same time.

Burn Plans

A burn plan is a documented plan prepared in advance of a prescribed fire that describes the objectives, burn operations, mitigation plan and post-fire monitoring of the open fire. A completed prescription endorsed by the land manager is required prior to initiating a Burn Plan.

Burn plan development is a collaborative process that requires a 60-day review period upon submission of the burn plan before the intended implementation date. Please contact the BCWS Wildfire Prevention Officer if developing a Burn Plan. (Note: As per Appendix 1a of the template – Burn Plan Signature Sheet, the BCWS Fire Centre Manager or designate is required to approve the burn plan.)

Eligible Prescription/Burn Plan Development Costs & Activities:

- Activities related to prescription development (e.g. approved Canadian wildfire modelling or stakeholder engagement)

- Activities related to burn plan development including identification of values in containment areas, additional data collection requirements and engaging with burn specialists
- Required professional assessments (e.g. geotechnical, archaeological, fire ecologist, range agrologist, etc.).
- [Information sharing with First Nations](#), as required by the Land Manager
- Site evaluation, including field reconnaissance, wildfire threat assessment plots, data collection as outlined in 2020 prescription guidance document and the evaluation of site access
- Lay out and traversing of proposed areas for treatments
- Preparation of all final report requirements, including maps, spatial data and metadata

Treatments/Prescribed Burns

Fuel management treatments are the manipulation or reduction of living or dead forest and grassland fuels to reduce the rate of spread and head fire intensity and enhance likelihood of successful suppression, generally outside of FireSmart Non-combustible Zone and Priority Zones 1, 2 and 3.

When developing a tactical plan for managing forest fuel to reduce wildfire risk to communities, the best approach to complete this task is fuel breaks. Fuel breaks are linear features on the landscape that provide continuity of treatments that allow for the best wildfire management option for an approaching wildfire. The placement of these fuel breaks needs to consider prevailing wind direction, wildfire spread potential and historical wildfire spread in the WUI. BCWS have developed [Initial Spread Index/ Wind roses](#) that show that potential for all BCWS weather stations.

Activities may include treatments such as thinning, spacing and pruning trees, and removal of woody debris and needles (i.e. surface fuel) from the forest floor. The intent is to reduce fuel loading on the site to change fire behaviour and increase suppression success.

[Prescribed burns](#) primarily for community wildfire risk reduction objectives are eligible for funding under the fuel management activity. Due to relatively narrow burn windows associated with weather and site conditions, as well as timelines associated with fire hazard abatement requirements, it is anticipated prescribed fire will be more appropriate and common as a maintenance treatment than as part of the initial suite of treatments.

Maintenance treatments (generally for areas that have had fuel management treatments in the last 5 to 15 years) are eligible for funding. It is expected that maintenance treatments will have lower costs. Applicants should discuss any proposed maintenance activities with the BCWS Wildfire Prevention Officer or FNESS Fuel Management Liaison/Specialist to ensure that the requirements for a new or updated fuel management prescription are addressed and to identify where the Crown Land Wildfire Risk Reduction stream can fund when located outside of municipal and First Nations boundaries.

Eligible Fuel Treatment Costs & Activities:

- Pre-treatment activities: activities required to obtain authorizations, danger tree assessments, notification to First Nations and stakeholders and public engagement activities
- Treatments: pruning, thinning, tree falling, brushing, grazing, debris management (e.g. pile and burning) and/or reforestation
- Post-treatment activities: completion of post treatment data collection, signage and post treatment report
- Preparation of all final report requirements, including maps, spatial data and metadata, including a post treatment report

In addition, when prescribed fire is undertaken as a fuel management activity for community wildfire risk reduction, the following costs and activities are eligible:

- Burn preparation activities including fire weather index monitoring, public notification and preparing black lines. Note: pre-burn costs are eligible costs if no burn window is achieved
- Burn day activities including spot forecasts, equipment set up and transport (may include aerial ignition) and traffic control
- Post-burn activities including surveys, mop up and final reporting. A budget estimate based on mop-up requirements within the approved burn plan should be included. Where an increased level of mop up (i.e. 100%) is required as indicated by the Burn Boss, in consultation with BCWS, include a contingency cost estimate as a separate budget line item in preparation of potentially dynamic mop up conditions.

Phased Projects

Applicants can apply for fuel management projects that include prescription and/or burn plan development and fuel management treatment, including prescribed burns, for the same treatment unit(s) provided that sufficient detail on estimated treatment size and post-treatment outcomes are included. Under the FireSmart Community Funding & Supports program, this is considered a phased project and specific funding conditions will apply.

Application Requirements

In addition to the required application materials for the FireSmart Community Funding & Supports program, projects that include fuel management activities are required to submit:

- Worksheet 2: Proposed Fuel Management Activities and all required attachments
- Overview/cumulative map of the community, previously completed treatments, proposed treatments for this application, and planned future treatments. Refer to [2020 WUI Risk Class Maps](#) and Google Earth compatible KML files (Appendix 1).
- PDF map and Google Earth compatible KML file, at appropriate scale, outlining the area of interest, proposed treatments units, land status and tenure overlaps, as defined in Appendix 4
- If available, current, wildfire threat assessment plots and/or fuel loading data and rationale for the proposed treatment unit(s) (see [Fuel Management Prescription Guidance](#) document for more information)
- For fuel management treatments only:
 - Completed (signed and sealed) prescription
 - For prescribed fire, completed (signed and sealed) prescription burn plan in addition to Fuel Management Prescription
 - Project spatial layers as defined in Section I of Appendix 4

Interim Report Requirements for Phased Projects Only

For projects that include prescription/prescribed fire burn plan development and fuel management treatment for the same treatment unit(s) the following is required.

The completed signed/sealed prescription and prescribed fire burn plan and, for treatment on Crown land only, confirmation that First Nations information sharing has been completed, must be submitted to UBCM.

The prescription and/or prescribed fire burn plan will be reviewed by the BCWS Wildfire Prevention Officer or FNESS Fuel Management Liaison/Specialist and must be supported prior to initiation of the fuel management treatment. Treatments that have been initiated prior to an approved technical review may not be eligible for further funding.

In addition, in order to receive authorizations for the treatment, the land manager will require the completed prescription/burn plan, as well as additional information. This may include:

- Maps
- Project boundary spatial layer
- Confirmation that First Nations information sharing has been completed

If the applicant is requesting a progress payment at the completion of the prescription and burn plan (for prescribed fire) phase, the complete final report requirements for prescriptions and burns plans (identified in Table 3) must be submitted to UBCM. Otherwise, this information is required to be submitted as part of the overall final report.

Final Report Requirements

In addition to the required final report materials for the FireSmart Community Funding & Supports program, projects that include fuel management activities are required to submit the following.

Table 3: Fuel Management Final Report Requirements	
Fuel Management Prescriptions and Burn Plans (for prescribed fire)	Fuel Management Treatments, including prescribed fire
<p>Copy of the fuel management prescription that is signed and sealed by a Registered Forest Professional including all ancillary assessments (e.g. terrain stability).</p> <p>Copy of the Burn Plan that is signed by the qualified professional (e.g. fire behaviour speciality, burn boss or otherwise).</p>	<p>Post-treatment wildfire threat assessments or data collection as outlined in 2020 prescription guidance document.</p> <p>Post- treatment report with updated survey data collection as per direction in the prescription, summary of post treatments conditions and fire behaviour outcomes and relationship to prescription treatment objectives. Pre and post-treatment pictures as well – minimum of three per TU. Attached original final prescription.</p>
<p>PDF maps, at appropriate scale, as identified in Appendix 4</p>	<p>PDF maps, at appropriate scale, as identified in Appendix 4</p>
<p>Spatial data, as identified in Appendix 4, is required for Provincial Crown land (to support Land Manager clearances) only if the approved project does not include fuel management treatments of the prescribed area.</p>	<p>Spatial data for Provincial Crown land treatments is required to be entered into RESULTS and the Activity Treatment ID is required as evidence of a successful RESULTS entry. Please refer to the <u>“RESULTS Information Submission Specifications: Government Funded Activities”</u> document found in the “Submission Specifications Data Requirements” section.</p>

	For local government or First Nations land (i.e. non-Provincial Crown land), spatial data is required, as identified in Appendix 4.
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Appendix 4: Requirements for Maps & Spatial Data

Large format georeferenced PDF maps that clearly represent (at a suitable scale) the following required content and spatial data submissions, including metadata, are required as part of the final report requirements for CWPPs/CWRPs and fuel management activities.

Provincial Crown land: treatments are required to be entered into RESULTS and the Treatment Activity ID will be required as evidence of a successful RESULTS entry. Please refer to [RESULTS Information Submission Specifications: Government Funded Activities](#).

A. Summary of Map & Spatial Data Requirements

	Maps	Spatial Data Layers	Notes
CWRPs	<ul style="list-style-type: none"> Area of Interest (AOI) and VAR Local Fire Risk Proposed Fuel Treatment Units 	<ul style="list-style-type: none"> AOI PROPOSED_TREATMENT FCFS_WUI 	<p>Refer to Part B and C for maps</p> <p>Refer to Part F, G, and I for spatial data</p>
Fuel Management Prescriptions including prescribed fire	<ul style="list-style-type: none"> Fuel management Prescription 	<ul style="list-style-type: none"> PRESC_PROJECT_BOUNDARY PRESC_TREATMENT_UNIT 	<p>Refer to Part B and D for maps</p> <p>Refer to Part F, H and I for spatial data</p>
Fuel Management Treatments	<ul style="list-style-type: none"> Fuel Management Treatment 	<ul style="list-style-type: none"> OP_PROJECT_BOUNDARY OP_TREATMENT_UNIT OP_STAND_TREATMENT OP_DEBRIS_MGMT 	<p>Refer to Part B and E for maps</p> <p>Refer to Part F, H and I for spatial data</p>

B. Mandatory Requirements for All Maps

- Descriptive title
- Scale (as text or scale bar)
- North arrow
- Legend
- CRI Project number and proponent name, consultant and GIS company name
- Date
- Reference data such as roads, railways, transmission lines, pipelines, water bodies and rivers/creeks
- Compress map files to reduce unnecessary large file sizes

C. Required Maps for CWRPs

MAP 1: Area of Interest (AOI) and VAR

- CWRP AOI
- Land ownership and administrative boundaries (Municipal, Federal, Private, Parks, Crown etc.)
- Relevant tenures such as range, woodlots, community forest areas
- Fire Department Boundaries
- Proposed or completed fuel treatments
- FireSmart areas, Wildfire Hazard Development Permit Areas
- Values at risk (critical infrastructure)
- High environmental and cultural values
- Hazardous values at risk

MAP 2: Local Fire Risk

- CWRP FCFS WUI one-kilometre buffer
- PSTA Threat or Modified Local Level Polygons
- Hectares of each PSTA Threat Class or Modified Local Level Threat Class must be stated on the map in a table

MAP 3: Proposed Fuel Treatment Units

- CWRP AOI
- Land Status and tenure overlaps e.g. range, woodlots etc.
- Proposed fuel treatment units, labelled by PROPOSED_TREATMENT_ID
- Previously completed treatments, labelled by year
- Hectares of Proposed Fuel Treatments in a table on map (PROPOSED_TREATMENT_ID, AREAHA)

D. Required Map for Fuel Management Prescriptions

- PRESC Project Boundary with land status and tenure overlaps (e.g. range, woodlots, area-based tenures)
- Access including proposed roads, and stream crossings
- Values including any reserves, wildlife habitat areas, or critical infrastructure
- Streams, wetlands, lakes including the class and identification number/name
- Areas of safety concern (steep slopes).
- PRESCRIBED_TREATMENT_UNIT (labelled by TREATMENT_UNIT_ID)
- Access including existing/proposed roads, trails and stream crossings
- Previously completed treatments if applicable (labelled by year)
- Table with all areas identified in Treatment Unit Summary, including treatment regime and hectares (from the signed Fuel Management Prescription doc)
- Wildfire Threat Assessment plots / labelled by PLOT_NUMBER

E. Required Map for Fuel Management Treatment

- OP project boundary with land status and tenure overlaps (e.g. range, area-based tenures woodlots)
- OP_TREATMENT_UNIT (labelled by TREATMENT_UNIT_ID)
- Stand treatment and debris management activity
- A table of total net project boundary hectares, and Stand and Debris activity summarized by individual treatment unit hectares
- Previously completed treatments if applicable (labelled by year)
- Wildfire Threat Assessment plots / labelled by PLOT_NUMBER

F. Spatial Data Requirements

The Province of BC uses ArcGIS 10.6 and all spatial data submissions must be compatible with ArcGIS 10.6. In addition, some feature layers as identified in the table below, are also required in a KMZ format.

Spatial data must conform to the following general formats, naming conventions and standards.

1. **Data Format and Naming Conventions:** Data must be submitted in a File Geodatabase (FGDB) and KMZ format and must conform to the conventions for feature dataset names, feature class names, attribute names, and attribute values as identified in the Specific Submission Requirements by Project Type section below. It is strongly recommended that you use the template FGDB in order to facilitate meeting this requirement.

FGDB and KMZ names must adhere to the following naming standard:

< Local Government/First Nation Band Number>_<ProjectTypeAndDescription>

For example: PrinceGeorge_CWRPNorthPG.gdb

PrinceGeorge_CWRPNorthPG.KMZ

FN699_CWRPNorthPG.gdb

FN699_CWRPNorthPG.KMZ

2. **FGDB Projection:** The projection standard is NAD_1983_BC_Environment_Albers (EPSG:3005), with parameters of:

Central meridian: -126.0° (126°00'00" West longitude)

Latitude of projection origin: 45.0 (45°00'00 North latitude)

First standard parallel: 50.0° (50°00'00" North latitude)

Second standard parallel: 58.5° (58°30'00" North latitude)

False easting: 1000000.0 (one million metres)

False northing: 0.0

Datum: NAD83, based on the GRS80 ellipsoid.

3. **Data Quality:** Submitted data must meet general data quality guidelines to ensure corporate data quality standards are met. Data with slivers, gaps between adjacent polygons, and geometry errors will not be accepted.
4. **Metadata:** Metadata must be provided for all spatial layers. The metadata standard is FGDC and is required to be submitted in .xml format. Metadata must document the following:
 - a. A description of what each dataset represents for all datasets provided in addition to what is outlined in the individual project sections.
 - b. A description of each attribute and the codes/values used to populate it for all attributes provided in addition to what is outlined in the individual project sections.
 - c. Data Source information including where the data came from, the currency of the information and source contact details for potential follow-up
 - d. For resultant datasets, metadata must also include the methodology and source data used in the creation of the resultant, the date of creation, and contact details for the person who created it.
5. **Submission:** The method for spatial data submission is a file geodatabase (FGDB) compressed into a zip file and KMZ file(s)

Additional notes about CWRP submissions:

- All spatial layers in addition to those identified in this guide, that are a key component of the CWRP maps or plan, must be included as part of the spatial submission and must include metadata.
- If more than one data collection method was used, please choose the value that best represents how the information was captured.

Additional notes about Fuel Management and Prescription submissions:

- The prescription_ operational project boundary represents the net operational area.
- One single or multi part polygon must be submitted for each treatment unit and/or activity.
- Project boundary, treatment unit and spatial hectares must match the net hectares stated on the maps and in the final report, or worksheet 2 for fuel treatments.
- Provincial Crown land: treatments will be required to be entered into RESULTS.

Please note: Spatial data submissions will be evaluated against these criteria. The final report and payment of grant funding will not be approved until all of these criteria are met.

Specific Submission Requirements by Project Type

G. Community Wildfire Resiliency Plan

Feature Layer Name	KMZ	Feature Layer Description	Mandatory Attributes	Attribute Description	Attribute Details (Data type, length)
AOI	YES	CWRP area of interest	DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double
FCFS_WUI	YES	Fire Smart Community Funding & Supports program 1km WUI	DATA_SOURCE	Origin of FCFS_WUI source. eg "WUI 2017" or for updated buffers suffixed with applicants name eg. CWRP - Cariboo RD	Text, 75
			DATA_COLLECTION_DATE	Date the spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREA_HA	Area in hectares	Double
PROPOSED_TREATMENT	YES	Proposed gross treatment area	PROPOSED_TREATMENT_ID	Unique proposed treatment identifier	Text, 7
			DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREA_HA	Area in hectares	Double

H. Specific Submission Requirements for Fuel Management and/or Prescription

Fuel Management Prescription

Feature Layer Name	KMZ	Feature Layer Description	Mandatory Attributes	Attribute Description	Attribute Details (Data type, length)
PRESC_PROJECT_BOUNDARY	YES	Single or multi-part dissolved polygon layer defining the <u>net</u> area under prescription	DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double
PRESC_TREATMENT_UNIT	YES	Prescription treatment units	TREATMENT_UNIT_ID	Treatment Unit ID	Text, 10
			CURRENT_FUEL_TYPE	Current treatment unit fuel type. See Table 2	Text, 15
			CURRENT_STEMS_PER_HA	Current treatment unit density stems per hectare	Long integer
			LOCATION_NAME	Geographic description of treatment unit	Text, 50
			DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double

Fuel Management Treatment

Feature Layer Name	KMZ	Feature Layer Description	Mandatory Attributes	Attribute Description	Attribute Details (Data type, length)
OP_PROJECT_BOUNDARY	YES	Single or multi-part dissolved polygon layer defining the <u>net</u> operational area	DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double
OP_TREATMENT_UNIT	YES	Operational treatment units	TREATMENT_UNIT_ID	Treatment Unit ID	Text, 10
			POST_STEMS_PER_HA	Current treatment unit density stems per hectare	Long integer
			LOCATION_NAME	Geographic description of treatment unit	Text, 50
			DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double
OP_STAND_TREATMENT	YES	Operational stand treatment area	STAND_TREATMENT_TECHNIQUE	Broad category of technique used for stand treatment activity. See Table 3	Text, 20
			STAND_TREATMENT_METHOD	Method used to perform treatment activity. See Table 3	Text, 20
			STAND_TREATMENT_END_DATE	Date stand treatment activity completed.	Date (DD/MM/YYYY)
			DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double
OP_DEBRIS_MGMT	YES	Operational debris management area	DEBRIS_MGMT_TECHNIQUE	Broad category of technique used for debris management activity. See Table 4	Text, 20
			DEBRIS_MGMT_METHOD	Method used to perform debris management activity. See Table 4	Text, 20
			DEBRIS_MGMT_END_DATE	Date debris management activity completed	Date (DD/MM/YYYY)
			DATA_COLLECTION_DATE	Date spatial data was collected	Date (DD/MM/YYYY)

Feature Layer Name	KMZ	Feature Layer Description	Mandatory Attributes	Attribute Description	Attribute Details (Data type, length)
			DATA_COLLECTION_METHOD	Method of spatial data collection (ex. GPS, digitized, etc.). See Table 1	Text, 45
			AREAHA	Area in hectares	Double

I. Attribute Value Reference Tables

Table 1: Data Collection Method

DATA_COLLECTION_METHOD	DESCRIPTION
differentialGPS	The data was captured with a differential GPS unit, or was post-processed with information received from known reference stations, to improve data accuracy.
Digitizing	The data was converted from an analog map into a digital format using a digitizing tablet connected to a computer.
GISAnalysis	The data was created as a result of a GIS Analysis.
nondifferentialGPS	The data was captured with a GPS unit but was not post-processed or was captured with a GPS unit incapable of doing differential GPS.
orthoPhotography	The data was delineated from an orthophoto (aerial photography).
Photogrammetric	The data was delineated using photographs or images in stereo pairs
satelliteImagery	The data was delineated from a satellite image.
sketchMap	The data was hand sketched, either on an analog map or on-screen.
tightChainTraverse	The data was surveyed with a hand compass and chain to create a closed traverse.

Table 2: Fuel Type

FUEL_TYPE	DESCRIPTION
C-1	C-1 Spruce Lichen Woodland
C-2	C-2 Boreal Spruce
C-3	C-3 Mature Jack or Lodgepole Pine
C-4	C-4 Immature Jack, Lodgepole Pine, densely stocked Ponderosa Pine, or Douglas Fir
C-5	C-5 Red and White Pine
C-6	C-6 Conifer Plantation
C-7	C-7 Ponderosa Pine or Douglas Fir
D-1/2	D-1/2 Green or Leafless Aspen or Deciduous shrub
S-1	S-1 Jack or Lodgepole Pine slash
S-2	S-2 White Spruce, Balsam slash
S-3	S-3 Coastal Cedar, Hemlock, Douglas-Fir slash
O-1a/b	O-1a/b Matted or Standing Grass
M-1/2	M-1/2 Green or Leafless Mixedwood
M-3	M-3 Dead Balsam Fir Mixedwood – leafless
Non-fuel	Non-fuel
Unclassified	Unclassified
Water	Water

Table 3: Stand Treatment Technique:

STAND_TREATMENT_TECHNIQUE	STAND_TREATMENT_METHOD
Prescribed Fire	Broadcast Burn
Pruning	Hand
Tree Felling	Hand
Tree Felling	Mechanical
Thinning	Hand
Thinning	Mechanical
Planting	NA

Table 4: Debris Management Technique:

DEBRIS_MGMT_TECHNIQUE	DEBRIS_MGMT_METHOD
Prescribed Fire	Pile Burning
Prescribed Fire	Broadcast Burn
Debris Management	NA
Debris Removal	Removal

Intentionally Blank



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Council Resolution for UBCM Evacuation Route Planning Grant		
Author	Robert Whitney	Reviewed By:	Peter DeJong
Date	August 13, 2020	Version	1
Issued for	Next available Council Meeting		

Recommendation:

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

Attachments:

- CEPF 2020 Evacuation Routes Program Guide.pdf

Key Information:

The topic of evacuation planning can be one that is of great import in a community with a complex hazard landscape like Lions Bay. This issue was brought up in 2009 and resulted in a high-level evacuation plan being prepared and added to the then-current Emergency Plan. This evacuation planning has continued through the 2015 update and into the current Emergency Plan (2019) with some minor reorganization.

The Emergency Program has “expanded evacuation planning” on the list of projects to be completed. Evacuation pre-planning does not generally drill down to the point of providing specific directions on how to evacuate the community; such direction is determined in the Emergency Operations Centre at the time of an event based on what is happening. Instead evacuation pre-planning is generally at a relatively high level and forms the basis for detailed evacuation planning done during an event. This is not to say that pre-planning will be devoid of details or the identification of potential issues that will need to be addressed in a new evacuation plan.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Through the use of the UBCM Grant the Emergency Program will be able to design and carry out a project aimed at improving the existing Evacuation Plan and result in an update that identifies and addresses existing and future challenges to successfully implement an evacuation in the event of an emergency. This project may include the following aspects:

- Identification and capacity analysis of available routes, methods of evacuation (e.g. personal and commercial vehicles, boats, helicopters, etc.), and modes of transportation (rail, water, air and road) including active transportation (e.g. walking, biking, etc.)
- Preparation of maps, spatial data, and metadata and development of expanded planning that incorporates more detailed procedures about when and how to evacuate the Village
- Traffic planning and analysis to facilitate the orderly and safe evacuation of the Village during an emergency
- Accounting for anticipated speed of progression of local hazards (i.e. wildfire, earthquake aftershocks and associated hazards, etc.)
- Assessment of other factors that impact the functionality of evacuation routes
- Reviewing the availability of early warning systems or other emergency notification tools
- Development of literature to be distributed to the public as a part of an awareness campaign
- Exercises required to inform or test the Evacuation Route Plan

Options:

(1) Do nothing: We will be unable to apply for the Evacuation Route Planning stream grant.

(2) Provide the resolution: The Emergency Program will then apply for a grant under the Evacuation Route Planning stream of the Community Emergency Preparedness Fund.

Preferred Option: Council provides the resolution so that an application will be made. Doing this will allow the Emergency Program to carry out a project developed to improve the current Evacuation Plan.

Legal Considerations: None.

Follow-Up Action: Upon receipt of the Council Resolution the DEPC will complete the application package for the Evacuation Route Planning grant and submit to UBCM no later than November 6, 2020.

Community Emergency Preparedness Fund

Evacuation Route Planning

2020 Program & Application Guide (Updated September 2019, and June 2020)

1. Introduction

The [Community Emergency Preparedness Fund](#) (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments, First Nations and communities in responding to emergencies. Funding is provided by the Province of BC and is administered by Union of BC Municipalities (UBCM).

Starting in May 2019, the funding streams include:

- Emergency operations centres and training
- Emergency support services
- Evacuation route planning
- Flood risk assessment, flood mapping and flood mitigation planning
- Indigenous cultural safety and cultural humility training
- Structural flood mitigation
- Volunteer and composite fire departments equipment and training

Background

Efficient and safe evacuation routes are needed for the movement of people, livestock, animals and personal property from an area of imminent or actual threat to an area of safety.

As noted in BC Evacuation Operational Guidelines (2009), “depending on the nature and scope of the event, evacuations may be limited to a single building or affect a large area such as a whole community. Successful and detailed planning is the key to effectively executed evacuations when an event occurs that requires these actions.”

Evacuation Route Planning Funding Stream

The intent of this funding stream is to support eligible applicants to develop Evacuation Route Plans for communities that would otherwise be challenged to successfully undertake an evacuation operation during an emergency.

2. Eligible Applicants

All local governments (municipalities and regional districts) and all First Nations (bands and Treaty First Nations) in BC are eligible to apply.

Eligible applicants can submit one application per intake, including regional applications or participation as a partnering applicant in a regional application.



3. Eligible Projects

In order to qualify for funding, applications must demonstrate the extent to which the proposed project addresses existing challenges to successfully implement evacuations in the event of an emergency.

In addition, to qualify for funding, projects must:

- Result in the completion or update of an Evacuation Route Plan which identifies and addresses existing challenges to successfully implement an evacuation in the event of an emergency, such as:
 - Identification and capacity of available routes
 - Methods of evacuation (e.g. personal and commercial vehicles, boats, helicopters, etc.)
 - Modes of transportation (rail, water, air and road) including active transportation (e.g. walking, biking, etc.)
 - Anticipated speed of progression of local hazards (i.e. wildfire, tsunami, flood, etc.)
 - Availability of early warning systems or other emergency notification tools
 - Other factors that impact the functionality of evacuation routes
- Be a new project (retroactive funding is not available)
- Be capable of completion by the applicant within one year from the date of grant approval
- Be in alignment with the provincial [Evacuation Operational Guidelines](#)

Regional Projects

Funding requests from two or more eligible applicants for regional projects may be submitted as a single application for eligible, collaborative projects. In this case, the maximum funding available would be based on the number of eligible applicants included in the application. It is expected that regional projects will demonstrate cost-efficiencies in the total grant request.

The primary applicant submitting the application for a regional project is required to submit a resolution as outlined in Section 6 of this guide. Each partnering applicant is required to submit a resolution that clearly states their approval for the primary applicant to apply for, receive, and manage the grant funding on their behalf.

4. Eligible & Ineligible Costs & Activities

Eligible Costs & Activities

Eligible costs are direct costs that are approved by the CEPF Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Eligible activities must result in the completion of a new or updated Evacuation Route Plan, be cost-effective, and may include:

- Preparation of maps, spatial data, and metadata (where applicable must meet [Specifications for LiDAR for the Province of British Columbia](#) and if applicable the [Specifications for the Production of Digital Elevation Models for the Province of British Columbia](#))

Updated September 2019 – Approved applicants are required to grant the Province of British Columbia free and clear access and distribution rights, specifically a perpetual, royalty-free, non-exclusive, worldwide license to use, reproduce, modify and distribute, any and all of the spatial data products acquired/produced using CEPF funding.

- Exercises required to inform or test the Evacuation Route Plan

- Presentation of the Evacuation Route Plan to Council, Board, Band Council or Treaty First Nation government, community organizations, etc.
- Amendments to relevant local plans, bylaws or policies that are specific to evacuation route planning (e.g. Official Community Plan, land use plans, engineering and public works bylaws or policies)

The following expenditures are also eligible provided they relate directly to the eligible activities identified above:

- Consultant costs
- Incremental applicant staff and administration costs
- Public information costs

Ineligible Costs & Activities

Any activity that is not outlined above or is not directly connected to activities approved in the application by the CEPF Evaluation Committee is ineligible for grant funding. This includes:

- Routine or on-going operating or planning costs
- Capital or infrastructure expenditures
- Costs associated with an actual evacuation event
- Costs related to developing or submitting the application package

5. Grant Maximum

The Evacuation Route Planning funding stream can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$25,000.00.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

6. Application Requirements & Process

Application Deadline *(Updated June 2020)*

The application deadline is **November 6, 2020**. Due to the COVID-19 pandemic, the April 17, 2020 intake was postponed. Applicants will be advised of the status of their application within 90 days of the application deadline.

Required Application Contents

- Completed Application Form
- Local government Council or Board resolution, Band Council resolution or Treaty First Nation resolution, indicating support for the current proposed activities and willingness to provide overall grant management.
- Detailed budget for each component identified in the application. This must clearly identify the CEPF funding request, applicant contribution, and/or other grant funding.
- For regional projects only: local government Council or Board resolution, Band Council resolution or Treaty First Nation resolution from each partnering applicant that clearly states their approval for the primary applicant to apply for, receive and manage the grant funding on their behalf.

Resolutions from partnering applicants must include the language above

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and to ensure that basic eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, Emergency Management BC will assess and score all eligible applications as part of a technical review process. Higher application review scores will be given to projects that:

- Were not funded as part of the 2018 Evacuation Route Planning intake
- Demonstrate evidence of local hazards (e.g. as identified in the Emergency Plan); threat levels (e.g. as identified in Hazard Risk and Vulnerability Analysis, Community Wildfire Protection Plans and/or flood risk assessments) and previous emergencies (e.g. evacuations that were ordered)
- Identify and address existing challenges to successfully implement an evacuation in the event of an emergency, such as:
 - Identification and capacity of available routes
 - Methods of evacuation (e.g. personal and commercial vehicles, boats, helicopters, etc.)
 - Modes of transportation (rail, water, air and road) including active transportation (e.g. walking, biking, etc.)
 - Anticipated speed of progression of local hazards (i.e. wildfire, tsunami, flood, etc.)
 - Availability of early warning systems or other emergency notification tools
 - Other factors that impact the functionality of evacuation routes
- Consider large scale Emergency Support Services scenarios
- Support recommendations or requirements identified in the local Emergency Plan
- Demonstrate transferability to other local governments and First Nations in BC
- Include in-kind or cash contributions to the project from the eligible applicant, partnering applicant(s), community partners or other grant funding
- Are cost-effective

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding. The CEPF Evaluation Committee will consider the provincial and regional distribution of all proposed projects. Funding decisions will be made on a provincial priority basis.

All application materials will be shared with the Province of BC

7. Grant Management & Applicant Responsibilities

Grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision

All applicants will receive written notice of funding decisions. Approved applicants will receive an Approval Agreement, which will include the terms and conditions of any grant that is awarded, and that is required to be signed and returned to UBCM. Grants are paid at the completion of the project and only when the final report requirements have been met.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from the CEPF Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Revised application package, including updated, signed application form, updated budget and an updated resolution
- Written rationale for proposed changes to activities and/or expenditures

The revised application package will receive a second technical review, and then be reviewed by the CEPF Evaluation Committee at the next scheduled meeting.

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.

Extensions to Project End Date

All approved activities are required to be completed within one year of approval. Under exceptional circumstances, an extension beyond this date may be requested in writing and is subject to approval by the CEPF Evaluation Committee.

8. Final Report Requirements & Process

All funded activities must be completed within one year of notification of funding approval and the final report is due within 30 days of project completion.

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed final report form
- Financial summary capturing all completed activities
- Electronic copy of the completed Evacuation Route Plan
- Full size PDF maps (of all maps included in the completed plan)
- Spatial data and metadata for all maps identified above. LiDAR and orthoimagery products must meet [Specifications for LiDAR for the Province of British Columbia](#)
- Optional: photos and/or media directly related to the funded project

Updated September 2019 – Approved applicants are required to grant the Province of British Columbia free and clear access and distribution rights, specifically a perpetual, royalty-free, non-exclusive, worldwide license to use, reproduce, modify and distribute, any and all of the spatial data products acquired/produced using CEPF funding.

Submission of Final Reports

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Final Reports

UBCM will perform a preliminary review of all final reports to ensure the required report elements (identified above) have been submitted. Following this, all complete final reports and deliverables will be reviewed by Emergency Management BC.

All final report materials will be shared with the Province of BC

9. Additional Information

For enquiries about the application process or general enquiries about the program, please contact:

Union of BC Municipalities

525 Government Street

Victoria, BC, V8V 0A8

E-mail: cepf@ubcm.ca

Phone: (250) 387-4470



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	A local perspective on “cliff jumping”		
Author	Norman Barmeier	Reviewed By:	
Date	September 16, 2020	Version	0
Issued for	September 22, 2020		

Recommendation:

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

Attachments:

- (1) Local artist rendition of “cliff jumping”

Key Information:

“Cliff jumping” has been an activity undertaken by locals over 40 years according to a long-time resident. Her children together with other locals regularly visited the area in the summer and would describe it as an activity motivated by a sense of adventure.

The site can be accessed by foot or by water.

The attached artist rendition of the activity at the site speaks to a sense of adventure, youth, excitement, and vibrancy.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Follow Up Action: None

Communication Plan: None



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Information Report		
Title	Lions Bay ZEV initiative – fast charger revenue projections		
Author	Norman Barmeier	Reviewed By:	
Date	September 16, 2020	Version	0
Issued for	September 22, 2020		

Recommendation:

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

Attachments:

- (1) Revenue Projection Worksheet
- (2) City of Vancouver – Parking Meter By-Law No. 2952
- (3) Administrative Report – User Fees for City Owned and Operated Public Electric Vehicle Charging Stations.
- (4) May 3, 2019 Village Update

Key Information:

The proposed fast EV charger project promises to provide a continuous and reliable stream of revenue for the Village.

Council approved the investigation of fast EV charging infrastructure in the spring of 2019. A preliminary plan was designed and used to support an EVIFIDI grant application which was submitted in July 2020.

The grants if won may offset as much as 75% (up to a maximum of \$75,000) of the capital cost of the fast EV charging station. The grant can also be used to cover an extended service and maintenance plan.

With widely adopted service fees in the lower mainland for fast EV chargers, the Village has the potential to generate annual revenue for the life of the fast EV charger.

The current going rate for fast EV chargers in the lower mainland is \$0.27 per minute of use, or \$16 per hour.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

The City of Vancouver published usage data for their EV infrastructure in 2017 an average usage of 4.5 hours per day, with more popular locations seeing usage over 12 hours per day. EV adoption and usage have and will continue to increase as more drivers switch to electric vehicles. As a result of increased usage, increased fast EV charger meter revenue will be realized over time.

Table below summarizes potential annual net revenue from one metered fast EV charger:

Utilization	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Total
2hr/day	\$8,238	\$8,485	\$8,740	\$9,002	\$9,272	\$9,551	\$9,837	\$10,132	\$10,436	\$10,749	\$94,448
4hr/day	\$17,626	\$18,154	\$18,699	\$19,260	\$19,838	\$20,433	\$21,046	\$21,677	\$22,328	\$22,997	\$202,062
8hr/day	\$23,884	\$24,600	\$25,338	\$26,098	\$26,881	\$27,688	\$28,518	\$29,374	\$30,225	\$31,163	\$273,804
12hr/day	\$33,271	\$34,269	\$35,297	\$36,356	\$37,447	\$38,570	\$39,727	\$40,919	\$42,147	\$43,411	\$381,418

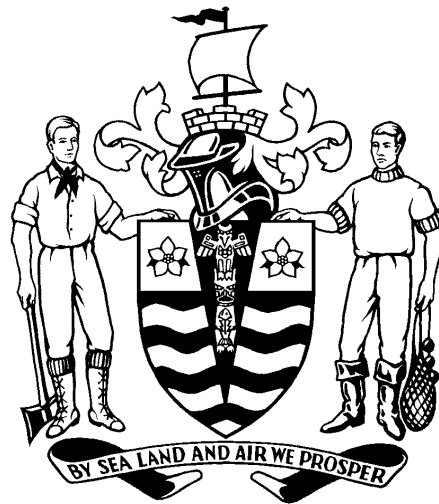
While these numbers are projections only, they demonstrate the potential for reliable and increasing revenue over time.

The proposed fast EV charger infrastructure project allows for expansion of up to 4 fast EV chargers at an incremental cost. For each additional charger an additional revenue stream may be realized.

Follow Up Action: Staff to confirm BC Hydro billing model, demand charges, and any potential EV charger incentives or discounts available. CAC to do further research on current demand and use scenarios.

Communication Plan: Once we receive notice from the EVIFIDI grant award, win or lose, I'd like to write a Village Update article summarizing the effort to date.

CITY OF VANCOUVER BRITISH COLUMBIA



PARKING METER BY-LAW NO. 2952

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to March 10, 2020)

BY-LAW NO. 2952**A By-law to provide for the reservation of certain streets or portions thereof for parking purposes and to charge and collect a fee for their use or occupation****(Consolidated for convenience only, amended to include By-law No. 12651 effective March 10, 2020)**

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled, enacts as follows:

1. This by-law may be cited as the "Parking Meter By-law".

2. **INTERPRETATION**

The following terms whenever used in this by-law or in any resolution of the Council dealing with parking meters, shall have the meanings given to them in this section unless the context otherwise requires:

"Adjacent Curb Lane" means the lane designed for travel or parking of motor vehicles that is nearest to a parking meter or pay station.

"Bicycle Lane Separation" means a curb or an area which is raised, painted, or otherwise marked, separating a portion of street designated by the City Engineer for the exclusive use of bicycle traffic, from the roadway.

"Block" means the portion of street between two intersections, which do not involve a lane.

"Clearance Parking Area" means an area on a street adjacent to the curb located between a crosswalk and the nearest area available for vehicle parking that is not specifically signed for motorcycle and motor assisted cycle parking, and that the City Engineer has marked and signed for motorcycle parking and motor assisted cycle parking or has installed bicycle racks for bicycle parking.

"Direct Current Fast Charging Station" or "DCFC" is a battery charging station with a specified nominal power output of at least 24kW (and if not specified is assumed to be 50kW) that is available for public use for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

"Electric Vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from an off-board source, that is stored on-board for motive purpose; but, for the purposes of this by-law, does not include vehicles that cannot be licensed by the Insurance Corporation of British Columbia.

“Electric Vehicle Charging Station” means a Direct Current Fast Charging Station or a Level 2 Charging Station.

“Electric Vehicle Parking Space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. Electric vehicle parking spaces may or may not be situated adjacent to an Electric Vehicle Charging Station.

“Existing Metered Zone” means any street or portion of a street in any area contained within bold black lines in any of the maps attached as Schedule A to this By-law.

“Gas Powered Motorcycle” means a two wheeled self-propelled vehicle that has a gas powered engine.

“Interim Maximum Daytime Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations during the hours of 9:00am and 6:00pm to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City over a 30 day period.

“Interim Maximum Evening Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations during the hours of 6:00pm and 10:00pm to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City over a 30 day period.

“Interim Maximum Overnight Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations during the hours of 10:00pm and 9:00am to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City over a 30 day period.

“Interim Peak Daytime Curbside Occupancy Rate” is the ratio of the number of occupied spaces on a block during the hours of 9:00 am to 6:00 pm to the total number of spaces on a block, expressed as a percentage that is calculated based on all data collected by the City within a 30 day period.

“Interim Peak Evening Curbside Occupancy Rate” is the ratio of the number of occupied spaces on a block during the hours of 6:00 pm to 10:00 pm to the total number of spaces on a block, expressed as a percentage that is calculated based on data collected by the City within a 30 day period.

“Level 2 Charging Station” is a battery charging station with a specified nominal power output of less than 24kW that is available for public use for the purpose of transferring electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

“Maximum Daytime Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations on a block during the hours of 9:00am and 6:00pm to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.

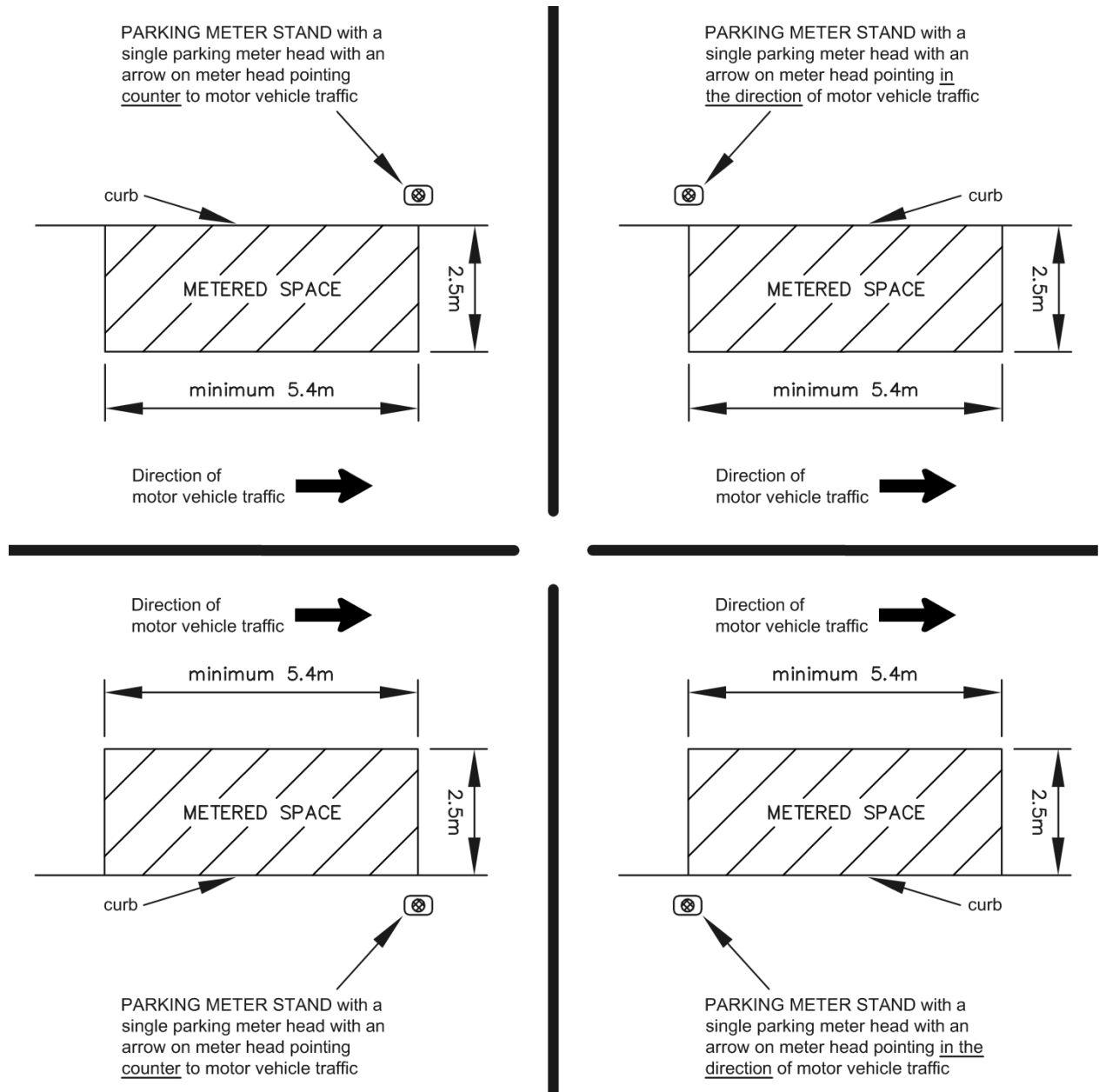
“Maximum Evening Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations on a block during the hours of 6:00pm and 10:00pm to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.

“Maximum Overnight Charging Station Occupancy” is the ratio of occupied Electric Vehicle Charging Stations on a block during the hours of 10:00pm and 9:00am to the total number of Electric Vehicle Charging Stations on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.

“Metered Block” means any city block containing one or more metered spaces.

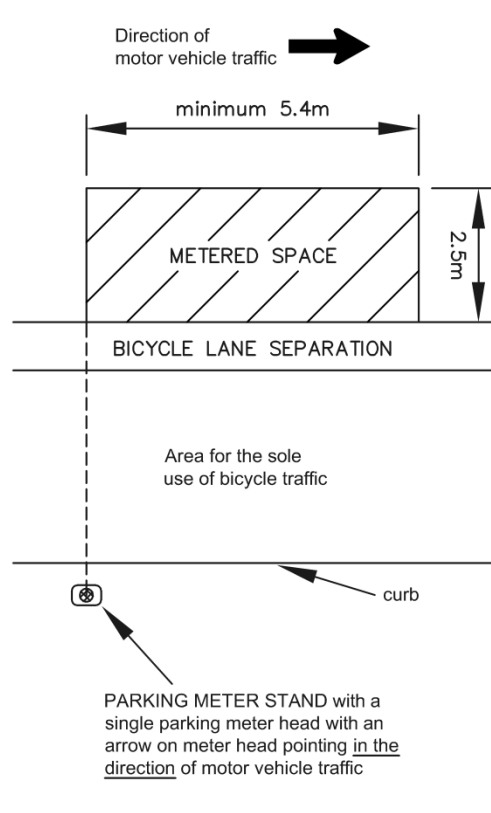
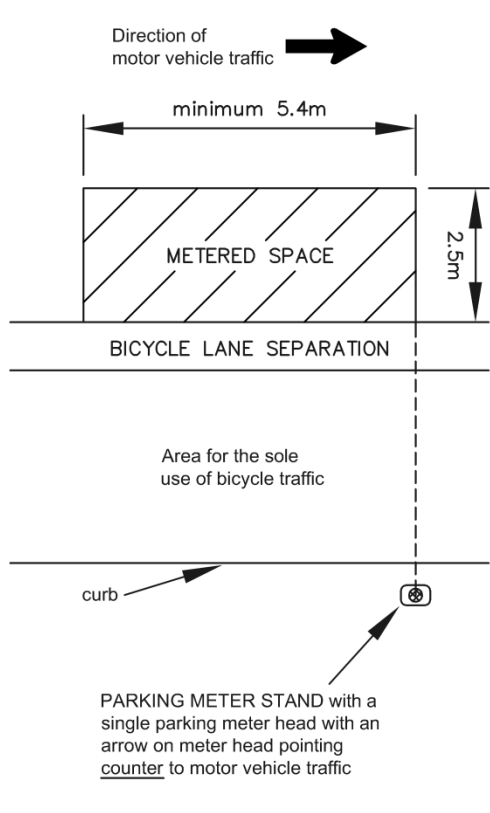
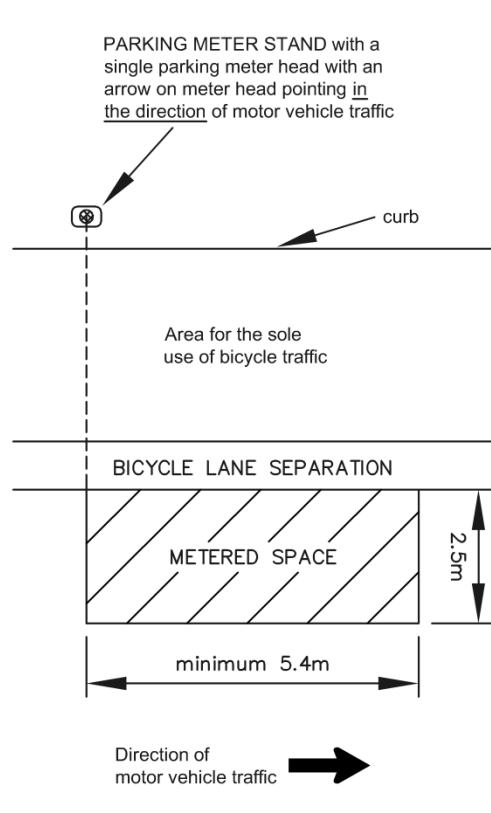
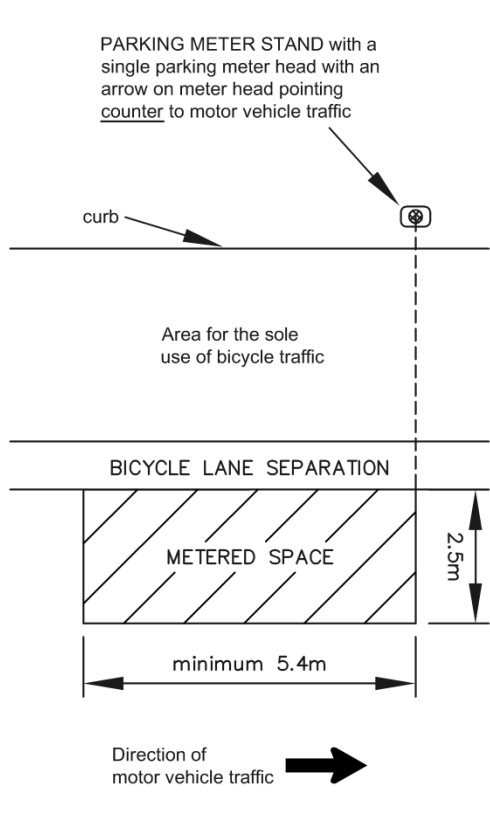
“Metered Space” means:

- (1) in the case of a parking meter stand with a single parking meter head, that rectangular portion of the adjacent curb lane measuring not less than 5.4 metres from the centre of the base of the parking meter stand in the direction indicated by the arrow on the parking meter head and measuring not more than 2.5 metres from the curb in the direction of the roadway, as illustrated in the following diagrams:

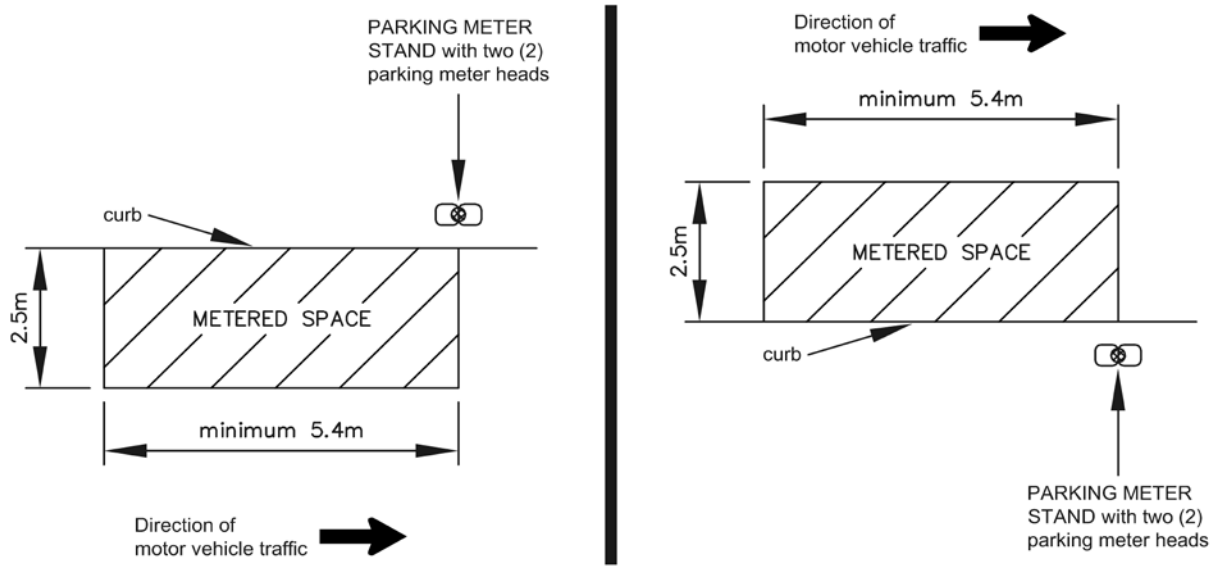


except that:

- (a) in the case of a parking space signed for motorcycles only, the measurement of 5.4 metres changes to 2.7 metres; and
- (b) in the case of a parking meter stand separated from the adjacent curb lane by a portion of street designated by the City Engineer for the exclusive use of bicycle traffic, the measurement of 2.5 metres must be from the adjacent curb lane edge of the bicycle lane separation, as illustrated in the following diagrams:

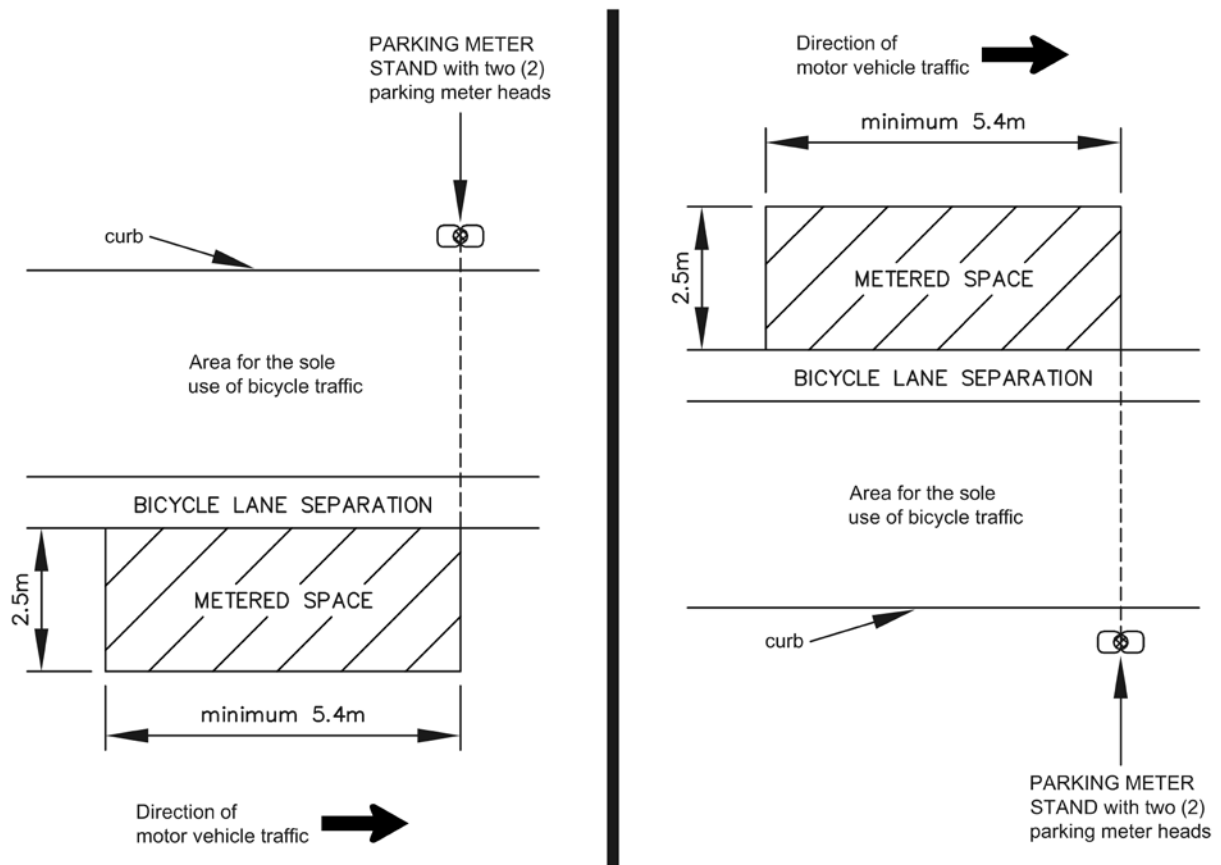


- (2) in the case of a parking meter stand equipped with two (2) parking meter heads, for the parking meter head first in sequence in the direction of the curb lane traffic, that rectangular portion of the adjacent curb lane measuring not less than 5.4 metres from the centre of the base of the parking meter stand in the direction counter to the direction of the curb lane traffic and measuring not more than 2.5 metres from the curb in the direction of the roadway, as illustrated in the following diagrams:

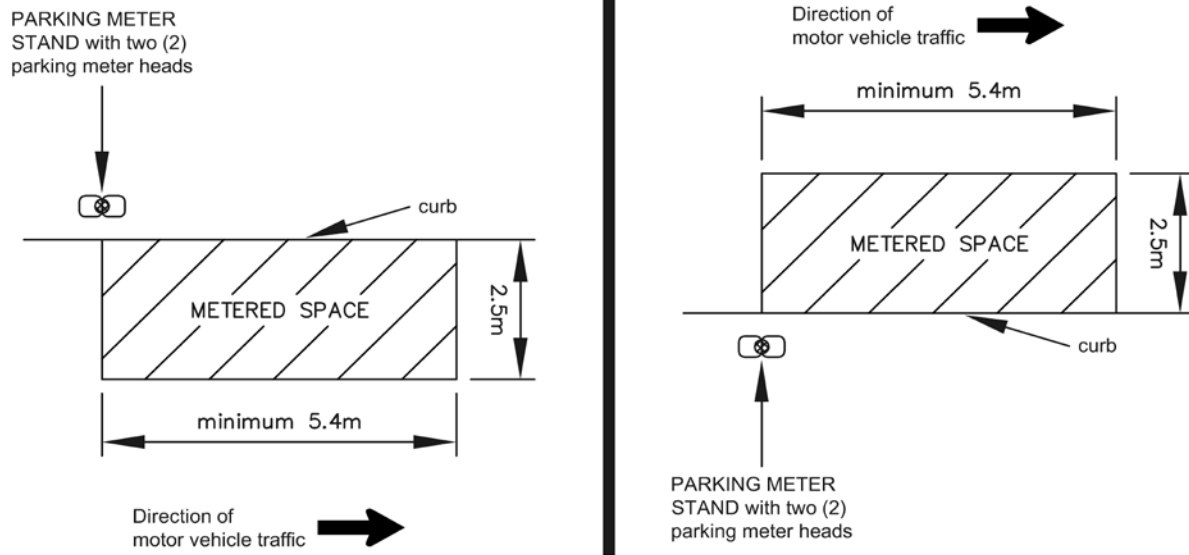


except that:

- (a) in the case of a parking space signed for motorcycles only, the measurement of 5.4 metres changes to 2.7 metres; and
- (b) in the case of a parking meter stand separated from the adjacent curb lane by a portion of street designated for the exclusive use of bicycle traffic, the measurement of 2.5 metres must be from the adjacent curb lane edge of the bicycle lane separation, as illustrated in the following diagrams:

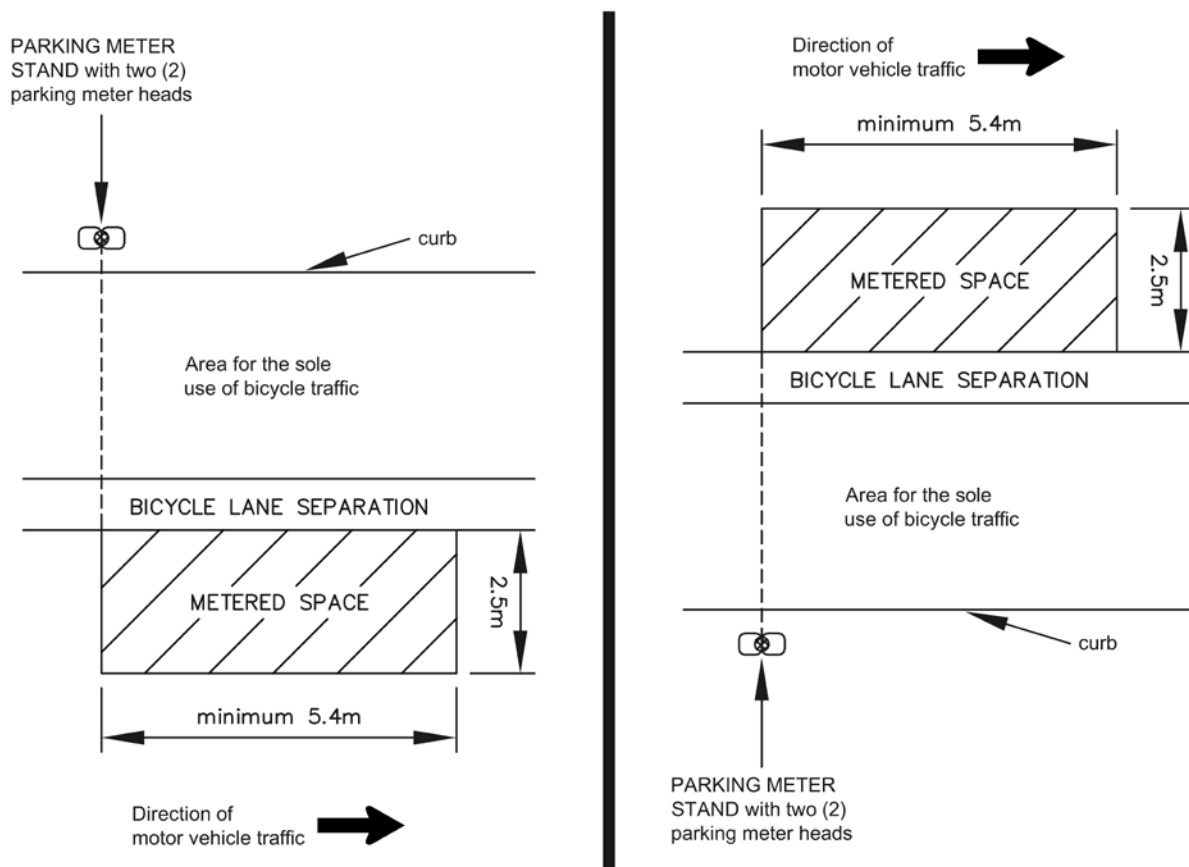


- (3) in the case of a parking meter stand equipped with two (2) parking meter heads, for the parking meter head second in sequence in the direction of the curb lane traffic, that rectangular portion of the adjacent curb lane measuring not less than 5.4 metres from the centre of the base of the parking meter stand in the direction of the curb lane traffic and measuring not more than 2.5 metres from the curb in the direction of the roadway, as illustrated in the following diagrams:



except that:

- (a) in the case of a parking space signed for motorcycles only, the measurement of 5.4 metres changes to 2.7 metres; and
- (b) in the case of a parking meter stand separated from the adjacent curb lane by a portion of street designated by the City Engineer for the exclusive use of bicycle traffic, the measurement of 2.5 metres must be from the adjacent curb lane edge of the bicycle lane separation, as illustrated in the following diagrams:



- (4) in the case of a parking meter stand installed adjacent to a curb lane which is marked with parallel angular lines or other markings, that portion of the adjacent curb lane designated for the accommodation of vehicles by said lines or markings and being nearest the applicable meter head;
- (5) in the case of a pay station, notwithstanding any street markings delineating the boundaries of a rectangle, any lawful parking space on a street between the curb adjacent to the roadway and an imaginary line on the roadway parallel to and 2.5 metres from the curb, where the street

sign that regulates parking in such space indicates that the parking fee may be paid at a pay station, except that:

- a. in the case where the signage is separated from the adjacent curb lane by a portion of street designated by the City Engineer for the exclusive use of bicycle traffic, the measurement of 2.5 metres must be from the adjacent curb lane edge of the bicycle lane separation; and
 - b. in the case where the signage is installed adjacent to a curb lane which is marked with parallel angular lines, the metered space means that portion of the adjacent curb lane designated for the accommodation of vehicles by such markings;
- (6) where a parking meter stand is installed in a clearance parking area, that portion of the adjacent curb lane located within the clearance parking area markings installed by the City Engineer.
- (7) in the case of a location where there is signage installed that indicates that pay parking is in effect only through the pay by phone system, notwithstanding any street markings delineating the boundaries of a rectangle, any lawful parking space on a street between the curb adjacent to the roadway and an imaginary line on the roadway parallel to and 2.5 metres from the curb, except that:
- a. in the case where the signage is separated from the adjacent curb lane by a portion of street designated by the City Engineer for the exclusive use of bicycle traffic, the measurement of 2.5 metres must be from the adjacent curb lane edge of the bicycle lane separation; and
 - b. in the case where the signage is installed adjacent to a curb lane which is marked with parallel angular lines, the metered space means that portion of the adjacent curb lane designated for the accommodation of vehicles by such markings;
- (8) in the case of an Electric Vehicle Charging Station any lawful parking space on a street between the curb adjacent to the roadway and an imaginary line on the roadway parallel to and 2.5 meters from the curb in an area marked as an Electric Vehicle Parking Space.

“Motor Assisted Vehicle” means a vehicle that combines the pedal power of a bicycle with the power assistance of an electric motor.

“Motorcycle” means a gas powered motorcycle or zero emission motorcycle.

“New Metered Zone” means any street or portion of a street that is not in an Existing Metered Zone.

"One-way Shared Vehicle Organization" means a shared vehicle organization that allows its members to begin and end their rental periods at any lawful and authorized space within the operating area of the shared vehicle organization.

"Operator" includes every person who drives or operates a vehicle as the owner thereof, or as the agent, employee or permittee of the owner.

"Park" includes causing, permitting or allowing a vehicle, whether occupied or not, to stand on a street. "Parked" and "Parking" shall have a corresponding meaning.

"Parking Debit Card" means a plastic card which has been authorized for use in parking meters by the City Engineer and which contains a computer chip which enables a monetary value to be added to and subtracted from the card.

"Parking Meter" means a parking meter stand and the single or double parking meter head that it supports or an Electric Vehicle Charging Station.

"Parking Meter Head" means a mechanical or electronic appliance designed for the purpose of gauging and indicating a time within which a vehicle is, or may be, parked in a metered space or a sign mounted as a facsimile for such mechanical or electronic device that displays information regarding the pay by phone system.

"Parking Meter Rate" means the rate calculated in accordance with section 5A of this By-law.

"Parking Meter Stand" means that pole or stand supporting a single or double parking meter head.

"Passenger Directed Vehicle" means taxis, limousines, and vehicles operated under a license held by a transportation network service provider under the Passenger Transportation Act.

"Pay by Licence Plate", or grammatical variations of that term, means a system established by or on behalf of the city under which the operator of a vehicle may pay the fee for parking the vehicle in a metered space remotely at a pay station in accordance with the requirements of that system as indicated on or at the pay station.

"Pay by Phone", or grammatical variations of that term, means a system established by or on behalf of the city under which a person may:

- (i) set up a cash or credit card account with the city, and
- (ii) pay the fee for parking a vehicle in a metered space remotely by telephone in accordance with the requirements of that system.

"Pay Station" means an electronic appliance designed for the purpose of gauging and indicating a time within which the operator of a vehicle may park the vehicle in a metered space.

“Peak Daytime Curbside Occupancy Rate” is the ratio of the number of occupied spaces on a block during the hours of 9:00 am to 6:00 pm to the total number of spaces on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.

“Peak Evening Curbside Occupancy Rate” is the ratio of the number of occupied spaces on a block during the hours of 6:00 pm to 10:00 pm to the total number of spaces on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.

“Person” includes an owner, registered owner, lessee or operator of a vehicle.

“RFID EV network card” is a card provided by a data network operator of Electric Vehicle Charging Stations on a block that activates an Electric Vehicle Charging station through radio frequency identification technology for the purposes of providing electricity to an electric vehicle and collecting payments.

“Shared Vehicle” means a four-wheeled automobile, van, or pick-up truck owned and operated by a shared vehicle organization.

“Shared Vehicle Organization” means a legal entity whose principal business objective is to provide its members, for a fee, with a car-sharing service by which such members have access to a fleet of shared vehicles which they may reserve for use on an hourly basis, and which the City Engineer has approved.

“Vehicle” includes any means of conveyance in, upon or by which any person or property is or may be transported or drawn upon a highway irrespective of the motive power, but shall not include any conveyance which is operated on rails or tracks.

“Zero Emission Motorcycle” means a two wheeled self-propelled vehicle that is electrically powered but does not include a cycle that combines the pedal power of a bicycle with the power assistance of an electric motor.

“Zero Emission Vehicles” means vehicles approved by the City Engineer as zero emission vehicles.

3. **PLACING PARKING METERS AND PAY STATIONS:**

- (1) The City Engineer may:
 - (a) establish and mark out metered spaces;

- (b) install a parking meter at each metered space by firmly fastening the parking meters to the curb, sidewalk, or concrete pad adjoining, or close to the metered space;
 - (c) install a pay station by firmly fastening the pay station to the curb, sidewalk, or concrete pad adjoining the roadway of the street; and
 - (d) install signage that indicates that the metered spaces must be paid using the pay by phone system.
- (2) Each parking meter is to:
- (a) indicate the parking rate required and time allowed for parking in the corresponding metered space; and
 - (b) display information that indicates how an operator may pay by phone or, in the case of a parking meter that is an Electric Vehicle Charging Station, display information that indicates how an operator may pay.
- (3) Each pay station is to indicate the parking rate required and time allowed for parking in the metered space to which the pay station applies.

3A. **PAY BY PHONE**

A person who chooses to pay by phone must comply with the city's requirements regarding the pay by phone system.

3B. **PAY BY LICENCE PLATE**

A person who pays by licence plate must comply with the city's requirements regarding the pay by licence plate system.

4. **METHOD OF PARKING:**

- (1) A person must park a vehicle entirely within a metered space.
- (2) In metered spaces parallel to the closest curb or sidewalk, a person must park a vehicle parallel to the curb or sidewalk, except motorcycles or motor assisted vehicles can park at an angle.
- (3) In metered spaces that are not parallel to the closest curb or sidewalk, a person must park a vehicle in the same direction as the general direction of traffic.

5. **PARKING TIME AND FEE:**

- (1) A person who parks a vehicle in a metered space must immediately:
 - (a) deposit in the mechanical parking meter installed at the metered space one or more coins of Canada of a denomination indicated on the parking meter head and fully turn the handle on the meter head;

- (b) in the case of an electronic parking meter, deposit in the parking meter installed at the metered space one or more coins of Canada of a denomination indicated on the parking meter head;
- (c) in the case of an electronic parking meter designed to accept a parking debit card, insert a parking debit card in the parking meter installed at the space;
- (d) pay using the pay by phone system by calling the telephone number provided at the meter space or using an internet-connected software application to enter the person's account, metered space location, licence plate, and amount of parking time required;
- (e) pay by licence plate by:
 - (i) entering, at the pay station, the licence plate number of the person's vehicle, and the amount of parking time required, and
 - (ii) pay the fee indicated by the pay station by a method of payment prescribed at the pay station; or
- (f) in the case of an electronic parking meter designed to accept a credit card, insert a credit card in the parking meter installed at the metered space;
- (g) in the case of an Electric Vehicle Charging Station designed to accept payments via a network subscription, tap the appropriate RFID EV network card on the appropriate part of the Electric Vehicle Charging Station and connect the electric vehicle to the Electric Vehicle Charging Station via conductive or inductive means to initiate a charging session;
- (h) in the case of an Electric Vehicle Charging Station designed to accept payments via a smartphone application, use the smartphone application appropriate to the Electric Vehicle Charging Station and connect the electric vehicle to the Electric Vehicle Charging Station via conductive or inductive means to initiate a charging session;
- (i) in the case of an Electric Vehicle Charging Station designed to accept payments via an RFID-enabled credit card, tap the credit card on the appropriate part of the Electric Vehicle Charging Station and connect the electric vehicle to the Electric Vehicle Charging Station via conductive or inductive means to initiate a charging session; or
- (j) in the case of an Electric Vehicle Charging Station designed to accept credit card payments by phone, call the phone number printed on the Electric Vehicle Charging Station and provide the appropriate details to initiate a session, and connect the electric vehicle to the

Electric Vehicle Charging Station via conductive or inductive means to initiate a charging session.

- (2) When, after the action taken in subsection (1):
 - (a) the window in a parking meter head;
 - (b) the time recorded by the city under the pay by phone option;
 - (c) the time recorded by the pay station; or
 - (d) the time recorded on the Electric Vehicle Charging Station;

shows a time period that is greater than 0, the meter space may be lawfully occupied by a vehicle during the period of time shown, subject to all other restrictions, limitations or conditions of this by-law, including but not limited to subsection (3), and of the Street and Traffic By-law.

- (3) A person who parks a vehicle in a metered space must comply with the following time limits and parking meter rates:
 - (a) despite subsection (2), a person must not leave a vehicle continuously in a metered space for longer than the indicated time limit for that metered space that is indicated;
 - (b) unless another rate is indicated on the meter head or at the pay station, a person who parks a vehicle other than a motorcycle in a metered space must pay the parking meter rate, except that in an area where an event rate is also listed in Schedule A, the City Engineer may determine the events and hours during which that event rate applies; and
 - (c) a person who parks a motorcycle in a metered space must pay the parking meter rate, except that the rate:
 - (i) for gas powered motorcycles, under the pay by phone system, is 50% of the parking meter rate for the block,
 - (ii) for zero emission motorcycles, under the pay by phone system, in all metered spaces except metered clearance spaces, is 25% of the parking meter rate for the block, and
 - (iii) for zero emission motorcycles and motor assisted cycles in metered clearance parking areas, is 0% of the parking meter rate for the block.
- (4) A person must not park a vehicle in a metered space if:

- (a) the parking meter head placed at such metered space:
 - (i) displays a "FAIL" text in a window; or
 - (ii) displays four flashing zeros in a window; or
 - (iii) displays an "OUT OF ORDER" text in a window;
 - (b) the time recorded by the operator under the pay by phone or pay by licence plate option has expired; or
 - (c) parking of a vehicle therein is otherwise restricted or prohibited.
- (5) A person may:
- (a) use the unexpired time remaining on the meter from its previous use;
 - (b) not use the unexpired time remaining at a parking space under a pay by phone or pay by licence plate use at another parking space.

5A. METER RATES:

- (1) The initial metered rates for all parking spaces in an existing metered zone shall, prior to adjustment in accordance with this section 5A, be the rate shown for that zone in Schedule A, increased in all cases to the nearest dollar.
- (2) Every new meter installed in a new metered zone pursuant to this By-law shall, when first installed, be subject to same rate at the time of installment as the present rate imposed under this By-law for the closest metered spaces already operating when installment began, unless the closest metered spaces are more than 2 full city blocks away from the new meters, in which case the new meters shall have a rate at the time of installment of \$1.00 per hour.
- (3) Every new meter installed in an existing metered zone pursuant to this By-law shall, when first installed, be subject to the same rate at the time of installment as the present rate imposed under this By-law for the closest metered spaces in that zone already operating when installment began.
- (4) If the Peak Daytime Curbside Occupancy Rate on a metered block exceeds 85% in a calendar year, then the fee between 9 AM and 6 PM for the subsequent calendar year shall be increased by \$1.00 per hour no later than March 1 of that year.
- (5) If the Peak Daytime Curbside Occupancy Rate in a metered block is less than 60% in a calendar year, then the fee between 9 AM and 6 PM for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year, but no meter shall be subject to a fee less than \$1.00 per hour.

- (6) If the Peak Evening Curbside Occupancy Rate in a metered block exceeds 85% in a calendar year, then the fee between 6 PM and 10 PM for the subsequent calendar year shall be increased by \$1.00 per hour no later than March 1 of that year.
- (7) If the Peak Evening Curbside Occupancy Rate in a metered block is less than 60% in a calendar year, then the fee between 9 PM and 10 PM for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year, but no meter shall be subject to a fee less than \$1.00 per hour.
- (8) If there are fewer than five metered spaces on a block in a metered zone, the rate shall match the highest rate imposed under this By-law on any adjacent block in that zone.
- (9) If a block in a Business Improvement Association contains more than five metered spaces and the parking meter rate has been increased in accordance with this by-law in the previous six months, that Business Improvement Association may request the City Engineer to calculate an Interim Peak Daytime Curbside Occupancy Rate once per a calendar year.
- (10) If a block in a Business Improvement Association contains more than five metered spaces and the parking meter rate has been increased in accordance with this by-law in the previous six months, that Business Improvement Association may request the City Engineer to calculate an Interim Peak Evening Curbside Occupancy Rate once per calendar year.
- (11) If the Interim Peak Daytime Curbside Occupancy Rate on a metered block is less than 60% then the rate between 9 AM and 6 PM shall revert to the previous calendar year's rate.
- (12) If the Interim Peak Evening Curbside Occupancy Rate on a metered block is less than 60% then the rate between 6 PM and 10 PM shall revert to the previous calendar year's rate.
- (13) The initial metered rates for all Level 2 Charging Stations in an existing meter zone shall, prior to adjustment in accordance with this section 5A, be the metered rate for that block plus an additional \$2.00 per hour.
- (14) The initial metered rates for all Level 2 Charging Stations not in an existing meter zone shall, prior to adjustment in accordance with this section 5A, be \$2.00 per hour.
- (15) The initial metered rates for all Direct Current Fast Charging Stations with a nominal power output of 50kW in an existing meter zone shall, prior to adjustment in accordance with this Section 5A, be the metered rate for that block plus an additional \$16.00 per hour.
- (16) The initial metered rates for all Direct Current Fast Charging Stations with a nominal power output of 50kW not in an existing meter zone shall, prior to adjustment in accordance with this Section 5A, be \$16.00 per hour.

- (17) The initial metered rates for Direct Current Fast Charging Stations with nominal power outputs greater or less than 50kW in an existing meter zone shall, prior to adjustment in accordance with this Section 5A, be the metered rate for that block plus an amount calculated proportionally to the hourly rate of the nearest existing Direct Current Fast Charging Station as follows:

$$R_{Near} \times (P_{New}/P_{Near})=R_{New}$$

Where

R_{Near} = Hourly Meter Rate of Nearest DCFC (\$)

P_{New} = Power Output of New DCFC (kW)

P_{Near} = Power Output of Nearest DCFC (kW)

R_{New} = Hourly Meter Rate of New DCFC (\$)

R_{New} = Hourly Meter Rate of New DCFC (\$)

- (18) The initial metered rates for Direct Current Fast Charging Stations with nominal power outputs greater or less than 50kW not in an existing meter zone shall, prior to adjustment in accordance with this Section 5A, be an amount calculated in accordance with the formula set out in subsection 5A(17) above without the metered rate.
- (19) If the Maximum Daytime Charging Station Occupancy on a block exceeds 75% in a calendar year, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm for the subsequent calendar year shall be increased by \$1.00 per hour no later than March 1 of that year.
- (20) If the Maximum Daytime Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm for the subsequent calendar year shall be decreased by \$1.00 per hour by no later than March 1 of that year provided that the rate shall not be less than the metered rate for that block.
- (21) If the Maximum Daytime Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm for the subsequent calendar year shall be decreased by \$1.00 per hour by no later than March 1 of that year provided that the rate shall not be less than \$1.00 per hour.
- (22) If the Maximum Evening Charging Station Occupancy on a block exceeds 75% in a calendar year, then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm for the subsequent calendar year shall be increased by \$1.00 per hour no later than March 1 of that year.

- (23) If the Maximum Evening Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year provided that the rate shall not be less than the metered rate for that block.
- (24) If the Maximum Evening Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year provided that the rate shall not be less than \$1.00 per hour.
- (25) If the Maximum Overnight Charging Station Occupancy on a block exceeds 75% in a calendar year, then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am for the subsequent calendar year shall be increased by \$1.00 per hour no later than March 1 of that year.
- (26) If the Maximum Overnight Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year provided that the rate shall not be less than the metered rate for that block.
- (27) If the Maximum Overnight Charging Station Occupancy on a block is less than 40% in a calendar year, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am for the subsequent calendar year shall be decreased by \$1.00 per hour no later than March 1 of that year provided that the rate shall not be less than \$1.00 per hour.
- (28) If the Interim Maximum Daytime Charging Station Occupancy is more than 75%, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm shall be increased by \$1.00 per hour.
- (29) If the Interim Maximum Daytime Charging Station Occupancy is less than 40%, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm shall be decreased by \$1.00 per hour provided that the rate shall not be less than the metered rate for that block.
- (30) If the Interim Maximum Daytime Charging Station Occupancy is less than 40%, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 9am and 6pm shall be decreased by \$1.00 per hour provided that the rate shall not be less than \$1.00 per hour.

- (31) If the Interim Maximum Evening Charging Station Occupancy is greater than 75% then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm shall be increased by \$1.00 per hour.
- (32) If the Interim Maximum Evening Charging Station Occupancy is less than 40%, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm shall be decreased by \$1.00 per hour provided that the rate shall not be less than the metered rate for that block.
- (33) If the Interim Maximum Evening Charging Station Occupancy is less than 40%, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 6pm and 10pm shall be decreased by \$1.00 per hour provided that the rate shall not be less than \$1.00 per hour.
- (34) If the Interim Maximum Overnight Charging Station Occupancy is greater than 75% then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am shall be increased by \$1.00 per hour.
- (35) If the Interim Maximum Overnight Charging Station Occupancy is less than 40%, and that block is an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am shall be decreased by \$1.00 per hour provided that the rate shall not be less than the metered rate for that block.
- (36) If the Interim Maximum Overnight Charging Station Occupancy is less than 40%, and that block is not an existing meter zone, then the metered rate for Electric Vehicle Charging Stations on that block between 10pm and 9am shall be decreased by \$1.00 per hour provided that the rate shall not be less than \$1.00 per hour.

6. EXEMPTIONS:

- (1) The following vehicles are exempt from the provisions of Section 5 of this by-law:
 - (a) Vehicles identified by sign or insignia as belonging to the City of Vancouver.
 - (b) Emergency vehicles, as defined by the "Street and Traffic By-law".
 - (c) Such other classes of vehicles as the Council may by resolution exempt (subject to such limitations as the Council may prescribe). But such exemption shall only apply when such vehicles have attached thereto in a place satisfactory to the City Engineer an identification card, sticker or certificate providing for such exemption.

- (d) Shared vehicles belonging to a one-way shared vehicle organization that are parked in a metered space by a member at the end of each of their rental periods, provided that the one-way shared vehicle organization has an agreement with the City Engineer to pay:
 - (i) 65% of the metered parking charges for parking time that is less than the parking time limit, and
 - (ii) 100% of the metered parking charges for parking time that exceeds the parking time limit.

The shared vehicle may remain parked in the metered space, without time limit, as long as it is not in contravention of any other stopping or parking regulations.

- (2) It shall be unlawful for any person to display on any vehicle any card, sticker or certificate purporting to provide for any exemption from the provisions of this by-law unless such card, sticker or certificate has been duly authorized by the City Engineer.
- (3) Every metered space may be used without charge on any day of the week between 10:00 p.m. and 9:00 a.m., subject, however, to the parking time limits or prohibitions set out in the Street and Traffic By-law and subject to the metered rates set out in Section 5A that are applicable to Electric Vehicle Charging Stations.
- (4) The owners or operators of commercial vehicles displaying a valid permit obtained under section 21.6 or 21.6A of the Street and Traffic By-law may use a metered space without charge on any day up to 10:30 a.m. except a metered space that is adjacent to an Electric Vehicle Charging Station.
- (5) The operators of passenger directed vehicles may use a metered space without charge, but only when taking on or discharging passengers and, in any event for a period not exceeding two (2) minutes.
- (6) Members of shared vehicle organizations may use a metered space for up to 2 hours without charge to park the shared vehicle during the member's rental period.

7. **TEMPORARY DISCONTINUANCE OF METERED SPACE:**

In case the City Engineer is of the opinion that any metered space or spaces should be temporarily discontinued as a parking space, the City Engineer may place or erect, or cause to be placed or erected, one or more signs prohibiting parking or stopping at such metered space, and it shall be unlawful for any person to park or stop a vehicle at such metered space or spaces while such sign is so placed or erected.

8. Repealed.

9. **SUBSTITUTES PROHIBITED:**

No person shall deposit, or cause to be deposited in any parking meter or pay station, a slug or similar device or a plastic or metallic substitute for the coins or debit cards prescribed by this by-law.

10. **UNLAWFUL PARKING:**

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to be parked in any metered space except as permitted by the provisions of this by-law.

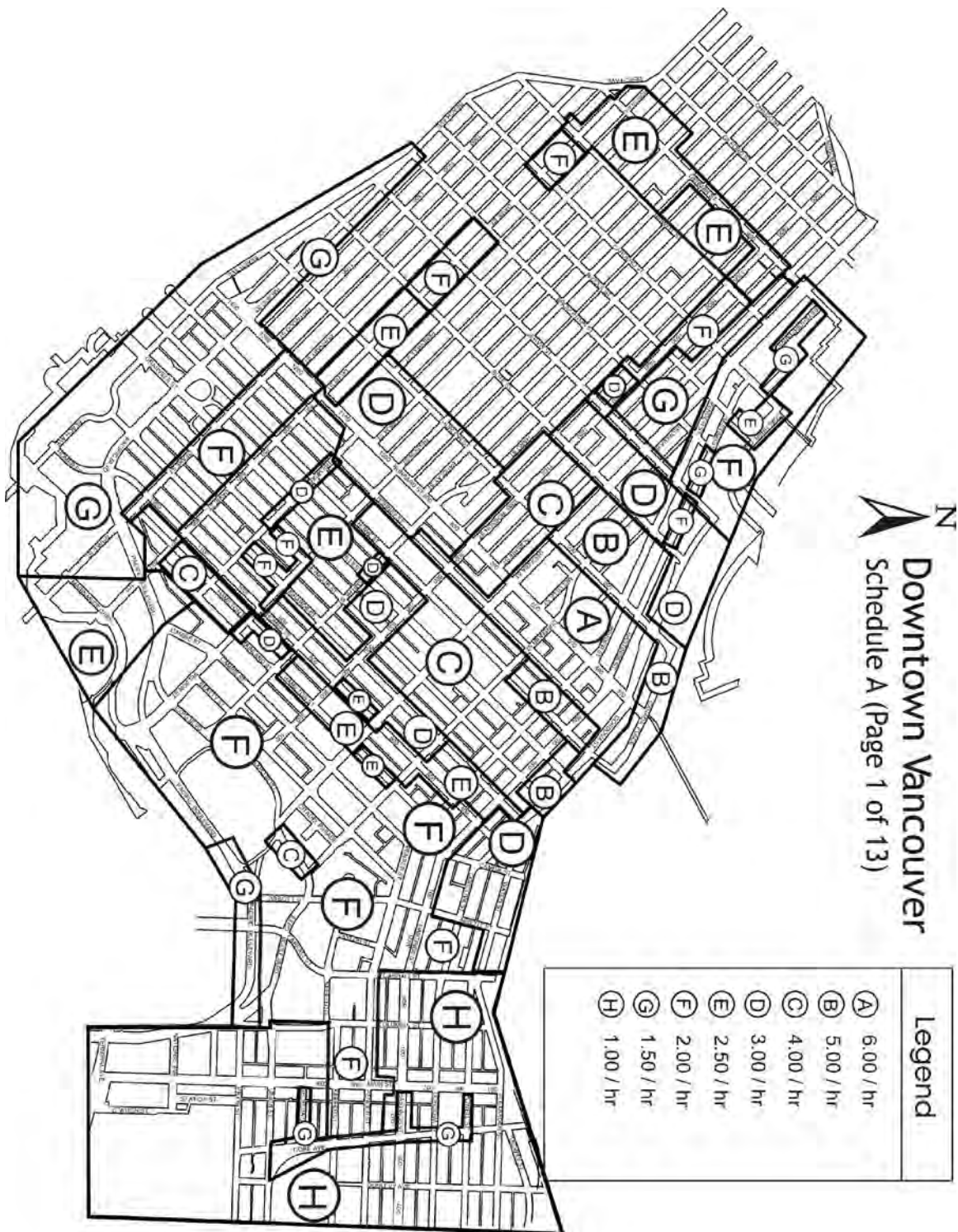
11. **RESPONSIBILITY OF OWNER:**

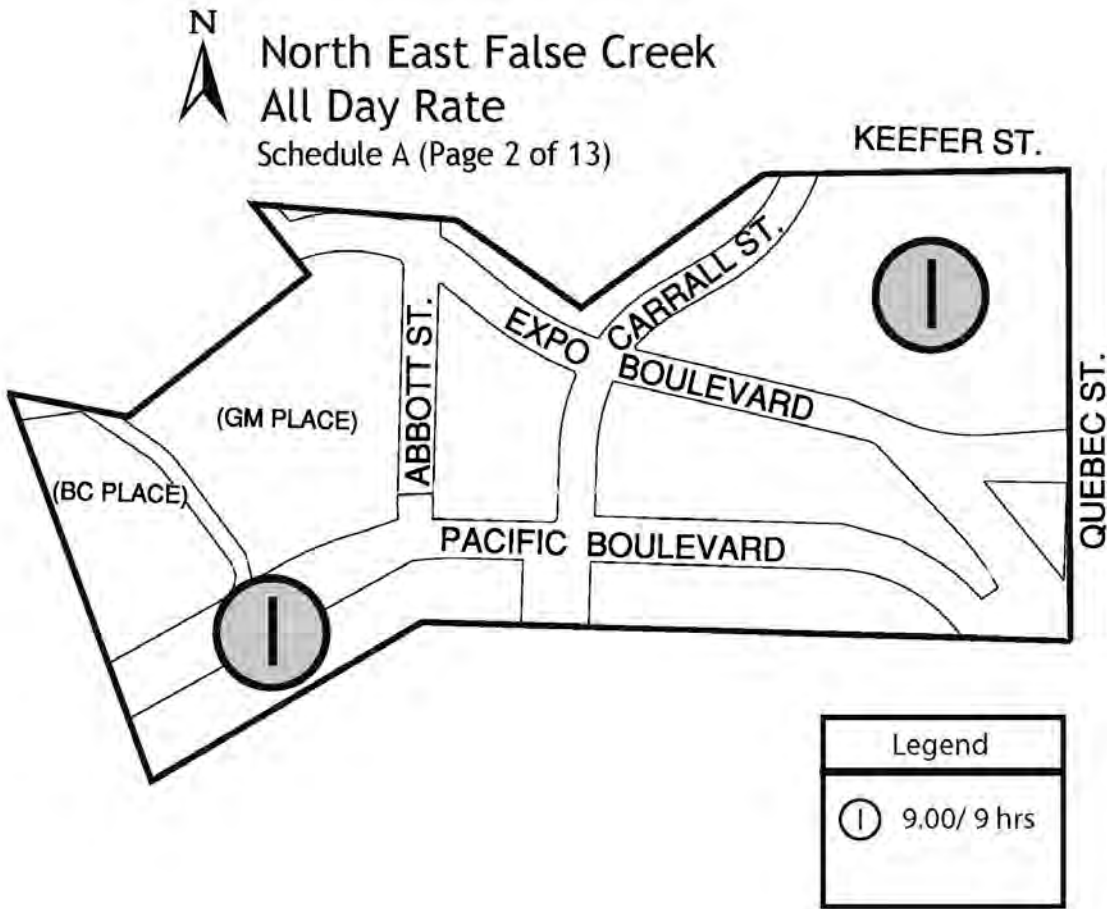
The owner or lessee of a vehicle shall incur the penalties provided for any violation of this by-law with respect to the vehicle unless at the time of such violation the vehicle was in the possession of some person other than the owner or lessee without the consent of the owner or lessee; but nothing in this section shall relieve an operator of a vehicle who is not the owner or lessee from incurring the penalties provided for any violation.

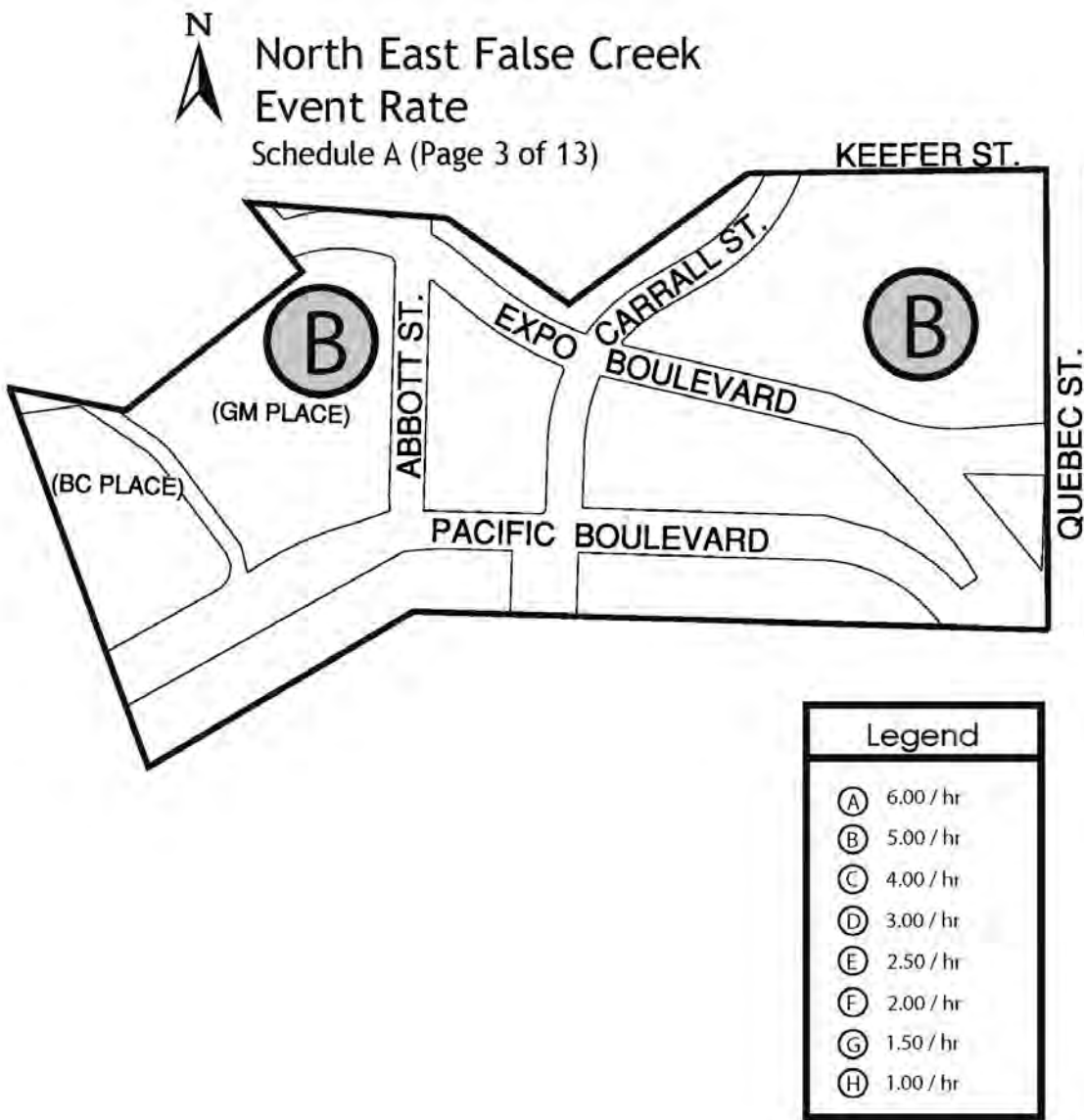
12. **COLLECTION OF PARKING FEES:**

- (1) The General Manager of Engineering Services and City Comptroller shall:
 - (a) designate and appoint such persons as are required to make regular collections of the money deposited in parking meters or at pay stations;
 - (b) make such rules and regulations as deemed necessary for the:
 - (i) proper and safe collection and accounting of such fees,
 - (ii) proper accounting of fees paid by phone, and
 - (iii) proper accounting of fees paid by credit cards, debit cards, or other means.
- (2) All fees collected from parking meters or pay stations, and fees derived from other methods of payment, shall be the property of the City and shall be disbursed and used only for the following purposes, or any of them:
 - (a) There shall be paid first the costs of inspection, supervision, operation, maintenance, depreciation and replacement of parking meters and pay stations and other costs and expenses incidental thereto, including the cost of collection of the fees deposited in the parking meters or pay stations, and the cost of applying and operating the said by-law.
 - (b) After payment of the amounts described in paragraph (a) hereof an amount shall be set aside for traffic control purposes in a fund to be

Schedule "A"









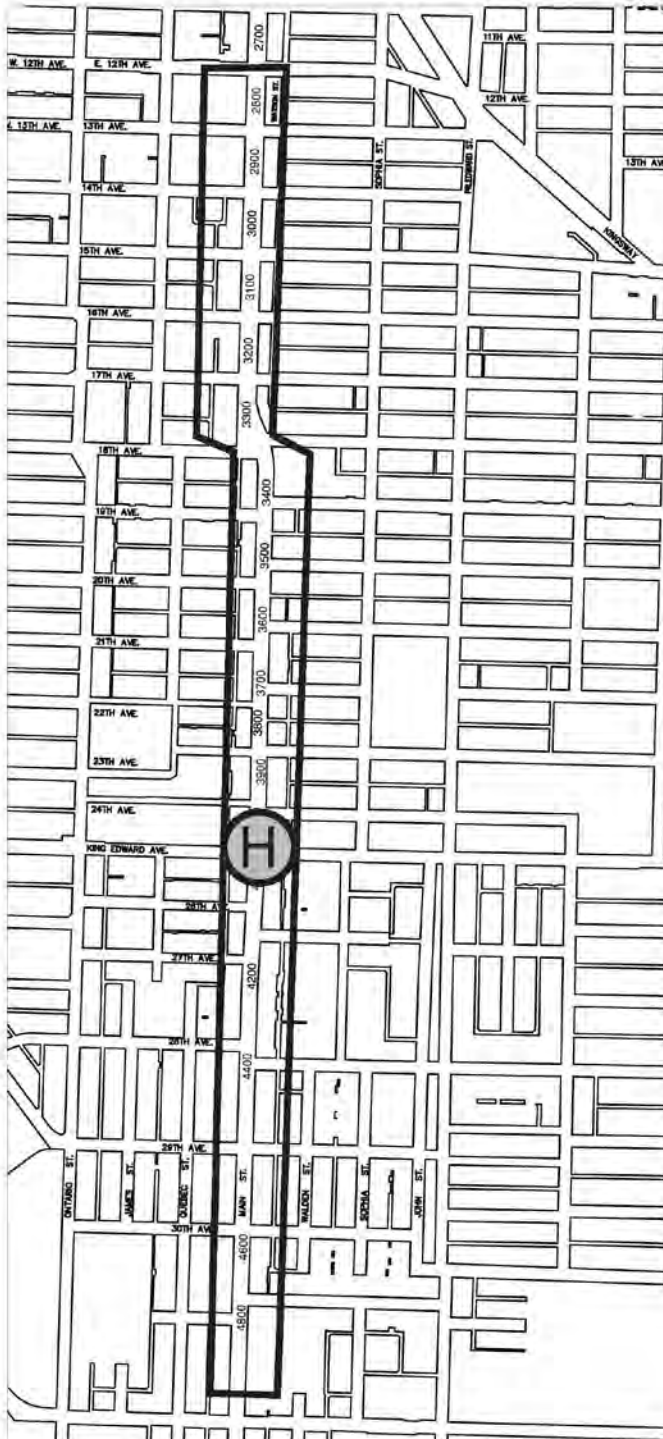
Commercial Drive

Schedule A (Page 4 of 13)



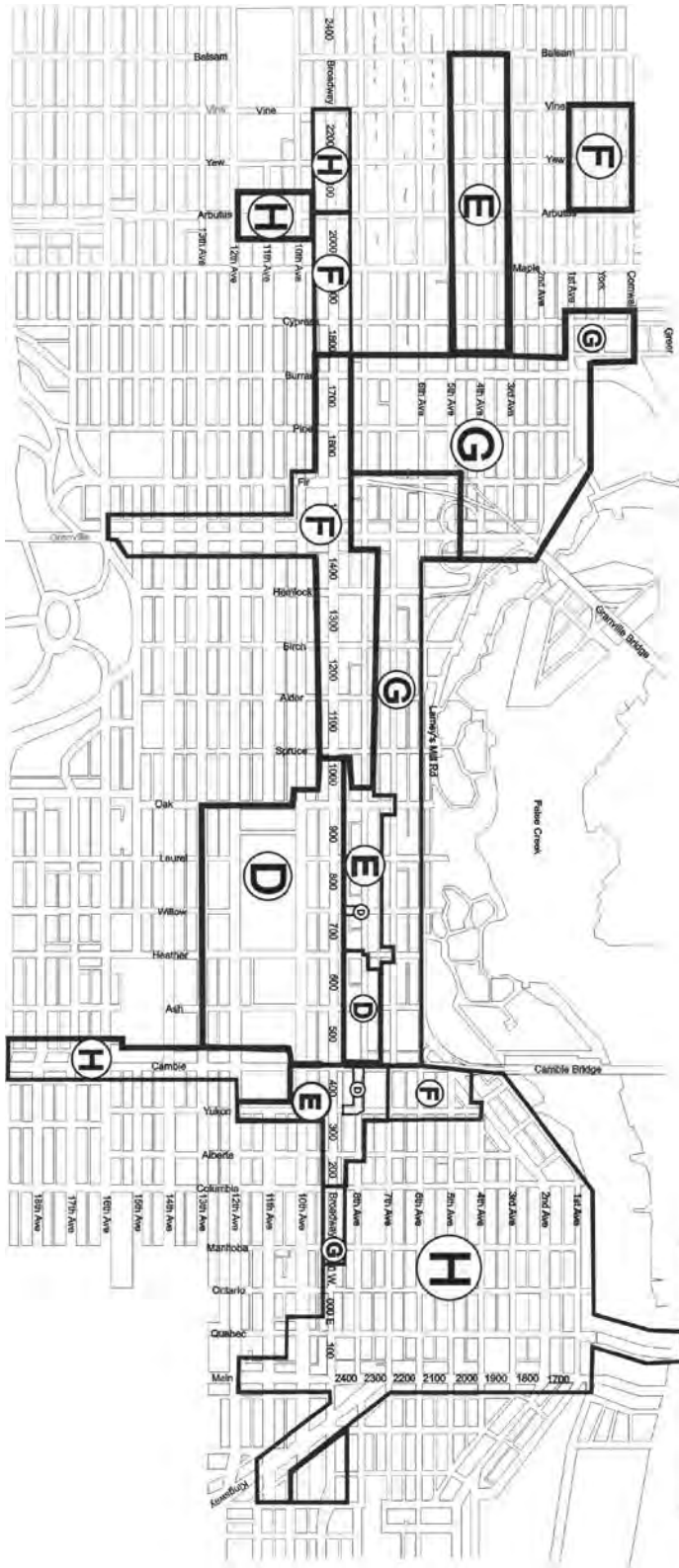
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(B)	5.00 / hr
(C)	4.00 / hr
(D)	3.00 / hr
(E)	2.50 / hr
(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr

N
Main Street
Schedule A (Page 5 of 13)



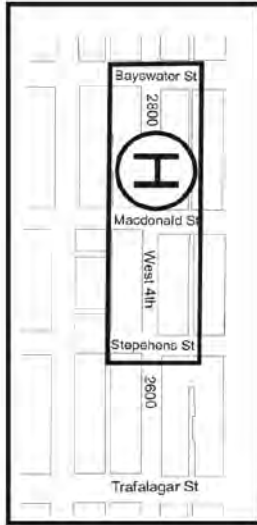
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(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr


Broadway Corridor
 Schedule A (Page 6 Of 13)

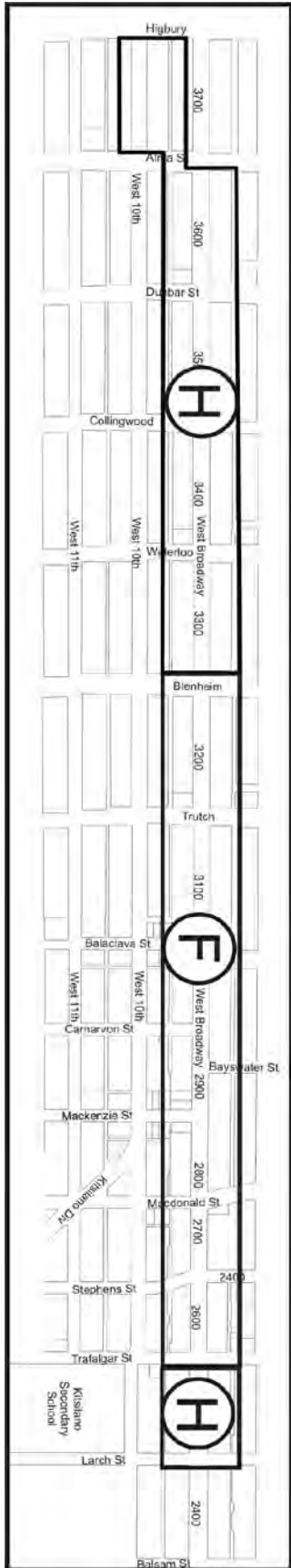


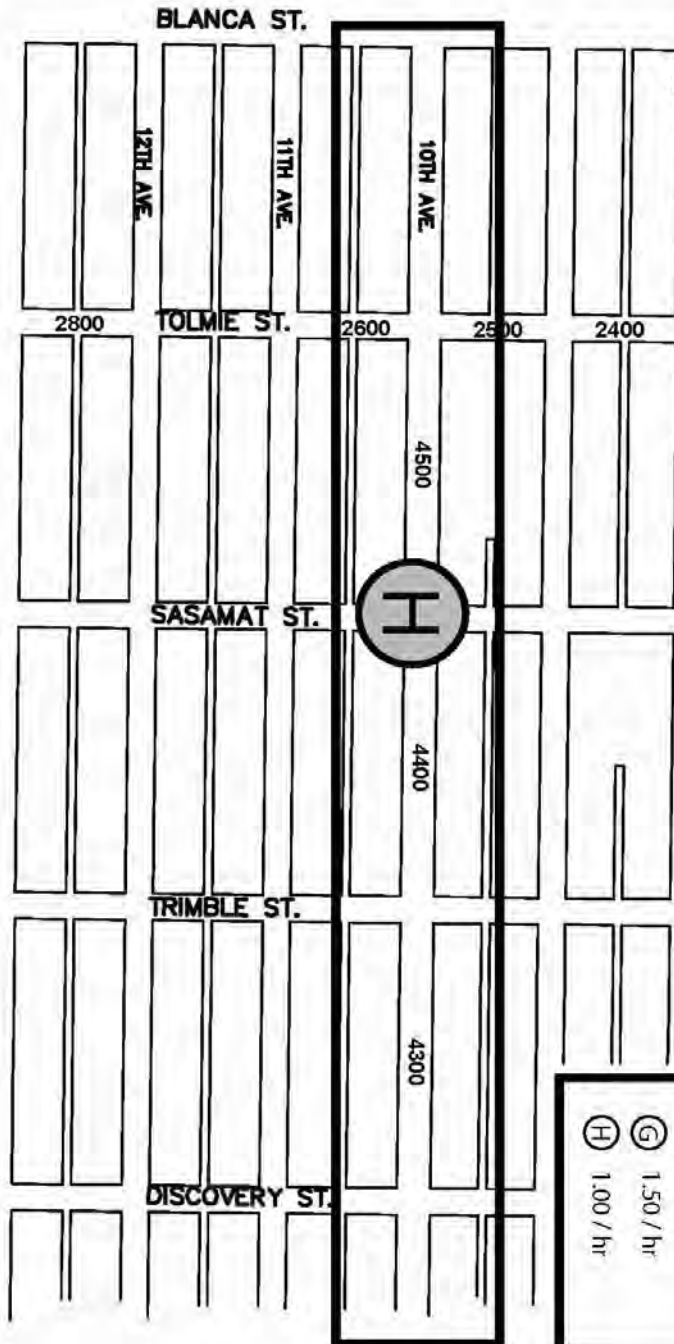
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(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr

West Broadway Schedule A (Page 7 of 13)



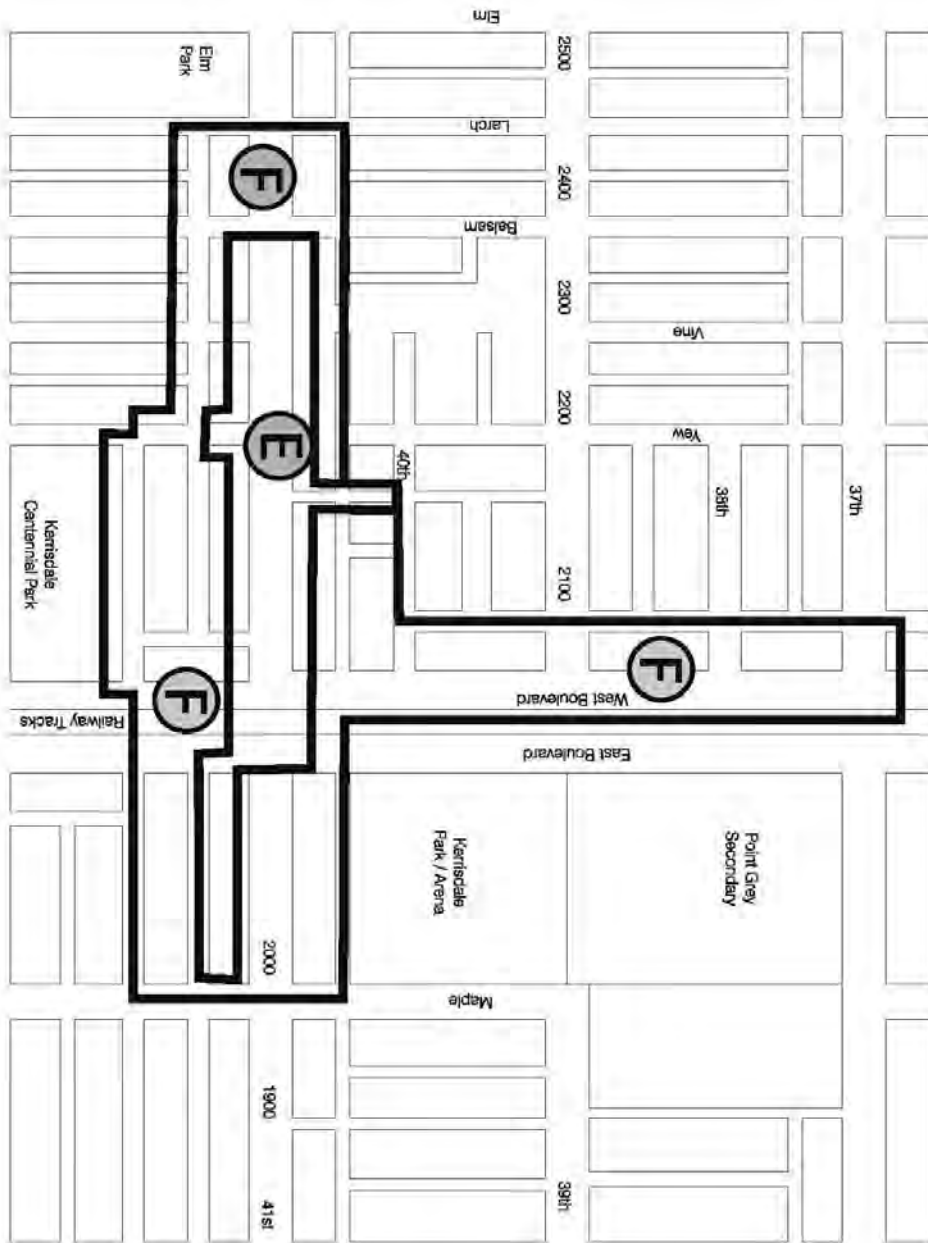
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(E)	2.50 / hr
(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr





West Point Grey
Schedule A (Page 8 of 13)

Legend	
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Ⓑ	5.00 / hr
Ⓒ	4.00 / hr
Ⓓ	3.00 / hr
Ⓔ	2.50 / hr
Ⓕ	2.00 / hr
Ⓖ	1.50 / hr
Ⓗ	1.00 / hr



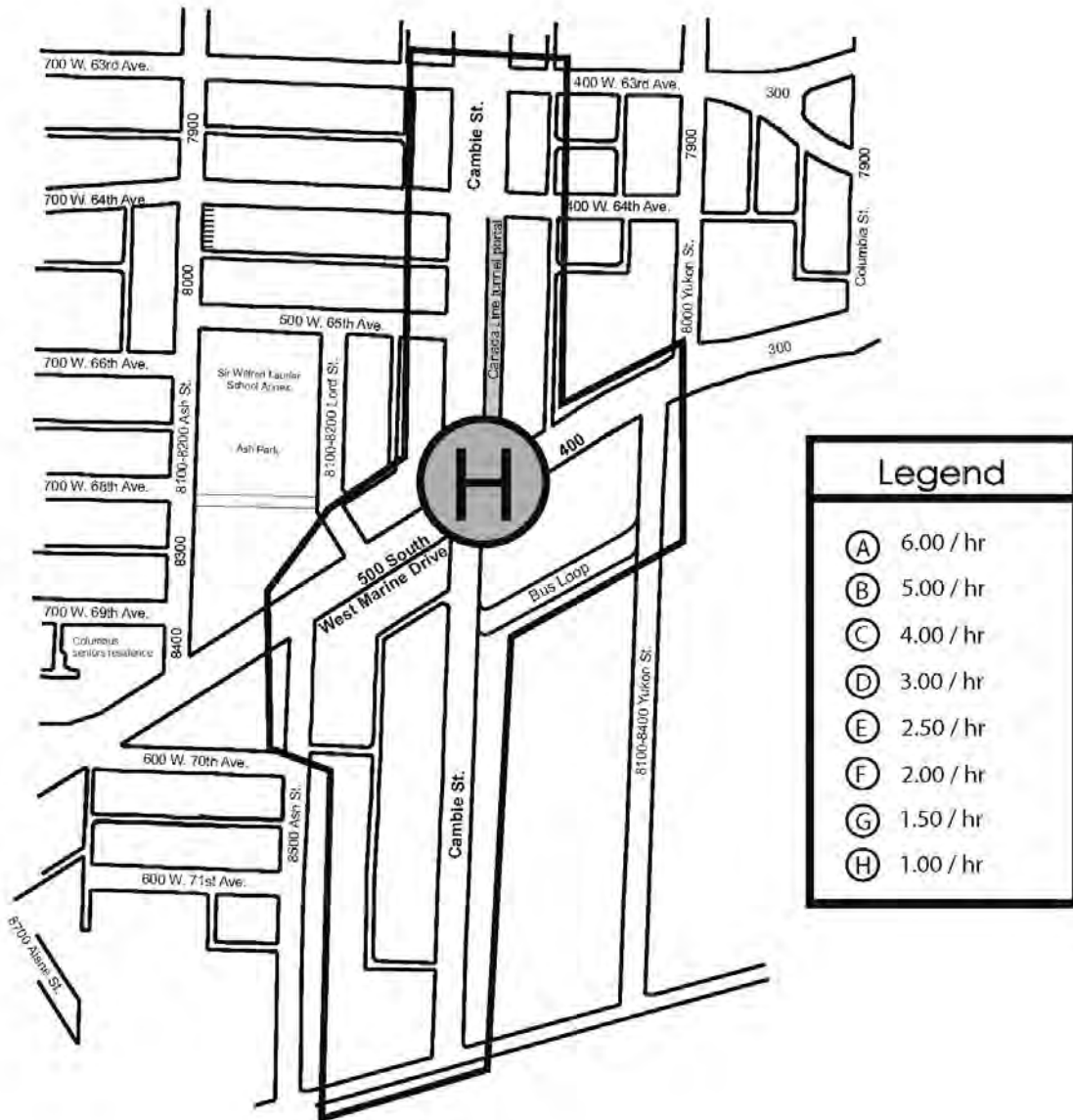
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Ⓖ	1.50 / hr
Ⓗ	1.00 / hr

Kerrisdale 

Schedule A (Page 9 of 13)

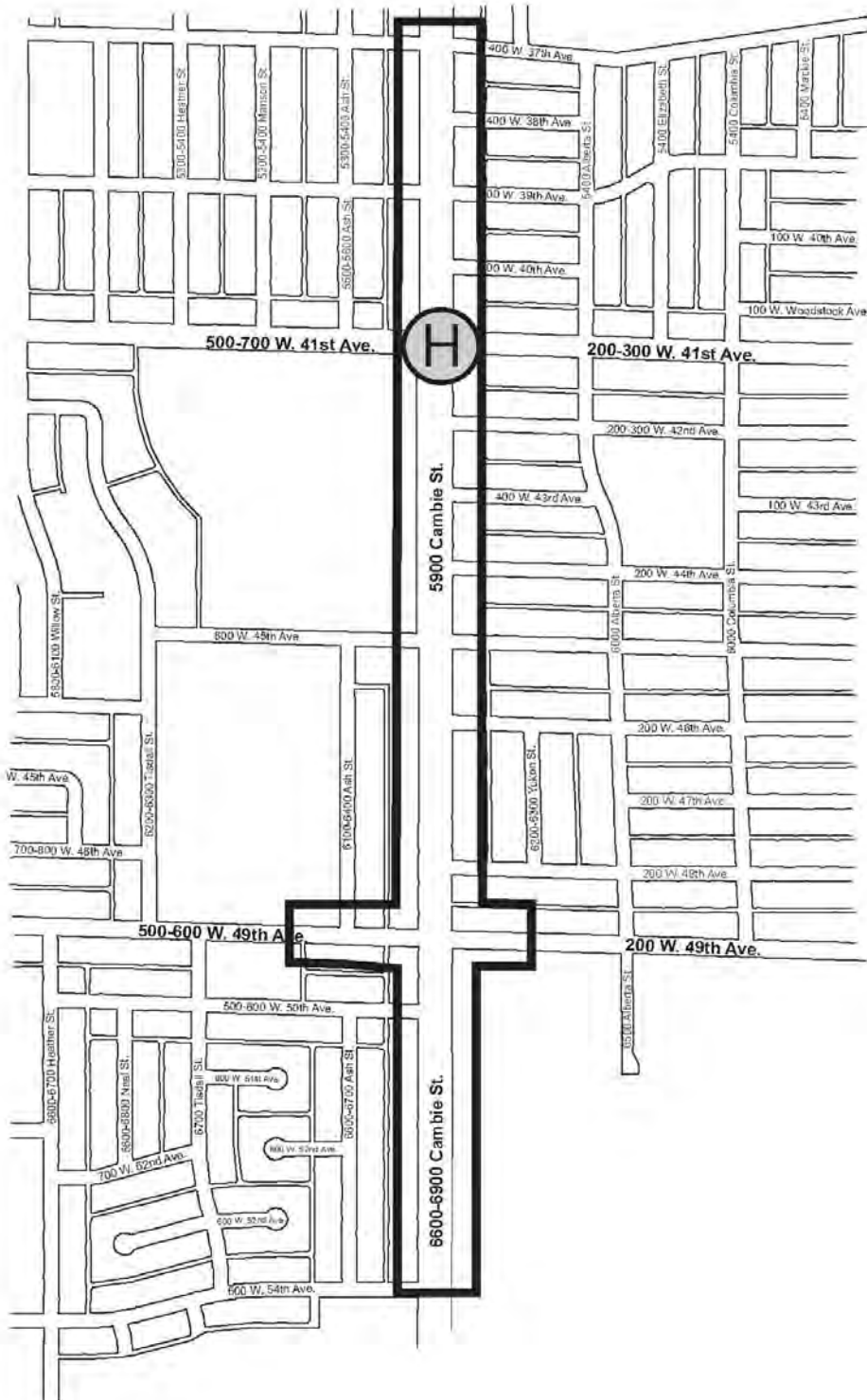
Marine Drive Station

Schedule A (Page 10 of 13)



41st & 49th Avenue Stations

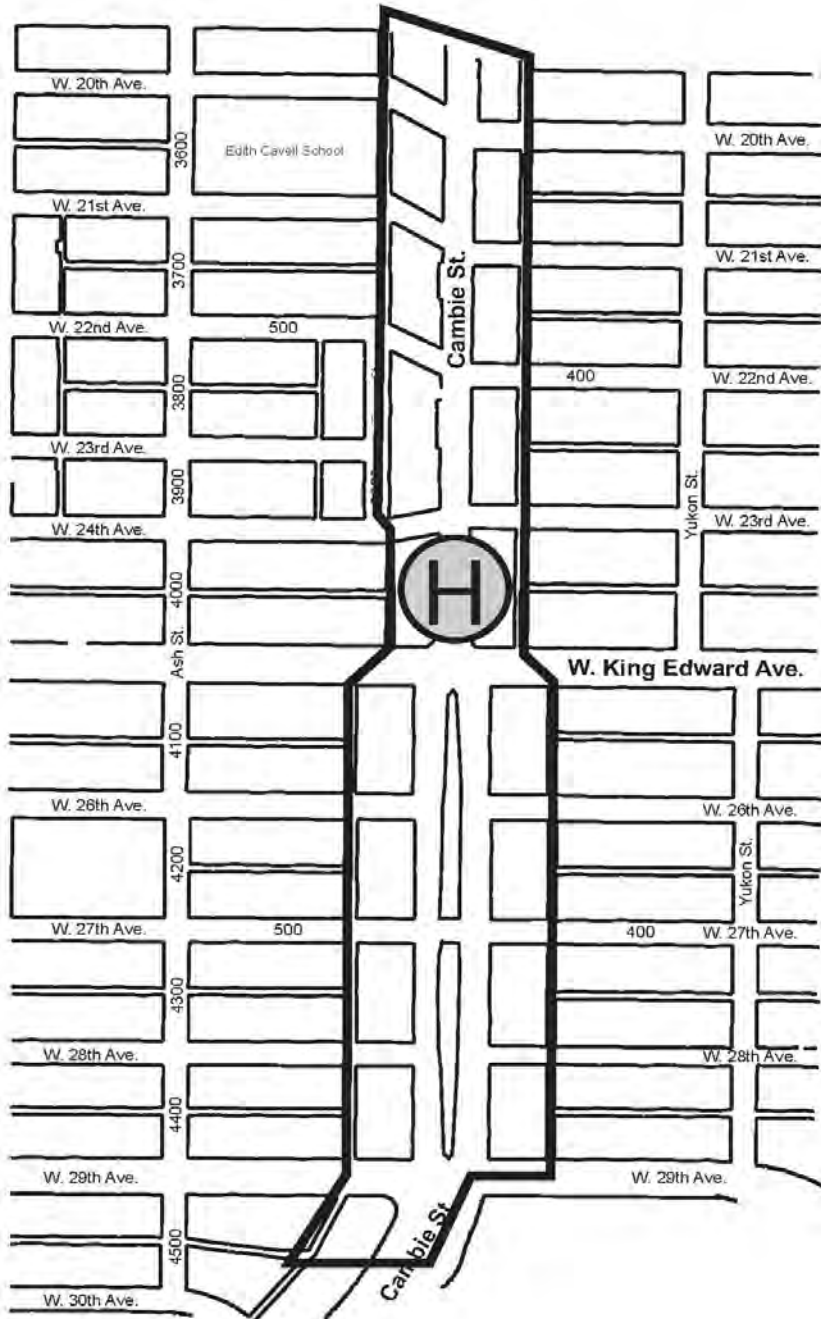
Schedule A (Page 11 of 13)



Legend	
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(C)	4.00 / hr
(D)	3.00 / hr
(E)	2.50 / hr
(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr

King Edward Station (Cambie Village)

Schedule A (Page 12 of 13)



Legend	
(A)	6.00 / hr
(B)	5.00 / hr
(C)	4.00 / hr
(D)	3.00 / hr
(E)	2.50 / hr
(F)	2.00 / hr
(G)	1.50 / hr
(H)	1.00 / hr



RR-1(d)

ADMINISTRATIVE REPORT

Report Date: June 20, 2017
Contact: Doug Smith
Contact No.: 604.829.4308
RTS No.: 12009
VanRIMS No.: 08-2000-20
Meeting Date: June 27, 2017

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability

SUBJECT: User Fees for City Owned and Operated Public Electric Vehicle Charging Stations

RECOMMENDATION

- A. THAT Council approve the charging of user fees at City owned and operated public Electric Vehicle (EV) charging stations as described herein.
- B. THAT Council approve, in principle, changes to the Parking Meter By-law No. 2952, as generally outlined in this report and Appendix A, to effect the charging of user fees at City owned and operated public EV charging stations.
- C. THAT Council authorize the Director of Legal Services to prepare and bring forward for enactment amendments to the Parking Meter By-law No. 2952 as generally outlined in Appendix B.

REPORT SUMMARY

The City committed to introducing user fees for public electric vehicle ("EV") charging stations as part of the 2016 EV Ecosystem Strategy. The intent of this report is to seek Council approval to charge user fees at City owned and operated public EV charging stations and to amend the Parking Meter By-law to allow implementation and enforcement of these fees.

User fees will be introduced with the intention of increasing turnover at EV charging stations, and encouraging EV drivers with access to home or workplace charging to use those preferentially.

The City consulted with stakeholders and thought leaders on EV infrastructure in early 2017 as part of the development of this program.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The City has the legal authority to own and operate EV charging stations in the City of Vancouver pursuant to section 145 of the *Vancouver Charter*. As part of the City's authority to operate EV charging stations, the City may charge user fees.

In November 2016, Council unanimously adopted the EV Ecosystem Strategy, providing a five-year strategy on the City's approach to home, workplace and public charging infrastructure; and, defined the City's role as a provider of and a market enabler for electric vehicle charging access as a community amenity to 2021. The introduction of user fees was the Fair Access Quick-Start committed to under the EV Ecosystem Strategy.

In November 2015, Council adopted the *Renewable City Strategy*, committing to derive 100 per cent of all energy used in Vancouver from renewable sources before 2050; and, to reduce greenhouse gas emissions by 80 per cent from 2005 levels before 2050.

In August 2013, Council adopted new minimum requirements for all parking stalls in new one- and two-family homes, 20 per cent of parking stalls in multi-unit residential buildings, and ten per cent of parking stalls in new commercial buildings, such that they be equipped with a "Level 2" charging circuit under the *Vancouver Building By-law*.

In October 2012, Council adopted *Transportation 2040*, which includes actions to support electric vehicle deployment and the provision of charging infrastructure.

In July 2011, Council adopted the *Greenest City Action Plan (GCAP)*. Goal 9 (Clean Air) of GCAP includes encouraging electric vehicle transport. Goal 2 of GCAP includes carbon reduction goals to reduce greenhouse gas emissions by 33 per cent by 2020 over 2007 levels. In 2009, Council adopted requirements in the *Vancouver Building By-law* for electric vehicle charging circuits in new homes and multi-unit residential buildings. These were the first such requirements in North America.

For many years preceding this, Council has directed staff to develop policy and plans that have been built upon in the current Greenest City work including *Clouds of Change*, the *Community Climate Change Action Plan*, EcoDensity and others.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

The 2016 EV Ecosystem Strategy describes how different approaches to deploying electric vehicle charging infrastructure in the home, workplace, and public settings can create an interdependent network that will support the electrification of light-duty vehicles in Vancouver. The different approaches build on an existing public network of charging stations (currently numbering approximately 250, of which approximately 75 are City owned)), and on a growing number of homes and commercial buildings that have been constructed with EV charging circuits since 2011.

A public survey of over 2,000 Vancouver residents in 2016 indicated that 85% of people planning to buy new cars in the next five years would or would consider buying an electric vehicle, a number greater than total EVs registered in Vancouver at the time.

Challenges

Presently, the City does not require payment for the use of City owned and operated public charging stations, although the standard parking rates for each block or parking lot apply. Use of City owned and operated EV charging stations has more than doubled in the past two years, with over 17,000 charging sessions averaging nearly five hours per day per station, but with some locations having up to approximately 13 hours of use per port, per day. Increasing congestion at many of the City owned and operated public access EV charging stations is reducing their utility to members of the public who rely on them. The significant growth in EV uptake (a 63% increase between 2015 and 2016) is likely to exacerbate this issue under current conditions.

In 2016, City owned and operated public access EV charging stations logged over 17,000 charging sessions. Data shows that approximately half of all time spent at City owned and operated EV charging stations occurs after the battery is full, suggesting a need for greater turnover.

Solutions

If approved, user fees will be introduced and phased in at City owned and operated EV charging stations with the intention of increasing turnover at such stations, and encouraging EV drivers with access to home or workplace charging to use those preferentially.

The City consulted with stakeholders and thought leaders, including BC Hydro, SFU Sustainable Transportation Action Research Team, Metro Vancouver, and the BC Institute of Technology, among others, on EV infrastructure in early 2017 as part of program development.

The user fee program for City owned and operated EV charging stations will be guided by the following principles, in order of importance:

1. Increasing turnover
2. Ease of understanding
3. Encourage home use where possible and use of lowest power infrastructure
4. Eventual return on investment on infrastructure
5. Fairness
6. Rates that encourage the transition to electric vehicles

Roll-out of User Fees to initial City owned and operated EV Chargers

Initially, user fees will be introduced at City owned and operated EV charging stations located at 16 different locations - all of which are City or Park Board jurisdiction sites. For context, EV charging stations presently exist under four different operating models in Vancouver, as described in the table below. User fees proposed in this report will be applied to Groups 'A' and 'D' initially. The EV charging station in Group D is the only one that is not City owned and operated. That charger is owned by BC Hydro and operated by

the City. EV charging stations that fall within Groups B and C are not under consideration for user fees at this time.

Group	Owner	Operator	City to Apply User Fees	Example(s)
A	City	City	Yes	City Hall Main Library Branch Hillcrest Community Centre Curbside locations
B	City	Third Party Site Host	No	Oakridge Mall Bentall Centre
C	Third Party	Third Party	No	Fairmont Pacific Rim Vancity Credit Union
D	Third Party	City	Yes	Empire Fields (BC Hydro owns station, City operates).

A separate approval process for charging stations at Park Board jurisdiction sites is required by the Park Board and this may be scheduled in the fall of 2017.

Proposed Fees

Fees will be charged hourly instead of per unit of energy, to encourage turnover once batteries are fully charged. Charging hourly is also a more familiar and easily understood method of payment. For more details on the fee models considered please see Appendix A.

User fees are initially proposed as follows:

- Level 2¹: \$2.00/hour plus regular meter rate (as applicable)
- DC Fast Charge²: \$16/hour plus regular meter rate (as applicable)

¹ Typically provides up to 30km of range per hour plugged in

² Typically provides up to 200km of range per hour plugged in

The above pricing equates to about \$0.46/L and \$0.50/L of gasoline equivalent respectively³. The City's existing EV infrastructure on those City owned and operated EV chargers that are part of the initial rollout is capable of collecting user fees based on rates set by the City. With the exception of three charging stations at Hillcrest Community Centre, which are being upgraded, no additional changes or upgrades to City EV infrastructure is anticipated to implement the user fee system. The City will also ensure that, before applying a user fee at any particular City owned and operated EV charger, the party that has been hired by the City to electronically process payment at that EV charger complies with the standards established by the Payment Card Industry's PCI Security Standards Council.

For more detail on rates, please refer to Appendix A and page 41 in the EV Ecosystem Strategy.

Strategic Analysis

Pricing will be designed so that residential charging will cost less than public charging, and Level 2 to cost less than Fast Charging. The primary goal of this graded pricing model is to encourage drivers with home or workplace charging options to use them when possible. Because of the large price differential between electricity and liquid fuels in the region, it will be possible to implement charge station pricing that is effective in minimizing abuse while at the same time being far less expensive than gasoline or diesel. Also these rates will help ensure that other modes like walking, biking and transit will remain more attractive financially than driving an EV.

The pricing structure will be developed as an "add-on" to existing parking fees to optimize station utilization. In other words, the Level 2 and DCFC rates that are developed under the above criteria will be in addition to a given parking lot price or fee zone prices.

It should be noted that those City owned and operated EV charging stations that are part of the initial rollout and that are located in parking lots should not require a change in pricing policy by the parking management company. The City will set rates through the EV charging stations that will include the usual parking fee at a given lot and remit the parking fee to the lot operator. The City will agree upon the terms and conditions of such an arrangement with the parking lot operator before applying a user fee to such EV chargers.

Implications/Related Issues/Risk (if applicable)

Financial

Details of financial implications of introducing user fees are provided in Appendix A of this Council Report. The existing thirty (30) Level 2 stations and one (1) DC Fast Charging station will not incur any additional capital costs. Future installations, as approved under the 2016 EV Ecosystem Strategy, will have capital costs that will be funded within the approved 2015-2018 capital plan and expenditures will be managed with existing budget.

³ Equivalency with gasoline is strictly an estimate, and can vary based on the energy efficiency of vehicles being compared. Typically, an EV can travel approximately nine to ten times further on a unit of energy than a similar internal combustion engine vehicle. Home charging would be closer to \$0.20/litre equivalent.

It is estimated that annual revenues from all stations will be \$23,500 with annual operating (excluding the investment for capital costs and installation) of approximately \$14,500. It is anticipated that the currently proposed user fees will achieve a positive return-on-investment ("ROI") for Level 2 charging stations in approximately 1.25 years. It is anticipated that the currently proposed user fees for DC Fast Charge stations will not achieve a short-term ROI, however, revenues will increase significantly as electric vehicles become more common.

\

It is not presently known how sensitive EV drivers will be to user fees. As more market data is obtained and as the number of EVs on the road increases, it is expected that user fees will be adjusted and that positive ROIs will be achievable during the useful lifetime of the infrastructure.

The framework for rate-setting is described in detail in Appendix A.

Human Resources/Labour Relations

The introduction of user fees for City owned and operated public EV charging stations, and the concurrent inclusion of EV infrastructure within the Parking Meter By-law will generate the need for, and the ability of the City to, enforce the appropriate use of such public charging stations. This in turn will generate training needs for City Parking Enforcement staff and external partners, including parking management companies such as Easypark. Sustainability will support such training prior to the launch of user fees.

The collection of user fees will be via electronic means through existing data network providers that support the City owned and operated public EV charging stations. Human resources implications for this are therefore expected to be minimal and no new resources will be required.

Legal

The City may sell electricity through City owned and operated EV charging stations for a user fee without attracting public utility regulation under the British Columbia *Utilities Commission Act*. The definition of "public utility" under the *Utilities Commission Act* excludes municipalities.

Notwithstanding the above, the sale of electricity by the City through a City owned and operated EV charging station would trigger certain filing requirements under "energy supply contract" section (s. 71) of the *Utilities Commission Act*. This includes the need to file a generic sales contract as well as quarterly and annual sales information.

Public Notifications

City staff will provide public notifications for at least one month prior to implementing new user fees. Notifications will be provided through four modes simultaneously:

1. Messages displayed on EV charging station displays at affected sites.
2. Messages posted online at Vancouver.ca and to EV infrastructure mapping sites like Chargehub.com and plugshare.com outlining new pricing and implementation
3. Signage posted adjacent to EV charging stations at affected locations.

4. Regular social media reminders leading up to implementation.

The City will continue to gather input via 311 and social media to monitor implementation and may convene future user workshops to get input on evolving the program to best suit user's needs.

CONCLUSION

As directed by Council via the EV Ecosystem Strategy, the introduction of user fees at City owned and operated public access EV charging stations will increase turnover and ensure that the infrastructure is used more optimally and make owning an EV easier and more attractive. To implement a user fee system, Sustainability staff will work with Easypark, EV charging station data network providers, and City staff in affected departments and the Park Board. Public notifications will be provided approximately one month before the initiation of user fees, expected during summer 2017.

* * * * *

Financial Plan for COV Owned and Operated Public Electric Vehicle Charging Station Rates

1. Summary

The City committed to introducing user fees for public electric vehicle (“EV”) charging stations as part of the 2016 EV Ecosystem Strategy. Sustainability will present an update to City Council on June 27, 2017 that will include proposed rates and changes to the *Parking Meter Bylaw*.

Presently, the City does not charge any fees at any of its public charging stations. Increasing congestion at many of the City’s public access EV charging stations is reducing their utility to members of the public who rely on them. The significant growth in EV uptake (a 63% increase between 2015 and 2016) is likely to exacerbate this issue under current policy.

In 2016, City public access EV charging stations logged over 17,000 charging sessions. Data shows that approximately half of all time spent at City-owned EV charging stations occurs after the battery is full, suggesting a need for greater turnover.

The City consulted with stakeholders and thought leaders on EV infrastructure in early 2017 as part of program development.

2. Guiding Principles

User fees will be introduced with the intention of increasing turnover at City owned and operated EV charging stations, and encouraging EV drivers with access to home or workplace charging to use those preferentially.

The user fee program for City owned and operated EV charging stations will be guided by the following principles, in order of importance:

1. Turnover
2. Ease of Understanding
3. Encourage home use, lowest power use infrastructure
4. Return on investment on infrastructure
5. Public perception of fairness
6. Inexpensive compared to fossil fuels (maintain attractiveness of EVs over ICEs)

3. Consultation & Fee Models

Three potential models for fees were considered as part of the program design and consultation. The City plans to implement a time-based (\$/hour) model as described below due to its alignment with the program principles as described above. A brief description of the three fee options is below.

Time-based (\$ / hour)

Charging fees based on the length of time a station is occupied, and will encourage turnover so that charging stations are used by those who need them for EV charging and not simply as parking spaces, and optimize access through improved availability. Hourly fees are simple to understand, and would mirror existing rate structures for parking meters.

Energy-based (\$/ kWh)

An alternate argument suggests that a fee based on energy (per kWh) would be more equitable between different models of vehicles with different on-board charging speeds, since users would only pay for energy received regardless of the length of time to charge. This, however, may hamper the ability for users who may be queuing to use station to determine wait times, and the ability for enforcement staff to manage these systems becomes increasingly complex.

Hybrid rate (\$/kWh until battery full, then \$/hour)

The third, hybrid option, would ensure equity in terms of pricing of energy delivered, while at the same time ensuring that users continue to pay a rate for staying at a charging station. Some jurisdictions have examined using relatively high hourly rates once a battery is fully charged to more strongly disincentivize “squatting”. However, a hybrid rate is also more difficult for users to understand, and may possibly lead to a less positive user experience. Some jurisdictions have introduced a ‘punitive’ hybrid rate such that the price is dramatically higher after a given time. However, more conventional parking enforcement measures can be employed by the City to prevent drivers staying beyond time limits at a given location.

It should be noted that upper limits on parking / charging times will be imposed, in line with the lot or city block that the charger is located on.

4. Station Usage

The City will only be bringing in user fees at locations where the City owns and operates the EV charging stations. The only exception is the DC Fast Charge Station located at Empire Fields, where BC Hydro owns the charge station and the City operates it. At these locations, the City owns the electrical supply, which is limited to City/Park Board buildings, City parking lots and stations on City ROW.

Such stations are present at 16 locations, as follows:

Level 2 Stations (7kW)

1. Arbutus St. adjacent to Kits Beach tennis courts
2. Britannia Community Centre
3. City Hall
4. Pacific National Exhibition

5. Mainland St. at Nelson
6. 180 Keefer St.
7. Mt. Pleasant Community Centre
8. Laneways at Oak & 49th Ave.
9. Coal Harbour Community Centre
10. Vancouver Aquarium
11. Vancouver Public Library Main Branch
12. Hillcrest Community Centre
13. Beach Ave. at Cardero St.
14. Beach Ave. at Bute St.
15. Beach Ave. at Bidwell St.

DC Fast Charge Station (50kW)

16. Empire Fields

Analysis of usage at 15 Level 2 locations was conducted for the period from January 10, 2016 to January 9, 2017 to determine the variations in usage at each location, and the typical session length and power obtained by users. It should be noted that usage at all locations has been increasing since 2013 when analysis began.

Usage of the Empire Fields location is not presently monitored, but is anecdotally reported to be high.

Analysis determined that the public Level 2 stations are used quite frequently, but not necessarily in a way that provides maximum public benefit. In the period mentioned above, a total of 17,016 charging sessions were recorded across the network.

The Level 2 stations were used on average for approximately three hours per session, consuming an average of approximately 8.2kWh. This suggests that the users of these stations are remaining longer than is necessary: a Level 2 charging station dispenses between 6.7kWh and 7.7kWh, indicating that on average, stations stop dispensing power less than halfway through a session.

The table below provides the breakdown, for illustration purposes, of the usage at Level 2 charging stations on City property.

Table 1 - EV Infrastructure Usage at City Properties

Station Name	Average Session Length	Avg. Energy (kWh/session)	Total Sessions	Avg. Sessions / Month	Avg Session / per port	Avg Sessions (port/month)	Average Usage per Day (hh:mm/port/d)
Kits Beach	2:40:18	8.76	1668	139.0	834	70	6:06
Britannia Community Centre	2:31:43	7.58	1910	159.2	955	80	6:36
City Hall	4:01:17	5.65	3035	252.9	759	63	8:21
Hastings Park	3:23:05	10.8	619	51.6	310	26	2:52
Mainland St.	2:53:41	10.8	3253	271.1	1627	136	12:53
Mt. Pleasant Community Centre	2:10:09	7.25	418	34.8	139	12	0:49
Oak St. / W.49 th Ave.	1:30:10	5.03	177	14.8	177	15	0:43
Coal Harbour Community Centre	7:50:24	15.3	746	62.2	373	31	8:00
Vancouver Aquarium	1:38:31	5.33	965	80.4	483	40	2:10
VPL Main Branch	5:22:46	9.78	746	62.2	249	21	3:39
Hillcrest Community Centre	1:47:47	6.54	2475	206.3	825	69	4:03
Beach Ave (all)	1:25:19	5.47	1004	83.7	167	14	0:39
180 Keefer St.	1:40:10	5.143	471	39.3	236	20	1:04
Overall Average	3:06:16	8.19	1418	118.17	575	48	4:44
Overall Total			17,016				

5. Framework for Rate-Setting

The introduction of user fees will follow the City's model set out in the December 2016 *Parking Meter Bylaw* update. This framework is data-driven, and allows for adjustments to pricing based on a pre-determined objective for occupancy / availability. With respect to charging infrastructure, little is known on consumers' sensitivity to pricing, as few jurisdictions have introduced user fees to-date. Vancouver has significantly higher rates of use (and therefore of congestion) compared to many jurisdictions.

Generally, public understanding of energy consumption is quite low. Based on consultation with other local governments and thought leaders in this field, it was determined that a time-based system of user fees was simpler to integrate into existing parking regimes; and, was more likely to be understood by users. Further, pricing by time ensures an incentive for turnover, as public charging stations will continue to accumulate costs to a user's account; an energy-based system would cease to charge fees once a battery became completely charged.

Due to variations between vehicles, some EVs will obtain less energy over a given charging time than others, giving rise to concerns about equity between users. However, this disparity is not dissimilar from conventional fossil-fueled vehicles, whereby vehicles with poorer fuel economy derive less range per dollar spent compared with more fuel efficient models. Access to the infrastructure is arguably the value proposition behind introducing user fees. Therefore, that access, measured over time, appears the simplest method to ensure fairness.

Rates will be set as follows:

- Price per hour continuously while vehicles are connected
 - In some locations, this will likely be accompanied by an enforced upper limit on parking time.
 - For DC Fast Charge stations, this will be presented as a price-per-minute
- Structured as an 'add-on' to parking fees in a given lot or zone
- Correlated roughly to the power provided
- Tiered such that the charging stations providing the most range per hour will be the most expensive, and all public charging locations will be more expensive than residential electricity rates
- Fees for charging (not including the local parking rate) will be significantly lower than the equivalent fossil fuel costs.

6. Introductory Rates

The City will introduce the following rates, with adjustments expected as user sensitivity to pricing is better understood. The following introductory rates are additional to the parking rate at a given location, although the two fees will likely be collected at the charging station.

- AC Level 2: \$2.00/hr
- DC Fast Charging (50kW): \$16/hr.

7. Profit-Loss Expectations / Cost-Revenue

All public charging stations have both fixed and variable operating costs, as follows:

Fixed costs:

- Equipment lease or interest on capital investment
- Network services

- Utility basic charges
- Rate rider

Variable costs:

- Utility charges (electricity usage)
- Demand charges
- Transaction fees (network charge)

In order to be remotely monitored and collect payments, a fixed network fee is charged by a third-party operator that provides a cellular data connection to the charger. In addition, BC Hydro rates include a fixed daily charge. Operating costs include the cost of electricity, transaction charges from network providers, and demand charges¹. It is expected that the introduction of user fees will cover the operating costs of EV charging infrastructure. It is also expected that a 5 year return-on-investment is possible even with a modest decrease in utilization. Because few jurisdictions in North America have implemented pricing for the purposes of easing congestion, projections will be challenging prior to implementing the program.

¹ As of April 1, 2017, BC Hydro now includes a demand charge for all medium and large site accounts (previously, only peak consumption over a specific threshold triggered demand charges).

Typical Cost-Revenue for a Level 2 (~7kW) charging station is provided in the table below.

Table 2 - Proposed Initial Profit-Loss Calculations for a Level 2 EVSE

Item	Unit Qty.	Per Session	Monthly
Typical Session Energy (kWh)		8	
Installed Capacity (kW)	6.65		
# Sessions	-	1	125
Usage Length (regardless of energy consumption) (hours)	3	3	375
Fixed			
Capital cost	\$4,500		
Labour & Installation	\$2,500		
Annual Network Fee	\$225		\$18.75
Basic Daily Utility Charge	\$0.2429		\$7.39
Annual Maintenance	\$200.00		\$16.67
Variable			
Electricity Cost (\$/kWh)	0.0880	\$0.70	\$88.00
Demand Charge (\$/kW)	4.92		\$32.72
Rate Rider	5%		\$6.41
Swipe Transaction Fee (\$/txn)	0.91	0.91	\$113.75
Total Variable Costs		\$1.61	\$240.87
Total Operating Costs			\$283.68
User Fees Revenue	\$2.00	\$6.00	\$750.00
Net Revenue over operating			\$466.32
Annual Revenue over operating			\$5,595.86
Simple Payback (yrs)			1.251

Overall, revenues for a Level 2 station could be as high as \$750 per month, based on current usage rates. However, it is expected that this will be lower in practice. From a consumer perspective, \$2.00/hour translates into about \$0.30 per kWh, or the approximate equivalent energy as \$0.46 per L of gasoline².

² Estimates of electricity vs. gasoline fuels' price equivalency are highly imprecise due to broad differences in vehicle efficiency between EVs and fossil-fueled vehicles. An EV can go approximately nine times further per unit of energy compared with a similar fossil fueled vehicle. As the two fuels themselves cannot be easily compared (electricity does not have a physical volume to be priced by), comparisons rely on estimated range per dollar of fuel purchased.

Table 3 - Proposed Initial Profit-Loss Calculations for a DC Fast Charging Station

Item	Unit Qty.	Per Session	Monthly
Typical Session Energy (kWh)		25	
Installed Capacity (kW)	50		
# Sessions	-	1	125
Usage Length (regardless of energy consumption) (hours)	0.5	0.5	62.5
Fixed Costs			
Capital cost	\$40,000		
Labour & Installation	\$50,000		
Annual Network Fee	\$225		\$18.75
Basic Daily Utility Charge	\$0.2429		\$7.39
Annual Maintenance	\$200.00		\$16.67
Variable			
Electricity Cost (\$/kWh)	0.0880	\$2.20	\$275.00
Demand Charge (\$/kW)	4.92		\$246.00
Rate Rider	5%		\$26.42
Swipe Transaction Fee (\$/txn)	0.91	0.91	\$113.75
Total Variable Costs		\$3.11	\$661.17
Total Operating Costs			\$703.97
User Fees Revenue	\$16.00	\$8.00	\$1,000.00
Net Revenue over operating			\$296.03
Annual Revenue over operating			\$3,552.31
Simple Payback (yrs)			25.336

The above table provides a sample calculation of the costs and revenues from a DC Fast Charging Station. Note that the simple payback period is significant. However, this assumes an initial usage of approximately 125 sessions per month. As EV adoption grows, it is likely that more than 300 sessions per month would occur, significantly reducing the payback period.

As the primary goal of the User Fees program is to create turnover, but also to ensure that electricity remains a significantly less expensive option, an hourly rate of \$16.00 is proposed. From a consumer perspective, this translates into an approximately \$0.50/L gasoline price.

8. Adjustments

Rate adjustments will be controlled through a similar methodology to the supply and demand based system applied to parking meters under the *Parking Meter Bylaw*. This is a data-driven system that sets rates to maintain a target occupancy/vacancy in a given area. When the number of vacant parking stalls is too low, parking rates are increased to create turnover and availability; when the number of vacant parking stalls is higher than targeted, parking rates are

reduced to increase demand for those stalls. A similar approach can easily be taken with EV charging, since networked stations are able to track their own availability and use.

Parking meter rates are adjusted based on the Peak Daytime Curbside Occupancy Rate over a calendar year, with adjustments occurring in the following calendar year. The Peak Daytime Curbside Occupancy Rate is defined as “the ratio of the number of occupied spaces on a block during the hours of 9:00 am to 6:00 pm to the total number of spaces on a block, expressed as a percentage that is calculated based on all data collected by the City throughout the calendar year.”

In the case of EV charging infrastructure, different target occupancies and availabilities are proposed initially because the sensitivity of consumers to price changes is unknown, and the relative availability of public infrastructure is quite low compared to that of metered parking stalls. Additionally, rate adjustments are recommended on a semi-annual basis for the first two years following the introduction of user fees.

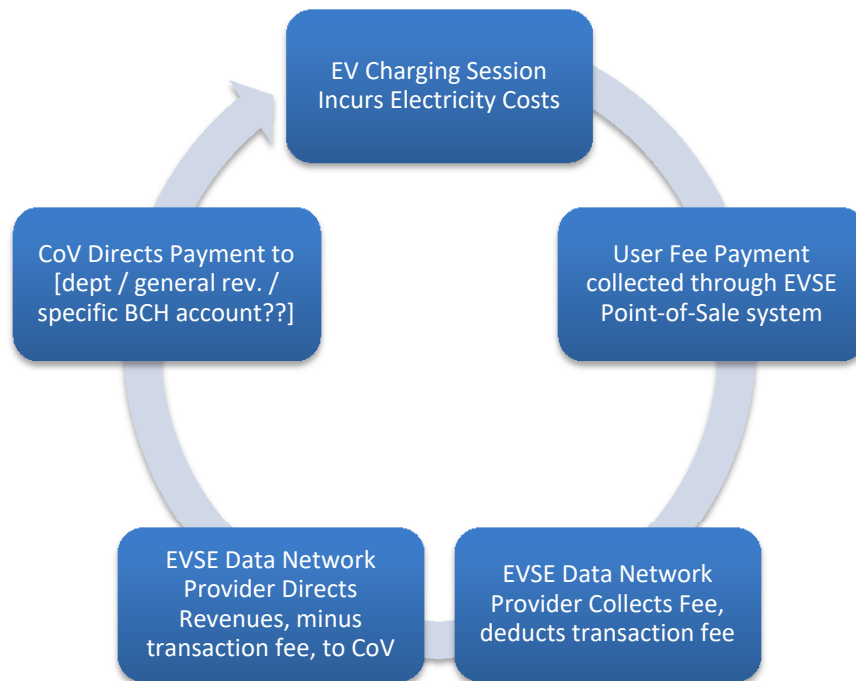
9. Use of Revenues

Two separate arrangements currently exist for electricity costs associated with EV charging stations on City properties.

1. EV infrastructure connected to an electrical panel that supports other loads and is not metered separately from other loads.
2. EV infrastructure is on a separate electrical panel that has a dedicated BC Hydro meter that bills only for EV charging loads.

A project to retrofit all locations captured under 1., above, is presently underway. However, it is anticipated that at some locations, installation of a separate BC Hydro meter may not be possible. In such scenarios, a revenue-grade submeter, as specified by Real Estate and Facilities Management, will be installed to determine the EV infrastructure-specific loads.

Under any of the above scenarios, the intended use of EV infrastructure revenues will be first to ensure cost recovery to the sites or departments responsible for them.



In the case of pay parking lots (i.e. – off-street parking), parking fees will be rolled into fees charged at the charging station, to avoid users needing to pay at multiple locations (i.e. – once at the charger, again at a payment kiosk). In such situations, the portion of revenues from EV charging stations equivalent to the parking rate will be directed back to the parking management company by the City.

10. User Fee Program Responsibilities

Department	Role
Sustainability	<ul style="list-style-type: none"> Develop policy for User Fees and Oversee Implementation
Engineering	<ul style="list-style-type: none"> Integrate EV Infrastructure User Fees Into Parking Management Policies, Consult with Sustainability on fee adjustments for two years following implementation Quarterly and annual reporting to BCUC under S.71 of the Utilities Commission Act, supported by SUS Direct payments to Easypark for portion of revenues equivalent to parking rates.
REFM Energy Management	<ul style="list-style-type: none"> Manage Utility bills associated with EV charging
Finance	<ul style="list-style-type: none"> Ensure flow of revenues to appropriate departments / accounts
EVSE Network Provider	<ul style="list-style-type: none"> Provide monitoring data and remit revenues to CoV
Parking Enforcement (Internal to CoV or Easypark)	<ul style="list-style-type: none"> Ensure that time limits at all EV infrastructure are enforced, and the any parking stalls associated with EV infrastructure are used only for that purpose.

May 3, 2019



Village Update

Your Weekly News & Updates

Updates from Mayor and Council

From the desk of Councillor Barmeier

Back to the Future in Lions Bay – Supporting the Adoption of ZEVs in BC

With gas prices soaring and the need for environmental protection on everyone's mind, alternative fuel vehicles are gaining in popularity. In fact, by 2025 10% of all cars sold in BC will have to be ZEV, 30% by 2030, and 100% by 2040. Currently you will find almost every auto manufacturer has ZEV models on offer.

The Lions Bay Official Community Plan outlines our goals in policy and action for the protection of air quality and noise levels.

Electric vehicles do both of these things; zero emissions and near silent operation.

On March 19th, 2019 council carried my motion to investigate DC Fast charging in Lions Bay and allocated up to \$5,500 for this first step. We want to take direct action to provide ZEV fueling infrastructure for Lions Bay residents as well as passers-by. Wouldn't it be nice to have cleaner air to breathe and reduce the amount of noisy petrol vehicles passing through? It's a win-win for everyone.

What is a ZEV?

Specifically, ZEV stands for zero emission vehicle. Examples of these are BEV (battery electric vehicle) and FCEV (fuel cell electric vehicle). Currently the majority of ZEVs on offer are battery electric.

What is **DC fast charging**?

DC fast charging is a quick way to charge the battery in your electric car. BEVs can be charged in 3 different ways. The industry jargon refers to level 1, level 2, and level 3 charging. Where level 1 is a conventional 120V AC plug found around your house. Level 2 is similar in power supply to a stove’s 208-240V AC, 30-40 amp circuit. Level 2 chargers are generally installed in your garage or driveway by an electrician. Level 3 is a high voltage direct current (DC) charging station.

Level 3 chargers, or **DC fast chargers**, are generally reserved for municipal, institutional, or commercial settings.

Table 1. Typical charging times for various chargers.

Charging level	Charging voltage	Typical installation	Charger output	Range gained in 30 minutes	Charge time for 100km range
Level 1	120 V AC	Ordinary household plug	7 kW	~25 km	~4 hours
Level 2	208-240 V AC	Home based charger	22 kW	~75 km	~80 minutes
Level 3 – DC fast charging	600-1000 V DC	Municipal or institutional	150 kW	~300 km	~20 minutes

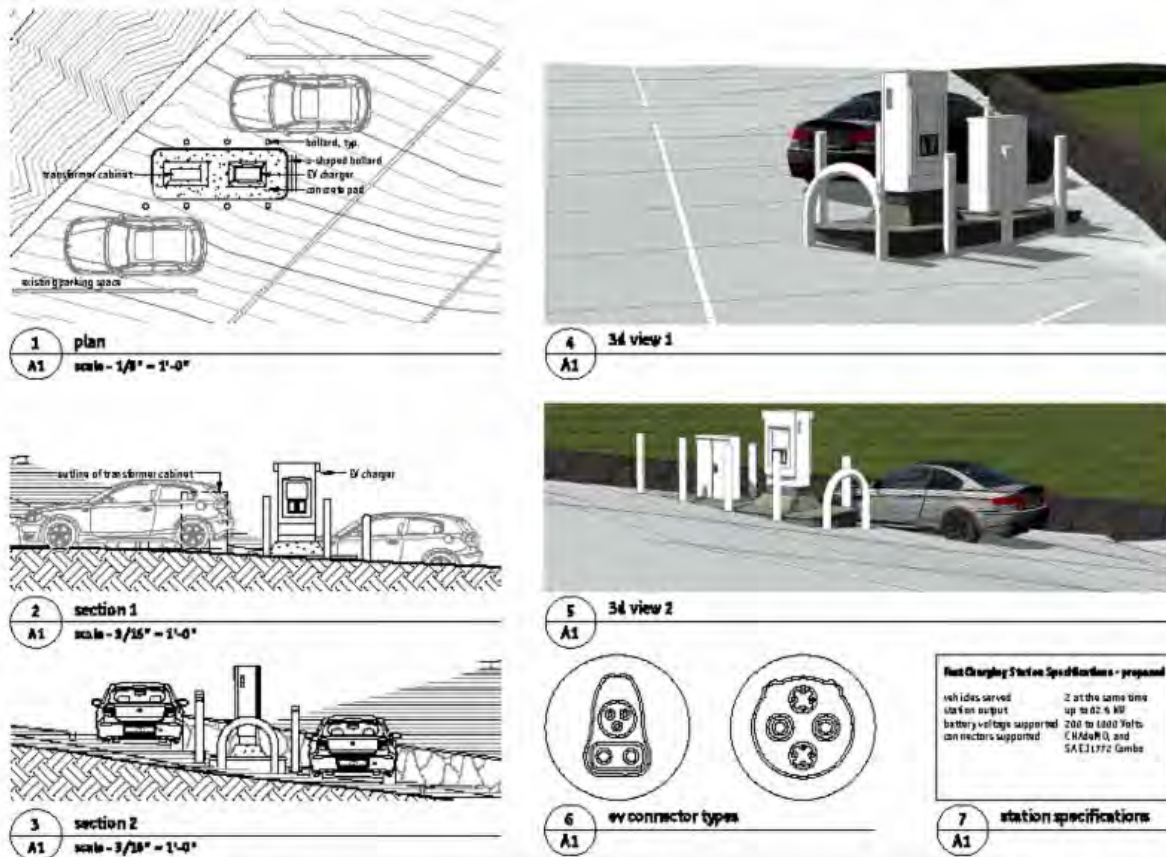
How much does it cost to drive 100 km in an average petrol vehicle versus an average electric vehicle?

Energy source	Cost per unit	Total required to travel 100 km	Cost per 100 km
Petrol	\$1.70 per L	10 L	\$17.00
Electricity	\$0.0945 per kWh	18 kWh	\$1.70

*the numbers here are average best estimates only.

What does a DC fast charging station look like?

We had a local architect develop a concept sketch for us. They believe in this initiative so they did the work for free.



What would a DC fast charging station cost and how would we pay for it?

While costs may vary due to a few factors, typical costs for a DC fast charging station are about \$80,000. The federal government, through the Electric Vehicle and Alternative Fuel Infrastructure Deployment Initiative is paying anywhere from 75-100% of the cost of eligible stations in the form of a grant. Of course, we need to apply and just like our infrastructure grants we are not guaranteed to win, but at least we've agreed to try.

We welcome your thoughts and feedback on this initiative. Click [here](#) or email feedback@lionsbay.ca or drop off your comments at the Village Office or through their afterhours mail slot. Your feedback will be reported back to Council next month.

With kind regards and an eye on the future,
Your councillor and engineer at heart, Norman Barmeier, P.Eng.



For more information on the Province's zero emission mandate click [here](#).

To find out about current ZEV incentive programs click [here](#).

Updates from the Municipality



Being so close to thriving natural ecosystems, Lions Bay shares its urban environment with wildlife big and small – and that means that we need to be mindful of potential conflicts between humans and wildlife.

The [Municipality's web site](#) contains materials on how to reduce conflict with wildlife including bears, cougars, and coyotes. Keeping the community safe is a shared responsibility – from proper management of garbage, compost, fruit trees and other anthropogenic food sources.

Reports of dangerous wildlife in an urban setting or reports of wildlife in conflict should always be reported to the COS 24-hour hotline at 1-877-952-7277. This is also the number for Report All Poachers and Polluters ([RAPP](#)).

The tennis court is now open for spring and summer use!



BE EMERGENCY READY

Emergency
Preparedness
Week

May 5 - May 11
2019

EMERGENCY PREPAREDNESS WEEK: ARE YOU READY?

This year's theme for Emergency Preparedness Week, which runs from May 5 to 11, is Be Emergency Ready

Life is busy and making time to ensure you're prepared for an emergency can sometimes fall to the bottom of the list. The Village of Lions Bay has an emergency plan that will be activated in the event of a crisis, but everyone has a role to play to stay safe – especially you!

There are lots of things that you can do to be better prepared, such as:

- Preparing an emergency plan so that every member of your family understands what to do and where to meet following an earthquake or other disaster
- Having enough supplies to be self-sufficient for at least 72 hours, including food, water, and extra clothing
- Knowing where your nearest disaster support hub is and planning how you would get there from home or work

By creating a preparedness plan, you empower yourself and your family to be as resilient as possible, and it can be as simple as starting a conversation. Emergencies happen, and planning for them is a shared responsibility.

DON'T FORGET TO SIGN UP FOR LIONS BAY ALERT

Lions Bay Alert enables the Village of Lions Bay's Administration to communicate important information quickly in the event of emergencies. [Register today](#) and know you'll have the up-to-date information you need during an emergency.



HARVEY CREEK WATER TANK CONSTRUCTION UPDATE

Industra's crews will switch the southern portion of the Village (south of Alberta Creek) onto the temporary 100,000-gallon Oceanview tank next week. Crews will allow the current 400,000-gallon Harvey tank to empty prior to this switch tanking place. From there the old Harvey tank will be deconstructed. This is a systematic

disassembly and manual breaking up of the concrete tank that is expected to take up to a month to accomplish. In addition to this significant step, crews will also be excavating along the roadway to install conduit for communications cabling from the Oceanview cul-de-sac to the Harvey treatment plant.

Access along the gravel road to the treatment plant will be severely restricted and congested with heavy vehicles. Industria will do its best to keep the disruption to a minimum but cannot guarantee unfettered access.

Please accept our apologies for any inconvenience and bear with us as we see this critical infrastructure project commence. Thanks for your patience and understanding.

Please provide any feedback or comments to Public Works via email at works@lionsbay.ca.

COASTAL WILDFIRE NEWSLETTER IS BACK

Please click [here](#) for the first Coastal Wildfire Newsletter of the 2019 season. Included this season you will find a lot of information about the BC Wildfire Service's Prevention program – FireSmart! Note that tomorrow, May 4, 2019, is Wildfire Community Preparedness Day.

You can find new issues as they are sent to us on the Village website [here](#).

Note: All meetings take place in Council Chambers unless otherwise noted. The Village Office is open until 6:30 pm on Regular Council Meeting nights. Please check the Meeting Calendar for changes or cancellations.

Council and Committee Meetings

- Curly Stewart Memorial Award Committee - May 6 at 6:00 pm
- Regular Council Meeting - May 7 at 7:00 pm
(Presentation of 2018 Audited Financial Statements by BDO Canada)

[Meeting Calendar](#)

What's happening in the community?

ARTS & GARDEN FESTIVAL



MARK YOUR CALENDAR:

LIONS BAY ARTS AND GARDEN FESTIVAL!

Come and enjoy Lions Bay Arts and Garden Festival **SUNDAY, MAY 26.**

Garden and art displays, native plants, art and jewellery for sale, performances by local musicians, garden tips by our resident Master Gardener, and more.

Tour gardens 11:00 a.m. to 3:00 p.m. Wine reception starts at 4:30 p.m.

ALL ARE WELCOME!

Map & More details to follow.

Lions Bay Community Scholarship Foundation



Calling All Grade 12 Students - LAST CHANCE

The Lions Bay Community Scholarship Foundation presents Scholarships to successful Grade 12 applicants from the Lions Bay community who are pursuing further education at a post-secondary institution. Applications are due by 4 pm on Tuesday, May 7, 2019. Click for: [Information and Application Form.](#)

LIONS BAY COMMUNITY GARDEN

Enjoy growing your own veggies? Have you ever wanted to start a vegetable garden or need extra space to expand your own vegetable garden and don't have enough space at home?



Come join us in the Lions Bay Community Garden, located in the Kelvin Grove Beach Park. Garden plots are available at \$25.00/Year. For more information contact Tina Schneider @ lionsbay.gardens@gmail.com



**THE BIGGEST RECYCLING EVENT
OF THE VILLAGE
LIONS BAY GIVEAWAY WEEKEND**

STARTING SATURDAY, MAY 4TH AT 9AM
UNTIL DUSK ON SUNDAY MAY 5TH

ALL LIONS BAY VILLAGERS ARE INVITED TO HELP US KEEP OUR
UNWANTED ITEMS OUT OF THE LANDFILLS.

HOW WILL WE DO THIS?
EASY!

PUT OUT ANY UNWANTED ITEMS AT THE END OF YOUR DRIVEWAY
BETWEEN MAY 4TH AND MAY 5TH LABELED FREE (FURNITURE, SPORTS
EQUIPMENT, GARDENING TOOLS, BOOKS, TOYS, CLOTHES, TOOLS,
WOOD, APPLIANCES, ETC.).

DRIVE, WALK OR CYCLE AROUND THE VILLAGE DURING THAT WEEKEND
AND SEE WHAT KIND OF TREASURES YOU CAN FIND FOR YOURSELF!

CONTACT YOUR NEIGHBOURS AND ORGANIZE A BLOCK PARTY SOME
TIME DURING THAT WEEKEND. IT COULD BE A GREAT TIME TO 'SHOP'
AND GET TO KNOW ONE ANOTHER.

CONTACT HEATHER HOOD AT HOODINLIONS BAY@GMAIL.COM IF YOU
HAVE ANY QUESTIONS.

****PLEASE REMIND CHILDREN NOT TO DROP WANTED BIKES +
SCOOTERS NEAR FREE SIGNS**



The Village of Lions Bay | 400 Centre Road , P.O. Box 141, Lions Bay, BC V0N 2E0 Canada

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From: [Lions Bay Office](#)
To: [Lions Bay Office](#)
Subject: Surrey Regional Dispatch Monthly Report - Lions Bay
Date: Wednesday, September 2, 2020 9:30:36 AM
Attachments: [Chart1 - Incidents by Type Image 1.png](#)
[Chart2 - Incidents by Hour Image 1.png](#)
[Chart4 - Prototype by Hour \(On Scene Time, 90%\) Image 1.png](#)
[Chart4 - Prototype by Hour \(Travel Time, 90%\) Image 1.png](#)
[Chart4 - Prototype by Hour \(Turnout, 90%\) Image 1.png](#)
[Chart5a - Header Incident Performance \(Sheet\) Image 1.png](#)
[Chart5a - Header Incident Volume \(Sheet\) Image 1.png](#)
[Logo Image 1.png](#)

From: Fire Officer Report <fireofficerreport@surrey.ca>
Sent: Tuesday, September 1, 2020 4:14:54 PM
To: Peter DeJong <cao@lionsbay.ca>
Subject: Surrey Regional Dispatch Monthly Report - Lions Bay



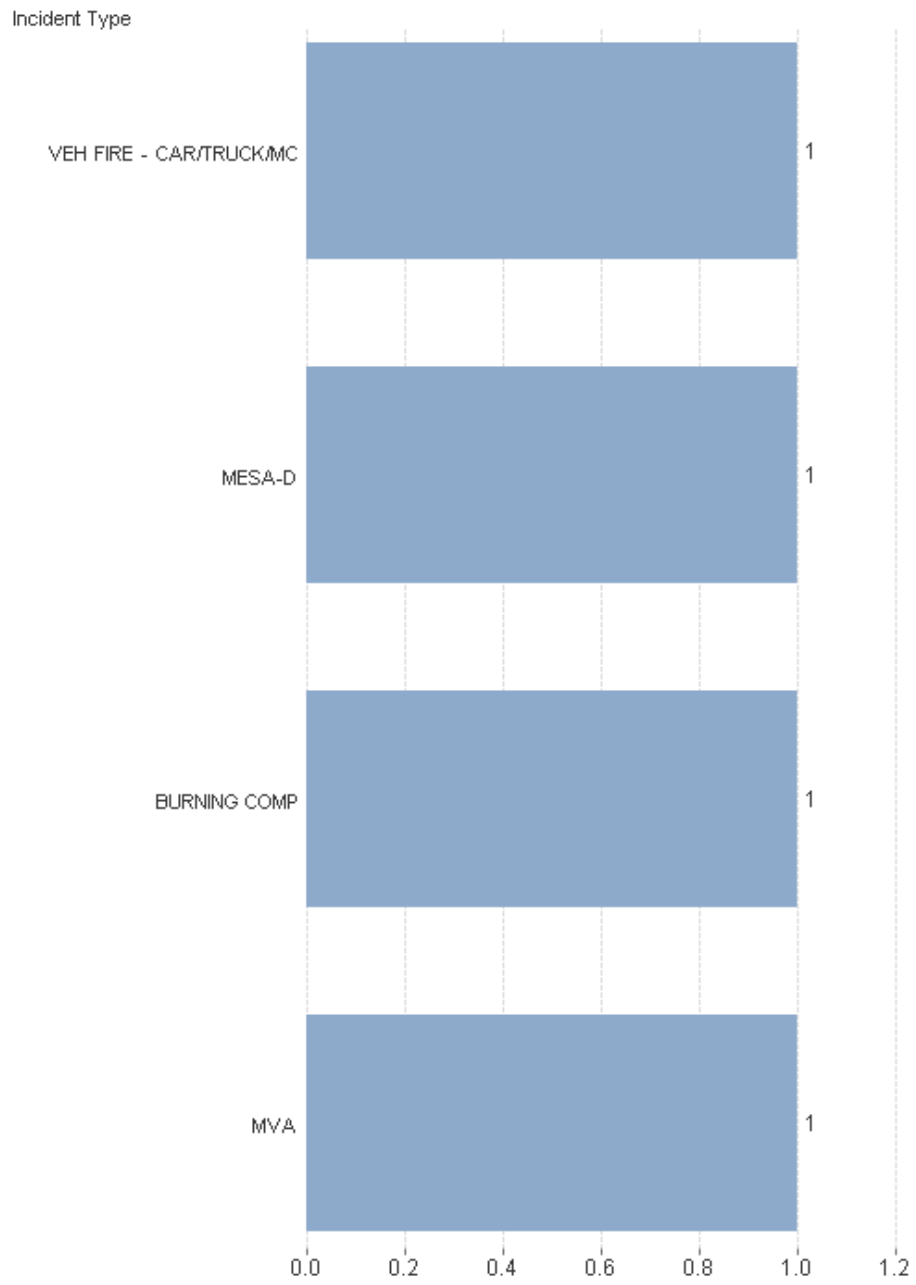
Surrey Regional Fire Dispatch Monthly Report LIONS BAY FIRE RESCUE

For month of Aug 2020

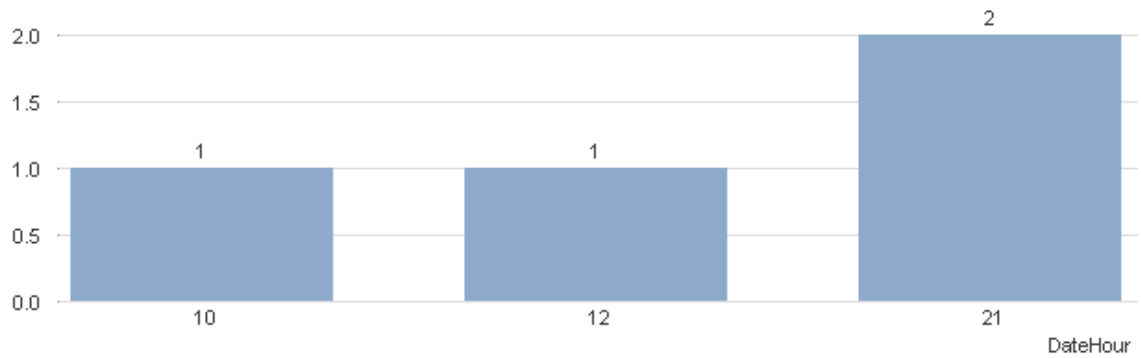
LIONS BAY FIRE RESCUE All Incidents: Frequency (Aug 2020)

Incident Volume		
Incidents	4	Apparatus
		7
		Attendees
		15

LIONS BAY FIRE RESCUE Incidents by Type: 4 (Aug 2020)



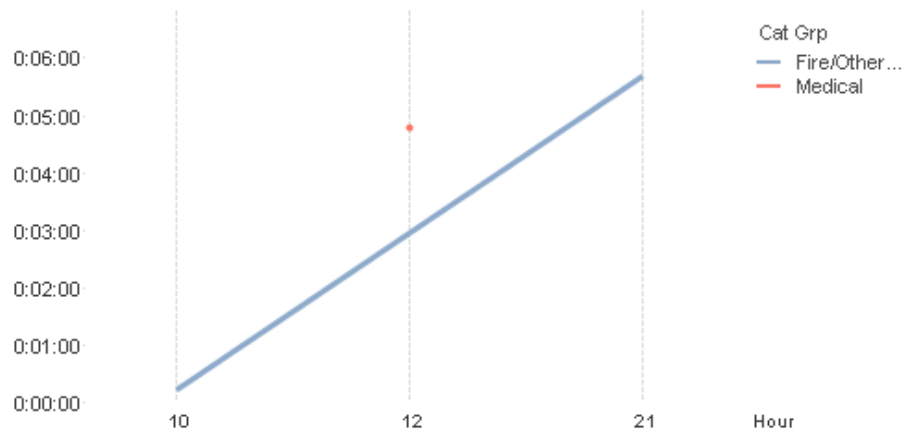
LIONS BAY FIRE RESCUE Incidents by hour of day (Aug 2020)



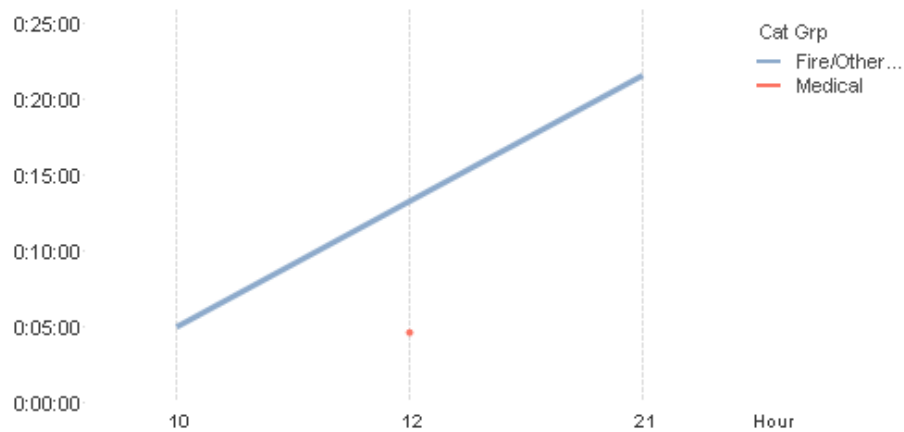
LIONS BAY FIRE RESCUE Emerg/1st on scene Incident Performance (Aug 2020)

Apparatus Committed			Return
Turnout 05:30	Travel 18:13	On Scene 0:37:08	Return Qt

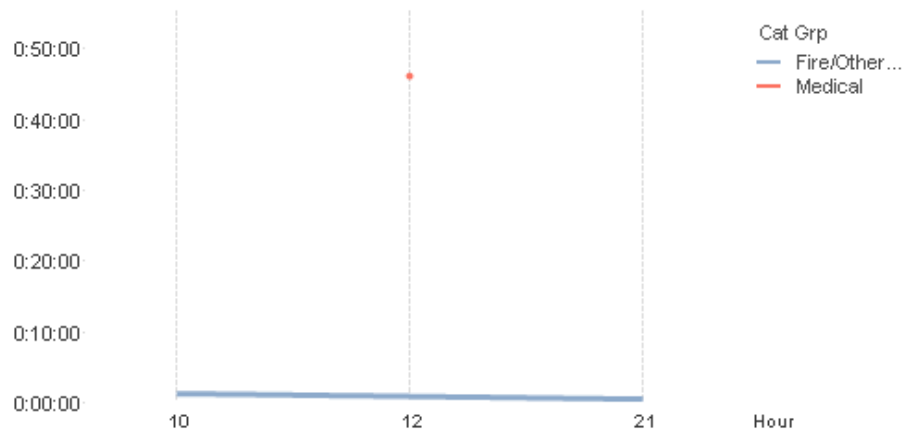
LIONS BAY FIRE RESCUE Turnout Time - 90th Percentile (Aug 2020)



LIONS BAY FIRE RESCUE Travel Time to Scene - 90th Percentile (Aug 2020)



**LIONS BAY FIRE RESCUE
Time On Scene until Return Quarter - 90th Percentile (Aug 2020)**



**LIONS BAY FIRE RESCUE
Truck Utilization (Aug 2020)**

AppUnit	AppName	Hours Committed	# of Days Selected	Hours Capacity	Utilization
LBE61	LB Engine 61	3	31	744	0%
LBE62	LB Engine 62	1	31	744	0%

VILLAGE OF LIONS BAY**Incoming Correspondence - September 22, 2020****General Correspondence:**

- G1 - E-Comm 911 re: E-Comm Board of Directors Designate (Page 1)
- G2 - Selina Robinson, Minister, Ministry of Municipal Affairs and Housing re: Housing and homelessness management following the COVID-19 pandemic (Page 10)
- G3 - Tracey Saxby, Executive Director, My Sea to Sky re: BC EAO draft assessment of Woodfibre LNG's extension application (Page 16)
- G4 - Lori Halls, Deputy Minister, Emergency Management BC re: requesting optional feedback for report "What We Heard - Modernizing BC's Emergency management Legislation" (page 18)
- G5 - Agnes Jackman, Board Member, Council of Senior Citizens' Organizations of B.C. re invitation to publicly declare support for UN International Day of Older Persons (UNIDOP) 2020, October 1st, 2020 (Page 22)
- G6 - Patrick Weiler, MP, re: Safe Restart Agreement (Page 25)

Resident Correspondence:

- R1 - J. Kemp re: parking (page 27)
- R2 - N. Rodgers re: human waste and parking (Page 29)
- R3 - I. Wray re: 35 Kelvin Grove Way (Page 30)
- R4 - T. Leger re: OCP alignment and decision making (Page 31)
- R5 - Davids re: 35 Kelvin Grove Way (Page 35)
- R6 - D. Kirkwood re: Parking at Cyrstal Falls Rd. (Page 38)
- R7 - response to D. Simpson re: parking (Page 39)
- R8 - KC Dyer re: parking (Page 41)
- R9 - L. van Knotsenburg re: sign at Cloudview and accompanying response (Page 44)
- R10 - J. Stoddart re: Lions Bay Postal Code (Page 46)
- R11 - Residents of Tidewater Way petition (Page 48)
- R12 - Liu re: 35 Kelvin Grove Way (Page 64)
- R13 - Liu re: 35 Kelvin Grove Way (Page 66)
- R14 - Liu re: 35 Kelvin Grove Way (Page 68)
- R15 - Liu re: 35 Kelvin Grove Way (Page 76)
- R16 - re: 61 Brunswick Beach Road (Page 84)

VIA EMAIL – MayorandCouncil@westvancouver.ca

July 31, 2020

Mayor Mary-Ann Booth and Council
 District of West Vancouver
 750 17th Street
 West Vancouver, BC V7V 3T3

Dear Mayor Booth and Council,

RE: E-Comm Board of Directors Designate — 2020-2021 Term

The Virtual Annual General Meeting (the “Meeting”) of the Shareholders (Members) of E-Comm *Emergency Communications for British Columbia Inc.* (“E-Comm”) will be held on Thursday, September 17, 2020 and, at that time, the Board of Directors will be elected by the Members for the 2020-2021 term.

Nominee for the coming term to be selected

The Members’ Agreement among E-Comm’s shareholders sets out how the Board of Directors is to be elected. For your reference, we attach a copy of section 4.2 of the Members’ Agreement, headed “Designation and Election of Directors” which contains the applicable provisions.

Your organization falls into the group of which described at subsection 4.2.1.5. Pursuant to Section 4.2.1.5 of the E-Comm Members’ Agreement, your Designated Group of Members is entitled to nominate two mutually agreed upon individuals for election to the Board of Directors of E-Comm. At present, your grouping is comprised of these municipalities:

	Class A	Class B
City of North Vancouver	-	3
District of North Vancouver	1	-
District of West Vancouver	2	1
Village of Lions Bay	1	1

The current representative of your group on the E-Comm Board is Richard Walton.

Because your municipality/organization is among a designated group of Members who must mutually agree upon your nominee, **we respectfully request that you confer with the others members of your grouping to confirm your selections for the coming term and provide the names of such individuals not later than August 14, 2020.** This will help to ensure a smooth nomination process.

Who is eligible?

The Board of E-Comm is committed to good governance and seeks directors possess the experience and skills and attributes to effectively serve the interests of all shareholders and our other stakeholders. An effective director will have competencies in many, or most, of the following areas: knowledge of the fields of emergency communications, police, fire, ambulance or public-safety, knowledge of the role of a board, analytical skills including financial acumen, leadership skills, good communication skills, sound judgment, high integrity and the ability to influence others. Further, the Board of Directors believes that its composition should reflect the rich diversity of the communities that E-Comm serves.



Commitment

The E-Comm Board of Directors meets five times per year and provides oversight of the business and affairs of the company. Meetings are held during regular working hours, typically commencing in the morning and running until mid or early afternoon at E-Comm's Vancouver centre. Two additional Board sessions are also held annually for strategic planning and board education. There are three standing committees of the board (Audit, Governance, and Human Resources and Compensation), each meeting five times per year. Participation on committees is voluntary, but recommended.

Although shareholders are required to elect directors every year, we hope that nominees are willing to serve for not less than two years, in part because a learning curve, before a director might feel fully engaged and contributing, is acknowledged. We encourage directors to serve additional terms. There are no term limits in place, although we strive to balance the value of experienced Directors with that of newcomers.

Next steps

We kindly request that the District of West Vancouver, following discussion within your Designated Grouping, advise E-Comm (to the attention of the writer) with written confirmation by August 14, 2020, of the name and contact information of your mutually-agreed upon nominees to the E-Comm Board for the 2020-2021 term. The question and answer document enclosed in this package includes a sample motion confirming your nomination, if required. Virtual meeting details will be shared with your nominees in advance of the AGM.

Please note that nominating a director is a separate process from designating a representative to vote your share at the Virtual Annual General Meeting (AGM) in September. As such, I will be contacting you again in mid-August with the notice of AGM and requesting that you designate one individual to attend the Virtual Annual General Meeting of the Shareholders for the purposes of voting the District of West Vancouver shares. Virtual meeting details will be shared with your voting representative in advance of the AGM.

Yours truly,



Krystal Boros
Assistant Corporate Secretary

c | 604.218.6941
e | krystal.boros@ecomm911.ca

cc Richard Walton

- 3.7.1 The Company shall enter into the Special User Agreement with the RCMP for the provision of Company Services to the RCMP which agreement will effectively provide that the RCMP will fulfil the financial obligations with respect to Police Services as if it were a Class A Member. The Special User Agreement may be executed between the RCMP, as a Special User, and the Company at any time notwithstanding when the Government Agency established by the Federal government for the purposes of holding a Class A Share in place of the RCMP becomes a Member.
- 3.7.2 Subject to Section 4.11.3, the Company may enter into a Special User Agreement with any Special User in addition to the RCMP for the provision of some or all of the Company Services to that Special User, provided that:
- 3.7.2.1 the Special User has a role in fulfilling the Purpose and the provision of some or all of the Company Services to that Special User would be for the benefit of the public;
 - 3.7.2.2 the E-Comm System and the Company have sufficient capacity to provide the Company Services being requested by the Special User without any significant impairment to the Company Services then being provided to Members and other Special Users, and anticipated to be provided to the Members then holding Class B Shares; and
 - 3.7.2.3 the Special User Agreement effectively provides that the Special User will fulfil its financial obligations with respect to the Company Services received by it as if it were a Class A Member.

Subject to Section 4.11.3, a Special User Agreement may be executed between a Special User and the Company at any time notwithstanding when the Government Agency established for the purposes of holding a Class A Share in place of that Special User becomes a Member.

4. BOARD OF DIRECTORS

4.1 BOARD OF DIRECTORS

The Company shall have a Board comprised of not less than three nor more than twenty-five directors, with the actual number of directors as determined by the Class A Members as hereinafter provided.

4.2 DESIGNATION AND ELECTION OF DIRECTORS

- 4.2.1 The Members shall be entitled to designate directors as hereinafter provided:
- 4.2.1.1 one individual designated by the BCAS;
 - 4.2.1.2 one individual designated by Vancouver;
 - 4.2.1.3 one individual designated by the Vancouver Police Board;
 - 4.2.1.4 one individual designated by the following group:

(a) each Police Board which directly holds a Class A Share or Class B Share, other than Vancouver Police Board and Delta Police Board; and

(b) each Police Board which has a Class A Share or Class B Share in respect of Police Services held by its respective municipality, other than Vancouver Police Board and Delta Police Board;

4.2.1.5 such number of individuals as are set forth below, to be designated by the following designated group of Class A Members or Class B Members (each group being called a "Designated Group of Members"), if one or more of the Municipalities within a Designated Group of Members is a Class A Member or a Class B Member, as hereinafter set forth:

No. of Individuals which may be Designated	Designated Group of Members
1	West Vancouver, North Vancouver City, North Vancouver District and Lions Bay
1 or 2	2 individuals if Burnaby, together with any one or more of New Westminster, Coquitlam, Port Moody, Port Coquitlam, Anmore and Belcarra are a Member; provided however that if Burnaby is not a Member, any one or more of New Westminster, Coquitlam, Port Moody, Port Coquitlam, Anmore and Belcarra which is a Member can designate 1 individual to be a director
1	Richmond
2	Surrey, White Rock, Langley City and Langley District
1	Delta and the Delta Police Board
1	Maple Ridge, Pitt Meadows and Mission
1	Abbotsford, Chilliwack and Fraser Valley Regional District
1	Squamish, Lillooet and Sechelt;

and

4.2.1.6 one individual designated by all other Members holding Class A Shares and the GVRD, other than as set forth in Sections 4.2.1.1 to 4.2.1.5, inclusive.

4.2.2 The RCMP, and in replacement therefor upon the Government Agency referred to in Section 3.7.1 becoming a Class A Member, that Government Agency, shall be entitled to designate one individual to act as director;

- 18 -

- 4.2.3 If provided in a Special User Agreement entered into pursuant to Section 3.7.2 or if otherwise authorized by the Board under Section 4.11.3, each Special User, and in replacement therefor upon the Government Agency for that Special User referred to in Section 3.7.2 becoming a Class A Member, that Government Agency, shall be entitled to designate one individual to act as director;
- 4.2.4 The Provincial government, acting through the Ministry of Public Safety and Solicitor General, whether it holds a Class A Share or not, shall be entitled to designate two individuals to act as directors;
- 4.2.5 Subject as hereinafter provided, the directors designated pursuant to Sections 4.2.1, 4.2.2 and 4.2.3 shall designate four additional persons, independent from the Members, to be directors of the Company (the "Independent Directors"), who have an interest or expertise in the Purpose or the Company Services to be provided by the Company.
- 4.2.6 The Members agree to vote their Class A Shares for the election as directors of the persons designated pursuant to Sections 4.2.1, 4.2.2, 4.2.3, 4.2.4 and 4.2.5.
- 4.2.7 For the purposes of Section 4.2.1.5, upon anyone or more Municipalities within a Designated Group of Members becoming a Class A Member or a Class B Member, such Municipality or Municipalities will be entitled to designate the individual to be a director for the purposes of Section 4.2.1.5. As additional Municipalities within that Designated Group of Members become Class A Members or Class B Members, as the case may be, such additional Municipalities shall be deemed to have agreed to the individual as designated and elected a director for that Designated Group of Members and no changes will be required to be made with respect to any such individual, unless such individual shall cease to be a director in any other manner such as resignation, until the next following annual general meeting or annual consent resolution. Prior to any annual general meeting or annual consent resolution of the Class A Members, a Designated Group of Members shall agree on the individual to be designated by them for the purpose of Section 4.2.1.5 within a time period sufficient for that individual's name to be placed before the Class A Members, as determined by the Board.

4.3 VACANCIES ON BOARD

Any vacancies on the Board created by an individual designated under Section 4.2.1, 4.2.2, 4.2.3 or 4.2.4 shall be filled by an individual designated by the Member or Members who designated the individual who is no longer a director, the Special User who designated the individual who is no longer a director, or the Provincial government, as the case may be, and any vacancies in any Independent Directors shall be filled by the remaining directors in accordance with Section 4.2.5.

4.4 NO RESTRICTIONS ON AFFILIATION TO MEMBERS

Directors designated pursuant to Section 4.2.1 may be appointed or elected officials from a Member or may be persons from the general public with no affiliation to a Member.

Board of Directors: Common Questions & Background

Q. How should the nominating resolution of our council/board read?

- A. Exact wording is at the discretion of your organization, however council/board motions should include the name of the nominee, specification of the E-Comm Board term (e.g. 2020-2021) and reference to election at the Annual General Meeting of E-Comm shareholders.

For example “THAT (enter municipality/board/organization) nominate (name) to serve as the nominee of municipality/board/organization) to the E-Comm Board of Directors for the 2020-2021 term, such Board to be elected by E-Comm shareholders at the September 17, 2020 Annual General Meeting.”

Q. What is the role of the E-Comm Board of Directors?

- A. The E-Comm Board of Directors is responsible for stewardship of the entire E-Comm organization – it provides strategic oversight of the business and affairs of the company. E-Comm Directors are also the most senior representatives of the organization to the public and our stakeholders. To conduct its work efficiently, the Board has three standing committees: Audit, Governance and Human Resources and Compensation.

Q. Who elects the Board of Directors?

- A. The Shareholders elect the Board of Directors at the Annual General Meeting (AGM) of the Company. A Members’ Agreement among the shareholders sets out who may select nominees to the Board of Directors. Nominating entities are expected to select their nominee and advise the E-Comm Assistant Corporate Secretary of the name of their nominee by August 14, 2020 – the candidate is then put forward for election by the shareholders-at-large at the AGM in September 2020.

Q. What time commitment is required of Directors?

- A: The Board holds five regular meetings each year, during business days, typically for four hours. The meeting schedule is published well in advance. The Board Committees also meet five times each year, during the business day, for approximately two hours each meeting.

Two additional half day sessions occur annually: a Board education and orientation session and a strategic planning session.

As a best governance practice, the Board does expect a high attendance rate from its Directors.

Q. Why is the Board of Directors term only one year? Can we nominate someone for more than one term?

- A. The E-Comm Corporate Articles specify a term of one year. Nominating Entities may advise the Corporate Secretary in writing if they wish their nominee’s name to stand for election for a specific number of terms (e.g. four). However, the Corporate Secretary must confirm in writing each year that

E-Comm Board of Directors: Common Questions & Background

the standing nomination remains intact, however there will be no further action for the Nominating Entity unless they wish to make a change from their previous direction.

In the case of Nominating Entities that are part of a grouping, the Assistant Corporate Secretary must receive written confirmation from each nominating entity of the standing nomination, including specification of number of terms. The direction must be consistent among all members of the grouping; otherwise all members of the grouping must be contacted each year asking for confirmation of the nomination.

Q. If my organization/municipality is part of a grouping, do we have to agree on the nominee?

A. The E-Comm Members' Agreement specifies that each designated group of members shall agree on their individual nominee. Consultation on a mutually-agreeable nominee should be undertaken prior to advising the E-Comm Corporate Secretary of the name of the nominee.

Q. What is the difference between nominating a Board Director and sending someone to the AGM?

A. The individual board nominees, once elected at the AGM, will serve on E-Comm's Board throughout the coming year, attending various board and committee meetings, and participating in the supervision of the organization's affairs. Your organization's representative at the AGM is simply the person who attends the AGM that day on behalf of your organization, and votes your share on any resolutions or votes which occur at the AGM that day. That person's role and duties cease after the AGM has adjourned.

Q. Why do you contact us in March when the Board is not appointed by Shareholders until June?

A. We provide sufficient notice of the process to allow for conferring with other members of member groupings, council and or other motions that may be required.

Q. What do directors receive for remuneration?

A. Meeting rates are \$397 per meeting (for Directors who are not full-time employees of a Member, the Provincial Government or Special User), twice that amount for meetings longer than four hours in duration. Board meetings are generally less than four hours.

Q. Who do I contact with questions?

A. Krystal Boros, Assistant Corporate Secretary, 604-218-6941

E-Comm Board of Directors: Common Questions & Background

About the annual general meeting

Q. What is an AGM?

A. A general meeting of all shareholders of E-Comm is required to occur at least once annually under the Business Corporations Act (BC), which regulates E-Comm’s corporate governance.

Q. What happens at an AGM?

A. The compulsory items on the agenda are the election of directors, the appointment (or reappointment) of the auditors, and the presentation of previous year’s financial statements. Usually, a number of additional items are also placed on the agenda, such as a general report from the directors, or presentations on new initiatives. Special business items could also be dealt with (such as changing the Corporate Articles), but shareholders would receive notice of any special business with the notice of meeting.

Q. Who should attend AGM?

A. A representative of the shareholder should attend the AGM to vote on the matters listed above including electing the board of directors.

Q. What are shareholders entitled to vote on?

A. Holders of Class A shares have one vote per share on all matters requiring a vote at the AGM, including any items of special business. Class B shares are generally non-voting, except for matters which involve certain fundamental changes – these are listed and specified in the E-Comm Corporate Articles.

Q. What is the voting process at the AGM?

A. Votes are conducted by a simple show of hands (voting cards) unless a shareholder demands at the meeting that a formal ballot or “poll” vote occur on a particular resolution.

Q. What if no one can attend, can we proxy our vote?

A. Yes. A shareholder can appoint a proxyholder (in writing) to attend and vote on the shareholder’s behalf at the AGM. The proxyholder need not be a member themselves.

Proxies must be in writing, must specify the name of the shareholder, the identity of the proxyholder, and reference the AGM in question. They must be signed by an authorized signatory of the shareholder. Proxies must be pre-registered with E-Comm at least 3 business days prior to the AGM.

Q. How will my shares be voted if I return a proxy?

A. Proxies usually grant the proxyholder the ability to vote on all matters at the meeting, in their discretion. If a shareholder wishes, it can restrict that discretionary power by stating in the proxy form that its

E-Comm Board of Directors: Common Questions & Background

shares must be voted in a certain manner on specified resolutions or votes which it anticipates will be before the meeting. Such language, if included, needs to be clear and unambiguous.

Q. Can a proxy be revoked?

A. Once granted, proxies can also be revoked, but written revocation signed by the shareholder must be given to E-Comm at least one business day prior to the AGM.

Q. Who chairs the AGM?

A. E-Comm's Corporate Articles specify that the chair of the Board of Directors will also chair the AGM.

Q. How important is it that we send someone?

A. As a shareholder of E-Comm we strongly urge in-person attendance to ensure shares are represented.

Q. What if I have a question about the AGM?

A. Contact Krystal Boros, Assistant Corporate Secretary, at 604-218-6941.



August 12, 2020

Ref: 255649

His Worship Mayor Rob Vagramov
and Co-signers
City of Port Moody
100 Newport Dr
Port Moody BC V3H 5CE

Dear Mayor Vagramov and Co-signers:

Thank you for your letter addressed to the Right Honourable Justin Trudeau, PC, MP, Prime Minister of Canada, and the Honourable John Horgan, Premier, regarding government actions to manage homelessness following the COVID-19 pandemic. As Minister of Municipal Affairs and Housing, I am pleased to respond on the Premier's behalf, and I apologize for the delay in responding.

Housing has been a top priority for our government since day one, and after years of neglect by the previous government we have been working to provide the homes people urgently need. As outlined in your letter, the pandemic has compounded the existing housing crisis, especially for people experiencing or at risk of homelessness. The Province of British Columbia responded immediately by extending over 1,500 seasonal shelter spaces and opening over 3,000 Emergency Response Centre spaces with health and social supports, providing people with safe spaces where they can physically distance or self-isolate. This accommodation is assisting a range of people, including those experiencing homelessness, people without safe spaces to self-isolate and women and children leaving violence. The Province also purchased four properties to provide more than 300 new spaces of supportive housing during the pandemic and for the future. To support vulnerable renters and tenants, the Province introduced a new temporary rental supplement program, halted evictions, and froze rent increases until December 2020.

In addition, as part of our \$5 billion COVID-19 response, the Province introduced emergency measures to ensure that British Columbia's most vulnerable, including people on income or disability assistance and low-income seniors, do not encounter additional barriers during the COVID-19 crisis. People currently receiving Income Assistance or Disability Assistance will not see any reductions to their assistance payments because of federal Employment Insurance benefits, including the new Canada Emergency Response Benefit (CERB), through August. For everyone currently on Income Assistance or Disability Assistance who is not eligible for the emergency federal support programs, the Province is providing an additional \$300 monthly automatic COVID-19 crisis supplement through to the September benefit month. This also applies to recipients of the Seniors Supplement. The Emergency/Disaster Supplement has also been activated to assist people who have extraordinary costs associated with the pandemic and those who may need to self-isolate.

.../2

His Worship Mayor Rob Vagramov
and Co-signers
Page 2

Our government remains committed to tackling the housing crisis in communities across the province. We have taken significant steps to build affordable housing since forming government in 2017 with more than 2,600 new supportive homes already opened for people experiencing homelessness across B.C. and 1,100 more units underway toward a total of 4,900 supportive homes. These homes are part of our 10-year plan to create 114,000 affordable homes with our partners.

There is still much to do, and we can accomplish even more when we work together. Local governments are crucial partners in the successful development of housing for people experiencing or at risk of homelessness and I invite you to join us in our efforts—our government and BC Housing are ready to partner with you to build the homes people need. You and your councils can also identify and pre-zone land, ensure that approval processes are quick and efficient and work with us to ensure that communities are welcoming of their neighbours.

I look forward to hearing from you about the opportunities that are available in your communities.

Thank you again for writing.

Sincerely,



Selina Robinson
Minister

pc: The Right Honourable Justin Trudeau, PC, MP, Prime Minister of Canada
Honourable John Horgan, Premier
His Worship Mayor Mike Hurley, City of Burnaby
His Worship Mayor George V. Harvie, City of Delta
His Worship Mayor Colin Basran, City of Kelowna
Her Worship Mayor Val van den Broek, City of Langley
His Worship Mayor Jack Froese, Township of Langley
His Worship Mayor Ron McLaughlin, Village of Lions Bay
His Worship Mayor Leonard Krog, City of Nanaimo
His Worship Mayor Jonathan X. Cote, City of New Westminster
Her Worship Mayor Linda Buchanan, City of North Vancouver
His Worship Mayor Brad West, City of Port Coquitlam
Her Worship Mayor Lisa Helps, City of Victoria
Her Worship Mayor Mary-Ann Booth, District of West Vancouver
His Worship Mayor Jack Crompton, Resort Municipality of Whistler
His Worship Mayor Darryl A. Walker, City of White Rock
Jen McCutcheon, Director, Electoral Area A, Metro Vancouver Regional District
Chief Ken Baird, Tsawwassen First Nation



CITY OF PORT MOODY

OFFICE OF THE MAYOR

May 21, 2020

Prime Minister Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Premier John Horgan
West Annex Parliament Buildings
Victoria, BC V8V 1X4

The COVID-19 crisis has shaken and unsettled our communities both locally and nationwide in ways that, just weeks ago, few of us could have imagined. While the pandemic is far from over, and while it has brought unprecedented economic and financial upheaval across the country and at all levels of society, we can nonetheless look forward to a phase of public investment, dynamic recovery, and revitalization of our social safety net in the coming months.

This will be a time when we must choose between either simply reconstructing our society as it was, with all of its frailties, before disaster struck, or else seizing this watershed moment in Canadian history to build a society that is fundamentally better than ever before – kinder, fairer, and even more productive as a whole. This turning point is our nation’s crucial opportunity to build toward a “*new normal*” that entails a fundamental step up; in which the poorest and most vulnerable members of our Canadian family are, through an innovative renaissance in social support, lifted up out of homelessness, dire poverty, food insecurity, and social isolation.

While the challenge of homelessness has always been with us, the numbers have worsened in recent decades, worsened by the commodification of our most basic housing on the global stage, and compounded by substance dependence. As we all know, poverty and economics are but one side of the coin. Through cuts and closures, governments since the late 1960s have systematically abandoned folks suffering from debilitating or long-term mental illness or trapped in the cycles of poverty.

Large-scale supportive housing arrangements – such as Riverview Hospital in Coquitlam, BC – were all but shut down in the decades since, sending out, onto the streets, countless members of our society who struggle with severe mental health problems, unable to care for themselves. As the number of funded beds and supported patients decreased, homelessness has surged, and this inhumane treatment has blighted our communities with a level of needless and unjustifiable suffering that shames us all as fellow Canadians.

With the immediate COVID-19 crisis coming to a close, the emergency supports that have managed to rapidly and effectively house thousands of homeless individuals in BC for the past few months seem likely to close as well. We risk repeating history, and sending the same message sent by governments in the past to our most vulnerable: *Get out, and good luck.*

We - the undersigned - call upon the Government of Canada and the Government of British Columbia to use the coming period of social reordering and economic rebuilding as a vital opportunity to move Canada’s blight of homelessness from out of our challenged present and our bright future, and into the shadows of the past where it belongs.

A decisive program to erase homelessness will bring diverse benefits, and not just to those wandering our city byways, but to the rest of Canadian society as well. Getting people off the streets and into stable housing, or into supportive facilities with treatment and care programs, will help those in need, will reduce general poverty, will cut crime, will advance public health objectives while lowering medical service costs, will create much needed employment in a time of recession, will increase our region’s tourism and business development appeal, and will make our cities more safe and inviting, all while enabling a new generation of active participants in our society, and economy.

Finally, the cost of inaction is great. Study after study has shown beyond doubt that the burden placed on our healthcare services, law enforcement, judicial, and other public systems far outweighs the costs of simply housing those in need and giving them a fighting chance in our increasingly competitive, globalized economy. But beyond these highly practical reasons, is a deeply philosophical one: If not now, then when? When *will* we, as a nation and as communities, take this baby step in becoming the fair, clean, and futuristic society envisioned in popular culture of days past? And if that bright destiny is not ours, then frankly, what is the purpose of our society?

Just as the software on your phone, tablet, or computer periodically asks you to stop and do an upgrade, this is one of those crucial turning points in the life of a society that calls upon our national community to use the pause we have all been forced into to step up to a better system of operation. Steeped in this crisis, all levels of government today may feel they’ve already got their hands full and, as for homelessness, a first impulse may be to click the “*Remind me later*” button.

It is our hope that, instead, you will act.



Mayor Rob Vagramov
City of Port Moody



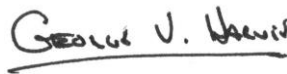
Chief Ken Baird
Tsawwassen First Nation



Mayor Mike Hurley
City of Burnaby



Mayor Jack Froese
Township of Langley



Mayor George Harvie
Corporation of Delta



Mayor Colin Basran
City of Kelowna



Mayor Lisa Helps
City of Victoria



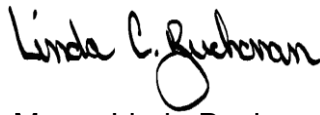
Mayor Leonard Krog
City of Nanaimo



Mayor Jonathan Cote
City of New Westminster



Mayor Brad West
City of Port Coquitlam



Mayor Linda Buchanan
City of North Vancouver



Mayor Mary-Ann Booth
District of West Vancouver



Mayor Val van den Broek
City of Langley



Mayor Darryl Walker
City of White Rock



Jen McCutcheon
Metro Vancouver Director for
Electoral Area A



Mayor Jack Crompton
Resort Municipality of Whistler



Mayor Ron McLaughlin
Village of Lions Bay

CC: MP Nelly Shin – Port Moody-Coquitlam
 MP Honorable Carla Qualtrough – Delta
 MP Terry Beach – Burnaby North-Seymour
 MP Jagmeet Singh – Burnaby South
 MP Tako Van Popta – Langley-Aldergrove
 MP Tracy Gray Kelowna-Lake Country
 MP Laurel Collins - Victoria
 MP Paul Manly – Nanaimo-Ladysmith
 MP Peter Julian – New Westminster – Burnaby
 MP Ron McKinnon – Coquitlam – Port Coquitlam
 Honourable Jonathan Wilkinson, MP – North Vancouver
 MP Patrick Weiler - West Vancouver – Sunshine Coast – Sea to Sky Country
 MP Honourable Kerry-Lynne D. Findlay – Surrey – White Rock
 MLA Rick Glumac - Port Moody – Coquitlam
 MLA Anne Kang – Burnaby-Deer Lake
 MLA Mary Polak – Langley
 MLA Rich Coleman - Langley East
 MLA Ravi Kahlon – Delta North
 MLA Ian Paton – Delta South
 MLA Norm Letnick – Kelowna-Lake Country
 MLA Steve Thomson – Kelowna – Mission
 MLA Ben Stewart – Kelowna West
 MLA Dr. Andrew Weaver – Oak Bay-Gordon Head
 Honourable Carole James, MLA Victoria Beacon Hill
 Honourable Rob Felming, MLA Victoria-Swan Lake
 MLA Sheila Malcolmson – Nanaimo
 MLA Doug Routley – Nanaimo-North Cowichan
 Honourable Mike Farnworth, MLA– Port Coquitlam
 MLA Bowinn Ma – North Vancouver – Lonsdale
 MLA Jane Thornthwaite – North Vancouver – Seymour

MLA Judy Darcy – New Westminster
MLA Ralph Sultan – West Vancouver – Capilano
MLA Jordan Sturdy – West Vancouver – Sea to Sky
MLA Tracy Redies – Surrey – White Rock
City of Port Moody Council
Tsawwassen First Nation Legislature
City of Burnaby Council
Township of Langley Council
Corporation of Delta Council
City of Kelowna Council
City of Victoria Council
City of Nanaimo Council
City of New Westminster Council
City of Port Coquitlam Council
City of North Vancouver Council
District of West Vancouver Council
City of Langley Council
City of White Rock Council
Resort Municipality of Whistler Council
Village of Lions Bay Council

From: [Tracey Saxby](#)
To: [Council](#); [Agenda](#)
Subject: BC EAO draft assessment of Woodfibre LNG's extension application
Date: Thursday, August 20, 2020 6:15:16 PM

Dear Mayor and Council,

It has come to our attention that the BC Environmental Assessment Office (BC EAO) has released its draft assessment of Woodfibre LNG's application to extend their Environmental Assessment Certificate for another five years.

As a Technical Reviewer, the Village of Lions Bay has an opportunity to provide comments on the draft report.

However, we are very concerned that the BC EAO has chosen to release this draft report during August when all local governments are on break, and **the deadline to provide comments is 28th August 2020.**

This precludes local governments from participating in the review process, as there is no opportunity for the report to be included on the agenda for discussion and review at a council meeting.

This also prevents the general public from any oversight of this process, or to share their concerns with their locally elected leaders. The BC EAO has chosen not to engage with the general public on this contentious extension application for Woodfibre LNG, which means that the only mechanism for public engagement is through local government representatives.

We ask that the Village of Lions Bay request the BC EAO to grant an extension to allow this draft report to be included on the agenda of an upcoming council meeting.

It should be noted that the BC EAO has recently granted several extensions to itself and to proponents that are currently participating in the environmental assessment process due to challenges associated with COVID-19. It is only fair that the same consideration be granted to local governments that are on the frontlines of dealing with the pandemic.

Thank you for considering this request and for helping to ensure a more transparent and accountable process.

Sincerely,

Tracey Saxby
Executive Director
My Sea to Sky
PO Box 2668, Squamish BC, V8B 0B8
Cell: +1 (604) 892-7501
Email: tracey@myseatosky.org
Web: <http://myseatosky.org>

We respectfully acknowledge that we work in the traditional, unceded territories and ancestral lands of the x̣ẉməθḳẉəỵəm (Musqueam), Sḳẉx̣ẉú7mesh (Squamish), and Seḷḷḷẉiṭuḷh (Tseil-Waututh) Nations.

From: [Ron McLaughlin](#)
To: [Agenda](#)
Cc: [Peter DeJong](#); [Robert Whitney](#)
Subject: Fw: Release of the What We Heard “Modernizing BC Emergency Management Legislation” Report
Date: Monday, August 31, 2020 1:51:21 PM
Attachments: [EPA WWH Report Summary August 31 2020.pdf](#)

Hi Karla - perhaps this could be considered for correspondence at our next session. Regards.

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: Emergency Management, Deputy Minister EMBC:EX
<Emergency.Management.Deputy.Minister@gov.bc.ca>
Sent: Monday, August 31, 2020 12:53 PM
Subject: Release of the What We Heard “Modernizing BC Emergency Management Legislation” Report

Good afternoon,

I am pleased to announce that Minister of Public Safety and Solicitor General Mike Farnworth has now released the report - “*What We Heard - Modernizing BC’s Emergency Management Legislation*” available online at www.gov.bc.ca/ChangestoEmergencyProgramAct. A summary of the report is also available on our website and has been attached to this email.

“*What We Heard - Modernizing BC’s Emergency Management Legislation*” acknowledges the input received on the Discussion Paper on Modernizing BC’s Emergency Management Legislation during the online comment period extending from October 28, 2019 to January 31, 2020.

As the Minister’s Message in the “What We Heard” report notes, the Discussion Paper and the submission of responses predated the COVID-19 pandemic. This report and your responses were informed more by other types of events – fires, floods, and earthquakes. For those of you that made submissions, I extend my sincere appreciation.

Local authorities are on the front line for natural disasters – and they have been on the front line concerning the Covid-19 pandemic as well. With this in mind, you are being invited to provide any new or updated recommendations that you have on BC’s new emergency management legislation. A 30 day period (August 31 – September 30) is available for you to provide this information to EMBC through emergencyprogramact@gov.bc.ca.

I thank you for your time and look forward to further working with you as a critical partner in this key endeavour - making certain BC is resilient to emergencies for the safety and wellbeing of your

communities.

Lori Halls
Deputy Minister
Emergency Management BC



Modernizing BC's Emergency Management Legislation

Summary of What We Heard in Response to the Discussion Paper Issued on October 28, 2019

August 31, 2020

The Discussion Paper and Engagement Process

On October 28, 2019, Emergency Management BC (EMBC) released a Discussion Paper on Modernizing BC's Emergency Management Legislation, which outlined a series of policy proposals for consideration in new emergency management legislation, replacing the existing Emergency Program Act (EPA).

During the engagement period, which ran until January 31, 2020, EMBC conducted some 172 meetings, webinars and teleconferences with partners and stakeholders, and received 239 written submissions.

The Impact of the COVID-19 Pandemic

The Discussion Paper and the responses pre-dated the pandemic and were informed more by other types of events such as floods, wildfires, and earthquakes. However, the lessons learned from managing the COVID-19 emergency will be considered and incorporated in the new legislative framework.

The pandemic delayed the release of the What We Heard Report, which was originally intended to be published in Spring 2020. More fundamentally, delivery of a complete, brand-new emergency management Act has been pushed from Fall 2020 to Spring 2021.

Overarching Themes

The engagement sessions and written responses to the Discussion Paper showed broad consensus on the need to modernize BC's emergency management legislation and widespread support for almost all of the specific proposals in the Discussion Paper. Key themes were:

- The need to demonstrate stronger connections to climate change, the Sendai Framework, disaster risk management and disaster risk reduction, including the issues and challenges faced by vulnerable populations.
- The need for additional resources and capacity to deliver on the new requirements.
- First Nations' expectation that the proposed legislation will adhere to the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) and reflect First Nations' right to self-determination.

- The need for more detail and clarity on specific proposals and how the new legislation will be implemented.
- Critical infrastructure operators, provincial ministries, Crown corporations and public sector agencies called for avoiding regulatory duplication and requested a system of equivalencies recognizing that legislative requirements may also be met through existing regulatory frameworks and requirements.
- A number of animal welfare organizations and members of the public stated that the legislation should specifically address animals, including domestic pets, animals in captivity, livestock and wildlife.

These themes will be reflected in the new emergency management legislation, which will position BC as a leader in disaster risk reduction. More detail is available in the full What We Heard Report:

www2.gov.bc.ca/ChangesToEmergencyProgramAct

Staying the Course, for the Most Part

Based on the generally positive feedback, most of the proposals in the Discussion Paper will proceed. However, a small number of proposals were not supported and will not proceed or will be modified:

- The proposal to require greater consideration of current and future risk when making building and development decisions is being fleshed out and will likely be implemented through planning and building legislation rather than emergency management legislation.
- Rather than creating a new mechanism to enable Local Authorities and First Nations to form collaborative emergency management organizations, existing mechanisms will be continued and strengthened.
- Urgent recovery funding will be available prior to preparation of a post-disaster needs assessment and post-disaster recovery plan, as is the case now. Needs assessments and recovery plans based on the nature of the disaster will be required to inform longer-term funding decisions.
- While the concept of a transition period to bridge from response to recovery received strong support, the term “transition period” did not resonate with respondents. More work is being done to build out the concept, including incorporating learnings from the COVID-19 pandemic and considering whether the concept should apply on a provincial scale as well as on a local scale.
- The proposal for EMBC to audit emergency management plans will not proceed; this aspect of quality assurance will focus instead on a review function that relies more on support and collaboration.
- Proposals related to First Nations emergency management are being revisited through collaboration and engagement with Indigenous organizations and communities.
- Proposals related to critical infrastructure will be built out through consultation with critical infrastructure operators. This includes recognition of existing equivalences, so as not to create duplicative requirements.
- A comprehensive compliance and enforcement scheme is being developed which reflects learnings from the COVID-19 pandemic.

Next Steps

The feedback received in response to the Discussion Paper will inform BC’s modernized emergency management legislation, which is now targeted for the Spring 2021 legislative session. EMBC will continue to engage with local authorities, First Nations, Indigenous organizations and other partners and stakeholders as legislation is drafted, and during subsequent development of regulations, policies and processes.

The new legislation will be implemented in a phased fashion, recognizing that emergency management partners will need time and support to build capacity to meet the new requirements.



**Council of Senior Citizens'
Organizations of B.C.**

Representing Seniors since 1950

www.coscobc.org

September 2, 2020

Dear Mayor and Council,

Re: Observation of the UN International Day of Older Persons -October 1st

Established in 1950, the Council of Senior Citizens' Organizations (COSCO) of BC is an umbrella, volunteer run organization made up of many seniors' organizations and individual associate members. Registered under the Societies Act since 1981, COSCO has grown and now represents approximately 80,000 seniors in BC.

Our mandate is to promote the well-being of seniors and their families, advocating for policies that allow seniors to remain active, independent, and fully engaged in the life of our province. The organization is non-partisan, but politically active, advocating for seniors' needs no matter who is in power. Our motto is "Plan with seniors not for them".

COSCO invites you, the civic leaders to help celebrate the

UN International Day of Older Persons (UNIDOP) 2020

Theme: "Pandemics: Do They Change How We Address Age and Aging?"

"The year 2020 marks the 75th Anniversary of the United Nations and the 30th Anniversary of the International Day of Older Persons (UNIDOP). This year has also seen an emergence of COVID-19, that has caused an upheaval across the world. Considering the higher risks confronted by older persons during the outbreak of pandemics such as COVID-19, policy and programmatic interventions must be targeted towards awareness of their special needs. Recognizing older persons contributions to their own health and the multiple roles they play in the preparedness and response phases of current and future pandemics is also important." (United Nations For Ageing)

"The UNIDOP 2020 event will also promote the *Decade of Healthy Ageing (2020-2030)* and help to bring together UN experts, civil society, government and the health professions to discuss the five strategic objectives of the *Global Strategy and Action plan on Aging and Health* while noting the progress and challenges in their realization." (United Nations For Ageing)

"The objectives of UNIDOP 2020 are to:

- 1) Inform participants about the strategic objectives for the Decade of Healthy Ageing
- 2) Raise awareness of the special health needs of older persons and of their contributions to their own health and to the functioning of the societies in which they live
- 3) Increase awareness and appreciation of the role of the health care workforce in maintain-

ing and improving the health of older persons, with special attention to the nursing profession

- 4) Present proposals for reducing the health disparities between older persons in the developed and developing countries, so as to "Leave no one behind"
- 5) Increase understanding of the impact of COVID-19 on older persons and its impact on health care policy, planning, and attitudes." (United Nations For Ageing)

Two ways that we ask you to consider to celebrate the IDOP are:

- 1) Publicly proclaim/declare your support of the IDOP 2020 (Please refer to attached sample proclamation.)
- 2) Prominently display the UNIDOP flag for October 1st 2020 if you have one

We are pleased that for the past two years, the Province of British Columbia proclaimed that October 1st would be known as "International Day of Older Persons". They have been asked by COSCO to do so again this year. We would like the BC city, township, village and district councils to follow suit. For those councils that are able, declarations are preferred over proclamations as they are ongoing. Please let us know if your council has already made a declaration in the past and if you will be making either an IDOP proclamation or declaration for IDOP 2020 and if you will be flying the UNIDOP flag this year.

If there is any question about this request, please contact Agnes Jackman at cell# 604-376-5188; 821 20th Street, New Westminster, BC, V3M 4W7; or agnes.jackman@gmail.com.

Thank you for your consideration.

Yours truly,

Agnes Jackman, Board Member, COSCO

United Nations International Day of Older Persons, October 1, 2020

Draft Proclamation:

WHEREAS this 30th Anniversary of the United Nations International Day of Older Persons (UNIDOP) celebrates the importance of the 72nd anniversary of the Universal Declaration of Human Rights and reaffirms the commitment to promoting the full and equal enjoyment of all human rights and fundamental freedoms by older persons, and

WHEREAS the 2020 International Day of Older Persons has as its theme “Pandemics: Do They Change How We Address Age and Aging?” and focuses on raising awareness of the needs of older persons and of their contributions to their own health and to the functioning of the societies in which they live, and

WHEREAS growing older does not diminish a person’s inherent dignity and fundamental rights, and

WHEREAS more than 40 years after the adoption of the Universal Declaration of Human Rights, issues of human rights for older persons were taken up in 1991 in the formulation of the United Nations Principles for Older Persons, which provided guidance in the areas of independence, participation, care, self-fulfillment and dignity, and

WHEREAS in 2002, governments for the first time agreed to link questions of aging to other frameworks for social and economic development and human rights, and

WHEREAS the interdependence between older persons’ social integration and the full enjoyment of their human rights cannot be ignored, as the degree to which older persons are socially integrated will directly their dignity and quality of life;

NOW KNOW YE THAT, We do by these presents proclaim and declare that October 1, 2020 shall be known as

“International Day of Older Persons”

in the _____.

Respectfully submitted by,
Agnes Jackman, COSCO Board Member



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Patrick Weiler

Member of Parliament
West Vancouver-Sunshine Coast-Sea to Sky Country

September 17, 2020

Dear Friends & Neighbours,

As we move into the fall and the world continues to deal with the impacts of COVID-19, the Government of Canada remains focused on keeping Canadians safe and healthy, while continuing to ensure they have the supports needed during this global health and economic crisis.

This week, we shared the details of the investments that will be made through the [Safe Restart Agreement](#), which will provide continued support to Canadians, as we safely restart our economy and build a more resilient Canada.

Through the Agreement, [reached earlier this summer](#), the Government of Canada announced over \$19 billion in federal funding to help provinces and territories safely restart the economy. Provinces and territories were asked to outline in a letter how these funds would best be allocated within their jurisdictions, based on their priorities. The premiers have now submitted the [letters](#) and the federal funding will be transferred to the provinces and territories.

The Safe Restart Agreement includes investments in priority areas for the next six to eight month timeframe, including:

- Helping municipalities deliver key services including public transit;
- Increasing testing and contact tracing and data management;
- Additional support for provincial and territorial health care systems, including challenges related to mental health, substance abuse, and homelessness;
- Securing personal protective equipment for frontline healthcare workers and businesses;
- Supporting the most vulnerable, including seniors in long-term care facilities and nursing homes;
- Ensuring safe child care is available so parents can return to work; and
- Supporting people who do not have paid sick leave.

Here in British Columbia, the Safe Restart Agreement will provide \$404.5 million in funding to support measures to increase testing and contact tracing to protect Canadians from future waves of the virus. \$161.8 million will help support the capacity of our health care systems, including through services for people facing mental health challenges. The federal government will also provide funding for BC municipalities with \$809.6 million for the delivery of essential services, including \$540 million for public transit, while providing \$404.5 million to secure a reliable source of personal protective equipment for essential workers.

<i>Constituency</i>	<i>Ottawa</i>
6367 Bruce Street West Vancouver British Columbia V7W 2G5	Suite 282, Confederation Building 229 Wellington Street, Ottawa Ontario K1A 0A6
Tel.: 604-913-2660 Fax.: 604-913-2664	Tel.: 613-947-4617 Fax.: 613-847-4620

The Agreement will also provide direct support to Canadian workers, including \$82.7 million for safe childcare to help parents returning to work. It will also provide income support for people without paid sick leave and take steps through a \$100 million investment to protect the most vulnerable, like Canada's seniors.

For further funding details on the Safe Restart Agreement here in British Columbia, [please see Premier Horgan's response letter](#) to the Prime Minister.

As we continue to deal with the health and economic challenges of the pandemic here in our province and across Canada, the federal government will continue to invest in Canadians. Together, we will build a more resilient Canada – one that is healthier and safer, cleaner and more competitive, and fairer and more inclusive for everyone.

If you have any questions about the Safe Restart Agreement and how it impacts our communities, please do not hesitate to reach out. I am happy to discuss any and all issues as we work together to restart our economy and keep Canadians safe and healthy.

Sincerely,



Patrick Weiler, MP
West Vancouver-Sunshine Coast-Sea to Sky Country

From: [REDACTED]
To: [Ron McLaughlin](#)
Cc: [Peter DeJong](#); [Agenda](#)
Subject: Re: No Parking Sign Installed at 145 Panorama Today
Date: Saturday, August 1, 2020 9:00:04 AM

Thank you Ron,
Appreciate the quick response. As mentioned below, we have never seen any cars parked along that stretch of road - it is a steep drop off and not conducive to parking of any kind. We know these signs are expensive, and this one could have been more useful and effective in another location.

Sincerely,
Julie

Sent from my iPad

On Jul 29, 2020, at 9:21 PM, Ron McLaughlin <mayor.mclaughlin@lionsbay.ca> wrote:

Hi Julie. I called just now but no pick up. Council started summer break after session last evening. As a protocol I have forwarded the email for the next agenda which will be the end of September.

Your issue is an operational matter and I have copied CAO DeJong and the PW Manager even though he is away until next week.

As a general statement our people do not initiate signage change unless there is risk, something has been desired by others in your area, or uniformity is being sought. I don't know which it is.

Thank you for writing to advise something is not right with you as regards the change.

I am sure you will be contacted by our executive team shortly.

Regards.

Ron

From: [REDACTED]
Sent: Wednesday, July 29, 2020, 9:07 PM
To: Council
Subject: No Parking Sign Installed at 145 Panorama Today

Dear Council,

A No Parking sign has today been installed directly across from our driveway at 145 Panorama Place. There was no consultation of any kind!

- Firstly, why was this sign installed directly across from our driveway, causing a potential hazard when we are backing our vehicles out, when it could have been placed 15 feet to the North and not have bothered anyone?
- Secondly and, more importantly, in all the 25+ years we have lived in this Village, we have never seen a car parked in that location or within 50 feet to either side. Why was this sign even installed, when there is already another No Parking sign installed at the beginning of the road? This additional signage and its installation is a complete waste of taxpayers' money!

We request that this sign either be removed completely and relocated to a place that could actually use it; or that it be moved 20 ft to the North, away from our driveway and sightlines so that we can back our vehicles out of our driveway safely – especially in the winter months.

Please advise how you intend to proceed.

Thank you,

Julie & Rob Kemp

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
To: [Council: Lions Bay Office](#)
Subject: human waste
Date: Friday, July 31, 2020 12:23:37 PM

Hello,

I have appreciated the attention Council has paid to resident's input, and especially Mayor McLaughlin's personal responses when I have raised issues.

The number of hikers parking in our Village as a way to access Crown land has become unpleasant. They crowd into the school parking lot so I'm not sure how some of them negotiate their way out at the end of the day and I wonder where Search and Rescue will stage a recovery. They park on resident's parking pads or flattened areas in front of houses. They walk up the roads in large groups that makes driving on some of the curves dangerous especially if I am walking the opposite way and a car passes by.

The parking and constant stream of hikers is one thing but the waste they are leaving beside the trails is disgusting, and it is not just litter. Today I came across a human poo and toilet paper beside Centennial trail. During this past month I have come across 2 human poos with toilet paper on the side of Soundview and 3 human poos with toilet paper on the road above the water tank off Sunset Drive. I also found a used wrapped up sanitary napkin and picnic remnants at the Magnesia Creek waterfall. I appreciate that Council installed a potty at the Sunset gate but some hikers prefer the open road.

These people are not respecting our village or the rights of residents to enjoy the habitat surrounding our village without encountering their waste. There is probably nothing we can do other than restricting all parking to resident only, but that would be viewed as elitist.

Thank you for reading my rant.

Norma Rodgers

From: [Agenda](#)
To: [Lions Bay Office](#)
Subject: Kelvin Grove lot 35
Date: Thursday, August 6, 2020 3:10:30 PM

From: Ingrid Wray [REDACTED]
Sent: Monday, August 3, 2020 7:02 PM
To: Lions Bay Village Office <office@village.lions-bay.bc.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Council <council@lionsbay.ca>
Subject: Kelvin Grove lot 35

Good Afternoon,

I am writing on behalf of my husband and myself in response to the Kelvin Grove lot proposed for rezoning for multi family residential. We are certainly supportive of this proposal . The existing lot in our view is not attractive for a single home but developed as a triplex or duplex of several stories high would not impact other residents in the area and offer a slightly more affordable opportunity and at the same time provide the village with some much needed revenue for infrastructure. While we would generally like to see our village stay largely single family homes we would love to see small amount of additional condominium type accommodation to provide more entry level housing for young families to keep (make) our school vibrant. This would also give more opportunities for older people to downsize.

Thanks,

Ingrid & Andrew

Ingrid Wray
[REDACTED]
[REDACTED]

From: [Ron McLaughlin](#)
To: [REDACTED]
Cc: [Agenda; Peter DeJong](#)
Subject: Re: Ministry Response: Are Mayor, Council, CAO bound by the Lions Bay OCP?
Date: Monday, August 3, 2020 3:52:08 PM

Thank you for bringing this to our attention Tamara. I hope you and your family are enjoying your BC Day holiday.

Warm regards and keep well,

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: Tamara Leger [REDACTED]
Sent: Monday, August 3, 2020 1:44 PM
To: Council <council@lionsbay.ca>
Subject: Ministry Response: Are Mayor, Council, CAO bound by the Lions Bay OCP?

Hello All,

Back when we were debating the Communication Tower merits, I had sought guidance as to whether or not Mayor & Council were bound by the OCP, or not.

Below is the Ministry Response that ultimately came back, which **I thought I'd forward to you all now as it might be useful to have the public policy in front of you to guide the Kelvin Grove rezoning debate** (which is also outside of the current OCP).

according to the official community plan provisions in the *Local Government Act*, all bylaws and other works undertaken by a council must be consistent with the OCP that is in effect. While a motion may not necessarily constitute "other works", it is up to the municipal council to determine whether a bylaw or other work is consistent with an OCP. A municipal council has the legal authority and responsibility to make decisions on behalf of the communities that they believe to be in the best interests of the community. Ultimately, elected officials are held accountable

for their decisions and actions by their citizens through the democratic process of elections.

You can see the full thread below. Have a great BC Day!

Tamara Leger

[REDACTED]

Begin forwarded message:

From: "Hagio, Tomoko MAH:EX" <Tomoko.Hagio@gov.bc.ca>

Date: June 3, 2020 at 3:48:40 PM PDT

To: "[REDACTED]"

Subject: Re: Circumnavigation of Democratic Process During COVID 19 Around Cell Tower License Agreement Contract

Hello Ms. Leger,

Thank you for reaching out to the Municipal Affairs and Housing. Based on my colleague's note and from our conversation on May 15. I apologize for a late response.

I understand you have two questions:

1. Could Lion's Bay Council move forward with a motion (cell tower) that does not align with OCP?
2. Does Lion's Bay have a rural designation or an urban designation? If it is now designated urban when did this occur?

For #1, I am unable to comment on the specific circumstance of the motion, but you indicated that the motion was withdrawn and no longer a concern. However, to answer your question in general, according to the official community plan provisions in the *Local Government Act*, all bylaws and other works undertaken by a council must be consistent with the OCP that is in effect. While a motion may not necessarily constitute "other works", it is up to the municipal council to determine whether a bylaw or other work is consistent with an OCP. A municipal council has the legal authority and responsibility to make decisions on behalf of the communities that they believe to be in the best interests of the

community. Ultimately, elected officials are held accountable for their decisions and actions by their citizens through the democratic process of elections.

For #2, I have not heard from Ms. Brenda Broughton to clarify this question. But as I mentioned in the phone call, there is no “urban” or “rural” designations for communities (i.e. local government bodies) in British Columbia. Each local government has the authority to designate land and to define that designation in an OCP or in a zoning bylaw. For instance, a council can designate land as rural, residential, commercial, industrial, etc., and the definition of those designations may differ from one local government to the next. Councils may make land use designation amendments to the OCP by following an OCP bylaw amendment process, which must include a public hearing.

Regards,

Tomoko Hagio, MCIP, RPP | Senior Planning Analyst
Planning & Land Use Management Branch |
Ministry of Municipal Affairs & Housing
PO Box 9841 Stn. Prov. Gov't. Victoria BC V8W
9T2
Phone: 778.698.9812 | Fax: 250.387.6212



From: Tamara Leger [REDACTED]
Sent: May 4, 2020 4:52 PM
To: Mulholland, Lauren GCPE:EX <Lauren.Mulholland@gov.bc.ca>; Lowry, Megan GCPE:EX <Megan.Lowry@gov.bc.ca>

Subject: Re: Circumnavigation of Democratic Process During COVID 19 Around Cell Tower License Agreement Contract

Thanks Lauren — This Cell Tower process was activated BEFORE the OCP or Bylaws were changed. The cell tower license agreement contravenes the former (Bylaws and OCP), and has a significant financial commitment attached if signed. If Council votes TOMORROW NIGHT are they legally out of bounds?

I can not believe they are trying to pass this during COVID 19. We are such a lovely community. I hate to be divisive . This is truly heartbreaking.

Sincerely,
Tamara Leger

[REDACTED]

11 August 2020

The Mayor and Council
The Village of Lions Bay
Sent by Email

Dear Messrs. McLaughlin, Abbott, Bain, Barmeier and Ms. Cunliffe

Re: The Rezoning of 35 Kelvin Grove Way, Lions Bay (the "Property")

My wife (Cindy) and I live at 20 Kelvin Grove Way directly opposite the subject Property.

Cindy attended the Village Council meeting on 28 July, and I participated by Zoom conferencing and spoke on behalf of both of us at the meeting on the night.

A letter setting out the objections to the proposed rezoning was delivered to the meeting on 28 July and since then has been updated with additional resident agreement to the objections contained in the letter, representing approximately 90% of the residents contacted to date who live in Kelvin Grove Way (34 of 38).

Cindy and I take this opportunity to reiterate our strong and absolute objection to the planned rezoning and to the dedication of valuable Village staff time and resources to pursue a proposal to which no foundation for its pursuit has been prepared nor presented to residents.

We also note the following in respect of the Council meeting on 28 July that approved the motion to instruct Village staff to present a plan for rezoning to the Council at its planned September meeting.

1. It was extremely concerning to witness no discussion regarding the merits and drawbacks of the proposal. Other than Councillor Abbott, no Councillor exhibited any interest in the ramifications of such a rezoning upon the current OCP or broader future land use impact across the Village. No Councillor ventured any enquiry regarding the financial aspects of the proposal nor showed any interest in the presentation of any market-based evidence supporting the motion. There was no consideration of the disproportionate burden to be carried by the residents of Kelvin Grove Way in the event of a subsequent rezoning. It is very concerning that this motion was proposed and approved with no background information provided, discussion of offers / market response to date or any justification as to a range of expected values relative to the offers received for the Property under its current zoning.
2. According to the motion passed, Village staff are to be tasked to provide a recommendation to rezone the property. That this be done with no information or analysis of the financial situation is stunning in the extreme, particularly even more so given the Council's ignorance of the funds expended to date (see 5 below).
3. There was no discussion at all as to the requirements of the current OCP and on what basis does selective rezoning of land from single dwelling residential (RS-1) to multi-family residential remain within the guidelines of the last approved OCP, or have any currency as a legitimate goal to be pursued by the current administration, absent a formal and detailed communication with Village residents.

4. We categorically reject that the necessary elements exist or could possibly ever exist from a commercial, retail, education or comprehensive planning perspective to pursue Ambleside and Dundarave as appropriate blueprints for Lions Bay as was suggested at the meeting. It is extremely concerning that such a sweeping ambition be presented by a Councillor in support of the tabled motion without any discussion of the substantial ramifications inherent in such a plan. To cherry-pick a single element – multi-family rezoning of a single site – does a serious disservice to the necessary components of a substantive and well thought through planning process. The Council through its vote in favour of the motion has now moved well past a one-off rezoning consideration to a massive review of the entire structure of Lions Bay, its zoning preferences, consideration and processes. It is wholly inappropriate that this longer term goal of “re-making” Lions Bay be hidden behind a single site rezoning consideration.
5. The all-in-cost for the preparation for resale of the Property as at 31 December 2019 was \$273,518 as detailed in the 2019 Village Annual Report. In response to this fact it was suggested at the Council Meeting that the cost was in fact much lower at circa \$160,000. Subsequent correspondence from Village CFO Pamela Rooke confirms the total cost attributed to the Property as at 31 December 2019 was in fact \$273,518. We seek formal recognition of this exchange and confirmation of the actual amount at the next Council meeting and for the minutes of that meeting to reflect this fact. Additionally, it is of obvious concern that the Council is considering a substantive and precedent setting rezoning, absent any knowledge and / or discussion of the current financial commitments and forward-looking constraints as it relates specifically to the Property.
6. We note the comments at the Council meeting in which it was reported by Councillor Abbott that CAO DeJong believed he had a mandate to inflict such proposals upon Lions Bay residents. This suggestion of a mandate was clearly refuted at the meeting by Councillor Abbott. No comments in support of the supposed mandate were offered. At this point we also note with significant concern Delegation Bylaw 553 in which the Council astonishingly abandoned its duty for participation and governance in the sale of Village assets. That the Council would abrogate its responsibility and handover to a non-elected official the approval power and total unobstructed administration of a process, previously reported as critical to servicing the infrastructure needs of the Village, is deeply troubling and concerning. In relation to the current proposal Item 4 in the aforementioned bylaw is extremely concerning, “For further certainty (the authority of the CAO includes) any agreement between the CAO and a purchaser of the Lands (Property) **or any other matter in issue between the parties related thereto, shall be binding upon the Municipality.**” It is a stunning omission that the delegated powers do not specifically state that the Property is to be sold in accordance with the current zoning and gives rise to concerns as to the negotiations that have been held without residents knowledge and with or without the knowledge of the Council. There is nothing in this bylaw which requires the CAO to provide updates as to progress, (changed) market circumstances and / or proposals by potential purchasers to seek a rezoning. In this regard we reiterate the request in the correspondence presented to the Council on 28 July that details of all prior offers be detailed for all residents to examine.

In closing, we reiterate our absolute and unanimous objection to, and rejection of, the motion carried at the Council meeting on 28 July and its ramifications not only for the residents of Kelvin Grove Way but also its undoubted commitment to establish a precedent for ongoing rezonings throughout the Village.

If the Mayor and Council are committed to a fundamental change to the current OCP then be upfront about it:

1. Stand for election based upon your preference to re-make Lions Bay in the image of Ambleside and Dundarave and allow residents to scrutinise such policy proposals in detail.
2. State clearly your understanding that a rezoning of 35 Kelvin Grove Way sets a precedent for further rezonings (or if not, why not) and make your case that this a positive outcome for the Village.
3. Provide all details including a breakdown of all costs (up to date to June 2020) for the Property, all offers received to date for its purchase, and why they were rejected or could not complete and a financial analysis as to why a rezoning necessarily equates to a higher sale price and the basis that a rezoning will attract any meaningful bids on a stand alone basis.

Should the Mayor and Council enact the motion as approved at the recent Council meeting please be assured of our ongoing and strident opposition to this selective and prejudicial burden being levied on a single component of the broader Lions Bay community.



Richard David



Cindy David (Qian Ma)

From: [REDACTED]
To: [Council; Agenda](#)
Subject: Parking for access to Lions trailhead
Date: Wednesday, July 29, 2020 8:51:38 AM
Attachments: [PastedGraphic-2.tiff](#)

To the Mayor and Council:

Given the ongoing parking issues with visitors to Lions Bay wishing to access the Lions trailhead, is there an option to create new parking areas at Crystal Falls Rd (the “Gravel Pit” road)? Hikers could then access the trailhead via the Soundview Trail.

I don’t know whether the municipality retains rights to use the Crystal Falls road or any of the level “lots” in that area but there would be adequate parking space for potentially hundreds of vehicles. There would need to be signage to direct hikers away from the village to the new trailhead parking and maybe some promotion of the changes to the main website guides and other information sources hikers use. I’m sure any costs could be adequately covered by a modest parking fee.

This solution, if it’s feasible, could dramitacally reduce the problem of hikers parking on verges and other prohibited areas on all the residential roads around the trailhead.

Regards,

Don Kirkwood [REDACTED]



Don Kirkwood
Chairman | Paywith

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From: [Agenda](#)
To: [Lions Bay Office](#)
Subject: Lower k out of control!
Date: Thursday, August 27, 2020 11:59:26 AM

From: Norman Barmeier <councillor.barmeier@lionsbay.ca>
Sent: Friday, July 31, 2020 9:54 AM
To: Devon Simpson [REDACTED] Council <council@lionsbay.ca>; Lions Bay Bylaw Officer <bylaw@lionsbay.ca>
Subject: Re: Lower k out of control!

Hi Devon:

Thanks for reaching out. Please know that council has significantly increased fines for illegal parking, to the tune of \$195. We have also increased bylaw coverage and are working to improve enforcement. Our fines are bigger and our enforcement coverage wider than at any point in the past.

Public Works has gone through a campaign of re-aligning signage to allow for legal enforcement. There are rules that govern how far signs have to be apart, line of site, and placement. If we don't get that right we actually can't enforce the tickets. If you see signage being moved or added in your neighborhood, it's all in an effort to better align ourselves to be able to enforce parking without dispute.

Public works has recently purchased a speed indicator sign and we are moving it to hotspots within the Village to get statistics on traffic patterns and speeds. Council has been discussing traffic calming measures and signage to help visitors understand that families, children, and pets use our streets on a regular basis. We have no sidewalks, and we need visitors to understand this and slow down.

If you have any idea or recommendations, we are all ears.

Kind regards,
Norm

Norman Barmeier
Councillor

The Village of Lions Bay
PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada
Tel: (604) 921-9333 | Cell: (778) 991-0642 | www.lionsbay.ca <<http://www.lionsbay.ca>>

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On 2020-07-20, 6:09 PM, "Devon Simpson" <devonleighsimpson@gmail.com> wrote:

Hey,

We're at 50 sweetwater and the parking and crowd situation in lower kelvin grove is ridiculous. We have people without passes speeding down our cul-de-sac, parking in and blocking our driveway and blocking the trail down to the beach. They are literally pissing in our yard which is right across the tracks and as I just walked my dog right now there are 6 illegally parked cars with no tickets. I went to the cliffs last weekend and pulled out two HUGE bags of empty's and garbage. It is disgusting and it really saddens me to see the village I grew up in being treated this way. It never used to be like this. Can we please do something about it?! Towing? Increased tickets? There are literally 60+ people on the cliffs RIGHT NOW and no social distancing.

Please do something to help our village community! We are struggling.

Devon Simpson

[REDACTED]

From: [Ron McLaughlin](#)
To: [REDACTED]
Cc: [Agenda: Pam Rooke](#)
Subject: Fw: parking/hiking/toilet facilities in Lions Bay redux
Date: Saturday, August 1, 2020 9:26:34 AM
Attachments: [letter to council July 19 2020.docx](#)

Pam - please card this email into our strategy session agenda under the general heading of parking. Thank you.

Good morning Karen. Congrats again on finishing your book. You can breathe at last and I hope someone made your dinner last night.

Per our discussion yesterday you have some good ideas and fresh thoughts. I don't see our issue really going away in the future and this winter we will be preparing for next summer. The points you made will be brought forward in our strategy session. Thank you for taking the time to write about your observations and making suggestions to improve the situation.

Warm regards and keep well,

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: [REDACTED]
Sent: Sunday, July 19, 2020 11:22 AM
To: Lions Bay Reception <reception@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>
Subject: parking/hiking/toilet facilities in Lions Bay redux

July 19, 2020
Lions Bay Mayor and Council
Re: parking/hikers/toilet facilities

Dear Mayor and Council Members,

Further to my letter of June 9, 2020, I'd planned to write this note as a letter of thanks to council for installing the porta-potty at the Sunset Trailhead. Having this facility here definitely makes a difference, and it is being put to good and frequent use.

However, as I'm sure as you've become aware, the problem has not gone away. The sheer volume of hikers -- literally hundreds and hundreds yesterday alone, is overwhelming this part of the village. The lot on Sunset was full. All available street parking on Mountain Drive was taken. The gravel parking lot below the school on Bayview was swamped yesterday.

Worse, I attach a picture of the human feces left immediately beside the Soundview trail yesterday. There were TWO further incidents of human feces left on the side of Mountain Drive this week, with people literally squatting behind their cars and then driving away. It only takes a tiny percentage of bad actors to create an enormous problem, but it is a problem, nonetheless.

In addition, we have the growing problem around legitimate waste disposal. I'm not sure why council chose to remove the bear-proof garbage bin at the trail-head, [which was paid for by a grant given to the village due to our Bear-Smart community status], but with this enormous influx of hikers, the replacement bin is regularly overflowing with fast-food containers from the hikers. These are people trying to dispose of their waste responsibly, but we have a mother bear and her two cubs in the neighbourhood at the moment, and I would hate for them to acclimate to this source of garbage.

When the parking overwhelms our roads like this, it creates a number of cascading issues.

- There is a danger to pedestrians along Mountain and Sunset Drive, as there is no place to walk except in the road when the shoulders are full of cars.
- In the case of fire or other emergency, there's no way emergency service vehicles can get through up here, or turn around if they need to.
- This morning, for example, SAR had to long-line an injured hiker off the mountain just after six am. If they had to come yesterday, there's no way they would have been able to access the school field as a landing pad.
- And I understand that vandalism has resulted from disgruntled parkers being cited by the by-law officer in Kelvin Grove.

As I noted in my last letter to council, I recognize that parking has always been an issue in this village, like the cutting of trees and the concern about wildlife. But the current situation -- perhaps exacerbated by the number of British Columbians who are forced to stay home for their summer holidays -- is untenable. And even when the travel restrictions are lifted, this is not going to get better. The route to Tunnel Bluffs, climbing the Lions, Unnecessary Mountain and the rest are each a big draw in themselves. Under the current circumstances, the number of cars it is generating is swamping us.

A few possible solutions to consider:

- ALL non-resident parking in the village to be subject to a parking fee. [This increased revenue should help cover the cost of enforcement.]

- All illegally parked vehicles to be TOWED. Ticketing fines are seen by many hikers as the cost of a nice day out.
- A PARKING FULL sign erected at the entrances to the village, to be monitored by by-law officers.
- No non-resident parking without permit allowed.

As I write this, it's not quite eleven am on Sunday morning. There has been an unceasing flow of cars and hikers passing my house since before seven am, as car after car drives up to the top of Sunset, seeking parking, then back and forth along Mountain and down Bayview to find a spot.

I hike our beautiful mountain every day. I don't object to hikers, particularly at this scary time in the world when people need to get out and be in nature. And most of them are well-intentioned. But we simply don't have the capacity or the facilities to welcome them by the hundreds every day.

I've seen what poor parking regulation has done to destroy the community of Deep Cove, and I fear we face the same -- perhaps worse -- here in Lions Bay, due to our deeply inadequate facilities. Is this the future of our bright jewel of a village?

I implore members of council to recognize this issue as one of the highest priorities. Thank you for your attention.~karen dyer

[REDACTED]

--

kc dyer

author of *Finding Fraser*

Coming in 2020 from Berkley Books: *Eighty Days To Elsewhere*

Also author of *A Walk Through A Window & Facing Fire*, from Doubleday Canada

Seeds of Time, Secret of Light, Shades of Red & Ms Zephyr's Notebook, from Dundurn Books.

[REDACTED]

sweetly tweeting at @kcdyer

From: [Naizam Jaffer](#)
To: [REDACTED]
Cc: [Ron McLaughlin](#); [Peter DeJong](#); [Pam Rooke](#); [Agenda](#)
Subject: RE: Adding a "Dead end" sign to Cloudview Pl
Date: Tuesday, August 25, 2020 11:24:01 AM

Hello Leigh,

I've just put in the order for some new signs including one for Cloudview. Production times vary from 10 to 15 days but as soon as it arrives we'll install it.

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

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From: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Sent: Saturday, August 22, 2020 4:54 PM
To: Leigh van Knotsenburg [REDACTED]; Peter DeJong <cao@lionsbay.ca>; Naizam Jaffer <njaffer@lionsbay.ca>; Pam Rooke <finance@lionsbay.ca>; Agenda <agenda@lionsbay.ca>
Subject: Re: Adding a "Dead end" sign to Cloudview Pl

Good evening Leigh. Thank you for writing. Your request is in play now. Warm regards.

Hi Nai - please consider the request next week and contact with our resident with the outcome. Thank you.

Everyone keep well.

Ron

From: Leigh van Knotsenburg [REDACTED]
Sent: Saturday, August 22, 2020 4:28:30 PM
To: Council <council@lionsbay.ca>
Subject: Adding a "Dead end" sign to Cloudview Pl

Hi,

We live on cloudview place and have a small child, and a large amount of people drive down our street only to realize its a dead end. We would like to request that we get a dead end sign (or similar) at the start of our street! What is the process to get this approved?

Thanks!
Leigh

From: [Ron McLaughlin](#)
To: [REDACTED]
Cc: [Peter DeJong](#); [Agenda](#)
Subject: Re: Lions Bay postal code
Date: Thursday, August 27, 2020 9:08:56 AM

Good morning John. Please say hi to Bre from Mary and I. What fascinating information. Thank you for writing to us on this. I am at a loss as to how postal codes are established or changed. Your note has been earmarked to go to Council's next meeting at the end of September. I will advise you of the outcome of the discussion.

Karla - please add to the agenda under resident correspondence. Thank you.

Regards and keep well,

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: John Stoddart [REDACTED]
Sent: Wednesday, August 26, 2020 11:59 AM
To: Council <council@lionsbay.ca>
Subject: Lions Bay postal code

Has anyone looked into the possibility of changing our postal code? We have the same postal code as North Island, Sechelt Coast and Southern Gulf Islands. Mail order companies that assess delivery from a programme that links charges to postal code defined areas will price delivery to Lions Bay the same as to Port Hardy. Many companies refuse to deliver items to a V0N code. If you plug in a Horseshoe Bay code for the same item your delivery cost will drop as much as 50%. As an example, I was recently asked to pay \$94 U.S. for an item that dropped to \$50 U.S. when I plugged in a V7W code.

Regards,

John Stoddart

From: [Lions Bay Office](#)
To: [Lions Bay Office](#)
Subject: Lower Kelvin Grove PETITION
Date: Monday, August 31, 2020 10:23:18 AM
Attachments: [Lower Kelvin Grove Petition.pdf](#)
[Video.mov](#)
Importance: High

From: Cezary [REDACTED]
Sent: Monday, August 31, 2020 12:40 AM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Peter DeJong <cao@lionsbay.ca>; Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; councillorcunliffe@lionsbay.ca
Subject: Lower Kelvin Grove PETITION
Importance: High

Aug 30, 2020

From:
 Residents of Tidewater Way
 Lions Bay, BC

To:
 Village of
 Lions Bay
 Mayor
 and Council
 Members

PETITION

We, undersigned residents of Tidewater Way, Lions Bay write this letter to formally file a complaint against the numerous summer visitors showing up every day along our street destined for the beach. Thus, we find it necessary to bring this matter to a person of authority. We believe that the problem will be addressed effectively with your help.

The entire community within our area has been dealing with unappropriated behavior of the said visitors such as urination, nudity, sexual activities, exchange of drugs, littering, high-speed motorcycles, cars with no enforcement for speed and noise problems caused by the successive partying activities extending often to late-night hours. This matter has been going on for more than 15 years.

Apart from the noise not limited to late-night drinking, littering, and disturbance of peace, these visitors are often very irresponsible. They use the Lower Kelvin Grove Parking Lot for cooking and as a party place. This has become a PARTY LOT and not a PARKING LOT!

They leave lots of garbage and debris behind, along the railroad tracks and along our street. Very often we hear sounds of shattered bottles which can pose a risk of serious safety and fire hazard.

Aside from straight-up littering, many visitors have trespassed onto private property to dump their trash into household garbage bins, which are already strained for capacity due to the limited, bi-weekly collection schedule.

Numerous cases of petty theft have been reported, including items within parked cars, license plates, and "L" stickers, and items such as scooters sitting unsecured in the driveway.

In 2 recent months, a few serious accidents happened involving young individuals as jumping from the cliff went awry. Ambulance and fire trucks were arriving at the scene. We really don't need to witness all that turmoil here.

Our street has turned from a quiet and tranquil neighborhood, into a busy hangout and retreat location. Parking for residence has become increasingly difficult due to multiple vehicles occupying the street's parking spots without a permit. Improper parking and walking in the middle of the streets is an everyday scenario. Noisy motorcycles are contributing to the noise, as they go pointlessly around the whole street back and forth after they realized the downhill parking is closed. On July 30, around 2 am, we've heard one of the Harley Davidson bikers riding on the railroad tracks making a terrible noise, that was followed by loud screaming and shouting of intoxicated individuals.

We all feel outraged as we continuously discover and clean garbage such as beer bottles, cans, and cigarette butts scattered along the whole area or hidden in the bushes.

Please find our PETITION postulates in the attached PDF file "Lower Kelvin Grove Petition". Additionally, we gathered photos – evidence taken by residents collectively, also attached.

It's also urgently relevant to stop these visitors from coming in the light of the latest Covid-19 public exposures that happened lately in Lions Bay. Please see the link to Vancouver Coastal Health <http://www.vch.ca/covid-19/public-exposures> scroll down

and click the public exposures tab.

I hope that you understand our concern and help us address this problem. Thank you for your time and please contact Cezary if you have any questions.

Best Regards,

Undersigned:

1. **Cezary Czachor** [REDACTED] 105 Tidewater Way.
2. **Beata Polukard** [REDACTED] 105 Tidewater Way
3. **Greg Bienias** [REDACTED] 65 Tidewater Way
4. **Danuta Bienias** [REDACTED] 65 Tidewater Way
5. **Nicholas Powell** [REDACTED] 75 Tidewater Way
6. **Montserrat Powell** [REDACTED] 75 Tidewater Way
7. **Ildiko George** [REDACTED] 115 Tidewater Way
8. **Laszlo George** [REDACTED] 115 Tidewater Way
9. **Heidi L.** [REDACTED] 95 Tidewater Way
10. **Chunming Shao** [REDACTED] 95 Tidewater Way
11. **Kambiz Azordegan** [REDACTED] 100 Tidewater Way
12. **Farrah Azordegan** [REDACTED] 100 Tidewater Way
13. **Atrena Azordegan** [REDACTED] 100 Tidewater Way
14. **Katalin Sandor** [REDACTED] 45 Tidewater Way

15. **Gabor Sandor** [REDACTED] 45 Tidewater Way

16. **John Tsang** [REDACTED] 80 Tidewater Way

17. **Eileen Leung** [REDACTED] 80 Tidewater Way

18. **Normand Carpentier** [REDACTED] 90 Tidewater Way
19. **Violet Carpentier** [REDACTED] 90 Tidewater Way
20. **Victoria Rogers** [REDACTED] 185 Tidewater Way
21. **Kim Mailey** [REDACTED] 185 Tidewater Way
22. **Ron O'Dwyer** [REDACTED] 195 Tidewater Way
23. **Vike O'Dwyer** [REDACTED] 195 Tidewater Way

Attachment:

- Petition Postulates,
- Evidence-photos and video



This email has been checked for viruses by Avast antivirus software.

www.avast.com

We'd like to postulate for the following:

PARKING:

- Permanently impose permit parking to every street in Lower Kelvin Grove so that only residents of our community may park in this area. Permit parking only in the area of lower Kelvin Grove and Tidewater Way.
- Parking bylaws would be strictly enforced 7 days a week (not only on the weekends) from 8:30am-10pm. (revenue from fines should be used to finance increased enforcement by by-law officers). Bylaw infractions should be further enforced by towing non-resident ticketed cars.

SIGNS:

Post 3 BOLD signs. The signs would include the following:

- Resident parking only – strictly enforced!
- Warn about cliff jumping and walking along the railroad tracks as an illegal activity
- Request potential visitors to respect the peace and privacy of the nearby residents. Those who are not respectful will be fined.
- Warn potential visitors that leaving any litter behind is against the law.
- Warn about observing ethical and respectful behavior.

These signs outlining the rules of the community should be posted at the following locations:

1. top of the Tidewater Way by the bus stop
2. at the railroad crossing to restrict the foot traffic along the railroad tracks
3. at the entrance to the beach park.

Posting an additional sign saying **Local Traffic Only** at the top of Tidewater Way.

LOWER KELVIN GROVE PARKING LOT:

The lower Kelvin Grove parking lot would only be available for resident parking displaying the necessary permit on their windshield. Residents requiring additional guest parking should apply for day permits from the Village Office.

INCREASED ENFORCEMENT:

Request additional police patrolling of the area especially during summer months to make sure the rules are met.

GARBAGE CONTAINERS:

We need more garbage containers installed:

- Adding another garbage container by the bus stop
- Adding a garbage container at the Lower Kelvin Grove parking lot
- Installing a garbage container where the park trail returns to the cul de sac of Tidewater Way

All garbage bins must be emptied daily by the Village Works from April through October



6 cars parked on this side
2 cars





Complete change
of clothing













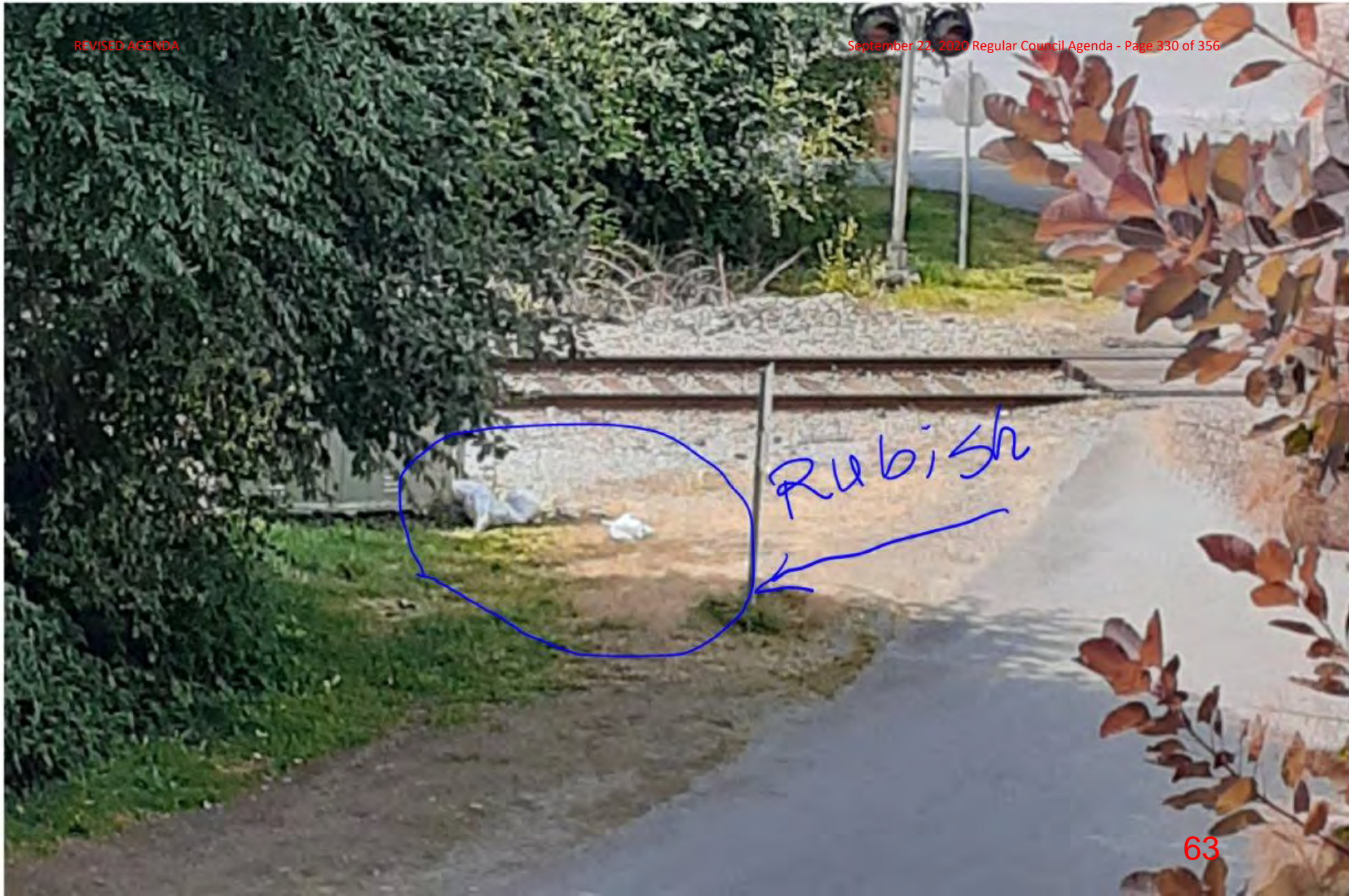
Parked on the side of the
Road and left their car







rubbish
left behind



From: [Ron McLaughlin](#)
To: [REDACTED]
Cc: [Council](#); [Peter DeJong](#); [Agenda](#)
Subject: Re: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay
Date: Thursday, September 3, 2020 9:37:32 AM

Thank you for your kind note George, I know the topic has caused you significant angst. I have left the Village for a few days which is why I contacted you Tuesday evening. I have an opportunity to email you now.

As I mentioned, all of staff and Council appreciates your engagement and organization of your fellow affected residents. Thank you. I hope I made it very clear that notwithstanding your neighbor's perception, rezoning the subject is not a "done deal."

We have an offer on 35 KG Way. If completed it would facilitate a single-family residence. The offer was considered in the closed session of Tuesday's meeting. Going back into the open session I reported out that we had an offer on the property. Also, that Council had asked staff to stand down on Community engagement and other matters related to the property until its disposition was known.

I will be bringing 35 KG Way up at our next Council meeting at the end of the month.

(Karla - Please add the topic under Unfinished Business. Thank you.)

Warm regards and keep well,

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you'd notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not

binding on the Municipality of the Village of Lions Bay ("Municipality") until contracted. This email is the property of the Municipality and may not be reproduced or further disseminated in whole or part without the Municipality's consent. It may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality.

From: George L [REDACTED]
Sent: Wednesday, September 2, 2020 10:10 AM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: Re: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay

Good morning Sir!

Thank you so much again for your decision on the subject property!

You made all of our lives a little easier!:)

All the best to you and your family!

George

From: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Sent: September 1, 2020 8:53 PM
To: George L [REDACTED]
Subject: Re: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay

Hi George. If you have a minute just now please give me a call at [REDACTED]

Regards,

Ron McLaughlin

Mayor

The Village of Lions Bay

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

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: [REDACTED]
Sent: Wednesday, August 26, 2020 10:49 PM
To: Council <council@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Lions Bay Office <office@lionsbay.ca>; 'Bren Moen' [REDACTED]
 [REDACTED] Richard David [REDACTED] Cindy Ma
 [REDACTED] Tracy S [REDACTED]; ty Giovanni
 [REDACTED]
Subject: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay

21 August 2020

The Mayor and Council
 The Village of Lions Bay
 Sent by Email

Dear Messrs McLaughlin, Abbott, Bains, Barmeier and Ms Cunliffe

Re: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay (the "Property")

Correspondence was delivered to the Council at the meeting held on 28 July 2020, and updated on 6 August 2020 reflecting a total of 34 objections or 89.5% of available owners to the proposal to rezone the Property.

Subsequent to the Council Meeting held on 28 July 2020, which passed the relevant motion to progress the rezoning process without any consideration of the resident's concerns, the below named signatories, as the residents most directly affected by the rezoning, categorically state their unanimous opposition to this proposal and to the use of valuable Village staff, time and resources to pursue a proposal to which no foundation for its pursuit has been prepared nor presented to residents and is in direct contravention of resident wishes.

This is even more troubling given the Council's decision to abandon future meetings until September 22, 2020 and thus preventing residents from directly communicating their strong objections to the Council directly and having these objections placed firmly on the Council's record.

Should the Mayor and Council enact the motion as approved at the recent Council meeting be assured of our ongoing and strident opposition to this selective and prejudicial burden being levied on a single component of the broader Lions Bay community.

Please find the attached signed letter.

Thank you.

Yours sincerely,

George Liu

From: [George L](#)
To: [Council](#); [Ron McLaughlin](#); [Lions Bay Office](#); [REDACTED]
Subject: Proposal to Consider the Rezoning of 35 Kelvin Grove Way, Lions Bay
Date: Wednesday, August 26, 2020 10:49:20 PM
Attachments: [35KGWCouncil0821.pdf](#)

21 August 2020

The Mayor and Council
The Village of Lions Bay
Sent by Email

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The Village of Lions Bay
Sent by Email

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Yours sincerely

10 Kelvin Grove Way, Lions Bay

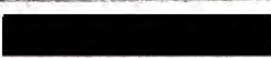
20 Kelvin Grove Way, Lions Bay

30 Kelvin Grove Way, Lions Bay

40 Kelvin Grove Way, Lions Bay

50 Kelvin Grove Way, Lions Bay

75 Kelvin Grove Way, Lions Bay

From: [REDACTED]
 To: [Council](#); [Lions Bay Office](#); [Ron McLaughlin](#)
 Cc: [REDACTED]
 Subject: 35 Kelvin Grove Way
 Date: Thursday, August 6, 2020 3:54:00 PM
 Attachments: [35KGW-Council.pdf](#)

Dear Mayor and Councillors,

Further to the Mayors Video Log of 24 July 2020 regarding this matter, I presented a letter on behalf of a number of Kelvin Grove Way residents to the Council Meeting on 28 July 2020 registering a strong objection to the motion subsequently tabled at Council Meeting regarding the proposed rezoning of 35 Kelvin Grove Way.

Given the extremely late notice provided to residents ahead of the Mayor's intention to table the motion, therefore restricting our ability to properly canvass the matter prior to the Council meeting, subsequent to the meeting, several discussions have been held among residents over the course of the past week.

Accordingly, please find attached a copy of the letter tabled last week updated to reflect its execution by an additional 28 residents bringing the total signatures and therefore objections to the proposal to 34 representing 89% of all resident owners who have been available for contact - see below.

The consequence of the Council's decision, as expressed at the meeting last week, will have a disproportionate and prejudicial impact upon the residents of Kelvin Grove Way exclusively.

Total residential lots on Kelvin Grove Way	51
Lots currently vacant - no dwelling constructed	5
Dwellings occupied by a tenant	3
Owners currently absent and unable to be contacted	5
Number of Residents Contacted	38
Number of Objections Secured	34
% of Residents in Opposition	89.5%

This is an overwhelming response to the Council's intentions and must be recognized by the Council with the immediate abandonment of the proposal.

Please find the attached signed letter.

Thank you,
 George Liu & Song Jing
 [REDACTED]

Mayor and Council

c/o Chief Administrative Officer

PO Box 141, 400 Centre Road

Lions Bay, BC V0N 2E0

Dear Sir and / or Madam

Re: Village Update 24 July 2020 (by Email)

Mayor Video Log – Consideration for Rezoning of 35 Kelvin Grove Way (the “Site”)

Further to the abovementioned correspondence, the undersigned residents of Kelvin Grove Way detail below their collective, strenuous objection to any subsequent decision by the Council to the rezoning of the Site from RS-1 (Residential – Single Detached), permitting the construction of a single family home, to RM-1 (Residential - Multiple Unit), permitting the construction of townhouse and / or duplex dwellings.

It has been communicated that the upcoming Council meeting scheduled for 28 July 2020 will consider a motion “asking council to confirm that senior staff work with our real estate professional and put forward a recommendation in September for rezoning the property (Site) to maximise the village’s return”.

It has also been communicated that the need for this motion is based upon “a significant amount of interest that has not come to fruition.....unable to get the financing they need to do so (complete a purchase of the Site)”.

Accordingly, this letter respectfully requests the following information:

1. The basis upon which the initial Site pricing of \$980,000 was made relative to contemporary market evidence of similar properties that had been successfully sold. This is important for establishing credibility in regard to decision-making and the process going forward and as to whether the prospects for the creation and disposal of the Site was ever realistic.
2. Details of all prior offers received for the purchase of the Site (buyer identification material can be withheld for privacy reasons) including price and relevant preconditions unable to be fulfilled, justifying the decision to seek a rezoning.
3. Initial expectations for sale price guidelines for the Site as a consequence of the rezoning and estimated net proceeds for contribution to Village infrastructure. It is our understanding that net revenue is the sole driver of the proposal to rezone the Site and therefore it is an expectation by the undersigned that some preliminary advice has been received in this regard. If not, on what basis has the proposal been formulated.
4. The reference in paragraph 2 above to “work(ing) with our real estate professional”. Please confirm the identity and credentials of this person. The use of a real estate agent would give rise to serious issues of conflict given the link between the rezoning, the subsequent recommendations as to list / sale price and commission paid for its sale. Clearly any advice in this regard would be significantly prejudicial if provided by a person / persons potentially accruing a financial benefit as a consequence of its subsequent sale.

As to the proposal to rezone the Site:

1. On a Village-wide basis this should be a concern for all residents as to **setting a very dangerous and far-reaching precedent** for future rezoning considerations and what it would mean for local population and impact upon all Village infrastructure including but not limited to:
 - a. Sewer and water infrastructure
 - b. Emergency services capacity
 - c. Education and schooling capacity
 - d. Use and maintenance of local parks, beaches and trails

As, according to the justification outlined in the abovementioned correspondence, the sole criteria for seeking a rezoning is the economic benefits accruing to a site with higher density – “to sell the property (Site) for optimum value the property will need to be rezoned for multi-family residential”. There are very few sites within Lions Bay, if any, that would not meet this criteria of delivering optimum value as a consequence of a rezoning and should provide a significant level of concern to all Lions Bay residents that any party seeking to appeal a subsequent decision by the Council to reject a rezoning request for reasons other than economic benefit, would have a clear precedent to do so.

2. Higher density rezoning and subsequent development and occupation of the Site would be a significant impost upon the Kelvin Grove infrastructure particularly as it relates to sewerage and water. The upgrades to both water supply and sewerage treatment have recently occurred and did not contemplate a significant increase in demand via the occurrence of higher density residential development as this rezoning proposal would ensure. Please provide the data detailing the unused capacity of these facilities to accommodate an exponential increase in demand as facilitated by the approval of multi-family residential developments across the Village.
3. As has recently been experienced by the local residents, the overflow of parking onto the lower reaches of Kelvin Grove Way has been extremely intrusive and has resulted in a significant inconvenience as it related to noise, traffic flow and a drastic reduction in available parking areas for residents with legal parking permits. The addition of higher density living at the base of Kelvin Grove Way will see these inconveniences become a permanent feature for residents as all occupants of the rezoned and developed Site will have parking permits, permitting legal roadside parking, drastically increasing demand exacerbated by no alteration in supply. This issue would be replicated across Lions Bay as additional approved multi-family development sites come on line.
4. The quality of the development is unknown at this stage and as to whether occupants will be owners or tenants. What can be stated with certainty is the higher level of density that will occur within an area that elsewhere in Lions Bay can only accommodate a single detached dwelling. This will impact noise pollution, local traffic issues and general liveability and negatively impact values of properties on Kelvin Grove Way relative to the rest of Lions Bay. Singling out Kelvin Grove residents for this outcome is prejudicial to our economic interest and lifestyle choice to settle in the Kelvin Grove area of Lions Bay, an environment consisting of only single family dwellings.

As to issues that may arise once additional information has been provided regarding the proposed rezoning and specific guidelines regarding the redevelopment:

1. Noise, dust pollution and general inconvenience to residents associated with the construction of a multi-family development.
2. Environmental impact including site clearance and tree removal for development, impact upon surface water drainage onto Kelvin Grove Way and visual pollution for a development that will be substantially different from the adjoining single-family dwellings.




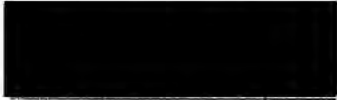

We look forward to further detailed discussions regarding this matter.


Yours Sincerely

Concerned Residents of Kelvin Grove Way

Address

Owner & Signature

10 Kelvin Grove Way	 Brenda Moen	 Warren Moen
20 Kelvin Grove Way	 Qian Ma (aka Cindy David)	
30 Kelvin Grove Way	 Song Jing	 George Liu
40 Kelvin Grove Way	 Andrew Crane	
50 Kelvin Grove Way	 Csilla Gyovai	 Tibor Zombori

75 Kelvin Grove Way 
Lance Clarke

Address	Owner & Signature
115 Kelvin Grove Way	Zeyang Xu
120 Kelvin Grove Way	[REDACTED]
145 Kelvin Grove Way	[REDACTED] DON KONKIN
250 Kelvin Grove Way	[REDACTED] Tom Karoutsos
255 Kelvin Grove Way	[REDACTED] King Cheng
260 Kelvin Grove Way	[REDACTED] Tim McCutcheon
275 Kelvin Grove Way	[REDACTED] TAMERA ZINK
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340 Kelvin Grove Way	[REDACTED] COLIN WATSON
350 Kelvin Grove Way	[REDACTED] Fei Che
333 Kelvin Grove Way	[REDACTED] Ding, Guo
125 Kelvin Grove Way	[REDACTED] Jiau Lin
95 Kelvin Grove Way	[REDACTED] E. HODGSON

Address	Owner & Signature
285 Kelvin Grove Way	[Redacted] EDDIE Siu wah, Au
155 Kelvin Grove Way	[Redacted] ELIZABETH KO
195 Kelvin Grove Way	[Redacted] Suzanne Berry
195 Kelvin Grove Way	[Redacted] WILLIAM BERRY
230 Kelvin Grove Way	[Redacted] SANDY MUTRIE
315 Kelvin Grove Way	[Redacted] SHAUN SINCLAIR
320 Kelvin Grove Way	[Redacted] Derek Herdt
330 Kelvin Grove Way	[Redacted] Peggy Chiu-Teh Wang
325 Kelvin Grove Way	[Redacted] WALLY SENYK
90 Kelvin Grove Way	[Redacted] Kevin Johnston <i>*I will send a separate letter outlining my concerns</i>
235 Kelvin Grove Way	[Redacted]
265 Kelvin Grove Way	[Redacted] Jennifer Tan
205 Kelvin Grove Way	[Redacted] LEAH BENDALL
360 Kelvin Grove Way	[Redacted] ANNA BARTHOLOMEW
Kelvin Grove Way	[Redacted]

From: [REDACTED]
To: Council; Ron McLaughlin; Lions Bay Office; [REDACTED]
Subject: Rezoning of 35 Kelvin Grove Way, Lions Bay
Date: Thursday, August 27, 2020 5:11:26 PM
Attachments: [35KGWSigned0822.pdf](#)

Dear Mayor & Councillors,

Correspondence was delivered to the Council at the Council Meeting held on July 28, 2020; it was updated on August 6, 2020. We hereby deliver the most recent updates for your review. It reflects a total of 42 objections or 93.3% of homeowners on Kelvin Grove Way to the proposal to rezone of the subject site.

Please find attached the letter signed by the homeowners on Kelvin Grove Way.

Thank you,

Yours sincerely,

George Liu

Mayor and Council
c/o Chief Administrative Officer
PO Box 141, 400 Centre Road
Lions Bay, BC V0N 2E0

Dear Sir and / or Madam

Re: Village Update 24 July 2020 (by Email)
Mayor Video Log – Consideration for Rezoning of 35 Kelvin Grove Way (the “Site”)

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Owner & Signature

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350 Kelvin Grove Way	[Redacted] Fei Che
333 Kelvin Grove Way	[Redacted] Ding, Guo
125 Kelvin Grove Way	[Redacted] Jian Liu
95 Kelvin Grove Way	[Redacted] E. Hodson

Address

Owner & Signature

285 Kelvin Grove Way

Eddie Siu Wah, Au

155 Kelvin Grove Way

ELIZABETH KO

195 Kelvin Grove Way

Suzanne Berry

195 Kelvin Grove Way

WILLIAM BERRY

230 Kelvin Grove Way

SANDY MUTRIE

315 Kelvin Grove Way

SHAUN SINCLAIR

320 Kelvin Grove Way

Derek Heidt

330 Kelvin Grove Way

Peggy Chiu-Teh Wang

325 Kelvin Grove Way

WALLY SENYK

90 Kelvin Grove Way

*I will send a separate letter outlining my concern
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235 Kelvin Grove Way

Jennifer Tan

265 Kelvin Grove Way

LEAH BENDALL

205 Kelvin Grove Way

ANNA BARTHOLOMEW

360 Kelvin Grove Way

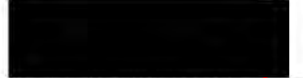
Wayne Chan

225 Kelvin Grove Way

<u>Address</u>	<u>Owner & Signature</u>
165 Kelvin Grove Way	[Redacted]
245 Kelvin Grove Way	[Redacted] J. Jacques Trollip
240 Kelvin Grove Way	[Redacted] Michael Mores
240 Kelvin Grove Way	[Redacted] Moore
270 Kelvin Grove Way	[Redacted] Ron + Celia Hillhorst
215 Kelvin Grove Way	[Redacted] Donna Malvas
305 Kelvin Grove Way	[Redacted] Bill and Carolyn Kopper
____ Kelvin Grove Way	_____
____ Kelvin Grove Way	_____

295 Kelvin Grove Way

REVISED AGENDA



Stephen V. Mirabile

September 22, 2020 Regular Council Agenda - Page 350 of 356

83

From: [Peter DeJong](#)
To: [Nathalie Baker](#)
Cc: [Melissa Dionne](#); [Lions Bay Office](#)
Subject: RE: 61 Brunswick Beach Road, Lions Bay
Date: Wednesday, September 2, 2020 11:32:44 AM

Hello Ms. Baker:

Thank you for your letter. It will be placed in Correspondence on the Agenda of the next regular Council meeting on September 22, 2020 and I will determine whether any Council Member who voted in the majority with respect to this matter wishes to move that the Council reconsider and vote again on the matter, in accordance with s.35 (1) (b) of Council Procedures Bylaw No. 476, 2015, as amended (see: https://www.lionsbay.ca/sites/2/files/docs/bylaws/bylaw_476_-_council_procedures_2015_consolidation_0.pdf).

By way of clarification regarding some of the comments in your letter, when I sent your client the draft Encroachment Agreement it was simply to give him an idea as to what our standard agreements look like in case he had any questions in advance of putting it to Council for approval. I did not ask him to sign it or purchase the insurance referenced in the agreement. Notwithstanding my support, no decision had been made by staff to permit the use as we do not have the delegated authority to do so.

If Council chooses not to reconsider the matter, I will ask that they provide direction on whether or not they are willing to consider a sale of the subject portion of land as requested in the alternative at the end of your letter. Please be advised that previous requests of this nature have not fared well.

I look forward to receiving further information from your client regarding the other options he is exploring for placement of the hot tub on his property. Thank you.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer

The Municipality of the Village of Lions Bay www.lionsbay.ca
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From: Melissa Dionne [mailto:mdionne@eyfordpartners.com]
Sent: Tuesday, September 1, 2020 3:05 PM
To: Peter DeJong <cao@lionsbay.ca>
Cc: Nathalie Baker <nbaker@eyfordpartners.com>

Subject: 61 Brunswick Beach Road, Lions Bay

Good Afternoon,

Please see the attached.

Kind Regards,

Melissa Dionne

Legal Assistant

t: (604) 899 5204

f: (604) 899 5216



Eyford Partners LLP

1744 – 1055 Dunsmuir Centre, Vancouver, BC V7X 1L2

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We are closely following the guidance and directions from the relevant government agencies and health authorities regarding the collective effort to help slow and prevent the spread of the COVID-19 virus. To that end, Eyford Partners is taking several steps including a firm-wide work from home initiative. The health and safety of our employees, clients, and community is our top priority.

To ensure that we are continuing to meet our clients' needs during these challenging times, we have enacted contingency plans and resources to ensure our service remains uninterrupted. Among other things, we have deployed available technologies to conduct meetings with clients and counsel through videoconferencing and telephone calls, and will continue to monitor and respond to all emails and other forms of communication. We appreciate your patience with respect to any delays in responding to correspondence as we strive to maintain a high-level of service for the foreseeable future.



NATHALIE J. BAKER
 DIRECT: 604-899-5232
 NBAKER@EYFORDPARTNERS.COM

01 September 2020

FILE NO.: 9918-001

VIA EMAIL: cao@lionsbay.ca

The Municipality of the Village of Lions Bay
 PO Box 141, 400 Centre Road
 Lions Bay, BC V0N 2E0

Attention: Peter DeJong, Chief Administrative Officer

Dear Sirs/Mesdames:

**RE: Hot tub at 61 Brunswick Beach Road, Lions Bay
 (the "Property")**

We are counsel for Dr. Jorge Graham, the registered owner of the above referenced Property, located in the Village of Lions Bay (the "**Village**"). On 28 July 2020 the Village authorized a pre-existing encroachment on the Village's property to remain as is but prohibited our client from keeping his hot tub in the encroaching area. For the reasons set out below, we write to request that the Village reconsider its 28 July 2020 decision to prohibit the hot tub.

Dr. Graham purchased the Property in October of 2015. At the time of purchase there was an existing single-family home on the Property. The existing home included a small 176 sq. ft. deck off the patio (the ("**Patio Extension**"), which encroached on the Village's property. We understand that this encroachment had been there for decades and that in or about 2004, the Village sent the previous owners a covenant to formalize the arrangement. For reasons that are unknown, the Village never registered the signed covenant.

In 2016 our client applied for and received a building permit to renovate the existing home and build a new garage. The Patio Extension off the deck was allowed to remain but staff, aware that our client wished to place a hot tub on it, required our client to install very specific fall restraints to enclose the area. We are advised by our client that Village staff had no objection to the placement of the hot tub but indicated

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that our client may have to apply for a new encroachment agreement with the Village to use the previously constructed Patio Extension for this purpose.

Our client completed the required works on the Patio Extension and purchased \$5 million of third-party liability insurance from Lloyd for the benefit of the Village, as requested by staff. The Occupancy Permit was issued in February 2020. Our client then purchased the hot tub.

In December 2019, before the Occupancy Permit was issued, the Village sent a draft encroachment agreement to our client which states, among other things, that our client would be allowed to maintain "a patio area with hot tub, including all supporting structures, howsoever constructed" (the "**December 2019 Encroachment Agreement**"). Our client agreed to the terms of the December 2019 Encroachment Agreement, but it appears it was never signed by the Village.

On or about 10 June 2020 the hot tub was delivered and placed on the Patio Extension. Our client then rented out the Property for a year on a fixed-term lease. Shortly thereafter, the adjacent neighbours at 59 Brunswick Beach Road, who are in the process of building a new home, complained to the Village. Dr. Graham was then advised that the placement of the hot tub would be considered by Council. Consideration of the Encroachment Agreement and the hot tub specifically, went before Council on 28 July 2020. A staff report in support of the encroachment agreement and hot tub was considered by Council. The report confirms that the hot tub was not placed on the Patio Extension in "any defiance of our rules or procedures" and, further:

"Given that the pre-existing patio and planting beds built many years ago with landscape ties have not been substantively altered, and has been made safer through the installation of fall protection, staff determined that the owner ought to be able to use the pre-existing structures. Whether they do so with a coffee table and chairs or a hot tub does not significantly alter the continued use of the encroaching structure."

When the matter came before Council at the 28 July 2020 meeting, the Mayor recused himself. The remaining Council members then heard submissions from our client's representative, Village staff and the owners of 59 Brunswick. Council decided that the Patio Extension could remain but that the previously approved hot tub had to be removed by our client. Shortly thereafter, a new Encroachment Agreement was sent to Dr. Graham, this time prohibiting the use of a hot tub on the Patio Extension. The proposed new Encroachment Agreement has not been signed by the Village or our client.

We write to request that the Village reconsider its decision to prohibit the placement of the hot tub on the Patio Extension. While our client greatly appreciates the Village's decision to allow the continued use of this area, our client was advised by Staff earlier this year that a hot tub was permitted and incurred significant expense to satisfy the Village's conditions to place it there. Further, as noted in the staff report, whether

our client places a picnic table in this area or a hot tub, does not alter the use of the area. Accordingly, we ask that Council reconsider its decision to prohibit the existing hot tub and allow it to remain on the Patio Extension. In the alternative, our client is willing to purchase the 176 sq. ft. encroachment area at fair market value from the Village.

Thank you for your time and consideration. We look forward to hearing from you at your earliest convenience.

Yours truly,

EYFORD PARTNERS LLP

Per:



Nathalie J. Baker
Associate Counsel

NJB/11

Intentionally Blank