



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, APRIL 1, 2014 at 7:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Delegations**
 - A. S/Sgt. Brian Cumming – Squamish RCMP Annual Performance Plan (*page 3*)
 - B. M. Brown – Animal Control & Licencing Bylaw #461 (not yet adopted) (*page 11*)
 - C. C.A. Phillips – Animal Control & Licencing Bylaw #461 (not yet adopted) (*page 13*)
 - D. G. Walker – Animal Control & Licencing Bylaw #461 (not yet adopted) (*page 15*)
- 5. Adoption of Minutes**
 - A. Minutes of the Regular Council Meeting of March 4, 2014 (*page 17*)
 - B. Minutes of the Special Council Meeting of March 21, 2014 (*page 25*)
 - C. Minutes of the Special Council Meeting of March 24, 2014 (*page 27*)
- 6. Business Arising from the Minutes**
- 7. Unfinished Business**
 - A. Community Centre Renovation Update
- 8. Reports**
 - A. Interim CAO
 - B. Mayor and Council (*page 29*)
 - C. Committees:
 - i. Tree Committee Recommendation – Application #45 (*page 37*)
 - ii. Infrastructure Committee:
 - Recommendation for 2014 Capital Expenditure Budget
 - D. Emergency Services (*page 39*)
- 9. Resolutions**
- 10. Bylaws**
 - A. Bylaw #469 Sewer User Rates Amendment Bylaw – 1st, 2nd and 3rd Reading (*page 43*)
 - B. Bylaw #470 Sewer Parcel Tax Amendment Bylaw – 1st, 2nd and 3rd Reading (*page 47*)
 - C. Bylaw #471 Water Parcel Tax Amendment Bylaw – 1st, 2nd and 3rd Reading (*page 49*)

11. Correspondence

- A. List of Correspondence to Friday, March 28, 2014 (*page 51*)

12. New Business

- A. Fraser Basin Council: Sea Level Rise and Floor Management Coordination Role and Funding (*page 213*)
- B. Green Waste: Seeking Environmental Solutions
- C. Lions Bay School & Childcare (*page 221*)
- D. Volunteers and Insurance (*page 223*)

13. Public Questions & Comments

14. In Camera

- A. Resolution:
That the Regular Meeting of April 1, 2014 does close this meeting to the public on the basis of matters to be considered under the following section 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:
 - k) negotiations and related discussions respecting the proposed provision of a municipal services 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;
 - m) a matter that, under another enactment, is such that the public may be excluded from the meeting;
 - n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2)

15. Reporting Out

16. Adjournment

RCMP



ROYAL CANADIAN MOUNTED POLICE

LOWER MAINLAND DISTRICT REGIONAL POLICE SERVICE – ***CONNECTED TO OUR COMMUNITIES***

Lions Bay

2013 Annual Statistics



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

Violent Crime

2012 / 2013

Violent Crime	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Total Violent CC	1	2	100.00%	1.8

Violent Crime	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Murder	0	0	n/a	0
Attempt Murder	0	0	n/a	0
Robbery	0	0	n/a	0
Sexual Assault	0	0	n/a	0
Domestic Violence	1	0	-100.00%	0.8
Assault w/ Weapon / CBH	0	0	n/a	0
All Assault	1	2	100.00%	1.8

Property Crime

2012 / 2013

Property Crime	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Total Property CC	18	25	38.89%	16.8

Property Crime	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Business B&E	1	0	-100.00%	0.8
Residential B&E	1	3	200.00%	1
Other B&E	0	2	n/a	0.4
Auto Theft	1	0	-100.00%	0.6
Theft from Vehicle	3	4	33.33%	1.6
Theft over \$5000	0	0	n/a	0.6
Theft under \$5000	0	3	n/a	2
Mischief to Property over \$5000	0	0	n/a	0
Mischief to Property under \$5000	9	7	-22.22%	7.4
Bicycle Theft	0	1	n/a	0
Stolen Property	0	2	n/a	0

Other Crime

2012 / 2013

Other Crime	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Abandon 911	67	78	16.42%	60.6
Cause Disturbance	4	1	-75.00%	3
Intoxicated in Public Place	0	0	n/a	1
Missing Persons	2	6	200.00%	4.6
Frauds	3	3	0.00%	2.4
Counterfeit Currency	0	0	n/a	0
Possession Cannabis 30 grams or under	3	2	-33.33%	4.4
Possession Cannabis over 30 grams	0	0	n/a	0
Possession Cocaine	1	0	-100.00%	0.2
Possession Ecstasy	0	0	n/a	0

Traffic Safety

2012 / 2013

Traffic Safety	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Total Collisions	38	42	10.53%	28.8
Collisions on Hwy 99 only	46	41	-10.87%	30

Traffic Safety	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Fatalities	2	1	-50.00%	0.6
Motor Vehicle Incident Damages over \$1000	15	24	60.00%	15.8
Motor Vehicle Incident - Injuries	11	12	9.09%	6
Impaired Drug/Alcohol Infractions	8	4	-50.00%	8.2

Workload

2012 / 2013

Workload	Jan to Dec 2012	Jan to Dec 2013	% Change	5 Year Average 2008-2012
Prisoners Logged			#DIV/0!	0
Charges Laid	n/a	n/a	n/a	n/a
Priority 1 Calls	41	42	2.44%	26.8
Calls for Service	360	425	18.06%	311

Annual Performance Planning

2013 / 2014

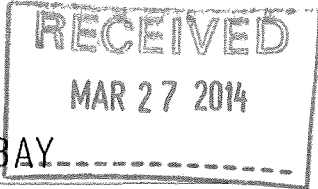
1. Substance Abuse
 - Reduce the use of drugs

2. Youth
 - Prevent and reduce youth involvement in crime as victims and offenders

3. Mischief
 - Reduce vandalism/property crime

4. Traffic Related Incidents
 - Contribute to safer roads

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

Please forward your Delegation Request Form to the Village Office by 4:00 pm, the Wednesday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total.

Today's Date: Wed March 26/14 Council Meeting Date: Wed Tues April 1/14

SUBJECT OF DELEGATION I wish to speak before the Council regarding: Bylaw # 461 ; new bylaw does not address which trails are off leash as the former law did. # 376

SUPPORTING MATERIAL I will provide additional information in advance of the Council meeting: (by 4:00 pm the Wednesday prior to the Council meeting so that the material can be included in Council package.)

ACTION. The specific action I would like Council to take is: - add specific areas in lions Bay that are designated off leash in bylaw #461

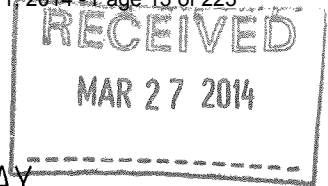
NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:

Name: MARY BROWN
Signature: Mary P.M. Brown
Organization (if any): St. John Ambulance Therapy Dog, Unit Facilitator, Evaluator
Address: 480 Bayview Rd.
Phone: 604-921-1544 Fax:
Email: mpbrown@telus.net

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.

Click to submit form

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

Please forward your Delegation Request Form to the Village Office by 4:00 pm, the Wednesday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total.

Today's Date: Wed. Mar. 26, 2014 Council Meeting Date: Tues. Apr. 1, 2014

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

Bylaw #461

SUPPORTING MATERIAL I will provide additional information in advance of the Council meeting: (by 4:00 pm the Wednesday prior to the Council meeting so that the material can be included in Council package.)

personal experience and opinion

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

Creation of designated off-leash areas. Set
Include this in Bylaw #461

NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:

Name: Carol Phillips

Signature: CPhillips

Organization (if any):

Address: 165 Highview Pl.

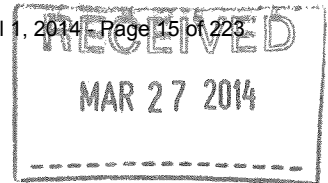
Phone: 604-921-4874 Fax:

Email: carol.anne.phillips@gmail.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.

Click to submit form

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

Please forward your Delegation Request Form to the Village Office by 4:00 pm, the Wednesday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total.

Today's Date: March 26/2014 Council Meeting Date: April 1/2014

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

Animal Control and Licencing Bylaw 2014: Bylaw No. 461

SUPPORTING MATERIAL I will provide additional information in advance of the Council meeting: (by 4:00 pm the Wednesday prior to the Council meeting so that the material can be included in Council package.)

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

Creation of designated off leash areas (leash optional areas) and relaxation of bylaws regarding and benefits of off-leash socialization and exercise of Dogs.

NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:

Name: Gordon Walker

Signature: [Handwritten Signature]

Organization (if any): Bark Petcare

Address: 370 Bayview Pl.

Phone: 604 913 0889 Fax:

Email: barkpetcare@live.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.

Click to submit form

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MARCH 4, 2014 at 7:00 PM IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In Attendance: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Grant McRadu, Interim CAO
Mandy Koonts, Municipal Coordinator

1. Call to Order

Mayor Broughton called the meeting to order at 7:00 p.m.

2. Approval of Agenda

Moved: Councillor Ronsley
Seconded: Councillor Ando

Three items were added to the agenda:

- 8C(iii): Historical Society Kiosk
- 7A: Community Centre Renewal Resolution
- 7B: Public Service Announcement

One amendment was made to the agenda:

- 10B: amended to read "first reading only"

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the Regular Council Meeting of March 4, 2014, as amended.

CARRIED

3. Public Participation

Mayor Broughton read the guidelines for public participation.

Mr. Mark Hirst:

Mr. Hirst expressed concern with proposed changes to the filming policy and associated bylaw stating that only a handful of residents are in favour of filming in the Village. Mr. Hirst stated great effort went into establishing the bylaw to ensure a peace and tranquility for residents; the Bylaw is fair and the process is inclusive of all residents. The 100% approval rating guarantees only affected persons have a say. Mr. Hirst requested to be kept apprised of any proposed changes or decisions with respect to the policy and/or the bylaw.

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Mr. Kambiz Azordegan:

Mr. Azordegan expressed the opinion that the Filming Committee is wasting its time reviewing the filming policy and bylaw stating the work was already done and residents don't want any changes to the policy and bylaw currently in place. Mr. Azordegan questioned if Staff and Council are pushing these policy changes as a favour to provincial government. Mr. Azordegan requested copies of minutes identifying Council's support of the decision to review the filming policy.

Mr. Alan Henshaw:

Mr. Henshaw requested clarification from Council on whether Lions Bay Fire Rescue has resources and contingency plans in place to deal with a fire similar to the one at Strachan Point in February; particularly in light of the challenges faced by LBFR in fighting that fire. Mayor Broughton advised the 2014 provisional budget includes a capital project proposal to bring additional water tanks online.

Ms. Farrah Azordegan:

Ms. Azordegan expressed concern at the recent canvass by film personnel and the inconvenience posed by their repeated attendance at her residence. She feels these types of canvasses without prior notice are inappropriate and awkward for residents. Ms. Azordegan further iterated that filming would impact her neighbourhood and lifestyle in a negative way and sought clarification on when and why the decision has been made to review the filming policy and bylaw again.

4. Delegations

A. Jon Wescott – Offer of Kayak Lessons & Centennial Trail Run/Training
Councillor Bain recused himself 7:18 p.m. due to potential Conflict of Interest.

Mr. Wescott was not in attendance; Mayor Broughton spoke to this request in his absence. Mr. Wescott is requesting permission to utilize beach access and one of the picnic tables at Lions Bay Beach Park to offer free kayak lessons to Village residents. Mayor Broughton also discussed Mr. Westcott's offer to facilitate training and a run on the Centennial Trail and suggested this event could be held in conjunction with National Fitness Day on June 1st. Interim CAO McRadu advised additional research needs to occur to establish liability concerns and insurance needs for the proposed events. Councillor Ronsley suggested including other residents with relevant knowledge to assist in facilitating these events.

Task:	Staff to contact Mr. Westcott to further discuss liability and insurance issues as well as logistics with respect to the proposed events.
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Councillor Bain rejoined the meeting at 7:23 p.m.

5. Adoption of Minutes

A. Minutes of the Regular Council Meeting of February 18, 2014

Moved: Councillor Ando

Seconded: Councillor McLaughlin

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BE IT RESOLVED THAT the Village of Lions Bay Council approves the Minutes of the Regular Council Meeting of February 18, 2014, as submitted.

CARRIED

6. Business Arising from the Minutes

A. Snow Removal on Private Property Update

Mayor Broughton recused herself of this matter at 7:24 p.m. due to the fact she is part owner of the Lions Bay General Store and Café as well as the property footprint where they are located.

Moved: Councillor Bain

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the Snow Removal on Private Property Update, for information.

CARRIED

Mayor Broughton rejoined the meeting at 7:26 p.m.

7. Unfinished Business

A. Community Centre Renewal - Resolution

A recommendation from the Committee of the Whole Meeting was brought forward with respect to the Community Centre Renewal project.

Moved: Councillor Ronsley

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT Council authorize the CAO to engage Gerry Longson and a structural engineer to develop the scope of work and tender package for the replacement of the existing roof membrane and existing cedar mansard roof for the Community Centre and Village Office;

AND TO obtain at least three competitive bids;

AND TO report back with a recommendation at the earliest opportunity.

CARRIED

B. Public Service Announcement

Mayor Broughton read out a Public Service Announcement with respect to the status of the Community Centre Renewal, a copy of which is retained with the Agenda package. The PSA will be circulated to residents via various channels and will be placed on the Village website.

8. Reports

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council receives the Reports of March 4, 2014, as submitted.

CARRIED

A. Interim CAO's Report

Interim CAO McRadu provided an overview of the highlights of his report.

Dumping of garbage continues at the fire hall site despite the fact the Smithrite container has been removed; photographs were circulated of the latest debris left at the site including used syringes. Staff continue to research potential alternatives as well as next steps to identify offenders.

Interim CAO McRadu discussed the recent conflict of interest issue involving Councillor McLaughlin and read the following statement:

"Councillor McLaughlin has received communications from members of the public to the effect that he has (or has had) an apparent conflict of interest in relation to Council's deliberations respecting the Village contract with Millennia Architecture Corporation. The Village has sought legal advice on the matter from Don Lidstone, Q.C., a senior municipal solicitor. The concern raised is based on the fact that Councillor McLaughlin's spouse, as an independent contractor, provides bookkeeping services to Millennia for approximately two hours per week. She is not an employee, does not sign invoices, has no equity or other financial interest in Millennia other than her two hours per week bookkeeping contract, the contract with the Village has not altered or would not alter her financial or other relationship with Millennia, and the contract itself would not alter her financial circumstances. The lawyer concluded that in his opinion, based on recent case law and the Community Charter:

1. *the Councillor has no pecuniary interest in the contract, and accordingly would not be subject to a process of being disqualified from office, and*
2. *there is a common law interest in the matter, which would have had the effect of discounting his vote in the event of a split vote, but none of the Council votes on the matter were split."*

Mayor Broughton requested the BC Hydro grant application attached to Interim CAO McRadu's report be circulated to the Community Garden group for information and potential application of the grant.

B. Mayor and Council

Mayor Broughton provided an overview on her report, advising the Small Communities Grant has been confirmed for the years 2014-2017 inclusive in the amount of \$298,000 annually for each year.

Mayor Broughton further discussed recent lobbying with collective partners with respect to the Howe Sound Community Forum planning process; MP John Weston, MLA Jordan Sturdy and Minister Steven Thompson support this objective.

Discussions with BC Rail regarding the right of way to the Marina are ongoing; Mayor Broughton and Interim CAO McRadu met with BC Rail today.

Councillor Ronsley advised the Invasive Species Committee continues to meet in an effort to address species within the Village and in the various areas which join us to neighbouring municipalities.

Councillor Bain advised the Hazard Risk Vulnerability Assessment process continues at a steady pace. A timeline has been established and working group is being struck in the hopes of having this process completed by the end of May.

Councillor Ando advised the Infrastructure Committee meeting currently schedule for Wednesday, March 12, 2014 will be rescheduled to a date in early April. Once determined, the new date will be posted on the website and in the community by staff.

Councillor McLaughlin advised his quarterly report for the Lions Bay Community News has been drafted and will be submitted for publication once it has been reviewed and edited by Interim CAO McRadu.

C. Committees:

i. Filming Committee:

- Update from March 3, 2014 meeting
Councillor Ronsley provided an update on the Filming Committee's meeting of March 3, 2014. The existing filming policy was reviewed and potential updates were discussed. The committee will meet again on Monday, April 28th to continue review of the filming policy and practices in the Village.

ii. Finance Committee:

- Kelvin Grove Beach Washroom, Kelvin Grove Sewer Treatment Plant, Central Beach Drainage Field Remediation, Central Beach Washroom Rejuvenation
Councillor McLaughlin provided an overview on these capital projects which have been placed in the 2014 provisional budget. Some of the projects include funds carried over from the 2013 budget. Councillor Ando suggested the Central Beach Drainage Field Remediation project should be highest priority given that the returns on this investment will be realized in a short period of time. The public art team will assist with the washroom rejuvenation to bring a unique perspective of Village flair to the project. Interim CAO McRadu noted the budgets for this projects are tight and completion of the projects will occur as quickly as possible within those budgets.

iii. Historical Society Kiosk

A community members has offered to provide updated photography and rework the displays at the kiosk which are currently looking worn and tired. Councillor McLaughlin requested approval from Council for staff to provide volunteer access to the kiosk during the update process. Council was supportive of this initiative. Mayor Broughton requested Councillor McLaughlin to circulate a photo of the kiosk to staff and

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Council by email and to prepare a thank-you card for the resident to be sent once the work has been completed.

D. Emergency Services Reports

9. Resolutions

A. Resolution to cancel the March 18, 2014 Regular Council Meeting

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council does authorize cancellation of the March 18, 2014 Regular Council Meeting and requests staff to post notification on the Village website and in the public notice locations within the Village.

CARRIED

10. Bylaws

A. Bylaw #465 Repeal of Prior Fees & Charges - First, Second and Third Reading

Moved: Councillor Ando

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves first reading of Bylaw #465 Repeal of Prior Fees & Charges.

CARRIED

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves second reading of Bylaw #465 Repeal of Prior Fees & Charges.

CARRIED

Moved: Councillor Bain

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council approves third reading of Bylaw #465 Repeal of Prior Fees & Charges.

CARRIED

B. Animal Control & Licencing Bylaw #461 - First Reading

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council approves first reading of Bylaw #461 Animal Control & Licencing.

CARRIED

11. Correspondence

A. List of Correspondence to Friday, February 28, 2014

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Moved: Councillor Bain
 Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council receives the List of Correspondence to February 28, 2014, as submitted.

CARRIED**12. New Business****A. Strachan Point Fire Response**

Mayor Broughton will be meeting with representatives of Electoral Area A on March 5, 2014 and will advise those representatives of the Village's recent decision to no longer respond to any fire calls outside of its municipal boundaries. Mayor Broughton will further advise that formal notification of this position will follow in the form of a letter.

B. Conflict of Interest

Council thanked Interim CAO McRadu for providing this informative document. Council is committed to ensuring all procedures under the Community Charter, not only with respect to conflict of interest, were properly followed. Staff will continue to work with Council to ensure there is ongoing education and communication in this respect. Interim CAO McRadu summarized that a good rule of thumb is "if it doesn't feel right, it probably isn't."

C. Lieutenant Governor Letter: Canada's 150th Anniversary & "Sing Me A Song" Contest

Council requested details of this contest be circulated to residents via ePost given the number of musically inclined residents in the Village. Councillor Ronsley requested staff to ensure Lions Bay and Gleneagles Elementary Schools are also in receipt of the information.

D. Infrastructure Committee LB Community News Article

Councillor Ando sought Council's approval to submit the Infrastructure Committee's draft article (provided on-table) for publication in the Lions Bay Community News. There was some discussion with respect to the accuracy of some of the report's commentary as well as some of the technical information provided. Mayor Broughton requested removal of the phrase on page three with respect to deliverables and expressed concern that the report does not reflect the thousands of hours put into executing the infrastructure workplan to date.

Council expressed interest in having the Infrastructure Committee report back to Council prior to drafting and publishing any future articles to ensure accurate information is disseminated to the community.

Task:	Interim CAO McRadu will review and edit the Infrastructure Committee report and provide the edited version to Councillor Ando in time for the Lions Bay Community News publication deadline.
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Interim CAO McRadu discussed the Committee's request for an infrastructure survey to be created for residents to complete, stating the importance of the right questions being asked and pointing out the amount of staff time required to ensure a fulsome,

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robust survey is developed. Interim CAO McRadu suggested the survey be put off until April to ensure it can be properly executed to obtain as high participation result as possible.

13. Public Questions & CommentsMs. Eileen Wilke:

Ms. Wilke sought confirmation from Councillor McLaughlin with respect to the previously discussed conflict of interest. Ms. Wilke's questions were deemed to be personal in nature and Councillor McLaughlin declined to answer citing the relevant aspects of this issue were appropriately addressed under the CAO's report.

Mr. Mark Hirst

Mr. Hirst expressed agreement that adherence to Conflict of Interest guidelines is in the best interest of the community as a whole. Mr. Hirst requested Council to thoroughly reconsider any proposed amendments to the Filming Policy and Bylaw. Mr. Hirst asked for clarification on the leash requirements for dogs at Kelvin Grove beach park; staff will research this further and ensure appropriate signage in place where necessary.

Mr. Alan Henshaw

Mr. Henshaw expressed concern that the green waste pile on the Magnesia Creek intake road will be burned and suggested the green waste pile could be mulched and sold for profit. Mr. Henshaw requested an update on Burnco Mine; Mayor Broughton advised there was nothing new to report at this time. Mr. Henshaw thanked Council for supporting the updates to the Historical Society kiosk; Mr. Henshaw asked that attention also be paid to the local notice boards which are looking ratty.

14. In Camera

Moved: Councillor Ronsley

Seconded: Councillor Bain

A. Resolution:

That the Regular Meeting of March 4, 2014 does close this meeting to the public on the basis of matters to be considered under the following section 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:

- d) the security of the property of the municipality
- g) litigation or potential litigation affecting the municipality

CARRIED**15. Reporting Out****16. Adjournment**

Moved: Councillor Ronsley

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council adjourn the Regular Council Meeting of March 4, 2014 at 9:10 p.m.

CARRIED



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**SPECIAL MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON FRIDAY, MARCH 21, 2014 at 10:00 AM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Mandy Koonts, Acting CAO

1. Call to Order

Mayor Broughton called the meeting to order at 10:00 a.m.

2. Approval of Agenda

Moved: Councillor Ronsley
Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the March 21, 2014 Special Meeting of Council, as submitted.

CARRIED

3. Public Participation

None.

4. Adoption of Minutes

None at this time.

5. Business Arising from the Minutes

None.

6. Unfinished Business

None.

7. New Business

None.

8. Public Questions & Comments

None.

9. In Camera

Moved: Councillor Bain

Seconded: Councillor McLaughlin

A. Resolution:

That the Special Council Meeting of March 21, 2014, does close this meeting to the public on the basis of matters to be considered under the following section of the *Community Charter*:

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

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

Section 90 Article (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;

Section 93: In addition to its application to council meetings, this Division and section 133 [*expulsion from meetings*] also applies to meetings of the following:

- (a) council committees

CARRIED

10. Reporting Out

No items were reported out on from the In Camera session.

11. Adjournment

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the March 21, 2014 Special Meeting of Council at 11:38 a.m.

CARRIED



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**SPECIAL MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON MONDAY, MARCH 24, 2014 at 1:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Mandy Koonts, Acting CAO
Dave Butler, VoLB Building Inspector

1. Call to Order

Mayor Broughton called the meeting to order at 1:00 p.m.

2. Approval of Agenda

Moved: Councillor Ronsley
Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council accepts the Agenda of the March 24, 2014 Special Meeting of Council, as submitted.

CARRIED

3. Public Participation

None.

4. Adoption of Minutes

None at this time.

5. Business Arising from the Minutes

None.

6. Unfinished Business

None.

7. New Business

None.

8. Public Questions & Comments

None.

9. In Camera

Moved: Councillor Bain

Seconded: Councillor McLaughlin

A. Resolution:

That the Special Council Meeting of March 24, 2014, does close this meeting to the public on the basis of matters to be considered under the following section of the *Community Charter*:

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

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

Section 90 Article (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;

Section 93: In addition to its application to council meetings, this Division and section 133 [*expulsion from meetings*] also applies to meetings of the following:

- (a) council committees

CARRIED

10. Reporting Out

No items were reported out on from the In Camera session.

11. Adjournment

Moved: Councillor Ando

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the March 24, 2014 Special Meeting of Council at 1:57 p.m.

CARRIED



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REPORT

Information Report to Council

Presented: March 4th to April 1st, 2014

From: Mayor Brenda Broughton

Subject: Council Portfolio Update

Portfolio	Parties Involved	Date	Update
Grants: Community Infrastructure Improvement Fund ~ <i>Project to be completed by March 31st, 2014 for this Funding to be received</i>	Mayor Broughton, John Weston, MP	March 18 th , 20 th , 22 nd , 2014	Discussion to try to advance the discussions with WD regarding the WD CIIF Funding.
	Mayor Broughton, Naina Sloan, Director General, Operations, Western Economic Diversification – WD, and Kandice Morrison, WD	March 18 th , 2014	Discussion to try to advance the WD and received notice that in addition to the change from 27% to 50% of spending prior to March 31 st , 2014, an extension for project completion for the project scope items invoiced on or prior to March 31 st , 2014, to August 1 st , 2014.
	Mayor Broughton and Josh Hemond	March 18 th , 19 th and 20 th	To review a letter sent to Minister Rempel, Minister of State Responsible for Western Economic Diversification, to request an extension to July 31 st , 2014 for the funding and the project completion.
	Mayor Broughton and Josh Hemond, Communications Adviser to John Weston, MP	February 24 th , 2014	To provide information regarding an extension for the WED \$250,000 funding
	Mayor Broughton and John Weston, MP	February 21 st , 2014	To discuss an extension for the WED \$250,000 funding
	Mayor Broughton, Grant McRadu,	February 19 th , 2014	To discuss an extension for the WED \$250,000 funding



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

	<p>Interim CAO and Bernadette Lee, Wester Economic Development</p> <p>Mayor Broughton spoke with John Weston, MP</p> <p>Mayor Broughton and John Weston, MP</p> <p>Mayor, Council with John Weston, MP, Farouk Zaba, Chuck Partridge, 50 Lions Bay Residents, including the ESS Team Members and ESS Director, Sally Pollock and LB Fire Rescue Chief Andrew Oliver and LBFR members. Thank you to ESS for assisting in presenting and serving refreshments and for clean up as well !</p>	<p>November 20th, 2013</p> <p>May 1st, 2013</p> <p>April 4th, 2013</p>	<p>To discuss an extension for the WED \$250,000 funding to line up with the BC Community Recreation Grant.</p> <p>John Weston, MP, update re Community Centre Renewal</p> <p>John Weston, MP announced the WEDC Funding of \$250,000 to a maximum of 27% of the Community Centre Renewal budget. This required negotiations that have been committed to in the funding contract.</p> <p>A Tea was held in the Village Hall with about 50 people in attendance. This is very good news for Lions Bay. Only 1 in 7 applications were successful.</p>
<p>Small Community Recreation Grant ~ <i>Project to be completed by March 31st, 2015</i></p>	<p>Mayor Broughton and Liam Edwards, Director, Ministry Community & Sport</p> <p>Mayor Broughton, Grant McRadu, Interim CAO and Liam Edwards, Director Infrastructure Operations, Ministry Community, Sport and Cultural Development</p> <p>Joan McIntyre, MLA, Mayor, Council, Community Leaders, Volunteers and Staff.</p>	<p>March 24th, 2014</p> <p>March 12th, 2014</p> <p>March 30th, 2012</p>	<p>Discuss funding</p> <p>Confirmation of the change in the Community Centre Renovation Scope of Work under the Small Community Recreation Grant.</p> <p>Receipt of the \$440,343 Grant for the Community Centre Renovation. Lions Bay was the only community in Metro to receive the Small Community Recreation Grant Funding and only one of six communities in the Sea to Sky Provincial Riding.</p>
<p>Community Centre Renewal ~ CCR</p>	<p>Mayor Broughton, Grant McRadu, Interim CAO</p> <p>Mayor Broughton, Grant McRadu,</p>	<p>January 9th, 2014</p> <p>October 31st, 2013</p>	<p>Discuss next Steps</p> <p>Discuss possible next steps</p>



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

	Interim CAO, Gerald Longson, Construction Mgr Consultant and Russ Meiklejohn, Architect		
Land Master Planning	Rob Barrs & Associates Consultants, Lions Bay Council, Interim CAO and Municipal Coordinator.	February 26 th , 2014	Workshop #2: Invited community members, Council and Senior Staff were provided with the input to date; identification of opportunity 'sites and types'; discussion of policy, zoning and design directions and report back.
	Rob Barrs & Associates Consultants, Lions Bay Council, Interim CAO and Municipal Coordinator.	February 6 th , 2014	Workshop #1: An estimated 80 to 90 participants at Land Use Master Planning Workshop #1
	Mayor, Grant McRadu, Interim CAO, and Joaquin Karakas, Rob Barrs & Associates	January 30 th , 2014	Land Use Master Planning meeting
	Mayor, Grant McRadu, Interim CAO, Rob Barrs and Joaquin Karakas, Rob Barrs & Associates	January 7 th , 2014	Conference Call. Preliminary meeting to assist with materials that are required by the consultants.
	Mayor and Council, Rob Barrs & Associates Rob and Joaquin, and Grant McRadu, Interim CAO	December 5 th , 2013	Initial meeting. A Community Workshop is planned for February, 2014. No date has been set as yet.
	Mayor Broughton, Interim CAO Grant McRadu Mayor Broughton, Councillor Joanne Ronsley, and Secretary Treasurer Zaba	December 2 nd , 2013 October 10 th , 2013	Discussion of Brunswick Pit lands, what portion remains gravel, what portion, if any, has gone over to the Crown. Land Tour and Review
Metro Board Meeting	Board Directors	March 28 th , 2014	Board Meeting.
Translink Mayor's Council	Metro Mayor's	February 20 th , 2014 February 14 th , 2014	Further discussion of next steps with the Province of BC Minister Tod Stone met with the Mayor's Council to discuss the proposed Provincial Legislative changes to the governance of Translink
Metro Electoral Area A	Mayor Broughton and Committee Members	March 5 th , 2014	Reported that the Lions Bay Fire Rescue will not respond in the settlement areas of Electoral Area A without a Memorandum of Understanding that is agreedable to



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

			Lions Bay Fire Rescue and the Village of Lions Bay Council, thus there will be no further response into these settlement communities by Lions Bay Fire Rescue.
2014 Budget	Mayor Broughton, Councillor Ron McLaughlin, Grant McRadu, Interim CAO, Hari Suvarna, CFO, Interim Public Works Manager Will Emo and Hayley Cook, Accounting	January 30 th , 2014	Meeting to review the 2014 Budget and Five Year Plan
BC Small Community Grant	Mayor Broughton, Councillor Fred Bain, Councillor Joanne Ronsley, The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development, Deputy Minister Rebecca Denlinger and staff.	February, 2014 October 28 th , 2013	Confirmed in Province of BC Budget. Met with and were successful in confirming the continuance of the BC Small Community Grant for 2014, 2015, and 2016 in the Provincial Three Year Budget, along with a philosophical commitment for its continuance. MLA Jordan Sturdy, in a phone call on October 28 th , following the Minister's meeting confirmed his full support of this initiative. In the meeting it was confirmed at previous years levels, and we were provided with the sum of \$298,000.
Lions Bay Arts Council	Lions Bay Arts Council members	March 29 th , 2014	AGM and Reception
MLA meeting	Mayor Broughton and MLA Jordan Sturdy	February 14 th , 2014	Discussion of Sea to Sky Communities
Howe Sound Community Forum Webinar	Mayor Broughton attended; Susan Abs and Ruth Simons, Facilitators; Presenter: Kai Elmauer, BC Ministry of Forests, Lands and Natural Resources – BC FLNR, and attendees	February 21 st , 2014	Presentation, and Questions regarding the use of the 'Cumulative Effects Assessment Framework – CEA', a Provincial tool, for use in land and marine planning for Howe Sound, as the Howe Sound Community Forum moves forward. The Ministry of FLNR is now at the table.
BC Rail	Mayor Broughton, Grant McRadu, Interim CAO, Michael Braun, BC Rail and Gordon Westlake, BC Rail	March 4 th , 2014	Discussion further to a 2002 negotiation between BC Rail and the Village of Lions Bay.

Village of Lions Bay

REPORT Information Report to Council

Presented: April 1, 2014

From: Councillor Joanne Ronsley

Portfolio	Parties Involved	Date	Update
Welcome Package	Office Staff	March Feb 2014	No new residents recorded One new resident (KG) Work to resume Jan 2014 with newly appointed Office Staff . No new residents recorded since Nov 2013.
SSISC (Sea to Sky Invasive Species Council Board	SSISC Board, Advisors SSISC Board & Advisors	April 2 Feb 17 10 AM	Invasive Species Forum & Annual General Meeting ; Whistler Public Library 2-5 PM Report to be submitted following the meeting. I attended the Board & Advisors telephone Conference call Meeting. Discussions included increased demands from municipalities for on site assistance to remove invasives and more educational activities. Both are strains on the SSISC budget. Need for IPADS for field work. GPS is a better choice to consider as they consume less energy and function longer during field activities. Funding opportunities and Grant possibilities discussed. April AGM will take place in Whistler. Chair Paul Beswetherick & Executive Director Claire O'Brien will poll Board & Advisors to choose the date and venue.
Library	Chair Annmarie Gates, Library Volunteers	Feb-March 2014	Awaiting the new roof installation . Article ,Lions Bay Community News Spring edition keeping residents in touch that and that the Library will reopen. Volunteers regularly check to ensure safety of books. CAO McRadu continuing to oversee roof tarp security against winter storms & rain.
Community Garden	Tina Schneider	April Oct	\$25 fee for garden plot now due for 2014 gardening. Spring clean-up and plans begun for this year's crops. Mostly closed down for the winter. A new compost container, yet to be installed, has been purchased for weed composting. Some garden structures and crops tampered with during the season likely to be the activities of unattended children.
LMTAC Board Meeting	Follow –up Board Meeting	April 2 10-12 AM May 1, 2012	Decisions: LMTAC dissolved. All records & files to be transferred to the GVRD (Metro Vancouver), Financial assets to be returned to the three funding partners: GVRD, SCRd, & SLRD on the same pro rata basis used to requisition funds. LMTAC to send letter of endorsement to UBCM & The Province of BC requesting it consider the establishment of a Sunshine Coast-Howe Sound Treaty Advisory Committee to recognize the respective local governments with respect to treaty negotiations & aboriginal relations affairs. To be voted on May 12

Portfolio	Parties Involved	Date	Update
			LMLGA Conference , Whistler: UBCM Resolution that the government of BC establish a Sunshine Coast-Howe Sound Treaty Advisory Committee which recognizes the respective local governments and respect treaty negotiations & aboriginal relations affairs. Resolution Carried
TransLink	<p>Mayor's Council Sub-Committee</p> <p>BC Govt elected officials MLAs, Municipal Mayors and Councillors, Administrators, Business, Academics, business executives and others</p>	<p>March 6</p> <p>Oct 31</p>	<p>Investment Planning presented by all Metro Municipalities which were grouped into 6 regions. North Shore included Bowen Island, Lions Bay, City & District of North Vancouver & West Vancouver. Need for a different approach: focusing on a more efficient investment approach than other municipalities: Translink not meeting transportation efficiency and safety planning. Communities focusing on walking and cycling. Transit has disappointed & not delivered. Need to focus on buses, not vehicles. Need for another Sea Bus from the North Shore. When ridership is measured, Translink inadequacies can be the cause of pushback.</p> <p>Conference: Moving the Future : Vancouver Convention Centre; Presentations included international Urban success examples (Bogota Columbia, New York City, Korea, etc where alternative modes of transportation significantly decreased use of motor vehicles: spill off: diminished diseases & medical costs, improved air quality, reduced family debts, etc. Translink's activities called into question: focus on design of bus stops , lack of planning for long range demographics & unified regional approach. Federal Government must take the lead & legislate partnership and more.</p>
Staff Council Liaison		Feb-March	On going Informal meetings with all Office Staff and some members of Works Dept.
Waste Collection	<p>Mayor Broughton, Councillor Ronsley, Bear Smart Chair Norma Rodgers,</p> <p>Acctg Clerk Hayley Cook,</p>	<p>Feb 2014</p> <p>Dec-Jan</p>	<p>Following continued misuse and many warnings to the LB Community, and with Fire Chief Oliver consultation, and LB Office Staff, Council voted to remove the dumpster beside the Fire Hall. Community to receive suggestions for garbage storage & "good neighbour" support.</p> <p>We will meet to determine best options for LB 's new 3 year Garbage/Waste Contract (2014-2017).</p> <p>Dumpster required extra emptying. Holidays caused additional garbage removal by Smithrite. Kudos to Office Staff for effective, prompt action taken. Reminder to be sent to residents on the purpose of the Dumpster and suggestions to avoid inappropriate usage in future.</p>
Parking		Various times and dates	Regular visits to KG, LB Ave. BB, etc. to monitor parking.
Bear Smart	<p>North Shore Black Bear Network NSBBN</p> <p>Bear Smart Committee</p> <p>Norma Rodgers</p> <p>North Shore Councillors, Office Staff & Reps: RCMP, BC</p>	<p>March 19</p> <p>Jan & Feb</p> <p>Jan 2014</p> <p>Nov 20</p>	<p>Discussion focus, effectiveness of new bear laws in municipalities and their effectiveness. Community strategic plans discussed.</p> <p>Next meeting April 16</p> <p>Meetings postponed</p> <p>Jan. Lions Bay Bear Smart meeting postponed.</p> <p>Meeting reviewed NSBBN Strategic Plan as accepted May 20, 2009. Report to be submitted. Next meeting Jan.15</p> <p>Discussions: Updates on BS Administration, BS Education Program, Village website and outreach for new members. Minutes to be submitted.</p>

Portfolio	Parties Involved	Date	Update
Native Garden	<p>Louis Peterson, Acting CEO Mandy Koonts</p> <p>Mary Comber-Miles CAO Grant McRadu, Building Inspector Dave Butler, Rob Simons</p> <p>CAO McRadu, Building Inspector Butler, Rob Simons</p>	<p>March-April</p> <p>Feb 2014</p> <p>Jan 2014</p>	<p>Assisted with information required for Grant Application, deadline April 7.</p> <p>Plans and site within the Native Garden approved for construction of shed, designed by Rob Simons who will oversee the construction. Work to take about 2 days. Materials already set aside. Construction is imminent.</p> <p>Plans for installation of an on-site shed to store garden tools.</p>
Suites By-Law Review	<p>CEO McRadu:</p> <p>Select Committee: Building Inspector Dave Butler, Accounting Clerk Hayley Cook, Carole Bajus, , Annmarie Gates, Philip Marsh, Colin Watson</p>	<p>March 11</p> <p>Feb 24 2014</p> <p>Dec-Jan</p> <p>Dec 3</p> <p>Oct 21</p> <p>Sept 11</p> <p>June 28</p> <p>May 25</p>	<p>Final Committee Meeting. Committee unanimously approved recommendations to Council, to be presented April 15.</p> <p>Final Public Meeting Feb 24 5-6:30 PM (<i>postponed</i>) Council Chambers with submission to Council expected March 4</p> <p>Committee continuing to research options possible.</p> <p>Committee Members will present Resolution on recommendations to Council</p> <p>Final Committee meeting. General review. Presentation to Council, COTW Meeting Nov. 16</p> <p>Minutes on Table</p> <p>Discussions focused on Council's need to evenly enforce existing by-law, use of enforcement rules, updating fee schedule,</p> <p>2.1 ,Section 2 :Interpretation of Cooking Facilities- needed wording changes. Minutes to be submitted</p> <p>Analysis & discussion continued. Minutes submitted. We agreed to meet next following a summer break.</p>

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OTHER ACTIVITIES:

Lions Bay Community News Spring Edition: Article "One Observer's Observations of Lions Bay, Present & Future"

March 5 Glen Eagles: Bldg. Inspector Dave Butler and I met West Vancouver By-Law Officers Sarah Almas, Sheryl LeBlanc & Janine Knowles to discuss W.Van's suite By-Law & Policies . Candid, very helpful information. Terrific support for LB from our neighbour Municipality!

March 11 Kay Meek: I attended the reception to welcome new Executive Director Jeanne LeSage. Plans are in place for a visit to Lions Bay.

March 13 Childcare Meeting Lions Bay School Councillors Bain, McLaughlin and I attended a meeting at LB School with Scott Wallace, Principal, Amber Pascal Head Teacher, Northshore Neighbourhood House Directors Lisa & Trudy, PAC Pres. Kim Thompson, LB Playschool moms Jeannie Cipolla, Jurgen Franke & Meighan Jury. Their mandate is to hire an administrator for District 5 in a cost recovery Program, for Sept 2014 . Suggested presenting scope to Council with their business plan.

March 25 LB ESS Meeting Reviewed what to do if we get a call out. Grab & Go Bags discussed and updated. Reviewed and practised radio usage procedures. A very helpful meeting for all.

March 29 Lions Bay Arts Council AGM and Reception

Feb 13 Attended InfraStructure Volunteer Public Committee Meeting. Discussion: Capital Projects being considered.

Feb 25 ESS 7-9 PM Klatt Building: Regular Monthly Meeting. Reviewed call out procedures & form filling out as required for emergency activities during the first 72 hours of support.

rrses, emergency management, and required forms to filling out as required for

Feb 26 Workshop # 2 Public Meeting: Council, invited Community Members, Interested Residents, Senior Staff, brought up to date. Land use for Develop & Design identified, with policy, zoning & design considerations.

Next step: results from meetings to be referred back to Council.

March 3 2014 7-9 PM Council Chambers **Filming Policy Review Select Public Committee Meeting:** Council Approved March 19, 2013: See Terms of Reference & Agenda

Jan 30 Infrastructure Committee Meeting: Council Chambers

Feb 6 Workshop # 1 Land Master Planning Public Meeting : Lions Bay School: Rob Barrs & Associates Kick-Off Meeting

Feb. 13 Infrastructure Committee Meeting : Council Chambers

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To: Mayor and Council
CC: Mandy Koonts
From: Tony Cox
Sent: March 23rd 2014
Subject: Tree Application #45 for Potgieter,McCullough,Grant

Application approved.

The Tree Committee met this morning comprised of Tony Clayton, Ron McLaughlin, Harold Gienger and Tony Cox.

The trees in question growing on the bank on the west side of the road towards the school can be removed. The applicants have presumably checked out that these trees are on Village property. If any trees are removed on School property arrangements have to be made through the School Board.

All debris from this work must be cleaned up as usual upon completion of the project.

Tony Cox

Chair. Tree Committee

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Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Insp. Neil CROSS
OIC Sea to Sky Regional Police Services
1000 Finch Drive
Squamish Bc
V8B 0M5

Your File Votre référence

n/a

Administrator - Village of Lions Bay
400 Centre Road
Lions Bay BC
V0N 2E0

Our File Notre référence

n/a

2014-03-03

To whom it may concern,

Lions Bay Activity Report - February 2014

The following is a list describing individual calls for service from the RCMP in and around the area of Lions Bay.

HWY 99 (within limits of Lions Bay)

Traffic - Moving x 6
Traffic - Non-Moving x 3
Collision - Damage Over \$1000 x 4
Mischief - Under \$5000 x 2
Drive Over 80MG x 1
Suspicious Pers/Veh/Occurrence x 2
Animal Calls x 1

19 calls for service

LIONS BAY VILLAGE

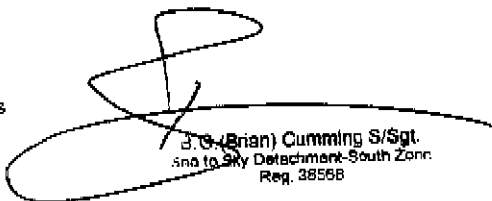
False Alarms x 4
Theft - Under \$5000 x 1
Break & Enter (Residence) x 1
Fraud (Identity) x 1
911 - False/Abandoned x 1
Lost Property x 1
Mental Health Act x 1
Harrasment x 1

11 calls for service

Total = 30

Should you have any questions, please do not hesitate to contact the Squamish RCMP Detachment at (604)892-6100.

N.M. (Neil) Cross, Inspector
OIC Sea to Sky Regional Police Services
Royal Canadian Mounted Police
1000 Finch Drive Squamish B.C.
PH 604 932-3044


B. C. (Brian) Cumming S/Sgt.
Sea to Sky Detachment-South Zone
Reg. 38568

/kh



Royal Gendarmerie
Canadian royale
Mounted du
Police Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Insp. Neil Cross
OIC Sea to Sky Regional Police Services
1000 Finch Drive
Squamish BC V8B 0M5

Your File Votre référence

N/A

Administrator - Village of Lions Bay
400 Centre Road
Lions Bay BC
V0N 2E0

Our File Notre référence

2014-03-03

To Whom it May Concern:

LIONS BAY FALSE ALARM REPORT - February 2014

The following is a list of calls for service from the RCMP in response to alarms.

DATE	FILE #	ADDRESS	POLICE ATTENDANCE	HISTORY 2012/13/14
2014.02.03	14-626	37 Brunswick Beach Rd	No - Canceled Enroute	0
2014.02.08	14-729	125 Lions Bay Ave	No - Canceled by PR	0
2014.02.17	14-913	140 Lions Bay Ave	Yes - Confirmed False	0

**2014.02.22 - Members attended for a report of an audible alarm from LB resident however, the exact location of the alarm could not be determined as it stopped prior to police arrival. No calls from any alarm companies.

TOTAL = 4

Should you have any questions, please do not hesitate to contact the Squamish Detachment at (604)892-6100.

Regards

N.M. (Neil) Cross, Inspector
OIC Sea to Sky Regional Det.
Royal Canadian Mounted Police
1000 Finch Drive Squamish B.C.
Cell: 604-902-2925

B.C. (Brian) Cumming S/5gt.
Sea to Sky Detachment-South Zone
Reg. 38568

/:kh

LBFD Monthly Report – February 28th 2014

February 1st – February 28th call Outs = 8

Breakdown of call outs:

4 x MVA – rescue required, 1 x Alarms, 1 x MESA C, 2 x Public Assistance

<u>Incident Begin Time</u>	<u>Street Name</u>	<u>Incident Type</u>
02/27/2014 12:07:16	CLOUDVIEW	ASSIST CALL
02/25/2014 01:54:12	CENTRE	MESA-C
02/24/2014 17:00:09	HWY 99	MVA - RESCUE REQUIRED
02/24/2014 10:16:02	HWY 99	PUBLIC ASSISTANCE
02/23/2014 07:36:50	HWY 99	MVA - RESCUE REQUIRED
02/22/2014 23:17:52	LIONS BAY	ALARMS - SF RESIDENTIAL
02/19/2014 17:49:41	HWY 99	MVA - RESCUE REQUIRED
02/18/2014 10:08:00	HWY 99	MVA - RESCUE REQUIRED

Fundraising:

- Ongoing discussions with Whistler / Blackcomb regarding a grant

Miscellaneous:

- The department is now 25 strong
- LBFR conducted a Hall Tour for Lions Bay School Pre-School children

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Sewer User Rates Amendment 2014 Bylaw

Bylaw No. 469, 2014

Repealed: Schedule "A" of Bylaw 122, 1984

Adopted: _____

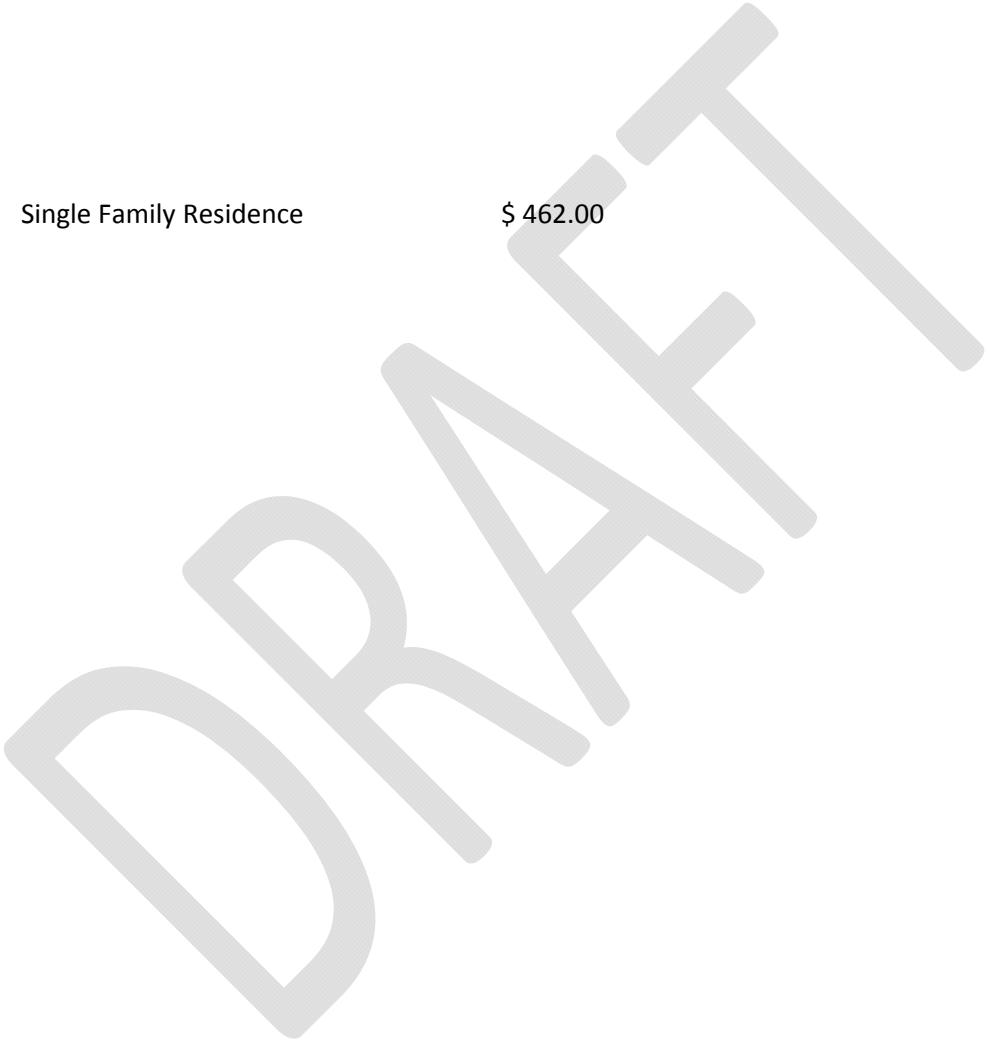
PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

SCHEDULE "A"

**Attached to and forming
part of Bylaw No. 469, 2014**

SEWER USER RATES

- 1. Single Family Residence \$ 462.00



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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Sewer Parcel Tax Amendment 2014

Bylaw No. 470

Adopted _____

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

Bylaw No. 470, 2014

Sewer Parcel Tax Amendment Bylaw

A bylaw to provide for the amendment of Bylaws No. 108, Sewer Parcel Tax.

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

Citation

1. This by-law may be cited for all purposes as "Sewer Parcel Tax Bylaw No. 108, 1982, Amendment Bylaw No. 470, 2014".

Amendments

2. Section 3 of Bylaw No. 108, as amended, is hereby deleted and the following substituted therefore:

The annual tax shall be in the amount of \$231.00 per parcel.

READ A FIRST TIME on _____

READ A SECOND TIME on _____

READ A THIRD TIME on _____

ADOPTED by the Council on _____

Mayor

Corporate Officer

**Certified a true copy of
Bylaw 470, 2014 as adopted**

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Water Parcel Tax Amendment 2014

Bylaw No. 471

Adopted _____

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

Bylaw No. 471, 2014

Water Parcel Tax Amendment Bylaw

A bylaw to provide for the amendment of the Village of Lions Bay Water Parcel Tax Bylaw No. 130, 1985.

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

Citation

1. This by-law may be cited for all purposes as "Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 471, 2014".

Amendments

2. Section 3 of Bylaw No. 130, as amended, is hereby deleted and the following substituted therefore:

The annual tax shall be in the amount of \$418.00 per parcel.

READ A FIRST TIME on _____

READ A SECOND TIME on _____

READ A THIRD TIME on _____

ADOPTED by the Council on _____

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 471, 2014 as adopted**

Corporate Officer

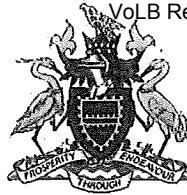
VILLAGE OF LIONS BAY

Incoming Correspondence - April 1, 2014

- 1 G - 140224 City of Pitt Meadows re Provincial Emergency Notification Systems.pdf
- 2 G - 140226 BC Transplant .pdf
- 3 G - 140304 City of Burnaby Community Impacts of Eliminating Home Mail Delivery Service.pdf
- 4 G - 140307 MetroVancouver re Metro Van 2040.pdf
- 5 G - 140307 MetroVancouver re Waste Flow Mgmt.pdf
- 6 G - 140311 MetroVancouver re Regional Growth Strategy.pdf
- 7 G - 140312 District West Van re Canada Post Eliminate Home Mail Delivery .pdf
- 8 G - 140314 LMLGA Conference.pdf
- 9 G - 140314 Minister CSCD re new guidelines on community amenity contributions.pdf
- 10 G - 140321 Package on Human Trafficking.pdf
- 11 G - 140325 email from B Waldman re 2014 Granfondo.pdf
- 12 G - 140327 Rural Continuum Of Care Conference May 30-31.pdf

- 1 R - 140227 email from resident re dumping garbage at 350 Centre Rd.pdf
- 2 R - 140303 email from resident re Filming Policy (1).pdf
- 3 R - 140303 email from resident re Filming Policy.pdf
- 4 R - 140303 email from resident re Filming.pdf
- 5 R - 140303 email from resident re Objection to filming .pdf
- 6 R - 140304 email from resident re Conflict of interest.pdf
- 7 R - 140317 email from resident re dog licenses.pdf
- 8 R - 140318 email from resident re Conflicts of Interest.pdf
- 9 R - 140320 resident response Re Controlled Burn - March 24 to March 28.msg
- 10 R - 140321 resident concerns on OCP committment to GHG reduction.pdf
- 11 R - 140324 emial from resident re Conflict of Interest.pdf
- 12 R - 140325 email from resident re concerns.pdf
- 13 R - 140325 email from resident re Controlled Burn.pdf
- 14 R - 140326 email from resident re Controlled Burn .pdf

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City of Pitt Meadows

OFFICE OF THE MAYOR

RECEIVED
FEB 27 2014

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

February 24, 2014

President and Board of Directors
Union of BC Municipalities
525 Government Street
Victoria, BC V8V 0A8

Re: Provincial Emergency Notification Systems

This is to advise that at its Regular Council Meeting held on Tuesday, February 18, 2014 Council received communication from the City of Parksville requesting the Province consider updating or replacing the Provincial Emergency Notification Systems.

On behalf of Council of the City of Pitt Meadows, we wish to support the City of Parksville in their efforts to lobby the Province for enhancements to the emergency notification system which is critical for the safety of residents living in coastal communities in British Columbia.

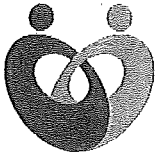
Yours truly,

Debbie Walters

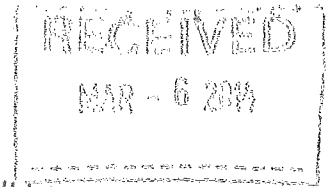
Deb Walters
Mayor

cc: Honourable Suzanne Anton, Justice and Attorney General
UBCM Member Municipalities
Emergency Management British Columbia

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**BC
TRANSPLANT**
An agency of the Provincial Health Services Authority



VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

26 February, 2014

Dear Mayor,

April is National Organ and Tissue Donor Awareness month, and as part of BC Transplant's campaign for 2014 we are writing to ask you to consider hosting our "Register to be a donor" banner on your website for the month of April.

BC Transplant has a mandate to increase organ donation and to reduce wait times for patients in need of a life -saving transplant. We are working hard to support organ donation at the hospital level, but we know that ongoing success requires a comprehensive approach involving education and awareness. Despite a record year for transplants in BC in 2013, nearly 500 British Columbians are currently on the wait list for a transplant.

More than 85 percent of British Columbians support organ donation, yet only 19 percent have registered their decision. Organ donation is not something people talk about or like to think of until they, or someone they know, need a transplant. We'd like to change that and we need your help. Hosting the registration banner on your website will make it easy for your citizens to register their decision and give hope to those who are waiting.

Attached to this letter is a document with a copy of the banner and additional information you may require when considering this request. Feel free to contact Maureen Mooney for additional information or to discuss other ways to promote awareness for organ donation.

Thank you very much for your consideration.

Sincerely,

Greg Grant
Provincial Executive Director

Encl

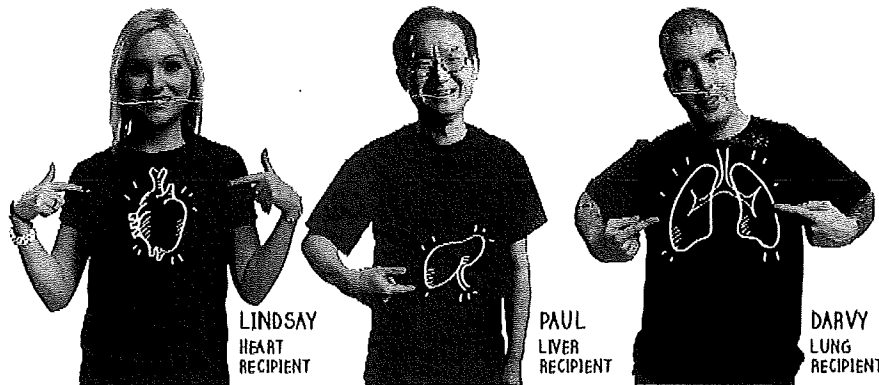


April is National Organ and Tissue Donor Awareness Month



Join BC Transplant in raising awareness and encourage all British Columbians to register their decision. Host the 'Are You Registered' banner during the month of April on your website.

Website Banner:

ARE YOU REGISTERED?



Register Now.
Verify your Registration.
Request a mini-Campaign Kit

Join our community online:  

Banner links to:

Register Now - <https://transplant.bc.ca/OnlineReg/bcts.asp>

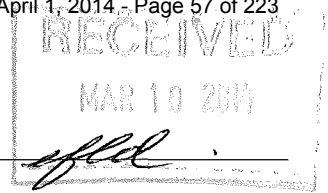
Verify your Registration - https://www.transplant.bc.ca/odr_search.asp

of British Columbians who've registered their decision – 892,903

of residents from your community - we can provide that information when organizing the banner on your website

For more information and to request a jpeg of the banner please contact:

Maureen Mooney
Project Manager
1 800 663 6189
604 877 2137
mmooney@bcts.hnet.bc.ca



CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

2014 March 04

File: 03300-02

Mayor Broughton and Council
Village of Lions Bay
PO Box 141, 400 Centre Road
Lions Bay, BC V0N 2E0

Dear Mayor and Council:

Subject: Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation
(Item No. 01, Manager's Reports, Council 2014 February 17)

Burnaby City Council, at the Open Council meeting held on 2014 February 17, received a report from the Director of Planning and Building regarding the Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation and adopted the following recommendations contained therein, AS AMENDED:

1. THAT Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:
 - a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;
 - b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
 - c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
 - d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government

Subject: Proposal to Eliminate Home Mail Delivery Service
2014 February 19.....Page 2

obligations related to the statutory notification of property owners and citizens;

- e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.
2. THAT Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report, and to the Federation of Canadian Municipalities (FCM).
 3. THAT a copy of this report be sent to:
 - Burnaby MLA's and MP's;
 - The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
 - BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
 - All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
 - Federation of Canadian Municipalities;
 - Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).
 4. THAT this report be forwarded to the Social Issues Committee, Traffic Safety Committee, Environment Committee and the Mayor's Task Force on Graffiti, Voices of Burnaby Seniors and the Seniors Centres in Burnaby for information.

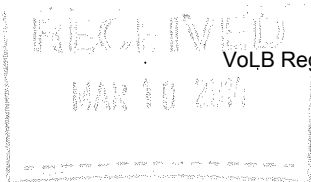
In accordance with the recommendation no. 3, a copy of the report is *enclosed* for your information.

Very truly yours,



Derek R. Corrigan

MAYOR



Meeting 2014 February 17
COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2014 February 11
FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 2125 20
Reference: UBCM
SUBJECT: COMMUNITY IMPACTS OF THE PROPOSAL TO ELIMINATE HOME MAIL DELIVERY SERVICE BY THE CANADA POST CORPORATION
PURPOSE: To outline the City's opposition to the proposal to eliminate Home Mail Delivery Service by the Federal Government and the Canada Post Corporation.

RECOMMENDATIONS:

1. **THAT** Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:
 - a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;
 - b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
 - c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
 - d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;
 - e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.

2. **THAT** Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

To: City Manager
From: Director Planning and Building
Re: Community Impacts of the Proposal to Eliminate Home Mail
Delivery Service by the Canada Post Corporation
2014 February 11.....Page 2

3. THAT a copy of this report be sent to:

- Burnaby MLA's and MP's;
- The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
- BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
- All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
- Federation of Canadian Municipalities;
- Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).

4. THAT this report be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

REPORT

1.0 INTRODUCTION

At its meeting on 2014 January 27 under 'New Business', Council requested staff to prepare a report outlining the issues and implications of the recently announced Canada Post service changes. Canada Post has developed a proposal that would eliminate the existing home mail delivery service for urban centers, which would cause significant impacts and issues for Canadian communities and citizens.

In response to Council's request, this report outlines the context and implications of the decision by the Federal Government to proceed with the plan advocated by the Canada Post Corporation. Specifically, this report details issues identified related to the lack of the required public process and consultation; security of private information and property; service for seniors and persons with mobility restrictions; statutory obligations related to legislated government notification to citizens and property owners; and the appropriateness and impact of existing Canada Post powers related to the use of municipally-owned property.

In light of the significant and direct impacts the proposal presents, this report highlights specific concerns for the City and its residents, including the safety of our most vulnerable citizens. In response, this report calls for the immediate review of the proposal to cancel home delivery in

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Re: Community Impacts of the Proposal to Eliminate Home Mail
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urban centres to ensure full public consultation and actions to protect the interests of all Canadians.

2.0 BACKGROUND

Canada Post is a Crown Corporation, operating under the Canada Post Corporation Act, and overseen by the Federal Minister of Transportation – the Honourable Lisa Raitt. It is governed by a Board of 11 individuals, including the Chairperson and the President and Chief Executive Officer. All directors, other than the previously mentioned two positions, are appointed by the Minister for a term of up to four years, which can be renewed.

The Chairperson and President and CEO are appointed by the Governor in Council¹ for an appropriate term. The current Chairperson of Canada Post is Mr. Marc A. Courtois and the President and CEO is Mr. Deepak Chopra.

On 2013 December 11, Canada Post announced its '5-Point Action Plan'². The plan's five main components are:

- **Community mailboxes:** Over the next five years, Canada Post will phase out home delivery to urban centers, to be replaced by community mailboxes. The plan states that this change will not affect the two thirds of residential addresses that currently receive their mail through community mailboxes, grouped or lobby mailboxes (i.e. high density residential buildings such as apartment towers or seniors homes), or rural mailboxes.
- **Tiered Pricing:** Beginning 2014 March 31, pending regulatory approval, stamp purchases in booklets or coils will cost \$0.85 per stamp. Individual stamp purchases, not in booklets or coils, will cost \$1 each.
- **Postal Franchises:** Canada Post will expand its retail network and open more franchised postal outlets in stores, while retaining corporate (Canada Post owned) post offices.
- **Operational Changes:** Operations will be centralized and/or streamlined with technology (i.e. more centralized warehouses, with mail sorter equipment).
- **Labour Restructuring:** Canada Post expects to eliminate 6,000 – 8,000 jobs partially through retirement (the 'Plan' states that 15,000 employees are expected to retire in the next 5 years). Pension plan adjustments will also be considered.

On 2014 January 29, Canada Post released a statement outlining that affected postal walks in densely populated urban areas will be the last stage for implementation in the 5-year process, given the acknowledged complexity of siting large community mailboxes installations in these environments. Canada Post is expected to announce which communities will be subject to the installation of community mailboxes and cancellation of home delivery service by the end of February, 2014.

¹ The Governor in Council (GIC) appointments process is a core function of the Senior Personnel Secretariat in the Privy Council Office, on behalf of the Prime Minister and his Office.

² For a full copy of the 'Plan', please visit: https://www.canadapost.ca/cpo/mc/assets/pdf/aboutus/5_en.pdf

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The local governments of Vancouver, Victoria, Saanich, New Westminster, Medicine Hat, Montreal, Sault Ste. Marie and Ottawa and the Union of Nova Scotia Municipalities have all passed motions, directed to Canada Post through the Federation of Canadian Municipalities (FCM), and/or released statements outlining their opposition or stating their concerns with the approach and requesting more information.³

The Official Opposition – the Federal New Democratic Party (NDP), and the Federal Liberal Party have both expressed their concerns regarding the ‘5 Point Action Plan’. The Liberal Party has filed several ‘Access to Information and Privacy’ requests through the Treasury Board of Canada, for documents of communication between Transport Canada, the Privy Council office and Canada Post.

On 2014 January 28, MP Olivia Chow of the Federal NDP tabled an opposition motion in the House of Commons regarding the Canada Post service changes. According to the motion, should this implementation move forward, Canada would be the only country, among the G7 nations⁴, not to have any level of door-to-door mail delivery service within its urban centres.

On 2014 January 29, Canada Post CEO Mr. D. Chopra, through the FCM, released a statement to Canadian local governments. This statement outlined that Canada Post will investigate ‘alternative approaches’ for persons with disabilities, seniors and others who would find travelling to a community mailbox an unacceptable hardship. The release also stated that many businesses will continue to have their mail delivered directly to their premises – specifically businesses in well-established commercial centres and those receiving a large volume of mail. However, some other businesses in more isolated areas, excepting those served by rural mailboxes, may be affected. These details were also included in the nation-wide Canada Post news statement of the same date referenced above.

3.0 COMMUNITY ISSUES

This section outlines the identified major issues, concerns and impacts of the proposal by Canada Post to eliminate home delivery service, as identified by staff as part of the analysis of the ‘5 Point Action Plan’, accompanying press releases and limited background information made available by Canada Post. These identified issues and impacts will affect both Burnaby and other local governments across the country.

3.1 Lack of Consultation with the Public and Key Stakeholders

Of significant concern with regard to the Canada Post proposal has been the overall lack of consultation regarding this important postal service issue with the public and key stakeholders,

³ This list may not be complete, as additional local governments may have issued statements or passed motions since the time this report was written.

⁴ The ‘G7’ is the current ‘wealthiest countries’ by measure of national net wealth – the United States, Japan, France, Germany, Italy, U.K. and Canada.

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including local governments. From the limited available information it has been determined that the consultation completed to date has been advanced without benefit of the general public being provided with information of the specific proposals presented for implementation.

Public Consultation

Canada Post maintains that their consultation process focussed on engaging with members of the public and the business community. According to the limited information being released by Canada Post, the corporation contends that it conducted a 5-month public consultation process from April – August, 2013. This ‘consultation process’ included a 2013 April 24 news release, an online forum available for discussion through the Canada Post website, signage in post offices and franchise outlets, information on printed postal receipts, and participation of Canada Post leaders in over 40 talk and call-in shows. In addition, Canada Post maintains that it held 46 community forums with invited representatives from different sectors (e.g. business) and neighbourhoods with different types of delivery service. In the Lower Mainland, these conversations occurred in Vancouver and Coquitlam.

Generally, however, staff would conclude that the process undertaken for this consultation process does not meet the basic threshold required for either public engagement or consultation for an issue of such national importance and scope. Given the implications of the changes proposed, a wider and more sustained discussion should have included presentation of facts and issues, followed with specific options that reflected public feedback and concerns. Additionally, the general public should have been provided an opportunity to participate in the process and attend public information meetings. At a basic level, the Canada Post Corporation’s claim of wide public consultation and engagement is not well supported, as it was too broad, high-level, severely limited direct public involvement and did not disclose the true intent of the wide-spread and important changes being contemplated for immediate implementation.

Stakeholder Consultation – Local Government

Local governments, as a key stakeholder, would be most directly impacted by these proposed changes in terms of the proposal’s impact on residents, corporate services, urban form and land-use policies. Canada Post maintains that as part of its consultation process that it met directly with the Mayors and senior administrative officials of six local governments. It is noted that the information provided by Canada Post does not identify the six communities or the range of issues that were reviewed or if any of the known technical aspects related to the proposal were advanced for review. The size, location and nature of the communities has also not been disclosed by Canada Post.

Again, given the importance of the issues being advanced, the lack of engagement with Canada’s local governments, or their regional or national organizations, erodes confidence that the stakeholder review process was in any sense complete or comprehensive. As British Columbia’s third largest City, Burnaby should have had an opportunity to review the proposals being advanced and to participate in a technical review to analyze and comment on specific proposals.

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As outlined, to the City's knowledge, no urban municipality, or agency representing Canadian cities, was specifically engaged on the issues of replacing home delivery services with community mailboxes.

Given the implications of the Canada Post proposal to all urban municipalities and their citizens, staff are of the opinion that a more sustained and substantive consultation process with local governments prior to the service delivery changes being decided upon and announced would have been of benefit in identifying and determining issues and impacts of these service changes, including possible remediation approaches.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of wide public and local government review, and request the Federal Government require full and meaningful public consultation and engagement with municipalities, in order to review all options related to preserve continued home mail delivery in Canada's urban centres.

3.2 Mail Security

Another immediate and important concern with the proposal to eliminate home-delivery service is the high level of crime and vandalism experienced at existing community mailboxes. While Canada Post maintains that it locates community mailboxes in areas of natural surveillance, community mailboxes are more prone to many security concerns regardless of their location. The most serious concern is theft of mail through vandalism and breaking locks and access points to community mailboxes. The design and quality of the Canada Post community mailboxes have proven not to be secure and have left citizens' property vulnerable to theft. Additionally, mailboxes are a target of vandalism through graffiti and damage.

According to an investigative report by the Canadian Broadcasting Corporation (CBC), community mailboxes in the Lower Mainland and other urban/suburban areas are particular targets. Burnaby itself is reported to have had several dozen incidents over the past 5 years, including one act of arson, four acts of theft, and several Canada Post mailboxes being overturned and damaged. The number and severity of incidences appear to increase in communities with more community mailboxes already in place. For example, the City of Surrey is reported to have experienced almost 900 incidences over the same period, while the District of Maple Ridge and the City of Langley and District of Langley are reported to have experienced upwards of 400 incidences⁵.

The issue of crime and vandalism of the existing community mailbox program has other widespread impacts that have been demonstrated in a number of recent incidents across Canada. Canada Post does not have the capacity or infrastructure to maintain the existing community mailbox program in order to respond quickly and effectively to repair all of the mailboxes that can be damaged by organized criminal activities. In some instances several community

⁵For more information, see the CBC Investigative Report at: <http://www.cbc.ca/news/canada/british-columbia/are-canada-post-s-community-mailboxes-really-safe-1.2460515>.

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mailboxes within a city are targeted within a single crime event. The impacts to citizens include the suspension of mail delivery for several weeks to affected communities. In some cases resident's mail would be made available through a Canada Post outlet until repairs can be completed. However, these locations can be located far away from affected neighbourhoods and without the staffing available to effectively serve the public.

The proposal to increase the number of community mailboxes in urban areas will exacerbate the issue of mail theft and impact many more citizens on an ongoing basis. Of specific and serious concern is the vulnerability of community mailboxes to crimes related to identity theft through access to personal information and sensitive mail. Direct theft of cheques, currency, gifts, and parcels has also been reported and associated with community mailboxes. The impact of crime associated with the introduction of community mailboxes on local police detachments through an increase in service calls has not been analyzed or reviewed. Additionally, none of these issues have been fully addressed by Canada Post or included in any public consultation efforts related to the discussion of the proposal to cancel home mail delivery.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of study and information related to implementation of provisions for theft prevention and mail security, and request the Federal Government ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property.

3.3 Safety and Access for Seniors and Persons with Mobility Restrictions

For many senior citizens and persons with mobility restrictions, living in areas currently receiving the home delivery postal service, the proposal to restrict their mail delivery to community mailboxes will represent a significant hardship. For many such persons, it may be difficult or impossible to travel to community mailboxes particularly in inclement weather, if they do not drive, are not in an area well-served by public transit, or have few family members and/or others whom they can ask for assistance.

For some persons with disabilities, there may also be hand-dexterity considerations as keys are required to open each mail slot.⁶ Another potential issue is with the height of assigned mail slots. For some persons utilizing a wheelchair or another mobility device, or who have limited upper body movement, they may be unable to reach up significantly to access their mail slot. Finally, for many individuals isolation is also a factor and the 'human connection' of home delivery service provides a much needed and valuable opportunity for daily conversation, interaction and connection to the wider community.

It is of great concern that Canada Post did not identify these important social planning issues as part of any public consultation program for citizens which should have ensured that vulnerable citizens and their issues were adequately addressed as part of the proposed change to the home

⁶ When persons move into a neighbourhood serviced by a community mailbox, keys to an assigned slot are available for pick-up at a local postal outlet.

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delivery service. Subsequent assurances by Canada Post to further study the issue, as outlined in Section 2.0 of this report, further emphasize the lack of planning and consultation that has occurred to date regarding this important issue and does not provide any confidence that the matter would be resolved through a consultative public process.

It is therefore proposed that Council advance its opposition to the proposal and request the Federal Government ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions.

3.4 Provincial Statutory Public Notification Procedures

Of significant concern is the fact that the Canada Post proposal has been advanced without consultation and review with regard to addressing any conflicts with existing B.C. Provincial Statutory Public Notification procedures. While these processes, and any requirements of mail notification through Canada Post, remain the responsibility of the Provincial Government, there are many impacts on local governments and its citizens. These include but are not limited to the Local Government Act, Elections BC and other statutory municipal notifications.

The proposal to cancel home mail delivery has been advanced without benefit of oversight or any review related to the legal implications regarding a local municipality's responsibility to ensure public notification under the Local Government Act. These laws were originally developed under the basis of existing daily home mail delivery services. For example, notices of a Public Hearing must, as mandated by Section 892 (4)(b) of the Local Government Act, be mailed or otherwise delivered by local governments to all property owners at least 10 days before the hearing date. While Canada Post may maintain that community mailboxes would provide postal service to all residents, many issues remain of concern. Notification may not be deemed to have occurred within the statutory timeframe as property owners would only receive their mail upon collection at a community mailbox, which may not provide timely notification. However, currently home mail service has been deemed to provide legal notification to property owners upon its delivery to a private residence.

Additionally, Burnaby, other local governments and government agencies have not had the opportunity to review and comment on the potential impact of the proposal related to its internal corporate and bylaw practices concerning the legal notification of property owners and residents. This includes taxation notices, bylaw infraction notices, local elections notices and emergency response information and procedures. It is unclear at this point whether the existing notification procedures and stated periods are still adequate or need to be reviewed and updated, based on the current or future mail delivery changes being considered by Canada Post.

Canada Post has also not addressed how it will maintain mail service to hundreds of thousands of citizens that occupy legal and illegal secondary suites, located in single-family homes, duplexes and other building types, which are common in many of the country's urban centres. A high percentage of these citizens may be new immigrants and/or have low incomes. Tenants of private properties, for a variety of reasons (lack of knowledge, language barriers, etc.), may not

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have the opportunity, knowledge, or financial ability to make application and maintain their own mailing addresses and community mailboxes under the proposal by Canada Post.⁷ Although many tenants now share a common home delivery mailbox and therefore can receive and reasonably safeguard their own mail, this opportunity could be lost through the proposed system of community mailboxes. Concerns include a tenant's mail not being safeguarded, or conveniently available, as their access to mail may effectively be controlled by a property owner, who could maintain sole access to the property's designated community mailbox.

These important issues, which have not been identified or addressed by Canada Post, have many implications for all citizens and communities. The proposed discontinuance of the home mail system in urban areas may lead to the erosion of maintaining accurate mailing address lists and government databases, as tenants may not continue to report their own home mailing addresses as they would lose direct access to Canada Post mail delivery.

Elections BC in part provides voting rights on the presentation of various identifications, which includes providing a residential mailing address. Additionally, Elections BC provides mailed 'Voter Notifications' to residential addresses to provide citizens with the location of their designated polling stations. The proposal by Canada Post to cancel home mail delivery has the potential to take away the right of all citizens to be provided with their rightful enumeration and notification by mail for inclusion and participation in Federal, Provincial, and local elections and/or public referendums. The overall impact of the Canada Post proposals would not only erode the reliability of public notification and citizen enumeration, but could harm the very fabric of Canada's ability to serve and ensure that all citizens have an opportunity to fully participate with the election system, which has to date relied primarily on the home mail delivery system.

Given these important inter-related and complex issues, a full review of the position and responsibility of the senior levels of government needs to be completed and fully addressed in any proposal by Canada Post. As stated, this consultation with key stakeholders would specifically include, but not be limited to, the B.C. Minister for Community, Sport and Cultural Development who oversees the Local Government Act and the Chief Elections Officer who is responsible for Elections BC. This consultation should be undertaken with the full notification to and engagement of all citizens, B.C. municipalities and other impacted government agencies.

It is therefore proposed that Council request the Federal Government to address specific issues related to the impact of any proposed home mail delivery changes to existing Federal, Provincial, and local government responsibilities related to the statutory notification of property owners and all citizens.

⁷It is noted that the cost of the replacement of lost or stolen Community Mailbox keys is currently \$29.

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3.5 Location of Community Mailboxes on City-owned property

The proposal to cancel home delivery in favour of community mailboxes by Canada Post poses specific urban land use issues that have not been fully reviewed or addressed and reflect the lack of consultation with local governments that was outlined in Section 3.1 of this report. In dense urban communities, such as Burnaby, the location and placement of the proposed community mailboxes raises a number of important issues and implications for the City. These include increased legal liability for municipalities who would be faced with many new locations on public property for large installations of community mailboxes, which could pose safety hazards for drivers and pedestrians.

The power to impose this type of development without municipal approval or consultation is provided by the Federal Government through the Canada Post Corporation Act and the regulations made under this Act including the "Mail Receptacles Regulations"⁸. The broad sweeping power of this imposition on local governments was originally intended to serve the distribution of mail under the current system of a home mail delivery model. The use of this power to implement community mail boxes within densely populated urban places was never contemplated or advanced with any consultation with local government concerning the potential impacts.

It is unclear what process Canada Post intends to implement to locate the new community mailboxes. The dimensions of Canada Post's typical suburban community mailboxes are approximately 1668 mm (5.5 feet) long and 470 – 490 mm (1.7 feet) wide. The proposal for urban community mailboxes are expected to be much larger to accommodate more mailboxes including enough space for package delivery.

Canada Post's current criteria⁹ for the placing of community mailboxes in new sub-divisions or other suburban residential developments, states that community mailboxes should be:

- placed a minimum of nine metres from intersection corners;
- not installed at major intersections;
- placed in areas not with heavy traffic volume;
- visible to multiple houses or buildings for natural surveillance;
- installed in proximity to the addresses it serves;
- located adjacent to areas where 'pulling over' into the shoulder or street parking area is allowable 24 hours a day;
- installed near a natural 'entry point' to a neighbourhood or development; and
- installed near existing street lighting fixtures.

⁸ Specifically, "The Corporation may install, erect or relocate or cause to be installed, erected or relocated in any public place, including a public roadway, any receptacle or device to be used for the collection, delivery or storage of mail." [Canada Post Corporation Act, Mail Receptacles Regulations (SOR/83-743)]

⁹ For more information, please visit: http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

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From: Director Planning and Building
Re: Community Impacts of the Proposal to Eliminate Home Mail
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2014 February 11..... Page 11

Currently, Canada Post places its required infrastructure on the City of Burnaby lands without the approval or any consultation with city staff (for the small letter mailboxes or postal carrier mail pick-up boxes). As a result, the Engineering Department would be required to contact Canada Post should any traffic or community issues be identified by staff or citizens. Canada Post currently is not obliged by law or any corporate policies to comply with community concerns regarding the location of its postal boxes. Canada Post has also developed no criteria that would provide guidelines for the implementation of Community mailboxes in dense urban areas, such as Burnaby. These guidelines would presumably also be reflected in an updated "Mail Receptacles Regulations" which would be amended by the Government of Canada.

There is some uncertainty if the proposal could be successfully integrated into some neighbourhoods given the lack of space within the streetscape to accommodate large installations of this type in multiple locations. This will pose difficult choices in locating community mail boxes and may be intrusive and of great inconvenience for many neighbourhoods and citizens. Additionally, it is unclear whether or not the "Mail Receptacles Regulations" provides the legal right for Canada Post to place community mailboxes on any municipal, school district or provincially-owned titled properties which may be included in the definition of the law's use of the term "public place". There are a host of concerns that have been identified related to Burnaby accommodating community mailboxes on City-owned lands which include:

- the availability and suitability of locations for mailboxes to serve all neighbourhoods;
- the ability to serve rapidly expanding residential areas effectively;
- the visual impact of community mailboxes in an urban environment;
- the impact on neighbouring properties and local land uses;
- the need for selective sidewalk and road improvements;
- the need and responsibility for community consultation;
- safety or access concerns (i.e. blocks traffic 'sight lines' or does not leave sufficient sidewalk space for a wheelchair to pass);
- any legal costs or liability from arising injuries or accidents;
- ability for location to accommodate the need for resident street parking;
- traffic volumes, movement and safety around community mailbox locations;
- security and lighting;
- snow and ice removal;
- vehicle access for Canada Post delivery staff;
- vandalism, graffiti and theft; and
- the need for provisions for litter clean-up and garbage removal.

All of these concerns carry with them a new level of municipal responsibility and costs that could become a significant financial burden for Burnaby's taxpayers and other municipalities.

To: City Manager
From: Director Planning and Building
Re: Community Impacts of the Proposal to Eliminate Home Mail
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It is therefore proposed that Council, as part of its opposition to the overall program, request the Federal Government to remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program for urban centres, without the direct consultation and specific approval of any affected local government.

4.0 LMLGA AND UBCM RESOLUTION

In light of the significant, complex, unaddressed issues outlined in this report and that the proposed Canada Post service delivery changes are of considerable scope and affect both Burnaby and other local governments nation-wide, the following resolution has been prepared for Council’s consideration. It has been reviewed for submission with the concurrence of the City Solicitor, the Director Engineering, the Director Parks, Recreation and Cultural Services, and the RCMP ‘Officer in Charge’:

RESOLUTION: Suspension of Canada Post Home Delivery Service

WHEREAS local governments have a direct interest in the security and stability of Canada’s postal system, both in terms of municipal corporate operations and services available to citizens;

AND WHEREAS the service delivery changes would directly impact local governments, including in relation to land-use policy, requirements for municipal land and rights-of-ways, infrastructure for paving, lighting, and waste management, and public safety considerations (etc.);

THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM) call on the Federal Government and Canada Post, through the Federation of Canadian Municipalities and other avenues as appropriate, to suspend the Canada Post delivery changes until a sustained, substantive consultation process with local governments and the public is completed and identified issues are addressed.

It is therefore proposed that Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) in order to advance to Annual General Meeting of the Union of BC Municipalities (UBCM) Convention. Further it is proposed that Council advance a copy of this report to all members of Metro Vancouver, the LMLGA and the UBCM for their information.

5.0 CONCLUSION

This report provides, for Council’s information, a broad overview of the major identified issues and impacts of the proposed Canada Post service delivery changes and its specific implications for the City of Burnaby and other local governments. Although it is acknowledged that this review has been based on limited information released by Canada Post, there remain too many

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important issues of great concern to local governments and citizens that require immediate response. These issues include the lack of consultation with the public and local governments; mail security, safety and access for seniors and persons with limited mobility; impacts on existing federal, provincial and local government obligations related to statutory notification; and issues associated with the location of community mailboxes in urban areas including the impacts on the operations and legal liabilities for municipalities.

It is therefore proposed that Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the Federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:

- require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery in Canada's urban centres;
- ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
- ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
- address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;
- remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program in urban centres, without the direct consultation and approval of local governments.

These issues are of wide interest to all Canadians and other local governments and warrant the City to advance a resolution to garner the support of the LMLGA and UBCM.

A resolution has been prepared for Council's consideration to seek support from other affected local governments for its concerns regarding the potential impacts of the decision by the Canada Post Corporation. This is for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

It is recommended that a copy of this report be sent to: Burnaby MLA's and MP's; The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development; BC Chief Electoral Officer - Mr. Keith Archer, Elections BC; all Members of the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM); the Federation of Canadian Municipalities; and the Canadian Union of Postal Workers (CUPW) and CUPW- Pacific Region.

To: City Manager
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A copy of this report is proposed to be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

Lou Pelletier, Director
PLANNING AND BUILDING

RM/JW:sa:sla

cc:	Deputy City Managers	Fire Chief
	Director Engineering	Chief Building Inspector
	Director Finance	Chief Librarian
	Director Parks, Recreation and Cultural Services	City Solicitor
	OIC – RCMP	Deputy City Clerk

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4

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

MAR 7 2014

Board and Information Services, Corporate Services
Tel. 604.432.6250 Fax 604.451.6686

MAR - 7 2014

File: CR-12-01

Mayor Brenda Broughton and Members of Council
Village of Lions Bay
400 Centre Road
Lions Bay, BC V0N 2E0

Dear Mayor Broughton and Members of Council:

Re: Notification of a Proposed Amendment to *Metro Vancouver 2040: Shaping Our Future (Metro 2040)*, the regional growth strategy - Type 3 Amendment

In accordance with section 857.1(2) of the *Local Government Act*, and sections 6.4.2 and 6.4.5 of *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, this letter provides notification to affected local governments and other agencies of a proposed amendment to *Metro 2040*. As per these sections, the Greater Vancouver Regional District (GVRD) Board is to provide a minimum of 30 days to all affected local governments and relevant agencies to comment on proposed amendments.

The proposed amendment initiated by the GVRD Board on February 28, 2014 is a Type 3 amendment to *Metro 2040* to incorporate land use designation changes, Urban Containment Boundary adjustments, and the addition of Frequent Transit Development Areas and Local Centres stemming from Board accepted Regional Context Statements. This is a minor housekeeping amendment to bring *Metro 2040* into alignment with Board decisions on Regional Context Statements. Please refer to the attached report for details on the proposed amendment.

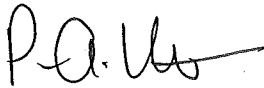
You are invited to provide written comments on this proposed amendment to *Metro 2040*. **Please provide your comments in the form of a Council or Board resolution, as applicable, and submit to me by email at paulette.vetleson@metrovancover.org by Friday, April 11, 2014.**

Following the 30 day comment period, the GVRD Board will consider the comments received on the proposed amendment, and third reading and final adoption of an amendment bylaw. A Type 3 minor amendment to *Metro 2040* requires an affirmative simple majority (50 percent plus 1) weighted vote of the GVRD Board at each reading of the bylaw; no regional public hearing is required. For more information on regional growth strategy amendment procedures see *Metro 2040* Sections 6.3 and 6.4.

If you have any questions with respect to the proposed amendment, please contact Terry Hoff, Senior Regional Planner by telephone at 604-436-6703 or email at terry.hoff@metrovancover.org.

More information and a copy of *Metro 2040* can be found on the Metro Vancouver website at: <http://www.metrovancover.org/planning/development/strategy/Pages/default.aspx>

Sincerely,



Paulette A. Vetleson
Director, Board and Information Services/Corporate Officer

PV/EC/HM/ms

Encl: Report dated January 7, 2014 titled "Regional Growth Strategy Amendment to Reflect Accepted Regional Context Statements"

8667019


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To: Regional Planning and Agriculture Committee

From: Terry Hoff, Senior Regional Planner
Planning, Policy and Environment Department

Date: January 7, 2014 Meeting Date: February 7, 2014

Subject: **Regional Growth Strategy Amendment to Reflect Accepted Regional Context Statements**

RECOMMENDATION

That the GVRD Board:

- a) Initiate the process for a Type 3 amendment to the Regional Growth Strategy to incorporate land use designation changes, Urban Containment Boundary adjustments, and the addition of Frequent Transit Development Areas and Local Centres stemming from Board accepted Regional Context Statements;
 - b) Direct staff to provide written notice of the proposed Type 3 amendment to all affected local governments and appropriate agencies; and
 - c) Give first and second readings to "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1201, 2014."
-

PURPOSE

The purpose of this report is to provide the opportunity for the Board to initiate a Regional Growth Strategy Type 3 (housekeeping) amendment, to incorporate changes to RGS maps stemming from Regional Context Statements accepted by the Metro Vancouver Board.

BACKGROUND

RGS Section 6.2.6 allows the Board to accept Regional Context Statements which include regional land use designation revisions that the Board deems generally consistent with the RGS Land Use Designation Map 2. RGS Section 6.3.4 i) provides that these revisions can be incorporated into the Regional Growth Strategy through a RGS Type 3 amendment. Proposed is a 'housekeeping' RGS amendment to incorporate 16 changes to RGS maps stemming from Regional Context Statements accepted by the Board.

DISCUSSION

Since adoption of *Metro Vancouver 2040: Shaping our Future*, the region's Regional Growth Strategy, on July 29, 2011, the Board has accepted eleven municipal Regional Context Statements. Of those, five Regional Context Statements included revisions to the RGS Land Use Designation boundaries that the Board deemed 'generally consistent' with the RGS Regional Land Use Designation Map 2. There have been two accepted Regional Context Statements that identified RGS Frequent Transit Development Areas (FTDAs), two that identified new Local Centres, and one Urban Containment Boundary adjustment with no land use designation change. Metro Vancouver staff provided specific analysis for all of these proposed changes as part of the respective Regional Context Statement reports. In all cases, the Metro Vancouver Board determined that the proposed changes were generally consistent with the RGS.

Proposed is a Type 3 RGS 'housekeeping' amendment to incorporate accepted Regional Context Statements amendments into the Regional Growth Strategy. Adoption of a RGS Type 3 amendment requires an affirmative 50%+1 weighted vote of the Metro Vancouver Board, and does not require a public hearing.

The proposed RGS amendment proposes 16 amendments that will update Maps 2, 3, 5, 6, 7, 8, 11, and 12 in the RGS (Attachment 1). Although there have also been revisions to RGS growth projections stemming from accepted RCSs, the growth projections in RGS Table A.1 will not be updated and amended until after Statistics Canada's release of 2011 Census undercount estimates in early 2014. This will allow the 2011 base figures in the RGS document to remain consistent with other analytical applications through to the 2016 Census.

ALTERNATIVES

1. That the Board:
 - a) Initiate the process for a Type 3 amendment to the Regional Growth Strategy to incorporate land use designation changes, Urban Containment Boundary adjustments, and the addition of Frequent Transit Development Areas and Local Centres stemming from Board accepted Regional Context Statements;
 - b) Direct staff to provide written notice of the proposed Type 3 amendment to all affected local governments and appropriate agencies; and
 - c) Give 1st and 2nd readings to Regional Growth Strategy Amendment Bylaw No. 1201, 2014.
2. That the Board receive for information the report dated January 7, 2014, titled "Regional Growth Strategy Amendment to Reflect Accepted Regional Context Statements".

FINANCIAL IMPLICATIONS

There are no financial implications to this report. The proposed amendment is a Type 3 RGS amendment which does not require a regional public hearing, with which there are associated costs. If the Board chooses Alternative 1, the proposed amendment will be initiated; opportunity given to all affected local governments to provide comment given through notification, and the proposed amendment bylaw will come back to the Board for consideration of 3rd and final reading with any comments after the notification period. If the Board chooses Alternative 2, the process for updating the RGS to reflect Board accepted Regional Context Statements will not be initiated. The result is that accepted Regional Context Statements and the RGS will be inconsistent, which has no material effect as the accepted Regional Context Statements are legally binding. However, the RGS, as the publicly accessible and consolidated record of the accepted RCSs, will not reflect the Board's recent decisions.

SUMMARY / CONCLUSION

Since the adoption of *Metro Vancouver 2040: Shaping our Future*, the region's Regional Growth Strategy, on July 29, 2011, the Metro Vancouver Board has accepted eleven municipal Regional Context Statements. Of those, five Regional Context Statements included revisions to the RGS Land Use Designation boundaries that the Board deemed 'generally consistent' with the RGS Regional Land Use Designation Map 2. In addition, there have been two accepted Regional Context Statements that identified RGS Frequent Transit Development Areas. Proposed is a RGS Type 3 (housekeeping) amendment to incorporate the changes made through accepted Regional Context Statements into the Regional Growth Strategy.

Attachment:

Regional Growth Strategy Amendment Bylaw No. 1201, 2014 (Doc. # 8458806).
8458288

**GREATER VANCOUVER REGIONAL DISTRICT
REGIONAL GROWTH STRATEGY AMENDMENT BYLAW NO. 1201, 2014**

A Bylaw to Amend

Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010.

WHEREAS the Board of the Greater Vancouver Regional District adopted the Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 on July 29, 2011;

AND WHEREAS the Board has accepted member municipalities' regional context statements that contain maps that differ from the official regional land use designation maps maintained by the Greater Vancouver Regional District, as summarized in the following tables:

Changes to Land Use Designations					
Municipality	REF#	From Designation	To Designation	Affected Land Area (ha)	RCS Acceptance Date
City of Langley	1	Agricultural	General Urban / Extend Urban Containment Boundary	1.0	7/26/2013
Vancouver	2	Conservation and Recreation	General Urban	1.8	7/26/2013
	3	Mixed Employment	Conservation and Recreation	1.0	7/26/2013
	4	Industrial	General Urban	3.5	7/26/2013
Port Coquitlam	5	Industrial	Urban	10.2	7/26/2013
	6	General Urban	Conservation and Recreation	17.1	7/26/2013
Maple Ridge	7	Conservation and Recreation	Agricultural	30.0	9/27/2013
	8	Conservation and Recreation	Rural	23.6	9/27/2013
	9	Conservation and Recreation	Rural	3.5	9/27/2013
	10	Conservation and Recreation	Rural	13.5	9/27/2013
	11	Industrial	Rural	46.4	9/27/2013
White Rock	12	Amend Urban Containment Boundary to align with the shoreline such that all RGS Land Use Designations are located within the Urban Containment Boundary			9/27/2013

Identification of Frequent Transit Development Areas		
Municipality	Map Additions	Regional Context Statement Acceptance
City of Vancouver	Add 3 Frequent Transit Development Areas along the Cambie Street Corridor	7/26/2013
City of Coquitlam	Add Frequent Transit Development Area at Burquitlam	10/11/2013

Identification of additional Local Centres, Hospitals and Post Secondary Institutions		
Municipality	Map Additions	Regional Context Statement Acceptance
City of Vancouver	32 Local Centres 1 Hospital	7/26/2013

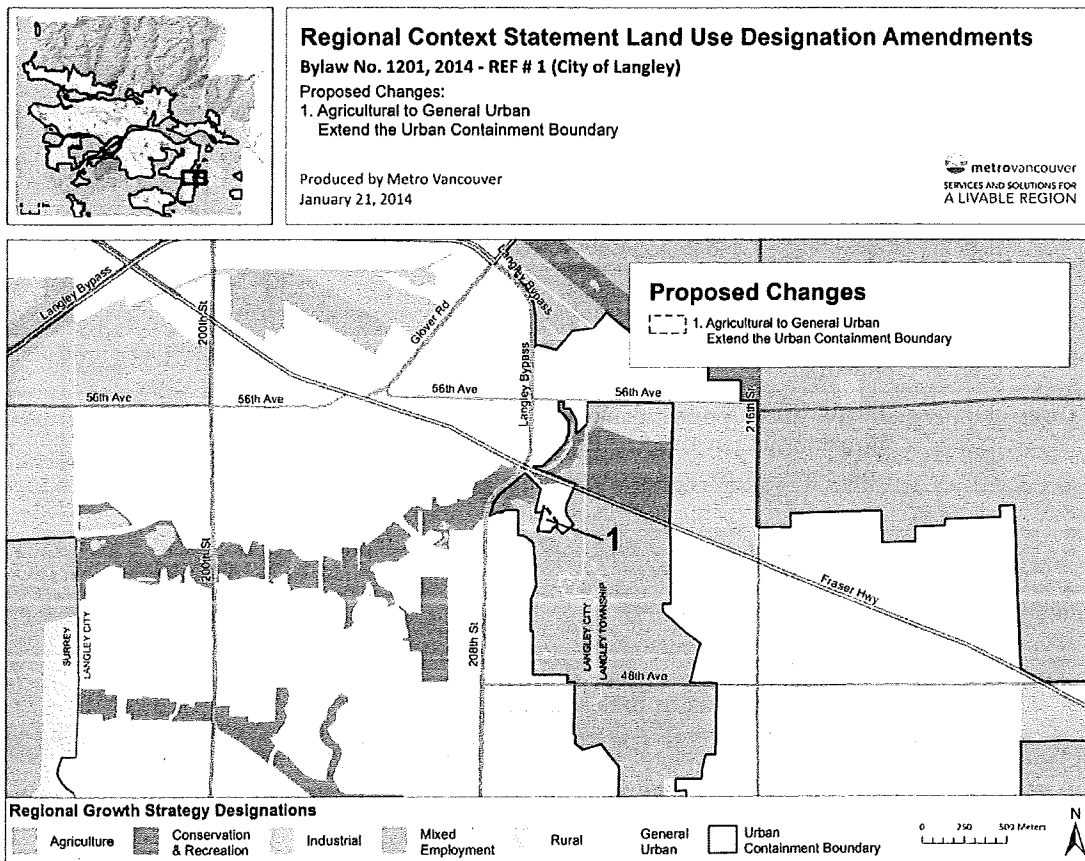
	1 Post Secondary Institution	
City of Coquitlam	1 Local Centre	10/11/2013

AND WHEREAS the Board wishes to amend the Regional Growth Strategy official regional land use designation maps so that such maps are consistent with the maps included in accepted regional context statements;

AND WHEREAS in accordance with Regional Growth Strategy section 6.3.4(i), any amendment to the Regional Growth Strategy mapping that incorporates maps included in an accepted regional context statement is considered a Type 3 amendment;

NOW THEREFORE, the Board of the Greater Vancouver Regional District in open meeting assembled enacts as follows:

1. The Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 is hereby amended as follows:
 - a) the official regional land use designation maps numbered 2, 3, 5, 6, 7, 8, 11, and 12 be revised to record the changes in regional land use designations as illustrated below:



Regional Context Statement Land Use Designation Amendments

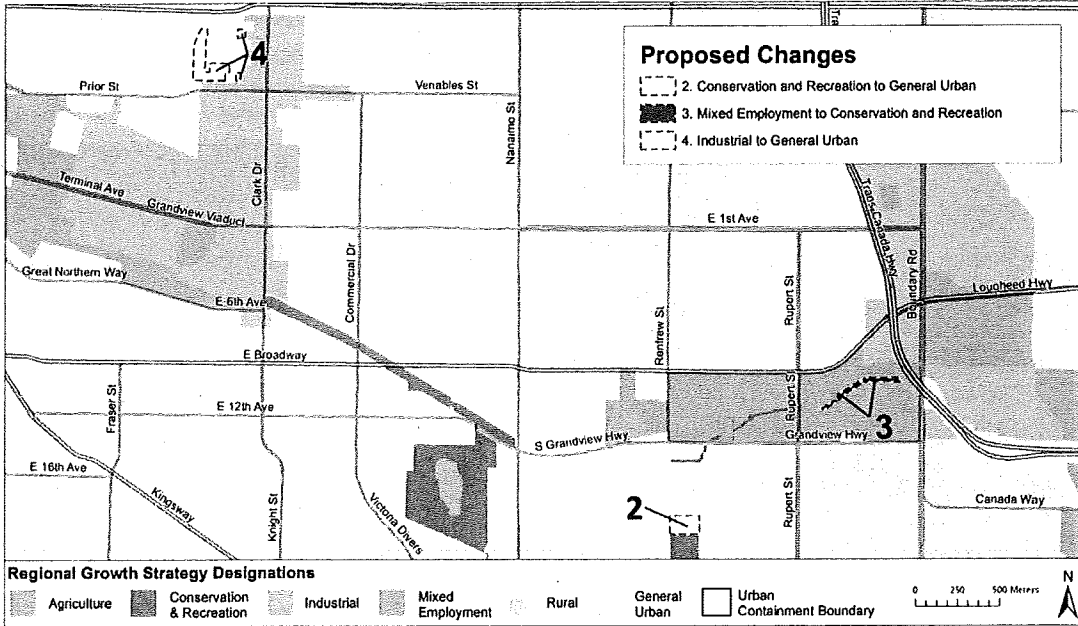
Bylaw No. 1201, 2014 - REF # 2-4 (Vancouver)

Proposed Changes:

2. Conservation and Recreation to General Urban
3. Mixed Employment to Conservation and Recreation
4. Industrial to General Urban

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January 21, 2014

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Regional Context Statement Land Use Designation Amendments

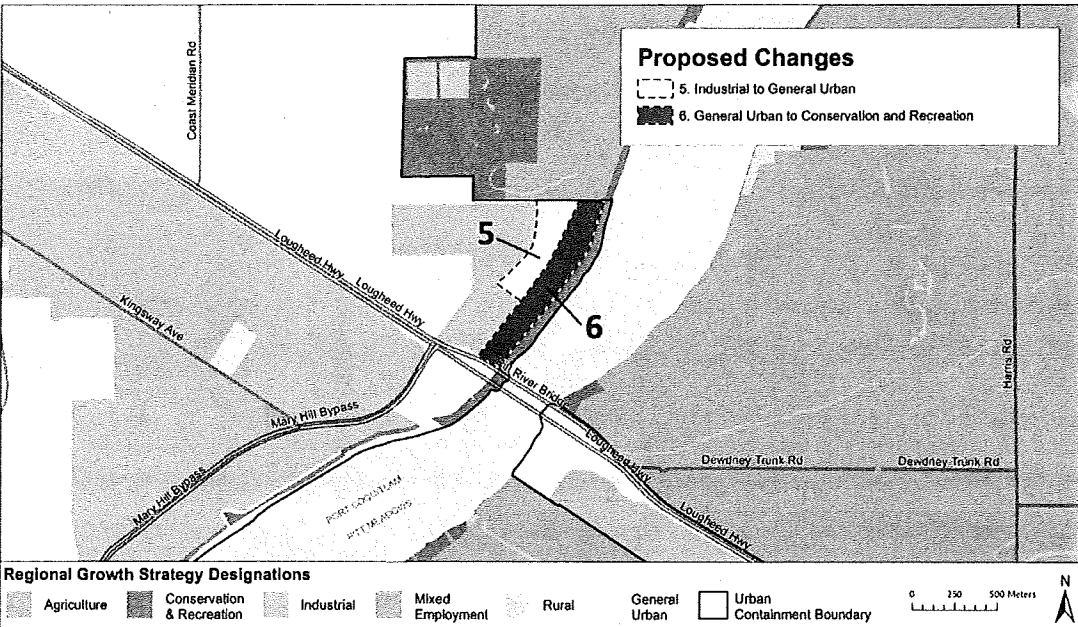
Bylaw No.1201, 2014 - REF # 5-6 (Port Coquitlam)

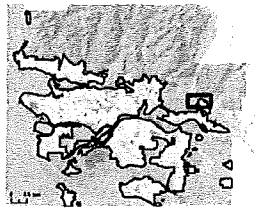
Proposed Changes:

5. Industrial to General Urban
6. General Urban to Conservation and Recreation

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January 21, 2014

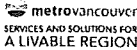
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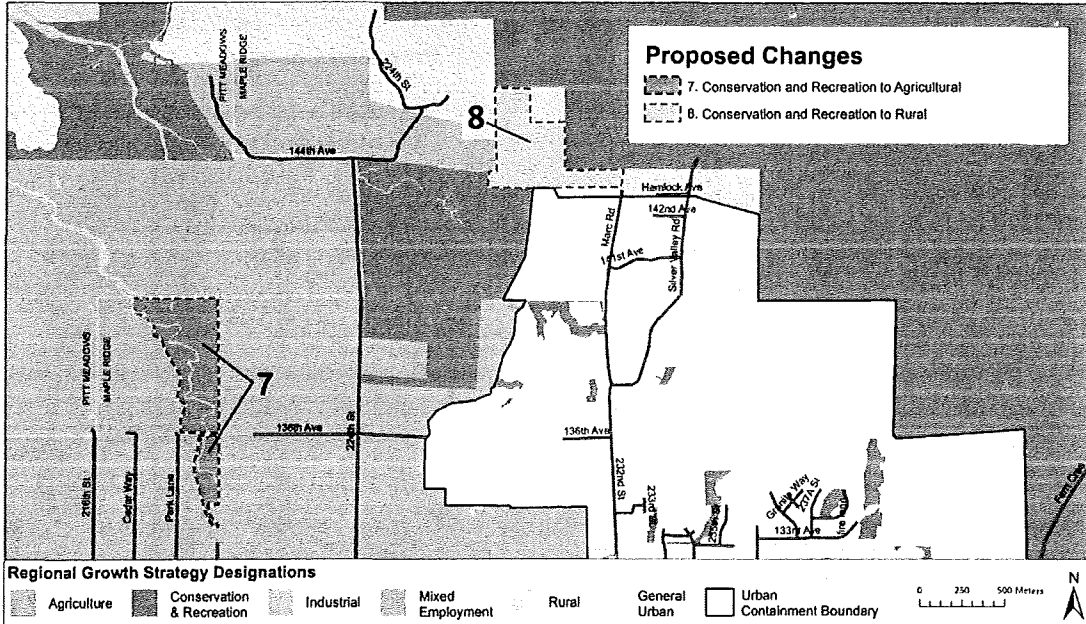
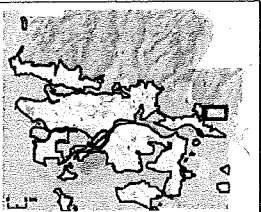




Regional Context Statement Land Use Designation Amendments
Bylaw No. 1201, 2014 - REF # 7-8 (Maple Ridge)
 Proposed Changes:
 7. Conservation and Recreation to Agricultural
 8. Conservation and Recreation to Rural

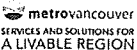
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 January 21, 2014

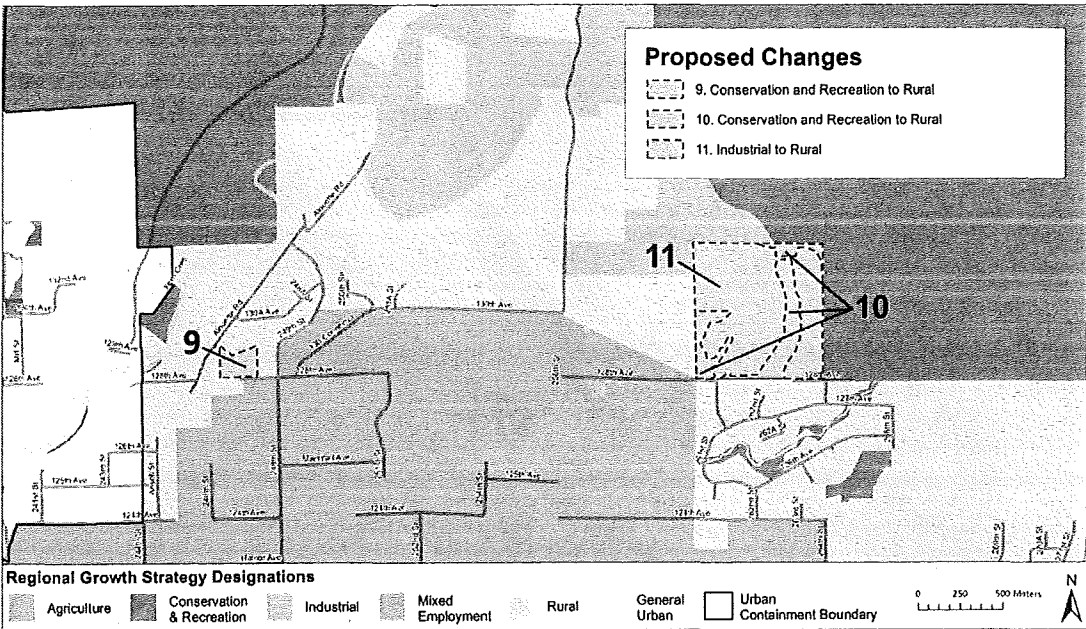

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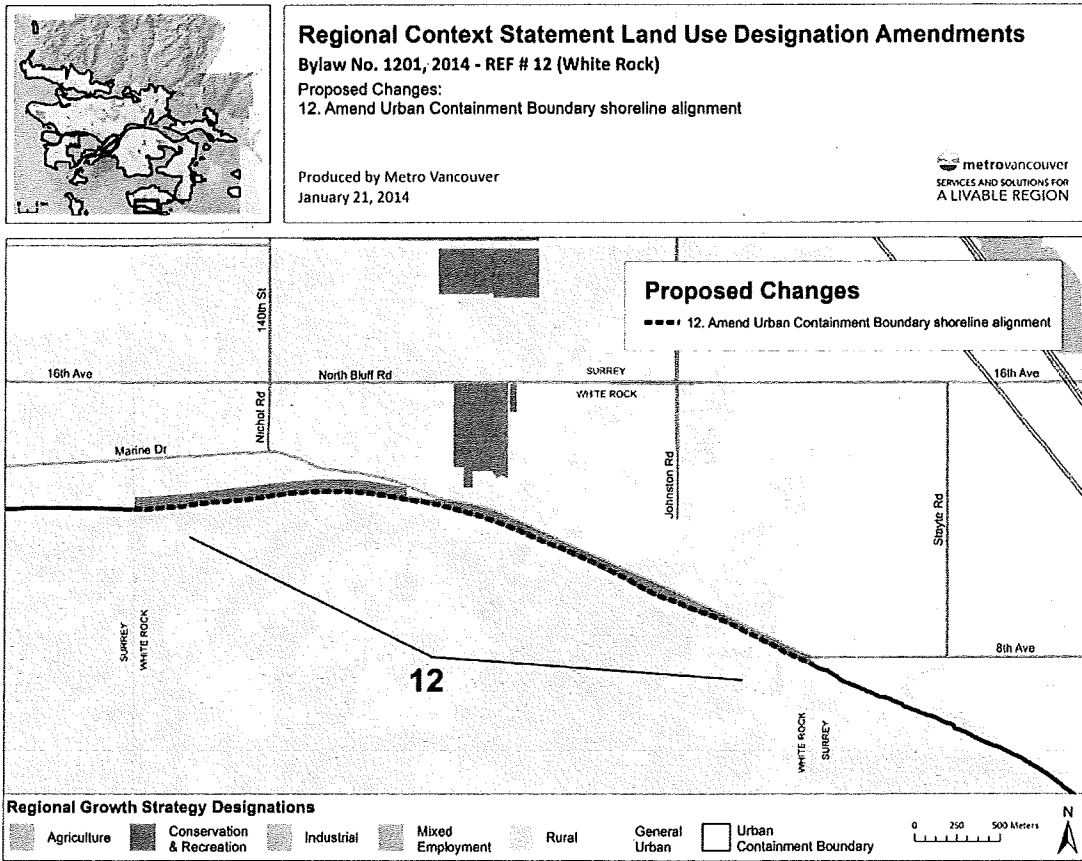



Regional Context Statement Land Use Designation Amendments
Bylaw No. 1201, 2014 - REF # 9-11 (Maple Ridge)
 Proposed Changes:
 9. Conservation and Recreation to Rural
 10. Conservation and Recreation to Rural
 11. Industrial to Rural

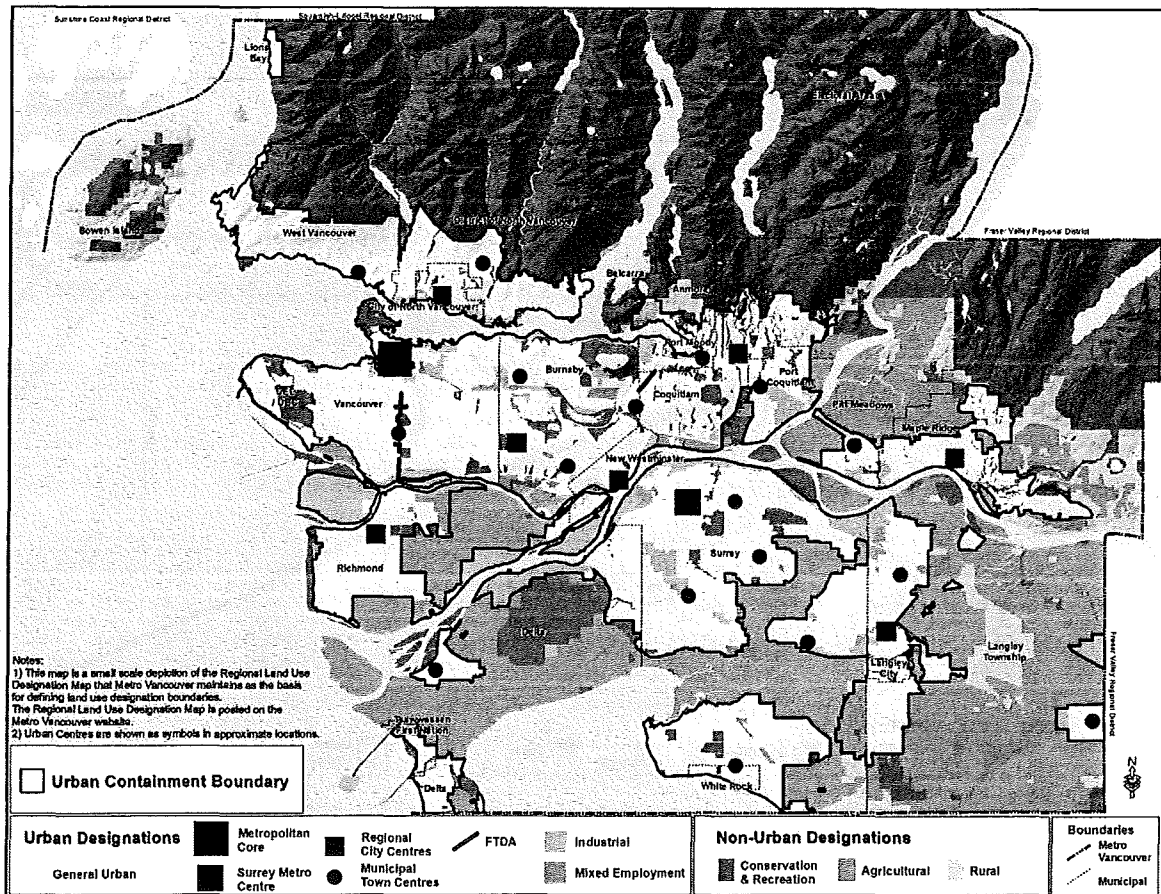
Produced by Metro Vancouver
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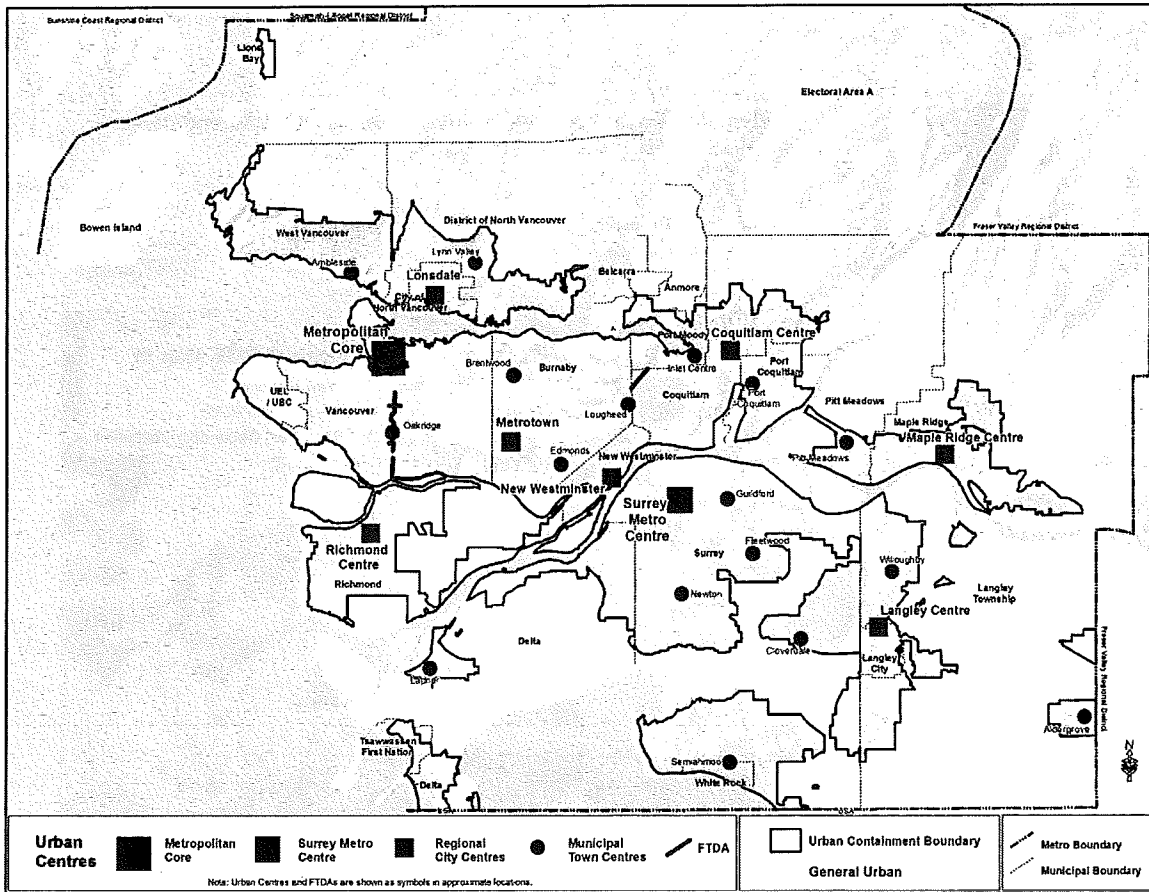


- b) The official regional land use designation map number 2 be revised to record additional symbols depicting the location of additional Frequent Transit Development Areas as illustrated below:

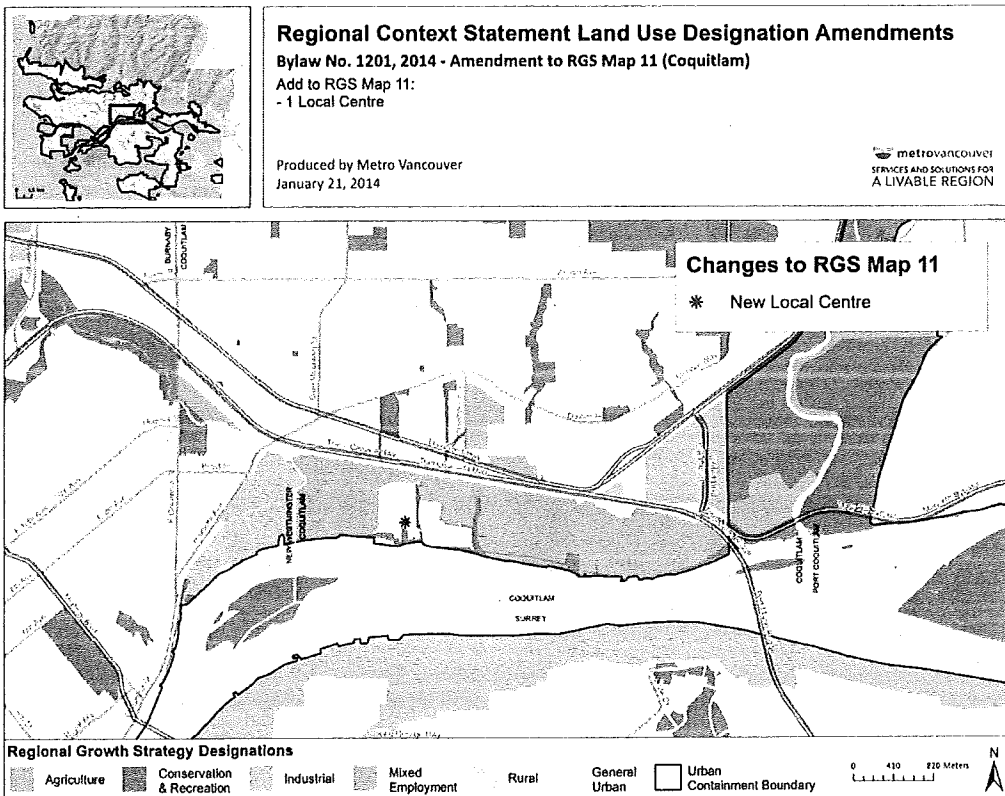
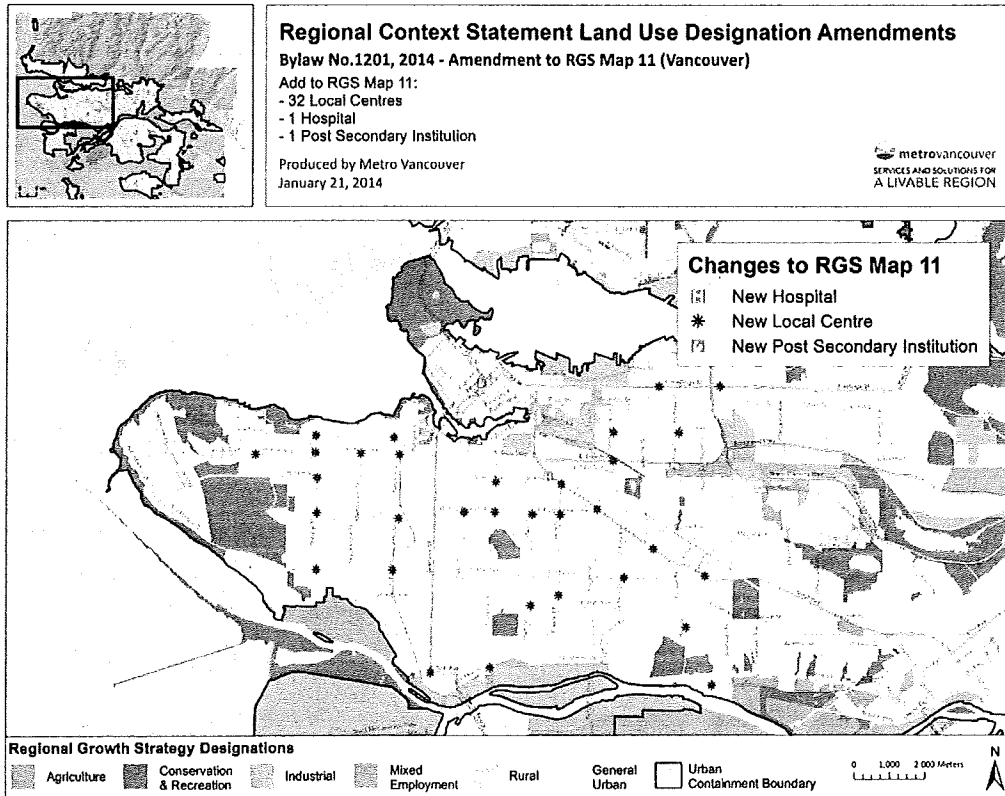


- c) The official regional land use designation map number 4 be renamed 'Urban Centres and Frequent Transit Development Areas'.

- d) The official regional land use designation map number 4 be revised to record additional symbols depicting the location of additional Frequent Transit Development Areas as illustrated below:



e) The official regional land use designation map number 11 be revised to record additional symbols depicting the location of additional Local Centres, Hospitals and Post Secondary Institutions, as illustrated below:



2. The official citation for this bylaw is "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1201, 2014." This bylaw may be cited as "Regional Growth Strategy Amendment Bylaw No. 1201, 2014."

Read a First time this _____ day of _____, 2014.

Read a Second time this _____ day of _____, 2014.

Read a Third time this _____ day of _____, 2014.

Passed and Finally Adopted this _____ day of _____, 2014.

Paulette A. Vetleson
Corporate Officer

Greg Moore
Chair

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FILE TO PROPERTY FILE
OTHER

RECEIVED
MAY 11 2014

Executive Offices
Tel. 604 432-6215 Fax 604 451-6614

MAR 07 2014

File: CP-16-02-016

Mayor Brenda Broughton and Council
Village of Lions Bay
400 Center Road
Lions Bay, BC V0N 2E0

Dear Mayor Broughton and Council:

Re: Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280 (Bylaw 280)

Metro Vancouver last wrote on November 15, 2013, advising on progress in implementing a waste flow management strategy and Bylaw 280. This letter provides an update on the issue, and addresses questions related to lobbying by some waste management stakeholders opposed to Bylaw 280.

Bylaw 280 requires residential and commercial/institutional garbage to be delivered to Metro Vancouver and City of Vancouver disposal facilities (Regional Facilities), and allows for the development of mixed waste material recovery facilities (MRFs) for the purpose of recovering recyclables and organics from post source separated waste.

As noted in our November 15, 2013 letter, Bylaw 280 is supported by a group of 11 local recycling companies that have formed the Recycle First Coalition. Recycle First Coalition members collectively employ more than 825 people in the Lower Mainland, recycle more than 1 million tonnes of material per year, have invested \$135 million in capital infrastructure and facilities in Metro Vancouver in the last five years, and plan to invest another \$135 million over the next five years.

The Boards of the Regional District of Nanaimo, Cowichan Valley Regional District, Central Kootenay Regional District, North Okanagan Regional District, and the Alberni Clayoquot Regional District have passed resolutions in support of Bylaw 280, and are writing to the Minister of Environment to indicate their support for Bylaw 280. Support for Bylaw 280 from other regional districts indicates the importance of local government control over the disposal of garbage to communities across British Columbia. Letters of support for Bylaw 280 from regional districts are attached for your information.

Opponents of Bylaw 280 suggest it creates barriers for the development of mixed waste material recovery facilities (MRFs). In reality, Bylaw 280 creates a regulatory framework that enables MRFs to operate within the regulatory and policy framework of the *Integrated Solid Waste and Resource Management Plan* and the Provincial 5Rs hierarchy while ensuring that mixed waste MRFs are not simply transfer stations established to bypass bans and prohibitions and/or established to avoid payment of tipping fees to Metro Vancouver. Bans and prohibitions and managed tipping fees are

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key tools to encourage waste diversion. Payment of tipping fees for all residential and commercial/institutional garbage in the region ensures a cost effective and equitable waste disposal system can be provided for all residents and businesses in the region.

Bylaw 280 was submitted to the Minister of Environment for consideration on November 5, 2013. We have met with more than 20 MLAs over the last few months to explain the need for a waste flow management strategy and Bylaw 280.

If you have any questions or comments about this initiative, we encourage you to contact Paul Henderson, General Manager of Solid Waste Services at Metro Vancouver, at 604.432.6442 or paul.henderson@metrovancover.org.

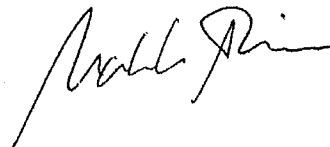
Yours truly,



Greg Moore
Chair, Metro Vancouver Board

GM/MB/PH

Yours truly,



Malcolm Brodie
Chair, Zero Waste Committee

cc: The Honourable Mary Polak, Minister of Environment
Avtar Sundher, Ministry of Environment

Attachments: Regional District Letters of Support for Bylaw 280 (orbit #8724184)

8622892



175 Ingram Street
Duncan, BC V9L 1N8
www.cvrld.bc.ca

Office: 250.746.2500
Fax: 250.746.2513
Toll Free: 1.800.665.3955

January 10, 2014

File No.:

Minister of Environment
PO Box 9047 STN PROV GOVT
Room 247 Parliament Buildings
VICTORIA BC V8W9E2

via email: env.minister@gov.bc.ca

Attention: Honourable Mary Polak

Dear Minister Polak,

Re: Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280

I am writing on behalf of the Board of Directors of the Cowichan Valley Regional District (CVRD) in support of Metro Vancouver's Waste Flow Management Strategy and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280.

Waste flow management is an important issue for many Regional Districts in British Columbia. The ability to effectively manage waste flow is key to our ability to provide the recycling and organics collection services necessary to meet our ambitious diversion targets.

Garbage haulers that bypass regional facilities avoid disposal bans and prohibitions designed to encourage recycling. These haulers do not contribute toward the cost of the regional systems thereby placing increasing costs on local business and residents. In addition, it is important to the recycling industry to ensure that recyclables are captured from the waste stream.

On southern Vancouver Island we are beginning to see signs and feel the effects of "leakage" from the waste stream and if the trend continues we at the CVRD may very well need to implement a bylaw similar to that of Metro Vancouver.

The CVRD appreciates the leadership of Metro Vancouver on this matter and we encourage you to approve their Bylaw No. 280.

Thank you for your consideration.

Yours truly,

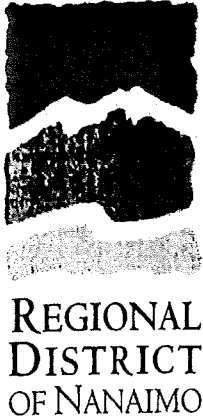
Rob Hutchins
Chair

WJ/ann

pc: Mr. Greg Moore, Chair, Metro Vancouver

file: CHAIRPERSON/Hutchins/Correspondence/to Minister Polak Support of MV Waste Flow Management Bylaw January 2014

COWICHAN VALLEY REGIONAL DISTRICT



3 February 2014

Honorable Mary Polak
Minister of Environment
PO Box 9047
STN PROV GOV
Victoria BC V8W 9E2

Dear Minister Polak;

Re: Letter of Support for Metro Vancouver's Proposed Recyclable Materials Regulatory Bylaw No. 280

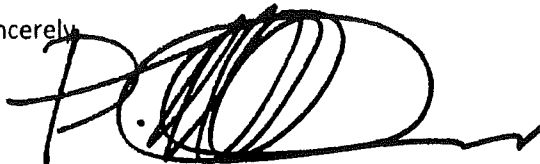
The purpose of this letter is to advise of the Regional District of Nanaimo's support for the proposed bylaw referenced above. The Regional Board, at their regular meeting of January 28, 2014, carried the following motion:

That the Board endorse Metro Vancouver's development of a waste flow management strategy for Metro Vancouver and the Greater Vancouver Sewerage and Drainage District Recyclable Materials Regulatory Bylaw No. 280 and that a letter supportive of the initiative be provided to Ministry of Environment.

The *Guide to the Preparation of Solid Waste Management Plans* sets out the expectation of the Ministry that solid waste management plans are to include polices where "individuals and firms are enabled to make environmentally sound choices about consumption of resources and generation of waste through provision of appropriate information, including user-pay and market-based incentives wherever possible". To fully realize the benefit of market-based policies in reducing waste and conserving resources, local government must have the ability to regulate the flow of municipal waste and recyclable materials as provided for in the *Environmental Management Act*.

I trust this letter of support will be given consideration regarding Metro's request for your approval of Bylaw 280.

Sincerely,



Paul H. Thorkelsson, MArch, MPA, Architect-AIBC
Chief Administrative Officer

cc: Carol Mason, Chief Administrative Officer, Metro Vancouver
Paul Henderson, General Manager, Metro Vancouver

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250)390-4163

RDN Website: www.rdn.bc.ca



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

3008 Fifth Avenue, Port Alberni, B.C. CANADA V9Y 2E3

Telephone (250) 720-2700 FAX: (250) 723-1327

March 5, 2014

Mr. Greg Moore, Chair
Metro Vancouver Board
4330 Kingsway
Burnaby, BC
V5H 4G8

Mr. Malcolm Brodie, Chair
Zero Waste Committee
4330 Kingsway
Burnaby, BC
V5H 4G8

Dear Mr. Moore and Mr. Brodie,

Re: Metro Vancouver Waste Flow Management and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280

The Alberni-Clayoquot Regional District Board of Directors at their regular meeting held on February 26, 2014, considered your letter dated February 12, 2014 requesting support for the above bylaw.

I am pleased to advise that the Alberni-Clayoquot Regional District Board of Directors in open meeting passed the following resolution:

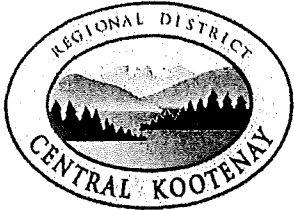
THAT the Alberni-Clayoquot Regional District Board of Directors supports adoption of the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280.

Our Board of Directors believes Metro Vancouver's waste flow management strategy is key to the success of solid waste management plans across the Province.

Sincerely,

Cindy N. Solda,
Chairperson

cc: Honourable Mary Polak, Minister of Environment



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
Telephone (250) 352-6665
BC Toll Free 1-800-268-7325

Web: www.rdck.bc.ca
Email: info@rdck.bc.ca
Fax: (250) 352-9300
File: 6200-01

March 6, 2014

Honourable Mary Polak, Minister of Environment
PO Box 9047 Stn Prov Govt
Victoria, BC V8W 9M1

Dear Minister Polak:

RE: RDCK Support for Metro Vancouver's Waste Flow Management Policy and Bylaw No. 280

The purpose of this letter is to advise of the Regional District of Central Kootenay's (RDCK) support for Metro Vancouver's Waste Flow Management Policy and the Greater Vancouver Sewerage and Drainage District Recyclable Material Regulatory Bylaw No. 280. The RDCK Board, at its regular meeting of February 13, 2014, passed the following resolution:

That the Board support Metro Vancouver's Waste Flow Management Policy and Bylaw 280 and to demonstrate this support, the Chair will send a letter to the Honourable Mary Polak, Minister of Environment.

Waste flow management is an important issue for many regional districts in British Columbia. The ability to effectively manage waste flow is critical if we are to provide the long term infrastructure and services necessary to reach waste reduction targets. Further, to fully realize the benefit of waste diversion policies local government must have the ability to regulate the flow of municipal waste and recyclable materials as provided for in the *Environmental Management Act*.

Waste haulers that bypass regional facilities seeking lower tipping fees elsewhere will erode the financial sustainability of regional systems. This degrading of our systems which are tied to the Provincial mandate under the *Solid Waste Management Act*, may make it impossible for local government to satisfy the Act which does not protect the taxpayer against 'one-offs' in the market place. If this is market-driven and not for the benefit of our citizens long term, the Province must ensure that a sizeable restoration fund is established to reconstruct services if those offering cheap disposal prices realize they may achieve a monopoly and raise the rate once we disembowel our current services. This places an unfair burden on all affected taxpayers and detracts from the effectiveness of provincial waste diversion initiatives.

The RDCK commends Metro Vancouver for demonstrating leadership on this issue and we strongly encourage you to approve their bylaw.

Sincerely,

A handwritten signature in black ink that reads "John R. Kettle". The signature is written in a cursive style.

John R. Kettle
Board Chair

cc: Greg Moore, Chair, Metro Vancouver Board; Malcolm Brodie, Chair, Zero Waste Committee
Paul Henderson, General Manager of Solid Waste Services, Metro Vancouver; Union of BC Municipalities





6

Board and Information Services, Corporate Services
Tel. 604.432-6250 Fax 604.451-6686

MAR 11 2014

File: CP-11-02-016-06

Mayor Brenda Broughton
and Members of Council
Village of Lions Bay
400 Centre Road
Lions Bay, BC V0N 2E0

VILLAGE OF LIONS BAY ✓
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

Dear Mayor Broughton and Members of Council:

Re: Conveying Metro Vancouver's Recent Board Report on the Regional Growth Strategy and the Agricultural Land Commission

On February 28, 2014, the Greater Vancouver Regional District (GVRD) Board considered the attached staff report and resolved that it be conveyed to Metro Vancouver area Members of the Legislature (MLA's) and Metro Vancouver municipal Councils.

The protection of agricultural land in Metro Vancouver is a high priority and integral to how the region accommodates future growth and development in accordance with the regional growth strategy, *Metro Vancouver 2040: Shaping our Future*. Connection between the regional growth strategy and the mandate and responsibilities of the Agricultural Land Commission is both significant and mutually supportive; the GVRD Board found the attached report to be useful in clarifying that relationship and its continued importance to protecting agricultural land and promoting agricultural viability.

Yours truly,

Paulette Vetleson
Director, Board and Information Services/Corporate Officer

EC/HM/td

Encl: Report dated January 16, 2014, "Regional Growth Strategy and the Agricultural Land Commission" (#8338778)

8713405

To: Regional Planning and Agriculture Committee

From: Theresa Duynstee, Regional Planner
 Planning, Policy and Environment Department

Date: January 16, 2014 Meeting Date: February 7, 2014

Subject: **Regional Growth Strategy and the Agricultural Land Commission**

RECOMMENDATION

That the Regional Planning and Agriculture Committee receive for information the report dated January 16, 2014, titled "Regional Growth Strategy and the Agricultural Land Commission".

PURPOSE

This report addresses a request from the Regional Planning and Agriculture Committee to report back on the impact on the regional growth strategy, if substantive changes are made to the role and mandate of the Agricultural Land Commission (ALC).

BACKGROUND

On November 8th, 2013, the Regional Planning and Agriculture Committee considered a staff report on the Provincial Core Review and the Agricultural Land Commission that was prepared in response to concerns raised about the provincial government's intentions to review the role and mandate of the ALC. This led to a question regarding the potential impacts to RGS implementation if changes were made to the ALC legislation. The Committee passed the following resolution:

"direct staff to report back on the impact on the regional growth strategy should substantive changes be made to the Agricultural Land Commission".

DISCUSSION***Agency Roles in Protecting Agricultural Land***

Through the *Agricultural Land Commission Act (ALC Act)*, the Agricultural Land Commission is entrusted to uphold the integrity of the Agricultural Land Reserve (ALR) and to ensure there is a legacy of farmland for future generations. The ALC generally prohibits or restricts non-farm use and subdivisions of the ALR lands, unless otherwise permitted or exempted through the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. The *ALC Act* contains a requirement that all local government bylaws, including the regional growth strategy, must be consistent with the *ALC Act*, the regulations or an order of the Commission, and if deemed inconsistent, the bylaw has no force or effect.

The regional growth strategy, *Metro Vancouver 2040: Shaping Our Future (RGS)*, defines Metro Vancouver's role in agricultural land protection. It stems from an imperative to manage future growth using an Urban Containment Boundary (UCB), a stable, long term regionally defined boundary for urban development. Managing growth is critical to protecting farmland and other natural assets. The UCB also helps build complete communities in urban centres, and reduce air quality and greenhouse gas emissions, while enabling more financially efficient and predictable investments in utilities, roads and transportation infrastructure.

Regional Growth Strategy and the Agricultural Land Commission

Regional Planning and Agriculture Committee Meeting Date: February 7, 2014

Page 2 of 4

RGS Strategy 2.3 defines how Metro Vancouver and member municipalities will protect the supply of agricultural land and promote agricultural viability with an emphasis on food production. Metro Vancouver's role is to restrict regional sewer service to lands within non-urban RGS regional land use designations, monitor the status of agricultural land and identify and pursue strategies to increase actively farmed land in collaboration with the province and the ALC. Municipalities are required to establish policies to support agricultural viability and specify Agricultural areas that are consistent with regional RGS Agricultural land use designation in their Official Community Plans (OCPs) and demonstrate consistency with the RGS through their Regional Context Statements.

RGS Agricultural Designation and the ALR Boundary

The RGS Agricultural land use designation defines land intended primarily for agricultural uses, facilities and supporting services. Although this is a separate designation from the provincial ALR, 90% of the RGS Agricultural designation is aligned with the ALR boundaries. The major exceptions are ALR lands that are within the RGS Conservation and Recreation designation (4,389 ha), RGS Rural designation (848 ha) and other land not in the ALR, but designated Agricultural in both the RGS and local OCPs.

In the event that a municipality wants to change the land use on RGS Agricultural designated land, a resolution from the local Council requesting a RGS amendment is required. Affected local governments, the ALC, and the Regional Planning Advisory Committee are given an opportunity to provide comment. Approval requires a RGS amendment bylaw passed by a 2/3 weighted vote at the Board plus a regional public hearing.

All of the RGS non-urban designations (Agricultural, Conservation and Recreation and Rural) are intended to support the provincial ALR designation when applicable. The mutually reinforcing relationship between the ALC and Metro Vancouver for the protection of agricultural land in the region has been likened to that of a belt and suspenders. For land in the ALR, Metro Vancouver relies on the judgment and support of the ALC to assess the importance and capability of agricultural land for farming and agricultural viability. As such, the RGS stipulates that the Board will not amend the Agricultural or Rural land use designation of a site if it is still part of the Agricultural Land Reserve (RGS Section 2.3.4). In turn, the ALC relies on the RGS to help protect the ALR through strong urban containment policies, discourage non-agricultural development and subdivision of the ALR through the RCS process, and provide a consistent framework for local governments to encourage agricultural viability.

The roles and mandates of the ALC and Metro Vancouver mutually support the UCB and the imperative to protect agricultural land. The importance of this collaborative approach is further articulated in the RGS with a request to the ALC to, "*consult with Metro Vancouver to ensure consistency between the RGS and ALC decisions and policies with respect to ALR exclusion, inclusion, and non-farm use applications*" (RGS Section 2.3.8).

Ultimately, the ALC Act has precedence. RGS Section 6.11.2 states, "*in accordance with the Agricultural Land Commission Act, in the event that there is an inconsistency between the regional land use designations or policies site out in the RGS and the requirements of the ALC Act, or regulations and orders made pursuant thereto, the ALC requirements will prevail*". However, this precedence does not absolve municipalities of the responsibility for following other regulations and bylaws such as the RGS.

Challenges to Protecting Agricultural Land

The commitments local governments have made within the RGS reveal the necessity of a multi-jurisdictional approach to agricultural land protection and agriculture viability. It is a daunting task because of the increasing growth pressures to convert ALR land to residential, industrial, commercial, institutional, conservation and other community uses. Even with a mandate to preserve agricultural land, encourage farming and work with other government agencies to accommodate farm use on agricultural land, several challenges persist for the ALC in protecting agricultural land despite the legislation:

- Land speculation remains high, even after 40 years – there is a pervasive attitude among many that agricultural land is simply holding property until a “higher and better” use is identified.
- Urban and rural non-farm development adjacent to the ALR creates mounting pressure to restrict farming practices in the ALR preferring to use the agricultural landscape as green space rather than a working landscape.
- The economic returns from farming fluctuate and can be unpredictable and therefore farmers are looking for alternative land uses of the ALR to supplement farm income.
- The unauthorized use of ALR land for fill and other non farm uses, such as truck parking, is a persistent problem and can result in the permanent degradation of agricultural land.
- Most of the landowners in the ALR are not farmers and therefore ALC staff resources are geared toward non-farmers hoping to exclude, subdivide or convert their land, rather than addressing the needs of the farming community¹.

Potential changes to the legislation not only fuels land speculation in the ALR, which can lead to the proliferation of non-farm use and subdivision ALC applications, but also further restricts the ability of new and established farmers to access agricultural land and contribute to the regional economy.

Regional Growth Strategy Implications If Significant Changes Are Made to the ALC

1. Uncertainty Remains

The biggest unknown in terms of the Province’s Core Review of the ALC is the scope and type of changes that may be proposed. In the media, the Province has claimed that the ALC will continue to exist, but there has been little assurance that the ALC will remain independent or at arm’s length from government. However, given that no legislative changes have been proposed or made known, it is premature to speculate what actual impacts to the RGS might occur. Staff will be able to provide a more detailed analysis on potential impacts to the RGS once the proposed changes to the ALC are made public.

2. An ALC Mandate Change

If the mandate of the ALC was changed through the *ALC Act*, or if they could no longer adequately perform their independent administrative tribunal role, there may be significant implications to the RGS. The Board may decide that it is no longer prudent to rely on land being excluded from the ALR by the ALC prior to initiating the RGS amendment process for considering adjustments to the Agricultural land use designation. Metro Vancouver may propose an amendment to the RGS (specifically Section 2.3.4), changing the relationship and reliance on the ALC to assess the

¹ Review of the Agricultural Land Commission: Moving Forward: A Strategic Vision of the Agricultural Land Commission for Future Generations. Submitted by Richard Bullock, Chair ALC. Pages 9-10. November 26, 2010.

agricultural capability and viability of the land in question, and to build capacity within the organization to ensure this important role is not lost.

This potential broadening of Metro Vancouver's role would necessitate the assessment of the impact of changes to the RGS Agricultural designation on the long term viability of agricultural land protection and agriculture viability. Metro Vancouver currently relies on the ALC to determine what non-farm uses are allowable and under what conditions changes to land use or parcel size are deemed to have a positive or neutral effect on agriculture viability. This new responsibility would require a substantial investment in expertise and staff resources as demonstrated by the ALC's current governance structure that uses both staff and commissioner expertise to make decisions that preserve the integrity of the agricultural land base over the long term as defined in the *ALC Act*.

ALTERNATIVES

This is an information report. No alternatives are presented.

FINANCIAL IMPLICATIONS

There are no financial implications to this report. However, if significant changes are made to the role and mandate of the ALC potentially broadening the role of Metro Vancouver in protecting the long-term viability of agriculture, there could be implications for Metro Vancouver resource levels.

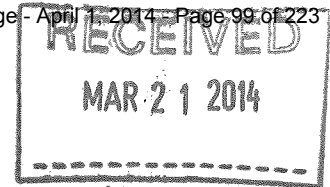
SUMMARY / CONCLUSION

This report describes the existing roles and responsibilities in protecting agricultural land in the region as well as potential implications for Metro Vancouver should substantive changes be made to the ALC's role and mandate. It also highlights the importance of the ALC as a collaborator in protecting agricultural land, promoting agriculture viability and maintaining the integrity of the RGS Agricultural land use designation. The key role of the ALR in preserving Metro Vancouver's valued agricultural land in the face of rapidly expanding urban areas and non-farm development has become even more essential today than when the ALR was established in 1973.

Both the ALR and the RGS Agricultural designation are critical tools for encouraging growth and development within the region's Urban Containment Boundary facilitating investments in utilities, roads and transportation infrastructure that are financially efficient and sustainable for local governments. The responsibility for protecting agricultural land remains a multi-jurisdictional imperative reflected in the existing roles, responsibilities as articulated in *Metro Vancouver 2040: Shaping our Future*. Should these change, Metro Vancouver might need to amend the RGS and build additional capacity within the organization.

8338778

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VILLAGE OF LIONS BAY
 FILE TO I/C
 FILE TO PROPERTY FILE

THE CORPORATION OF THE
DISTRICT OF WEST VANCOUVER

OFFICE OF THE MAYOR

March 12, 2014

File: 0160-20-CPOS1

The Honourable Lisa Raitt
 Minister of Transport and Minister Responsible for Canada Post Corporation
 Tower C – 330 Sparks Street
 Ottawa, Ontario K1A 0N5

Dear Madam Minister:

Re: Canada Post Proposal to Eliminate Home Mail Delivery Service

The District of West Vancouver Council, at its March 10, 2014 regular meeting, received the attached correspondence dated March 4, 2014 from Mayor Derek Corrigan, City of Burnaby, regarding "Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation".

Council supports the concerns of the City of Burnaby Council as set out in their March 4, 2014 letter. Our Council resolved to write to the Minister of Transport and Minister Responsible for Canada Post Corporation outlining Council's concerns, and to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan', to:

- a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;
- b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
- c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
- d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property
- e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize District owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.

The Honourable Lisa Raitt, Minister of Transport and Minister Responsible for Canada Post Corporation
March 12, 2014
Page 2

Our Council respectfully requests consideration of our concerns.

Yours truly,



Michael Smith
Mayor

Attachment: Letter dated March 4, 2014 from Mayor Derek Corrigan, City of Burnaby

cc: John Weston, M.P., West Vancouver-Sunshine Coast-Sea to Sky Country
Ralph Sultan, M.L.A., West Vancouver-Capilano
Jordan Sturdy, M.L.A., West Vancouver-Sea to Sky
The Honourable Coralee Oakes, Minister of Community, Sport and Cultural
Development
Keith Archer, Chief Electoral Officer, Elections BC
Metro Vancouver municipalities
UBCM member municipalities
Federation of Canadian Municipalities
Canadian Union of Postal Workers (CUPW)



(17A)
0190-01

CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

CV-TABLE

12.2

2014 March 04

File: 03300-02

Mayor Smith and Council
District of West Vancouver
750 17th Street
West Vancouver, BC V7V 3T3

Dear Mayor and Council:

Subject: Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation
(Item No. 01, Manager's Reports, Council 2014 February 17)

Burnaby City Council, at the Open Council meeting held on 2014 February 17, received a report from the Director of Planning and Building regarding the Community Impacts of the Proposal to Eliminate Home Mail Delivery Service by the Canada Post Corporation and adopted the following recommendations contained therein, AS AMENDED:

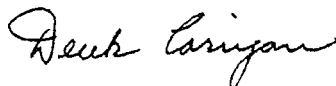
1. THAT Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:
 - a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;
 - b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
 - c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
 - d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government

Subject: Proposal to Eliminate Home Mail Delivery Service
2014 March 04 Page 2

- obligations related to the statutory notification of property owners and citizens;
- e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.
2. THAT Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report, and to the Federation of Canadian Municipalities (FCM).
3. THAT a copy of this report be sent to:
- Burnaby MLA's and MP's;
 - The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
 - BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
 - All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
 - Federation of Canadian Municipalities;
 - Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).
4. THAT this report be forwarded to the Social Issues Committee, Traffic Safety Committee, Environment Committee and the Mayor's Task Force on Graffiti, Voices of Burnaby Seniors and the Seniors Centres in Burnaby for information.

In accordance with the recommendation no. 3, a copy of the report is *enclosed* for your information.

Very truly yours,



Derek R. Corrigan
MAYOR

RECEIVED

MAR 06 2014

MAYOR'S OFFICE
DISTRICT OF WEST VANCOUVER

Item 01
Meeting..... 2014 February 17



Meeting 2014 February 17

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2014 February 11

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 2125 20
Reference: UBCM

SUBJECT: COMMUNITY IMPACTS OF THE PROPOSAL TO ELIMINATE HOME MAIL DELIVERY SERVICE BY THE CANADA POST CORPORATION

PURPOSE: To outline the City's opposition to the proposal to eliminate Home Mail Delivery Service by the Federal Government and the Canada Post Corporation.

RECOMMENDATIONS:

1. **THAT** Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:
 - a) require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery service in Canada's urban centres;
 - b) ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
 - c) ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
 - d) address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;
 - e) remove the discretion of the Federal Government under the Canada Post Corporation Act to utilize City-owned property for any community mailbox program in urban centres, without the direct consultation and approval of local governments.

2. **THAT** Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

To: City Manager
From: Director Planning and Building
Re: Community Impacts of the Proposal to Eliminate Home Mail
Delivery Service by the Canada Post Corporation
2014 February 11..... Page 2

3. **THAT** a copy of this report be sent to:

- Burnaby MLA's and MP's;
- The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development;
- BC Chief Electoral Officer - Mr. Keith Archer, Elections BC;
- All Members of the Lower Mainland Local Government Association (LMLGA), the Union of BC Municipalities (UBCM) and Metro Vancouver;
- Federation of Canadian Municipalities;
- Canadian Union of Postal Workers (CUPW) – National Office (377 Bank Street, Ottawa, Ontario K2P 1Y3, and CUPW- Pacific Region (999 Carnarvon Street, New Westminster, B.C. V3M 1G2).

4. **THAT** this report be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

REPORT

1.0 INTRODUCTION

At its meeting on 2014 January 27 under 'New Business', Council requested staff to prepare a report outlining the issues and implications of the recently announced Canada Post service changes. Canada Post has developed a proposal that would eliminate the existing home mail delivery service for urban centers, which would cause significant impacts and issues for Canadian communities and citizens.

In response to Council's request, this report outlines the context and implications of the decision by the Federal Government to proceed with the plan advocated by the Canada Post Corporation. Specifically, this report details issues identified related to the lack of the required public process and consultation; security of private information and property; service for seniors and persons with mobility restrictions; statutory obligations related to legislated government notification to citizens and property owners; and the appropriateness and impact of existing Canada Post powers related to the use of municipally-owned property.

In light of the significant and direct impacts the proposal presents, this report highlights specific concerns for the City and its residents, including the safety of our most vulnerable citizens. In response, this report calls for the immediate review of the proposal to cancel home delivery in

To: City Manager
From: Director Planning and Building
Re: Community Impacts of the Proposal to Eliminate Home Mail
Delivery Service by the Canada Post Corporation
2014 February 11.....Page 3

urban centres to ensure full public consultation and actions to protect the interests of all Canadians.

2.0 BACKGROUND

Canada Post is a Crown Corporation, operating under the Canada Post Corporation Act, and overseen by the Federal Minister of Transportation – the Honourable Lisa Raitt. It is governed by a Board of 11 individuals, including the Chairperson and the President and Chief Executive Officer. All directors, other than the previously mentioned two positions, are appointed by the Minister for a term of up to four years, which can be renewed.

The Chairperson and President and CEO are appointed by the Governor in Council¹ for an appropriate term. The current Chairperson of Canada Post is Mr. Marc A. Courtois and the President and CEO is Mr. Deepak Chopra.

On 2013 December 11, Canada Post announced its ‘5-Point Action Plan’². The plan’s five main components are:

- **Community mailboxes:** Over the next five years, Canada Post will phase out home delivery to urban centers, to be replaced by community mailboxes. The plan states that this change will not affect the two thirds of residential addresses that currently receive their mail through community mailboxes, grouped or lobby mailboxes (i.e. high density residential buildings such as apartment towers or seniors homes), or rural mailboxes.
- **Tiered Pricing:** Beginning 2014 March 31, pending regulatory approval, stamp purchases in booklets or coils will cost \$0.85 per stamp. Individual stamp purchases, not in booklets or coils, will cost \$1 each.
- **Postal Franchises:** Canada Post will expand its retail network and open more franchised postal outlets in stores, while retaining corporate (Canada Post owned) post offices.
- **Operational Changes:** Operations will be centralized and/or streamlined with technology (i.e. more centralized warehouses, with mail sorter equipment).
- **Labour Restructuring:** Canada Post expects to eliminate 6,000 – 8,000 jobs partially through retirement (the ‘Plan’ states that 15,000 employees are expected to retire in the next 5 years). Pension plan adjustments will also be considered.

On 2014 January 29, Canada Post released a statement outlining that affected postal walks in densely populated urban areas will be the last stage for implementation in the 5-year process, given the acknowledged complexity of siting large community mailboxes installations in these environments. Canada Post is expected to announce which communities will be subject to the installation of community mailboxes and cancellation of home delivery service by the end of February, 2014.

¹ The Governor in Council (GIC) appointments process is a core function of the Senior Personnel Secretariat in the Privy Council Office, on behalf of the Prime Minister and his Office.

² For a full copy of the ‘Plan’, please visit: https://www.canadapost.ca/cpo/mc/assets/pdf/aboutus/5_en.pdf

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The local governments of Vancouver, Victoria, Saanich, New Westminster, Medicine Hat, Montreal, Sault Ste. Marie and Ottawa and the Union of Nova Scotia Municipalities have all passed motions, directed to Canada Post through the Federation of Canadian Municipalities (FCM), and/or released statements outlining their opposition or stating their concerns with the approach and requesting more information.³

The Official Opposition – the Federal New Democratic Party (NDP), and the Federal Liberal Party have both expressed their concerns regarding the ‘5 Point Action Plan’. The Liberal Party has filed several ‘Access to Information and Privacy’ requests through the Treasury Board of Canada, for documents of communication between Transport Canada, the Privy Council office and Canada Post.

On 2014 January 28, MP Olivia Chow of the Federal NDP tabled an opposition motion in the House of Commons regarding the Canada Post service changes. According to the motion, should this implementation move forward, Canada would be the only country, among the G7 nations⁴, not to have any level of door-to-door mail delivery service within its urban centres.

On 2014 January 29, Canada Post CEO Mr. D. Chopra, through the FCM, released a statement to Canadian local governments. This statement outlined that Canada Post will investigate ‘alternative approaches’ for persons with disabilities, seniors and others who would find travelling to a community mailbox an unacceptable hardship. The release also stated that many businesses will continue to have their mail delivered directly to their premises – specifically businesses in well-established commercial centres and those receiving a large volume of mail. However, some other businesses in more isolated areas, excepting those served by rural mailboxes, may be affected. These details were also included in the nation-wide Canada Post news statement of the same date referenced above.

3.0 COMMUNITY ISSUES

This section outlines the identified major issues, concerns and impacts of the proposal by Canada Post to eliminate home delivery service, as identified by staff as part of the analysis of the ‘5 Point Action Plan’, accompanying press releases and limited background information made available by Canada Post. These identified issues and impacts will affect both Burnaby and other local governments across the country.

3.1 Lack of Consultation with the Public and Key Stakeholders

Of significant concern with regard to the Canada Post proposal has been the overall lack of consultation regarding this important postal service issue with the public and key stakeholders,

³ This list may not be complete, as additional local governments may have issued statements or passed motions since the time this report was written.

⁴ The ‘G7’ is the current ‘wealthiest countries’ by measure of national net wealth – the United States, Japan, France, Germany, Italy, U.K. and Canada.

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including local governments. From the limited available information it has been determined that the consultation completed to date has been advanced without benefit of the general public being provided with information of the specific proposals presented for implementation.

Public Consultation

Canada Post maintains that their consultation process focussed on engaging with members of the public and the business community. According to the limited information being released by Canada Post, the corporation contends that it conducted a 5-month public consultation process from April – August, 2013. This ‘consultation process’ included a 2013 April 24 news release, an online forum available for discussion through the Canada Post website, signage in post offices and franchise outlets, information on printed postal receipts, and participation of Canada Post leaders in over 40 talk and call-in shows. In addition, Canada Post maintains that it held 46 community forums with invited representatives from different sectors (e.g. business) and neighbourhoods with different types of delivery service. In the Lower Mainland, these conversations occurred in Vancouver and Coquitlam.

Generally, however, staff would conclude that the process undertaken for this consultation process does not meet the basic threshold required for either public engagement or consultation for an issue of such national importance and scope. Given the implications of the changes proposed, a wider and more sustained discussion should have included presentation of facts and issues, followed with specific options that reflected public feedback and concerns. Additionally, the general public should have been provided an opportunity to participate in the process and attend public information meetings. At a basic level, the Canada Post Corporation’s claim of wide public consultation and engagement is not well supported, as it was too broad, high-level, severely limited direct public involvement and did not disclose the true intent of the wide-spread and important changes being contemplated for immediate implementation.

Stakeholder Consultation – Local Government

Local governments, as a key stakeholder, would be most directly impacted by these proposed changes in terms of the proposal’s impact on residents, corporate services, urban form and land-use policies. Canada Post maintains that as part of its consultation process that it met directly with the Mayors and senior administrative officials of six local governments. It is noted that the information provided by Canada Post does not identify the six communities or the range of issues that were reviewed or if any of the known technical aspects related to the proposal were advanced for review. The size, location and nature of the communities has also not been disclosed by Canada Post.

Again, given the importance of the issues being advanced, the lack of engagement with Canada’s local governments, or their regional or national organizations, erodes confidence that the stakeholder review process was in any sense complete or comprehensive. As British Columbia’s third largest City, Burnaby should have had an opportunity to review the proposals being advanced and to participate in a technical review to analyze and comment on specific proposals.

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As outlined, to the City's knowledge, no urban municipality, or agency representing Canadian cities, was specifically engaged on the issues of replacing home delivery services with community mailboxes.

Given the implications of the Canada Post proposal to all urban municipalities and their citizens, staff are of the opinion that a more sustained and substantive consultation process with local governments prior to the service delivery changes being decided upon and announced would have been of benefit in identifying and determining issues and impacts of these service changes, including possible remediation approaches.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of wide public and local government review, and request the Federal Government require full and meaningful public consultation and engagement with municipalities, in order to review all options related to preserve continued home mail delivery in Canada's urban centres.

3.2 Mail Security

Another immediate and important concern with the proposal to eliminate home-delivery service is the high level of crime and vandalism experienced at existing community mailboxes. While Canada Post maintains that it locates community mailboxes in areas of natural surveillance, community mailboxes are more prone to many security concerns regardless of their location. The most serious concern is theft of mail through vandalism and breaking locks and access points to community mailboxes. The design and quality of the Canada Post community mailboxes have proven not to be secure and have left citizens' property vulnerable to theft. Additionally, mailboxes are a target of vandalism through graffiti and damage.

According to an investigative report by the Canadian Broadcasting Corporation (CBC), community mailboxes in the Lower Mainland and other urban/suburban areas are particular targets. Burnaby itself is reported to have had several dozen incidents over the past 5 years, including one act of arson, four acts of theft, and several Canada Post mailboxes being over turned and damaged. The number and severity of incidences appear to increase in communities with more community mailboxes already in place. For example, the City of Surrey is reported to have experienced almost 900 incidences over the same period, while the District of Maple Ridge and the City of Langley and District of Langley are reported to have experienced upwards of 400 incidences⁵.

The issue of crime and vandalism of the existing community mailbox program has other widespread impacts that have been demonstrated in a number of recent incidents across Canada. Canada Post does not have the capacity or infrastructure to maintain the existing community mailbox program in order to respond quickly and effectively to repair all of the mailboxes that can be damaged by organized criminal activities. In some instances several community

⁵ For more information, see the CBC Investigative Report at: <http://www.cbc.ca/news/canada/british-columbia/are-canada-post-s-community-mailboxes-really-safe-1.2460515>.

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mailboxes within a city are targeted within a single crime event. The impacts to citizens include the suspension of mail delivery for several weeks to affected communities. In some cases resident's mail would be made available through a Canada Post outlet until repairs can be completed. However, these locations can be located far away from affected neighbourhoods and without the staffing available to effectively serve the public.

The proposal to increase the number of community mailboxes in urban areas will exacerbate the issue of mail theft and impact many more citizens on an ongoing basis. Of specific and serious concern is the vulnerability of community mailboxes to crimes related to identity theft through access to personal information and sensitive mail. Direct theft of cheques, currency, gifts, and parcels has also been reported and associated with community mailboxes. The impact of crime associated with the introduction of community mailboxes on local police detachments through an increase in service calls has not been analyzed or reviewed. Additionally, none of these issues have been fully addressed by Canada Post or included in any public consultation efforts related to the discussion of the proposal to cancel home mail delivery.

It is therefore proposed that Council advance its opposition to the proposal on the basis of the lack of study and information related to implementation of provisions for theft prevention and mail security, and request the Federal Government ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property.

3.3 Safety and Access for Seniors and Persons with Mobility Restrictions

For many senior citizens and persons with mobility restrictions, living in areas currently receiving the home delivery postal service, the proposal to restrict their mail delivery to community mailboxes will represent a significant hardship. For many such persons, it may be difficult or impossible to travel to community mailboxes particularly in inclement weather, if they do not drive, are not in an area well-served by public transit, or have few family members and/or others whom they can ask for assistance.

For some persons with disabilities, there may also be hand-dexterity considerations as keys are required to open each mail slot.⁶ Another potential issue is with the height of assigned mail slots. For some persons utilizing a wheelchair or another mobility device, or who have limited upper body movement, they may be unable to reach up significantly to access their mail slot. Finally, for many individuals isolation is also a factor and the 'human connection' of home delivery service provides a much needed and valuable opportunity for daily conversation, interaction and connection to the wider community.

It is of great concern that Canada Post did not identify these important social planning issues as part of any public consultation program for citizens which should have ensured that vulnerable citizens and their issues were adequately addressed as part of the proposed change to the home

⁶ When persons move into a neighbourhood serviced by a community mailbox, keys to an assigned slot are available for pick-up at a local postal outlet.

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delivery service. Subsequent assurances by Canada Post to further study the issue, as outlined in Section 2.0 of this report, further emphasize the lack of planning and consultation that has occurred to date regarding this important issue and does not provide any confidence that the matter would be resolved through a consultative public process.

It is therefore proposed that Council advance its opposition to the proposal and request the Federal Government ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions.

3.4 Provincial Statutory Public Notification Procedures

Of significant concern is the fact that the Canada Post proposal has been advanced without consultation and review with regard to addressing any conflicts with existing B.C. Provincial Statutory Public Notification procedures. While these processes, and any requirements of mail notification through Canada Post, remain the responsibility of the Provincial Government, there are many impacts on local governments and its citizens. These include but are not limited to the Local Government Act, Elections BC and other statutory municipal notifications.

The proposal to cancel home mail delivery has been advanced without benefit of oversight or any review related to the legal implications regarding a local municipality's responsibility to ensure public notification under the Local Government Act. These laws were originally developed under the basis of existing daily home mail delivery services. For example, notices of a Public Hearing must, as mandated by Section 892 (4)(b) of the Local Government Act, be mailed or otherwise delivered by local governments to all property owners at least 10 days before the hearing date. While Canada Post may maintain that community mailboxes would provide postal service to all residents, many issues remain of concern. Notification may not be deemed to have occurred within the statutory timeframe as property owners would only receive their mail upon collection at a community mailbox, which may not provide timely notification. However, currently home mail service has been deemed to provide legal notification to property owners upon its delivery to a private residence.

Additionally, Burnaby, other local governments and government agencies have not had the opportunity to review and comment on the potential impact of the proposal related to its internal corporate and bylaw practices concerning the legal notification of property owners and residents. This includes taxation notices, bylaw infraction notices, local elections notices and emergency response information and procedures. It is unclear at this point whether the existing notification procedures and stated periods are still adequate or need to be reviewed and updated, based on the current or future mail delivery changes being considered by Canada Post.

Canada Post has also not addressed how it will maintain mail service to hundreds of thousands of citizens that occupy legal and illegal secondary suites, located in single-family homes, duplexes and other building types, which are common in many of the country's urban centres. A high percentage of these citizens may be new immigrants and/or have low incomes. Tenants of private properties, for a variety of reasons (lack of knowledge, language barriers, etc.), may not

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have the opportunity, knowledge, or financial ability to make application and maintain their own mailing addresses and community mailboxes under the proposal by Canada Post.⁷ Although many tenants now share a common home delivery mailbox and therefore can receive and reasonably safeguard their own mail, this opportunity could be lost through the proposed system of community mailboxes. Concerns include a tenant's mail not being safeguarded, or conveniently available, as their access to mail may effectively be controlled by a property owner, who could maintain sole access to the property's designated community mailbox.

These important issues, which have not been identified or addressed by Canada Post, have many implications for all citizens and communities. The proposed discontinuance of the home mail system in urban areas may lead to the erosion of maintaining accurate mailing address lists and government databases, as tenants may not continue to report their own home mailing addresses as they would lose direct access to Canada Post mail delivery.

Elections BC in part provides voting rights on the presentation of various identifications, which includes providing a residential mailing address. Additionally, Elections BC provides mailed 'Voter Notifications' to residential addresses to provide citizens with the location of their designated polling stations. The proposal by Canada Post to cancel home mail delivery has the potential to take away the right of all citizens to be provided with their rightful enumeration and notification by mail for inclusion and participation in Federal, Provincial, and local elections and/or public referendums. The overall impact of the Canada Post proposals would not only erode the reliability of public notification and citizen enumeration, but could harm the very fabric of Canada's ability to serve and ensure that all citizens have an opportunity to fully participate with the election system, which has to date relied primarily on the home mail delivery system.

Given these important inter-related and complex issues, a full review of the position and responsibility of the senior levels of government needs to be completed and fully addressed in any proposal by Canada Post. As stated, this consultation with key stakeholders would specifically include, but not be limited to, the B.C. Minister for Community, Sport and Cultural Development who oversees the Local Government Act and the Chief Elections Officer who is responsible for Elections BC. This consultation should be undertaken with the full notification to and engagement of all citizens, B.C. municipalities and other impacted government agencies.

It is therefore proposed that Council request the Federal Government to address specific issues related to the impact of any proposed home mail delivery changes to existing Federal, Provincial, and local government responsibilities related to the statutory notification of property owners and all citizens.

⁷It is noted that the cost of the replacement of lost or stolen Community Mailbox keys is currently \$29.

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3.5 Location of Community Mailboxes on City-owned property

The proposal to cancel home delivery in favour of community mailboxes by Canada Post poses specific urban land use issues that have not been fully reviewed or addressed and reflect the lack of consultation with local governments that was outlined in Section 3.1 of this report. In dense urban communities, such as Burnaby, the location and placement of the proposed community mailboxes raises a number of important issues and implications for the City. These include increased legal liability for municipalities who would be faced with many new locations on public property for large installations of community mailboxes, which could pose safety hazards for drivers and pedestrians.

The power to impose this type of development without municipal approval or consultation is provided by the Federal Government through the Canada Post Corporation Act and the regulations made under this Act including the "Mail Receptacles Regulations"⁸. The broad sweeping power of this imposition on local governments was originally intended to serve the distribution of mail under the current system of a home mail delivery model. The use of this power to implement community mail boxes within densely populated urban places was never contemplated or advanced with any consultation with local government concerning the potential impacts.

It is unclear what process Canada Post intends to implement to locate the new community mailboxes. The dimensions of Canada Post's typical suburban community mailboxes are approximately 1668 mm (5.5 feet) long and 470 – 490 mm (1.7 feet) wide. The proposal for urban community mailboxes are expected to be much larger to accommodate more mailboxes including enough space for package delivery.

Canada Post's current criteria⁹ for the placing of community mailboxes in new sub-divisions or other suburban residential developments, states that community mailboxes should be:

- placed a minimum of nine metres from intersection corners;
- not installed at major intersections;
- placed in areas not with heavy traffic volume;
- visible to multiple houses or buildings for natural surveillance;
- installed in proximity to the addresses it serves;
- located adjacent to areas where 'pulling over' into the shoulder or street parking area is allowable 24 hours a day;
- installed near a natural 'entry point' to a neighbourhood or development; and
- installed near existing street lighting fixtures.

⁸ Specifically, "The Corporation may install, erect or relocate or cause to be installed, erected or relocated in any public place, including a public roadway, any receptacle or device to be used for the collection, delivery or storage of mail." [Canada Post Corporation Act, Mail Receptacles Regulations (SOR/83-743)]

⁹ For more information, please visit: http://www.canadapost.ca/cpo/mr/assets/pdf/business/standardsmanual_en.pdf

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Currently, Canada Post places its required infrastructure on the City of Burnaby lands without the approval or any consultation with city staff (for the small letter mailboxes or postal carrier mail pick-up boxes). As a result, the Engineering Department would be required to contact Canada Post should any traffic or community issues be identified by staff or citizens. Canada Post currently is not obliged by law or any corporate policies to comply with community concerns regarding the location of its postal boxes. Canada Post has also developed no criteria that would provide guidelines for the implementation of Community mailboxes in dense urban areas, such as Burnaby. These guidelines would presumably also be reflected in an updated "Mail Receptacles Regulations" which would be amended by the Government of Canada.

There is some uncertainty if the proposal could be successfully integrated into some neighbourhoods given the lack of space within the streetscape to accommodate large installations of this type in multiple locations. This will pose difficult choices in locating community mail boxes and may be intrusive and of great inconvenience for many neighbourhoods and citizens. Additionally, it is unclear whether or not the "Mail Receptacles Regulations" provides the legal right for Canada Post to place community mailboxes on any municipal, school district or provincially-owned titled properties which may be included in the definition of the law's use of the term "public place". There are a host of concerns that have been identified related to Burnaby accommodating community mailboxes on City-owned lands which include:

- the availability and suitability of locations for mailboxes to serve all neighbourhoods;
- the ability to serve rapidly expanding residential areas effectively;
- the visual impact of community mailboxes in an urban environment;
- the impact on neighbouring properties and local land uses;
- the need for selective sidewalk and road improvements;
- the need and responsibility for community consultation;
- safety or access concerns (i.e. blocks traffic 'sight lines' or does not leave sufficient sidewalk space for a wheelchair to pass);
- any legal costs or liability from arising injuries or accidents;
- ability for location to accommodate the need for resident street parking;
- traffic volumes, movement and safety around community mailbox locations;
- security and lighting;
- snow and ice removal;
- vehicle access for Canada Post delivery staff;
- vandalism, graffiti and theft; and
- the need for provisions for litter clean-up and garbage removal.

All of these concerns carry with them a new level of municipal responsibility and costs that could become a significant financial burden for Burnaby's taxpayers and other municipalities.

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It is therefore proposed that Council, as part of its opposition to the overall program, request the Federal Government to remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program for urban centres, without the direct consultation and specific approval of any affected local government.

4.0 LMLGA AND UBCM RESOLUTION

In light of the significant, complex, unaddressed issues outlined in this report and that the proposed Canada Post service delivery changes are of considerable scope and affect both Burnaby and other local governments nation-wide, the following resolution has been prepared for Council's consideration. It has been reviewed for submission with the concurrence of the City Solicitor, the Director Engineering, the Director Parks, Recreation and Cultural Services, and the RCMP 'Officer in Charge':

RESOLUTION: Suspension of Canada Post Home Delivery Service

WHEREAS local governments have a direct interest in the security and stability of Canada's postal system, both in terms of municipal corporate operations and services available to citizens;

AND WHEREAS the service delivery changes would directly impact local governments, including in relation to land-use policy, requirements for municipal land and rights-of-ways, infrastructure for paving, lighting, and waste management, and public safety considerations (etc.);

THEREFORE BE IT RESOLVED that the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM) call on the Federal Government and Canada Post, through the Federation of Canadian Municipalities and other avenues as appropriate, to suspend the Canada Post delivery changes until a sustained, substantive consultation process with local governments and the public is completed and identified issues are addressed.

It is therefore proposed that Council endorse the resolution for submission to the 2014 Lower Mainland Local Government Association (LMLGA) in order to advance to Annual General Meeting of the Union of BC Municipalities (UBCM) Convention. Further it is proposed that Council advance a copy of this report to all members of Metro Vancouver, the LMLGA and the UBCM for their information.

5.0 CONCLUSION

This report provides, for Council's information, a broad overview of the major identified issues and impacts of the proposed Canada Post service delivery changes and its specific implications for the City of Burnaby and other local governments. Although it is acknowledged that this review has been based on limited information released by Canada Post, there remain too many

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important issues of great concern to local governments and citizens that require immediate response. These issues include the lack of consultation with the public and local governments; mail security, safety and access for seniors and persons with limited mobility; impacts on existing federal, provincial and local government obligations related to statutory notification; and issues associated with the location of community mailboxes in urban areas including the impacts on the operations and legal liabilities for municipalities.

It is therefore proposed that Council, through the Office of the Mayor, write to the Federal Government and the Canada Post Corporation, through the Federal Minister of Transportation, to express its opposition to the current proposal to replace home mail delivery service with community mailboxes and request immediate review and amendment of the Canada Post Corporation's '5-Point Action Plan,' as outlined in this report, to:

- require full and meaningful public consultation and engagement with municipalities in order to review all options in order to preserve continued home mail delivery in Canada's urban centres;
- ensure that any new mail delivery service proposal provides for the continued security of citizens' private information and property;
- ensure that all proposals related to home mail delivery provide for the necessary safety and protection of seniors and persons with mobility restrictions;
- address specific issues related to the impact of any proposed home mail delivery changes to existing federal, provincial and local government obligations related to the statutory notification of property owners and citizens;
- remove the discretion of the Canada Post Corporation to utilize City-owned property for an expanded community mailbox program in urban centres, without the direct consultation and approval of local governments.

These issues are of wide interest to all Canadians and other local governments and warrant the City to advance a resolution to garner the support of the LMLGA and UBCM.

A resolution has been prepared for Council's consideration to seek support from other affected local governments for its concerns regarding the potential impacts of the decision by the Canada Post Corporation. This is for submission to the 2014 Lower Mainland Local Government Association (LMLGA) Annual General Meeting and Union of BC Municipalities (UBCM) Convention, as outlined in Section 4.0 of this report.

It is recommended that a copy of this report be sent to: Burnaby MLA's and MP's; The Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development; BC Chief Electoral Officer - Mr. Keith Archer, Elections BC; all Members of the Lower Mainland Local Government Association (LMLGA) and the Union of BC Municipalities (UBCM); the Federation of Canadian Municipalities; and the Canadian Union of Postal Workers (CUPW) and CUPW- Pacific Region.

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A copy of this report is proposed to be forwarded to the Social Issues Committee; Traffic Safety Committee; Environment Committee and the Mayor's Task Force on Graffiti for information.

Lou Pelletier, Director
PLANNING AND BUILDING

RM/JW:sa:sla

cc: Deputy City Managers
Director Engineering
Director Finance
Director Parks, Recreation and Cultural Services
OIC – RCMP
Fire Chief
Chief Building Inspector
Chief Librarian
City Solicitor
Deputy City Clerk

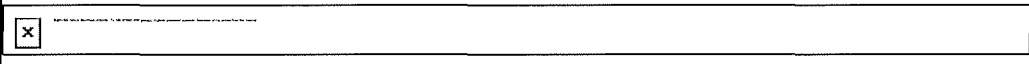
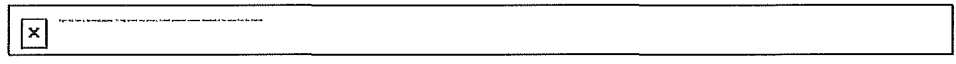
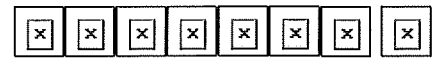
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Lions Bay Reception

From: jyoung@ubcm.ca on behalf of Lower Mainland Local Government Association
 <jyoung@ubcm.ca>
Sent: Friday, March 14, 2014 4:07 PM
To: Lions Bay Reception
Subject: LMLGA conference - Register Now! Resolutions deadline...

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Join Us! May 7 - 9 in Whistler, BC

Economically Speaking:

How External Pressures Affect Local Government

The LMLGA conference is a popular event for elected officials from Lower Mainland local governments, as it provides a venue to debate issues and move resolutions forward to UBCM. Our AGM is also a unique opportunity to network and explore ideas and initiatives that are relevant and specific to the communities of the Lower Mainland. The conference program includes a tradeshow, engaging speakers, workshops, seminars, the AGM and a resolutions session. The welcome reception, delegates' lunch and annual banquet provide great networking opportunities as well as welcome time to relax and have fun. [Learn More.](#)

KEYNOTE SPEAKER

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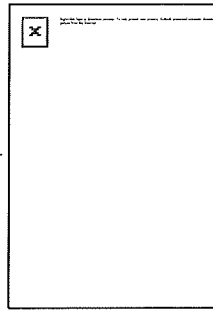
Register Now

When
 Wednesday, May 7 -
 Friday, May 9, 2014

Where
 Fairmont Chateau Whistler

What
 The LMLGA Annual General Meeting

Dr. Roslyn Kunin is one of those rare economists who can make the often difficult subject of economics understandable and interesting. Her presentations are engaging and enlightening, and will allow organizations to prepare for new challenges ahead, while capitalizing on approaching opportunities within the economic landscape.



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Important Deadlines

Resolutions

The resolutions deadline is Friday, March 21, 2014 . [Click here](#) to view the *Resolutions Notice*.

Nominations

Nominations for the LMLGA Executive are being accepted until March 31, 2014. [Click here](#) to download the *Nominations Form*.

Thank you to our 2014 Sponsors!

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9

Lions Bay Reception

From: Minister, CSCD CSCD:EX <CSCD.minister@gov.bc.ca>
Sent: Friday, March 14, 2014 1:18 PM
Subject: Community Amenity Contributions

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VILLAGE OF LIONS BAY
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FILE TO PROPERTY FILE
OTHER


Dear Mayors and Councils, Chairs and Board Members:

The Ministry of Community, Sport and Cultural Development has recently released new guidance on community amenity contributions (CACs), entitled, *Community Amenity Contributions: Balancing Community Planning, Public Benefits and Housing Affordability*, and a *Short Guide* version that summarizes the content of the full length guide. Please visit the following website for more information: http://www.cscd.gov.bc.ca/lgd/planning/community_amenity.htm.

In recent years, local governments in British Columbia have been looking for new ways to finance infrastructure and amenities needed to accommodate growth. CACs are one of the tools increasingly being used by British Columbia local governments.

The purpose of this guide is to assist local governments to understand the risks and challenges related to obtaining CACs. The guide was developed with input from a wide variety of stakeholders.

Sincerely,

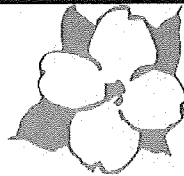

Coralee Oakes
Minister

10

Lions Bay Reception

From: jyoung@ubcm.ca on behalf of Lower Mainland Local Government Association
Sent: Thursday, March 20, 2014 2:46 PM
To: Lions Bay Reception
Subject: LMLGA Resolutions Due tomorrow! Early Bird registration deadline March 31.

*Sent Mar 20
as TIME-SENSITIVE*



Better Communities. Better Lives.

LMLGA
LOWER MAINLAND LOCAL GOVERNMENT ASSOCIATION



Join Us! May 7 - 9 in Whistler, BC

Economically Speaking:

How External Pressures Affect Local Government

The LMLGA conference is a popular event for elected officials from Lower Mainland local governments, as it provides a venue to debate issues and move resolutions forward to UBCM. Our AGM is also a unique opportunity to network and explore ideas and initiatives that are relevant and specific to the communities of the Lower Mainland. The conference program includes a tradeshow, engaging speakers, workshops, seminars, the AGM and a resolutions session. The welcome reception, delegates' lunch and annual banquet provide great networking opportunities as well as welcome time to relax and have fun. [Learn More.](#)

Early Bird Rate

Deadline March 31

~\$400 +GST~

Register Now

When

Wednesday, May 7 -
Friday, May 9, 2014

Where

[Fairmont Chateau Whistler](#)

KEYNOTE SPEAKER

Dr. Roslyn Kunin is one of those rare economists who can make the often difficult subject of economics understandable and interesting. Her presentations are engaging and enlightening, and will allow organizations to prepare for new challenges ahead, while capitalizing on approaching opportunities within the economic landscape.



What

The LMLGA Annual General Meeting

Quick Links

[Program](#)

[Directions](#)

[Contact Us](#)

Important Deadlines

Resolutions

The resolutions deadline is tomorrow!

Friday, March 21, 2014

[Click here](#) to view the *Resolutions Notice*.

Nominations

Nominations for the LMLGA Executive are being accepted until March 31, 2014. [Click here](#) to download the *Nominations Form*.

Thank you to our 2014 Sponsors!

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- Young Anderson
- Municipal Insurance Association
- Canadian Wood Council/ Wood WORKS!
- Shaw

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www.lmlga.ca

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Try it FREE today.

This email was sent to reception@lionsbay.ca by jyoung@ubcm.ca | [Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

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Mar. 21/14.

Lions Bay Village Council,

Dear Sirs,

As I emailed, I wanted your council to have the RCMP human trafficking kit and information on the topic.

Joy Smith is Canada's expert on this issue.

Please confirm with us that you received and looked at this pamphlet.

Thank you,

Sincerely,

Cathy & Allan Peters

Ca.peters@telus.net

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10

LAGE OF LIONS BAY
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Help Combat Human Trafficking

information folder included

Educate yourself

- Read 'Invisible Chains' by Benjamin Perrin – Canada's story of human trafficking
- Watch Hope For The Sold's Online Documentary on Human Trafficking in Canada
- Visit websites of National and International NGOs. – List included with kit.

Educate others

- Set up small group meetings with community leaders
- Educate in schools.
- Educate in churches places of faith
- Educate in community centres .

Write to the Prime Minister of Canada and Justice Minister of Canada to ask that Canada fight sex trafficking by adopting the Nordic model of prostitution.

Letters can be addressed to:

The Right Honourable Stephen Harper, P.C., M.P.
 Prime Minister of Canada
 313-S Centre Block
 House of Commons
 Ottawa, ON K1A 0A2

The Hon. ~~Rob Nicholson~~, P.C., Q.C., M.P.
 Minister of Justice
 Attorney General of Canada
 House of Commons
 Ottawa, ON K1A 0A6

Peter Mackay

Write to the local and provincial leaders to ask that they take action to combat human trafficking.

- Premier
- Mayor
- City Councilors

Write a letter to the editor of your local paper or a national paper about human trafficking and how it is happening in Canada.

Talk to others about human trafficking and encourage them to make their voice heard.

Collect signatures and send in petitions on human trafficking to be presented in Parliament.

Human Trafficking Resource Websites

These websites and organizations are a great source of additional information, news, videos, and resources on human trafficking.

Canadian

Alliance Against Modern Slavery

Website: <http://www.allianceagainstmodernslavery.org/>

ACT Alberta

Website: <http://www.actalberta.org/>

Beyond Borders

Website: <http://www.beyondborders.org/wp/>

Chab Dai Canada

Website: www.chabdai.org/canada.html

Chrysalis Network & National Human Trafficking Support Line

Website: <http://www.chrysalisnetwork.org/>

Defend Dignity

Website: <http://www.defenddignity.ca/>

End Modern Slavery - Canadian Advocacy

Website: <http://www.endmoderndayslavery.ca/>

Face It Canada

Website: <http://www.faceitcanada.ca>

FREE-tHEM

Website: <http://www.freethem.ca/>

Help Us Help The Children Anti-Trafficking Initiative (HUHTC-ATI)

Website: www.chornobyl.ca

Hope For The Sold

Website: <http://www.hopeforthesold.com>

International Justice Mission Canada

Website: <http://www.ijm.ca/>

Invisible Chains by Benjamin Perrin

Website: <http://www.invisiblechains.ca>

MAST - Men Against Sex Trafficking

Website: <http://mast-canada.com/>

Ottawa Coalition to End Human Trafficking

Website: <http://www.endhumantrafficking.net/>

PACT Ottawa - Persons Against the Crime of Trafficking in Humans

Website: <http://www.pact-ottawa.org/index.html>

RCMP Human Trafficking National Coordination Centre

Website: <http://www.rcmp-grc.gc.ca/ht-tp/index-eng.htm>

REED - Resist Exploitation Embrace Dignity

Website: <http://www.embracedignity.org/>

Salvation Army Canada

Website: <http://salvationist.ca/action-support/human-sexual-trafficking/>

Sextrade 101

Website: <http://www.sextrade101.com>

The Future Group

Website: <http://www.thefuturegroup.org/>

The Ratanak Foundation

Website: <http://www.ratanak.org>

Walk With Me

Website: <http://www.walk-with-me.org>

Windsor Essex Fighting the International Growth of Human Trafficking

Website: <http://westophumantrafficking.ca/>

International

Coalition to Abolish Slavery and Trafficking

Website: <http://www.castla.org/>

ECPAT

Website: <http://www.ecpat.net/>

Free the Slaves

Website: <http://www.freetheslaves.net/>

Love 146

Website: <http://love146.org/>

Not For Sale Campaign

Website: <http://www.notforsalecampaign.org/>

Polaris Project

Website: <http://www.polarisproject.org/>

Stop Child Trafficking

Website: <http://www.sctnow.org/>

Stop the Traffik

Website: <http://www.stophetraffik.org/>

Ukrainian World Congress Taskforce to Stop Human Trafficking

Website: www.ukrainianworldcongress.org (click on Councils and Committees)

Smith: The flesh trade is Canada's dirty little secret

By Joy Smith, Calgary Herald
March 14, 2013



Joy Smith

Each minute — every 60 seconds — two children are sold into sex trafficking. 1.2 million children are trafficked annually for the purposes of sexual exploitation. This crime, what has become well-known as modern-day slavery, is occurring in every city, town and community in each country across the globe.

What thoughts come to your mind as you hear the words “sex trafficking?” Many would think this phenomenon only occurs in areas of Southeast Asia, Central or South America and Eastern Europe. Surely, they say, this does not happen in a developed nation such as Canada, which is considered advanced in human rights, democracy and the rule of law ... a country built on the precepts of tolerance, acceptance and justice. Yet, as the number of sex trafficking cases continues to rise in Canada, and more victims speak out, it has become a reality that we can no longer ignore.

It is the reality for a young trafficked woman in Montreal, who was bravely testifying against her alleged pimp, Evgueni Mataev, until his trial was halted by the judge for reasons that cannot be disclosed.

The young woman alleged that she was forced to have sex with up to 40 men per night. Mataev still faces charges for the crimes of human trafficking, pimping and attempted murder. The Montreal Gazette reported that this young woman escaped from her life of abuse after she was forced to shoplift from a local pharmacy.

It is the reality for another victim, reported in a recent case by CBC News, in North Bay, Ont. The victim had the courage to tell a hotel concierge that she was being held against her will. A man was arrested last week in North Bay for drug possession and for living off the avails of prostitution and is now being charged with human trafficking.

It is also the reality for underage girls who are being targeted for exploitation in Calgary. Recently, police arrested two Calgary men and charged them with several criminal charges in relation to prostitution and human trafficking.

These are just a few instances in a sea of abuse perpetuated upon girls and young women annually who are forced to participate in pornography, dance in strip clubs and sell their bodies in virtually every Canadian city.

Sex trafficking is a \$32 billion dollar industry, greater than the profits of Nike, Google and Starbucks combined, according to UN News Centre, International Labour Office. The Canadian Security Intelligence

Service (CSIS) estimates domestic sex traffickers earn an average of \$280,000 annually from every victim under their control.

Unfortunately, trafficking is no different than any other industry, and thus, the laws of supply and demand apply. Men fuel the business of human trafficking by paying for pornography, frequenting strip clubs and soliciting sex with women for profit. As long as there are enormous sums of money to be made from selling sex, there are those who will seek to profit by supplying vulnerable women and girls.

Recent changes to Canadian legislation have been made. Bill C-49 amended the Criminal Code to specifically prohibit trafficking in persons in Canada. Bill C-268 created a new offence for child trafficking with a five-year mandatory penalty. Bill C-310 allows the Canadian government to prosecute Canadian citizens and permanent residents who engage in trafficking outside of Canada and also enhances the definition of exploitation in the trafficking of persons offence.

Canada's National Action Plan to Combat Human Trafficking was launched in June 2012. With participation from 18 federal departments, it is a comprehensive blueprint to guide the government of Canada's fight against the serious crime of human trafficking.

Although these are all steps in the right direction, Canadians must do more in the fight against this crime. The men and women who prey on innocent victims create a market that buys and sells our youth today in Canada. Men who pay to use the bodies of these young people fuel the profit and demand for this modern day slavery that is happening right here in our own backyards. Countries such as Norway and Sweden have made substantive progress toward eliminating human trafficking by targeting the market, eliminating the demand, supporting victims, and placing the ownership for these crimes on the perpetrators. Will Canadians call for a 'target the market' model so that our youth are no longer bought and sold?

Joy Smith is the Conservative MP for Kildonan – St. Paul, Manitoba.

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Read more:

<http://www.calgaryherald.com/news/Smith+flesh+trade+Canada+dirty+little+secret/8100150/story.html#ixzz2S9ik6haC>

Progression of Canada's Human Trafficking Legislation



Criminal Code

R.S.C., 1985, c. C-46



2005 - Original Offence Added

2010 - MP Joy Smith's Bill C-268

2012 - MP Joy Smith's Bill C-310

Offence in relation to trafficking in persons

4.11 Notwithstanding anything in this Act or any other Act, every one who, outside Canada, commits an act or omission that if committed in Canada would be an offence against section 279.01, 279.011, 279.02 or 279.03 shall be deemed to commit that act or omission in Canada if the person who commits the act or omission is a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*.

Trafficking in persons

279.01 (1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years in any other case.

Consent

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

Trafficking of a person under the age of eighteen years

279.011 (1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person under the age of eighteen years, or exercises control, direction or influence over the movements of a person under the age of eighteen years, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life and to a minimum punishment of imprisonment for a term of six years if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years and to a minimum punishment of imprisonment for a term of five years, in any other case.

Consent

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

Material benefit

279.02 Every person who receives a financial or other material benefit, knowing that it results from the commission of an offence under subsection 279.01(1) or 279.011(1), is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

Withholding or destroying documents

279.03 Every person who, for the purpose of committing or facilitating an offence under subsection 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person's identity or immigration status is guilty of an indictable offence and liable to imprisonment for a term of not more than five

Exploitation

279.04 (1) For the purposes of sections 279.01 to 279.03, a person exploits another person if they cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service.

(2) In determining whether an accused exploits another person under subsection (1), the Court may consider, among other factors, whether the accused

(a) used or threatened to use force or another form of coercion;

(b) used deception; or

(c) abused a position of trust, power or authority.

(3) For the purposes of sections 279.01 to 279.03, a person exploits another person if they cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.



» *Another View*

New prostitution law must target the buyers



Joy Smith
Guest Opinion

The Supreme Court of Canada has ruled that the Criminal Code offences around prostitution are unconstitutional. This ruling leaves police without important legal tools to tackle sex trafficking and organized crime and does not reflect a 1990 Supreme Court of Canada decision which stated that the elimination of prostitution through law was a valid goal.

Despite this ruling, the debate around prostitution is hardly settled. There are those who wish to legalize and normalize the industry, those who wish to criminalize all aspects of the industry, and finally those, like myself, who recognize prostitution as an industry that is inherently harmful to women and girls and therefore must be eliminated.

I am convinced that the most effective route to tackling prostitution and sex trafficking is to address the demand for commercial sex by targeting the buyers of sex. Countries that have legalized and regulated have seen sexual

exploitation, human trafficking and violence towards women and girls increase drastically. In fact, a 2012 comprehensive study of a cross section of up to 150 counties revealed that legalizing prostitution increased sex trafficking. In contrast, countries like Sweden and Norway, which have adopted the Nordic model of prostitution, have seen a significant decrease in prostitution and sex trafficking.

The Nordic model of prostitution is effective due to its three approaches: explicitly criminalizing the purchase of sexual services, a national awareness campaign to educate the public that the purchase of sexual services is harmful to women, and finally strong support programs for those who seek to exit prostitution.

Many police services across Canada have already shifted to policing models reflecting the Nordic model approach that women, girls and vulnerable populations are victimized and profoundly harmed by prostitution. The Toronto Police Service, Canada's largest municipal force, mandates their Sex Crimes Unit Special Victims Section to recognize 'sex workers as victims first.' Vancouver Police Department's Counter Exploitation Unit acknowledges 'that Aboriginal women are over-represented' among prostituted women and focuses on assisting

'young people escape from the sex trade.' The Winnipeg Police Service's new Counter Exploitation Unit has also adopted 'victim first' driven investigations.

The harm caused by prostitution to women, girls and vulnerable populations has been well documented by women's and First Nations organizations. During the June 13, 2013 Supreme Court of Canada hearings, the majority of interveners that were directly opposed to legalizing and regulating prostitution represented women's organizations such as Canadian Association of Sexual Assault Centres, Native Women's Association of Canada, and Vancouver Rape Relief Society. These organizations presented compelling evidence to the Supreme Court of Canada that legalizing prostitution would place women, girls and vulnerable populations at much greater risk of exploitation.

Even the buyers of sex recognize the harm caused by prostitution to women. A 2012 Canadian study on the buyers of sex called Buyer Beware, found that of the 20 men interviewed, 8 of the men indicated that they acknowledged that women were most harmed by their act of buying sex and another 10 of the men felt both the woman and the buyer were harmed. Result — 90 per cent

of the men who bought sex recognized the women involved in prostitution were harmed by act of prostitution. The same study revealed that all 20 sex buyers would warn a first time sex buyer against engaging in prostitution due to the harm caused.

Prostitution must be eliminated because it dehumanizes and degrades humans and reduces them to a commodity to be bought and sold. Legalizing prostitution is a direct attack on the fundamental rights and freedoms of women, girls and vulnerable people. In the same regard, continuing to criminalize the women and vulnerable populations being prostituted creates barriers that prevent them from escaping prostitution and entrenches inequality.

Let's be clear: those who advocate either approach ignore mounting empirical evidence and will find themselves on the wrong side of history and women's equality. As a nation, we must ensure pimps remain severely sanctioned and prostituted women and girls are not criminalized and instead given meaningful escape routes out of sex work. Most importantly, Canada must focus on the real root of prostitution by targeting the buyers of sex.

» Joy Smith is the Conservative MP for Kildonan-St. Paul, in Manitoba

» *Reader Feedback* // visit us: www.nanaimodailynews.com

Online polling

Today's question: Will you be going out looking for Boxing Day deals after

Soundoff: To leave a comment on our stories online, you must refrain

editorial comment

editorials that appear as 'Another View' represent the stance of the Nanaimo Daily News. They are unsigned because they do not necessarily represent the personal views of the writers. You have comment regarding our position, we invite you to submit a letter to the editor. To discuss the editorial policies of the newspaper, please contact managing editor Mark A. McDonald.

letters policy

The Nanaimo Daily News welcomes letters to the editor, but reserves the right to edit letters for clarity, taste, legality, and length. We require your hometown and a daytime phone number for verification purposes only. Letters must include our first name (or two initials) and last name. If you are a member of a political or lobby group, you must declare so in your submission. Unsigned letters will not be accepted and submissions are best kept to 300 words or fewer. For the best results, mail your submissions to letters@nanaimodailynews.com.

complaint resolution

If talking with the managing editor or publisher does not resolve your complaint about a story we publish, contact the B.C. Press Council. The council examines complaints from the public about the conduct of the press in gathering and publishing news. The Nanaimo Daily News is a member. Your written concern, accompanied by documentation, must be sent within

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Lions Bay Reception

VILLAGE OF LIONS BAY
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From: Brenda Broughton <bbroughton@telus.net>
Sent: Tuesday, March 25, 2014 7:57 AM
To: Brianna Waldman; Council @ Lions Bay; Agenda
Cc: Lions Bay Reception; Mandy Koonts; Grant McRadu
Subject: Re: Lions Bay Council Meeting

Dear Brianna,

Thank you for the information regarding the 2014 Granfondo date of September 6th, 2014.

Sincerely,

Brenda

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

From: Brianna Waldman
To: council@lionsbay.ca
Sent: Monday, March 24, 2014 1:26 PM
Subject: Fwd: Lions Bay Council Meeting

To Whom It May Concern;

I hope this message finds you well. As you may have heard, RBC GranFondo Whistler is excited to be coming back for our 5th event for 2014. Our event date this year is September 6, 2014 and we are looking forward to another successful year.

It is early days, however I wanted to reach out and introduce myself. I am the new lead planner for this year and am looking forward to working with you. I have heard nothing but great things about Lions Bay's community involvement. As per previous years, we would love to come and do a quick presentation at your council meeting. Is this okay?

I look forward to starting communications with you this year. Please let me know if you require any further information.

Best Regards,
Brianna

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

From: Brianna Waldman <brianna@granfondocanada.com>
Date: Mon, Mar 24, 2014 at 12:53 PM
Subject: Lions Bay Council Meeting
To: accounting@lionsbay.ca
Cc: office@lionsbay.ca, reception@lionsbay.ca

Hi Hayley,

I hope this message finds you well. As you may have heard, RBC GranFondo Whistler is excited to be coming back for our 5th event for 2014. Our event date this year is September 6, 2014 and we are looking forward to another successful year.

It is early days, however I wanted to reach out and introduce myself. I am the new lead planner for this year and am looking forward to working with you. I have heard nothing but great things about Lions Bay's community involvement. As per previous years, we would love to come and do a quick presentation at your council meeting. Is this okay?

I look forward to starting communications with you this year. Please let me know if you require any further information.

Best Regards,
Brianna

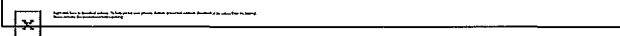
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Brianna Waldman | Project Lead
GranFondo Canada (a division of TOIT EVENTS Inc.)

T: 604-990-2510 x 230 C:604-365-6564 brianna@granfondocanada.com | www.granfondocanada.com
1827 Victoria Diversion | Vancouver BC | V5N 2K2 | CANADA

The Rides You've Been Waiting For:
RBC GranFondo Banff - August 23, 2014
RBC GranFondo Whistler - September 6, 2014

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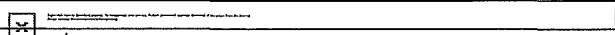
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Brianna Waldman | Project Lead
GranFondo Canada (a division of TOIT EVENTS Inc.)

T: 604-990-2510 x 230 C:604-365-6564 brianna@granfondocanada.com | www.granfondocanada.com
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The Rides You've Been Waiting For:
RBC GranFondo Banff - August 23, 2014
RBC GranFondo Whistler - September 6, 2014

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Lions Bay Reception

From: Baysan, Michelle (UBC CPD) <michelle.b@ubc.ca>
Sent: Thursday, March 27, 2014 1:58 PM
Subject: Rural Emergency Continuum of Care Conference ~ May 30-31, 2014
Attachments: RECC2014 Support Package.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Rural Coordination Centre of BC
 Enhancing rural health through education and advocacy
 Linking community needs and policy development with the JSC

March 27, 2014

Greetings, Mayors and Council Members!

Re: Rural Emergency Continuum of Care Conference ~ May 30-31, 2014

Physician recruitment and rural health care issues are important to all our communities.

The Rural Coordination Centre of BC is an organization dedicated to rural BC and is a strong advocate of its health care needs. Our motto is "Enhancing Rural Health through Education". The Rural Emergency Continuum of Care held its first conference in Kelowna of June 2010. This is a multidisciplinary conference, focused on meeting the unique needs of physicians, nurses, first responders, and other health care providers in rural communities and with the most recent conference had over 200 attendees.

We are writing to invite you for the opportunity to be an Exhibitor and showcase your community at our latest rural conference in Penticton. This is a wonderful opportunity for recruitment. There will be Rural Residents (doctors in the last stages of their training), as well as Medical Students, in attendance. They will be attending this conference because they are interested in pursuing a career in Family Medicine, with a particular interest in rural medicine.

The conference will be held at the Penticton Trade and Convention Centre on Friday, May 30th and Saturday, May 31st.

We invite you to share this email. Rural healthcare requires rural communities to be part of the discussion, not just represented by larger bodies. For a full view of the entirety of the conference, a brochure/agenda is available [HERE](#).

If your community would like to send a delegate and sponsor a booth, please complete the attached sponsorship form and return to Michelle Baysan at michelle.b@ubc.ca or fax to 604 875-5078.

We hope that you will be able to join us on May 30th and 31st!

P. Granger Avery
 Rural Coordination Centre of BC

Dr. Mary Johnston
 Conference Chair

Sent by:

Michelle Baysan, BA

UBC CPD Conference Coordinator

Division of Continuing Professional Development

UBC Faculty of Medicine

855 West 10th Ave, Vancouver BC V5Z 1L7

T 604.875.4111 x21483

F 604.875.5078

E michelle.b@ubc.ca

----- Original message -----

From: Village of Lions Bay <epost@lionsbay.ca>

Date: 03-25-2014 10:17 AM (GMT-08:00)

To:

Subject: Controlled Burn - March 25 to March 28

The green waste burn will commence this afternoon, March 25th, after the Village having obtained confirmation that the weather index is favourable. The burn will continue through Friday, March 28th, 2014.

Public Works and Lions Bay Fire Rescue will be conducting this controlled burn above Oceanview Road, past the water plant, for the purpose of reducing green waste. This green waste is the result of years of green waste being delivered to this area. This deposit of green waste was deemed to pose a high safety risk to the Village in the dry season.

Thank you

Mandy Koonts

Municipal Coordinator

**The Village of Lions
Bay**

Municipal Services Team

400 Centre Road Box 141

Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100

Fax: 604-921-6643

www.lionsbay.ca



"Spare the Air" -- Lions Bay is an Idle Free Zone

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Lions Bay Reception

From: Lions Bay Reception
Sent: Thursday, February 27, 2014 4:33 PM
To: 'Alice Tickner'
Subject: RE: Klatt Building area under Surveillance AND Smithrite Garbage Bin Removal

VILLAGE OF LIONS BAY
 FILE TO I/C
 FILE TO PROPERTY FILE
 OTHER

Alice Tickner

The Klatt Building is the building that houses the Fire Department and the BC Ambulance station.

I will pass your other comments on to Mayor and Council.

Thank you

Susan Loutet - Administrative Assistant

reception@lionsbay.ca

The Village of Lions Bay

Municipal Services Team
 400 Centre Road Box 141
 Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
 Fax: 604-921-6643
www.lionsbay.ca



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From: Alice Tickner [mailto:████████████████████]
Sent: Thursday, February 27, 2014 4:04 PM
To: Village of Lions Bay
Subject: Re: Klatt Building area under Surveillance AND Smithrite Garbage Bin Removal

So could you please inform me where THE KLATT BUILDING IS. And would you also be so kind as to send out a reminder to the residents of Lions Bay that the garbage bin at 350 Centre Road where the stores are, is not a public bin and please do not dump your garbage there. Thank you. Alice Tickner

On Feb 25, 2014, at 4:09 PM, Village of Lions Bay <epost@lionsbay.ca> wrote:

Please be advised that the area to the east of the Klatt Building is under video surveillance and signs are in the process of being installed to indicate such. The capturing of images is a direct result of the ongoing issue of illegal dumping at this site.

Please also note the Smithrite Dumpster Bin currently located at this site is scheduled for permanent removal on Friday, February 28, 2014. Residents requiring pickup of extra garbage on pickup days can purchase a sticker from the Village Office for \$4 for each extra garbage bin.

Thank you

Grant McRadu – Interim CAO

The Village of Lions Bay

Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
Fax: 604-921-6643
www.lionsbay.ca



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2

Lions Bay Reception

From: Brenda Broughton <bbroughton@telus.net>
Sent: Monday, March 03, 2014 6:41 PM
To: Lions Bay Reception; Grant McRadu
Subject: Fw: Filming

VILLAGE OF LIONS BAY
FILE TO I/C ✓
FILE TO PROPERTY FILE
OTHER

Dear Grant,

As is my protocol, I am forwarding this email to the Village Office.

Sincerely,

Brenda Broughton
Mayor
Village of Lions Bay

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

From: Azordegan Azordegan Family
To: Scott Ando ; Brenda Broughton ; gmcradu@lionsbay.ca
Sent: Monday, March 03, 2014 5:55 PM
Subject: Fw: Filming

I strongly support this statement.
Azordegan family.
Regards,
Kambiz, Farrah and Atrena

On Monday, March 3, 2014 5:47:34 PM, Mark <[REDACTED]> wrote:
Hi, Mark and Kami,

I strongly oppose any change in the filming policy in the Lower Kevin Grove area. In order to proceed, there must be 100% approval in the neighbourhood. Please put forward my opinion to the Mayor and Council members.

I think it is also very important that the Lower Kevin Grove neighbourhood must be duly notified in advance before the item is scheduled for discussion in the Council meeting. Failure to do so will result in the perception of bias.

John Tsang
Eileen Leung
[REDACTED]

Lions Bay Reception

From: Brenda Broughton <bbroughton@telus.net>
Sent: Monday, March 03, 2014 6:42 PM
To: Lions Bay Reception; Grant McRadu
Subject: Fw: Filming policy

VILLAGE OF LIONS BAY
 FILE TO I/C
 FILE TO PROPERTY FILE
 OTHER

Dear Grant,

As is my protocol, I am forwarding this email to the Village Office.

Sincerely,

Brenda Broughton
 Mayor
 Village of Lions Bay

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

From: Azordegan Azordegan Family
To: Brenda Broughton
Sent: Monday, March 03, 2014 5:35 PM
Subject: Fw: Filming policy

We support Mr, Hirst statement.
 Azordegan, Kambiz, Atrena
 Thanks.

On Monday, March 3, 2014 5:16:31 PM, Mark Hirst <[REDACTED]> wrote:

To the Mayor & council Lionsbay.

Today I have been informed by my neighbour there is to be a meeting reference The FILMING policy in Lionsbay . First of all I find it very devious that we have had no notification of this meeting what so ever which makes me very suspicious . I would like to inform council myself Mark Hirst also my wife Angela Hirst of 90 Tidewater way Lionsbay strongly object to any changes in policies that you may be wanting to alter as we feel the system you have in place works perfectly fine . As a resident affected on many occasions by the over filming on Tidewater way we feel that the nearest people residing to the circus act deserve a say in this process as we already have this in place 100 percent support is needed to be able to proceed with filming . I would say it is not to much to ask for a little peace and tranquility in your own surroundings . There is a time and place for all this sort of activity Disney World and filming studios we do not want to be a part of these industrial activities. I would like to think council will totally be sympathetic and understanding of our wishes as this is a majority feeling not just one resident .

Yours Faithfully

Mark & Angela Hirst

[REDACTED]

Lions Bay Reception

From: Brenda Broughton <bbroughton@telus.net>
Sent: Monday, March 03, 2014 6:43 PM
To: Lions Bay Reception; Grant McRadu
Subject: Fw: Filming policy

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

Dear Grant,

As is my protocol, I am forwarding this email to the Village Office.

Sincerely,

Brenda Broughton
Mayor
Village of Lions Bay

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

From: "Dave Torrance" <[REDACTED]>
To: <council@lionsbay.ca>
Cc: <[REDACTED]>
Sent: Monday, March 03, 2014 5:22 PM
Subject: Re: Filming policy

Having spent countless hours over many years working with several Village Councils to finally reach the point of having a Filming Policy that somewhat protects the Basic Rights of Residents unreasonably inconvenienced by such filming activity, my wife and I are Really Aghast that there is the possibility of altering the current Filming Policy.

After all the past endless past discussions of this truly "Intrusive" Commercial Activity, it is completely ridiculous to tamper with the Policy.

Sincerely,
David and Marlies Torrance.

[REDACTED]

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

From: Mark Hirst [mailto:[REDACTED]]
Sent: Monday, March 03, 2014 05:16 PM
To: council@lionsbay.ca <council@lionsbay.ca>
Subject: Filming policy

To the Mayor & council Lionsbay.

Today I have been informed by my neighbour there is to be a meeting reference The FILMING policy in Lionsbay . First of all I find it very devious that we have had no notification of this meeting what so ever which makes me very suspicious . I would like to inform council myself Mark Hirst

so my wife Angela Hirst of 90 Tidewater way Lionsbay strongly object to any changes in policies that you may be wanting to alter as we feel the system you have in place works perfectly fine . As a resident affected on

many occasions by the over filming on Tidewater way we feel that the nearest people residing to the circus act deserve a say in this process as we already have this in place 100 percent support is needed to be able to proceed with filming . I would say it is not too much to ask for a little peace and tranquility in your own surroundings . There is a time and place for all this sort of activity Disney World and filming studios we do not want to be a part of these industrial activities. I would like to think council will totally be sympathetic and understanding of our wishes as this is a majority feeling not just one resident .

Yours Faithfully

Mark & Angela Hirst

~~XXXXXXXXXXXX~~

5

Lions Bay Reception

From: Brenda Broughton <bbroughton@telus.net>
Sent: Monday, March 03, 2014 6:44 PM
To: Lions Bay Reception; Grant McRadu
Subject: Fw: Objection to filming at 185 Tidewater Way

VILLAGE OF LIONS BAY ✓
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

Dear Grant,

As is my protocol, I am forwarding this email to the Village Office.

Sincerely,

Brenda Broughton
Mayor
Village of Lions Bay

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

From: John Tsang
To: Brenda Broughton
Cc: Farouk Zaba ; Hayley Cook
Sent: Monday, March 03, 2014 5:19 PM
Subject: Re: Objection to filming at 185 Tidewater Way

Dear Mayor Broughton and members of the Council,

I strongly oppose any change in the filming policy in the Lower Kevin Grove area. In order to proceed, there must be 100% approval in the neighbourhood.

I think it is also very important that the Lower Kevin Grove neighbourhood must be duly notified in advance before the item is scheduled for discussion in the Council meeting. Failure to do so will result in the perception of bias.

Thank you for your considerations. We hope that we do not need to escalate tension in the neighbourhood again.

John Tsang
Eileen Leung
~~185 Tidewater Way~~

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

From: Brenda Broughton
To: John Tsang
Cc: Farouk Zaba ; Hayley Cook
Sent: Monday, February 25, 2013 8:08 PM
Subject: Re: Objection to filming at 185 Tidewater Way

Dear John,

I will forward your email to the Village Office, as I would normally do.

Thank you.

Sincerely,



Brenda

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

From: John Tsang

To: Brenda Broughton

Sent: Monday, February 25, 2013 6:51 PM

Subject: Objection to filming at 185 Tidewater Way

Dear Mayor Broughton,

Please be advised that I object to the filming at 185 Tidewater Way in March, 2013. Thank you for listening. I did call the Village office to ext 104 but there was no answer.

Regards,
John Tsang

(b)

Lions Bay Reception

From: Lions Bay Reception
Sent: Tuesday, March 04, 2014 2:34 PM
To: 'pennynelson@gmail.com'
Subject: RE: Conflict of interest

VILLAGE OF LIONS BAY ✓
 FILE TO I/C
 FILE TO PROPERTY FILE
 OTHER

Hi Penny

Thank you for your information it will be included as Incoming Correspondence for the next Council Meeting probably April 1, 2014.

Thank you

Susan Loutet - Administrative Assistant

reception@lionsbay.ca

The Village of Lions Bay

Municipal Services Team
 400 Centre Road Box 141
 Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
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From: Penny Nelson [mailto:pennynelson@gmail.com]
Sent: Tuesday, March 04, 2014 1:19 PM
To: Fred Bain; Ron McLaughlin; Joanne Ronsley; Scott Ando; Grant McRadu
Cc: Lions Bay Reception
Subject: Conflict of interest

Councillors and interim CAO,

In terms of the Community Charter, conflicts of interest are a serious matter. Conflicts of interest must be declared, including the reasons for the conflict. It should be noted that once a conflict has been declared, further participation in the issue identified as such would constitute further conflict of interest. Elected officials found to be or have been in conflict of interest are disqualified from holding office.

The following incidence of a conflict of interest occurred in Lions Bay in 2012, and was revisited by council in 2013. It arose as a result of the mayor's involvement in stopping the decentralisation of mailboxes in Lions Bay; legal counsel for the village confirmed in February 2013 that her involvement was indeed a conflict of interest (see "Timeline of Events" below for details).

According to the minutes of the COTW meeting of February 19th, 2013, council instructed "Staff to review the events involved and bring information forward regarding the history of these events to Council by March 19, 2013". **According to minutes, no report has been delivered to council and hence not to residents either.**

I have compiled a summary of the issue using minutes and official audio recordings of meetings. It should be noted this matter has nothing to do with recent correspondence between the office and Carole Conlin, of which I am aware.

Please advise when residents can expect to see: a) a detailed public investigation into the mayor's conflict of interest regarding the decentralisation of mailboxes in favour of superboxes; b) a clear recommendation from staff with regards Section 110 of the Community Charter; and c) the above information made public in a regular council meeting, as instructed by council in February, 2013.

Penny Nelson

~~(604) 922-5000~~
~~(250) 262-2195~~

~~PO Box 331 / 125 Sunset Drive,~~
~~Lions Bay, BC V0N 2E0~~
~~CANADA~~

Please consider the environment before printing this e-mail

Background

Residents of Lions Bay receive their mail by centralised mailboxes, situated in the only commercial building in the village. The strata of the building owns the centralised mailroom. Included in the commercial strata is the village Store and Cafe, owned by the mayor, Brenda Broughton, and her husband, Michael Broughton. The store also operates a Canada Post outlet as a franchise, located inside the store itself.

In March 2012, Michael Broughton, then chairman of the above-mentioned strata, received a letter from Canada Post indicating that they would not be renewing their lease of space currently used by Canada Post staff to sort and distribute mail in the approximately 650 centralised mailboxes, located next to the Store & Cafe. It appears that Canada Post intended to replace the centralised boxes with so-called superboxes around the village as part of a national strategy.

The Mayor's Pecuniary Interest in Centralised Mailboxes

1. Canada Post pays rent for the centralised mailroom, situated within the strata building. Rent for the mailroom is shared by all strata owners, including the Broughtons.
2. The Store & Café is dependent on passing traffic and a reduction in passing traffic could therefore be a direct financial loss to the mayor.

Timeline of Events

Note: Italicised text below indicates direct quotes taken from official audio recordings of meetings.

March 5th, 2012: Regular Council Meeting

In a regular council meeting held on March 5th, 2012, Michael Broughton attended and presented information to this effect in the public participation portion of the meeting.

Before he begins, Brenda Broughton, the mayor, states that the intended cancellation of the lease "*has nothing to do with my or Michael's interest*" and she also states that "*it's because of our relationship that I am aware of it*".

She also tells council *"I am pleased to leave if you believe it's a conflict of interest"* but adds that the matter is *"not related to the store"*.

The councillors, three of whom were recently elected at the time and not au fait with the Community Charter, and a fourth who has served multiple terms, say they don't believe it's necessary and the mayor does not recuse herself. According to the audio recording, at no time does the mayor leave the meeting and continues to chair the meeting. **The Community Charter's rules with regards conflicts of interest should have prevailed notwithstanding council's opinion.** Further, the mayor's initial move to recuse herself clearly shows she was au fait with the rules around conflicts of interest

Michael Broughton then presented the information to council, stating (according to the minutes), that he had received notification from Canada Post as Chair of Strata BCS 1. Thereafter the mayor once again speaks, saying *"I asked Michael to bring it forward"* and repeats that the matter *"does not affect the store in any way"*.

There is further discussion and the mayor fully participated in, and led, the discussions.

The audio and minutes of the meeting reflect that the Mayor informs councillors that there is a call in to MP John Weston if they would like to attend, the intention being to ask him to intervene with the minister responsible for Canada Post to halt the decentralisation of mailboxes.

March 12th, 2012: Unscheduled Committee of the Whole (COTW) Meeting

According to the official audio recording of this unscheduled COTW meeting, held at 3pm on March 12th 2012, the mayor and Councillor Fred Bain had spoken with MP John Weston that same morning. Based on the audio, it would appear that the COTW meeting had been hastily arranged as a result of the morning meeting with the MP.

The mayor's account of the meeting with MP John Weston, as relayed to council on the audio, is that John Weston had agreed to ask the minister responsible for Canada Post to halt the decentralisation of mailboxes, but required a letter from council by the same evening outlining their opposition to decentralising the mailboxes. The mayor identified that the MP also required a resolution by council to this effect.

The mayor reads to council a letter drafted to John Weston in accordance with his request earlier in the day.

After reading the letter to council, the mayor suggests that Councillor Bain move the motion. The official minutes identify the resolution as being seconded and passed unanimously, indicating that the mayor voted in favour thereof. The letter was sent to MP John Weston, whose intervention appears to have been successful in persuading Canada Post to continue to rent the strata's mailroom for centralised mail delivery in Lions Bay.

It should be noted that this COTW meeting violated the Procedures Bylaw, because committees can only make recommendations for council action at regular council meetings. Committees cannot take action through resolution.

February 19th, 2013: COTW Meeting

The matter of mailboxes again appeared on the agenda and was brought forward in this COTW meeting. Based on the official audio of the meeting, it would appear the issue was brought forward by Councillor Ron McLaughlin after discussion with the Secretary Treasurer Farouk Zaba, who as a result had consulted the village's lawyers.

According to the recording, Councillor Ron McLaughlin's intent in placing the matter on the agenda was to *"revisit events surrounding"* the conflict of interest around the mailbox issue and *"recognise the error"*.

The recording of the meeting reflects that legal counsel for the village had advised the Secretary Treasurer that the mayor's involvement in the matter in 2012 was indeed a conflict of interest.

Notwithstanding this information, the mayor did not recuse herself or offer to recuse herself at any time during the meeting. Further, she states that she had discussed legal counsel's finding with Secretary Treasurer Farouk Zaba, as follows: *"we weren't specifically discussing it, we were going over the agenda on Friday [February 15th], and he said, OK, these are the findings [of legal counsel]"*.

Knowing her involvement had been a conflict of interest in the original meeting in which the issue was addressed, the mayor should not have been involved in the renewed discussion, and should have recused herself, allowing councillors to discuss further action impartially.

Instead, she attempted to influence council and residents in the gallery by describing 2012 events in her own terms, at some length, constituting further conflict of interest. For example, she states that, as a "refresher" she would like to point out that in the meetings in 2012, she had said she "would not do the meeting with the member of parliament" but that council said "no, meet with the member of parliament". Both these statements are proven untrue in the official recording of the 2012 meeting.

Following discussion of this agenda item, Council instructs "Staff to review the events involved and bring information forward regarding the history of these events to Council by March 19, 2013" (quoted from the minutes). According to minutes, **this review has not yet been done and no report has been delivered to council and residents.**

December 31st, 2013: Letter Received from Canada Post

In November 2013, a group of 19 residents wrote a letter to Minister Lisa Raitt and Canada Post asking that Canada Post rethink its decision to retain the centralised mailroom in Lions Bay. They cited the fact that public input had not been sought before council made their decision and included a list of reasons why superboxes might be welcomed by some. On December 31st, 2013, a response was received indicating that Canada Post had indeed extended their lease with Lions Bay General Store & Café until 2015. This appears to prove that the mayor's actions resulted in direct financial benefit.

Conclusion

The mayor participated fully in all discussions around the decentralisation of mailboxes in the Village of Lions Bay and Canada Post's intention to no longer rent the centralised mailroom from the strata, in apparent contravention of Section 101 of the Community Charter.

In influencing councillors to ask MP John Weston to petition against the decentralisation of mailboxes, it would appear the mayor contravened Section 102 of the Community Charter.

In meeting with John Weston and persuading him to agree with her view of the matter, it would appear the mayor violated Section 103 of the Community Charter.

If the above is true, in accordance with Section 110 of the Charter, the mayor should be disqualified from holding office (see below), as should any council member who has or has had a conflict of interest.

It should be noted that Brenda Broughton is currently serving her fifth term as mayor and should therefore be au fait with the rules governing Conflicts of Interest. She has on several occasions recused herself due to conflicts of interest, on entirely separate matters.

Circumstances in which a person is disqualified from office on council

110 (1) A person elected or appointed to office on a council is disqualified from holding that office if any of the following applies:

- (a) the person does not make the required oath or affirmation of office within the time established by section 120 (1) [*oath or affirmation of office*];
- (b) the person is absent from council meetings for a period of 60 consecutive days or 4 consecutive regularly scheduled council meetings, whichever is the longer time period, unless the absence is because of illness or injury or is with the leave of the council;
- (c) the person is disqualified under any of the following:
 - section 101 [*restrictions on participation if in conflict*];
 - section 102 [*restrictions on inside influence*];
 - section 103 [*restrictions on outside influence*];

section 105 *[restrictions on accepting gifts]*;

section 106 *[disclosure of gifts]*;

section 107 *[disclosure of contracts]*;

section 108 *[restrictions on use of insider information]*;

(d) the person is disqualified under section 191 *[liabilities for use of money contrary to Act]*;

(e) the person is disqualified under section 66 (2) *[who may hold elected office]* of the *Local Government Act* or section 38 (2) *[who may hold elected office]* of the *Vancouver Charter*.

(2) A person disqualified under subsection (1) is disqualified from holding office on a local government, including office on the council of the City of Vancouver, as follows:

<i>Applicable provision</i>	<i>Period of disqualification</i>
(1) (a) <i>[failure to take oath]</i>	until the next general local election;
(1) (b) <i>[unexcused absence]</i>	until the next general local election;
(1) (c) <i>[conflict]</i>	until the next general local election;
(1) (d) <i>[unauthorized use of money]</i>	for 3 years from the date of the vote to which the disqualification relates;
(1) (e) <i>[election disqualifications]</i>	in accordance with Part 3 <i>[Electors and Elections]</i> of the <i>Local Government Act</i> or Part I of the <i>Vancouver Charter</i> .

1

Lions Bay Reception

From: Lions Bay Reception
Sent: Monday, March 17, 2014 10:46 AM
To: 'Charlie Bradbury'
Subject: RE: Notice to all Village of Lions Bay Dog Owners

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

Charlie

Thank you for your remarks. They will be included in Incoming Correspondence for the next Council meeting.

Thank you

Susan Loutet - Administrative Assistant

reception@lionsbay.ca

The Village of Lions Bay

Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
Fax:604-921-6643
www.lionsbay.ca



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From: Charlie Bradbury [mailto:~~charliebradbury@yahoo.com~~]
Sent: Thursday, March 13, 2014 9:29 PM
To: Village of Lions Bay
Subject: Re: Notice to all Village of Lions Bay Dog Owners

If I may add my thoughts? I think this is all wrong...

Instead of penalising the people that do get the licenses - eventually, why not focus on the ones that don't get them at all? I know for a fact that many owners don't bother for the same reason they don't bother to clean up after their dogs or keep them out of the marina beach park - there's no-one to check and hand them a ticket!

Working fulltime I find it difficult to get to the office when it is open, so perhaps you could investigate a phone/postal system or one late night/weekend a month for such things. Then by September perhaps, if people haven't got their license by then, then hand them a penalty fine.

Thanks for reading.

Charlie

From: Village of Lions Bay <epost@lionsbay.ca>
To:
Sent: Friday, March 7, 2014 1:11 PM
Subject: Notice to all Village of Lions Bay Dog Owners

Notice to all Village of Lions Bay dog owners:

Please be advised of changes to the dog license registration fees which have not been paid as of March 30th. These fees were recently implemented under Fees & Charges Bylaw #462.

SCHEDULE 4 - ANIMAL CONTROL & LICENCING

Description	Fee
Annual license for altered dog	\$30 if paid before March 30 \$60 if paid after March 30
Annual license for unaltered dog	\$60 if paid before March 30 \$90 if paid after March 30

The full bylaw document can be viewed on our website, or by clicking [here](#).

If you have not already done so, please stop by the Village office during business hours to renew your dog license(s).

reception@lionsbay.ca

**The Village of Lions
Bay**

Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
Fax:604-921-6643
www.lionsbay.ca



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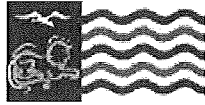
Lions Bay Reception

From: Mandy Koonts
Sent: Tuesday, March 18, 2014 12:47 PM
To: Lions Bay Reception
Subject: FW: Conflicts of Interest

VILLAGE OF LIONS BAY
 FILE TO I/C
 FILE TO PROPERTY FILE
 OTHER

Incoming correspondence please.

Mandy Koonts
 Municipal Coordinator



(604) 921-9333 ext. 103

www.lionsbay.ca

From: JohnS [mailto:johnsch322@gmail.com]
Sent: Tuesday, March 18, 2014 12:46 PM
To: Council @ Lions Bay; Mandy Koonts
Subject: Conflicts of Interest

Hi,

Yesterday I received an email from another resident and I want to make sure before I start to participate in the public discussion of the merits of such email if it indeed had the facts correct. Earlier today I sent a request to Grant for clarification but I suppose since he will not be back into the office until later this month that I will not receive a reply from him. Would someone on council please send me a quick reply?

Thank you,
 John Schilling

From: JohnS [mailto:johnsch322@gmail.com]
Sent: Tuesday, March 18, 2014 8:39 AM
To: 'Grant McRadu'
Subject: FW: Conflict of interest

Grant,

The underlying was sent to me by another resident. Would you please do me a favor and fact check it for me?

Thank you,
 John

The below is quite interesting.

"A member of council who determines, after declaring a conflict of interest, that he or she is, in fact, not in a conflict position, may withdraw the original declaration and participate in subsequent discussions and vote on the matter being considered. The member must, however, obtain legal advice on the question of conflict before withdrawing the declaration."

In the case of the Post Office, outside of the fact that there is an obvious conflict of interest existing with Mayor Broughton, Mayor Broughton, states "I am pleased to leave if you believe it's a conflict of interest". That statement alone is very damaging to her - it indicates that there might be a conflict of interest to which she should have immediately declared a conflict of interest and left the discussion. If there is a question of a conflict of interest - then

a conflict of interest exists, period. It is not up to the councillors to pre-determine if a conflict of interest exists - if there is any potential conflict of interest, it's the responsibility of the conflicting party to immediately recuse themselves and then seek legal advice to withdraw that declaration.

the case of selecting the Architectural firm, outside of the fact that a declaration should have been made years earlier, it was stated that Councillor McLaughlin made his declaration in camera. To which he should have immediately removed himself from any further discussion regarding that topic. Again, it is not the appropriate procedure to have the other present Councillors, or Mayor, decide the validity of, or over-rule, this declaration, which is a complete contradiction to the procedural rule that requires him to seek legal advice to withdraw that declaration.

This rule is written very precisely for obvious reasons and if not followed to the letter - it opens the door for collaborative corruption and unfairly exposes ethical Council members to be accused of wrong-doing.

Here are the future options:

Section 111 (application to court for declaration of disqualification) sets out the procedure for making application to the Supreme Court to have a member declared disqualified. A municipality, by a 2/3 vote of council, or 10 or more electors of the municipality may make the application to the Supreme Court to have a person disqualified.

In addition, under section 109 (court order for person to give up financial gain), the legislation introduces the ability of the municipality or an elector to apply to the Supreme Court for an order requiring a member, or former member, to pay to the municipality all or part of the member's financial gain that was obtained as a result of contravening the rules governing ethical conduct.

VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

9

Lions Bay Reception

From: John Dudley [REDACTED]
Sent: Thursday, March 20, 2014 2:36 PM
To: Village of Lions Bay; Brenda Broughton_Telus; Ron McLaughlin; Ronsley Joanne; Fred Bain; lpeterso@sfu.ca
Subject: Re: Controlled Burn - March 24 to March 28

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mandy and Members of Council,

Firstly, this is Rose Dudley, not John Dudley responding to the notice sent to John about the burning of green waste.

We need to look at the history of green waste disposal in the village to evaluate the common sense of this action or rather lack of it.

Some years back, we designated two days, or perhaps it was two weekends, of the year as burning days. That meant that individuals made piles of their green waste on their property and burned it on the designated days. On my particular block we did this as a group effort and everyone pulled together to remove all branches and do a thorough clean-up of the street. The fire lasted not more than 3 hours. It was an enjoyable activity amongst neighbours culminating in a lunch on the street and costing absolutely nothing.

Several residents decided that burning was bad for the environment and unhealthy for those residents who were allergic to smoke so put pressure on the Council to end the practice.

Now what do we have in lieu? We have a huge green waste truck pouring out noxious fumes every pick-up day and costing us a lot of money. Added to that we have literally hundreds of trips up Oceanview Road by the maintenance crew delivering waste to the pile accumulating at the top of the logging road. In past years we had several members of the crew put out of action for weeks through back injuries caused by heavy lifting of green waste.

And now, having suffered all the extra pollution caused by these practices you inform us that the green waste is going to be burned anyway, over a period of 5 days.

I am asking council to re-evaluate the decision on disposal of green waste for the future.

Yours sincerely,

Rose Dudley

On Thu, Mar 20, 2014 at 11:25 AM, Village of Lions Bay <epost@lionsbay.ca> wrote:

Public Works and Lions Bay Fire Rescue will be conducting a controlled burn above Oceanview Road, past the water plant, for the purpose of reducing green waste. This green waste is the result of years of green waste being delivered to this area. This deposit of green waste was deemed to pose a high safety risk to the Village in the dry season.

The controlled burn will commence on Monday, March 24th and will continue through Friday, March 28th.

Mandy Koonts
Municipal Coordinator

**The Village of Lions
Bay**

Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
Fax: 604-921-6643
www.lionsbay.ca



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Lions Bay Reception

From: Louis Peterson [REDACTED]
Sent: Thursday, March 20, 2014 2:57 PM
To: John Dudley
Cc: Village of Lions Bay; Brenda Broughton_Telus; Ron McLaughlin; Ronsley Joanne; Fred Bain
Subject: Re: Controlled Burn - March 24 to March 28

Follow Up Flag: Follow up
Flag Status: Completed

I would be interested to calculate the equivalency of the green waste collection & burning to hours (or perhaps days) of idling (and I don't mean me wandering around the village with our dog!)

Louis.

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

From: John Dudley [REDACTED]
To: Village of Lions Bay <epost@lionsbay.ca>, Brenda Broughton [REDACTED], Ron McLaughlin [REDACTED], Ronsley Joanne [REDACTED], Fred Bain [REDACTED]
Sent: Thu, 20 Mar 2014 14:36:28 -0700 (PDT)
Subject: Re: Controlled Burn - March 24 to March 28

Dear Mandy and Members of Council,

Firstly, this is Rose Dudley, not John Dudley responding to the notice sent to John about the burning of green waste. We need to look at the history of green waste disposal in the village to evaluate the common sense of this action or rather lack of it.

Some years back, we designated two days, or perhaps it was two weekends, of the year as burning days. That meant that individuals made piles of their green waste on their property and burned it on the designated days. On my particular block we did this as a group effort and everyone pulled together to remove all branches and do a thorough clean-up of the street. The fire lasted not more than 3 hours. It was an enjoyable activity amongst neighbours culminating in a lunch on the street and costing absolutely nothing.

Several residents decided that burning was bad for the environment and unhealthy for those residents who were allergic to smoke so put pressure on the Council to end the practice.

Now what do we have in lieu? We have a huge green waste truck pouring out noxious fumes every pick-up day and costing us a lot of money. Added to that we have literally hundreds of trips up Oceanview Road by the maintenance crew delivering waste to the pile accumulating at the top of the logging road. In past years we had several members of the crew put out of action for weeks through back injuries caused by heavy lifting of green waste. And now, having suffered all the extra pollution caused by these practices you inform us that the green waste is going to be burned anyway, over a period of 5 days.

I am asking council to re-evaluate the decision on disposal of green waste for the future.

Yours sincerely,

Mandy Koonts

From: Lions Bay Reception
Sent: Monday, March 31, 2014 12:42 PM
To: Mandy Koonts
Subject: FW: Letter for Council - Conflict of Interest matter re Council support to a local business contrary to the Community Charter
Attachments: Mar 23, 2014 to Mayor & Council re COI re Agreement with Business.pdf; Page 6, Assistance to Business - Lidstone & Company LGMA 2013 Edition.pdf; 2004 Snowplowing by Village - no charge - private property.pdf; 2009 SnowclearingMOUVillagestores.pdf

fyi

Susan Loutet - Administrative Assistant
reception@lionsbay.ca

The Village of Lions Bay
Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada
Phone: 604-921-9333 x100
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-----Original Message-----

From: Carole Conlin [mailto:conlin@sfu.ca]
Sent: Monday, March 24, 2014 3:25 PM
To: Lions Bay Reception
Subject: Letter for Council - Conflict of Interest matter re Council support to a local business contrary to the Community Charter

Hi Reception at the Village of Lions Bay (Susan, Fran and others),

Attached is correspondence and relevant attachments for Council.
Please confirm receipt of this correspondence package by return email at your convenience.

Mar 23, 2014 to Letter to Mayor & Council re COI re Agreement with Business.pdf (208 KB)

Page 6, Assistance to Business - Lidstone & Company LGMA 2013 Edition.pdf (741 KB)

2004 Snowplowing by Village - no charge - private property.pdf (157 KB)

2009 SnowclearingMOUVillagestores.pdf (972 KB)

Thank you and kind regards,
Carole

March 23, 2014

Mayor Broughton & Council
Village of Lions Bay
400 Centre Road, Lions Bay, BC.
Mailing address: Box 141, Lions Bay, BC, V0N 2E0
Delivered via email: reception@lionsbay.ca

Dear Mayor Broughton & Council:

**Re: Conflict of Interest contrary to Community Charter, Chapter 26, Part 3 (25)
Agreements with Business**

Council Meetings since January 2014 have had residents raise questions at Council about why the Village staff are providing snow clearing on private property of the Strata lot where the federal Canada Post Outlet/Mailboxes are located (*Jan 14, 2014 minutes in January 28th council package, pages 3 and 4; February 18 council package, page 19, agenda item 6A, 2004 letter authorizing one free snow clearing pass and additional clearing at \$100 per hour*).

At the March 4th meeting the CAO produced a more recent letter, dated 2009 (*council package, page 13, item 6A*), to Council for receipt, no action. This 2009 letter continues to provide one free snow clearing pass and is silent on charges for additional clearing. The 2009 letter is now on the website of the Village under "Policies" as a MOU (*memorandum of understanding*).

The Canada Post Outlet/Mailbox service operators (the Broughton's and the Strata) are paid to clear snow as part of their contract, when the snow is 5 cm or higher. Their contract is with a Federal Government agency, Canada Post, who provides mail service. Federal mail service is not a local government service, nor is clearing snow on private property a municipal service. This Council continuing to allow provision of this service is contrary to the Community Charter, Chapter 26, Part 3 (25) ([click here](#))

I would appreciate your attention to this Conflict of Interest matter.

Yours truly,



Carole Conlin
PO Box 91
Lions Bay, BC V0N 2E0

Encls. 2013 LGMA Newsletter, ref. Page 6; 2004 and 2009 Letters of Understanding;
Please see Village of Lions Bay website (lionsbay.ca) for Council Packages referenced.

Copy to:

Ministry of Community, Sport and Cultural Development, Local Government Department,
Attn: Michelle Dann, Director, Advisory Services and
Nicola Marotz, Executive Director, Government & Structure Branch

LIDSTONE & COMPANY

Law Letter

In this issue

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Assistance to Business: A Primer

Municipalities may only provide assistance to businesses in accordance with the requirements of the *Community Charter* and the *Local Government Act*. Subject to certain statutory exceptions, section 25 of the *Community Charter* prohibits municipal councils from providing any “grant, benefit, advantage or other form of assistance to a business” “unless expressly authorized under this or another Act”. Similarly, under section 182 of the *Local Government Act*, a regional board may not “provide assistance to an industrial, commercial or business undertaking.” unless otherwise permitted under the Act. What constitutes “business” and “assistance” is determined by the respective Acts and the case law.

Business

“Business” is defined in the Schedule to the *Community Charter* as “carrying on a commercial

or industrial activity or undertaking of any kind, and providing professional, personal or other services for the purpose of gain or profit.” Activities carried on “by the Provincial government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the South Coast British Columbia Transportation Authority or any of its subsidiaries” are excluded from the definition of business. It is important to note that municipally owned corporations are included in the definition of business and are therefore subject to the restrictions against assistance.

There are a limited number of cases that have considered the definition of business in the context of providing assistance. In *Viridis v. North Vancouver (City)*¹, the Supreme Court of BC considered whether six separate applicants for rezoning of adjacent properties constituted

¹ [2009] B.C.J. No. 1636.

Assistance to Business (continued from page 1)

businesses as defined by the *Community Charter* and said the following:

“35 Section 25(1) of the *Community Charter*, S.B.C. 2003, c. 26, prohibits a municipal council from providing "a grant, benefit, advantage or other form of assistance to a business" unless "expressly authorized under this or another Act." A "grant, benefit, advantage or other form of assistance" under this subsection includes:

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(a) any form of assistance referred to in section 24 (1) [publication of

intention to provide certain kinds of assistance], or

(b) an exemption from a tax or fee.

“36 The definition of a business, as set out in s. 1 of the Schedule to the *Community Charter*, includes "carrying on a commercial or industrial activity or undertaking of any kind".”

“65 The City argued that s. 25 of the *Community Charter* applies only to a "business", and not to those such as the Applicants. I do not accept this submission. The very purpose of both the Initial and the Revised Applications was to permit the Applicants to develop multiple dwelling places on their properties. Whether the additional dwellings were intended for rental or sale, I consider the proposed development to be a commercial activity within the definition of "business" under the *Community Charter*.”

On the basis of this case law and the statutory wording and definitions, any person, corporation or other entity that carries on a commercial, professional, industrial or business undertaking for profit or gain would be subject to the restrictions against providing assistance.

Assistance

The kinds of assistance that are subject to restriction under sections 24 and 25 of the *Community Charter* include: disposing of land or improvements, or any interest or right in or with respect to them, for less than market value; lending money; guaranteeing repayment or providing security for borrowing; providing assistance under a partnering agreement or providing any exemption from a tax or fee. Similar definitions and restrictions apply to Regional Districts under sections 181 and 185 of the *Local Government Act*.

Assistance to Business (continued from page 2)

Courts have considered these restrictions in a number of cases. In *Nelson Citizen's Coalition v. Nelson (City)*², the BC Supreme Court considered whether an agreement between the respondent City and a land developer for the development of a hotel/motel/marina complex along the City's waterfront constituted assistance under the *Municipal Act* then in force. In respect of assistance, the court said the following:

"56. ... Unless there were an obvious aspect of "*something for nothing*" I see no basis on which this court can "pick the bones" of this agreement for signs of a s. 292 breach..."

"65. ... I think "assistance" within Section 292 of the *Municipal Act* implies the *conferring of an obvious advantage*. Where, as here, a municipality exercises its power to contract under S. 19 to effect purposes that are clearly within the realm of public policy, I do not think S. 292 is an available mechanism to obtain a review of the contract, weighing the tangible and inchoate benefits, to determine if the municipality has made a good deal or not." [italics added]

Following the enactment of the *Community Charter*, the criteria of "something for nothing" set out in the *Nelson* decision was applied by the BC Supreme Court in *Misty Mountain Charters Ltd. v. Revelstoke (City)*³. That case considered an agreement between the City and the Revelstoke Mountain Resort for the latter to operate a shuttle bus service between the City and the Resort using buses subleased to the resort by the City. In

considering whether the agreement constituted assistance, the Court said the following:

"51 The question then is whether or not in these circumstances this resolution amounted to assistance as prohibited by the Charter. I have concluded that when looked at as a whole, including the agreement, which was ultimately entered into in December of 2008, that this was not assistance which offended the Act... This is a situation where there were mutual obligations and benefits. This is not a situation where the Resort was receiving something for nothing..."

Subject to certain statutory exceptions, section 25 of the Community Charter prohibits municipal councils from providing any "grant, benefit, advantage or other form of assistance to a business" "unless expressly authorized under this or another Act"

In addition to the statutory definitions of assistance, the provision of "something for nothing" or the "conferring of an obvious advantage" highlighted in these cases are useful criteria for local governments to consider when deciding whether an agreement or act of the local government constitutes assistance to business.

Permitted forms of assistance

The *Community Charter* and *Local Government Act* permit assistance to business in certain circumstances. Section 25 of the *Community Charter* permits assistance to business when the assistance is for: acquiring, conserving and developing heritage property and other heritage

² [1997] BCJ No. 138.

³ [2010] B.C.J. No. 1750.

Assistance to Business (continued from page 3)

public awareness about the community's history and heritage; and any other activities the council considers necessary or desirable with respect to the conservation of heritage property and other heritage resources. Council may also provide assistance by an affirmative vote of at least 2/3 of all the members of council, for the conservation of property that is protected heritage property, property that is subject to a heritage revitalization agreement under section 966 of the *Local Government Act*, and property that is subject to a covenant under section 219 of the *Land Title Act* that relates to the conservation of heritage property. Similar exceptions apply for the Regional Districts under section 183.1 of the *Local Government Act*.

Partnering Agreements

The most important exception that permits assistance to business under the *Community Charter* and *Local Government Act* is a partnering agreement between a local government and business. Section 21 of the *Community Charter* permits a municipality to lend money, guarantee repayment or provide security for borrowing, and any other form of lawful assistance provided the municipality and the business enter into a partnering agreement and the municipality provides notice of the partnering agreement in accordance with sections 24 and 94 of the *Community Charter*. A similar exception for regional districts is found in section 183 of the *Local Government Act*.

The notice required for partnering agreements under section 24 of the *Community Charter* must identify the intended recipient of the assistance and describe the nature, term and extent of the proposed assistance. The notice must be posted in the public notice posting places and published in a local newspaper for two consecutive weeks or as

otherwise required under section 94 of the *Community Charter*. Similar requirements apply to local governments under section 185 of the *Local Government Act*.

Local governments should be careful to ensure that the notice requirements are met before the assistance is provided under a proposed partnering agreement. A council or board resolution to approve assistance is permissible provided the assistance is subject to, and conditional upon, notice of the proposed assistance being provided to the public in accordance with the statutory requirements. In *Coalition for a Safer Stronger Inner City Kelowna v. Kelowna (City)*⁴, the petitioners sought a declaration that the respondent City's resolution approving a lease of its property was void and of no effect due to its alleged failure to comply with the notice requirements under the *Community Charter*. The Petitioners contended that the resolution of City council approving the lease was passed before notice was given to the public; however, the BC Supreme Court disagreed and said the following concerning the timing of the resolution and the notice provided:

"23 I find that the resolution authorizing the execution of the lease is not a disposition of land or improvements. Thus, the resolution of itself simply provides the authority for the creation of the legal obligation and not the legal obligation itself. The learned editor of the *Law of Canadian Municipal Corporations, 2nd edition*, Toronto, Carswell, 2005, says in para. 197.31:

'... a mere resolution or by-law whereby a corporation agrees to do something, without more, does not give rise to a legal obligation on the part of the corporation. A resolution authorizing the contract

⁴ [2007] B.C.J. No. 903.

Assistance to Business (continued from page 4)

or accepting a tender is to be regarded as a mere expression of willingness to enter into an agreement but not necessarily as a contract itself.'

"24 Similarly, in *North Vancouver (District) v. Tracy* (1903), 34 S.C.R. 132, the court at p. 139 says this:

'... a resolution sanctioned by a vote ... of the council" can only be interpreted as specifying the method by which the enactment of the governing body giving authority for such a sale should be made. Until acted on the plaintiff acquired no right under it. So far as he was concerned it could have been rescinded or modified at the pleasure of the council.'

In addition to the notice requirements, an essential element of any valid partnering agreement is that it must provide for a service on behalf of the municipality. In *Conibear v. Tahsis (Mayor)*⁵, the Supreme Court of BC considered whether a contract between the municipality and a music promoter to promote and undertake music festival constituted a partnering agreement within the meaning of the *Community Charter*. The court said the following:

"32 A "partnering agreement" is defined in s. 5 of the Schedule to the Community Charter as follows:

'partnering agreement" means an agreement between a municipality and a person or public authority under which the person or public authority agrees to provide a service on behalf of the municipality, other than a service

that is part of the general administration of the municipality.'

33 "Service" is defined in the Schedule as follows:

"service" means, in relation to a municipality, an activity, work or facility undertaken or provided by or on behalf of the municipality.

34 In my opinion, although putting on

A local government should ensure that any partnering agreement it enters into clearly provides a service on behalf of the local government

a concert qualifies as an "activity", it cannot be considered "providing a service on behalf of the municipality." A person does something "on behalf of" another, when he or she does the thing in the interest of, or as a representative of, the other person. Bounce Hard is not acting on behalf of the Village. Bounce Hard is promoting the Festival because it wants to earn profits and the Village also hopes to earn profits and promote Tahsis as a tourism destination. Both parties want the Festival to be a success and it cannot be said that Bounce Hard is providing a service on behalf of Tahsis."

Conclusion

The restrictions on assistance to business prescribed by the *Community Charter* and *Local Government Act* reflect the fact that local governments and businesses have different purposes. Whereas businesses are generally

⁵ [2010] B.C.J. No. 1407.

Assistance to Business (continued from page 5)

established primarily for the purpose of earning a profit, local governments are established to provide services, laws and other matters for community benefit, provide for stewardship of the public assets of its community, and foster the economic, social and environmental well-being of its community.⁶ Despite these differences, a local government and business may identify a situation where they can work together for mutual benefit for the purpose of providing a service or services on behalf of the local government. If and when these circumstances are identified, a local government may consider the provision of assistance under a partnering agreement provided all statutory requirements for the agreement are satisfied. A local government should ensure that any partnering agreement it enters into clearly provides a service on behalf of the local government.

Lindsay Parcells

Local Government: Policy v. Operations

It has long been understood that true policy decisions are exempt from tortious claims.

However, the implementation, or operational result of those decisions may well be subject to claims in tort (*Just v. British Columbia* [1989] 2 S.C.R. 1228, *Brown v. British Columbia* [1994] 1 S.C.R. 420, and *Gobin v. British Columbia* 2002 BCCA 373). In *Brown*, supra (at pars 34 and 35) the Supreme Court described this distinction as follows:

“True policy decisions involve social, political and economical factors. In such decisions, the authority attempts to strike a balance between

efficiency and thrift, in the context of planning and predetermining the boundaries of its undertakings and of their actual performance. True policy decisions will usually be dictated by financial, economic, social and political factors or constraints.

A good faith policy decision exists when a local government (i.e., Council/Board) adopts a practice or routine with respect to a particular function based on a conscious consideration of the effectiveness of that practice in light of relevant policy considerations

“The operational area is concerned with the practical implementation of the formulated policies, it mainly covers the performance or carrying out of a policy. Operational decisions will usually be made on the basis of administrative direction, expert or professional opinion, technical standards or general standards of reasonableness.”

Despite this guidance, governments of all sizes have found it extremely difficult to understand exactly where the line between policy and operational decisions is to be drawn. In a number of recent cases, Canadian courts have provided further guidance.

In *R. v. Imperial Tobacco Canada Ltd.*, 2011 SCC 42, Chief Justice McLachlin recognized that “the main difficulty with the policy/operational approach is that courts have found it notoriously difficult to decide whether a particular government decision falls on the policy or operational side of the line.” After discussing the approaches from the US, Australia and England, McLachlin C.J. held that true policy decisions

⁶ Section 7, *Community Charter*

Policy v. Operations (continued from page 6)

include both high level decisions to adopt a course of conduct, and other “discretionary legislative or administrative decisions and conduct that are grounded in social, economic and political considerations.” Applying this reformulation of the test, the Court in *Imperial Tobacco* held that representations made to consumers of cigarettes, that were “part and parcel” of a policy decision made by the government of Canada, fell within the policy realm.

The Supreme Court has thus made it clear that a “policy” decision encompasses both the high level decision to adopt a course of action, as well as the additional decisions and steps taken to implement that decision. The *Imperial Tobacco* case was recently affirmed by the BC Court of Appeal in *The Los Angeles Salad Company v. CFIA*, 2013 BCCA 34.

The test set out in *Just* and clarified in *Imperial Tobacco* was also recently applied in the municipal case of *Drader v. Abbotsford (City)*, 2012 BCSC 873. In that case, Madam Justice Watchuk held that Abbotsford’s decision to set up a complaint-driven system for maintenance of roads and related services, including storm sewer and drainage systems, was dictated by budgetary concerns and was therefore a policy decision. The complaint-driven system had been enumerated in a policy adopted by municipal council, and as a policy decision it is not subject to a duty of care.

In light of this case law, local governments are advised to adopt a good faith policy when facing decisions for which potential liability is a concern. A good faith policy decision exists when a local government (i.e., Council/Board) adopts a practice or routine with respect to a particular function based on a conscious consideration of the effectiveness of that practice in light of relevant social, economic and political policy considerations. Policy decisions can take many forms, including bylaws and resolutions, internal

directives, policy and procedure manuals, administrative decisions and more informal exercises of discretion. **Matthew Voell**

Bylaw Drafting: Remember the Interpretation Act

When enacting a bylaw, a Council or Board must be mindful of the provisions of the *Interpretation Act* that may have significant implications for the interpretation and enforcement of the bylaw. Since a bylaw is a “regulation” which is defined in the *Interpretation Act* as an enactment, the *Interpretation Act* applies as if the bylaw were a provincial Act or regulation. Accordingly, when drafting or interpreting a bylaw it is necessary to consider carefully the *Interpretation Act*.

Section 9 of the *Interpretation Act* provides that the preamble of a bylaw is a part of the bylaw intended to assist in explaining the bylaw, so a court may construe the effect of a provision of a bylaw (e.g., a land use control bylaw) on the basis of the intent of the local government as expressed in the preamble.

Further to Section 10 of the *Interpretation Act* (British Columbia), the enacting clause of a bylaw is suggested to be: “NOW THEREFORE the Council/Board of the Town (etc.) of ... in open meeting assembled enacts as follows:”

Section 11(1) of the *Interpretation Act* provides that a head note to a provision or a reference after the end of a section or other division is not part of the bylaw and must be considered to have been added for convenience only. It is therefore recommended that the bylaw not rely on head notes for its effect. For example, in some zoning bylaws the “permitted uses” sections depend on a head note entitled “Permitted Uses” after which a number of uses are listed. In the absence of any

Bylaw Drafting (continued from page 7)

explanatory phraseology, such as “the following and no other uses are permitted in a ... zone”, a judge is entitled to place his or her thumb over the *head note* when reading the bylaw. Note that generally land use bylaws are construed in favour of owners with rights affected, so if the bylaw makes no sense in the absence of the *head note* it may be held to be vulnerable to attack due to uncertainty.

Section 14(1) of the *Interpretation Act* provides that a bylaw binds the provincial government unless an enactment expressly states otherwise. However, section 14(2) says a bylaw that would bind or affect the provincial government (including its agents) in the use or development of land or construction or use of improvements does not bind or affect the provincial government or its agents. A crown corporation is often an agent, as stated in its governing statute.

Section 28(2) of the *Interpretation Act* provides that gender specific terms include both genders and include corporations. Section 28(3) of the *Interpretation Act* (British Columbia) provides that in a bylaw words in the singular include the plural and words in the plural include the singular. For example, if an owner in a building bylaw is entitled to apply for a building permit, then two owners under a joint tenancy arrangement may apply for the building permit.

Section 28(4) of the *Interpretation Act* provides that if a word or expression is defined in (a) the *Interpretation Act*, (b) the *Community Charter* or *Local Government Act*, or (c) the bylaw itself, then other parts of speech or grammatical forms of the same word or expression in the bylaw have corresponding meanings.

Section 32 of the *Interpretation Act* says a reference to another enactment of the provincial government or of Canada is a reference to another

enactment as amended. This does not apply to local government bylaws. Accordingly, when repealing or referring to another bylaw it is necessary to recite the bylaw and add the words “as amended”.

Section 12 of the *Interpretation Act* provides that definitions in a bylaw (unless otherwise stated) are applicable to the entire bylaw including the section containing the definitions. Section 40(1) of the *Interpretation Act* provides that definitions in the *Local Government Act* and the *Community Charter* are deemed to apply to bylaws made under those Acts. It is acceptable to modify these definitions for the purposes of the bylaw if this is done carefully.

Section 29 of the *Interpretation Act* provides that all of the definitions listed in those sections apply to every bylaw enacted by a local government even if the words or phrases are not again defined in the bylaw. Some of the words or phrases have specific meanings that must be carefully considered when drafting a bylaw. For example, “holiday” is expressly defined. “Shall” is to be construed as imperative. This is important when considering whether a bylaw imposes a private law duty of care on the local government. Words or terms defined in the *Interpretation Act* include “corporation”, “deliver”, “holiday”, “land”, “mail”, “may”, “minister”, “minor”, “month”, “municipality”, “must”, “newspaper”, “peace officer”, “person”, “prescribed”, “property”, “regional district”, “rural area”, “security”, “shell”, “words”, and “year”.

The effect of Section 40(1) of the *Interpretation Act* is that the interpretation section of the *Community Charter* or *Local Government Act* extends to all bylaws relating to municipal matters. It is therefore important when drafting the interpretation section of a bylaw to note the definitions in the municipal legislation. One may expand on or clarify the definitions in the municipal legislation.

Bylaw Drafting (continued from page 8)

The effect of some of the definitions in the municipal legislation may be unexpected in relation to a bylaw that is being drafted. “Owner” is defined in relation to real property and includes a person in lawful possession, (e.g., tenant for life). It is not defined to include an agent of the owner (such as a contractor on behalf of an owner who is building or a lawyer on behalf of an owner who is applying for an approval) unless the bylaw so states. “Parcel” means any lot, block or other area in which land is held or subdivided (other than a highway). It therefore may be inadvisable to refer to “lot” throughout a zoning or subdivision bylaw instead of “parcel”, especially in light of the existence of district lots and strata lots. It is interesting to note that “highway” includes a “bridge”.

In conclusion, remember when drafting or interpreting a bylaw that it is necessary to consider carefully the provisions of the *Interpretation Act*. **Don Lidstone, Q.C.**

“Promised” Permits...

An interesting argument was addressed recently by the B.C. Supreme Court in *Adams Lake Indian Band v. Minister of Forests, Lands and Natural Resource Operations and Sun Peaks Resort Corporation*, 2013 BCSC 877. The Ministry had granted a licence of occupation under the *Land Act* to the Resort Corporation, and also anticipated granting it a licence to cut under the *Forest Act*. The petitioners sought judicial review of both grants, seeking to quash the licence of occupation, and to enjoin the grant of any licence to cut.

The Province, however, argued that the grants were not reviewable by the Court under the *Judicial Review Procedure Act* “because they are

not statutory decisions but are, rather, acts authorized by contract” (para. 12). This argument was based on the “Master Development Agreement” for the development of the Sun Peaks Ski Resort, which the Province and Corporation had entered into 20 years earlier. The 1993 Agreement contemplated that the Resort Corporation would not construct any recreation improvements (e.g. new ski lifts and runs) until it had made applications to the Province under the *Land Act* and the *Forest Act*. Conversely, the Agreement provided that the Province would not unreasonably withhold authorizations from the Corporation.

The Province and Corporation argued that the Agreement “simply incorporates into a private contract a process described in legislation” (para. 16), and therefore, the grants were not “statutory decisions” under the *Land* and *Forest Acts* subject to judicial review. The effect of this argument would be to remove an important mainstay in our constitutional and judicial structure—that is, citizens’ ability to ask the Court to review government action (such as granting rights to public resources) to ensure that the action is lawful. It would turn what is normally a matter of public law into a private law matter between only the two parties to the Agreement.

The Court was not persuaded.

An agreement between a government and a private entity that contemplates that each party will take steps that are required by legislation does not contract the parties out of the legislation. “When parties to a contract agree to take steps subject to a particular Act, the parties are recognizing that their actions must be carried out in compliance with law” (para. 16). “The fact that the government has contractually committed itself to make the grants does not change their essential character as exercises of statutory authority” (para. 14).

Promised Permits (continued from page 9)

Project proponents may have a remedy in breach of contract if a government is unable to issue an approval it has promised by contract, but a contract “cannot relieve” the government of its legal obligations in making the statutory decision (para. 38). It is important to note though that the principle articulated by the Court in this case does not affect contract commitments made by government that do not involve future decisions that are made under statute or bylaw.

What this means for government, including local government, is that government cannot purport to constrain future statutory decision-making (including decision-making under bylaws) by contract. Government cannot properly promise to fetter discretion in future statutory decision making, nor to avoid legislative or common law developments that may affect future statutory decision making. The law may develop or change between the date of the Agreement, and the date of the subsequent application and decision (as here it had, by the common law development of the Crown’s duty to consult). Each decision made under statute or bylaw must be made in accordance with the requirements of law at the time the decision is made—not what the law was at the time the contract was entered into. That is a risk inherent in a public/private contract which contemplates future statutory (or bylaw) decisions.

However, all of this is not to say that the existence of a government contract is irrelevant to the statutory decision-making process. The Court also rejected the petitioner’s argument that it was improper for the Province to consider the Master Development Agreement in issuing the permits. “To the contrary, in making statutory decisions, the existence of a contract is a relevant and proper factor for the Crown to take into consideration” (para. 106).

Maegen Giltrow

Kuciuk v. Sechelt (District), 2013 BCSC 528

The validity of an OCP amendment bylaw and a zoning amendment bylaw were at issue in this case. The bylaws were passed in order to allow the processing of sturgeon and sturgeon roe at Target Marine Hatcheries Ltd.’s fish hatchery in the otherwise residential Tillicum Bay area of the District of Sechelt.

The Petitioner challenged the bylaws on three grounds:

1. Sechelt failed to consider the OCP Bylaw in conjunction with its waste management plan as required by s. 882(3)(a)(ii) of the *Local Government Act*;
2. Sechelt failed to properly consult those affected by the amendment to the OCP as required by s. 879 of the *Local Government Act*; and
3. The Petitioner’s right to participate at the public hearing held pursuant to s. 890 of the *Local Government Act* was frustrated by a lack of information respecting the change to the waste disposal method to be employed by Target Marine.

The court rejected each of Kuciuk’s claims, on the basis that the bylaws complied with *the Local Government Act* requirements. First, the court held that s. 882 required Sechelt to consider the OCP in conjunction with its waste management plan only at the time the OCP was adopted, not when the plan was amended. Additionally, the court held that the term “waste management plan” in that section refers only to those plans approved by the Ministry of the Environment.

Kuciuk v Sechelt (continued from page 10)

Regarding the failure to consult, the court held that the consultation process is less rigorous than the public hearing process, and that the consultation that had occurred was adequate under the applicable reasonableness standard of review. There had been broad community discussion regarding the proposed change of use. In particular, the District had invited consultation from those in the community whose interests might be affected by the bylaws and had held a public hearing. The Court also found that the petitioner was aware of the proposed plan and has commented on the issue both in writing and at the public hearing. There was also no evidence of undisclosed material or information respecting waste water, which was the issue the Petitioner was concerned with.

Finally, the court rejected the Petitioner's argument based on s. 890. It held that it was not necessary for Sechelt to disclose all of the details of possible methods of disposing waste water in order to comply with s. 890. Rather, s. 890 required Sechelt to provide a reasonable opportunity for those who believed their interests in property were affected by the bylaws to make representations regarding those bylaws. As the Petitioner had both made written and oral submissions regarding the bylaws, the obligations imposed by s. 890 had been met.

Sara Dubinsky

Lidstone & Company

Lidstone & Company has been selected by the Municipal Insurance Association of British Columbia to be the provider of its Casual Legal Services available to MIABC Casual Legal Services subscribers.

Paul Hildebrand is Associate Counsel at Lidstone & Company. Paul is the head of the law firm's

Litigation Department. He won the Gold Medal in law at the University of British Columbia in 1980. Paul has a Doctorate in Economics in addition to his Law Degree and Master of Science degree in mathematics. For nearly 29 years, Paul Hildebrand has practiced law in the area of complex litigation, including a 12 year stint with McAlpine & Company, one of the leading complex litigation firms in Canada. Paul is responsible for the conduct of our local government clients' litigation matters, including defense of claims, insurance matters, suing other parties, injunctions, appeals, and other litigation related matters. He also has expertise in regard to arbitration, mediation and conciliation. He has done securities work, including financings for public and private companies, and real estate transactions.

Lindsay Parcels practices municipal law with a particular interest in land use, real property, corporate, commercial, mediation and environmental matters. Lindsay has 20 years of legal experience. He was called to the Alberta bar in 1992 and the British Columbia bar in 1995. Lindsay completed a Masters degree in Municipal Law from Osgoode Hall Law School in 2009 and a combined Bachelors of Laws and Masters of Business Administration degree from Dalhousie University in 1991. Before attending Law School, he served for one year as a legislative intern at the Alberta Provincial Legislature. Lindsay is currently Co- Chair of the Municipal Law Section of the BC Branch of the Canadian Bar Association.

Maegen Giltrow practices in the areas of governance, bylaw drafting, environmental law and administrative law. She is also a well known practitioner in the area of aboriginal law, and negotiated a treaty and worked on the Constitution, land use and registration laws and regulatory bylaws for a number of First Nations before she entered the practice of municipal law. Maegen clerked with the British Columbia Court of Appeal after graduating from Dalhousie Law School in 2003.

Lidstone & Company Personnel (continued from page 11)

Don Lidstone Q.C. has practiced generally in the area of local government law since 1980. His municipal law focus is in the areas of constitutional, administrative, and environmental law, particularly in respect of governance, land use/sustainable development, regulatory approvals, and legislative drafting. Invited to speak regularly at conferences, symposia and universities, he has chaired the Sustainable Region Initiative (Governance and Finance), Liquid Waste Expert Review Panel, Fire Services Review Panel, Whistler Waste Blue Ribbon Panel, and the Municipal Law Section of the British Columbia Branch of the Canadian Bar Association. Don has published numerous papers and manuals and consulted on the development of the *Community Charter* and other municipal statutes in a number of provinces. He was designated Queen's Counsel in 2008.

Sara Dubinsky is a litigation lawyer and handles bylaw enforcement matters. She also provides legal opinions on a wide variety of issues, and is the go-to person in our firm for conflict of interest opinions. Sara is a graduate of the University of Victoria Faculty of Law. Sara summered with a boutique litigation firm in Vancouver and appeared at the Braidwood Commissions of Inquiry on behalf of the British Columbia Civil Liberties Association, where she articulated. Sara received three awards in law school for her performance in the Wilson Moot Competition.

Marisa Cruickshank advises local governments in relation to a variety of matters, with an emphasis on labour and employment, constitutional, administrative and environmental law issues. Marisa completed her law degree at the University of Victoria. She was awarded five major scholarships and academic awards. She also served as a judicial law clerk in the British Columbia Court of Appeal.

Lisa van den Dolder prepares legal opinions, agreements and bylaws in relation to a wide variety of local government law matters. Lisa completed her law degree at the University of Victoria and has a Master's Degree in English from the State University of New York at Buffalo. Lisa completed her undergrad at Thompson Rivers University with a BA in Psychology and English, and before studying law she managed website content for entities in the UK. Lisa has had co-op terms as an advisor at the University of Bristol's Law Clinic in England and as a Contract and Policy Analyst at the Capital Regional District in Victoria.

Matt Voell is a litigation lawyer and also prepares legal opinions, agreements and bylaws in relation to a wide variety of local government law matters, with a strong interest in labour and employment law and trademarks, copyrights and heraldry. Matt obtained his law degree at the University of British Columbia then worked as an Ethics and Research Fellow in the areas of health and intellectual property policy. Prior to commencing articling Matthew partially completed a Master of Laws graduate degree, and in his spare time continues to work on his graduate thesis.

Carrie Bavin is our articulated student. Carrie graduated from the University of Victoria Faculty of Law in the spring of 2013, and commenced the Professional Legal Training Course shortly thereafter. Carrie was selected as a top applicant from her first year law class for a fellowship to generate research reports on debt regulation. Carrie's legal academic paper on the legal consequences of failing to regionalize BC's police forces was nominated for a law faculty writing award. Carrie has received numerous other awards throughout her academic career. Prior to going to law school Carrie worked as an independent communications professional for the provincial and federal government, non-profit organizations and the private sector.



Item #6A

THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

January 20, 2004

Dow-Mac Enterprises Ltd
Box 1741
Squamish, BC
V0N 3G0

Dear Mr. Dowad:

Re: Snow Removal – 350 Centre Road

One of your tenants has expressed concern with regard to the level of snow removal in the parking lot at 350 Centre Road and Council has asked me to let you know what the Village's current practice and policy are so that you or your tenants can make arrangements for additional snow removal if desired.

Currently, the Village does one pass through the parking lot with the snow plow and salter to ensure there is access to the post office. This is done at no cost. If additional plowing is requested on private property it may be done by the Works Department at a rate of \$100 per hour with a one hour minimum and half hour increments.

Private property will only be done once all roads and public areas are completed. Please contact the Village office to arrange for additional snow removal if required.

Sincerely,
VILLAGE OF LIONS BAY

A handwritten signature in black ink, appearing to read 'Lori Pilon'.

Lori Pilon
Administrator



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

www.lionsbay.ca

Memorandum of Understanding

November 17, 2009

Strata BCS 851
c/o Box 610, 350 Centre Road
Lions Bay, BC
V0N2E0

Re: Snow clearing of Community Complex Parking Lot MOU

Dear Michael;

I am writing to you today in a follow up to our meeting of Thursday, November 12, 2009 where we discussed the snow moving requirements of the Strata lot(s) fronting the Village retail/commercial stores, and how the Village Public Works Department snow clearing crew might be of assistance in facilitating public access to postal services.

It is mutually understood that the Village Public Works Department snow clearing crew will drive through the parking lot on a single pass and any snow deposited on the blade of the truck will be deposited near but not in front of the gateway at the back of the strata on the south side. The Village Public Works Department snow clearing crew will administer salt as it passes.

This clearing of any access through the parking lot will be performed in accordance with the priority given to other streets within the Village, which may be subject to change depending on the requirements of the Village Public Works Department snow clearing crew on any particular day or time.

The Strata will maintain the sidewalks and walkways clear of snow and ice at all times and with salt and/or ice melt.

At no time will the Village Public Works Department snow clearing crew remove snow from the parking lot or be requested to clear a larger swath than a single pass of the parking lot.

The Village Public Works Department snow clearing crew will simply drive in and out creating a single car width clearance in the snow through the parking lot that leads to the gate for the strata lots.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

www.lionsbay.ca

In providing this service the Village does not accept any liability or responsibility for any accidents or losses that may be suffered or incurred in the parking lot or for any failure to clear snow or any deficiencies in snow removal, including timeliness or completeness or removal.

Please advise me immediately if the terms set out in this MOU are in any way not acceptable to you.

Should there be any changes to this MOU, written notification will be sent directly to you on behalf of the Strata.

I look forward to working with you and trust that this meets your needs.

Sincerely,

Rory Mandryk
Village Manager – Village of Lions Bay

Mandy Koonts

From: Lions Bay Reception
Sent: Monday, March 31, 2014 12:49 PM
To: Mandy Koonts
Subject: FW: Letter for Council - Conflict of Interest matter disclosed by CAO McRadu on March 4, 2014 concerning Councillor Ron McLaughlin
Attachments: 111213 Regular 2011 Approved Minutes VOLB.pdf; Feb 18, 2014 draft mins Agenda March 4, 2014 Regular Council Package.pdf; LT Schilling and Residents - March 14, 2014.pdf; COI Councillor McLaughlin March 2014 - letter to Mayor & Council.pdf; COI McLaughlin, Councillor S. Ando's recall of December 13, 2011.pdf; Email exchange Jan 23, 2014 to February 24, 2014 re Conflicts of Interest Dec 2011 to date.pdf

fyi

Susan Loutet - Administrative Assistant
reception@lionsbay.ca

The Village of Lions Bay
Municipal Services Team
400 Centre Road Box 141
Lions Bay BC V0N 2E0 Canada
Phone: 604-921-9333 x100
Fax:604-921-6643
www.lionsbay.ca

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

From: Carole Conlin [mailto:conlin@sfu.ca]
Sent: Monday, March 24, 2014 12:04 PM
To: Lions Bay Reception
Subject: Letter for Council - Conflict of Interest matter disclosed by CAO McRadu on March 4, 2014 concerning Councillor Ron McLaughlin

Hi Reception at the Village of Lions Bay (Susan, Fran and others),

Attached is correspondence and relevant attachments for Council.

Please confirm receipt of this correspondence package by return email at your convenience.

COI Councillor McLaughlin March 2014 - letter to Mayor & Council.pdf (295 KB)

Feb 18, 2014 draft mins Agenda March 4, 2014 Regular Council Package.pdf (676 KB)

111213 Regular 2011 Approved Minutes VOLB.pdf (168 KB)

Email exchange Jan 23, 2014 to February 24, 2014 re Conflicts of Interest Dec ... (143 KB)

COI McLaughlin, Councillor S. Ando's recall of December 13, 2011.pdf (229 KB)

LT Schilling and Residents - March 14, 2014.pdf (129 KB)

Thank you and kind regards,
Carole

March 24, 2014

Mayor Broughton & Council
Village of Lions Bay
400 Centre Road, Lions Bay, BC.
Mailing address: Box 141, Lions Bay, BC, V0N 2E0
Delivered via email: reception@lionsbay.ca

Dear Mayor Broughton & Council:

**Re: Conflict of Interest matter disclosed by CAO McRadu on March 4, 2014
Concerning Councillor Ron McLaughlin, 27 months after the Conflict Start Date**

At the March 4, 2014 Regular Council meeting, CAO Grant McRadu reported an item verbally, not in his written report, that since January 23, 2014 Council has been discussing, *In Camera*, the matter of an undisclosed conflict of interest by Councillor Ron McLaughlin during the **two year period of the CCR project, December 2011 to November 5, 2013**. (No report on whether Councillor McLaughlin was present at these *In Camera* Council meetings or not.) The CAO, at Council's request, had obtained a legal opinion re the question of non-pecuniary interest and tie voting by Councillor McLaughlin in this regard. Ron's wife, Mary McLaughlin, is an Accountant who has provided bookkeeping services since 2009 to Russ Mieklejohn, Millenia Architecture, architect on the CCR project. See Community Charter, Ethical Conduct ([click here](#)).

On March 4, 2014, Councillor McLaughlin remained silent on why he did not disclose or declare a conflict of interest before now, or what his next steps will be to comply with the requirements of the Community Charter. During question period he initially refused to answer the questions put to him but later confirmed his wife's employment with Millenia since 2009 or 2010. See audio on Village website (www.lionsbay.ca) and this YouTube movie ([click here](#)).

WHILE Mr. McRadu has read 'an excerpt' of the legal opinion the Council sought on Mary McLaughlin's employment with Millenia Architecture at the March 4, 2014 meeting, the public has not been informed of the Question(s) Posed to the law firm was, nor the legal opinion in its entirety. The public has a right to know both the question(s) and full response; they have paid for them. Additionally, the Ethical Conduct section of the Community Charter gives guidelines to Councils to consider Criteria in deciding to pay for a legal opinion for a Council member. The public have a right to know what the Criteria Policy this Council has established in paying legal fees for Council Members.

Following the Village audio of March 4, 2014 meeting being posted on the Village Website, some residents circulated an email message to a group of about 32 people. When this email was forwarded to the CAO, a Public Notice was posted by Mr. McRadu, CAO, on March 14, 2014 which included the email circulating the group (see attached "Letter to Residents" and view it on the Village website at ([click here](#))) and his own comments on the discussion.

The Letter to Residents as a Public Notice of March 14, 2014 adds a **new disclosure, that on December 13, 2011, when Council was *In Camera* at that meeting, that Councillor McLaughlin made a disclosure that was not captured in the minutes. This statement by the CAO is NOT SUPPORTED by the evidence:**

1) The minutes of December 13, 2011 meeting are 9 pages long and were approved at the following meeting without correction of this 'omission' by any member of Council,

2) The audio recording by the office does not capture any disclosure or reporting out of *In Camera* at the December 13, 2011 meeting relating to a disclosure.

3) A total of fourteen (14) resolutions were made on December 13, 2011, including the one that did come out following the *In Camera* session, to appoint the Architect.

4) An email exchange by myself, C. Conlin, with CAO McRadu, between January 23, 2014 and February 24, 2014, has a confirmation from him that THERE WERE NO CONFLICT DISCLOSURES, in particular, none concerning the Architect on the CCR project, Millenia Architecture by the current Council, December 2011 to date (see attached).

5) Additionally, in his March 14, 2014 "Letter to Residents" published on the Village Website as a Public Notice, CAO McRadu adds **another new disclosure**:

Council has now agreed to release the following **excerpt of the minutes of the February 18th, 2014 In Camera Council meeting**:

"All members of Council did recall Councillor McLaughlin having made the disclosure and offering to recuse himself during the Council meeting of December 13, 2011. Council further iterated that Millennia had been chosen on its merits and Councillor McLaughlin's relationship with Millennia was not a factor in the decision."

This new disclosure from the February 18, 2014 meeting is contradicted by:

- a) CAO McRadu's response to me on February 24, 2014 (see #4 above)
- b) The minutes of February 18, 2014 approved at the March 4, 2014 meeting had no reporting out from *In Camera* (see Council Package on the Village website); and
- c) An email communication dated February 20, 2014 to the CAO, Mayor and Council, from Councillor S. Ando who disputes the memory recall *In Camera* on February 18, 2014, regarding the December 13, 2011 'disclosure' by Councillor McLaughlin (see attached).

The Council and resident taxpayers have spent more than \$193,000 on the Community Centre Renewal (CCR) soft costs during the period December 2011 to November 5, 2013, the period of the Conflict of Interest. The motion on November 5, 2013 ceased the proposed project as it was not financially viable based on the tenders received.

I would appreciate Council's continued attention to this Conflict of Interest matter so that it can be ethically resolved.

Yours truly,



Carole Conlin
PO Box 91
Lions Bay, BC V0N 2E0

Encls. Letter to Residents, March 14, 2014 Public Notice on Village Website
Minutes of December 13, 2011
January 23, 2014 to February 24, 2014 email exchange C. Conlin/CAO McRadu
Email February 20, 2014 from Councillor Ando to CAO, Mayor & Council
Please see Village of Lions Bay website (lionsbay.ca) for Council Packages referenced.

Copy to:

Ministry of Community, Sport and Cultural Development, Local Government Department,
Attn: Michelle Dann, Director, Advisory Services and
Nicola Marotz, Executive Director, Government & Structure Branch



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, MARCH 4, 2014 at 7:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Delegations**
 - A. Jon Wescott – Offer of Kayak Lessons & Centennial Trail Run/Training (*page 3*)
- 5. Adoption of Minutes**
 - A. Minutes of the Regular Council Meeting of February 18, 2014 (*page 5*)
- 6. Business Arising from the Minutes**
 - A. Snow Removal on Private Property – update (*page 13*)
- 7. Unfinished Business**
- 8. Reports**
 - A. Interim CAO (*page 17*)
 - B. Mayor and Council (*page 53*)
 - C. Committees:
 - i. Filming Committee:
 - Update from March 3, 2014 meeting
 - ii. Finance Committee:
 - Kelvin Grove Beach Washroom, Kelvin Grove Sewer Treatment Plant, Central Beach Drainage Field Remediation, Central Beach Washroom Rejuvenation
 - D. Emergency Services Reports (*page 59*)
- 9. Resolutions**
 - A. Resolution to cancel the March 18, 2014 Regular Council Meeting (*page 61*)

10. Bylaws

- A. Repeal of Prior Fees & Charges Bylaw 465 - first, second and third reading (*page 63*)
- B. Animal Control & Licencing Bylaw 461 - first and second reading (*page 69*)

11. Correspondence

- A. List of Correspondence to Friday, February 28, 2014 (*page 83*)

12. New Business

- A. Strachan Point Fire Response
- B. Conflict of Interest (*page 105*)
- C. Lieutenant Governor letter: Canada's 150th Anniversary & "Sing Me A Song" Contest (*page 131*)
- D. Infrastructure Committee LB Community News Article

13. Public Questions & Comments

14. In Camera

- A. Resolution:
That the Regular Meeting of March 4, 2014 does close this meeting to the public on the basis of matters to be considered under the following section 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:
 - d) the security of the property of the municipality
 - g) litigation or potential litigation affecting the municipality

15. Reporting Out

16. Adjournment



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, FEBRUARY 18, 2014 at 7:00 PM IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In attendance: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Grant McRadu, Interim CAO
Mandy Koonts, Office Coordinator

1. Call to Order

Mayor Broughton called the meeting to order at 7:00 p.m.

2. Approval of Agenda

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the Regular Council Meeting of February 18, 2014, as submitted.

CARRIED

Mayor Broughton noted under item 10B Water Rates and Regulations Amendment Bylaw #467 a resolution will be made to amend a typo within the document.

3. Public Participation

Mayor Broughton read the Public Participation section of the Procedure Bylaw relating specifically to time limits.

Mr. Tony Iannetti

Mr. Iannetti lives on Oceanview Road and brought forward his concerns regarding the black storm pipe that has been sitting in the culvert near Highview Road for the past two years. Mr. Iannetti advised that, while effective, the storm pipe is an eyesore. Mr. Iannetti requested that when the proposed resurfacing work is undertaken on Oceanview Road the Village consider repositioning the storm pipe to lay evenly within the culvert and be more visually pleasing.

Councillor McLaughlin advised the resurfacing project has been put forward in the capital plan and has been reviewed by the Infrastructure Committee who have provided recommendations to Village staff. An update on this specific project will be provided once a timeline has been established.

Village of Lions Bay Regular Council Meeting Minutes

February 18, 2014

Page 2 of 7

4. Delegations

A. Ms. Heather Hood – Proposed Event: Lions Bay Giveaway Weekend

Since the annual garage sale will not occur this year due to the closure of the Village Hall, Ms. Hood requested Council to consider a Lions Bay Giveaway Weekend in its place, as detailed in the delegation documentation. The premise of the event is for residents to leave unwanted household items at the end of their driveway (or a neighbour's driveway if their own is not logistically feasible) for other residents to help themselves to. This event would promote the recycling of items which would otherwise end up in local landfills.

The event will be held rain or shine and is proposed for the weekend of May 31-June 1, 2014. Residents will be responsible for proper disposal of their items remaining at the conclusion of the event weekend. The Committee is researching whether a donation pickup service, such as the Canadian Diabetes Association, can be scheduled to assist with pickup of remaining items as well as whether to open the event up to neighbouring communities or keep it local.

Ms. Hood requested the assistance of Village staff in circulating the event information via ePost and in the Village Update newsletter.

ACTION ITEM:	Staff to work with Ms. Hood and the Events Committee to circulate detailed information via ePost and newsletter about the Lions Bay Giveaway Weekend proposed for May 31-June 1, 2014.
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Council supported this event and Councillor Ronsley offered her assistance. Interim CAO McRadu advised Council that the Traffic Bylaw prohibits depositing of items on roadsides but that Council could elect to overlook that provision in support of this Community event. Council agreed.

5. Adoption of Minutes

Moved: Councillor Ando

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council adopt the Minutes of the Regular Council Meeting of February 4, 2014 with the following amendments:

- The amendments provided by Ms. Eileen Wilke via email on February 18, 2014 (copy retained with the Council package)
- Page 1, Item 3A: insert the word "private" before "parking lot"
- Page 2, Item 3C: second bullet under Mr. Jeffrey Stone, strike the word "beach"
- Page 3, Item 4A: insert the word "property" before each instance of the word "survey", for clarity
- Page 3, Item 4A: last bullet amended to read "Whether there are historic examples of Council approving tree cutting on Village property despite the objections of one neighbour."
- Page 6, Item 8B(i): amend the action item to include "...and a message in the tax notice to Brunswick residents advising that water rates will be increased in 2015."
- Page 9, Item 12B: change the word "discussed" to "discussion"

CARRIED

6. Business Arising from the Minutes

A. Snow Removal on Private Property

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council receives the report detailing Snow Removal on Private Property.

CARRIED

Mayor Broughton recused herself at 7:21 p.m.

Interim CAO McRadu commented on the Letter of Agreement on file with respect to snow plowing in the parking lot of the commercial complex. Interim CAO McRadu further advised there is no liability with respect to Public Works staff performing this service on private property and that the current Public Works vehicles are adequately equipped to perform this service.

Mayor Broughton returned to the meeting at 7:23 p.m.

7. Unfinished Business**8. Reports**

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council receive the reports of February 18, 2014, as submitted.

CARRIED

A. Interim CAO

Interim CAO McRadu advised that the Village Office has received a USB stick containing a 15,000 page report on the Trans Mountain Pipeline project. The report will be made available to any residents wishing to read it.

Councillor Ando requested an update on Land Use Master Planning. Interim CAO McRadu advised written feedback had been received from several residents subsequent to the phase one event on February 6, 2014 and a phase two working group has been identified from the residents who put forward an interest to participate. Selection for phase two was based on representation from the diverse interests and different neighbourhoods of the Village. The consultant group, R. Barrs and Associates, will summarize the data and present it to Council in due course.

B. Mayor and Council

Mayor Broughton has met with MLA Jordan Sturdy regarding lands being requested for public use and has requested MLA Sturdy's support. BC Rail was also discussed.

Mayor Broughton and Interim CAO McRadu will be meeting with the Federal Government on February 19, 2014 to discuss the WEDF Grant.

Mayor Broughton provided a general update on the Translink Mayors' Council stating the group will be meeting for a full day Strategic Planning session on February 20, 2014. All other discussions are In Camera and cannot be shared right now, however Mayor Broughton did indicate conversations are robust and there appears to be forward movement.

Councillor Bain has been busy with Emergency Management and recently attended a Disaster Recovery Training Course with Village Staff. The Hazard Risk Vulnerability Assessment is also moving forward and updates will be provided as they are available.

Councillor McLaughlin is drafting an article regarding the Finance process for the Community News. The article will focus mostly on the water, sewer and general tax increases.

Councillor Ronsley advised the Secondary Suites Committee will meet on February 24, 2014 and will prepare recommendations for Council review. The Filming Committee will meet on March 3, 2014 to review Terms of Reference and discuss proposed updates to the Filming Policy; recommendations will be brought forward to Council. Both meetings are open to the public.

C. Committees:

- i. Infrastructure Committee – Minutes of January 30, 2014 meeting
 Moved: Councillor Ando
 Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council receives the Infrastructure Meeting Minutes of January 30, 2014, for information.

CARRIED

Councillor McLaughlin complimented the concise format of the minutes and will look to incorporate the same recording process in the Finance Advisory Committee meetings in an effort to reduce use of staff time.

D. RCMP Reports

9. Resolutions

- A. Resolution to join the District of Squamish in signing the letter regarding derelict vessels in Howe Sound, addressed to MP John Weston
 Mayor Broughton advised three vessels have recently sunk and four more have been identified as at-risk to sink. There appears to be an issue of U.S. vessels being stripped and left in Howe Sound. MP John Weston has been briefed on this issue and intends to use the signed letter to garner support from the designated federal official to act.

Moved: Councillor Ronsley
 Seconded: Councillor Ando

Whereas the Howe Sound water body has over the past several years come to have derelict vessels being abandoned;

Whereas three of these vessels have recently sunk, with eight more identified by the Streamkeepers to be at risk of sinking;

Whereas this poses a potential risk of oil spillage; and

Whereas the vessels are growing in numbers and posing a safety risk within Howe Sound;

Therefore Be It Resolved the Village of Lions Bay Council resolve that Mayor Broughton sign the District of Squamish Mayor's letter requesting the support of MP John Weston.

CARRIED

10. Bylaws

A. Fees & Charges Bylaw #462 – Final Adoption

Moved: Councillor McLaughlin

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council adopt Fees & Charges Bylaw #462.

CARRIED

B. Water Rates and Regulations Amendment 2014 Bylaw #467 – Adoption

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council approves a friendly amendment to correct the typo in Schedule A of the Water Rates and Regulations Amendment 2014 Bylaw #467, thereby changing item #3 in the Schedule to read 3.5% instead of 3%.

CARRIED

Moved: Councillor McLaughlin

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council adopt the Water Rates and Regulations Amendment Bylaw #467.

CARRIED

C. Waste Collection Amendment 2014 Bylaw #468 – Final Adoption

Moved: Councillor Ronsley

Seconded: Councillor Ando

BE IT RESOLVED THAT the Village of Lions Bay Council adopt Waste Collection Amendment 2014 Bylaw #468.

CARRIED

Village of Lions Bay Regular Council Meeting Minutes

February 18, 2014

Page 6 of 7

11. Correspondence

- A. List of Correspondence to Friday, February 14, 2014

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council receives the correspondence to February 14, 2014, as submitted.

CARRIED

Councillor Bain discussed the PENS report and his view that the process does not require a full overhaul, simply a review. Councillor Bain will monitor this issue in the event it becomes prudent for Council to resolve to participate in the update process.

Councillor Ando asked about video surveillance in the Village and if we are in compliance with privacy legislation.

Action Item:	Staff to research privacy legislation and ensure the areas currently being monitored are in compliance with current privacy legislation.
--------------	--

12. New Business

- A. Water Line on Oceanview Road

Interim CAO McRadu discussed the recommendations from Public Works with respect to proposed work on Oceanview Road and how repositioning of the storm pipe may fit into the project. This projects is unlikely to be undertaken prior to 2015.

- B. Fire Hall Smithrite Dumpster

Interim CAO McRadu provided background information on the placement and usage of the dumpster and discussed the ongoing issue of illegal dumping at this site. The costs associated to this ongoing problem are estimated to be in excess of \$5,000 annually plus staff time. Councillor Ando suggested the dumpster be secured with a lock so its usage can be restricted to authorized users; Interim CAO McRadu explained that a lock will not resolve the issue of illegal dumping around the outside of the bin. Council agreed this issue has been ongoing for too long and that in the interest of public safety and fiscal responsibility, removal of this bin is the best option.

Moved: Councillor Bain

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council authorize the removal of the garbage bin located on the east side of the Klatt Building due to the ongoing misuse and increasing costs to keep the area clean.

CARRIED
Councillor Ando opposed

13. Public Questions & CommentsMr. Ron Wilke

Mr. Wilke agreed the Smithrite dumpster is being abused by some residents but expressed concern that the service will be discontinued for all residents as there are no alternative means for residents to dump garbage if they are unable on a regular pick up day. Staff and Council suggested alternatives such as storage of green waste in freezers and relying on neighbours to assist in cases where residents are unable to put their garbage out on pickup day.

14. In Camera

A. Resolution:

Moved: Councillor Bain
 Seconded: Councillor Ronsley

That the Regular Meeting of February 18, 2014 does close this meeting to the public on the basis of matters to be considered under the following section 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;
- g) litigation or potential litigation affecting the municipality;
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98.

CARRIED**15. Reporting Out**

No items were reported out from the In Camera session.

16. Adjournment

Moved: Councillor Ronsley
 Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council adjourn its Regular Meeting of Council of February 18, 2014 at 10:10 p.m.

CARRIED

 Interim CAO

 Mayor



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, DECEMBER 13, 2011 at 7:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

Present: Mayor Brenda Broughton
Councillor Scott Ando
Councillor Fred Bain
Councillor Ron McLaughlin
Councillor Joanne Ronsley
Treasurer Anne-Marie Koiner
Office Coordinator Alexandra Hejduk
Accounting Clerk Hayley Cook (recorder)

Regrets: Village Manager Rory Mandryk
Public Works Manager Partridge

1. Call to Order

Mayor Broughton called the Regular Meeting of the Council of December 13, 2011 to order at 7:00pm.

2. Approval of Agenda

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Bain

Resolved that: Council approve the Agenda of Regular Council Meeting of December 13, 2011, with the following additions:

- 9C Resolution for Village Community Centre Grant Application
- 9D BC Communities Grant -Resolution supporting budget for \$100,000.
- 9E Building Code and Seismic Assessment
- 9F Lower Mainland Treaty Advisory Appointment
- 9G Approving 2012 Council Meeting Schedule
- 12D Community Centre Architect discussion

Carried...

3. Public Participation - none

4. **Delegations - none**

5. **Adoption of Minutes**

A. Regular Council Meeting of November 21, 2011

Resolution

Moved by Councillor Bain
 Seconded by Councillor McLaughlin

Resolved that: Council approve the minutes of the Regular Council Meeting of November 21, 2011 with the following changes:

Page 2, add that Louis Peterson was to be present at the onsite at the Native Garden.

Page 4, change "Pay and Ride" to "Park and Ride land..."

Page 4, 2nd to last paragraph, change "story" to "family"

Page 5, 9, 1st sentence, change "positive" to "responses were all in support of a smoking ban"

Carried...

B. Inaugural Council Meeting of December 5, 2011

Resolution

Moved by Councillor Bain
 Seconded by Councillor McLaughlin

Resolved that: Council approve the minutes of the Inaugural Council Meeting of December 5, 2011 with the following changes:

Add on page 1, "Mayor Broughton presented an outline of Council highlights from 2008 to 2011."

Carried...

6. **Business Arising from the Minutes - none**

7. **Unfinished Business - none**

8. **Reports**

Resolution

Moved by Councillor Ronsley
 Seconded by Councillor Ando

Resolved that: Council received the reports of December 13, 2011.

Carried...

A. Chief Administrative Officer

- Generator for the emergency building– about to be commissioned
- Input regarding the pathway along the Community complex to be invited; no action to be taken before the result of the grant application

Treasurer's report:

Grant monies still outstanding:

- \$100,000 from the Lower Lions Bay Water Main Grant
- \$189,009 from the UV Reactor Grant
- \$10,000 from the JEPP Grant for the generator
- \$1,000 from the JEPP Grant for the laptops for the EOC

Contractor Requirement draft document – on table. Staff to review to ensure all current contractors would fall under the requirements. Item to be moved to January 9, 2012 Council Meeting. Council to send suggestions electronically to Treasurer Koiner.

B. Mayor and Council

- Staff to add action items from Council Meetings to the CSR process
- 2 signs required at the Brunswick pit advising hikers of heavy vehicles in the area
- Historical society sold over 100 booklets
- Office Coordinator Hejduk to send out Council report templates

C. Committees and Task Forces

Bear Smart Committee report received.

9. Resolutions**A. Resolution for repurposing of School Community Connections grant money**

Moved by Councillor Ando
Seconded by Councillor Bain

WHEREAS The School Community Connections review committee of the Provincial Ministry has approved repurposing the 2010 program grant monies; and

WHEREAS the repurposing of this grant essentially is a first step in realizing our longer-term vision for enhancing the Lions Bay Primary School;

THEREFORE BE IT RESOLVED that: the Village of Lions Bay Council support repurposing the School Communities Connections program grant of \$30,000, from "Consultation and Planning" to "Minor Renovations" for the Lions Bay Primary School Community Use Expansion, and directs West Vancouver School District #45 staff to submit to UBCM a revised budget and renovation plan.

Council discussed whose responsibility it would be if the project were to go over the \$30,000. Council agreed that the project should go ahead and if more funds are required, the PAC should be given the opportunity to put in the extra and then continue with the project.

Carried...

B. Resolution Directing Council on how to Respond to Resident Requests

Moved by Councillor Bain

Seconded by Councillor McLaughlin

Resolved that: Mayor and Council respond to residents with the assurance that the Village will act on resident issues, and will respond separately to Staff advising of the resident issue.

Discussion:

Council asked for clarification of the Resolution – If a resident contacts Council directly with a request, Council are to respond to the resident that they will be passing the request onto the Village. Any request being made of the Village is to be sent to the Village only and should not be copied to the resident.

Carried...

C. Resolution for BC Community Recreation Program Grant Application

Moved by Councillor Ando

Seconded by Councillor McLaughlin

WHEREAS the Lions Bay Village Community Centre is fully utilized by the Community it serves; and

WHEREAS there are many people of all ages that can benefit with increased fitness levels, health and social relationships through the addition of a multi-purpose room and accessibility upgrades;

THEREFORE BE IT RESOLVED that: the Village of Lions Bay Council proceed with the BC Community Recreation Program Grant Application to create a new or renovated multi-purpose space, including accessibility upgrades to the building and, washroom accessibility.

Carried...

D. Resolution for Committing \$100,000 towards BC Community Recreation Program Grant Application by the Village of Lions Bay

Moved by Councillor Ronsley

Seconded by Councillor Bain

WHEREAS the BC Ministry of Community, Recreation and Sport 'Community Recreation Program Grant' is up to 80%; and

WHEREAS the Village of Lions Bay will make the grant application for the BC Grant contribution in the amount of \$400,000;

THEREFORE BE IT RESOLVED that: the Village of Lions Bay commit \$100,000, which is 20% of the total estimated project cost of \$500,000, to the BC Community Recreation Program Grant for the building of a new or renovated multi-purpose room, including accessibility upgrades to the building along with the washroom accessibility and the accompanying connection of the two floors.

Discussion:

The \$100,000 is a new item on the 2012 budget. Fixing the roof is not included in this item.

Carried...

E. Resolution for Building Code and Seismic Assessment of Community Centre and Municipal Hall

Moved by Councillor McLaughlin

Seconded by Councillor Bain

WHEREAS the Village's Community Centre and Municipal Hall is in need to have renovations, including a building code assessment and a seismic assessment; and

WHEREAS the aforementioned assessments are integral planning components of any renovations that must be made for the Community Centre and Municipal Hall;

THEREFORE BE IT RESOLVED that: the Council of the Village of Lions Bay select a company to carry out the code and seismic assessment of the Community Centre and Municipal Hall, and that a maximum of \$10,000 be allocated towards this work.

Carried...

Staff to get three quotes for the seismic upgrade and email them to Council for review.

F. Resolution Regarding Appointment of Representative to Lower Mainland Treaty Advisory Committee (LMTAC)

Moved by Councillor Ronsley

Seconded by Councillor Ando

Therefore it be resolved that: the Council of the Village of Lions Bay hereby appoints Joanne Ronsley as its representative to the Lower Mainland Treaty Advisory Committee and further directs said representative to attend an information meeting to be held at the Metro Vancouver Boardroom on December 14, 2011 at 1:30 pm to discuss the future, if any, of the Lower Mainland Treaty Advisory Committee and to hear proposed means by which the Committee may continue to function beyond December 31, 2011.

Carried...

G. Resolution Approving 2012 Council Meeting Schedule

Moved by Councillor Ronsley
Seconded by Councillor Bain

Resolve that: THEREFORE BE IT RESOLVED that the Council of the Village of Lions Bay approve the 2012 Council Meeting Schedule as follows:

January 9 and 24	July 3 and 17
February 6 and 21	August – no meetings scheduled
March 5 and 20	September 10 and 25
April 2 and 17	October 1 and 16
May 7 and 22	November 5 and 20
June 4 and 19	December 3 and 18

Carried...

10. **Bylaws**

A. Bylaw 437: Council Procedure Amendment 2012: 1st and 2nd Reading

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Bain

Resolve that: Council approve the 1st reading of Bylaw 437: Council Procedure Amendment 2012.

Carried...

Resolution

Moved by Councillor Bain
Seconded by Councillor Ando

Resolve that: Council approve the 2nd reading of Bylaw 437: Council Procedure Amendment 2012.

Carried...

B. Bylaw 438: Officers Amendment 2012: 1st and 2nd Reading

Resolution

Moved by Councillor Ando
Seconded by Councillor McLaughlin

Resolve that: Council the amendment of Bylaw 438: Officers Amendment 2012.

Carried...

Resolution

Moved by Councillor Ronsley
 Seconded by Councillor McLaughlin

Resolve that: Council approve the 1st reading of Bylaw 438: Officers Amendment 2012.

Carried...

Resolution

Moved by Councillor Bain
 Seconded by Councillor Ando

Resolve that: Council approve the 2nd reading of Bylaw 438: Officers Amendment 2012.

Carried...

11. Correspondence

Resolution

Moved by Councillor Bain
 Seconded by Councillor Ando

Resolve that: Council received the List of Correspondence for the period to December 9, 2011.

Carried...

A. List of Correspondence for the period to December 9, 2011

Resident letter #1 re: Park Rules Sign. Staff have researched the question; the issue was discussed, but no motion was passed. This information will be passed onto the resident. Discussion on the beach park has brought up the issue of signage, which will be looked at in the future. The second part of the resident letter regarded Water rate increases; Treasurer Koiner to draft a response explain that it will be incumbent upon the Council of the day to make sure a water rate gets reduced once the loan has been covered and that the water rates are re-evaluated each year.

Resident Letter #2 re: Thanks to Public Works.

Resident Letter # 3 re: Congratulations to Council.

12. New Business

A. LMTAC
 Already dealt with.

B. Mayor's Levee: Saturday, February 4th 10am to 1pm

Council agreed by consensus to hold the Mayor's levee from 10 to noon on February 4, 2012.

Discussion regarding promoting businesses in Lions Bay to be added to the January 9, 2012 agenda.

C. Freedom of Information

Council thanked Staff for providing the information regarding the Freedom of Information Policy.

D. Community Centre -Selection of the Architect.

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Bain

Resolved that: the Regular Meeting of December 13, 2011 does close this meeting to the public on the basis of matters to be considered under the following section 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:

(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.

Carried...

Resolution

Moved by Councillor Ronsley
Seconded by Councillor McLaughlin

Resolved that: Council revert to Open Meeting.

Carried...

Resolution – brought out of In Camera

Resolution

Moved by Councillor Ando
Seconded by Councillor McLaughlin

Resolve that: Council select the Millenia Architecture Corp. for the Community Centre Revitalisation Project, and the Village will begin by commissioning phase 1 to include a visioning/ schematic designs, plans, sections and character sketches as required to demonstrate a vision as well as a detailed budget for a \$500,000 project that includes a multi-purpose room, accessible washroom, building accessibility and a vision of the overall building for a cost of \$8,500 + HST to be submitted by December 22 at 4.00pm.

Carried...

13. Adjournment

Resolution

Moved by Councillor McLaughlin
Seconded by Councillor Ronsley

Resolved that: Council adjourn the Regular Council Meeting of December 13, 2011 at 8:41pm.
Carried...

Mayor

Village Manager

SFU Connect

conlin@sfu.ca

RE: Disclosure to CAO and Conflicts of Interest by Members of current Council

From : Grant McRadu <admin@lionsbay.ca>

Mon, Feb 24, 2014 12:40 PM

Subject : RE: Disclosure to CAO and Conflicts of Interest by
Members of current Council**To :** Carole Conlin <conlin@sfu.ca>, Council @ Lions
Bay <council@lionsbay.ca>**Cc :** Mandy Koonts <office@lionsbay.ca>

Afternoon Carole:

This is to acknowledge receipt of your email. I trust Council will read your comments and will take your comments under advisement. I appreciate you bringing these matters to my attention and I will continue to review your concerns.

With respect to your third query, you have read the minutes and I am unable to add any additional information and suggest the minutes speak for themselves.

Grant McRadu

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

From: Carole Conlin [mailto:conlin@sfu.ca]

Sent: Monday, February 24, 2014 11:28 AM

To: Grant McRadu; Council @ Lions Bay

Subject: Disclosure to CAO and Conflicts of Interest by Members of current Council

Hi Grant McRadu, CAO and Council Members,

On January 23rd I asked Mr. McRadu if I could attend the Village office to review the documents pertaining to occasions when elected officials had declared Conflicts of Interest since their election in 2011 to date. Mr. McRadu assured me all documents were in the public domain minutes on the website, and I could review them in the comfort of my own home (see emails below).

I have taken the time to study the COTW and Regular Council meeting minutes on the website as Mr. McRadu suggested on January 23rd, to find the conflict of interest declarations by

Council Members since election in 2011 to current date.

I have also studied the Community Charter regarding Conflict of Interest, sections 100 to 113, and the responsibilities of the Corporate Officer re disclosures. These documents state,

100 (1) This section applies to council members in relation to
(a) council meetings,
(b) council committee meetings, and
(c) meetings of any other body referred to in section 93 [application of open meeting rules to other bodies].

(2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has

(a) a direct or indirect pecuniary interest in the matter, or

(b) another interest in the matter that constitutes a conflict of interest, THE MEMBER MUST declare this

and state in general terms the reason why the member considers this to be the case.

and,

CONFLICTS OF INTEREST, CONFIDENTIALITY AND LIABILITIES FOR ELECTED OFFICIALS Disclosure of Contracts (Community Charter s. 67)

- where local government enters a contract in which an elected official has a direct/indirect pecuniary interest:

-- this must be reported in an open meeting of board/council (usually reported by corporate officer)

-- elected official must advise the corporate officer of any contracts that must be reported in which he or she has a direct/indirect pecuniary interest

-- consequence of elected official's failure to comply - disqualification.

There are no declarations of Conflict of Interest in the minutes in 2011 and 2012, and a few in 2013 minutes (McLaughlin re Tree Permit, Trailblazers request for funds; Broughton re village banners, UBCM banquet meal for husband, protocol update; Ronsley re UBCM banquet meal for husband; Ando for permission to attend a \$185 course). There was one that the Member and minutes should have noted a declared conflict "Delegation, 4A, in June 4 2012" where a Councillor asked Council to go against Village Policy to allow him to return a

third party Village damage deposit cheque to a contractor rather than it being mailed as per policy); Council approved this request and the Member had left (recused) the Council table for that decision.

I have three queries to the CAO and Members of Council in regard to Conflicts of Interest:

First, at the February 18 Council meeting I AGAIN observed that when the snow plowing of the private strata parking lot was discussed and the letter of understanding of 2004 was introduced, that Mayor Broughton recused herself, but AGAIN, failed to indicate in general terms WHY she was recusing herself, as I had pointed out THE NECESSITY FOR THIS AS PER SECTION 100 regarding MY OBSERVANCE AT the January 14th meeting in my email of Jan 23 WHICH STATES THE MEMBER MUST DECLARE...IN GENERAL TERMS THE REASON WHY THE MEMBER CONSIDERS THIS TO BE THE CASE..and the times leaving and rejoining the meeting must be recorded in the minutes.

WHY DOES THE MAYOR continue to not state the reason why she is in conflict in matters relating to the private Strata where her general store and café businesses are located, as required? Why do Council and the CAO allow her to continue to do so contrary to the Community Charter? Will you prevent it in the future?

Second, in my study of the Minutes in the public domain for 2011, 2012 and 2013, I find no declaration from any Council Member that they have a conflict of interest concerning the appointment of the Architect to the CCR project. My original request of January 23rd to review the conflict of interests was to ascertain if any Council Members had declared their conflict of interest in regards to the appointment of the Architect, Russell Mieklejohn and Millenia Architecture, or any other contractors to the Village.

A declaration of a Conflict of Interest made In Camera is not sufficient. The Member in Conflict must also declare and recuse themselves from discussion and voting in the Regular and Committee meetings on these matters. No disclosure/declaration appears in the public domain minutes. Does one or more exist, and if they do and why has disclosure/recusing not occurred at the meetings and in the minutes>

and

Third, I ask the CAO, as the Corporate Officer, again, if any Council Member has declared, to him or the former CAOs in office from 2011 to date, a Disclosure and Conflicts of Interest and the details of such disclosures/declarations?

As you know, the Conflict of Interest section is much broader than what I have quoted, including the responsibilities of Council and the penalties for not declaring Conflicts of Interest.

I would appreciate having a response from the CAO and Council on the Disclosure and Conflicts of Interest items I raise and knowing what steps will be taken to rectify these situations.

Carole

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

From: Grant McRadu <admin@lionsbay.ca>
To: Carole Conlin <conlin@sfu.ca>
Cc: Council @ Lions Bay <council@lionsbay.ca>, Mandy Koonts <office@lionsbay.ca>
Sent: Thu, 23 Jan 2014 13:03:28 -0800 (PST)
Subject: RE: Request to review Conflict declarations by Council members since election in 2011 to current date

Afternoon Carole:

I am pleased to advise that all the information you are requesting is in the public domain and is available on our website, so you do not need to come into the office and can view the minutes from the comfort of your own home.

Grant

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

From: Carole Conlin [mailto:conlin@sfu.ca]
Sent: Thursday, January 23, 2014 11:34 AM
To: Grant McRadu
Subject: Request to review Conflict declarations by Council members since election in 2011 to current date

Hi Grant,

At the regular council meeting January 14, 2014 I observed that when the question of Works staff plowing snow from the store strata parking lot was raised by resident Jeff Stone, the Mayor immediately said something to the effect, "I know nothing

about it but Michael Broughton is in the audience and I'll recuse myself".

It is generally known in the village that the Broughton's own the café and store, but I did not hear the Mayor say why she was recusing herself. I would have expected Mayor Broughton to declare why she was recusing herself. The Community Charter states:

Division 6 – Conflict of Interest

Disclosure of conflict

100 (1) This section applies to council members in relation to
(a) council meetings,
(b) council committee meetings, and
(c) meetings of any other body referred to in section 93
[application of open meeting rules to other bodies].

(2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has

(a) a direct or indirect pecuniary interest in the matter, or
(b) another interest in the matter that constitutes a conflict of interest, the member must declare this and state in general terms the reason why the member considers this to be the case.

With this January 14th example in mind, I am interested to know the other occasions any member of the current Council have declared conflicts since their election in 2011 to the current time, and the reasons why or the circumstances surrounding the declared conflicts by the members.

I would like to visit the Village office to review those declarations. Can you advise me of a time that would be convenient to staff for me to do so?

Carole Conlin
PO Box 91, 90 Oceanview Road

On 2014- 03-14, at 1:06 PM, Scott Ando <councillor.ando@lionsbay.ca> wrote:

From: Scott Ando <councillor.ando@lionsbay.ca>

Date: February 20, 2014, 2:32:42 PM MST

To: "Council @ Lions Bay" <council@lionsbay.ca>, Grant McRadu <admin@lionsbay.ca>

Subject: Personal Disclosure

Dear Council & Grant,

At the last Council meeting, I was taken aback by the agenda item Personal Disclosure. I have reviewed my Council packages from the period and after reflection, I cannot recall with any certainty that Ron disclosed that his wife worked as a bookkeeper for Millenia Architecture Corp during the December 13th, 2011 meeting. To the best of my recollection, I believe that he disclosed the Conflict of Interest to Council around March / April 2012. At the December 13th meeting, I felt that the two Architectural Proposals were equal. I recall that Ron advised that Millenia had designed his renovation, after a tree fell on his house, and that he was extremely satisfied with Millenia's work. Certainly, Ron's personal reference and discussion in support of Millenia influenced me to support Millenia for the Community Centre Revitalization Project.

Sincerely,

Scott



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

March 14, 2014

Dear Mr. Schilling and residents of Lions Bay:

The following commentary was forwarded to me by email on March 12, 2014. It has been my practice as a Chief Administrative Officer not to respond to such emails however, it did reference an action of mine and I feel it misrepresents the facts and inaccurately implies wrongdoing by a member of Council:

To all,

This was sent to me...interesting reading.

At a council meeting last week on March 4th, more than two years into the CCR project, Ron McLaughlin was shown to have been in conflict of interest, and then not by himself as required by the Community Charter, but by the interim CAO: specifically, Millennia Architecture (Russ Mieklejohn) is a client of Mary McLaughlin (Cllr McLaughlin's wife). Mary is an independent accountant, and Russ has been her client since 2009/2010.

Although it was made out that she only works for him "around 2 hours a week", as you know the Community Charter does not put a dollar value on conflicts – you already have the Anderson Young document that was attached to the agenda package, which spells it out very clearly.

Public records show that Cllr McLaughlin never recused himself from any meetings in which he found himself in conflict. In fact, it was he who seconded the motion to appoint Russ Mieklejohn of Millenia Architecture to the project in December 2012. It was also Ron McLaughlin who moved the motion on June 25th, 2013 to pay Russ Meiklejohn an additional \$65,900 (in addition to the \$120,000 already paid at that point). Cllr McLaughlin, along with the mayor and the architect, formed the "design team" for the project.

See the attached mail sent to council on Tuesday, March 4th before the council meeting, however, the mayor's conflict did not get mentioned at all at the council meeting that Tuesday night.

John

From a person new to the Village, I am saddened to see how such a wonderful place with so many educated people allow such emails to be circulated without checking whether they are true, libelous or outright wrong.

For the record, Councillor McLaughlin, at the Council meeting on December 13th, 2011, advised Council that his wife worked for the architectural firm Millennia, which was one of three firms that were being considered to work on the Community Centre renewal, and offered to recuse himself however Council decided that he ought not to. Unfortunately, the minutes of the



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

December 11th, 2011 meeting were very short and did not record this disclosure.

As this matter of a possible conflict has recently been raised by some citizens, Councillor McLaughlin, at the February 18th, 2014 In Camera Council meeting, sought confirmation from Council that he had indeed disclosed his personal relationship with Millennia prior to the Village retaining their services.

Council has now agreed to release the following excerpt of the minutes of the February 18th, 2014 In Camera Council meeting:

"All members of Council did recall Councillor McLaughlin having made the disclosure and offering to recuse himself during the Council meeting of December 13, 2011. Council further iterated that Millennia had been chosen on its merits and Councillor McLaughlin's relationship with Millennia was not a factor in the decision."

Last week, in an abundance of caution, I as the Interim CAO sought a legal opinion from the law firm of Lidstone & Company and read the following at the March 4th, 2014 Regular Council meeting and onto the public record:

"Councillor McLaughlin has received communications from members of the public to the effect that he has (or has had) an apparent conflict of interest in relation to Council's deliberations respecting the Village contract with Millennia Architecture Corporation. The Village has sought legal advice on the matter from Don Lidstone, Q.C., a senior municipal solicitor. The concern raised is based on the fact that Councillor McLaughlin's spouse, as an independent contractor, provides bookkeeping services to Millennia for approximately two hours per week. She is not an employee, does not sign invoices, has no equity or other financial interest in Millennia other than her two hours per week bookkeeping contract, the contract with the Village has not altered or would not alter her financial or other relationship with Millennia, and the contract itself would not alter her financial circumstances. The lawyer concluded that in his opinion, based on recent case law and the Community Charter:

- 1. the Councillor has no pecuniary interest in the contract, and accordingly would not be subject to a process of being disqualified from office, and*
- 2. there is a common law interest in the matter, which would have had the effect of discounting his vote in the event of a split vote, but none of the Council votes on the matter were split."*

This legal opinion is captured on the audio recording from the meeting and can be accessed on the Village website.

While I admit there may be, to an uninformed person, an appearance of a pecuniary conflict, please rest assured that in law, Councillor McLaughlin does not have a pecuniary interest in relation to Council's dealings with Millennia.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

In the final sentence, there was reference to an email, dated March 4th at 1:18 p.m., addressed not to Council but to individual Councillors and the CAO. The email was received on the date of the last Council meeting – past the agenda package deadline. I have responded to the email and advised that I will be researching the allegations.

Sincerely,
Grant McRadu
Interim Chief Administrative Officer

Lions Bay Reception

From: Lions Bay Reception
Sent: Tuesday, March 25, 2014 11:14 AM
To: 'jimcave@telus.net'
Subject: RE: Controlled Burn - March 25 to March 28

VILLAGE OF LIONS BAY
 FILE TO I/C
 FILE TO PROPERTY FILE
 OTHER

Hi Jim

Thank you for your email. It will be included as Incoming Correspondence for the next Council Meeting April 1, 2014.

Susan Loutet - Administrative Assistant

reception@lionsbay.ca

**The Village of Lions
 Bay**

Municipal Services Team
 400 Centre Road Box 141
 Lions Bay BC V0N 2E0 Canada

Phone: 604-921-9333 x100
 Fax: 604-921-6643
www.lionsbay.ca



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From: jimcave@telus.net [mailto:jimcave@telus.net]
Sent: Tuesday, March 25, 2014 11:04 AM
To: Village of Lions Bay
Subject: Re: Controlled Burn - March 25 to March 28

I agree with the need for the village to do a controlled burn to reduce the accumulation of "woody debris" (the correct term since it is no longer "green". Further to this many villagers have accumulated "woody debris" and should similarly be permitted to have a controlled burn, as we once were allowed to do, several years ago!

Jim Cave

From: [Village of Lions Bay](mailto:reception@lionsbay.ca)
Sent: Tuesday, March 25, 2014 10:17 AM
Subject: Controlled Burn - March 25 to March 28

The green waste burn will commence this afternoon, March 25th, after the Village having obtained confirmation that the weather index is favourable. The burn will continue through Friday, March 28th, 2014.

Public Works and Lions Bay Fire Rescue will be conducting this controlled burn above Oceanview Road, past the water plant, for the purpose of reducing green waste. This green waste is the result of years of green waste being delivered to this area. This deposit of green waste was deemed to pose a high safety risk to the Village in the dry season.

Thank you

Mandy Koonts
Municipal Coordinator

**The Village of Lions
Bay**

Municipal Services Team
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Lions Bay BC V0N 2E0 Canada

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Fax: 604-921-6643
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Information from ESET Smart Security, version of virus signature database 9591 (20140325)

The message was checked by ESET Smart Security.

<http://www.eset.com>

14

VILLAGE OF LIONS BAY

FILE TO I/C

FILE TO PROPERTY FILE

OTHER

Lions Bay Reception

From: Lions Bay Reception
Sent: Wednesday, March 26, 2014 9:14 AM
To: 'Tom C.'
Subject: RE: Controlled Burn - March 25 to March 28

Thank you for your comments. They will be included as Incoming Correspondence at the next Council Meeting April 1, 2014.

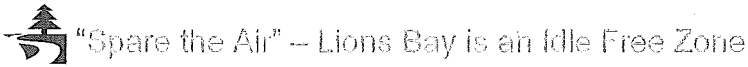
Susan Loutet - Administrative Assistant

reception@lionsbay.ca

The Village of Lions Bay

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From: Tom C. [mailto:tomc@lionsbay.ca]
Sent: Tuesday, March 25, 2014 7:55 PM
To: Village of Lions Bay
Subject: Re: Controlled Burn - March 25 to March 28

Hi,
I just would register my disappointment that this burn has gone ahead. I am sure it will not be an environmental disaster, but symbolically for a village that supports the environment of Howe Sound this appears to contradict that.

Tom Caspersen
250 Mountain Drive
Lions Bay

----- Original message -----

From: Village of Lions Bay <epost@lionsbay.ca>
Date: 03-25-2014 10:17 AM (GMT-08:00)
To:
Subject: Controlled Burn - March 25 to March 28

The green waste burn will commence this afternoon, March 25th, after the Village having obtained confirmation that the weather index is favourable. The burn will continue through Friday, March 28th, 2014.

Public Works and Lions Bay Fire Rescue will be conducting this controlled burn above Oceanview Road, past the water plant, for the purpose of reducing green waste. This green waste is the result of years of green waste being delivered to this area. This deposit of green waste was deemed to pose a high safety risk to the Village in the dry season.


Thank you

Mandy Koonts
Municipal Coordinator

**The Village of Lions
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Fraser Basin Council

*Social well-being supported by a vibrant
economy and sustained by a healthy environment*

March 12, 2014

Mayor and Council
The Municipality of the Village of Lions Bay
Email: council@lionsbay.ca

RE: Business Plan – Advancing a Collaborative, Regional Approach to Flood Management in BC’s Lower Mainland

Dear Mayor and Council:

The Fraser Basin Council has undertaken significant work over the past 15 years to strengthen an integrated approach to flood hazard management in BC with a focus in the Lower Mainland. This work has been advanced primarily through the Joint Program Committee for Flood Hazard Management (JPC), which was established in 1998 and includes more than thirty five member organizations including local, provincial and federal governments as well as other organizations with flood management responsibilities.

In 2011 the BC Ministry of Environment released a draft policy paper concluding that it is appropriate to design and plan for a projected one metre rise in sea level by 2100 in coastal areas of BC. Furthermore, it has recently been estimated that the cost to prepare for this expected sea level rise and associated increase in flood risk in coastal areas of the Metro Vancouver region was in the order of \$9.5 billion

Flooding events that took place in both Calgary and Toronto in 2013 clearly demonstrate the existing risk of social, economic and environmental costs associated with flood events. They also illustrate the complexity of planning, addressing uncertainty associated with weather variability and the need for planning for natural disasters, such as flood events, and the importance of ensuring a coordinated, region-wide response. To date, insurance claims associated with the Calgary flood have reached \$1.7 billion.

Between January and November of 2013 the Fraser Basin Council and the JPC – with financial support from Metro Vancouver, the BC Ministry of Forests, Lands and Natural Resource Operations, and Natural Resources Canada – developed a Business Plan to strengthen an integrated and long-term approach to address flood risks in the

Basin-Wide Office and
Greater Vancouver Sea to Sky Regional Office

1st Floor, 470 Granville St, Vancouver, BC V6C 1V5
t 604 488-5350 f 604 488-5351 info@fraserbasin.bc.ca

FRASERBASIN.BC.CA

Offices in – Greater Vancouver Sea to Sky
Fraser Valley – Thompson – Cariboo-Chilcotin – Upper Fraser

Lower Mainland region (see attached Executive Summary). Phase 1 will be implemented from March 2014 to December 2015, and will focus on developing specific technical information and evaluating the effectiveness of the regional, collaborative approach. Phase 2 would include a more substantive and comprehensive four-year program following the implementation and evaluation of Phase 1. The Business Plan calls for approximately \$250,000 per year over two years to complete the Phase 1 actions. It is proposed that this would be cost-shared among local, provincial, and federal governments as well as regional entities.

On behalf of the JPC, the Fraser Basin Council has been in discussion with several prospective partners in the Lower Mainland to secure funding contributions. To date, we have already secured funding contributions of about \$245,000 from the federal government, the provincial government Ministries of Environment, Forest Lands and Natural Resource Operations, Transportation and Infrastructure, and Justice (Emergency Management BC), a number of local municipalities contributing up to \$5,000 each and regional entities such as Port Metro Vancouver, YVR, and CP Rail.

Recognizing that the Village of Lions Bay does not have the same financial resources as do the larger municipalities, we understand that Lions Bay may not have the capacity to make the maximum contribution of \$5,000. However, we believe that Lions Bay would still benefit from being involved in this initiative, and thus we would value whatever amount Lions Bay is able to contribute. For example, the District of Kent is contributing \$500/year and White Rock is contributing \$1,000/year.

In terms of engagement with local governments to date, we are providing updates and receiving input through the Lower Mainland Local Government Association and its Flood Control and River Management Committee. Through this process a resolution was drafted in support of a regional, integrated approach to flood management. This resolution passed unanimously at the LMLGA convention on May 9, 2013 and subsequently at the UBCM convention on September 19, indicating broad support among local government leaders.

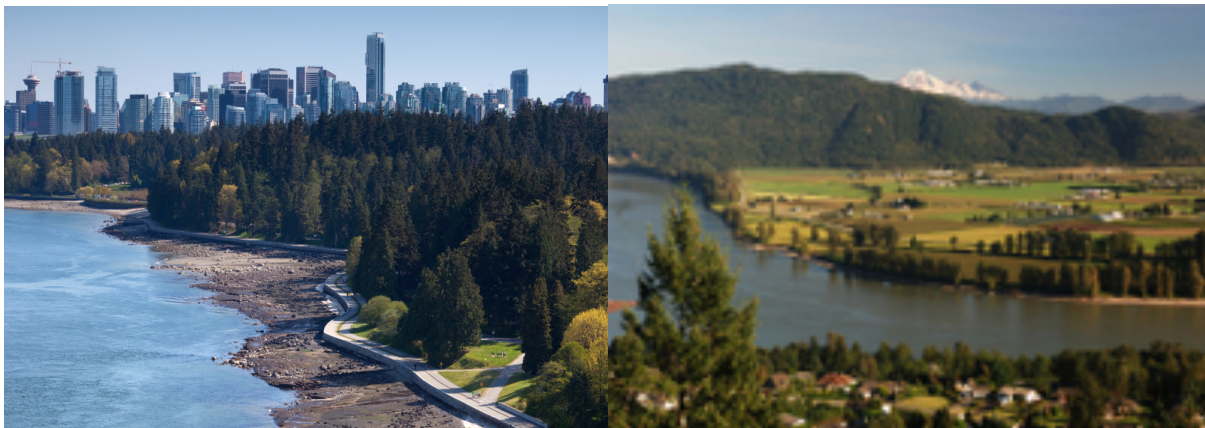
Thank you for giving serious consideration to this request of a modest financial contribution and to accepting our invitation to partner with other Lower Mainland communities and regional entities in addressing this critical issue in a timely fashion. If you would like further details, please contact Steve Litke, Senior Program Manager at (604) 488-5358 or me at (604) 889-7455.

Yours truly,



David Marshall
Executive Director

Final Report:
**A Business Plan – Advancing a Collaborative,
Regional Approach to Flood Management
In British Columbia’s Lower Mainland**



Prepared by: the Fraser Basin Council

November 2013



Acknowledgements

The Fraser Basin Council would like to acknowledge the following organizations for contributing funding to develop the business plan:

- Metro Vancouver
- Natural Resources Canada
- BC Ministry of Forests, Lands and Natural Resource Operations

The Council would also like to thank the various people, organizations, networks and associations that participated in and supported the development of this draft business plan and/or the final version of the business plan. This process of outreach, engagement and collaboration included the following:

- The Joint Program Committee for Integrated Flood Hazard Management (38+ organizations throughout the Lower Mainland).
- Metro Vancouver staff as well as Metro Vancouver's Regional Engineers' Advisory Committee, Regional Planners' Advisory Committee, and Regional Administrators' Advisory Committee.
- The Lower Mainland Local Government Association's Flood Control and River Management Committee.
- The Sea Level Rise Collaborative co-hosted by SFU's Adapting to Climate Change Team (ACT) and West Coast Environmental Law.
- Individual municipalities, regional districts, First Nations and others that participated in the study.

Credit: The Sea wall image on the report cover is from:

<http://www.travelandscape.ca/2012/08/running-vancouvers-seawall/>

Contacts

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Executive Summary

This report: *A Business Plan – Advancing a Collaborative, Regional Approach to Flood Management in British Columbia’s Lower Mainland*, was prepared with input, feedback and advice from the perspectives of many different individuals and organizations involved in flood hazard management in the Lower Mainland¹. Meetings, presentations, dialogue sessions and workshops were held in an exploratory process to identify if there was value in advancing a regional response to flooding (i.e., sea level rise, storm surge, and river flooding) across the Lower Mainland and if so, what steps would need to be taken to initiate a regional response. This collaborative and consultative process has explored a wide range of interests, challenges, and opportunities to advance a regional approach to flood management in the Lower Mainland.

Stakeholders have identified the need to begin this initiative by working on clearly defined projects to increase knowledge and support, and to build on these successes through a phased approach. Therefore this Business Plan begins by clearly identifying early actions that should be taken to increase capacity and fill important information gaps, and also provides a rationale and a general outline of a long-term regional approach to flood management.

This report reflects what was heard from stakeholders. It provides a framework of near-term priorities, actions and deliverables (phase 1) as well as a longer-term vision and framework (phase 2) to advance a regional approach to flood management in the Lower Mainland. These two phases reflect short term and longer term objectives, and should be considered together to advance common goals.

Purpose of Business Plan (Phase 1 and Phase 2)

1. To outline key information gaps and a proposed program of technical studies and projects to fill these gaps
2. To propose a collaborative process to design, refine and implement a regional approach to flood management in the Lower Mainland of BC
3. To articulate the added value of a comprehensive, integrated and regional approach
4. To build and galvanize support for a regional approach from all affected parties to ensure their full involvement in the development and implementation of a regional approach

¹ For the purposes of this paper, the Lower Mainland is defined as Hope to Richmond and the US border to Squamish.

5. To support the acquisition of the necessary financial resources to advance the development and implementation of a regional approach

Phase 1 – Near-Term Actions, Outputs and Deliverables

Phase 1 would focus on proposed short-term technical studies that have been identified as priorities by multiple communities and have significant potential to improve regional-scale information to support flood management practices and policies on the ground, and build support toward a regional approach to flood management.

A collaborative approach is proposed for planning, delivery and completion of projects to improve information for agencies and organizations with flood management roles and responsibilities:

- For consideration in informing flood management policies and practices
- To support additional priority studies (e.g. more comprehensive analyses, community or site-specific analyses, etc.)

Examples of potential phase 1 priorities based on preliminary reconnaissance include:

- *Region-wide assessment of current conditions of flood protection works and effectiveness of floodproofing, bylaws, and floodplain management.*
- *Estimating projected water levels for multiple flood scenarios (i.e. different peak flows / return frequencies, sea level rise, storm surge events) (using the existing or an enhanced Lower Fraser River Hydraulic Model or other tools).*
- *Region-wide analysis of current and future risk and vulnerability to flood hazards (i.e. what is vulnerable and what are the impacts, consequences and costs of a catastrophic flood in the Lower Mainland – at a coarse resolution).*

Additional outputs of the regional, collaborative process could include the facilitation of cost-savings, continued dialogue, enhanced knowledge-sharing, capacity building, strengthened working relations, and development of consensus-based recommendations.

Phase 2 – Big-Picture / Long-Term Vision

Phase 2 would include a high-level, longer-term regional approach to flood management, including a more comprehensive program of technical studies and projects, which would be delivered through a collaborative and iterative process. The longer-term vision aims to:

1. Enhance the effectiveness of flood management on a regional basis.

2. Inform flood management policies and practices in the region through a program of technical studies and projects to improve information and knowledge about flood hazards, risks and management options.
3. Facilitate a process to secure adequate, sustained, funding to strengthen flood management policies and practices in the region.
4. Support flood management agencies and organizations by facilitating a regional, collaborative, comprehensive and integrated approach to flood management in the Lower Mainland region. For example, work with local governments to advance infrastructure flood protection projects and funding,

The substance of the proposed approach is to strategically and incrementally improve our knowledge and understanding about flood hazards, risks and management options to inform flood management policies and practices. This would be designed, overseen, delivered, and refined through a collaborative process involving numerous agencies and organizations (public and private) throughout the Lower Mainland region.

Section 1 of the Final Draft Business Plan explains some of the recent history of flood management considerations and the origin of this initiative. Some additional background follows, outlining some of the considerations of how flood hazards and vulnerability are changing in the Lower Mainland, with references to relevant recent studies.

Section 2 explores the rationale and opportunity for a proactive, integrated and regional approach to flood management in response to evolving flood hazards, risks and vulnerabilities. Potential challenges and benefits of a regional approach are also considered as well as principles that could guide a regional approach.

Section 3 provides an overview of the proposed regional approach. The purpose and objectives are profiled, along with the scope, including a proposed technical program to fill knowledge gaps and inform the development of a regional strategy. The proposed approach and strategy would cover a geographic scope of approximately 30 municipalities and also unincorporated areas spanning from Richmond to Hope, and Squamish to the US border. The study area encompasses about 2.6 million people. The approach would include flood risks associated with sea level rise, storm surge and river flooding. The approach would consider flood management responses including land use changes, development practices, flood proofing buildings (and other infrastructure), and the construction / rehabilitation of dikes and other flood protection works. Section 3.3 outlines a proposed program of technical studies to inform local and regional approaches to flood management by assessing and evaluating current management conditions, current and future flood hazards and risks, as well as best practices and management options.

Section 4 outlines activities, timelines and estimated budgets for the work outlined in the business plan (phases one and two). Phase one is estimated to be undertaken between January 2014 and December 2015, would include one to three technical projects and would cost approximately \$200,000 - \$500,000. The results of phase 1 would be evaluated to inform priorities to be undertaken in phase 2. Phase 2 is estimated to require a timeline of about four years, would include more comprehensive and detailed technical analyses and would include the development of a regional strategy based upon the technical information gathered in phases 1 and 2.

Section 5 describes a proposed approach for organizing and facilitating a collaborative process to oversee the development and implementation of a regional approach and strategy. A collaborative, integrated, strategic, long-term and regional approach to flood management is proposed and promoted. The Business Plan also proposes an open and transparent funding and governance structure, involving representation from four orders of government and private entities. Next steps are also outlined in section 5.

At the end of the Draft Business Plan are several Appendices, including:

- A. Summary of survey responses
- B. Overview of existing literature, plans and studies
- C. List of potential relevant interests
- D. Phase 1 Priority Projects – Preliminary Planning and Scoping
- E. References



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

MEMO**Information Memo to Council**

To: Council

Date: March 26th, 2014

From: Councillor Ando

Subject: Lions Bay School & Childcare

Currently, the Lions Bay School has 41 children enrolled from Kindergarten to Grade 3. This year, the school has 3 divisions with 3 full-time equivalent teachers. If the number remains the same or decreases, the school may be reduced to 2 divisions with 2 full-time equivalent teachers. This would be a significant reduction in staff and possibly affect the quality of education for our children. The Lions Bay School administration has made it clear that there are no plans to close the School.

In May 2013, the Lions Bay School administration became pro-active in wanting to address the declining enrolment and the long-term viability of the school. The staff and Parents Advisory Council (PAC) were able to identify a few families that were forced to leave the school when adequate childcare was not available in the Village. When news of the last childcare operator ceasing operation in June 2013, L B School administration determined that before and after school care (BASC) was needed in the Community and could help the School retain and possibly draw new students.

The L B School administration entered into a partnership with the North Shore Neighbourhood House (NSNH) to provide BASC at the Lions Bay School. NSNH worked diligently and professionally to condense an 18 month review and licensing process into 3 months. On Sept. 4th, 2013, NSNH received it's licensing and opened. The BASC has been critical for a few of the families whose children attend the Lions Bay School. Unfortunately, some other families had to make other arrangements to ensure that they could return to work. I know of one family that hired an au pair and another two families that hired nannies.

West Vancouver School District has been extremely supportive by providing free rent for the BASC program. North Shore Neighbourhood House committed to operating until June 2014. In November 2013, they applied for a Gaming Grant to extend operating until December 2014. Unfortunately, in early March NSNH was advised that their Gaming Grant application was not accepted.

The Lions Bay School administration and PAC strongly support BASC. They have been actively promoting the School with BASC on the Sea-to-Sky Corridor. The Lions Bay Playschool Association has also been actively involved throughout the process. The Playschool is for 3 and 4 year old children in the



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Village. The Playschool is now investigating different options of expanding their licensing to include a daycare and/or BASC.

All of the parties with an interest in the Lions Bay School and Childcare met on Thursday March 13th at the School. I would like to thank Councillor Bain, Councillor McLaughlin and Councillor Ronsley for attending the meeting on behalf of the Village of Lions Bay.

Both the School and the Playschool have canvassed the Community to complete on-line surveys to determine the childcare needs of Lions Bay. The Lions Bay Playschool next step is to secure deposits to ensure the need is viable and determine what licensing changes will be required.

Property values in Lions Bay have doubled over the past 10 years. This has made it more difficult for families with young children and single family incomes to purchase in Lions Bay. The housing market and more families choosing to have double incomes to raise a young family are increasing the need and demand for childcare in Lions Bay.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Volunteers and Insurance		
Author	M. Koonts	Reviewed By:	
Date	March 27, 2014	Version	
Issued for	Regular Council Meeting of April 1, 2014		

Recommendation:

BE IT RESOLVED THAT the Village of Lions Bay Council directs staff to proceed with drafting of a formal Volunteer Policy and creation of a Volunteer Waiver form, for review by Council at the June 17, 2014 Regular Council meeting;

AND THAT Staff are further directed to compile a list of existing committees and groups for Council to review and identify which groups need to be formally struck and members appointed in order to comply with insurance requirements.

Rationale:

The Village's municipal insurance policy provides for volunteer coverage within the municipality under the following conditions:

- That Committees have been formally struck by Council;
- That Committee members have been formally appointed by Council;
- That Committee projects have been reviewed and approved in advance by Council; and
- That the Committee reports back to Council on the project (this can be a written report).

The Village is fortunate to have a number of committees and groups performing volunteer work within the Village. Some groups have been formally struck by Council; some have not. Some Committees have had their members formally appointed by Council; some have not. This practice affects whether or not those volunteers would be covered by insurance should they be subject to accident or injury while volunteering.

We are recommending Council adopt a formal Volunteer Policy noting the Village's expectations of persons volunteering within the Community. The Policy should also include a Volunteer Waiver form advising volunteers of limitations in coverage in cases where the policy has not been adhered to. We are further recommending Council review all existing groups and committees to establish which groups need to be formally struck and members appointed, in order to ensure coverage under our municipal insurance. Council should also consider imposing the requirement for all Committees to establish terms of reference as a risk mitigation factor for the Village.

It should be noted that, like any staff member performing work in the Village, volunteer insurance coverage does expose our deductible. This is why the Committee activities must be reviewed and approved in advance and also reported back on.

For Council's consideration.