



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL

OF THE VILLAGE OF LIONS BAY

HELD ON NOVEMBER 4, 2014 at 7:00 PM

LIONS BAY SCHOOL, 250 BAYVIEW ROAD, LIONS BAY

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Delegations**
- 5. Adoption of Minutes**
 - A. October 21, 2014 Regular Council Meeting (page 3)
- 6. Business Arising from the Minutes**
 - A. Trees on Isleview Place (page 13)
- 7. Unfinished Business**
 - A. Community Centre Repair & Replace Project
- 8. Reports**
 - A. Mayor and Council
 - B. Staff
 - i. Manager of Public Works
- 9. Resolutions**
 - A. Howe Sound Community Forum Resolution of Support for Squamish Nation Efforts (page 15)
- 10. Bylaws**
- 11. Correspondence**
 - A. List of Correspondence to Wednesday, October 29th, 2014 (page 17)
- 12. New Business**
 - A. Update to Policy POL-1407: Community Facility Rentals (page 41)
- 13. Public Questions & Comments**
- 14. Adjournment**

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL

OF THE VILLAGE OF LIONS BAY

HELD ON TUESDAY, OCTOBER 21, 2014 at 7:00 PM

LIONS BAY SCHOOL, 250 BAYVIEW 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
Linda Tylla, Raincoast Ventures Ltd. (Recorder)

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 October 21, 2014 Regular Council meeting as amended to add:

- Item 9B – Resolution regarding Cumulative Effects Assessment for Howe Sound; and
- Item 9C – Environmental Assessment Process of the Woodfibre LNG Project.

CARRIED

Councillor Ando abstained

3. Public Participation

A. Ms. Susan Publicover

Mayor Broughton recused herself for the discussion of this item and Councillor Bain assumed the Chair.

Ms. Publicover reported that on October 10, 2014, Steve Hotzak called her home to advise that trees had been cut south of the property on Isleview Place and it appeared that BC Hydro had cut the trees due to the blue paint on the cutline. Ms. Publicover referred to several photos which she had previously provided to Councillor Bain, showing weathered cut trees in the background with blue paint and the more recently cut trees in the foreground, which was consistent with Mr. McRadu's September 30, 2014 report. She further advised that she understood that BC Hydro had only cut two

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trees recently and that the older cut may have been removed in 2009 and 2012 under other maintenance activity.

Mayor Broughton rejoined the meeting and reassumed the Chair.

4. Delegations

None

5. Adoption of Minutes

A. September 16, 2014 – Regular Council Meeting

Changes to the minutes were requested as follows:

- Page 5 of 108, Item 7.C – In the third paragraph, after the words “2.3 inches”, insert the words “as referred to in the report of Interim COA McRadu, dated September 30, 2014”;
- Page 6 of 108 – In the third paragraph, delete the word “information” and replace with the words “investigation and report”; and
- Page 11 of 108 – In the third bullet of the seventh paragraph, replace the word “activity” with “multi-purpose”.

It was questioned whether Councillor Ando’s suggested amendment to Page 5 was to correct the accuracy of the minutes or update the report. Discussion ensued as to whether the discussion on the location of the tree should be referred to committee in order for all parties to be present to represent themselves. Councillor Ando requested that his comments be recorded under Business Arising.

Moved: Councillor McLaughlin

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Minutes of the September 16, 2014 Regular Council meeting, as amended.

CARRIED

B. October 7, 2014 – Regular Council Meeting

Changes to the minutes were requested as follows:

- Page 16 of 108, item 7B – In the first paragraph, replace the words “Lions Bay General Store and Café” with “commercial strata”, and insert the word “Acting” in front of “Mayor Bain”;
- Page 16 of 108, item 7.B – In the second paragraph, replace the word “MOTI” with “a Ministry of FLNR CNE Officer”
- Page 17 of 108 – In the first paragraph, insert the word “retaining” between the words “east” and “wall”, and insert the word “Village” before “office”;
- Page 17 of 108 – In the first paragraph, the list of queries be reordered to note that the retaining wall was referred to first, the directions of the joists, second, and the fire wall, third;

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- Page 17 of 108 – In the second paragraph, replace the words “achieved to date” with “as of September 15, 2014”;
- Page 17 of 108 – Amend the ninth paragraph to read, “Councillor Ando advised Lions Bay Community School has decided on two divisions of K/Grade 1 and Grade 2/Grade 3 split”;
- Page 22 of 108, Item 13 - Staff to insert information on the appropriate bylaw referenced;
- Page 23 of 108 – Insert a new first paragraph to capture the continuance motion that was moved by Councillor Bain and seconded by Councillor Ronsley, “BE IT RESOLVED THAT the Village of Lions Bay Council resolves to continue the meeting for 5 minutes to 11:05 p.m.”; and
- Addition of the discussion on the parking review.

Moved: Councillor Ando

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Minutes of the October 7, 2014 Regular Council meeting, as amended.

CARRIED

6. Business Arising from the Minutes

Councillor Ando requested that the September 16, 2014, Regular Council Meeting Minutes be amended to add “or 75% on Village Property / 25% private property” after the words “2.3 inches”, noting that 25% of the tree was on private property and 75% was on public property.

ACTION: Interim CAO McRadu to confirm what percentage of the fir tree was on village property and what percentage was on private property and to report back at the next Council meeting.

ACTION: Staff to undertake an ePost communication plan for the changes to the solid waste service to begin in January 2015.

On behalf of Council, Mayor Broughton acknowledged Councillor Ronsley, Nikii Hoglund, Public Works Manager, and Ruth Simons for their efforts on the organics collection initiative.

7. Unfinished Business

None

8. Reports

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay Council receives the reports of October 21, 2014, as submitted.

CARRIED

A. Interim CAO

Interim CAO McRadu provided an on-table report on the Community Centre Repair and Replace Project as of October 21, 2014, highlighting that staff will be moving into the renewed space on October 22, 2014. It is expected that most outstanding work will be completed by the end of the week with work continuing on the Library. Mr. McRadu advised that the project was within budget.

Gerald Longson, Project Manager provided an overview of the history of the project to date, highlighting that the scope ladder established by Council was important in informing the project, and that the renewed building features low-maintenance, quality materials that will allow the facility to be operated inexpensively. Mr. Longson reviewed the budget allocation and provided details for costs where unforeseen circumstances resulted in scope changes or change orders. Mr. Longson advised that the building has not yet attained the desired level of accessibility. Further expenditures are required to add accessible features to the outside of the building and the gymnasium and access to Council Chambers.

The Interim CAO and Project Manager responded to questions from Council with respect to the anticipated life expectancy of the renovated building, scope changes and change orders relating to the project, project budget, previously raised concerns relating to the conditions in the building prior to the renovations, consultant fees paid to respond to structural engineering and project management-related questions, the likelihood that Province will sign off on the project, the availability of the current and previous versions of project plans and drawings and the anticipated timeline for the finalization and report on the completed project budget.

B. Mayor and Council

Mayor Broughton highlighted her report, noting:

- Recent activity related to the New Building Canada Fund grant application;
- Meetings with residents for preliminary discussions on the Age-Friendly Grant;
- The Small Communities Grant has been confirmed at \$295,000 annually;
- TransLink meetings held on the North Shore where 40% of attendees were Lions Bay residents; and
- Howe Sound Community Forum meeting on October 17, 2014 produced a suggested resolution, which has been presented to Council on-table.

Councillor Ronsley referred to her reporting, highlighting:

- The great help and impact from community volunteers on the Library project;
- The opening of the Library will be deferred to January 2015 in consideration of the holiday season; and
- Negotiations for a 3-year garbage collection contract.

C. Committees

None

D. Staff(i) Finance: Budget Report and Third Quarter Accounts Payable Listing

Hari Suvarna, Village Accountant, highlighted the financial results to September 30, 2014. Mr. Suvarna responded to questions from Council with respect to the CN rail crossing upgrade, fire department capital expenditures and the possibility of not using funds from Capital Borrowing if surplus funds are available this year.

(ii) Public Works Information Report

Nikii Hoglund, Public Works Manager, provided an update on the status of 2014 Capital Projects, highlighting the Kelvin Grove Washroom roof replacement and upgrades and the Lions Bay Beach Park septic field projects. Ms. Hoglund responded to questions from Council regarding the retaining wall and its proposed location, the path along the north side of the park, the life expectancy of the project, project change order details and Harvey Creek intake area screen improvements.

ACTION: Public Works Manager to distribute an ePost thanking residents for their significant work and assistance with the culvert and ditching project.

E. Emergency Services

None

9. ResolutionsA. Scope Change Kelvin Grove Washroom Project Resolution

Moved: Councillor McLaughlin

Seconded: Councillor Ronsley

WHEREAS the Arts Council has been heavily involved in the design drawing and scope formulation of the Kelvin Grove Washroom Roof Replacement Project; and

AND WHEREAS the drawings and scope did not reflect the same finish on the new pony wall constructed;

THEREFORE BE IT RESOLVED THAT the Village of Lions Bay Council authorizes staff to proceed with a scope change requested by the Arts Council, as per the contractor's quote of \$1,505 (excluding GST) and less a paint credit of \$120, to have the finish on the constructed pony wall to be cedar siding as opposed to a painted finish.

CARRIED

B. Resolution regarding Cumulative Effects Assessment for Howe Sound

Mayor Broughton provided background on the resolution provided on-table.

Councillor Ando inquired as to the urgency of the resolution and Mayor Broughton advised that funding has been allocated for the assessment program and that the Province is currently waiting for confirmation of community support.

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT as a member of the Howe Sound Community Forum, and signatories of that forum, the Village of Lions Bay accepts the FLNRO's offer to conduct a Cumulative Effect Assessment (CEA) for Howe Sound, within the BC CEA Framework but tailored to the Howe Sound area, with assessment work commencing in early 2015.

CARRIED

C. Environmental Assessment Process of the Woodfibre LNG Project

Mayor Broughton referred to the email from the Howe Sound Community Forum, dated October 20, 2014 and the related letter from Anthony Leoni, dated September 26, 2014.

Moved: Councillor Bain

Seconded: Councillor Ronsley

BE IT RESOLVED THAT the Village of Lions Bay expresses support for the submission to the Premier and Ministers responsible for Environment Assessment process related to the Woodfibre LNG Project, as outlined in the letter dated September 26, 2014 from Anthony Leoni, asking the parties to come together federally and provincially with an Environmental Assessment process which will be reported back to the elected official in this area through the Howe Sound Community Forum.

CARRIED

10. Bylaws**A. Secondary Suites Amendment Bylaw No. 475**

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay approves final adoption of Secondary Suites Amendment Bylaw No. 475.

CARRIED

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B. Fees and Charges Amendment Bylaw No. 480

Moved: Councillor Ando

Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay approves final adoption of Fees and Charges Amendment Bylaw No. 480.

CARRIED

11. Correspondence

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council receives the list of Correspondence to October 17, 2014.

CARRIED

Mayor Broughton advised that correspondence acknowledging several local residents who recently received a Clean Energy Fund Grant for their wave generator electric machine had not been circulated.

12. New Business

A. Age-Friendly Grant for Community Centre Walkway

Interim CAO McRadu referenced the report dated October 16, 2014 regarding 2015 Age-Friendly Community Planning and Project Grants.

Interim CAO McRadu responded to a number of questions from Council related to allowable uses for the Gas Tax Grant funds, which the Village expects to receive, and if the Gas Tax Grant monies could be utilized to pay for a project that is completed.

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council:

1. Applies for the 2015 Age-Friendly Community Planning and Project Grant to develop an age-friendly program for the Village of Lions Bay and to offset the cost of providing an age-friendly 'accessible' walkway to the Community Centre; and
2. Approves the expenditure of up to \$20,000 to provide an age-friendly walkway to the Community Centre and that the funds be charged to the newly received Gas Tax Grant and that this work be undertaken immediately.

CARRIED

13. Public Questions and Comments

Eileen Wilke

Ms. Wilke posed the following questions:

- Whether the percentage of the tree, as discussed at the September 16, 2014 meeting, has been reversed in terms of municipal versus public property;
- Whether the cedar tree in the park, for which an application has been made to the Village to top requires an assessment; and
- Whether the Village will need to pay for any related assessment, and if it might be better to have the tree taken down to the stump to relieve liability for the cost.

Councillor Ando questioned if the Village will be held responsible if the trees on the property were trimmed without prejudice.

ACTION: Interim CAO McRadu to review and report back to Council.

Carole Conlin

Ms. Conlin questioned why Councillor McLaughlin's registration fees for attending UBCM did not appear in the Third Quarter Accounts Payable listing.

Councillor Ronsley advised that Councillor McLaughlin's registration fee was charged to a credit card by the Village office staff. It was also noted that for the recent Mayors' Forum event, the Village paid the registration fees for Councillor Ronsley and Mayor Broughton and Interim CAO McRadu paid his attendance fees.

14. In Camera Resolution

Moved: Councillor Ronsley

Seconded: Councillor Bain

BE IT RESOLVED THAT the Village of Lions Bay Council does close the October 21, 2014 Regular Council Meeting to the public at 9:14 p.m. on the basis of matters to be considered under the following section(s) 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
- i) the receipt of advice subject to solicitor-client privilege including communications necessary for that purpose.

CARRIED

15. Reporting Out

No items were reported out from the In Camera session.

16. Adjournment

Moved: Councillor Ronsley

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Seconded: Councillor McLaughlin

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the October 21, 2014 Regular Council meeting at 10:30 p.m.

CARRIED

Mayor

Interim CAO

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

Type	Report to Council			
Title	Isleview Tree Cutting			
Author	G. McRadu	Reviewed By:		
Date	October 30, 2014		Version	
Issued for	November 4, 2014 Regular Council Meeting			

Please find below two excerpts from the CAO's report dated October 7th, 2014

Chapman Land Surveying Ltd completed a survey dated May 6th, 2014 which showed all trees that were cut close to the eastern property line. All trees that were cut on the easterly side of the property were on private property except two trees:

1. a fir with a diameter of 0.8 feet (10 inches) which according to Mr. Bill Chapman is .2 feet on private land and .6 feet on public land and
2. a maple with a diameter of 0.8 (10 inches) which according to Mr. Bill Chapman is .5 feet on private land and .3 feet on public land.

Bylaw No. 393, 2007, Tree Bylaw requires a tree permit where (specific) trees are greater than 20 centimeters when measured 1.4 metres above natural grade. These two trees measure 0.8 feet or 24.3 cm. at approximately 1.4 metres from the base of the trunk. The determination of natural grade on the steep slope is difficult. There are two trees that straddle the property line and have diameters that could be 4.3 cm higher than is permitted by law but at this point, I am unable to determine the natural slope thus not clear on how to calculate the correct diameter.

Summary:

The two trees on the easterly side of the private property on the property line and depending on where the natural grade is determined, the fir and maple are within (if my calculations are correct) 5.4 cm (or 2.126 inches) of being permitted to be cut without a permit.

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Mandy Koonts

From: Brenda Broughton
Sent: Sunday, October 26, 2014 10:29 AM
To: Mandy Koonts; Agenda
Cc: Grant McRadu; Council @ Lions Bay
Subject: The Squamish Nation Howe Sound Community Forum Resolution for the November 4th Council meeting
Attachments: Howe Sound Community Forum Squamish Nation Resolution re SFN Marine Planning.docx

Dear Mandy,

Attached is the third Resolution coming out of the Howe Sound Community Forum meeting on Friday, October 17th, 2014, hosted by the Squamish First Nation.

Please place the attachment under Resolutions for the November 4th Council meeting.

Many thanks.

Sincerely,

Brenda

Brenda Broughton, Mayor



The Village of Lions Bay

PO Box 141
400 Centre Road
Lions Bay BC V0N 2E0 Canada

604.306.6661 c
604.921.9229 ho
Village Office: 604.921.9333 x 100
mayor.broughton@lionsbay.ca
Fax:604-921-6643
www.lionsbay.ca

Howe Sound Community Forum

Background:

On October 17, 2014 at the Howe Sound Community Forum, was hosted by Squamish Nation at the Sea to Sky Gondola.

Squamish Nation Council member Chris Lewis announced to the Forum members the Squamish Nation's decision to start the process of a Marine Use Plan, with the goal to identify areas in the marine environment that they want to protect. The Squamish Nation's intention through the Howe Sound Community Forum is to forge a partnership, appeal to agencies and local governments for help.

The Nation seeks to find ways to sustain their livelihoods, and the livelihoods of neighbouring communities while still protect the ecosystem.

Squamish Nation has in place the Xay Temixw – Sacred Land, Land Use Plan which describes the community's vision for the future of the forests and wilderness of the traditional territory. A Marine Use Plan for Howe Sound is the next phase of planning.

In response to this announcement, members of the Howe Sound Community may respond with the following resolution:

Be it resolved:

The Village of Lions Bay thanks the Squamish Nation for hosting the Howe Sound Community Forum on October 17th, 2014 and for the attendance by Chief Gibby Jacob, Chief Bill Williams, Councillors Chris Lewis, Josh Joseph and Richard Baker.

And, we respectfully acknowledge and support Squamish Nation's intention to commence marine planning for Howe Sound.

VILLAGE OF LIONS BAY

Incoming Correspondence - November 4, 2014

General Correspondence:

- G-1: LTE MP Weston Recent Events
- G-2: Recycling in Metro Vancouver
- G-3: Update to Provincial Commitments
- G-4: Movember and MP Weston - Support for Healthy Canadians
- G-5: Investment in Clean Technology
- G-6: Proposed Letter to Minister of Environment for Woodfibre LNG

Resident Correspondence:

- R-1: Public Safety Concerns for Community Centre
- R-2: Publicover submission - Isleview Trees

Shawna Gilroy

From: Mandy Koonts
Sent: October-28-14 4:03 PM
To: Agenda
Subject: FW: LTE MP Weston - Recent events

From: john.weston.c1@parl.gc.ca [mailto:john.weston.c1@parl.gc.ca]
Sent: Monday, October 27, 2014 4:32 PM
To: john.weston.c1@parl.gc.ca
Subject: LTE MP Weston - Recent events

Dear Editor,

In the span of a week, the strength and resolve of Canadians was tested by despicable attacks in St.-Jean-sur-Richelieu, and on Parliament Hill and the National War Memorial in Ottawa.

These brutal and violent attacks sadly took the lives of two members of our armed forces, Warrant Officer Patrice Vincent and Corporal Nathan Cirillo.

My thoughts and prayers are with their families, friends and colleagues.

Thanks to the bravery of our security forces in the RCMP, the City of Ottawa Police and in Parliament, the second attacker was stopped before he could do further harm.

These cowardly acts were an attack against our values, society and our way of life. But where these terrorists sought to tear us apart, we became stronger.

As Prime Minister Stephen Harper said, "Canadians will never be intimidated. We will be vigilant but we will not run scared. We will be prudent but we will not panic."

I am also proud of constituents, such as Ernest Lang and Farid Rohani, with whom I worked to create a forum last Saturday night to discuss a strategy for responding to ISIS that goes beyond military engagement. An animated audience exchanged ideas about humanitarian aid and other responses beyond military engagement with panelists Minister Jason Kenney, Majed El Shafie, "Regular Canadian" Ernest Lang, and myself. Canadians can be proud of how we are responding to the complex problems of the world, at home and abroad.

If these acts of terror were designed to fracture our country, they have fortified our resolve. Parliament will stay open. No doubt, things will change as I am sure we will all see heightened security as never before. Sadly, that is the world in which we live. But Canada is a leader in the world and takes its responsibilities seriously. We will not shirk from them. We will be vigilant; we will be engaged. But for now, let us all remember the victims.

God bless them. God bless Canada.

Sincerely,

MP John Weston

West Vancouver – Sunshine Coast - Sea to Sky Country

Josh Hemond, Director of Communications

Office of John Weston, MP for West Vancouver - Sunshine Coast - Sea to Sky Country

John.weston.c1@parl.gc.ca

JohnWeston.ca

O:604.981.1791 C: 604.340.2981   JohnwestonMP

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Shawna Gilroy

From: Mandy Koonts
Sent: October-17-14 3:35 PM
To: Agenda
Subject: FW: Media Release: Provincial Decision a Very Serious Threat to Recycling in Metro Vancouver

Importance: High

From: Metro Vancouver Media [mailto:MetroVancouver_Media@metrovancover.org]
Sent: Friday, October 17, 2014 1:20 PM
Subject: Media Release: Provincial Decision a Very Serious Threat to Recycling in Metro Vancouver
Importance: High



4330 Kingsway, Burnaby, BC, Canada V5H 4G8 604-432-6200 www.metrovancover.org

MEDIA RELEASE

October 17, 2014

PROVINCIAL DECISION A VERY SERIOUS THREAT TO RECYCLING IN METRO VANCOUVER

The decision by BC Environment Minister Mary Polak to reject a Metro Vancouver bylaw that is necessary to increased recycling and proper management of garbage will have catastrophic consequences throughout the province, Metro Vancouver Board Chair Greg Moore said today.

“This decision means the commitment of our citizens to recycling and waste avoidance becomes virtually unachievable. The result will be increased costs for residents and businesses, and rather than being recycled, materials will simply be shipped to dumps where they will rot for centuries and create problems for future generations. And the impact on recycling businesses in Metro Vancouver that have invested many millions of dollars, with the expectation significant future investments, will be devastating.

“It is incomprehensible to us that the Minister has listened to lobbyists and ignored the facts provided by Metro Vancouver, supported by 12 other regional districts in BC, representing 90 percent of the provincial population, along with the Recycle First Coalition and the 825 workers it employs, in making this short-sighted decision,” Chair Moore said.

Metro Vancouver Bylaw 280 is necessary to meet recycling goals of 70 percent by 2015 and 80 percent by 2020, and was the subject of intensive lobbying by major vested interests in the garbage industry which opposed it. Rather than manage the waste produced in Metro Vancouver within the region, several garbage companies are increasingly bypassing the regional system so that they can avoid bans on recyclable materials and the tipping fees necessary to ensure a competitive recycling and disposal system.

“To say those of us who are on the front lines of responsible waste management in British Columbia are disappointed in the Minister’s decision would be a significant understatement,” Metro Vancouver Vice-Chair Raymond Louie said.

Following extensive consultation with stakeholders, including over 70 meetings, Metro Vancouver prepared and, following industry feedback, amended Bylaw 280 which was endorsed by the 23 communities that make up the regional district. The bylaw was submitted to the Minister in November of 2013 for approval.

“I find it unfortunate that it has taken a year to arrive at a decision that simply avoids the realities of maintaining and enhancing an effective recycling system in favour of the interests of a few big haulers and landfill owners. Without the ability to deal with garbage at regional facilities where inspections can ensure recyclable materials are properly diverted and everyone pays their fair share of the costs, our existing, highly effective system is at serious risk,” Vice-Chair Louie said.

Thanks to that current system Metro Vancouver recycled 60 percent of the overall waste produced in 2013. That recycling rate has continued to grow under the region’s provincially approved Integrated Solid Waste and Resource Management Plan – a plan that requires managing the flow of waste.

“Without proper regulation, it is abundantly clear that increasing quantities of garbage and recycling will be shipped out of the region for disposal at remote landfills, and that is not a result we believe most British Columbians will find acceptable,” said Chair Moore.

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Media Contact

Bill Morrell, 604 451-6107, 604 788-2821

Metro Vancouver is a partnership of 21 municipalities, one Electoral Area and one Treaty First Nation that collaboratively plans for and delivers regional scale services. Its core services are drinking water, wastewater treatment and solid waste management. Metro Vancouver also regulates air quality, plans for urban growth, manages a regional parks system and provides affordable housing. The regional district is governed by a Board of Directors of elected officials from each local authority.

Shawna Gilroy

From: Lions Bay Reception
Sent: October-24-14 2:25 PM
To: Agenda
Subject: FW: Update to provincial commitments made at Convention

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: Minister, CSCD CSCD:EX [mailto:CSCD.minister@gov.bc.ca]
Sent: Thursday, October 23, 2014 3:04 PM
To: Lions Bay Reception
Subject: Update to provincial commitments made at Convention

Ref: 156664

Her Worship Mayor Brenda Broughton
and Members of Council
Village of Lions Bay
Box 141
Lions Bay, BC V0N 2E0

Dear Mayor Broughton and Councillors:

I am writing to extend my appreciation to all local governments who participated in the 2014 UBCM Convention in Whistler, BC, and to provide you with an update on some of the significant initiatives to which the Province of British Columbia committed during the convention.

First and foremost, I was pleased to announce that based upon what we heard from communities around the province, the Province intended to expedite the launch of the Small Communities Fund as part of the New Building

Canada Plan. Under this fund, more than \$327 million cost-shared between the federal, provincial and local governments will be invested in supporting critical infrastructure of communities with populations under 100,000 over the next 10 years.

I committed that the fund would be launched and open for applications by the end of October. I am pleased to inform you that on October 16, 2014, the program guide was launched on the Province's website (www.gov.bc.ca/SmallCommunitiesFund) and that as of October 22, 2014, the formal applications are now available for eligible applicants. Applicants will have until February 18, 2015, to submit their applications. This will represent the first of at least two intakes we are envisioning under this program. As I highlighted in my speech at the convention, my Ministry is asking local governments to place a high priority on addressing critical infrastructure issues in areas such as drinking water, wastewater and solid waste management – particularly those projects associated with achieving provincial or federal regulations or standards.

I also confirmed that the Province would establish a new asset management planning grant fund that would be available to support local governments. Administered by UBCM, this fund is targeted at the development and enhancement of asset management practices that support cost-effective planning for their public infrastructure, including water systems and local roads, to be ready to make the most of economic opportunities that lie ahead for British Columbia. Leading-edge asset management will help local governments move toward more sustainable service delivery models, ensuring that local taxpayers get value for their infrastructure investments. It also represents a fundamental element of the assessment criteria that will be applied in review of projects under both the New Building Canada Fund and the Gas Tax Agreement. I will have more to say in the near future on how local governments can access these new supports.

I also announced that the Province would seek approval of the Legislative Assembly to appoint a Special Committee this fall to make recommendations to inform the establishment of expense limits for the 2018 local government elections. On October 9, 2014, a motion was introduced in the House to establish this Committee. The Committee will make recommendations for principles regarding the relationship between expense limits for candidate and elector organizations, and for third party advertising, by November 27, 2014.

In addition, the Committee will make recommendations on the actual expense limit amounts by June 12, 2015. In carrying out its work, the Committee will be guided by the Province's decision to adopt an expense limits model with a flat amount for jurisdictions with fewer than 10,000 people and a per capita formula for those with more than 10,000. The Committee will no doubt wish to consult with key stakeholders, including with UBCM. I want to acknowledge UBCM's valuable contributions to date, beginning with the Local Government Elections Task Force in 2009/2010.

I also know that the UBCM convention provided members with the opportunity to engage in robust debate about a number of issues associated with public sector compensation levels as well as the need to seek ongoing improvement to the local government finance system. Recent reports such as Ernst and Young's report on public sector compensation stemming from the Province's Core Review process and Taxpayer Accountability Principles and UBCM's own Strong Fiscal Futures underscore the importance of engaging on these issues in a collaborative and constructive way. These issues and the ensuing discussions remind us that we all serve one taxpayer and that we have a shared duty to ensure that we deliver effective, responsive services to citizens.

I believe that these issues can best be managed through a collaborative approach. Going forward, I have asked UBCM to work with me to schedule a series of meetings with UBCM Executive to discuss these issues. In addition, while my duties as Minister and MLA require that I be present in Victoria during the sitting of the Legislature (which sits through to November 27th under the current legislative calendar, and will sit again in the spring), I would also welcome the opportunity to participate in area association proceedings over the coming year.

Through more structure and regular dialogue, I believe our organizations can make significant progress on addressing some of the opportunities raised during the UBCM convention, and also establish a more collaborative and practical working relationship moving into the future.

Once again, I thank all of you who participated in the Convention. Please note that I will be following up shortly with the delegations I met with directly on their specific items of interest. I thank you all for your ongoing dedication to your communities, and look forward to working with you both collectively and individually in the future.

Sincerely,

Coralee Oakes
Minister of Community, Sport and Cultural Development

pc: Ms. Rebecca F. Denlinger, Deputy Minister



John Weston^{MP}

West Vancouver – Sunshine Coast – Sea to Sky Country

PRESS RELEASE



Ottawa Senators from the Arena and the Senate join parliamentarians to support Movember

Ottawa, Ontario (October 20, 2014) – National Health and Fitness Day joined forces with Movember last night to kick off the 8th annual campaign on Parliament Hill.

Movember Canada has raised millions in support of cancer prevention research.

National Health and Fitness day has 156 cities and towns already proclaiming the day and they are committed to increased physical activity to mark the day on the first Saturday in June every year.

John Weston MP, West Vancouver – Sunshine Coast - Sea to Sky Country, Nancy Greene Raine Senator, B.C., Peter Stoffer MP, Sackville-Eastern Shore and Kirsty Duncan MP, Etobicoke North were pleased to welcome special guests, Erik Karlsson, Captain, Ottawa Senators, Eric Gryba, Defenceman, Ottawa Senators and Dr. Mike Evans, founder of 23 and ½ hours.

Also, to draw attention to Canada's role, Adam Garone, CEO and co-founder of the Movember Foundation, the global organization committed to changing the face of men's health, also flew up from Los Angeles for the event.

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For more information or comments from MP Weston, please contact:

Josh Hemond, **Director of Communications**

Office of John Weston, MP for West Vancouver - Sunshine Coast - Sea to Sky Country

John.weston.c1@parl.gc.ca

JohnWeston.ca

O:604.981.1791 C: 604.340.2981   JohnwestonMP

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News Release

For Immediate Release

MP Weston Announces Investment in Clean Technology in British Columbia

October 17, 2014

Squamish, British Columbia

Natural Resources Canada

John Weston, Member of Parliament for West Vancouver–Sunshine Coast–Sea to Sky Country, on behalf of the Honourable Greg Rickford, Canada's Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, today announced an investment of \$1.5 million under the Government of Canada's Clean Energy Fund. The funding will support Water Wall Turbine Inc.'s Dent Island Tidal Power Generation development and demonstration project, which is designed to efficiently harvest tidal and river stream energy.

With the Government's support, this project enables the development and demonstration of a 500-kilowatt tidal energy power plant off British Columbia's coast. The project has the potential to establish a unique, cost-effective power generating technology for use around the world.

The Government of Canada's Clean Energy Fund provides support for research, development and demonstration projects that produce and use energy in a cleaner and more efficient manner that will create jobs, generate economic opportunities and help protect the environment.

Quick Facts

- Since 2006, the Government of Canada has taken action to reduce greenhouse gas emissions and build a more sustainable environment by investing more than \$10 billion in green infrastructure, energy efficiency, clean energy technologies and the production of cleaner energy and cleaner fuels.
- The clean technology sector is an important economic driver for the Canadian economy, employing more than 52,000 Canadians in over 700 companies across all regions of the country — part of a global supply chain estimated to be worth \$10.6 billion.

Quotes

"Our government is positioning Canada as a global leader in the clean technology sector by supporting innovative projects aimed at producing and using energy in cleaner and more efficient ways. The research and development generated by projects such as Water Wall Turbine's Tidal Power Generation project will also create jobs while benefiting the environment."

John Weston

Member of Parliament for West Vancouver–Sunshine Coast–Sea to Sky Country

Backgrounder

Water Wall Turbine's Dent Island Tidal Power Generation Project

Associated Links

Prime Minister's News Release – <http://pm.gc.ca/eng/news/2013/05/03/ecoenergy-innovation-initiative>

The ecoENERGY Innovation Initiative – <http://www.nrcan.gc.ca/energy/funding/current-funding-programs/eii/4985>

- 30 -

Contacts

Media may contact:

Alexandra Lemieux
Press Secretary
Office of the Minister
Natural Resources Canada
Ottawa
613-996-2007

Media Relations
Natural Resources Canada
Ottawa
613-992-4447

The general public may contact:

Mon.–Fri., 8:30 a.m.–4:30 p.m. EDT
Telephone: 613-995-0947
E-mail: questions@nrcan.gc.ca

Follow us on Twitter: @NRCan (<http://twitter.com/nrcan>)

NRCan's news releases and backgrounders are available at www.nrcan.gc.ca/media



Jack Webster, Q.C.
Robert J. Rose
Danine T. Griffin
Richard B. Pearce
Antoine Gariépy
Kathryn V. Marshall

Alan B. Hudson
Carolyn M. Coleclough
Paul M. J. Arvisais
Anthony Leoni
Cameron N. Wong
Steven J. Gares

Allan J. Coombe
Daniel D. Nugent
Brent Loewen
Elizabeth L. Clarke
Michael C. Toulch

Reply to: Anthony Leoni
Direct Line: (604)443-3667
Email: al@webhudco.ca
Our File: 41226 070

September 26, 2014

The Honourable Leona Aglukkaq, M.P.
Minister of Environment
Ottawa, Canada K1A 0H3

Dear Honourable Minister:

Re: Woodfibre LNG - Substitution Decision dated February 19, 2014

I am the solicitor for the Future of Howe Sound Society ("FHSS"). I write with respect to the proposed Woodfibre Liquefied Natural Gas project near Squamish, B.C. FHSS and the other municipalities and stakeholders who have endorsed this letter at page 4 wish to ensure that there is a full and unbiased review of the proposed project as it will have significant implications for Howe Sound impacting on the economy, communities and the environment that deserve full consideration.

Regulatory and Factual Background

On February 19, 2014, you approved B.C.'s request to substitute the provincial environmental assessment (EA) process for the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) EA of the Woodfibre Liquefied Natural Gas project ("Woodfibre LNG"). The Substitution Decision dated February 19, 2014 (the "Substitution Decision") outlines the conditions that B.C. agreed to meet in undertaking the substituted process.

We quote from the Substitution Decision:

- The designated project to be assessed is the construction, operation and decommissioning of a liquefied natural gas facility, marine terminal and any incidental physical activities, including marine shipping activities;

[...]

- The public will be given an opportunity to participate in the environmental assessment.
- The public will have access to records in relation to the environmental assessment to enable their meaningful participation.

[...]

Webster Hudson & Coombe LLP is a limited liability partnership comprised of law corporations.

510 - 1040 West Georgia Street, Vancouver, British Columbia, Canada V6E 4H1
Tel: (604) 682-3488 • Fax: (604) 682-3438 • www.webhudco.ca

- B.C. will involve expert federal authorities in the B.C. process.

On June 12, 2014, FHSS made a request for access to records pursuant to the B.C. *Freedom of Information and Protection of Privacy Act* (FOIPPA) for:

Reports generated and/or commissioned by Woodfibre LNG, its affiliates, Pacific Oil & Gas Ltd., its affiliates, the Government of BC, the Government of Canada in relation to shipping of LNG in Howe Sound/Salish Sea/Juan De Fuca Strait, including but not limited to any report generated by Lloyd's of London (or any other insurer) with respect to the risk associated with shipping LNG in BC waters. Timeframe is June 12, 2012 to June 12, 2014.

Four responses were obtained from the B.C. Ministries and organizations responsible for the EA process. All four responses stated "Although a thorough search was conducted, no records were located in response to your request. Your file is now closed." Copies of the responses are enclosed.

Concerns with Compliance with the Substitution Decision and the MoU, 2013

The response of the B.C. government to the freedom of information request raises serious concerns about whether B.C. is in compliance with the Substitution Decision, as follows:

1. Although the EA involves marine shipping activities, it appears that B.C. is not in possession of a single document, study, expert report, or memorandum relating to the safety of LNG tankers plying narrow inland waterways in environmentally sensitive areas;
2. The absence of a single document, study or report relating to the safety of marine shipping of LNG in southern B.C. waters indicates that B.C. has not requested involvement or comment from expert federal authorities (including Transport Canada and the Coast Guard) with respect to the EA process, and in particular, with respect to marine shipping activities; and
3. The fact that documents relating to the safety of marine shipping of LNG have not been produced to the public has hamstrung the ability of the public to participate in a meaningful way in relation to the EA.

Concerns with Public Comments by B.C. Premier and Ministers Regarding Woodfibre LNG

As you are aware, the B.C. Ministers of Environment and Natural Gas Development are responsible for the regulatory decision on Woodfibre LNG. Since the Substitution Decision, the following statements have been attributed by the media to the Premier of B.C., the Minister of Environment (B.C.) and the Minister of Natural Gas Development (B.C.):

"Woodfibre is a smaller investment, but it is going to be, we think, on line faster," Ms. Clark said in a phone interview. "So it will be sending its ships to Asia earlier. It could be one of the first liquefaction plants that sends ships to Asia from British Columbia."

"Just because the critics think this is going to be hard doesn't mean we're going to start waving the white towel. I'm determined we're going to win this race," Ms. Clark said. "And the only way that we're going to win it is to aim high, work hard and put our pedal to the metal every day. We have invested a lot of time and a lot of political capital in this. We told people we were going to do this during the election. We ran on it, we got elected on it and we are going to deliver on it."

Source: Globe and Mail, May 6, 2014

"Woodfibre LNG is moving forward with their proposal because they understand the scope of the opportunity in British Columbia," said Premier Clark. "We are building a competitive new export industry in our province - one that will create unprecedented prosperity and jobs for decades."

"Woodfibre LNG is advancing rapidly towards reaching a final decision on the construction of the Woodfibre LNG project," said Imelda Tanoto. "Reaching this agreement with Premier Christy Clark is a strong signal to our company that the Government of British Columbia is committed to the success and viability of the LNG sector."

"We are strengthening global partnerships and working collaboratively with LNG proponents to create new economic opportunities for British Columbia," said Minister of Natural Gas Development Rich Coleman. "This initiative is another example of our commitment to ensure B.C.'s natural gas supports a growing economy and creates long-term jobs."

Source: BC Newsroom (www.newsroom.gov.bc.ca, May 7, 2014)

"That's really -- for any industrial development -- for local government to use democratic means in their communities to make a decision for them. But there are jurisdictions with respect to approval," said Minister Mary Polak on Friday.

Source: Vancouver Observer, July 19, 2014

"The difference with the Woodfibre project is, there is grid access, there is power available and it's a small plant, so its requirement for electricity is nowhere near the requirement there would be for a major, 24-million-tonne operation."

Source: Globe and Mail, May 14, 2014

In FHSS' submission, the public statements by the Premier and Ministers responsible for the EA process appear to indicate that the decision-makers may have predetermined the outcome of the process and have become advocates for the Woodfibre LNG project. That begs the question of whether B.C. is capable of undertaking a fair consideration of the factors set out in section 19(1) of the CEEA 2012.

Conclusion

Above, we have outlined FHSS' concerns with the manner in which the B.C. EA process is being conducted. Further, FHSS is concerned that the fairness of the process is questionable, in light of the B.C. government's public commitment to LNG development. As the first LNG project in line for approval, it appears that the EA for Woodfibre LNG is being rushed, at the expense of a fair consideration of the factors set out in section 19(1) of the CEEA 2012.

In the circumstances, FHSS respectfully requests that the Honourable Minister of Environment reconsider and rescind the Substitution Decision, and that the EA of the Woodfibre LNG Project be conducted pursuant to s. 38 of CEEA 2012, including referral to a Review Panel.

Yours truly,

WEBSTER HUDSON & COOMBE LLP

Per:

Anthony Leoni

AL/sh

cc: BC Environmental Assessment Office

Shawna Gilroy

From: Mandy Koonts
Sent: October-27-14 10:13 AM
To: Agenda
Subject: FW: Public Safety Concerns for Community Centre

Mandy Koonts
Municipal Coordinator

(604) 921-9333 ext. 103



www.lionsbay.ca

From: Scott Ando
Sent: Sunday, October 26, 2014 11:00 PM
To: Lions Bay Reception
Cc: Council @ Lions Bay; Grant McRadu; Mandy Koonts; heathermossakowski@hotmail.com; belfall@advancon.ca; 2anntony@telus.net
Subject: FW: Public Safety Concerns for Community Centre

Dear Fran / Susan,

Please place the email below into Council Correspondence.

Council, I share Rich Mossakowski, P.Eng., FEC retired, opinion on Public Safety Concerns for the Community Centre and Village Office.

Thank you.

Sincerely,

Scott

From: Heather Mossakowski <heathermossakowski@hotmail.com>
Sent: October 24, 2014 8:37 PM
To: Scott Ando
Subject: RE: Public Safety Concern for Community Centre

24th October, 2014

To: Councillor Scott Ando.

Scott,

I would like to start with an expression of my appreciation for your efforts to assure the economy and safety of this project. After the disbanding of Oversight Committee, I tried to keep informed

regarding the progress of structural design. Based on my previous experience with the design and the present lack of transparency, I am concerned that the upgrading may not satisfy code requirements. My presentation consists of a short history of the project and summary of my concerns.

1. Original Buildings.

The Lions Bay Community Centre was built in 1972 at the time the Village became a municipality. The original drawings were prepared by a resident home builder that attempted to comply with "descriptive" Part 9 of National Building Code (NBC) 1970 without the involvement of a Registered Structural Engineer, Architect or Geotechnical Engineer.

The above Group A Assembly structure should have been designed to Part 4 of the NBC. It is not known to me what happened in early April of 1972 - maybe the contractor (D.L. Howden Ltd.) worried about the overall stability of the structure and the intent to backfill the unreinforced eastern concrete wall. Materials Testing Laboratories Ltd., and O'Connell Shopland Ltd., got involved in the review of the structure and recommended considerable upgrading. The main worry was eastern wall that according to the reviewers could collapse if backfilled.

I joined the Oversight Committee in October of 2012 and suggested that it would be prudent to check if the proposed upgrading to the retaining wall was done - it turned out that it was not done raising the question if building was safe for occupancy. Upgrading of the eastern wall was not confirmed by the Design Team in early stages of the project. The 1972 project consisted of the Community Centre and attached Firehall to the north located parallel to +/- 100 ft. long unreinforced retaining wall. In 1977, the existing Firehall with the small western addition was redesigned to accommodate new offices. The Structural Engineer involved in the design took no "responsibility for structural adequacy of existing retaining wall." It is not known if the then Village Council was aware of the above. Also, it is not known why the Village has not proceeded with the proposed upgrading to the eastern concrete wall and the remaining wall foundations recommended in 1972 and allowed for the eastern concrete wall to be backfilled.

2. Phase 1 of the project.

The Village obtained the Provincial grant of \$440,000 for the revitalization of the Community Centre promising seismic upgrading, additional space etc. Millenia Architecture Corp. (leading architect Russ Meiklejohn) assisted the Village in the preparation of the grant application. In my opinion, a serious mistake was made in establishing the budget of \$640,000 for the project and choosing the area to the south for the expansion requiring piling. Millenia Architecture Corp. & Parallel Consulting Engineering (leading P.Eng. Bengt Jansson) were hired as consultants.

After the insistence of the Oversight Committee that some preliminary pricing would be advisable, the architect involved PCL Construction to obtain preliminary pricing. The projected cost was +/- \$1,600,000 and this concept was abandoned as being one million over budget.

3. Phase 2 of the project - (to proceed with Phase 1)

Council decided that it will be a good idea to demolish the existing offices and build a new complex of bigger area. The above would require borrowing of \$700,000. PCL Construction preliminary estimate was +/- \$1,000,000. This concept was abandoned as too expensive.

4. Third Floor Alternate Design - (proposed by the Oversight Committee 7,000 sq. ft. area)

This concept would avoid any construction (south & north) on uncompacted fill. Majority of the functions would be transferred to the roof of the existing the Community Centre. There will be no need for southern extension - present office could be demolished allowing for a nice outdoor plaza. Based on PCL Construction preliminary pricing this could cost +/- \$1,300,000. Note that the roof area could provide +/- 3,000 sq. ft. Present office area without chambers was +/- 900 sq. ft. This concept was not seriously considered by Design Team & Council, a very bad decision.

5. Unified Concept.

This proposal was not endorsed by the Oversight Committee and had not much sense. Title was misleading - it was modified version of Phases 1 & 2. Projected budget of +/- \$1,200,000 was exceeded by +/- one million. This concept was abandoned. The Oversight Committee was dissolved after the tenders were received for the Unified Plan and the concept abandoned as too expensive.

6. Final concept under construction.

Council instructed the Administration to proceed with the plans for restoration of existing buildings without any additions or changes to the shape to allow for "least" cost solution. A new Design Team consisted of Architect / Manager Mr. Gerald Longson and Jansson Structural Consulting Ltd. (Bengt Jansson leading P. Eng.) I would speculate that the Community Centre would be designed to Part 4 of the 1970 NBC and offices to Part 9 of the 1970 NBC as a separate building. Structural drawings are not available for review. Cost of the project to be +/- \$800,000 excluding consulting fees. Conditions tied to \$440,000 grant are not met. Total cost of consultants fees from the beginning of design in 2012 could exceed \$250,000, - far too much for renovation of +/- 5000 sq. ft. It is not known if the proposed structural upgrading resulted in a safe structure.

General Concerns regarding the design:

- A. Early decisions on the concept were made without a structural assessment of the existing buildings (- to my knowledge not done till now), without preliminary pricing of the cost of the structural upgrading of the Community Centre and check if the proposed upgrading by O'Connell - Shopland Ltd. was done in 1972 and without proper review of B.C. Code requirements for renovations.
- B. Proper upgrading of structures of early 1970s requires intimate knowledge of this era practices. Decision by the Structural Engineer not to include in his fee allowance for Independent Review, as required by APEGBC Bylaw 14, was not prudent. This decision was strongly supported by Architect & Village representatives till today. Russ Meiklejohn insisted that Reviewer involvement as required by APEGBC should happen only after drawings are completed. As I understand independent review was not done for this project. In my opinion considering the history of this design and quality of previous drawings APEGBC should require that the review of structural design of all phases of this project is done.
- C. Structural drawings issued for Phase 1 Building Permit dated July 5th 2012 (six days before geotechnical report was issued) were in poor shape and not completed. "Generic" General Notes indicated that the project was designed to resist wind and seismic forces as per 2006 B.C. building code. I have not noticed any substantial detailing to confirm the above.

There was some sort of vague and not satisfactory response to my queries regarding the design and independent review in a letter to the village, dated Nov. 13th 2012. There was no further upgrading of the drawings before preliminary pricing.

- D. Early Phase 1 design was based on the assumption that retroactive upgrading for strength was not required by the building code. Proposed alterations and additions changed the building to the extent that in my opinion the new structure was created requiring upgrading to 2006 BC Building Code. When I looked at the available drawings of 1972, I realized that the design has not complied to the NBC 1970. Further, when confirmed that the proposed strengthening by O'Connell Shopland was not done, the Community Centre was considered to be unsafe for occupancy. I worried that the design process was driven by the Architect's interpretation of codes and his ideas of how structural framing should work. Drawings for Phase 1 show eastern retaining wall left not upgraded.
- E. "Unified Concept" – Structural drawings were issued for Building Permit on Sept. 27th, 2013. Drawings were not completed missing a lot of details, connections and sections. Drawings showed some structural elements to resist lateral forces. Design of existing eastern retaining wall was referred to Geotechnical Engineer, not a normal practice.
- F. Final Concept – Drawings are not available for review. It is not known if there is one set of drawings that was issued for the building permit and construction or a number of sketches that were issued from time to time during construction. We know that independent structural review was not done and that eastern retaining wall in Village Office area was not upgraded. I am concerned about this. Communication with Structural Engineer is not direct and the answers to queries are provided by the Village Administrator only. Obtaining any information is difficult. In my opinion review of the structure design is warranted.
- G. Architectural Design – I was disappointed with the quality of the advice to the Council and the design concepts that were not backed by proper costing. Council liked the proposals but did not know that they couldn't afford them. Architect was heavily involved in decisions on structural framing resulting in awkward and costly schemes.

Architects interpretation of Structural Codes and APEGABC Guidelines for independent structural review seemed to be far away from Code intentions. The above was reflected in conceptual design based on the assumption that retroactive structural upgrading is not required in any circumstances. Independent structural review was considered of no value and if really needed should have been done only in the last moment.

- H. Role of Oversight Committee – I am disappointed that our recommendations were only for Council Consideration and could not be implemented. A majority of our queries were just filed and not answered. Towards the end, Council decided to minimize our Committee's involvement just before tendering of "Unified Concept." Our Committee was dissolved by Council in November 2013. In my opinion, it was an undemocratic decision and deprived the citizens of the right to know if the project proceeded according to the code and best practice.
- I. Council's management of the project – Without a Project Manager independent from the Architect, Council relied heavily on the advice from the Design Team. As not much consideration was given to the input from Oversight Committee and that advice from the Design Team was poor all proposed options for this project were too expensive.

J. Structural Concerns

- a. Considering the history of this project, in my opinion, structural review of the project is required. The Geotechnical Report was not thoroughly scrutinized by Structural Engineer.
- b. In my opinion, the eastern retaining wall in the area of offices should have been structurally upgraded.
- c. Design concept and structural upgrading of the eastern wall should be reviewed for adequacy and checked if the forces from lateral loads that are transferred to the floor of library are not going to affect stability of columns supporting the glulam beams of the gymnasium. These columns are built up 3 (2x6), it is not known if Douglas Fir No. 1 grade was provided, they are not continuous to the roof, there is a transfer through library floor with no detailed connections to the floor. Connections to the slab on grade are not known.

Records of testing soil anchors should be provided by Geotechnical Engineer to confirm that the required capacity would be provided, data on corrosion protection to be confirmed. Assumptions on the length of anchors were probably based on designers experience and geological maps, as no drilling was done to confirm soil conditions. Eastern wall with 4 inch thick inside shotcrete addition should have been checked for ability to span north-south without damage to the wall considering unknown soil bearing capacity and danger of excessive differential settlements. Eastern wall was already underpinned due to excessive settlement in southern part of the wall.

- d. Capacities of all columns supporting glulam beams to be checked and grades of timber confirmed especially for 2x6 that were called for to be Douglas Fir No. 1. Column in western wall - 2-(2x8) + 3(2x6) should be checked for vertical and wind loads. There are only 2(2x8) spanning vertically that are continuous in 16 ft. horizontal length of the wall. Glulam size and stress grade to be confirmed to allow for full elevation.
- e. There were concerns in the past that library floor may require upgrading - this is a ground floor and loads could reach 100 psf. How is this floor?
- f. There were concerns from 1972 reports that northern wall had wall studs not in full length, was this checked if proper splicing was provided?
- g. Western wall that was erected in two pieces was supposed to have the joint reinforced. Was this done?
- h. Was masonry wall in northern wall checked if it was reinforced and able to stay as a free standing wall without collapsing on the roof of office chambers?

P.S. - The above queries probably do not cover all, as the drawings for final design are not available for review.

Any queries regarding structural safety are difficult to ascertain without being able to see all drawings. As independent review was not done Council could consider to have these drawings reviewed by P. Eng. experienced with similar work.

R.A. Mossakowski, P.Eng., FEC retired

From: Mandy Koonts
Sent: August 14, 2014 12:38 PM
To: Scott Ando
Cc: Council @ Lions Bay; Gerald Longson; Grant McRadu; Dave Butler
Subject: RE: Structural Drawings for Community Centre

Dear Councillor Ando,

Until the project is complete, engineered drawings are the property of the engineer. The Village does not have the authority to release third party documents until the project has reached completion. This is an industry standard per our Project Manager, our Building Inspector and the engineer. Furthermore, it is not in the public interest to release drawings of an incomplete project as structural drawings may be subject to change as the project progresses. You may note that there are a handful of drawings in the CCR release package currently; these have only been included because they were either **A.** part of the public tender released on BC Bid or **B.** because the drawings were part of a completed project (in the case of the roofing phase which, as you know, was tendered as a separate project from the construction phase).

Thank you.

Mandy Koonts
Municipal Coordinator



(604) 921-9333 ext. 103

www.lionsbay.ca

From: Scott Ando
Sent: Wednesday, August 13, 2014 4:58 AM
To: Grant McRadu; Mandy Koonts; Dave Butler
Cc: Council @ Lions Bay; Gerald Longson
Subject: Structural Drawings for Community Centre

Good morning Grant, Mandy & Dave,

Please confirm that the Village of Lions Bay has a complete set of Structural Drawings for the Community Centre Repair & Replace Project. Please provide me with a copy of the set of Structural Drawings.

The report on the Community Centre Repair & Replace Project includes CCDC 5A – 2010 between the VoLB and Kindred, which references the following on page 281.

Jansson Structural Consulting Ltd.: Structural & Seismic Details prepared 24-April-2014, pages SSK01 to SSK06.

Revised drawings by Jansson Structural Consulting Ltd.: Rev 1 , prepared 7-May-2014, pages SSK01, SSK02, SSK07, SSK08

Please provide copies of the above.

Please advise if the Project includes soil anchors (seismic upgrading) to the east wall in the Village Office.

Sincerely,

Scott Ando
Councillor

Mandy Koonts

From: Mandy Koonts
Sent: Monday, October 27, 2014 3:42 PM
To: Agenda
Subject: FW: Public Participation Presentation,Council Meeting, 21October2014
Attachments: SusanPublicover_PublicParticipation_Regular Council Meeting_21Oct2014.docx; IsleviewTrees_cut trees_older_blue paint_BCHydro per Steve Hotzak_10October2014.jpg; IsleviewTrees_cut trees_older_blue paint_BCHydro per Steve Hotzak_enlarged_10October2014.jpg

From: Susan Publicover [mailto:spublicover@gmail.com]
Sent: Monday, October 27, 2014 2:26 PM
To: Grant McRadu; Mandy Koonts; Lions Bay Reception
Cc: Nelson Publicover; Fred Bain; Scott Ando; Joanne Ronsley; Ron McLaughlin
Subject: Public Participation Presentation,Council Meeting, 21October2014

Mr. McRadu,

As promised, here is my presentation and the photo I presented at the 21 October 2014 Council meeting. Please note the blue paint, as Steve Hotzak described to us by phone 10 October 2014, on the horizontal felled trees toward the background. The second photo is an enlargement of the first to better view the blue paint.

Thank you.

Sincerely, Susan and Nelson Publicover

Regular Council Meeting, 21 October 2014

Public Participation, Susan Publicover

On October 10th, Steve Hotzak called our home. During our conversation, the subject turned to trees cut south of the Povill property on Isleview Place.

Mr. Hotzak described that he felt trees were cut by Hydro because he saw blue paint on a cut-down tree. We inspected the area and found a weathered tree with blue paint on a pile of similarly weathered trees cut down south of the more recently cut trees associated with the Chapman survey tags on municipal land.

These trees appear to have been cut at a much earlier date so are not the same trees at issue cut on municipal land. These photographs show the weathered cut trees in the background, including the one with blue paint, and some of the more recently cut trees in the foreground.

This information is consistent with Mr. McRadu's report, dated September 30, 2014, in which BCHydro states:

"...we have only removed 2 significant trees in the general area over the past 5yrs. It is possible that we had removed other vegetation that fall within our slash spec during our two maintenance contracts in 2009 and 2012."

We trust that this information will assist you in your investigation of the trees cut on municipal property.





THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council			
Title	Update to policy - POL-1407: Community Hall Use			
Author	M. Koonts	Reviewed By:		
Date	October 30, 2014		Version	
Issued for	Regular Council Meeting of November 4, 2014			

Recommendation:

THAT Council approves updated policy POL-1407: Community Hall Use as submitted.

Rationale:

Recent feedback on this policy and further review of the processes related to food service permits reveal that the wording of section 4.3 requires modification and expansion of wording for clarity. While the policy itself does refer to the user to the Vancouver Coastal Health website resources related to food service permits, we feel the changes will provide better understanding to facility users in the first instance.

For Council's consideration.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	POLICY		Policy No	POL-1407
Title	Community Facility Rentals			
Author	M. Koonts	Reviewed By:		
Date	July 28, 2014 October 29, 2014		Version	1 2

PURPOSE

The purpose of the *Community Facility Rentals* policy is to provide guidelines for the rental of the Lions Bay Community Hall, kitchen and Village meeting rooms, according to the event descriptions and rental rates as listed in Fees & Charges Bylaw 462.

POLICY

1.0 General Guidelines

- a) All Facility Rentals are subject to approval by the Village
- b) All Facility Rentals are subject to cancellation at any time by the Village. In the rare occasion this should occur, fees will be refunded in accordance with policy POL-1408: Refunds and Cancellations
- c) Facility Rentals do not include for the delivery, set up and take down of equipment nor cleaning of the facility at the conclusion of the event
- d) Facility Rentals can only be made by an adult 19+ years of age. All child and youth events require adult supervision
- e) Any pre-recorded music played during an event is subject to a SOCAN fee (refer to Schedule A: SOCAN fees)
- f) Rice, confetti (inside or outside of facility) and any other materials that will be applied to the walls, floors or ceilings (including nails, tape, glue, dance wax or sand) are prohibited. Sticky Tac removable adhesive is acceptable
- g) Smoking is prohibited on all areas of municipal property

2.0 Applicant Responsibilities

The applicant is expected to:

- Be present at the event at all times;
- Report damages to Village staff as soon as possible;
- Remove all equipment and personal items from the space at the end of the event including food or beverages left in the kitchen;
- Ensure garbage and recycling is disposed of in the containers provided; and
- Leave the space in the same condition it was rented in.

3.0 Application Process

The applicant shall make application to the Village at least two (2) weeks in advance of the event and provide the following:

- Completed Rental Application form;
- Completed Release of Liability, Waiver of Claims and Indemnity Agreement form;
- Serving It Right Certificate (if applicable);
- Special Occasion Licence (if applicable);
- Temporary Food Service Permit (if applicable);
- Payment of Fees; and
- Payment of Damage Deposit.

4.0 Licences & Permits

4.1 *Special Occasion Licence*

For any event where alcohol will be served, the Applicant is required by law to obtain a Special Occasion Licence (SOL). A SOL permits you to serve, sell and consume alcohol at your special event. The SOL must be prominently displayed, on the day of the event, in the area where liquor is served. A complete copy of the laws that govern this license can be found at <http://www.pssg.gov.bc.ca/lclb/apply/special/index.htm>

To apply for a SOL, the Applicant must visit a BC Liquor Store for the necessary application form.

If you are planning to sell liquor at your event, you must pay a Social Service Tax of 10% on your estimated liquor sales before your event, at the time you are issued your licence. If you overestimate your sales and overpay tax, you may apply for a refund through the Ministry of Small Business and Revenue.

4.2 *Serving It Right Certificate*

Serving It Right (SIR) is BC's responsible beverage service program. It is designed to encourage a responsible approach to service of alcohol. SIR is a self-study program; it can be taken online at www.servingitright.com for a nominal fee.

4.3 *Temporary Food Service Permit*

[Private events serving food which is prepared or served by voluntary caterers, using the Community Centre kitchen, for functions or gatherings limited to members of their own organization and invited guests do not require a permit.](#)

[The sale of home-prepared foods at a temporary food-style market event must be in accordance with BC Centre for Disease Control's Temporary Food Market guidelines \(appendix 1\). Vendors of home-prepared foods must prepare and sell only lower risk foods as noted in the guideilnes.](#)

~~For any event where food will be prepared and served using the Community Centre kitchen, a Temporary Food Service Permit is required to be obtained from Vancouver Coastal Health in advance of the event.~~

[The preparation and service of food, with or without charge, to the public at a temporary community event less than 14 days in duration requires a Temporary Food Service permit issued](#)

by a local health authority. The permit application must be submitted to the local health authority at least 14 days prior to the event.

More information can be obtained from the Temporary Event Planning Guide available at www.vch.ca.

4.4 *Event Parking*

Event attendees are expected to adhere to all Village parking regulations and bylaws and it is the responsibility of the applicant to ensure appropriate arrangements have been made for guest parking. If event parking needs are expected to exceed the available on-site parking facilities, visitor parking passes are available for purchase from the Village office during regular business hours. The Village of Lions Bay assumes no liability for vehicles which may be ticketed or towed as a result of non-compliance with parking regulations and bylaws.

5.0 Insurance

Comprehensive General Liability insurance in the amount of Two Million Dollars (\$2,000,000) is required for all facility rentals with the Village. The Applicant must supply the Village with a copy of the insurance documentation listing the Village of Lions Bay as an “also insured” party and include the address of the rented facility as a location covered under the insurance policy.

6.0 Fees

Facility and equipment rental fees shall be charged in accordance with Fees & Charges Bylaw No. 462, Schedule 6. Fees and deposits are due in full at the time of booking.

If you plan to play pre-recorded music at your event, SOCAN fees will be charged and submitted to SOCAN on your behalf, in accordance with Schedule A: SOCAN Fees.

Additional charges may apply to your event for use of special equipment or assistance with set up. Please refer to Fees & Charges Bylaw No. 462, Schedule 6.

Equipment rental fees do not cover any lost or damaged equipment. Any damaged or lost equipment will be covered by the rental damage deposit.

7.0 Deposits

Security, damage and/or cleaning deposits will be charged in accordance with Fees & Charges Bylaw 462. Release of deposits will occur within one week of the date of the event, less any damage or cleaning costs incurred by the applicant.

8.0 Refunds

Refunds for cancelled events will be assessed in accordance with Village of Lions Bay Policy POL-1408: Refunds & Cancellations

SCHEDULES:

- A. SOCAN Fees

APPENDICES:

- 1. BC Centre for Disease Control Temporary Food Market (TFM) guidelines**

SEE ALSO:

- Village of Lions Bay Policy POL-1408: Refunds & Cancellations
- Village of Lions Bay Fees & Charges Bylaw No. 462

Corporate Officer

Mayor or Delegate

Adopted by Council:

September 16, 2014

Schedule A: SOCAN Fees

SOCAN Event Fees:

Events with dancing:	\$59.17
Events without dancing:	\$29.56

SOCAN (the Society of Composers, Authors and Music Publishers of Canada) is a not-for-profit organization that represents the Canadian performing rights of millions of Canadian and international music creators and publishers. SOCAN is proud to play a leading role in supporting the long-term success of its more than 100,000 Canadian members, as well as the Canadian music industry. Through licences, SOCAN gives businesses that use music the freedom to use any music they want, legally and ethically. SOCAN licenses more than 125,000 businesses coast to coast and distributes royalties to its members and peer organizations around the world. SOCAN also distributes royalties to its members for the use of Canadian music around the world in collaboration with its peer societies. In addition, SOCAN plays a leadership role in mentoring emerging creators on various aspects of the craft and business of music. We also advocate on behalf of our members to ensure that copyright is respected and that creators are appropriately remunerated for the use of their work.

SOCAN operates in accordance with tariffs certified by the Copyright Board of Canada. There are now over 20 different tariffs that correspond to different ways you can use music. As a not-for-profit organization, SOCAN put 86 cents of every dollar it collected in 2011 from license fees into the pockets of music creators and publishers; the rest was used to run the organization.

A SOCAN licence gives you the freedom and flexibility to use virtually any music you want for your business or public event - legally, ethically, and easily. Without SOCAN, you would have to get permission and negotiate a royalty with every songwriter, lyricist, and music publisher whose work you intend to play (publicly perform) – a feat that most of us have neither the time nor the means to achieve. Instead, SOCAN makes this process simple by allowing users to pay a relatively small fee, often once a year, which is distributed to music creators in Canada and around the world through our reciprocal agreements with similar societies. The fees are distributed fairly to our Members who are composers, authors, and publishers of music, according to distribution rules approved by our Board of Directors. (Source: www.socan.ca)

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BC Centre for Disease Control
An agency of the Provincial Health Services Authority

Environmental Health Services
655 12th Ave W
Vancouver, BC V5Z 4R4

www.bccdc.ca

Temporary Food Markets

Guideline for the Sale of Foods at Temporary Food Markets

Prepared by:

Food Protection, Environmental Health Services
BC Centre for Disease Control

In Collaboration with:

BC Ministry of Health and the Five Regional Health
Authorities: Vancouver Coastal, Fraser, Interior,
Northern and Vancouver Island

Revised: April 2014

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Introduction

This guideline provides recommendations for the preparation and display of food intended for sale at temporary food markets.

The following principles should be maintained at all times:

- Vendors of higher risk foods must contact their local Health Authority and submit an application before commencement of sales (see Appendix IV).
- Vendors of lower risk foods are not required to submit an application before commencement of sales. It is the vendor's and the market manager's responsibility to ensure that all lower risk foods meet the definition of a lower risk food.
- Public health is protected by ensuring that food prepared at home which is offered for sale at temporary food markets is limited to lower risk foods (see Appendix I for examples).
- The Health Authority has discretion to remove any food sold at a temporary food market considered to be a health hazard as defined in Section 1 of the *Public Health Act*, or is contaminated as per Section 3 of the *Food Safety Act*.
- Municipal zoning and business license issues are respected, and are an integral part of the approval process for temporary food markets.

Background

Section 2 of the *Food Premises Regulation* (B.C. Reg. 210/99), pursuant to the *Public Health Act*, exempts premises in which certain types of food are sold. All other foods offered for sale should be prepared in premises which are constructed and operated in compliance with Section 6(1) of the regulations.

Definitions

Temporary Food Market Manager - means, for the purposes of this guideline, the person designated as being in charge of the overall market operation. Market managers are responsible for ensuring that food vendors of higher risk foods have obtained approval from the local Health Authority in addition to the other responsibilities as outlined in Section III of this guideline.

Temporary Food Markets - means for the purpose of this guideline, a food establishment operated in a fixed location on a temporary basis in connection with a charitable or public event, farmers market or other event of a like nature.

Higher Risk Food - means food in a form or state which is capable of supporting growth of disease causing microorganisms, or the production of toxins.

Vendors must not sell foods that are considered higher risk unless approved to do so by the local Health Authority.

Lower Risk Food - means food in a form or state that is not capable of supporting the growth of disease-causing organisms or the production of toxins. One or more of the following factors usually apply to these foods:

- ✓ Water activity (A_w) of 0.85 or less, or
- ✓ A pH (Hydrogen ion concentration) value of 4.6 or less.

There can be occasions that a food, even with a pH and/or an A_w as described above for lower risk foods, may still be considered a higher risk food due to the source of the food, how it is processed, and/or some other mitigating risk factors.

Vendors of home prepared foods at temporary food markets must only sell foods that are considered to be lower risk (see Appendix I for examples). Vendors are allowed to sell home-prepared lower risk foods at temporary food markets without contacting or receiving approval by the local Health Authority.

Sanitize - means to use heat or chemicals to reduce the micro-organisms on a surface by 99.99%.

Guideline

1. Preparation of Lower Risk Food in the Home

Where home preparation of lower risk food is proposed for sale at temporary food markets, it is recommended that vendors/food handlers ensure that

1. Food is in good condition and free from spoilage.
2. Tests are undertaken to verify that a food product is not higher risk. These tests should verify the food has:
 - ✓ a water activity (A_w) of 0.85 or less, or
 - ✓ a pH (Hydrogen ion concentration) value of 4.6 or less

A list of commercial food testing laboratories that may be capable of testing your food can be found in Appendix VII.

3. Food is protected from contamination. Pets should be excluded from kitchens during the time food is being prepared.
4. Food is prepared in well-equipped kitchens. Food contact surfaces, utensils and equipment are cleaned and sanitized prior to beginning food preparation and after each use.
5. Good personal hygiene is observed including:
 - a) washing hands frequently and thoroughly including before starting food preparation, after using the toilet and after handling raw food. Soap in a dispenser and paper towels should be used for hand washing and drying.
 - b) avoiding coughing and sneezing while handling food; when unavoidable cover your nose and mouth and wash hands thoroughly afterwards.
 - c) avoiding food preparation if you are ill or someone in the home is ill.
 - d) wearing clean clothing and an apron when preparing food.
6. Lower risk food is prepared separately from higher risk foods and other potential sources of contamination.
7. Food is wrapped or packaged to preclude contamination.
8. If foods are packed in jars:
 - a) only proper sealing jars (e.g. Mason-type) should be used,
 - b) jars may be refilled only if they are in good condition, cleaned and properly sanitized before reuse,
 - c) sealing rings and lids should not be reused; they should be replaced with new rings and lids with each refill, and
 - d) jams and jellies should be processed in boiling water. The seal should be airtight to prevent the entry of spoilage organisms.

NOTES – Lower Risk Foods:

1. *The sale of lower risk foods at temporary food markets does not automatically confer approval for sale at retail/commercial food stores. Applicants should discuss requirements for retail/commercial sale with their local Health Authority.*
2. *Regarding testing to verify that a food product is not higher risk:*
 - a. *When the Health Authority requires a food product to be tested, such testing should be conducted at a commercial food testing laboratory a list of which is found in Appendix VII.*
 - b. *Self testing can be conducted during recipe development and for monitoring quality control*
 - c. *When the recipe for a food product is changed, the food product should be re-tested to verify the product continues to be a lower risk food.*
 - d. *For vendors which produce a variety of similar products using a similar recipe but different ingredients (e.g. different jams made from different fruit), if testing is required, permission may be granted by the local Health Authority to only test the finished products which would be considered highest risk. In the example above, the jam made from the fruit with the highest pH would be considered the highest risk food product.*
 - e. *As part of an ongoing quality control program, vendors selling several products are encouraged to test a variety of different products annually.*
3. *While not mandatory, it is strongly recommended that vendors involved in home food preparation of lower risk food complete the MarketSafe food handlers' training program or other approved food safety training program such as FOODSAFE Level 1.*
4. *Vendors of lower risk foods are not required to contact their local Health Authority or submit an application before commencement of sales. However, it is the vendor's responsibility to ensure that all lower risk foods meet the definition of a lower risk food, namely:*
 - ✓ *a water activity (A_w) of 0.85 or less, or*
 - ✓ *a pH (Hydrogen ion concentration) value of 4.6 or less*

It is the vendor's responsibility to provide evidence that a food is a lower risk food if such evidence is requested by their Market Manager or their local Health Authority.

II. Conditions for Sale of Lower Risk Food at Temporary Food Markets

It is recommended that vendors of home prepared foods at temporary food markets ensure that, when selling lower risk food:

1. Food handlers observe good personal hygiene, including wearing clean attire and washing hands before handling food or after handling money. Wearing of disposable gloves when handling food or money is recommended, gloves should be changed between activities.
2. A sign is displayed that is clearly visible to the consumer at the point of sale stating that "THIS FOOD HAS BEEN PREPARED IN A KITCHEN THAT IS NOT INSPECTED BY A REGULATORY AUTHORITY." or equivalent wording.
3. Food products should be protected from sources of contamination at all times, including contact by pets, during storage and display at the market. Foods should not be stored in direct contact with the ground.
4. Display cases, counters, shelves, tables, and any other equipment used in connection with the sale of lower risk food should be made from easily cleanable material, maintained in good condition and, cleaned and sanitized as often as necessary.
5. A satisfactory means of cleaning hands and utensils (when used by a vendor), should be provided as per the following:
 - a) the use of hand wipes is satisfactory where only prepackaged food or whole fresh fruits and vegetables are sold
 - b) if samples/product tasting is undertaken then running water, soap in a dispenser and paper towels should be provided; a 22.7 liter (5 gal) plastic water jug with spigot is generally acceptable as the water source

Suggested alternative to satisfy hand washing may include:

Vendors operating side-by-side may share a washing station consisting of liquid soap in a dispenser, single use towels, a container which holds a minimum 22.7 liters (5 gallons) of water, and a suitable waste holding receptacle

6. In order to minimize direct food handling at the market, with the exception of fresh fruits and vegetables, food samples intended for tasting at the market should be portioned and packed at the home kitchen. At the market, food samples for tasting should be individually portioned (e.g. in paper cups, on toothpicks) and not offered as bulk items.

Home prepared/packaged food may be subject to Canadian Food Inspection Agency and Health Canada requirements for allergens, labeling, weights and measures. Vendors are advised to check with their local CFIA office to ensure their packages/labels comply with applicable federal requirements.

III. Market Managers of Temporary Food Markets

A market manager (or equivalent) should be designated as being in charge of the overall market operation. Market managers are responsible for ensuring that food vendors have obtained approval from the local Health Authority for the sale of higher risk foods, and not allow sales by vendors unless they have produced a Letter of Confirmation (see examples – Appendix V) or a copy of their Permit/Licence to operate.

Other responsibilities of market managers should include:

1. Obtaining approval from local/regional government to ensure compliance with local health, zoning, by-law and business license requirements.
2. Prior to the sale of foods identified in Appendix II and III, it is the responsibility of each vendor to contact the local Health Authority. This includes the submission of applications (see example - Appendix IV) within time deadlines established by the local Health Authority. Generally, applications should be submitted at least 30 days prior to commencement of the market/sales. The Health Authority where the facility is located and produces the food has jurisdiction and is responsible for issuing a letter of confirmation (see example - Appendix V) for all approved applications.

Letters of confirmation and copies of Permit/Licence to operate will be honored between Health Authorities and events. Vendor applications, once accepted, are not required to be resubmitted to a Health Authority for additional events/locations. However, it is essential that the letter of confirmation or a copy of their Permit/Licence to operate be shown to each Market Manager as part of the event approval process. Vendors are strongly encouraged to have in their possession a copy of the confirmation letter or a copy of their Permit/Licence to operate and any product documentation during any sales event to verify that the products have been reviewed and accepted by the Health Authority with jurisdiction.

Letters of confirmation or copies of their Permit/Licence to operate do not have an expiry date. However, acceptance is conditional to no changes being made to the process or composition of the approved food(s). Applicants should re-apply to a Health Authority in the prescribed format if any changes are made to the process or composition of the food(s), or for any new foods proposed for sale.

Vendors who sell ONLY fresh whole fruits and vegetables or lower risk foods (Appendix I foods) are not required to submit an application, and do not require a letter of confirmation or a copy of their Permit/Licence to operate. Washing station(s) should, however, be supplied as per Section II.5 if samples are portioned/offered on site.

3. Being responsible for ensuring all vendors are aware of all relevant policies and guidelines.
4. Ensuring no home prepared, higher risk foods are sold or offered for sale.
5. Ensuring each vendor completes a list of foods to be sold.
6. Maintaining a written record of all vendors and foods sold, and have such records available for review by local Health Authority, upon request.
7. Being present and on-site at all times the market is in operation.

8. Ensuring each vendor provides an acceptable means of hand and utensil washing (see Section II.5).
9. Are recommended to have completed the FOODSAFE Level 1 Program or the MarketSafe program.

IV. Chef Demonstrations and Similar Events

Chef demonstrations, and similar events, are defined as events where ready-to-eat foods are prepared prior to or at the temporary food market. The food is then distributed to the public and intended for immediate consumption. Chef demonstrations, or other similar events, will only be considered if a *Temporary Food Permit* is obtained prior to the event from the local Health Authority where the event will be located.

Appendix I - Lower Risk Foods

The following list contains examples of **lower risk foods** that may be **acceptable** for home preparation and sale at a temporary food market. For additional information on the definition of Lower Risk Foods, see Page 2.

*all of these lower risk foods should be prepackaged
except whole fresh fruits or vegetables*

- ✓ apple sauce
- ✓ brownies
- ✓ bread and buns (no dairy or cheese fillings)
- ✓ butter tarts
- ✓ pies (fruit filled only, no cream filled or cream based)
- ✓ cakes (icing sugar only, no dairy or synthetic whipped cream)
- ✓ dry cereal products
- ✓ chocolate (provided it is used for re-melted or re-molded products only and (1) not purchased from bulk bins; (2) sourced from a chocolate manufacturer that can provide a certificate of assurance that chocolate is free from *Salmonella*).
- ✓ cinnamon buns (sugar icing only)
- ✓ cookies
- ✓ dried fruits
- ✓ fresh fruits and vegetables
- ✓ fudge
- ✓ hard candy
- ✓ honey
- ✓ jam and jelly (pH 4.6 or less or aw of 0.85 or less)
- ✓ muffins (no dairy fillings)
- ✓ popcorn
- ✓ noodles (dry flour and water only, no egg based)
- ✓ pickled vegetables (vinegar base, pH 4.6 or less)
- ✓ relish (vinegar base, pH 4.6 or less)
- ✓ wine and herb vinegar
- ✓ syrup
- ✓ toffee
- ✓ salsa (if pH and A_w within acceptable ranges and the food contains no animal protein. If whole or cut tomatoes are used as an ingredient, then the pH of the final product must be less than 4.2.)

For products not listed above, please consult your local Health Authority.

Appendix II - Higher Risk Foods

The following list contains examples of **higher risk foods** that are **not acceptable** for home preparation and sale at a temporary food market.

- * antipasto
- * cakes/pastries with whipped cream, cheese or synthetic fillings
- * processed beans, including baked, refried, and bean salad
- * cabbage rolls
- * chop suey
- * creamed corn
- * dairy products (e.g. milk, cream, cheese, yogurt)
- * foods containing eggs as ingredients (e.g. custards, salads)
- * fish and shellfish
- * garlic spreads, pesto
- * guacamole
- * herb and flavored oils
- * jam and jelly (pH 4.7 or more or A_w of 0.86 or more)
- * juice (fruit and vegetable)
- * processed low acid vegetables (e.g. pH 4.6 or greater: beans, asparagus, beets, mushrooms, broccoli, peas)
- * tofu
- * whole or cut tomatoes used as ingredient (unless acidified such that the pH of the final food is below 4.2)
- * pickled vegetables (vinegar base, pH 4.7 or more)
- * relish (vinegar base, pH 4.7 or more)
- * salsa containing animal protein
- * salsa containing no animal protein (if whole or cut tomatoes are used as an ingredient, and the pH of the final product is 4.2 or greater)
- * pies (meat filled, pumpkin, sweet potato, custard [e.g., lemon meringue pie])
- * perogies
- * processed meat, sausages
- * humus
- * pickled eggs
- * sprouted seeds (bean, alfalfa, mung, etc.)
- * microgreens

For products not listed above, please consult your local Health Authority.

NOTES – Higher Risk Foods:

1. *Consideration for the sale of higher risk foods may be given by the local Health Authority provided the food is prepared in an approved, commercial food premises.*
2. *For higher risk foods intended to be packaged aseptically in an air excluded container (canned), in addition to being prepared in an approved, commercial food premises, the process must be reviewed and accepted by a qualified Processing Authority. See Appendix VII for a list of qualified Processing Authorities in British Columbia.*
3. *Temporary Food Market vendors who also own/operate the food premises where the higher risk food is being prepared should have a copy of their Permit or License to Operate with them. Vendors who are not the owner/operator of the food premises where the higher risk food is being prepared should obtain a letter of confirmation (See Appendix V for example) from the Health Authority where the facility is located. The letter of confirmation specifies that the higher risk foods listed can be sold at a temporary food market.*
4. *Vendors should always have a copy of the letter of confirmation or Permit/License to Operate during any sales event to verify that the products have been prepared in an approved, commercial food premises and that the products have been reviewed and accepted by a Health Authority.*
5. *All vendors involved in the preparation of higher risk foods in an approved, commercial food premises must successfully complete the FOODSAFE Level 1 program or equivalent.*
6. *All higher risk foods must be maintained at 4°C or colder from the point of packaging through to sale to the consumer. Meat, poultry and fish products must be kept frozen as outlined in Appendix III.*

Appendix III - Sale of Shell Eggs and Raw Foods of Animal Origin at Temporary Food Markets

The sale of higher risk foods to the public requires that the premises in which the food is processed, packaged, and sold to the public comply with the *Food Premises Regulations*. Hence, home prepared higher risk foods are not permitted to be sold to the public at temporary food markets unless prepared and sold in facilities that have been approved and, in some cases, issued a permit pursuant to the *regulations*.

The above notwithstanding, the following criteria provide guidelines for the sale of shell eggs and other raw foods of animal origin at temporary food markets.

A. Shell Eggs

Shell eggs may be sold at temporary food markets subject to the following:

- ✓ Shells are sound and not cracked/leaking
- ✓ Shells are clean and free of any fecal material or feathers
- ✓ Eggs are maintained at an internal temperature of 4°C during transportation and storage/display at the market.
- ✓ Crates used to contain the eggs are clean and maintained in a sanitary manner.
- ✓ The minimum information on crates should indicate the name of farm/producer and the packaging or sale date.

B. Sale of Raw Meat, Poultry and Fish Products

1. The sale of whole, portioned or ground raw meat, poultry or fish products can be considered for sale at temporary food markets subject to the following:
 - ✓ All raw products should be frozen and kept frozen from the point of packaging through to sale to the consumer. All products not sold the day of the market should be kept frozen until return to the point of origin. Any products that have thawed should not be refrozen and sold at a future event.
 - ✓ All raw products should be processed and packaged at an approved food premises.
 - ✓ All raw products should be prepackaged – repackaging or reprocessing of any kind is not allowed at the temporary market site.
 - ✓ All raw products should be labeled to identify the processing plant (see Note 1 below), vendor contact information, product name, packaging date and notice to keep frozen
 - ✓ labels or signage should be provided which provides information on the safe handling/preparation procedures recommended for the product (e.g. cooking temperature for ground beef 71°C)
2. Vendors should submit an application to sell raw meat, poultry or fish products to the local Health Authority at least 30 days prior to the start of the market/sales.

As part of the application, vendors should submit a copy of the relevant licenses and a food safety plan for each of the raw products they wish to sell. The plan should include a list that describes the products. Generic terms such as beef, poultry should be avoided – describe the products more specifically such as roast, steaks, ground beef, hamburger, or chicken breasts.

The plan should also include information about processing and packaging procedures, transportation and selling provisions (***particularly the means of temperature control***), provisions for unsold products and storage outside of market location, and procedures for recall should a problem with the product arise.

NOTE 1: *All animals must be slaughtered and meat inspected at a plant licensed under either the federal or provincial Meat Inspection Regulations.*

NOTE 2: *Fish products sold anywhere in British Columbia must be processed and packaged in a fish processing plant licensed under the provincial Fish Inspection Regulation. Contact the BC Ministry of Agriculture, Commercial Fisheries Program for more information.*

NOTE 3: *Should a vendor wish to sell refrigerated (unfrozen) meat or fish products, then all requirements of the BC Food Premises Regulations must be met. Vendors considering this must first contact their local Environmental Health Officer for more information regarding the feasibility of this option.*

3. Meat from Class D Rural Slaughter Establishments

All sales of meat from Class D rural slaughter establishments are limited to within the regional district in which the meat was produced. Meat from Class D meat plants is **PROHIBITED** to be sold in areas outside of the regional district in which the meat was produced. In addition to the requirements outlined in these Guidelines, the sale of meat from Class D meat plants must meet all requirements of the *BC Meat Inspection Regulation*, including:

- a) Class D meat must be labeled:
 - i. Not Government Inspected. For sale and use only in the regional district of *<insert the name of regional district in which the farm is located>*.
- b) In addition, the following information must also be included on the label:
 - i. The slaughter establishment must be identified including the name and address of the farm or facility and the licence number issued to the farm or facility.
 - ii. If a cut and wrap operation is used to further process the meat, it must also be identified.
 - iii. A description of the contents, including the date that the product was packaged
 - iv. A net weight or volume.
- c) A copy of the Class D licence is posted or readily available to customers.

Records of all sales of Class D meat must be kept. These records are critical for demonstrating that licence conditions are being followed, and to ensure that clients can be easily contacted in the case of a product recall. Copies of all invoices should also be kept to verify information in the sales record. Critical information to record includes:

- ✓ Type of product
- ✓ Date of sale
- ✓ Quantity sold (by weight)

- ✓ Customer name and contact information
- ✓ Other records the Health Authority deem necessary for traceability

4. Meat from Class E Meat Plants

All sales of meat from Class E meat plants are limited to within the regional district in which the meat was produced. Meat from Class E meat plants is **PROHIBITED** to be sold in areas outside of the regional district in which the meat was produced. In addition, meat products from Class E meat plants may only be sold directly to consumers by the licence holder (or his or her immediate family). Retail sales of Class E meat products to secondary food establishments such as restaurants or retail stores are **PROHIBITED**. In addition to the requirements outlined in these Guidelines, the sale of meat from Class E meat plants must meet all requirements of the *BC Meat Inspection Regulations*, including:

a) Class E meat must be labeled:

- i. Not Government Inspected. Not for resale. For sale and use only in the regional district of *<insert the name of regional district in which your farm is located>*.

b) In addition, the following information must also be included on the label:

- i. The slaughter establishment must be identified including the name and address of the farm or facility and the licence number issued to the farm or facility.
- ii. If a cut and wrap operation is used to further process the meat, it must also be identified.
- iii. A description of the contents, including the date that the product was packaged
- iv. A net weight or volume

Records of all sales of Class E meat must be kept. These records are critical for demonstrating that licence conditions are being followed, and to ensure that clients can be easily contacted in the case of a product recall. Copies of all invoices should also be kept to verify information in the sales record. Critical information to record includes:

- ✓ Type of product
- ✓ Date of sale
- ✓ Quantity sold (by weight)
- ✓ Customer name and contact information
- ✓ Other records the Health Authority deem necessary for traceability

All sales of meat or meat products originating from a Class E meat plant should be completed by the license holder or his or her immediate family. However, sales by other individuals on behalf of the E license holder are permitted provided the following requirements are met:

- ✓ The individual must be able to clearly demonstrate their relationship to the E establishment or licence holder (e.g. employee, family member, etc.).
- ✓ The individual must ensure that all required sales records are being kept, including documentation of accurate customer contact information for traceability purposes (**note: this is required for all E sales regardless of where they occur**).
- ✓ The individual must ensure that a copy of the E establishment's food safety plan and licence is readily available to customers at the Temporary Food Market.

Appendix IV - Application for Sale of Higher Risk Food at Temporary Food Markets

Application Date: _____ Applicant: _____
Mailing Address: _____ City/Postal Code _____
Phone (Day): _____ Phone (Cell): _____
Fax #: _____ E-mail: _____
Applicant's Signature: _____

Name of Market / Event: _____ Date(s) of Event: _____
Location of Market / Event: _____ Business Hours: _____ to _____

NOTE: If selling at multiple markets - list all locations on separate page.

Market Manager: _____ Phone #: _____

Provide a complete list of your food products. List additional foods on separate page if more space needed

_____	_____	_____
_____	_____	_____
_____	_____	_____

Describe your packaging method by checking the applicable boxes as noted below.

☐ Plastic Wrap ☐ Bottle ☐ Pouch ☐ Vacu-packed ☐ Other _____

Have you previously received a Letter of Acceptance or Confirmation for the foods intended to be sold:

☐ No ☐ Yes *If yes, please provide a copy of the letter(s) with your application.*

For EACH food product intended to be sold at the temporary market, please include the following documents with your application form:

- ☐ a list of ingredients
- ☐ a brief description of the preparation and preservation method
- ☐ a sample of your product label
- ☐ for each food item, indicate location of processing/packaging (e.g. commercial establishment **including address**)
- ☐ If you have done quality assurance testing of your products, please provide a copy of your most recent lab reports where applied:
 - ☐ Bacteriology or ☐ pH or ☐ A_w

To be completed by EHO

Received by: _____

Date: _____

Objection: ☐ Yes ☐ No

If yes, attach reason(s).

Sign or mark with Health Authority stamp and return a copy of the reviewed application to the applicant.

APPLICATION FORM IS DUE AT LEAST 30 DAYS PRIOR TO THE EVENT

NOTE – Applicants should plan for a 14-day processing turnaround time.

Appendix V - Template for LETTER OF CONFIRMATION

Vendor

Address

Dear Vendor:

Re: Sale of <Product> Prepared at an Approved, Commercial Food Premises for Sale at a Temporary Food Market

We have reviewed the information you provided regarding your proposal to prepare (Name the Products) in (Name the approved, commercial food premises including address) and sell them at Temporary Food Markets. Based on the information provided, this letter confirms that your proposal has been reviewed as per *Temporary Food Market Guideline*. We have no objection to the production of this product for sale at Temporary Food Markets subject to the following conditions:

1. All foods should be properly packaged to protect them from contamination and should also be labeled.
2. No additional processing or preparing of the food is to occur at the market site without written permission from our office.
3. All foods are to be sold from a supervised temporary food market, as defined in the Guideline.
4. There is to be no change to the ingredients or preparation method of this product(s) without written permission from our office.
5. A copy of this letter is to be kept available with you during any sales event confirming that these products have been reviewed by <Health Authority>.
6. This letter does not automatically confer approval to sell the foods to a licensed retail facility.
7. This letter does not confer approval regarding other regulatory agencies' guidelines including, but not limited to, labeling, nutrition labeling, and other requirements.

Please contact the undersigned at <office phone> if you have any questions regarding these conditions.

Yours truly,

Environmental Health Officer

Appendix VI - List of Qualified Process Authorities (Thermal Processes)

DR. GARY SANDBERG

Program Head

Food Technology, BCIT

SW01 1235 - Burnaby Campus

3700 Willingdon Ave

Burnaby BC V5G 3H2

Phone: 604.432.8561 | Fax: 604.434.6986

Email: Gary_Sandberg@bcit.ca

Appendix VII - List of Commercial Food Testing Laboratories

MAXXAM ANALYTICS

4606 Canada Way
Burnaby BC V5G 1K5
Phone: 604.734.7276 | Fax: 604.731.2386
Toll: 800.665.8566
Website: www.maxxam.ca
Email: info@maxxam.ca

EXOVA CANADA INC.

104-19575 55A Ave
Surrey BC V3X 8P8
Phone: 604.514.3322 | Fax: 604.514.3323
Website: www.exova.ca

FOODASSURE LABORATORY LTD

1650 Pandora
Vancouver BC V5L 1L6
Phone: 604.251.9588 | Fax: 604.251.9588
Website: www.foodassure.com
Email: anna@foodassure.com
Contact: Anna Piesik

I G MICROMED ENVIRONMENTAL INC

190-12860 Clarke Pl
Richmond BC V6V 2H1
Phone: 604.279.0666 | Fax: 604.279.0663
Website: www.igmicromed.com
Email: info@igmicromed.com
Contact: Kelly Geere

CARO Analytical Services

102-3677 Highway 97N
Kelowna, BC V1X 5C3
Phone: 250-765-9646 | Fax: 250-765-3893
Website: www.caro.ca
Email: Kelowna@caro.ca
Contact: Sara Gulenchyn

MB LABORATORIES LTD

2062 Henry Ave
Sidney BC V8L 5Y1
Phone: 250.656.1334 | Fax: 250.656.0443
Website: www.mblabs.com
Email: mblabs@pacificcoast.net

S G S CANADA INC

50-655 West Kent Ave N
Vancouver BC V6P 6T7
Phone: 604.324.1166 | Fax: 604.324.1177
Website: www.sgs.com
Email: ron.kuriyedath@sgs.com
Contact: Ron Kuriyedath

SILLIKER J R LABORATORIES INC

12-3871 North Fraser Way
Burnaby BC V5J 5G6
Phone: 604.432.9311 | Fax: 604.432.7768
Website: www.jrlabs.ca
Email: info@jrlabs.ca
Contact: Cathy Shevchuk

NORTHERN LABS LIMITED

251 Kaien Road
Prince Rupert BC
Phone: 250.627.1906
Toll: 1.800.990.9522

Consult your local Health Authority for information on other commercial food laboratories that may be available in your community.

Intentionally Blank