



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MAY 19, 2015 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AGENDA

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Public Participation**
- 4. Delegations**
 - A.
- 5. Adoption of Minutes**
 - A. May 5, 2015 – Regular Council Meeting (Page 3)
 - B. May 12, 2015 – Special Council Meeting (Page 11)
- 6. Business Arising from the Minutes**
 - A.
- 7. Unfinished Business**
 - A. Key Performance Indicators Discussion
 - B. Updated Council Priority List
 - C. Lions Bay Beach Update
- 8. Reports**
 - A. Chief Administrative Officer (Verbal)
 - B. Mayor and Council
 - i. Beautification Project
 - ii. 2016 Budget Requests
 - C. Committees
 - D. Emergency Services Reports (Page 15)
- 9. Resolutions**
 - A. Amend Visa Signing Authority for Corporate Credit Card (Page 17)
- 10. Bylaws**
 - A. Outdoor Water Use Bylaw No. 484 – Adoption (Page 19)
 - B. Council Procedures Bylaw No. 476 – Third Reading (Page 29)
 - C. Fees and Charges Amendment Bylaw No. 490 – Adoption (Page 55)
 - D. Tree Amendment Bylaw No. 491 – First, Second and Third Reading (Page 59)

Agenda – Regular Meeting of Council – May 19, 2015

Village of Lions Bay

Page 2 of 2

E. Bylaw Notice Enforcement Bylaw No. 492 – Third Reading (Page 67)

11. Correspondence

A. List of Correspondence to Wednesday, May 13, 2015 (Page 77)

12. New Business

- A. Lions Bay Beach Washrooms
- B. Volunteer Day
- C. Parking in the Village (Page 135)
- D. Bear Smart Committee – Appointment
- E. Woodfibre LNG – Working Group Committee Report (Page 141)
- F. Community Container

13. Public Questions & Comments

14. Resolution to Close Meeting

BE IT RESOLVED THAT the Village of Lions Bay Council does close the May 19, 2015 Regular Council Meeting to the public 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:

- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- c) labour relations or other employee relations

15. Reporting Out from Closed Session

16. Adjournment



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MAY 5, 2015 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In Attendance: Mayor Karl Buhr
Councillor Fred Bain
Councillor Jim Hughes
Councillor Ron McLaughlin
Councillor Helen Waterson
Chief Administrative Officer Mandy Giesbrecht
Chief Financial Officer Pamela Rooke
Public Works Manager Nikii Hoglund
Office Coordinator Shawna Gilroy (Recorder)

Attendees in Gallery: 3

1. Call to Order

Mayor Buhr called the meeting to order at 7:01 p.m.

2. Approval of Agenda

- Item 6A will become item 5B.
- Item 10G will be addressed first on the list, the order will then resume as presented.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the May 5, 2015 Regular Council meeting, as amended.

CARRIED

3. Public Participation

4. Delegations

5. Adoption of Minutes

A. April 21, 2015 - Regular Council Meeting

Remove the wording of item 3A "... of the volunteer's no-obligation weekend on-call duty" and replace with "... to cancel the on-call weekend shift"

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Minutes of the April 21, 2015 Regular Council meeting, as amended.

CARRIED

B. Special Meeting Minutes – March 26, 2015

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Minutes of the March 26, 2015 Regular Council meeting, as submitted.

6. Business Arising from the Minutes

A. Action Items Report – April 7, 2015

Council reviewed the action items report; the following business arose:

ACTION: CAO Giesbrecht to review the letter regarding the City of Port Moody Burrard Thermal Plant, and draft a response.

7. Unfinished Business

A. Rock Removal at Lions Bay Beach – DFO/FLNRO

Ms. Høglund provided clarification on the rationale for her report requesting Council to rescind the due date of this work in order to allow for consultation with related Ministries.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council rescind the timeframe associated with its resolution of April 21, 2015 from the Recommendation from Council Strategy Committee report entitled “Rock Removal at Lions Bay Beach” accordingly.

CARRIED

B. Municipal Grants Resolution

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council rescinds the resolution of March 3, 2015 pertaining to the awarding of 2015 Community Grants;

AND THAT Council approves the budget for the Community Grant Applications provided by CFO Rooke, excluding the Hollyburn Heritage Society application, but including \$2500 for the cost of the container for the Arts Committee with the proviso that it is placed on a site acceptable to the Village.

CARRIED

C. 2015-2019 Five Year Financial Plan No. 485 Changes

Council reviewed the changes made to the 2015-2019 Five Year Financial Plan No. 485.

D. Updated Council Priority List

This item will be deferred to the next Council meeting.

ACTION: Shawna Gilroy to add this item to the May 19, 2015 Regular Council Meeting Agenda.

E. Key Performance Indicators Discussion

This item will be deferred to the next Council meeting.

ACTION: Shawna Gilroy to add this item to the May 19, 2015 Regular Council Meeting Agenda.

F. I Love Lions Bay Photo Contest Update

Councillor Waterson updated Council on the I Love Lions Bay Photo Contest; the contest ends May 22nd, and an exhibition and final judging will commence on May 31st to coincide with the Arts and Garden Festival.

G. Oceanview and Highview Street Beautification Update

Councillor McLaughlin updated Council on what has been completed to date on the beautification project.

8. Reports

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council receives the reports of May 5, 2015, as submitted.

CARRIED

A. CAO

CAO Giesbrecht discussed the CAO report with Council.

B. Mayor and Council

Council had no material to discuss.

C. Committees

i. Bylaw and Policy Review Committee – Terms of Reference

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Bylaw and Policy Review Committee Terms of Reference, as presented.

CARRIED

ii. Bear Smart Committee – Update

Council reviewed the report on the Bear Smart Committee. Mayor Buhr will provide a more detailed update later in the agenda.

iii. Trees, Views and Landscapes Committee – Tree Application #58

Council reviewed tree application #58 and amended the recommendation to include a specific time frame for cutting to take place, so as not to interfere with bird nesting.

BE IT RESOLVED THAT the Village of Lions Bay Council approves the recommendation of the tree committee in respect of Tree Application #58 with the provision that cutting not occur prior to August 2015 and not after February 2016.

CARRIED

D. Staff

i. Manager of Public Works Report

Ms. Hoglund touched on the highlights of her report and provided additional clarification where requested by Council.

ACTION: Ms. Hoglund to send the Village tree-cutting report to Mayor Buhr in order for him to follow up with a resident.

9. Resolutions

A. Log Removal at Lions Bay Beach Park

Council discussed the Manager of Public Works report and potential cost effective alternatives of the log removal at Lions Bay Beach Park.

Moved/Seconded

BE IT RESOLVED THAT the Manager of Public Works will consult with the DFO and bring forward recommendations with respect to fallers and chippers to address the Lions Bay Beach Park logs.

CARRIED

ACTION: Ms. Hoglund to investigate alternative options to have the logs removed from Lions Bay Beach Park (i.e. to source fallers and chippers).

10. Bylaws

A. Council Procedures Bylaw No. 476

Council reviewed and made changes to the Council Procedures Bylaw No. 476.

BE IT RESOLVED THAT the Village of Lions Bay Council passes second reading of Council Procedures Bylaw No. 476.

CARRIED

ACTION: CAO Giesbrecht to prepare suggested updates in time for the bylaw to receive third reading at the May 19, 2015 Regular Council Meeting.

B. 2015-2019 Five Year Financial Plan No. 485

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the 2015-2019 Five Year Financial Plan Bylaw No. 485.

CARRIED

C. Sewer User Rates Amendment 2015 Bylaw No. 486

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the Sewer User Rates Amendment 2015 Bylaw No. 486.

CARRIED

D. Sewer Parcel Tax Rates Amendment 2015 Bylaw No. 487
Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the Sewer Parcel Tax Rates Amendment 2015 Bylaw No. 487.

CARRIED

E. Tax Rates 2015 Bylaw No. 488
Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the Tax Rates 2015 Bylaw No. 488.

CARRIED

F. Water Parcel Tax Amendment 2015 Bylaw No. 489
Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the Water Parcel Tax Amendment 2015 Bylaw No. 489.

CARRIED

G. Outdoor Water Use Bylaw No. 484

Council reviewed the Outdoor Water Use Bylaw No. 484. The highlighted attachments in the covering report were not ready at the time the agenda package was compiled but will be distributed to the Village residents once drafting is completed.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the first and second reading of Outdoor Water Use Bylaw No. 484, as presented;

AND THAT Staff compile additional updates to the DRAFT bylaw, as noted in the marked up document, to be brought forward to Council for third reading at the May 19, 2015 Regular Council Meeting;

AND THAT Council direct staff to formalize the Community Education Material for Water Conservation Measure, and prepare the distribution strategy of those materials to the community.

CARRIED

H. Council Remuneration Bylaw No. 477

CFO Rooke advised Council that she had noted a calculation error in the rate schedule of this bylaw. Ms. Rooke further noted the potential complications of using the CPI as a calculation tool

and recommended third reading be rescinded so further research and updates could be undertaken.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council rescinds third reading of the Council Remuneration Bylaw No. 477.

CARRIED

11. Correspondence

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council receives the list of Correspondence to April 29, 2015.

CARRIED

ACTION: Mayor Buhr to follow up with correspondence R-1 “Beyond Increased Taxes” email from a resident.

12. New Business

A. National Health and Fitness Day

CAO Giesbrecht discussed a potential community trail-run with MP John Weston, who is keen to participate, on Saturday, June 6th. CAO Giesbrecht is working on timing and will relay the information back to Council once available.

ACTION: CAO Giesbrecht and Councillor Waterson to speak with John Dudley to arrange this event.

B. Burnco Working Group Committee – Making the Application

The application was not sourced further; this item was left as is for now.

C. Community Calendar

The community calendar will be maintained by Councillor Waterson who will pass the information to staff to update the Village website calendar.

D. Lions Bay 55+ Club Update

Karen Jeffery has started her new position as the Age Friendly Coordinator. The May schedule is planned and the summer schedule will be coming soon. Weekly events are updated on the Village website.

E. Lions Bay Volunteer Day & Centennial Trail Work Party

This item has been deferred to the next Regular Council meeting to allow Mayor Buhr ample time to research further options.

F. Sponsorship Attraction Success – Concurrence to Approach Another Target

Councillor McLaughlin updated Council on Village sponsorship opportunities and suggested ways in which the donations could be utilized.

13. Public Questions & Comments

14. Closed Resolution

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council does close the May 5, 2015 Regular Council Meeting to the public at 9:04 p.m. on the basis of matters to be considered under the following section of the *Community Charter*:

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

- c) labour relations or other employee relations
- k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- m) a matter that, under another enactment, is such that the public may be excluded from the meeting [FOIPPA s.22(3)(h)]

CARRIED

15. Reporting Out

Council reviewed the draft Regional Context Statement which will be updated as discussed and a clean version released for public review.

16. Adjournment

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the May 5, 2015 Regular Council meeting at 10:00 p.m.

CARRIED

 Mayor

 CAO

Date Adopted by Council:	
--------------------------	--

Intentionally Blank



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

SPECIAL MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MAY 12, 2015 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In Attendance: Councillor Fred Bain
Councillor Jim Hughes (Acting Mayor)
Councillor Ron McLaughlin
Councillor Helen Waterson
Chief Administrative Officer Mandy Giesbrecht
Chief Financial Officer Pamela Rooke
Office Coordinator Shawna Gilroy (Recorder)

Regrets: Mayor Karl Buhr

Attendees in Gallery: 0

1. Call to Order

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

2. Approval of Agenda

- Item 4I Fees and Charges Amendment Bylaw No. 490 was added to the agenda
- Item 4J Amending Bylaw Notice Enforcement Bylaw No. 492 was added to the agenda

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council approves the Agenda of the May 12, 2015 Special Council meeting, as amended.

CARRIED

3. Public Participation

4. New Business

A. 2015-2019 Five Year Financial Plan Bylaw No. 485 - Adoption

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the 2015-2019 Five Year Financial Plan Bylaw No. 485.

CARRIED

B. Sewer User Rates Amendment 2015 Bylaw No. 486 - Adoption

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Sewer User Rates Amendment 2015 Bylaw No. 486.

CARRIED

C. Sewer Parcel Tax Rates Amendment 2015 Bylaw No. 487 - Adoption

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Sewer Parcel Tax Rates Amendment 2015 Bylaw No. 487.

CARRIED

D. Tax Rates 2015 Bylaw No. 488 – Adoption

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Tax Rates 2015 Bylaw No. 488.

CARRIED

E. Water Parcel Tax Amendment 2015 Bylaw No. 489 – Adoption

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adopts the Water Parcel Tax Amendment 2015 Bylaw No. 489.

CARRIED

F. Outdoor Water Use Bylaw No. 484 – Third Reading

The changes to this bylaw were endorsed by the Infrastructure Committee; the changes made were highlighted in the document.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes the third reading of the Outdoor Water Use Bylaw No. 484, 2015.

CARRIED

G. Council Approval of Audited Financial Statements

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay's 2014 Audited Financial Statements as presented to Council on May 5, 2015 be approved pursuant to the *Community Charter* section 167;

AND THAT the 2014 Audited Financial Statements be included in the 2014 Annual Report pursuant to the *Community Charter* section 98.

CARRIED

H. Bear Smart Committee – Appointment

The appointment of the Bear Smart Committee was tabled until the May 19, 2015 Regular Council Meeting.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council tables the appointment of the Bear Smart Committee to the May 19, 2015 Regular Council Meeting.

TABLED

I Fees and Charges Amendment Bylaw No. 490 – First, Second and Third Reading

Council reviewed the update to the Fees and Charges Amendment Bylaw No. 490 to include a lawn sprinkling permit application fee under the Outdoor Water Use Bylaw.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes first, second and third readings of the Fees and Charges Amendment Bylaw No. 490.

CARRIED

J. Amending Bylaw Notice Enforcement Bylaw No. 492 – First and Second Reading

Council reviewed the updates to the Amending Bylaw Notice Enforcement Bylaw No. 492 to include updating of associated bylaws and fines and add fines associated to the Outdoor Water Use Bylaw.

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council passes first and second readings of the Amending Bylaw Notice Enforcement Bylaw No. 492.

CARRIED

5. Public Questions & Comments

Council recessed from the Special Council Meeting at 7:21 p.m.

The meeting resumed at 7:35 p.m.

6. Closed Resolution

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council does close the May 12, 2015 Special Council Meeting to the public at 7:38 p.m. on the basis of matters to be considered under the following section of the *Community Charter*:

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

c) labour relations or other employee relations

CARRIED

7. Reporting Out

CAO Giesbrecht reported that Council had received a personnel update in the Closed meeting.

8. Adjournment

Moved/Seconded

BE IT RESOLVED THAT the Village of Lions Bay Council adjourns the May 12, 2015 Special Council meeting at 7:51 p.m.

CARRIED

Mayor

CAO

Date Adopted by Council:	
--------------------------	--



Royal Gendarmerie
Canadian royale
Mounted du
Police Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

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

Your File Votre référence

n/a

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

Our File Notre référence

n/a

2015-05-05

To whom it may concern,

Lions Bay Activity Report - April 2015

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

HWY 99 (within limits of Lions Bay)

Traffic - Moving x 22
Traffic - Non-Moving x 1
Bylaw - Litter x 1
Drive while Disqualified x 1
Mischief/Property Damage x 1
Collision - Damage Over \$1000 x 1
Collision - Non-fatal Injury x 1
Prov Prohib/Suspension x 1
Breach of Probation x 1

30 calls for service

LIONS BAY VILLAGE

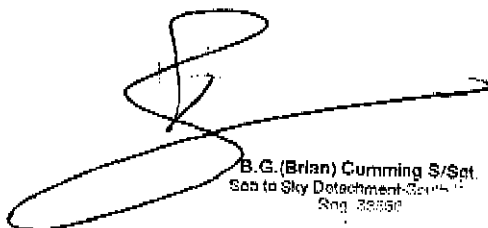
False Alarms x 2
911- False/Abandoned x 2
Animal Calls x 2
Theft of Auto - Over \$5000 x 1
Mischief/Property Damage x 2
Break and Enter - Residence x 1
Assault x 1
Unspecified Assistance (CN rail/Coast Guard) x 2
Court Document Service x 1
Breach of Peace x 1
Suspicious Occurrence x 1
Breach of Probation x 1
Harassing Communications x 1

18 calls for service

Total = 48

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

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


B.G. (Brian) Cumming S/Sgt.
Sea to Sky Detachment
Sgt. 38350

/kh



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

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

Your File Votre référence

N/A

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

Our File Notre référence

2015-05-05

To Whom it May Concern:

LIONS BAY FALSE ALARM REPORT - April 2015

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

DATE	FILE #	ADDRESS	POLICE ATTENDANCE	HISTORY 2013/14/15
2015.04.14	15-2025	350 Centre Rd	Yes, confirmed false	0
2015.04.19	15-2139	70 Isleview Pl	No, cancelled by alarm co.	2

TOTAL = 2

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

Regards

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

:/kh

B.G. (Brian) Cumming S/Sgt.
Sea to Sky Detachment-South Zone
Reg 38508



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Resolution			
Title	Amend Visa Signing Authority for Corporate Credit Card			
Author	M. Giesbrecht	Reviewed By:		
Date	May 11, 2015		Version	
Issued for	May 19, 2015 Regular Council Meeting			

Recommended Resolution:

THAT the Village of Lions Bay Council amends the list of representatives authorized to sign for and on behalf of the Village of Lions Bay under the Federation des caisses Desjardins du Quebec (FCDQ) to remove Farouk Zaba and add Pamela Rooke and Mandy Giesbrecht;

AND THAT the Chief Financial Officer is hereby designated as the Primary Administrator of the Visa Desjardins corporate credit card program.

Background:

The Village of Lions Bay has a credit agreement with FCDQ for a Visa credit card specifically used for purchases of supplies from Staples Business Depot. The Agreement is listed under the names of staff members who are no longer employed by the Village and requires updating to reflect CAO Mandy Giesbrecht and CFO Pamela Rooke.

We are therefore recommending the above resolution for Council endorsement.

For Council's consideration.

Intentionally Blank



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Outdoor Water Use Bylaw Bylaw No. 484, 2015

Adopted: _____

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

Phone: 604-921-9333 Fax: 604-921-6643

Email: office@lionsbay.ca Web: www.lionsbay.ca

VILLAGE OF LIONS BAY**BYLAW No. 484, 2015****Outdoor Water Use Bylaw**

A Bylaw to provide for regulations governing water conservation within the Village of Lions Bay, enacted by the Council of the Village of Lions Bay, in open meeting assembled, as follows:

PART 1 - CITATION

1. This Bylaw may be cited as "Village of Lions Bay Outdoor Water Use Bylaw 484, 2015".

PART 2 - SEVERABILITY

2. If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed portion.

PART 3 - DEFINITIONS

3. In this Bylaw, the following definitions apply:

"Appliance" means a device or mechanism, other than that owned and operated by the Village of Lions Bay, in or through which water is piped or used for a domestic or commercial purpose.

"Boat" means a vessel propelled on water by an engine, oars or sails.

"Boulevard" means that portion of any highway other than the paved, improved or main travelled roadway, driveway or sidewalk and includes any landscaped median.

"Bylaw Enforcement Officer" means a person appointed by the Municipality to enforce bylaws on behalf of the Village.

"Chief Administrative Officer" means the current Chief Administrative Officer for the Village of Lions Bay.

"Conservation Measures" means the conservation measures prescribed in Schedule "A" of this Bylaw.

"Drip-irrigation System" means a system using irrigation components which consume less than 75.71 litres per hour and operate at less than 25 psi to deliver Water to the root zone of the plant material being irrigated, and includes spray emitter systems (Micro-Sprays), point source emitters and linear tape systems as defined in the BC Trickle Manual prepared and published by the BC Ministry of Agriculture and Food, Resource Management Branch (issue 1999), but does not include weeper or soaker hoses.

“Fill” means to fill completely with Water.

“Flush” means

“Lawn” means ground, as around a house or in a garden or park, that is covered with grass.

“Level” means the Level 1, 2, 3, and 4 of Water Use Restrictions prescribed in Schedule “A” of this Bylaw.

“Municipal Water” means potable drinking water supplied by the Village, directly or indirectly, to a lot whether or not mixed with rain water, gray water or recycled water, but does not include water gathered directly from rain by an owner or occupier by way of a cistern, barrel or other container on the lot.

“Municipality” means the Municipality of the Village of Lions Bay.

“Newly Planted” means trees, shrubs, flowers and vegetables that have been planted for less than thirty (30) days.

“Notice” means a Notice given in accordance with **Section 5** or **Section 6** of this Bylaw.

“Over-Watering” means to water in a manner that saturates the Lawn, Boulevard or landscaped area being watered and results in Municipal Water spreading onto areas beyond them.

“Permit” means a Permit issued under **Section 8** of this Bylaw.

“Public Authority” has the same meaning as defined in the Community Charter.

“Public Notice Posting Places” means the posting placed defined by the Village of Lions Bay’s Council Procedures Bylaw;

“Public Works Manager” means the current Public Works Manager for the Village of Lions Bay.

“Restricted Hours” means those time periods during which watering is permitted in Schedule “A” of this Bylaw.

“Sprinkler” means a device with perforations through which Municipal Water issues from a hose for the purposes of watering but excludes soaker hoses, Micro-irrigation or Drip-irrigation Systems.

“Vehicle” means a device as defined in the Motor Vehicle Act.

“Waste” means using more water than is required to provide a service, produce a product or to complete a task.

“Watering Days” means those days during which watering is permitted in Schedule “A” of this Bylaw.

PART 4 – CONSERVATION OF MUNICIPAL WATER

4.1 A person must not:

- a) use Municipal Water outdoors, or cause, allow or suffer Municipal Water to be used, except in accordance with this Bylaw;
- b) Waste Municipal Water by:
 - i. Causing, suffering or allowing the use of an Appliance that Wastes Municipal Water.
 - ii. Using more Water than is absolutely necessary to complete a task, provide a service or produce a thing, or
 - iii. Over-Watering

PART 5 - WATER CONSERVATION LEVELS

5.1 The Municipal Water use conservation level of Level 1 is in effect from June 1 through to September 30 of each year unless a Notice is published on behalf of the Municipality that:

- a) the effective time period of Level 1 is to be amended; or
- b) Level 1 is suspended and replaced by Levels 2, or 3;

in which event, the amended time period of Level 1, or the Level that replaces it, as applicable, will be in effect for the period stated in the Notice, or until further Notice is published.

5.2 If at any time of the year, the Municipality considers that factors set out in **Section 7** could impact the source of Municipal Water supply such that for the purposes of conservation, additional restrictions on the use of Municipal Water are advisable, the Municipality may, in accordance with **Section 4**:

- a) amend the effective time period for Level 1 to a certain period or until further Notice; or
- b) suspend or terminate the current Level and replace it with a more restrictive Level.

5.3 When a more restrictive Level than Level 1 is in effect and the Municipality considers that the current restrictions are no longer necessary for the purpose of conserving the Municipal Water supply, the Municipality may terminate that more restrictive Level and replace it with a less restrictive Level.

5.4 A Level will remain in effect until the date set out in a Notice for an alternative Level, or if that date is not stated, until the day following the earlier of:

- a) the date of posting of a Notice in the Public Notice Posting Places;
- b) the date of publication of the Notice on the Village's website; or
- c) the date of the Notice that may be hand delivered within the Village.

PART 6 – COMPLIANCE

- 6.1 Every person must comply with the restrictions of the Level that is in effect under Schedule “A”, or as specifically set out in a Permit issued by the Village.

PART 7 – DETERMINATION FACTORS

- 7.1 In making a decision under **Section 5.2** or **Section 5.3**, or in considering an application for a Permit, the Municipality may take into account relevant precipitation and weather patterns, geological or other natural conditions, the maximum daily flow of water from the Municipal Water supply and distribution system projections of usage, and any other factors that reasonably could impact the available supply of Municipal Water over a particular time period.

PART 8 – PERMITS, EXEMPTIONS AND SPECIAL CASES

- 8.1 A person who applies for a Permit under this Bylaw must pay a fee and submit an application to the Village, on the approved form.
- 8.2 On receiving an application for a Permit pursuant to Schedule “A” and “B”, together with payment in full of any applicable fee, the Municipality may issue a Permit in accordance with those Schedules.
- 8.3 A person must comply with any and all conditions, limits, restrictions and requirements of a Permit and any notices issued in relation to a Permit.
- 8.4 The Village may, by written Notice to the holder of a Permit, suspend, revoke or cancel a Permit if the Municipality considers that the Permit is not being fully complied with.

PART 9 – SCHEDULES

- 9.1 Schedules “A”, “B” and “C” of this Bylaw form part of and are enforceable in the same manner as this Bylaw.

PART 10 – ENFORCEMENT

- 10.1 This Bylaw may be enforced by a Bylaw Enforcement Officer.
- 10.2 The Bylaw Enforcement Officer may enter on or into property for the purpose of inspecting to determine whether the regulations, restrictions and requirements of this Bylaw are being met.
- 10.3 No person shall obstruct or interfere with a Bylaw Enforcement Officer in the performance of his or her duties under this Bylaw.
- 10.4 This Bylaw may be enforced:
- a) By means of a ticket issued under the Municipality's Bylaw Notice Enforcement Bylaw No. 385, 2006;

- b) By prosecution under the Offence Act;
- c) By way of a bylaw notice under the Bylaw Notice Enforcement Act and bylaws of the Municipality made under that Act; or
- d) By way of civil action as authorized by statute.

READ A FIRST TIME May 5, 2015

READ A SECOND TIME May 5, 2015

READ A THIRD TIME May 12, 2015

ADOPTED _____

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 484, 2015 as adopted.**

Corporate Officer

SCHEDULE "A"

OUTDOOR WATER USE BYLAW (OWUB)

OUTDOOR WATER USE CONSERVATION LEVELS

Outdoor Water Use Conservation Measures, Levels 1 to 3

Levels are established by Lions Bay Municipality with immediate effect, and apply to the use of treated drinking water supplied by the Municipality (not to rain water, grey water, any form of recycled water, or outside water). All measures are enforceable under this Bylaw.

	ACTIVITY	CONSERVATION LEVEL 1	CONSERVATION LEVEL 2	CONSERVATION LEVEL 3
RESIDENTIAL & COMMERCIAL USES	Watering lawns, 4 - 9 am only. Newly planted lawns may be watered outside allowed times with a municipal permit displayed.	Even-number addresses: Monday, Wednesday and Saturday. Odd-number addresses: Tuesday, Thursday and Sunday.	Even-number addresses: Monday only. Odd-number addresses: Thursday only.	Prohibited
	Watering flowers, vegetables, planters, shrubs, trees	No restriction.	Only by hand using spring-loaded nozzle, containers or Drip Irrigation. Sprinklers and soaker hoses prohibited.	Prohibited
	Use of pools, spas, ponds	No restrictions. Must have a recirculation pump. "One-time-through" uses are prohibited at all times.		Filling Prohibited
	Washing outdoor impermeable surfaces such as driveways, buildings, sidewalks, and roads, including pressure washing	No restriction.	Only for health and safety purposes or to prepare a surface for painting or similar treatment.	Prohibited
	Washing vehicles and boats	Only with hose equipped with spring-loaded shut off.	Only by bucket.	Prohibited, except for windows, lights and license plates
	Flushing boat engines	No restriction.		Four (4) minutes maximum
	Filling outdoor water storage	No restriction.		Prohibited
	Watering of school property, including Lions Bay Field	No restriction.	Minimum to maintain in useable condition.	Prohibited
PUBLIC USES	Watering of parks, municipal lawns, grassed boulevards, 1 – 6 am only	Even-number addresses: Monday and Wednesday. Odd number addresses: Tuesday and Thursday. Non-residential addresses: Friday.	Even-number addresses: Wednesday only. Odd-number addresses: Tuesday only.	Prohibited
	Flushing of water mains and hydrants	Only for safety or public health reasons		

SCHEDULE "B"**OUTDOOR WATER USE BYLAW****PERMITS**

1. No new Lawn watering Permits will be issued in the months of July or August.
2. Permits will not be issued or be valid during Level 2, or Level 3.
3. During Level 1, a person who has installed a new Lawn, either newly seeded or new sod, may apply to the Municipality through the Public Works Manager for a Permit, which will allow the new Lawn to be watered outside of the Level 1 permitted hours but within a prescribed period of hours per day.
4. The Municipality shall issue a Permit to an applicant pursuant to **Section 8** upon payment to the Village of a fee established in the Village of Lions Bay Fees and Charges Bylaw.
5. The Permit shall be conspicuously displayed at the premises for which it was issued.

SCHEDULE "C"
OUTDOOR WATER USE BYLAW

CLASS OF PARKS

"A" Parks

- Brunswick Beach Park
- Kelvin Grove Beach Park
- Lions Bay Beach Park
- Marjorie's Meadows
- Wade Park

Gardens

- Lions Bay Native Plant Garden
- Lions Bay Vegetable Allotment

Boulevards

- Municipally owned boulevards and easements

School Fields

- Lions Bay Field



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council			
Title	Council Procedures Bylaw No. 476 – Third Reading			
Author	M. Giesbrecht	Reviewed By:		
Date	May 6, 2015		Version	
Issued for	May 19, 2015 Regular Council Meeting			

1. RECOMMENDATION

THAT Council passes third reading of Council Procedure Bylaw No. 476, as presented.

2. ATTACHMENTS

- DRAFT Council Procedures Bylaw No. 476, with changes marked up from second reading

3. BACKGROUND

On the recommendation of the Bylaw & Policy Review Committee, Council passed second reading of this DRAFT bylaw at the May 5, 2015 Regular Council Meeting. At that time, Council requested a few minor formatting updates and requested removal of one section.

4. DISCUSSION

It was brought to my attention the section slated for removal (in respect of unauthorized recording devices) does not appear in any previous versions except the version reviewed by the Bylaw & Policy Review Committee at their April 20, 2015 meeting. Upon further review, it appears I inadvertently included an unused (rejected) 2014 version of the DRAFT bylaw when I consolidated the various versions for the Committee's review. I have looked through the bylaw again have not located any other erroneous insertions.

I welcome Council's feedback and questions.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Council Procedures Bylaw 2015

Bylaw No. 476

Adopted: _____

Repealed:
Council Procedures Bylaw No. 453, 2012

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

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

2

Bylaw No. 476, 2015
Council Procedures 2015
Contents

	<u>Page</u>
PART 1 – INTRODUCTION	4
TITLE	4
SEVERABILITY	4
PREVIOUS BYLAW REPEAL	4
DEFINITIONS	4
INTERPRETATION	6
APPLICATION OF RULES OF PROCEDURE	6
PART 2 – COUNCIL MEETINGS	6
INAUGURAL MEETING	6
TIME AND LOCATION OF MEETINGS	7
NOTICE OF REGULAR COUNCIL MEETINGS	7
NOTICE OF SPECIAL MEETINGS	8
ELECTRONIC MEETINGS	8
PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR	9
PART 4 – COUNCIL PROCEEDINGS	9
COMMUNITY CHARTER PROVISIONS	9
ATTENDANCE OF PUBLIC AT MEETINGS	10
MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC	10
CALLING MEETING TO ORDER	11
ADJOURNING MEETING WHERE NO QUORUM	11
AGENDA	11
ORDER OF PROCEEDINGS AND BUSINESS	12
LATE ITEMS	12
VOTING AT MEETINGS	12
PUBLIC PARTICIPATION	13
DELEGATIONS	14
CORRESPONDENCE	15
POINTS OF ORDER	15
CONDUCT AND DEBATE	15
MOTIONS GENERALLY	17
MOTION FOR THE MAIN QUESTION	17
AMENDMENTS GENERALLY	17
RECONSIDERATION BY COUNCIL MEMBER	18
PRIVILEGE	19
ADJOURNMENT	19

Deleted: 9

Deleted: 10

Deleted: 11

Deleted: 13

Deleted: 14

Deleted: 16

Village of Lions Bay	3
Council Procedure Bylaw No. 476, 2015	
PART 5 – BYLAWS	20
COPIES OF PROPOSED BYLAWS TO COUNCIL MEMBERS	20
FORM OF BYLAWS.....	20
BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY.....	20
READING AND ADOPTING BYLAWS	20
RECONSIDERATION OF PART OR ALL OF A BYLAW	21
BYLAWS MUST BE SIGNED	21
PART 6 – RESOLUTIONS.....	21
PART 7 – COUNCIL STRATEGY COMMITTEE	22
GENERAL PROVISIONS	22
PART 8 – COMMITTEES	22
COMMITTEE MEETING PROCEDURES	22
PART 9 – GENERAL.....	23
PART 10 – SCHEDULES.....	23

Deleted: 21

Deleted: 21

DRAFT

THE VILLAGE OF LIONS BAY

BYLAW NO. 476

Council Procedures

The Council of the Municipality of the Village of Lions Bay deems it expedient to provide for Council meeting and Committee meeting procedures pursuant to the *Community Charter* Council, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

TITLE

1. This Bylaw may be cited as the "COUNCIL PROCEDURES BYLAW NO. 476, 2015".

SEVERABILITY

2. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed portion.

PREVIOUS BYLAW REPEAL

3. Council Procedures Bylaw No. 453, 2012 is hereby repealed.

DEFINITIONS

4. In this Bylaw:

"Chair" means the Council Member identified to preside over Council proceedings;

"Committee" means a standing, select, or other Committee of Council, but does not include the Council Strategy Committee (CSC);

"Corporate Officer" means the Chief Administrative Officer of the Village or his or her delegate;

"Correspondence" means documentation submitted to the Village, either electronically or in hard copy, which:

- (a) is addressed specifically to Council or a majority of Council Members; or
- (b) that the Corporate Officer determines, based on the content, should be included as Council Correspondence.

"Committee Member" means a member of a Committee, as appointed by Council or the Mayor;

"Committee Meeting" means a meeting of a Select or Standing Committee of Council;

"Council" means the Council of the Village of Lions Bay;

"Council Meeting" means an Inaugural, Regular or Special Council Meeting, as the context requires;

"Council Member" means a member of Council, being the Mayor or a Councillor;

"Council Strategy Committee (CSC)" means a Committee of which the Mayor and all Councillors are members for the purpose of strategic goal planning;

"Councillor" means a Council Member of the Village of Lions Bay, excluding the Mayor;

"Inaugural Council Meeting" means the Council Meeting at which the Mayor and Councillors elected at the most recent general local election are sworn in;

"Mayor" means the Mayor, but not the Acting Mayor, of the Village;

"Motion" means a formal proposal made by a Council Member at a Council Meeting whereby Council approves or orders a specified course of action;

Deleted: the Council

"Municipal Hall" means the Village of Lions Bay Office located at 400 Centre Road, Lions Bay, BC, V0N 2E0;

"Point of Information" means the procedure pursuant to which a Council Member may ask the Chair to require further information on the subject being debated;

"Point of Order" means a procedure by which a Council Member interrupts another speaker to ask the Chair to rule on a procedural matter immediately;

"Public Notice Posting Places" means the notice boards at the Municipal Hall and Village post office as well as the Village website;

"Quorum" means:

- (a) in the case of Council, a majority of the number of Council Members of which the Council consists under the *Community Charter*; and
- (b) in the case of a Committee or other body, a majority of the voting Committee Members appointed.

"Recorder" means the staff member, contractor, Council Member or Committee Member assigned to take the minutes at a Council Meeting or Committee Council Meeting;

"Regular Council Meeting" means a Council Meeting of the Council, other than a Special or Inaugural Council Meeting, held under Part 2;

"Special Council Meeting" means a Council Meeting of the Council, other than a Regular or Inaugural Council Meeting, held under Part 2;

"Village" means the Village of Lions Bay;

"Village Website" means the information resource found at an internet address provided by the Village.

INTERPRETATION

5. Reference in this Bylaw to:

- (1) A numbered Section or Part is a reference to the correspondingly numbered Section or Part of this Bylaw.
- (2) The plural is to be considered to be a reference also to the singular, unless the context otherwise requires.
- (3) A resolution or vote of Council is a reference to a resolution or vote passed by the affirmative vote of a majority of Council Members present and entitled to vote on the matter except as otherwise provided by the *Community Charter* or this or any other Bylaw of the Village.

Deleted: the Council

Deleted: the Council

APPLICATION OF RULES OF PROCEDURE

6. (1) The provisions of this Bylaw govern the proceedings of Council, CSC and all standing and select Committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, the New Robert's Rules of Order, 11th edition, apply to the proceedings of Council, CSC, and Committees to the extent they are:
 - (a) applicable in the circumstances; and
 - (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

PART 2 – COUNCIL MEETINGS

INAUGURAL MEETING

7. (1) Following a general local election, the first Council Meeting must be held on the first Tuesday in December in the year of the election.

- (2) If a Quorum of Council Members elected at the general local election has not taken office by the date of the Council Meeting referred to in Section 7(1), the first Council Meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.

TIME AND LOCATION OF MEETINGS

8. (1) All Council Meetings must take place within the Council Chambers of the Municipal Hall except when Council resolves to hold Council Meetings elsewhere. Except in the case of a Council Meeting outside Municipal boundaries, Council may pass a Resolution to hold a Council Meeting outside of Municipal Hall at the commencement of that Council Meeting.
- (2) Regular Council Meetings must:
 - (a) be held on the first Tuesday of each month, excepting August;
 - (b) begin at 7:00 p.m.; and
 - (c) be adjourned by 10:00 p.m. on the day scheduled for the Council Meeting unless Council resolves to proceed beyond that time in accordance with Section 40(1).
- (3) Regular Council Meetings may:
 - (a) be cancelled by Council, provided that two consecutive Council Meetings are not cancelled; and
 - (b) be changed to a different day, time and place by the Mayor, provided the Corporate Officer is given at least 2 days written notice.
- (4) When a Regular Council Meeting is postponed pursuant to Section 8(3)(b) notice shall be provided in accordance with Sections 9(2) and 9(3).

NOTICE OF REGULAR COUNCIL MEETINGS

9. (1) The Corporate Officer must, at Public Notice Posting Places, annually before January 15 post a schedule of the dates, times and places of Regular Council Meetings.
- (2) The Council may cancel or reschedule a Regular Council Meeting or call a Special Council Meeting under Section 10. The Corporate Officer must, as soon as practicable;
 - (a) post a notice at the Public Notice Posting Places which indicates revisions to the date, time and place of a Regular Council Meeting or cancellation of a Regular Council Meeting; and
 - (b) revise the schedule referred to in Section 9(1).
- (3) Subject to Section 9(2) the Corporate Officer must give public notice of a Regular Council Meeting at least 24 hours before the date of the Council Meeting.

- (4) If the agenda for a Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the *Community Charter* on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed.

NOTICE OF SPECIAL MEETINGS

- 10. (1) A Special Council Meeting may be called in compliance with applicable enactments.
- (2) Except where notice of a Special Council Meeting is waived by unanimous vote of all Council Members as required under the *Community Charter*, a notice of the date, time, and place of a Special Council Meeting must be given at least 24 hours before the time of Council Meeting by:
 - (a) posting a copy of the notice at the Public Notice Posting Places;
 - (b) leaving one copy of the notice for each Council Member in the Council Member's mailbox at Municipal Hall; and
 - (c) contacting each Council Member by telephone (or leaving a recorded message) or by email to their municipal email address.
- (3) The notice under Section 10(2) must describe in general terms the purpose of the Council Meeting.
- (4) If the agenda for the Special Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the *Community Charter* on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed.

ELECTRONIC MEETINGS

- 11. (1) Provided the conditions set out in the *Community Charter* are met:
 - (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities if the Mayor or Council requires;
 - (b) a Council Member or a Committee Member who is unable to attend at a Special Council Meeting, as applicable, may participate, including voting, in the Council Meeting by means of electronic or other communication facilities.
- (2) The Chair at a Special Council or Committee Council Meeting must not participate electronically.
- (3) No more than 2 Council Members or Committee Members at one time may participate at a Council Meeting under Section 11(1)(b).

- (4) A Special Council Meeting or Committee Council Meeting will not be cancelled due to the unavailability, failure or malfunction of electronic or communications facilities, as long as a Quorum still exists.

ANNUAL MEETING

12. The Corporate Officer must give notice of the Council Meeting or other public meeting in respect of which Council has resolved to consider:

- (a) the annual report prepared under the *Community Charter*; and
- (b) submissions and questions from the public;

By giving public notice by:

- (a) posting notice of the date, time and place of such meeting in the Public Notice Posting Places; and
- (b) publishing notice of the date, time and place of such meeting in accordance with the *Community Charter*.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

13. Annually in December Council must, from amongst the Council Members, designate Councillors to serve as the Council Member responsible for acting in the place of the Mayor ("Acting Mayor") when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
14. Each Councillor designated under Section 13 must fulfill the responsibilities of the Mayor in his or her absence and has the same powers and duties as the Mayor in relation to the applicable matter.
15. If both the Mayor and the Council Member designated under Section 13 are absent from the Council Meeting, the Council Members present must choose a Councillor to preside at the Council Meeting.

Deleted: on a rotating basis

PART 4 – COUNCIL PROCEEDINGS

COMMUNITY CHARTER PROVISIONS

16. Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 and Division 2 of Part 5.

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

10

ATTENDANCE OF PUBLIC AT MEETINGS

17. (1) Except where the provisions of Section 90 of the *Community Charter* apply, all Council Meetings must be open to the public.
- (2) Before closing a Council Meeting or part of a Council Meeting to the public, Council must pass a resolution in a public Council Meeting in accordance with Section 92 of the *Community Charter*.
- (3) This section applies to all Council Meetings of the bodies referred to in Section 93 of the *Community Charter*, including without limitation:
 - (a) Council Strategy Committee;
 - (b) Standing and Select Committees;
 - (c) Parcel Tax Review Panel; and
 - (d) Board of Variance.
- (4) Despite Section 17(1), the Mayor, or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13, may expel or exclude from a Council Meeting a person in accordance with Section 27(4) of this bylaw.

MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

18. (1) Minutes of the proceedings of Council must:
 - (a) be legibly recorded, with decisions and action items clearly noted;
 - (b) generally reflect the nature of business which occurred;
 - (c) be certified as correct by the Corporate Officer; and
 - (d) be signed by the Mayor, or other Council Member presiding at the Council Meeting, and the Corporate Officer once adopted by Council.
- (2) Verbatim transcription of statements and commentary will not be captured in the official minutes. Persons addressing Council, either as a Delegation or during participatory periods of the Council Meeting, may provide the Recorder with a transcript of their comments at the Council Meeting, for inclusion with the filing of the official Agenda package. Documents will not be received after the Council Meeting has concluded.
- (3) Subject to Section 18(3), and in accordance with the *Community Charter*, minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.
- (4) Section 18(3) does not apply to minutes of a meeting or that part of a meeting from which persons were excluded under Section 90 of the *Community Charter*.

Deleted: (5). Recording devices will not be permitted in Council Chambers except those recording devices which are controlled and maintained by the Village.

Deleted: ¶

CALLING MEETING TO ORDER

19. (1) As soon after the time specified for a Council Meeting as there is a Quorum present, the Chair must call the Council Meeting to order.
- (2) If a Quorum of Council is present but neither the Mayor nor the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 attend within 15 minutes of the scheduled time for a Council Meeting:
 - (a) the Corporate Officer must call to order the Council Members present; and
 - (b) the Council Members present must choose a Council Member to preside at the Council Meeting until:
 - i) either the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives; or
 - ii) the end of the Council Meeting.
- (3) If the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives after commencement of a Council Meeting, he or she will assume the role of Chair upon arrival.

ADJOURNING MEETING WHERE NO QUORUM

20. If there is no Quorum of Council present within 15 minutes of the scheduled time for a Regular Council Meeting the Corporate Officer must:
 - (a) record the names of the Council Members present and those absent and adjourn the Council Meeting until the next scheduled Council Meeting; and
 - (b) place all business on the agenda that is not dealt with at that Regular Council Meeting on the agenda for the next Regular Council Meeting.
21. If a Quorum of Council is lost during a Council Meeting, the Corporate Officer must record the names of the Council Members present and those absent, and temporarily adjourn the Council Meeting until a Quorum is present. If a Quorum does not reconvene, Section 20 will apply.

AGENDA

22. (1) Prior to each Council Meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that Council Meeting, noting the options and recommendations, if any, for each item on the agenda.

- (2) The deadline for submissions to the Corporate Officer of items for inclusion on the Council Meeting agenda must be noon on the Thursday prior to the Council Meeting. Electronic submissions are to be emailed to agenda@lionsbay.ca.
- (3) The Corporate Officer must make the agenda available to the Council Members and the public at least 24 hours before a regular Council Meeting.
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to Section 24.

ORDER OF PROCEEDINGS AND BUSINESS

23. (1) Unless otherwise resolved by Council, the agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below :
 - (a) Approval of Agenda
 - (b) Public Participation
 - (c) Delegations (requests to address Council)
 - (d) Adoption of Minutes
 - (e) Business Arising from the Minutes
 - (f) Unfinished Business
 - (g) Reports
 - (h) Resolutions
 - (i) Bylaws
 - (j) Correspondence
 - (k) New Business
 - (l) Public Questions & Comments
 - (m) Closed Council Meeting (when applicable)
 - (n) Adjournment
- (2) Particular business at a Council Meeting must in all cases be taken in the order in which it is listed on the agenda unless otherwise resolved by Council.

LATE ITEMS

24. (1) An item of business not included on the agenda must not be considered at a Council Meeting unless introduction of the late item is approved by Council at the time the agenda is approved.
- (2) If Council makes a resolution under Section 24(1), information pertaining to late items must be distributed to the Council Members and the Recorder.

Deleted: the Council

VOTING AT MEETINGS

25. (1) The following procedures apply to voting at Council Meetings:

- (a) when debate on a matter is closed, the Chair must put the matter to a vote of Council Members. For the purpose of this section and subsequent sections 'put' or 'putting' refers to putting the Motion to a vote.
- (b) when ~~Council~~ is ready to vote, the Chair must put the matter to a vote by stating:
"All in favour?" and then "Opposed?" Council Members will indicate their preference by show of hands when the question is called.
- (c) when the Chair is putting the matter to a vote under Sections 25(1)(a) and (b) a Council Member must not:
 - (i) cross or leave the room, or
 - (ii) interrupt the voting procedure under Section 25(1)(b) unless the interrupting Council Member is raising a Point of Order;
- (d) after the Chair puts the question to a vote under Section 25(1)(b), a Council Member must not speak to the question or make a Motion concerning it;
- (e) the Chair's decision about whether a question has been finally put is conclusive;
- (f) whenever a vote of Council on a matter is taken, each Council Member present shall signify their vote by raising their hand; and
- (g) the Chair must declare the result of the voting by stating whether the Motion has been carried or not.

Deleted: the Council

26. Abstention from voting and tie votes are deemed to affect voting as follows:

- (a) Any Council Member present who does not indicate their objection shall be deemed to have voted in the affirmative on the question; and
- (b) If the votes of the Council Members present at a Council Meeting at the time of the vote are equal for and against a Motion, the Motion is defeated.

PUBLIC PARTICIPATION

- 27. (1) Council shall hold a ten minute public participation period or until speakers have concluded, whichever comes first, at the beginning of each Council Meeting, except the Inaugural Meeting.
- (2) Members of the public shall address their questions through the Chair who shall answer if possible, or refer to another Council Member or to staff for answer or subsequent research.
- (3) Each address must be limited to two minutes.
- (4) All persons addressing Council are expected to adhere to the Public Guidelines which are appended to this Bylaw.

DELEGATIONS

28. (1) A maximum of three (3) delegations will be permitted at a regular Council Council Meeting. Council may, by unanimous decision, allow additional delegations if the subject matter is deemed to be urgent or time-sensitive.
- (2) Council may, by resolution, allow an individual or a delegation to address Council at a Council Meeting on the subject of an agenda item provided written application on a prescribed form has been received by the Corporate Officer by noon on the Thursday prior to the Council Meeting. Each address must be limited to ten minutes unless a longer period is agreed to by unanimous vote of those Council Members present.
- (3) Where written application has not been received by the Corporate Officer as prescribed in Section 28(2), an individual or delegation may address the Council Meeting if approved by the unanimous vote of the Council Members present provided the maximum number of delegations has not been met.
- (4) Council must not permit a delegation to address a Council Meeting of the Council:
- (a) regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw;
 - (b) if the purpose is to address an issue which is before the courts or on which Council has authorized legal action; or
 - (c) if the purpose or subject of the delegation has no relation to an agenda item or is beyond the jurisdiction of Council;
- except as otherwise permitted by Council.
- (5) The Corporate Officer may schedule delegations to another Council Meeting or advisory body as deemed appropriate according to the subject matter of the delegation or if the maximum delegations has been reached for the Council Meeting.
- (6) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
- (7) Delegation requests must include:
- (a) the full particulars of the subject matter;
 - (b) the proposed action, within the jurisdiction of the Village, which the delegation wishes the Village to take in response to the submission;
 - (c) the names and addresses of the person(s) or the organization comprising the delegation; and

- (d) the name, address and telephone number of the designated speaker(s).

CORRESPONDENCE

29. Any person wishing his or her Correspondence to be received by Council at a regular Council Meeting shall provide it in accordance with the deadline noted in section 22(2).

POINTS OF ORDER

30. (1) Without limiting the Chair's duty under the *Community Charter*, the Chair must apply the correct procedure to a Motion:
- (a) if the Motion is contrary to the rules of procedure in this Bylaw, and
 - (b) whether or not another Council Member has raised a Point of Order in connection with the Motion.
- (2) When the Chair is required to decide a Point of Order:
- (a) the Chair must cite the applicable rule or authority if requested by another Council Member;
 - (b) another Council Member must not question or comment on the rule or authority cited by the Chair under Section 30(2)(a); and
 - (c) the Chair may reserve the decision until the next Council Meeting.

CONDUCT AND DEBATE

31. (1) A Council Member may speak to a question or Motion at a Council Meeting only if that Council Member first addresses the Chair.
- (2) Council Members must address the Chair by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Council Members must address other non-presiding Council Members by the title Councillor.
- (4) No Council Member may interrupt a Council Member who is speaking except to raise a Point of Order.
- (5) If more than one Council Member speaks the Chair must call on the Council Member who, in the Chair's opinion, first spoke.
- (6) Council Members who are called to order by the Chair:
- (a) must immediately stop speaking;
 - (b) may explain their position on the Point of Order; and

- (c) may appeal to Council for its decision on the Point of Order in accordance with Section 132 of the *Community Charter*.
- (7) Council Members speaking at a Council Meeting:
 - (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated;
 - (d) may speak about a vote of Council only for the purpose of making a Motion that the vote be rescinded; and
 - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and Council in connection with the rules and points of order.
- (8) If a Council Member does not adhere to Section 31(7), the Chair may order the Council Member to leave their seat, and, if the Council Member refuses to leave, the Chair may cause the Council Member to be removed by a peace officer from their seat.
- (9) A Council Member may require the question being debated at a Council Meeting to be read at any time during the debate if that does not interrupt another Council Member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council Meeting:
 - (a) A Council Member may speak more than twice in connection with the same question only:
 - (i) with the permission of Council; or
 - (ii) if the Council Member is explaining a material part of a previous speech without introducing a new matter; or
 - (iii) to ask a question pertinent to the matter under debate.
 - (b) A Council Member who has made a substantive Motion to ~~Council~~ may reply to the debate;
 - (c) A Council Member who has moved an amendment, the previous question, or an instruction to a Committee may not reply to the debate;
 - (d) A Council Member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of Council.

Deleted: the Council

MOTIONS GENERALLY

32. (1) Council may debate and vote on a Motion only if it is first moved by one Council Member and then seconded by another.
- (2) A Motion that deals with a matter that is not on the agenda of the Council Meeting at which the Motion is introduced may be introduced with Council's permission.
- (3) A Council Member may make only the following Motions when Council is considering a question:
- (a) to adopt minutes;
 - (b) to refer to a Committee;
 - (c) to amend;
 - (d) to lay on the table;
 - (e) to postpone indefinitely;
 - (f) to postpone to a certain time;
 - (g) to move the previous question;
 - (h) to adjourn.
- (4) A Motion made under Sections 32(3)(d) to (h) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council Meeting if requested by a Council Member.

Deleted: the Council

MOTION FOR THE MAIN QUESTION

33. (1) In this section "main question", in relation to a matter, means the Motion that first brings the matter before the Council.
- (2) At a Council Meeting, the following rules apply to a Motion for the main question, or for the main question as amended:
- (a) if a Council Member moves to put the main question, or the main question as amended, to a vote, that Motion must be dealt with before any other amendments are made to the Motion on the main question; and
 - (b) if the Motion for the main question, or for the main question as amended, is decided in the negative, Council may again debate the question, or proceed to other business.

Deleted: the Council

AMENDMENTS GENERALLY

34. (1) A Council Member may, without notice, move to amend a Motion that is being considered at a Council Meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original Motion.

- (3) A proposed amendment must be decided or withdrawn before the Motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may be amended once only.
- (5) No Motion to amend a Motion may be made if the amendment negates the Motion which would be amended.
- (6) If any Council Member states that a proposed amendment to a Motion would negate that Motion, the Chair must immediately rule whether that would be the case. The ruling may be appealed to Council as if the ruling were on a Point of Order.
- (7) An amendment that has been defeated by a vote of Council cannot be proposed again at a given Council Meeting.
- (8) A Council Member may propose an amendment to an adopted amendment.
- (9) The Chair must put the main question and its amendments in the following order for the vote of Council:
 - (a) a Motion to amend a Motion amending the main question;
 - (b) a Motion to amend the main question, or an amended Motion amending the main question if the vote under Section 35(9)(a) is positive;
 - (c) the main question.

Deleted: the Council

RECONSIDERATION BY COUNCIL MEMBER

- 35. (1) Subject to Section 35(5), a Council Member may, at the next Council Meeting:
 - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and
 - (b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.
- (2) A Council Member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in Section 35(1) unless a Motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not:
 - (a) had the approval or assent of the electors and been adopted;;
 - (b) been reconsidered under Section 35(1) or Section 131 of the *Community Charter*; or

- (c) been acted on by an officer, employee, or agent of the Village.
- (6) The conditions that applied to the advertising of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under Section 35(1) or Section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

PRIVILEGE

36. (1) In this section, a matter of privilege refers to any of the following Motions:
- (a) to fix the time to adjourn;
 - (b) to adjourn;
 - (c) to recess;
 - (d) to raise a question of privilege of the Council; and
 - (e) to raise a question of privilege of a Council Member.
- (2) A matter of privilege must be immediately considered when it arises at a Council Meeting.
- (3) For the purposes of Section 36(2), a matter of privilege listed in Section 36(1) has precedence over those matters listed after it.

PUBLIC QUESTIONS & COMMENTS

37. During Public Questions and Comments, a person may address Council for a maximum of two minutes on a topic/topics which have already been subject to discussion at the Council Meeting.
38. A question may be referred by Council to staff for subsequent response. In special circumstances Council may permit, by resolution, a person to address Council with a public question or comment earlier in the Council Meeting.
39. Section 27(4) applies during Public Questions & Comments.

Deleted: the Council

ADJOURNMENT

40. (1) Council may continue a Council Meeting:
- (a) from 10:00 p.m. to 10:30 p.m. only by an affirmative vote of a majority of the Council Members present; and
 - (b) from 10:30 p.m. to another specified time only by a unanimous vote of all Council Members present.

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

20

- (2) A Motion to adjourn either a Council Meeting or the debate at a Council Meeting is always in order if that Motion has not been preceded at that Council Meeting by the same Motion.
- (3) Section 40(2) does not apply to either of the following Motions:
 - (a) a Motion to adjourn to a specific day; or
 - (b) a Motion that adds an opinion or qualification to a preceding Motion to adjourn.

PART 5 – BYLAWS

COPIES OF PROPOSED BYLAWS TO COUNCIL MEMBERS

- 41. A proposed bylaw may be introduced at a Council Meeting only if a copy of it has been delivered to each Council Member at least 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement.

FORM OF BYLAWS

- 42. A bylaw introduced at a Council Meeting must:
 - (1) be printed;
 - (2) have a distinguishing name;
 - (3) have a distinguishing number;
 - (4) contain an introductory statement of purpose; and
 - (5) be divided into sections.

BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY

- 43. Council must consider a proposed bylaw at a Council Meeting either:
 - (1) separately when directed by the Chair or requested by another Council Member; or
 - (2) jointly with other proposed bylaws in the sequence determined by the Chair.

READING AND ADOPTING BYLAWS

- 44. (1) The Chair of a Council Meeting may request the Corporate Officer to provide a verbal synopsis of each proposed bylaw reading.
- (2) The readings of the bylaw may be given by stating its title and object.

Deleted: .

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

21

- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.
- (4) Subject to Section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council Members present.
- (5) In accordance with the *Community Charter* Council may give up to three readings to a proposed bylaw at the same Council Meeting.
- (6) Subject to this bylaw and any enactments, Council may give up to three readings of a bylaw in a single Motion.
- (7) Unless expressly authorized by statute, Council may not adopt a bylaw at the same Council Meeting at which it gives third reading.
- (8) Despite Section 135(3) of the *Community Charter* and in accordance with Section 890(9) of the *Local Government Act* Council may adopt a proposed official community plan or zoning bylaw at the same Council Meeting at which the plan or bylaw passed third reading.

Deleted: two or

Deleted: the Council

RECONSIDERATION OF PART OR ALL OF A BYLAW

- 45. Subject to applicable enactments, Council may by resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading with or without amendment.

Deleted: the Council

BYLAWS MUST BE SIGNED

- 46. After a bylaw is adopted, it must be signed by the Corporate Officer and the Chair of the Council Meeting at which it was adopted. The Corporate Officer must then have the bylaw placed in the Village's records for safekeeping.

PART 6 – RESOLUTIONS

COPIES OF RESOLUTIONS TO COUNCIL MEMBERS

- 47. A resolution may be introduced at a Council Meeting only if a copy of it has been delivered to each Council Member at least 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement.

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

22

FORM OF RESOLUTION

48. A resolution introduced at a Council Meeting must be printed and have a distinguishing number.

INTRODUCING RESOLUTIONS

49. The Chair may:
- a) have the Corporate Officer read the resolution; and
 - b) request a Motion that the resolution be introduced.

PART 7 – COUNCIL STRATEGY COMMITTEE

GENERAL PROVISIONS

50. A Council Strategy Committee is a Committee of which the Mayor and all Councillors are members. All members of the Council Strategy Committee must be Council Members.
51. Council Strategy Committee Council Meetings will be held in the Municipal Hall Council Chambers unless otherwise resolved by Council.
52. The applicable rules of procedure as set out in this bylaw shall apply to Council Strategy Committee Council Meetings.

PART 8 – COMMITTEES

COMMITTEE MEETING PROCEDURES

53. At all meetings of Standing Committees established by the Mayor and Select or other Committees established by the Council, the applicable Rules of Procedure, as set out in this Bylaw, shall apply.

DUTIES & AUTHORITY

54. Committees will undertake review into matters as directed by Council.
55. Committees are required to establish an annual meeting schedule and Committee Terms of Reference as soon as practicable once the Committee has been struck and member appointments made.
56. Committees operate exclusively in an advisory capacity by making recommendations to Council. Committees do not have the authority to direct staff nor to authorize expenditures or enter into contracts or agreements on behalf of the Village.

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

23

NOTICE OF MEETINGS

57. Committees are required to give public notice of meetings by posting a copy of the agenda in the Public Notice Posting Place at least 24 hours in advance of each Committee meeting.

MINUTES OF MEETINGS

58. Minutes of the proceedings of a Committee must be:
- a) legibly recorded;
 - b) certified as correct by Committee consensus;
 - c) signed by the Committee Chair once adopted; and
 - d) open for public inspection in accordance with section 97(1)(c) of the *Community Charter*.

PUBLIC PARTICIPATION

59. Section 27(4) of this Bylaw shall apply to public participation at Committee meetings.

MAYOR A MEMBER OF ALL COMMITTEES

60. The Mayor is an ex-officio member of all Committees and is a voting member to the Committees of which the Mayor is appointed.

PART 9 – GENERAL

IRREGULARITY

61. The failure of Council to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.

Deleted: e

WAIVER

62. Where all Council Members are present at a Council Meeting, the absence of a call for such a Council Meeting or failure to give notice to all or any Council Member will not render the Council Meeting invalid if the unanimous consent of those Council Members present is obtained prior to transacting any business.

PART 10 – SCHEDULES

Schedule A: Public Guidelines

Village of Lions Bay
Council Procedure Bylaw No. 476, 2015

24

NOTICE given in accordance with sections 94 and 124(3) of the *Community Charter* by way of posting notices in the Public Notice Posting Places on December 17, 2014.

READ A FIRST TIME

January 6, 2015

READ A SECOND TIME

May 5, 2015

READ A THIRD TIME

ADOPTED

Mayor

Corporate Officer

Certified a true copy of
Bylaw No. 476, 2014 as adopted.

Corporate Officer

DRAFT

SCHEDULE A:

Public Guidelines

Speakers wishing to take part in Public Participation and Public Question periods must enter their name onto the Speakers' List prior to the commencement of the Council Meeting.

Council will begin and end Council Meetings with public participation of up to ten minutes each, with each person who wishes to speak allocated a maximum of two minutes.

The Council Member or staff member responsible for timing speakers will provide approximately 30 seconds' notice to the speaker.

When the timer sounds, the speaker may complete their sentence within a few seconds, and then must leave the podium. Any questions asked during the two minute segment will be captured by the Recorder.

A respectful decorum is expected at all Council Meetings and Committee Meetings.

A person acting improperly may be asked to leave the Council Meeting, consistent with Section 133 of the *Community Charter*.

Expulsion from Council Meetings

- 133 (1) If the person presiding at a Council Meeting considers that another person at the Council Meeting is acting improperly, the person presiding may order that the person is expelled from the Council Meeting.
- (2) If a person who is expelled does not leave the Council Meeting, a peace officer may enforce the order under subsection (1) as if it were a court order.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Fees and Charges Amendment Bylaw

Bylaw No. 490, 2015

Adopted:

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

SCHEDULE 2 – DEVELOPMENT, LAND AND BUILDING SERVICES

Description	Fee
Official Community Plan Amendment	\$2500 or \$3000 if combined with rezoning application with \$700 refunded if no public hearing.
Zoning Bylaw Amendment	\$2500 with \$700 refunded if no public hearing
Development Permit	\$1000
Development Variance Permit	\$650
Land subdivisions applications	\$1500 plus \$200 per lot \$500 lot line adjustment
Building Permits (based on value of construction): • Minimum fee (<\$1,000) • \$1,000-\$9,999 • \$10,000-\$29,999 • \$30,000-\$49,999 • \$50,000-\$99,999 • \$100,000 and greater <i>The minimum fee for a building permit for a <u>new dwelling</u> shall be not less than the fee for a building having a value of \$250,000 (\$1,562.50).</i>	\$100 \$150 plus \$10 per \$1000 \$200 plus \$7 per \$1000 \$325 plus \$6.50 per \$1000 \$450 plus \$5.75 per \$1000 \$775 plus \$5.25 per \$1000 <i>Building permits are valid for two years at which time a renewal permit is required.</i>
Damage Deposit (based on value of construction): • Up to \$50,000 • Greater than \$50,000 <i>A damage deposit is required when taking out a building permit. An occupancy certificate is needed and inspection by Works Superintendent is required prior to damage deposit being returned.</i>	\$1,500 \$3,000
Board of Variance	\$500
Demolition fees:	
Accessory building or structure	\$50 per building
Single or two family dwelling	\$200 per building
All other buildings	\$500 per building
Site Alteration Permit Fee	\$250
Reconsideration by Council	\$125
Permit renewals	\$100
<i>A building permit is valid for two years at which time a renewal permit is required.</i>	
Change of Address	\$500

Village of Lions Bay
Fees and Charges Amendment Bylaw No. 490

Page 4

Covenant Registration	\$100
Soil and other material deposit permit	\$50
Blasting permit application fee	\$25
Secondary suite surcharge	40% of Annual Utility Billing
Tree cutting permit applications	\$40
Lawn sprinkling permit application	\$40
Oil Tank Inspection Fee	\$200
Plumbing Fee	\$10 per fixture, minimum \$30
Alternate Solutions:	\$100 minimum
Building Inspector (additional charge if required on more involved issues)	\$55 per hour
Code Professional (additional charge if required on more involved issues)	\$145 per hour
Extra Inspections (after second inspection)	\$100 per inspection
Lot grading deposit	\$150 minimum (up to 10 loads) \$500 (more than 10 loads)
Pre-inspection of a building being moved within the Village	\$300 per structure
When a permit is surrendered and cancelled before any construction begins and the owner has provided written notification that the project will not be undertaken	50% of the building permit fee and 100% of the deposit shall be refunded to the property owner.
Plan review for building design modifications	\$75
Transfer of building permit	\$75
Swimming pool construction	Permit fee based on value of construction as noted under Building Permits
Registration & review of Section 219 covenant placed according to the Land Title Act	\$300
For discharge of Section 219 covenant placed according to the Land Title Act	\$100

Commented [MK1]: New fee.

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



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Tree Bylaw Amendment Bylaw

Bylaw No. 491, 2015

Adopted:

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

Bylaw No. – 491, 2015 Tree Amendment Bylaw

**A bylaw to provide for the amending of schedules attached to
and forming part of Bylaw No. 393 – Trees.**

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

1. This Bylaw may be cited for all purposes as "Tree Amendment Bylaw No. 491, 2015".
2. **Schedule A: Tree Cutting Application Form** –attached to Bylaw No. 393 is hereby deleted and the attached Schedule A: Tree Cutting Application Package is substituted therefore.

READ A FIRST TIME

READ A SECOND TIME

READ A THIRD TIME

ADOPTED

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 491, 2015 as adopted.**

Corporate Officer

SCHEDULE A:
Tree Cutting Application Package



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

TREE CUTTING PERMIT APPLICATION & CHECKLIST

Within this package, you will find the tools you will need in order to complete your Tree Cutting Permit Application. The following contents are included:

- Village of Lions Bay Tree Bylaw No. 393, 2007
- Tree Management on Private Land Policy
- Application form
- Form letters for neighbour canvass

About the process:

Upon receipt of your completed application package, Staff will confirm all required information is included before referring the file to the Tree Committee.

The Tree Committee will arrange a site visit to further assess your application. They may be in touch with you if additional information is required. Supplementary documents may be required in support of this application. Should land surveys or arborist reports be required, you will be notified accordingly. The applicant is expected to bear all associated costs.

Tree Committee recommendations will be presented for Council endorsement as soon as may be possible. Staff will contact you to advise of the outcome and to confirm the recommendations made by the Tree Committee.

Follow up will be performed to ensure the Replanting Plan has been achieved, if applicable.

Application checklist:



- Completed application form
- Photographs/sketch of area
- Approvals from affected neighbours* (must include their contact information for verification purposes)
- Replanting plan details and proposed timeframe, if applicable
- Application fee (cash or cheque payable to Village of Lions Bay, due upon package submission)

**An affected neighbor is any property whose line of sight may be affected if this application is approved*



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Tree Cutting Application Form

All fields must be completed

Applicant's Full Name:	
Address:	
Phone:	Email:
Contractor Name (if applicable):	
Contractor Phone:	

Description of Trees:
Location of Trees:

**Trees must be clearly marked with marking tape in time for the Tree Committee's site visit.*

Reason for Removal: ☐ Too close to property (foundation, garage, fence, etc.) ☐ Dead or dying ☐ Unattractive ☐ Blocking sunlight ☐ Attracting wildlife	☐ Interfering with infrastructure (roads, sidewalks, etc.) ☐ Leaves causing problems ☐ Blocking site access ☐ Affecting house value ☐ Hazardous ☐ Interfering with view
Description of work to be done (and additional comments which may be helpful):	



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Replanting Plan, if any (please include anticipated timeframe for completion):

I have verified the information contained within this application is correct.

I acknowledge that responsibility for bylaw compliance rests with me as the applicant. I will indemnify and save harmless the Village of Lions Bay, its officials, employees and agents against claims, liabilities and expenses of every kind, in respect of anything done or not done pursuant to this application or ensuing permit, if issued, including negligence and/or failure to observe all bylaws, conditions, acts or regulations.

I understand that, should this application be approved, all work performed must comply with the recommendations of the Tree Committee, as endorsed by Council, and that failure to comply with the recommendations may result in fines, penalties and/or legal action.

Signature of Applicant

Date Signed

Date Received by Office:

Received by:



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Form letter for affected neighbour canvass (print as many copies as may be necessary)

Date: _____

Neighbour's Name: _____

Address: _____

Phone/Email: _____

Dear _____:

Re: Tree Cutting Application

I intend to make an application for a permit to cut trees on municipal property and, as part of the application process, I am required to notify other property owners whose line of sight may be affected by this work. The specifics of the application are as follows:

Location:	
Type(s) of Tree(s):	
Description of Work:	
Rationale for Application and Replanting Plan (if applicable):	



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

As an adjacent property owner, please accept this letter as notification of my application. I would appreciate if you would provide me with your written response noting any concerns of this work within 30 days of the date of this letter, so that I may forward your comments with my application package.

I have attached photographs of the marked trees.

Thank you,

Applicant Name

Email/Phone

Office use only:

- ☐ Confirm neighbour received notice of application
☐ Confirm neighbour's position on application details
☐ Supportive ☐ Opposed

Name of neighbour spoken to by staff: _____

Date verified by office staff: _____

Staff member name: _____



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Amending Bylaw Notice Enforcement Bylaw

Bylaw No. 492

Adopted:

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

Bylaw No. 492, 2015

Amending Bylaw Notice Enforcement Bylaw

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

Citation

1. This Bylaw may be cited as “Bylaw Number 492, Amending Bylaw Notice Enforcement Bylaw, No. 415, 2015”
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Amendments

1. Schedule A to Bylaw No. 415 is deleted and is replaced with the new Schedule A, which is attached.

READ A FIRST TIME on May 12, 2015

READ A SECOND TIME on May 12, 2015

READ A THIRD TIME on

ADOPTED by the Council on

Mayor

Corporate Officer

**Certified a true copy of
Bylaw 492, 2015 as adopted**

Corporate Officer

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
BUILDING REGULATION BYLAW, NO. 234, 1994						
234	5 (a)	Construct without a building permit	\$300	\$280	\$320	YES
234	5 (c)	Tamper with posted notice	\$500	\$475	\$500	NO
234	5 (d)	Work contrary to approved plans	\$300	\$280	\$320	YES
234	5 (e)	Obstruct Village officer or employee	\$500	\$475	\$500	NO
234	5 (f)	Fail to stop work	\$500	\$475	\$500	YES
234	5 (h)	Submit false information	\$500	\$475	\$500	YES
234	6 (b)	Unauthorized use of Village property	\$100	\$90	\$110	YES
234	12	Fail to post building permit	\$300	\$280	\$320	NO
234	16 (a)	Occupy without approval	\$300	\$280	\$320	YES
NOISE CONTROL BYLAW NO. 283, 1998						
283	2	Sound which disturbs	\$110	\$100	\$120	NO
283	3	Decibel level	\$110	\$100	\$120	NO
283	4 (a)	Continuous sound	\$110	\$100	\$120	NO
283	4 (b)	Construction sound	\$220	\$200	\$240	YES
283	5 (a)	Improper use of vehicle horn	\$110	\$100	\$120	NO
283	5 (b)	Car alarm noise	\$110	\$100	\$120	NO
ZONING BYLAW #362, 2004						
362	8	Unlawful use	\$300	\$280	\$320	YES
362	15 (a)	Unlawful encroachment into setback	\$300	\$280	\$320	YES
362	17	Unlawful use of setback	\$300	\$280	\$320	YES
362	20 (b)	More than one principal building	\$300	\$280	\$320	YES
362	21 (a)	Exceed height limitation	\$300	\$280	\$320	YES
362	23 (b)	Home occupation use outside principal building	\$300	\$280	\$320	YES
362	23 (c)	Home occupation use by person not resident at site	\$300	\$280	\$320	NO
362	24 (a)	Outdoor storage of materials or equipment	\$100	\$90	\$110	YES
362	24 (b)	Obnoxious or dangerous use	\$300	\$280	\$320	NO
362	24 (c)	Sign for home occupation use	\$100	\$90	\$110	YES
362	26 (a)	Fail to provide/maintain parking space	\$300	\$280	\$320	YES
362	28	Store boat over 7 metres on parcel	\$300	\$280	\$320	YES
362	32-b-ix-A	Too many accessory structures	\$300	\$280	\$320	YES

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
ZONING BYLAW NO. 362, 2004 AMENDMENT BYLAW NO. 475, 2014, SECONDARY SUITES						
362	32-b-xi-(1)	More than one Secondary Suite per parcel	\$300	\$280	\$320	YES
362	32-b-xi-(2)	Secondary Suite detached from principal building	\$300	\$280	\$320	YES
362	32-b-xi-(3)	Secondary Suite over maximum for floor area	\$300	\$280	\$320	YES
362	32-b-xi-(4)	Fail to meet occupancy criteria re Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(5)	Existing suite not compliant with minimum safety standards	\$300	\$280	\$320	YES
362	32-b-xi-(65)	Secondary Suite not compliant with BC Building Code	\$300	\$280	\$320	YES
362	32-b-xi-(67)	Construct Secondary Suite without building permit	\$400	\$380	\$420	YES
362	32-b-xi-(78)	Secondary Suite exceeds residence's septic capacity	\$300	\$280	\$320	YES
362	32-b-xi-(98)	No separate entrance for Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(910)	Subdivide Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(101)	Separate water or electrical service for Secondary Suite	\$300	\$280	\$320	YES
362	32-b-xi-(112)	Fail to meet construction criteria re tenant parking	\$400	\$380	\$420	YES
GOOD NEIGHBOR BYLAW NO. 412, 2009						
412	5.1.1	Create or cause a nuisance	\$200	\$185	\$215	YES
412	5.1.2	Permit a nuisance	\$200	\$185	\$215	YES
412	5.1.3	Allow unsightly parcel	\$200	\$185	\$215	YES
412	5.1.4 (a)	Allow an unsightly accumulation	\$200	\$185	\$215	YES
412	5.1.5 (b)	Permit or cause water to collect	\$200	\$185	\$215	YES
412	5.1.5 (c)	Store rubbish where visible	\$200	\$185	\$215	YES
412	5.1.5 (d)	Place graffiti	\$100	\$90	\$110	YES
412	5.1.5 (g)	Accumulate building materials	\$100	\$90	\$110	YES
412	5.1.5 (h)	Storage or accumulation of motor vehicle	\$100	\$90	\$110	YES

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
412	5.2.1	Fail to abate nuisance	\$100	\$90	\$110	YES
412	5.1.2 (a)	Fail to remove unsightly accumulation	\$100	\$90	\$110	YES
412	5.1.2 (b)	Fail to prevent or clear insect infestation	\$100	\$90	\$110	YES
412	5.1.2 (c)	Fail to clear parcel of brush, noxious weeds and grass	\$100	\$90	\$110	YES
412	5.1.2 (d)	Fail to shield or deflect outdoor light	\$100	\$90	\$110	YES
412	5.1.5 (e)	Fail to repair or remove fence	\$200	\$185	\$215	YES
412	7.3.2	Interfere with, resist or obstruct authorized person	\$500	\$475	\$500	NO
TRAFFIC AND PARKING BYLAW NO. 413, 2009						
413	8 (1)	Fail to obey traffic control device	\$100	\$90	\$110	NO
413	8 (2)	Interfere with traffic control device	\$45	\$35	\$55	NO
413	8 (3)	Plant interferes with traffic control device	\$45	\$35	\$55	YES
413	8 (4)	Illegal traffic control device	\$45	\$35	\$55	YES
413	10 (a)	Park in contravention of a traffic control device	\$45	\$35	\$55	NO
413	10 (b)	Fail to display insurance decal	\$45	\$35	\$55	NO
413	10 (c)	Park on or too near crosswalk	\$45	\$35	\$55	NO
413	10 (d)	Park near traffic control device	\$45	\$35	\$55	NO
413	10 (e)	Park on bridge	\$45	\$35	\$55	NO
413	10 (f)	Park near fire hydrant/equipment	\$80	\$70	\$90	NO
413	10 (g)	Park to obstruct or interfere with traffic/maintenance	\$80	\$70	\$90	NO
413	10 (h)	Park without permit for zone	\$45	\$35	\$55	YES
413	10 (i)	Park too near driveway	\$45	\$35	\$55	NO
413	10 (j)	Failure to park off roadway	\$45	\$35	\$55	NO
413	10 (k)	Park more than 72 hours	\$45	\$35	\$55	NO
413	10 (l)	Park more than 24 hours in snow	\$45	\$35	\$55	NO
413	10 (m)	Park in intersection	\$45	\$35	\$55	NO
413	11 (1)	Park extraordinary vehicle overnight	\$100	\$90	\$100	YES
413	11 (2)	Unattached trailer	\$100	\$90	\$110	YES
413	12	Park near school	\$45	\$35	\$55	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	16	Fail to comply with direction of enforcement officer	\$100	\$90	\$110	NO
413	17	Hinder, obstruct or delay enforcement officer	\$100	\$90	\$110	NO
413	19	Operate sound broadcasting vehicle	\$45	\$35	\$55	NO
413	20	Drive over fire hose	\$80	\$70	\$90	NO
413	21 (a)	Drop or spill on highway	\$45	\$35	\$55	NO
413	21 (b)	Noxious flow on highway	\$45	\$35	\$55	NO
413	21 (c)	Damage plants/grass on highway	\$100	\$90	\$100	NO
413	21 (d)	Damage or deface highway	\$100	\$90	\$110	NO
413	21 (e)	Dead animal on highway	\$45	\$35	\$55	NO
413	21 (f)	Camp on highway	\$45	\$35	\$55	NO
413	21 (g)	Make fire on highway	\$100	\$90	\$110	NO
413	21 (h)	Unsecure load	\$100	\$90	\$100	NO
413	21 (i)	Urinate/defecate on highway	\$100	\$90	\$100	NO
413	21 (j)	Overweight vehicle on highway	\$100	\$90	\$100	NO
413	21 (k)	Operate vehicle with lugged wheels	\$100	\$90	\$100	NO
413	24	Sell/display goods/services on highway	\$100	\$90	\$100	YES
413	25	Chattel/structure on highway	\$100	\$90	\$100	YES
413	26	Dumpster on highway	\$100	\$90	\$100	YES
413	27	Accumulations on highway	\$100	\$90	\$100	YES
413	28	Unfenced excavation near highway	\$100	\$90	\$100	YES
413	29	Construction obstructing highway	\$100	\$90	\$100	YES
413	31	Fail to disperse on highway when directed	\$100	\$90	\$100	NO
413	32	Skate/blade/scoot without helmet	\$45	\$35	\$55	NO
ANTI-IDLING BYLAW #416, 2010						
416	3	Unlawful idling	\$100	\$90	\$110	YES
FIRE BYLAW #428, 2011						
428	27	Unauthorized entry to area limited for Fire Rescue purposes	\$100	\$80	\$120	NO
428	28	Hinder Fire Rescue operations	\$450	\$425	\$120	NO
428	29	Damage or destroy Fire Rescue apparatus or equipment	\$450	\$425	\$120	NO

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	30	Drive vehicle over Fire Rescue equipment without permission	\$100	\$80	\$120	NO
428	31	Falsely represent to be Fire Rescue member	\$100	\$80	\$120	NO
428	32	Obstruct/interfere with approach to Fire Rescue incident	\$100	\$80	\$120	NO
428	33	Interfere with fire hydrant	\$450	\$425	\$120	NO
428	34	Fail to maintain clearance around fire hydrant	\$50	\$40	\$60	YES
428	35	Fail to address fire hazard when ordered	\$450	\$425	\$120	YES
428	36	Construct fire pit or fire ring	\$100	\$80	\$120	YES
428	37	Burn wood outside a building	\$100	\$80	\$120	NO
428	38	Open burning	\$100	\$80	\$120	NO
428	39	Drop burning substance into or near combustible material	\$100	\$80	\$120	NO
428	40	Burn or use combustion device outside when banned	\$100	\$80	\$120	YES
428	41	Burn unauthorized material inside or outside a building	\$100	\$80	\$120	NO
428	42	Use water contrary to designated purpose, hours or methods	\$100	\$80	\$120	NO
428	44	Fail to install sprinklers in new residence	\$450	\$425	\$475	YES
428	45	Fail to install sprinklers during alteration to residence	\$450	\$425	\$475	YES
428	46	Fail to install fire extinguisher	\$100	\$80	\$120	YES
428	47	Fail to install smoke alarms	\$100	\$80	\$120	YES
428	48	Use fireworks when under age 18	\$50	\$40	\$60	NO
428	49	Use unauthorized Consumer Fireworks	\$100	\$80	\$120	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	50	Use High Hazard Fireworks	\$200	\$180	\$220	NO
428	52	Fail to comply with order to address violations, requiring re-inspection	\$450	\$425	\$220	YES
PESTICIDES BYLAW #430, 2011						
430	3	Use of pesticide for cosmetic purposes	\$250	\$225	\$275	NO
430	4	Use of non-permitted pesticide	\$250	\$225	\$275	NO
PARKS REGULATIONS BYLAW NUMBER 448, 2012						
448	5.1	Damage park	\$500	\$475	\$500	YES
448	5.2	Molest animals or birds	\$100	\$90	\$100	NO
448	5.3	Contaminate water in park	\$500	\$465	\$500	NO
448	5.4	Release water in park	\$500	\$465	\$500	NO
448	5.5	Improper climbing on structure	\$100	\$90	\$100	NO
448	5.6	Litter in park	\$100	\$90	\$100	NO
448	5.7	Unlawful waste in park receptacle	\$100	\$90	\$100	NO
448	6.1	Fireworks in park	\$250	\$230	\$270	NO
448	6.2	Make fire in park	\$100	\$90	\$100	NO
448	6.3	Improper barbecue in park	\$100	\$90	\$100	NO
448	6.5	Place burning substance in park	\$250	\$230	\$270	NO
448	6.6	Enter park at fire risk	\$250	\$230	\$270	NO
448	7.1	Sell/display goods/services in park	\$100	\$90	\$100	YES
448	7.2	Advertise in park	\$100	\$90	\$100	YES
448	7.3	Amplified noise in park	\$100	\$90	\$100	NO
448	8.1	Organized activity in park with no contract	\$100	\$90	\$100	NO
448	9.1	Operate motorized watercraft near beach	\$250	\$230	\$270	NO
448	9.2	Motorized vehicle or device in park	\$250	\$230	\$270	NO
448	9.3	Unauthorized entry to closed park	\$100	\$90	\$100	NO
448	10.1	In park outside open hours	\$100	\$90	\$100	NO
448	10.13	Enter or remain in closed park	\$100	\$90	\$100	NO
448	11.1	Create a nuisance in park	\$100	\$90	\$100	NO
448	11.2	Obstruct use and enjoyment of park	\$100	\$90	\$100	NO
448	11.3	Fail to comply with direction of	\$100	\$90	\$100	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
		enforcement officer				
448	11.4	Obstruct or delay enforcement officer	\$100	\$90	\$100	NO
448	11.5	Urinate/defecate in park	\$100	\$90	\$100	NO
448	12.1	Dive in park where prohibited	\$100	\$90	\$100	NO
448	12.212.1	Store watercraft on beach	\$100	\$90	\$100	YES
448	12.312.2	Camp in park	\$100	\$90	\$100	NO
448	12.412.3	Prohibited sport in park	\$100	\$90	\$100	NO
WASTE COLLECTION BYLAW NO. 455, 2013						
455	5	Excess garbage	\$60	\$50	\$70	NO
455	6	Fail to securely house wildlife attractants	\$300	\$280	\$320	YES
455	6	Garbage receptacle encroaching on street	\$60	\$50	\$70	NO
455	108	Solid waste out before 5 AM	\$60	\$50	\$70	NO
455	119	Placing for collection inappropriate substance	\$60	\$50	\$70	NO
455	168	Storage not wildlife resistant, single family residential	\$60	\$50	\$70	NO
455	197	Storage not wildlife resistant, multi-family and commercial	\$60	\$50	\$70	NO
455	2119	Fail to repair wildlife resistant containment	\$60	\$50	\$70	NO
455	202 (a)	Feeding dangerous wildlife	\$300	\$280	\$320	NO
455	220 (ab)	Storing edible wildlife attractants	\$300	\$280	\$320	YES
455	202 (c)	Bee hives accessible to wildlife	\$60	\$50	\$70	NO
455	202 (d)	Outdoor fridge or freezer accessible to wildlife	\$60	\$50	\$70	NO
455	202 (e)	Meat waste in compost	\$60	\$50	\$70	NO
ANIMAL CONTROL & LICENSING BYLAW, NO. 461, 2014						
461	5.1	No dog license	\$85	\$75	\$95	YES
461	5.5	No dog tag	\$40	\$30	\$50	YES
461	6.2	Dog at large	\$85	\$75	\$95	NO
461	6.3	Fail to remove dog waste	\$60	\$50	\$60	NO
461	6.7.1	Dog in prohibited area	\$60	\$50	\$60	NO
461	6.6.5	Allow dog barking	\$85	\$75	\$95	NO

Adopted:

SCHEDULE A – BYLAW NOTICE ENFORCEMENT BYLAW NO. 492, 2015

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
461	6.6.6	Keep more than three dogs	\$110	\$100	\$120	YES
461	7.1(a)	Fail to provide food or water	\$60	\$50	\$60	NO
461	7.1(c)	Fail to exercise dog	\$60	\$50	\$60	NO
461	7.1(e)	Fail to provide medical care for dog	\$60	\$50	\$60	NO
461	7.2	Fail to provide proper shelter for dog	\$60	\$50	\$60	NO
461	7.4	Choke collar/neck cord used to tether	\$60	\$50	\$60	NO
OUTDOOR WATER USE BYLAW #484, 2015						
484	6.1	Fail to Follow Water Conservation Level 1	\$75	\$100	\$125	NO
484	6.1	Fail to Follow Water Conservation Level 2	\$125	\$150	\$175	NO
484	6.1	Fail to Follow Water Conservation Level 3	\$175	\$200	\$225	NO

VILLAGE OF LIONS BAY

Incoming Correspondence - May 19, 2015

General Correspondence:

- G-1: Cultural Grants
- G-2: Woodfibre LNG Terminal and Shipping
- G-3: BC Housing Non-Profit Transfer Program
- G-4: Planetary Health
- G-5: Love Food Hate Waste
- G-6: Celebrating Canadian Design
- G-7: Accessibility is Working
- G-8: Prescription Drug Drop-Off Party
- G-9: National Life Jacket and Swim Day

Resident Correspondence:

- R-1: Five Year Financial Plan
- R-2: Kelvin Grove Beach Concerns
- R-3: Lions Bay Beach Washrooms
- R-4: Bombing Glass Sponge Bioherms in Howe Sound

From: [Metro Vancouver Media](#)
Subject: Media Release - Apply by June 17 for Cultural Grants
Date: Monday, May 04, 2015 1:10:12 PM
Importance: High



MEDIA RELEASE

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

May 4, 2015

APPLY BY JUNE 12 FOR CULTURAL GRANTS

Cultural group can now apply to metro Vancouver for regional projects.

The 2015 application form and the Project Grant Eligibility and Selection Criteria can be downloaded from www.metrovancouver.org/cultural grants.

Alternatively, request the application form and grant eligibility material by e-mailing judy.robertson@metrovancover.org or calling 604-432-6205.

The Regional Project grants will support research creation, production, dissemination, audience development, project staff and/or administrative capacity building and the per-project grant awarded to a maximum of \$10,000.

Completed applications must be submitted by 4 pm, Friday, June, 12, 2015.

For more information, please contact Metro Vancouver at 604-432-6200.

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.

From: [EOIN FINN](#)
To: [EOIN FINN](#)
Cc: [Bill Andrews](#)
Subject: Environmental assessment of Woodfibre LNG terminal and shipping
Date: Tuesday, May 05, 2015 4:15:32 PM
Attachments: [2015-04-28b MSTs to Fed Min Env't.pdf](#)

Dear Mayors, Members of Council, Trustees and Administrators:

This communication concerns the proposed Woodfibre LNG project in Howe Sound and the lack of a proper environmental assessment of it. As most of the addressees on this correspondence border on the proposed shipping route of the LNG tankers, this should be of concern to you.

My Sea to Sky has officially asked federal environment minister Leona Aglukkaq to rescind the Substitution Decision that allows the BC Environmental Assessment (EA) process to substitute for the federal EA process required under *CEAA, 2012*. Our lawyer's letter explaining the request is attached to this email. The letter is lengthy and detailed, and I urge you to read it to understand our concerns about both the siting of the WLNG plant and associated LNG shipping and the inadequate BC EA process.

In our view, the BC EA process for WLNG has been far from "world-leading" regarding the siting issue. Neither Woodfibre LNG Limited nor its parent group of companies has ever built or operated an LNG terminal before. The Woodfibre location violates the siting criteria set by the LNG industry itself. And, the location violates the U.S. LNG siting criteria.

The US Coast Guard's LNG siting process maps human populations within hazard zones of 500 m, 1,600 m and 3,500 m around the terminal and shipping route. In the event of an LNG spill, the hazard range for a flammable natural gas cloud includes heavily populated areas of West Vancouver as well as populated areas of Bowen Island, Lions Bay, Bowyer Island, Anvil Island, large numbers of people using BC Ferries and the Sea to Sky Highway, well used campgrounds in Howe Sound, and populated areas of the Gulf Islands along the LNG carriers' route to the ocean.

Large LNG spills are "rare" precisely because regulators and the established LNG industry do not allow LNG terminals to be sited in locations like Howe Sound B.C. Disturbingly, the BC EA process is based on a project application that brazenly dismisses the consequences "to humans and ecological receptors" of a spill of the entire contents of an LNG carrier as "negligible to minor." In this context, we are deeply frustrated that the BC EA working group process excludes any participation by members of the public. In our view, the working group's decision to allow participation by local government representatives is 'too little, too late.'

A genuinely world-leading process for seriously reviewing the Woodfibre LNG proposal would apply internationally-recognized LNG siting criteria and allow public participation in the process. We ask for your support.

Yours truly,

Eoin Finn B.Sc., Ph.D., MBA
My Sea to Sky (<http://www.myseatosky.org>)
Vancouver

Attachment: April 28, 2015 letter from William J. Andrews to Hon. Leona Aglukkaq.

William J. Andrews

Barrister & Solicitor

1958 Parkside Lane, North Vancouver, BC, Canada, V7G 1X5
Phone: 604-924-0921, Fax: 604-924-0918, Email: wjandrews@shaw.ca

April 28, 2015

The Honourable Leona Aglukkaq, M.P.
Minister of the Environment
Ottawa, Canada K1A 0H3
By email: Minister@ec.gc.ca

Dear Madam Minister:

Re: Woodfibre LNG Project and LNG Shipping in Howe Sound, B.C.

I represent *My Sea to Sky*, a volunteer organization of citizens opposed to the Howe Sound, B.C., location of the proposed Woodfibre LNG project and associated LNG shipping. I am writing to formally request that you reconsider and rescind your February 19, 2014 Substitution Decision under which the B.C. environmental assessment of the Project is substituted for federal environmental assessment under the *Canadian Environmental Assessment Act, 2012*.

The Substitution Decision requires the BC EA process to consider the environmental effects of the Project and associated LNG shipping, including the effects of accidents and malfunctions. The pre-eminent environmental issue that must be considered under *CEAA 2012* is whether Woodfibre in Howe Sound is an appropriate location given the fact that the LNG shipping lane is in extremely close proximity to heavily populated areas, such as West Vancouver and Bowen Island, and to major public transportation routes, such as the Sea to Sky Highway and BC Ferries to and from Horseshoe Bay. This crucial issue has not been – and will not be – examined properly or at all in the BC EA process.

The attached map shows the Woodfibre site and the LNG carrier route in Howe Sound. The red-shaded area, the solid red line, and the dotted red line show the recognized Hazard Zones 1, 2 and 3, respectively.

As detailed below, the B.C. environmental assessment of the Project is not meeting the basic legal conditions of the Substitution Decision and *CEAA 2012* in two main respects. First, the B.C. process is failing to address the well documented risk of catastrophic effects of an LNG spill due to an accident or malfunction regarding LNG shipping in Howe Sound. Second, the B.C. process is failing to provide public participation in this aspect of the assessment. In addition, the Substitution Decision itself violates *CEAA 2012* because it excludes assessment of LNG shipping between Howe Sound and the Pacific Ocean.

I. Outline

This letter begins in Part II with a description of the Woodfibre LNG Project, the Proponent, and the SIGTTO (industry association) siting criteria as they relate to the Project.

The extent of public opposition about the Project is discussed in Part III.

In Part IV, there is a discussion of the consequences of an LNG spill over water, and the hazard zones method of analysis applied to the siting of LNG facilities and shipping in the U.S.

The statutory framework and the Substitution Decision are outlined in Part V.

In Part VI, three grounds for the requested rescission are stated, and the argument is set out in detail.

Part VII is a brief conclusion.

II. The Woodfibre LNG Project

A. The Project

The proponent proposes¹ to construct and operate a liquefied natural gas production and export facility at a site (“Woodfibre”) on the west side of Howe Sound, approximately 7 km west-southwest of Squamish, B.C. The facility would have a permanently moored storage and offloading unit (comprised of two immobile LNG carriers) with a capacity of 250,000 m³ (171,000 tonnes) of LNG.² There would be a marine mooring facility for one LNG marine carrier, having a maximum capacity of 180,000 m³ (123,000 tonnes) of LNG.

The marine shipping component involves loaded LNG carriers leaving the Woodfibre terminal in Howe Sound, proceeding south adjacent to the Sea to Sky Highway, past communities such as Lions Bay, through Queen Charlotte Channel between Bowen Island and West Vancouver/Horseshoe Bay (community and ferry terminal),³ past Passage Island at the entrance to Howe Sound, into the Strait of Georgia adjacent to English Bay in Metro Vancouver, west through Boundary Pass and the Gulf Islands, through Haro Strait, through the Juan de Fuca Strait past Victoria (between Vancouver Island and the Olympic Peninsula), past Buoy J⁴ and into the Pacific Ocean. Incoming LNG carriers would thread the same route.

B. The Proponent

The Project proponent is Woodfibre LNG Limited, which is wholly owned by Pacific Oil & Gas Limited, an energy company within the RGE group of companies, headquartered in Singapore.⁵

¹ Woodfibre LNG Project Application and Supporting Studies (Application), http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_project_doc_list_408_r_app.html

² Future expansion of the proposed Woodfibre LNG Project and associated shipping is possible and this a concern of *My Sea to Sky*. However, terminal expansion is not the subject of the current environmental assessment.

³ As shown on the attached map, the proponent has also designated a Route B through Collingwood Channel on the east side of Bowen Island, between Bowen Island and Keats Island. However, the proponent says Route B will not be used.

⁴ Buoy J marks the western end of the shipping route that is included in the environmental assessment of the Kinder Morgan Trans Mountain Pipeline Expansion Project now being conducted by the National Energy Board under *CEAA 2012* and other statutes.

⁵ Application, Executive Summary, p.2.

Neither Woodfibre LNG Limited nor the RGE group of companies has ever built or operated an LNG terminal before.

Significantly, Woodfibre LNG Limited is *not* a member of the Society of International Gas Tanker and Terminal Operators (SIGTTO).⁶ SIGTTO is the well-respected international industry organisation whose members are responsible for most of the LNG terminals and shipping in the world. SIGTTO provides criteria for best practices and acceptable standards.

C. SIGTTO LNG Siting Criteria

Safety is a prerequisite for the viability of the LNG industry. SIGTTO states: “Bearing in mind the high commercial exposures within LNG projects, the need to maintain its [the LNG industry’s] good safety record is vital to all companies concerned.” SIGTTO credits “LNG’s excellent safety record” to LNG industry expertise and adherence to rigorous standards regarding terminal siting decisions, as well as terminal design and operations. Accordingly, SIGTTO has published site selection guidelines for LNG terminals, which it describes as, “important matters which should be dealt with when choosing the location of a new terminal.”⁷

Notably, the Woodfibre location does not meet many of the critical standards SIGTTO recommends for siting a new LNG terminal. For example:

- SIGTTO: “Short approach channels are preferable to long inshore routes which carry more numerous hazards.”⁸ The shipping route to and from Woodfibre is certainly a “long inshore route.”
- SIGTTO: “Essential design for a safe jetty: find a location suitably distant from centres of population.”⁹ The Woodfibre site and LNG shipping route is extremely close to populated areas, BC Ferries routes and the Sea to Sky Highway.
- SIGTTO: “Traffic separation schemes should be established in approach routes covering many miles.”¹⁰ The Woodfibre LNG proposal is to use the established commercial lane along with all other vessels.
- SIGTTO: “Anchorages should be established at the port entrance and inshore, for the safe segregation of LNG carriers and to provide lay-by facilities in case, at the last moment, the berth becomes unavailable.”¹¹ Howe Sound is generally a deep water area with no commercial anchorages.
- SIGTTO: “[P]ositioning an LNG terminal on the outside of a river bend raises the risk that a passing ship may strike the berthed carrier if the manoeuvre is not properly executed. This is possible because at some point on the bend, the manoeuvring ship must

⁶ <http://sigtto.org/>

⁷ “Site Selection and Design for LNG Ports and Jetties,” SIGTTO Information Paper No. 14, January 1997, reprinted August 2000, page 2. Accessible at <http://kitchenimage.typepad.com/files/sigtto-standards.pdf>

⁸ *Ibid.*, pdf p.26.

⁹ *Ibid.*, p.12.

¹⁰ *Ibid.*

¹¹ *Ibid.*

head directly at the berthed LNG carrier... It follows, therefore, that building a jetty in such locations is normally considered unsuitable.”¹² The Woodfibre site is on the outside of the bend in the shipping lane in Howe Sound to and from Squamish Terminals at the head of Howe Sound (see enclosed map).

The SIGTTO siting document makes clear that it may be impossible to create an effective contingency plan for a large LNG spill if the terminal or shipping lane is close to a populated area. After discussing the general desirability of contingency plans, SIGTTO states:

“But, in some circumstances, such as a large LNG release close to a populated area, it may be impossible to devise a realistic contingency plan because of the nature of the problem.”¹³

SIGTTO continues:

“Herein lies a conundrum which may only be resolved by further reducing the chance of a major release by designing-out the problem.”¹⁴

In other words, where the site is the problem, “designing-out the problem” means choosing a different site.

It would be one thing if the BC EA process was delving deeply into whether Woodfibre is or is not an acceptable site for a new LNG terminal. However, the key point for present purposes is that the B.C. environmental assessment process is *not* conducting an examination of whether the Woodfibre LNG Project does or does not meet the SIGTTO LNG terminal siting recommendations, U.S. Coast Guard criteria (discussed below), or any other LNG terminal siting criteria for that matter.

III. Public opposition

The environmental assessment of the proposed Woodfibre LNG Project occurs in the context of growing public controversy about the location of the proposed terminal and shipping route. It is understood that there have been more than 1700 written public comments to the BC EA Office on proposed Project, the vast majority expressing concern about the Project and about weaknesses and flaws in the environmental assessment of the Project.¹⁵

Reflecting this public concern, local governments have passed the following resolutions:

- District of West Vancouver, July 21, 2014: “to write to the federal government with a suggestion to ban the passage of LNG tankers in the waters of Howe Sound.”¹⁶
- District of West Vancouver, September 8, 2014: “City council reaffirms its earlier unanimous ban on tankers in Howe Sound.”¹⁷

¹² *Ibid.*, p.7.

¹³ *Ibid.*, p.5 (pdf p.8 of 28), underline added.

¹⁴ *Ibid.*, p.5 (pdf p.8 of 28), underline added.

¹⁵ For example, for the period January 22 to March 23, 2015, the B.C. Environmental Assessment Office website indicates receipt of some 820 pages of public comments.

¹⁶ <http://westvancouver.ca/news/council-briefs-july-21>

- Village of Lions Bay, May 20, 2014: “the Village of Lions Bay urges the federal government to ban the passage of LNG tankers in the waters of the Malaspina, Georgia, Juan de Fuca and Haro Straits, and Boundary Pass.”¹⁸
- Town of Gibsons, July 15, 2014: “Gibsons Council urge the federal government to ban the passage of LNG tankers in the waters of Howe Sound and the Georgia Strait, and to request the support of other communities around the Howe Sound to support this resolution.”¹⁹
- District of Squamish, January 20 2015: “Council votes no to LNG pipeline test drilling in Squamish estuary.”²⁰
- Bowen Island Municipality: February 23, 2015: “BIM Council write to the provincial government with a suggestion to ban the passage of LNG tankers in the waters of Howe Sound. Carried.”²¹

IV. LNG Terminal Siting, Risks and Criteria

A. Consequences of an LNG spill over water

Risk consists of the combination of event frequency and event consequence. In *siting* an LNG terminal and shipping route, one of the most important risks that must be examined is the risk of a large LNG spill over water causing injury to the public and damage to property. This is a risk characterized by low event frequency and severe event consequence. Each component of the risk (frequency and consequence) must be considered separately, and in combination with each other.

Concerning the *consequences* of a large LNG spill over water, the seminal scientific document is a 2004 report from Sandia National Laboratories (2004 Sandia Report),²² sponsored by the U.S. Department of Energy. The purpose of the report was to “develop guidance on a risk-based analysis approach to assess and quantify potential threats to an LNG ship, the potential hazards and consequences of a large spill from an LNG ship, and review prevention and mitigation

¹⁷ <http://westvancouver.ca/sites/default/files/dwv/council-minutes/2014/Sept/14sept08%20copy2.pdf>

¹⁸

<http://files.lionsbay.ca/2014%20Content/Council/Minutes/20140520%20Regular%20Meeting%20Minutes%20-%20signed.pdf>

¹⁹ <http://www.gibsons.ca/include/get.php?nodeid=811>

²⁰ <http://www.squamishchief.com/news/local-news/council-votes-no-to-fortis-drilling-1.1737742>

²¹ <http://bowenland.civicweb.net/Documents/DocumentDisplay.aspx?Id=59416>
http://www.livestream.com/bowenlandmunicipalhall/video?clipId=flv_ce2d0178-0cb1-4a9f-a0fb-97cbf7324121

²² “Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas (LNG) Spill Over Water,” Mike Hightower, Louis Gritz, Anay Luketa-Hanlin, John Covan, Sheldon Tieszen, Gerry Wellman, Mike Irwin, Mike Kaneshige, Brian Melof, Charles Morrow, Don Ragland, Sandia Report, SAND2004-6258. http://www.energy.ca.gov/lng/documents/2004-12_SANDIA-DOE_RISK_ANALYSIS.PDF.

strategies that could be implemented to reduce both the potential for and the risks of an LNG spill over water.”²³

In storage, LNG is a cryogenically cold liquid (about -162°C) at atmospheric pressure. The Sandia Report states that “Following a tank breach or other spill event, depending on the size and location, LNG can be expected to spill onto or into the LNG ship itself, escape through a breach onto the water surface, or both.”²⁴ Spilled LNG (while still liquid) is more dense than air and lighter than water (i.e., it floats). The LNG disperses over the ocean surface, absorbing heat from the water and air, freezing the surface of the water.

To clarify, there is a myth that spilled LNG is not a safety hazard because LNG does not burn. This is dangerously incorrect. Spilled LNG does not burn when it is still in liquid form (though it will cause cryogenic burns and structural damage, discussed below). However, the LNG warms up as it spreads over the water’s frozen surface. When the LNG reaches its boiling point of approximately -160°C the liquid turns into a gas (natural gas). The natural gas mixes with air and absorbs water vapour, creating a low-hanging white vapour cloud with a density 1.5 times that of air. When natural gas forms a high proportion of the vapour cloud the cloud is not flammable. However, as the vapour cloud disperses the natural gas component declines and when the proportion of natural gas reaches 15% the vapour cloud is highly flammable. The vapour cloud remains flammable until the natural gas proportion dilutes to less than 5%. A vapour cloud from spilled LNG may disperse a significant distance (e.g., more than a mile) before encountering an ignition source. Hence the threat to West Vancouver, Bowen Island, Lions Bay and other communities, in the case of a spill from an LNG carrier from Woodfibre.

In the event of an LNG spill, there are three main potential physical outcomes:

- the LNG disperses without a fire;
- the LNG burns as a pool fire²⁵ (very intense heat in the location of the liquid/boiling LNG), and/or
- the LNG burns as a vapour fire (flash fire, typically burning back and causing a pool fire at the source).²⁶

The Sandia Report discusses the following types of hazards of an LNG spill over water.

Regarding “Asphyxiation,” the Report states that “If the vaporizing LNG does not ignite, the potential exists that the LNG vapor concentrations in the air might be high enough to present an asphyxiation hazard to the ship crew, pilot boat crews, emergency response personnel, or others that might be exposed to an expanding LNG vaporization plume.”²⁷

²³ *Ibid.*, p.13.

²⁴ *Ibid.*, p.37.

²⁵ No one disagrees that Liquefied Natural Gas does not burn when it is still cold enough to be liquefied. It is technically correct to say that LNG does not burn. However, it is common, even in the technical literature such as the Sandia Reports, to see references to LNG fires, LNG burning, LNG combustion, etc., which are understood in context to mean LNG that has warmed to become gaseous natural gas that burns.

²⁶ *Ibid.*, p.37.

²⁷ *Ibid.*

Regarding “Cryogenic Burns and Structural Damage,” the Report states:

“The very low temperature of LNG suggests that a breach of an LNG cargo tank that could cause the loss of a large volume of liquid LNG might have negative impacts on people and property near the spill, including crewmembers or emergency personnel. If LNG liquid contacts the skin, it can cause cryogenic burns. Potential degradation of the structural integrity of an LNG ship could occur, because LNG can have a very damaging impact on the integrity of many steels and common ship structural connections, such as welds. Both the ship itself and other LNG cargo tanks could be damaged from a large spill.”²⁸

Regarding “Combustion and Thermal Damage,” the Report provides a technical discussion of “thermal and/or pressure loading” from an LNG spill, noting that “heat flux levels approaching 35 kW/m² will cause significant damage to structures, equipment, and machinery.” The Report drily concludes: “combustion and thermal damage from a fire can have severe consequences and should be carefully and thoroughly analyzed.”²⁹

Regarding an LNG “fireball,” the Report explains that “Ignition of a vapor cloud will cause the vapor to burn back to the spill source.”³⁰ The Report says “This is generally referred to as a ‘fireball’,” which it distinguishes from an explosion.

In other circumstances, an LNG spill may lead to an “LNG air explosion.” The Report states:

“Certain conditions, however, might cause an increase in burn rate that does result in overpressure. If the fuel-air cloud is confined (e.g., trapped between ship hulls), is very turbulent as it progresses through or around obstacles, or encounters a high-pressure ignition source, a rapid acceleration in burn rate might occur [Benedick et al. 1987].”³¹

A “rapid phase transition” is another potential consequence of an LNG spill. The Report explains:

“Rapid Phase Transitions occur when the temperature difference between a hot liquid and a cold liquid is sufficient to drive the cold liquid rapidly to its superheat limit, resulting in spontaneous and explosive boiling of the cold liquid. When a cryogenic liquid such as LNG is suddenly heated by contacting a warm liquid such as water, explosive boiling of the LNG can occur, resulting in localized overpressure releases.”³²

The 2004 Sandia Report was updated in a 2008 Sandia Report³³ to take into account the larger sized LNG carriers and new technical information.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*

³³ “Breach and Safety Analysis of Spills Over Water from Large Liquefied Natural Gas Carriers,” Anay Luketa, M. Michael Hightower, Steve Attaway, Sandia Report, SAND2008-3153, May 2008. Accessible at

B. Hazard Zones

One of the main contributions of the Sandia Reports of 2004 and 2008 is the identification of hazard zones for use in analyzing the LNG terminal and shipping risks. These hazard zones extend from the terminal itself and from the LNG carrier as it follows its defined route. The zones are concentric circles of 500 m, 1,600 m and 3,500 m.

The 2004 Sandia Report states:

“The most significant impacts to public safety and property exist within approximately 500 m of a spill, due to thermal hazards from fires, with lower public health and safety impacts at distances beyond approximately 1600 m.”³⁴

Perhaps surprisingly, the absence of an ignition source close to an LNG spill can actually exacerbate the problem because a cloud of vaporized natural gas can travel some distance before encountering a source of ignition. The 2004 Sandia Report states:

“Large, unignited LNG vapor releases are unlikely. If they do not ignite, vapor clouds could spread over distances greater than 1600 m from a spill.”³⁵

And:

“... a vapor cloud from an LNG spill could extend to 2,500 m, if an ignition source is not available. The potential thermal hazards within a vapor cloud could be high. Because vapor cloud dispersion is highly influenced by atmospheric conditions, hazards from this type of event will be very site-specific.”³⁶

For the Woodfibre LNG Project and shipping, a hazard range of 2500 m includes heavily populated areas of West Vancouver as well as populated areas of Bowen Island, Lions Bay, Bowyer Island, Anvil Island, large numbers of people using BC Ferries and the Sea to Sky Highway, well used campgrounds in Howe Sound, and populated areas of the Gulf Islands along the LNG carriers' route to the ocean.

The three Sandia zones of concern, as well as many other relevant criteria, have been adopted by the Department of Homeland Security and the United States Coast Guard. Proponents must conduct a “Waterway Suitability Assessment” (WSA) in determining the suitability of the location of any new waterfront LNG facility requiring Federal Energy Regulatory Commission (FERC) approval.³⁷ The Coast Guard's Guidance Document states:

http://www.energy.ca.gov/lng/documents/2008-09-11_SANDIA_2008_Report.PDF

³⁴ 2004 Sandia Report, p.73, underline added.

³⁵ 2004 Sandia Report, p.15, underline added. In the nominal intentional spill the size of the assumed breach is larger than in the nominal accidental spill, resulting in a larger volume of LNG being spilled.

³⁶ *Ibid.*, p.20

³⁷ “Guidance Related to Waterfront Liquefied Natural Gas (LNG) Facilities,” Navigation and Vessel Inspection Circular (NVIC) NO. 01-2011, U.S. Department of Homeland Security and United States Coast Guard.

<http://www.uscg.mil/hq/5/fnvic/pdf/2011/FNVIC%252001->

“Zones of Concern... should be applied to the length of the transit to determine the main areas of concern along the waterway. The WSA should include graphics that depict the outer perimeter of the zones along the entire LNG vessel transit route, in order to assess what port and community features fall within them.”³⁸

Also to be considered in the WSA are waterfront community demographics³⁹ and population density.⁴⁰

It should also be noted that in addition to the ‘zones of concern’ analysis, the 2004 Sandia Report states that “Where analysis reveals that potential impacts on public safety and property could be high and where interactions with terrain or structures can occur, modern, validated computational fluid dynamics (CFD) models can be used to improve analysis of site-specific hazards, consequences, and risks.” Both these conditions – potential impacts on public safety and property, and significant terrain – apply in the Woodfibre LNG situation. However, the B.C. environmental assessment is apparently not using any CFD (plume dispersion) modeling.

V. *CEAA 2012* and the Substitution Decision

A. Statutory Framework

Subsection 32(1) of *CEAA 2012* requires the Minister to approve substitution where the Minister is of the opinion that a provincial EA process “that has powers, duties or functions in relation to an assessment of the environmental effects of a designated project would be an appropriate substitute,” subject to section 33 (not relevant here) and section 34.

Subsection 34 of *CEAA 2012* provides an explicit limitation on the Minister’s statutory authority to approve a substitution. It states:

- 34.** (1) The Minister may only approve a substitution if he or she is satisfied that
- (a) the process to be substituted will include a consideration of the factors set out in subsection 19(1);
 - (b) the public will be given an opportunity to participate in the assessment;
 - (c) the public will have access to records in relation to the assessment to enable their meaningful participation;
 - (d) at the end of the assessment, a report will be submitted to the responsible authority;
 - (e) the report will be made available to the public; and
 - (f) any other conditions that the Minister establishes are or will be met.

[2011%2520Final.pdf&ei=FDkzVcqNMsw6ogSLv4D4Dg&usg=AFQjCNE_gq0koh75IUqcCOOfjh_CR2nleQ&sig=2=Du5ku_YoBzMcgL4u03LOcw&bvm=bv.91071109.d.cGU](#)

³⁸ *Ibid.*, pdf p.22.

³⁹ *Ibid.*, section 2(h), pdf p.22.

⁴⁰ *Ibid.*, section 2(i), pdf p.22.

My submission is that the B.C. environmental assessment of the proposed Woodfibre LNG Project violates several of the requirements of section 34 of *CEAA 2012* and therefore the Substitution Decision should be rescinded.

B. The Substitution Decision for EA of the Woodfibre LNG Project

The proposed Woodfibre LNG Project requires a federal environmental assessment under *CEAA 2012* because the Project activities exceed thresholds in *CEAA 2012 Regulations Designating Physical Activities* schedule section 14(d).⁴¹

The proposed Woodfibre LNG Project also requires environmental assessment under the B.C. *Environmental Assessment Act*.

By letter of November 27, 2013, an official of the B.C. Environmental Assessment Office (EAO) wrote to the President of the Canadian Environmental Assessment Agency (Agency). Pursuant to section 3 of the 2013 Memorandum of Understanding on Substitution of Environmental Assessments (MOU) between the EAO and the Agency,⁴² the EAO requested substitution under *CEAA 2012* of the environmental assessment of the proposed Woodfibre LNG Project. The request states B.C.'s commitment that "If substitution is approved by Minister Aglukkaq, British Columbia commits to fulfil the conditions for substitution under *CEAA 2012* in accordance with section 4 of the MOU."

On February 19, 2014, you, as the (federal) Minister of the Environment, wrote to B.C. Minister of Environment Mary Polak, informing her of your decision under *CEAA 2012* to approve substitution of the BC EA of the Project for the federal EA (Substitution Decision). The Substitution Decision sets out the following conditions:

"The Minister approves the substitution request given that B.C. has committed to meeting the following conditions:

- 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 up to Passage Island.
- The substituted process will include a consideration of the factors set out in subsection 19(1) of *CEAA 2012*.
- B.C. will ensure that any Orders under sections 11, 13 and 14 or 15 of B.C.'s *Environmental Assessment Act* require the subsection 19(1) factors.
- The public will be given an opportunity to participate in the environmental assessment.

⁴¹ Specifically, the Project includes the construction, operation, and decommissioning of a new facility for the liquefaction, storage, or regasification of LNG, with an LNG processing capacity of 3,000 metric tonnes per day or more, or a LNG storage capacity of 55,000 metric tonnes or more. Source: Application, Executive Summary, p.14.

⁴² http://www.eao.gov.bc.ca/pdf/EAO_CEAA_Substitution_MOU.pdf

- The public will have access to records in relation to the environmental assessment to enable their meaningful participation.
- At the end of the environmental assessment, B.C. will submit a report to the Agency that includes the findings and conclusions of the environmental assessment with respect to the factors as set out in subsection 19(1) of CEAA 2012.
- The report will be made available to the public.”

The Minister has also established the following additional conditions for this project:

- B.C. will involve expert federal authorities in the B.C. process.
- B.C. will provide the environmental assessment report to the Agency within a time frame that will enable the Minister to make decisions under subsection 52(1) of CEAA 2012 within the time limits set out in CEAA 2012. ...”⁴³

On May 29, 2014, the Regional Director of the Canadian Environmental Assessment Agency, Pacific and Yukon Region, wrote to the BC EAO, stating:

“The Substitution Decision identifies that the designated project to be assessed is the construction, operation and decommissioning of a liquefied natural gas facility, marine terminal and any incidental activities, including marine shipping activities. In respect of marine shipping activities, and for the purposes of the federal Minister of the Environment’s EA Decision under CEAA 2012, I would like to clarify that the scope of this component includes marine shipping activities from the liquefied natural gas facility and marine terminal site to Passage Island at the entrance to Howe Sound.” [underline added]

Presumably, the purpose of this clarification is to specify that where the Substitution Decision states that for the purposes of EA the Project includes “marine shipping activities up to Passage Island” [underline added] it means marine shipping activities between the proposed LNG terminal and Passage Island; not between the open ocean and Passage Island.

In summary, key legal requirements of the Substitution Decision include:

- The environmental effects must include the effects of accidents and malfunctions concerning LNG storage and shipping.
- The public must have an opportunity to participate in the environmental assessment.
- The assessment must include the environmental effects of LNG shipping in Howe Sound, but excludes the environmental effects of LNG shipping between Howe Sound and the Pacific Ocean (i.e., Buoy J).

⁴³ The Substitution Decision also includes additional conditions regarding consultation with Aboriginal groups.

VI. Rescission of the Substitution Decision

A. Grounds

The B.C. environmental assessment of the proposed Woodfibre LNG Project fails to meet the requirements of section 34 of *CEAA 2012* in the following respects:

1. The BC EA process does not, properly or at all, examine the environmental effects of accidents and malfunctions regarding the LNG shipping component of the Project, contrary to *CEAA 2012*, s.34(1)(a) and s.19(1) and the Substitution Decision, second bullet.
2. The BC EA process excludes members of the public from the Working Group, which conducts the core of the assessment of the Application, contrary to the requirement of *CEAA 2012*, s.34(1)(b) and the Substitution Decision, fourth bullet, that the public will be given an opportunity to participate in the environmental assessment. And, the BC EA process delays public access to crucial assessment information (via Internet posting) being considered by the Working Group, contrary to the requirement of *CEAA 2012*, s.34(1)(c) and the Substitution Decision, fifth bullet, that the public will have access to records in relation to the environmental assessment to enable their meaningful participation.
3. The Substitution Decision violates *CEAA 2012*, s.34(1)(a) by excluding from the substituted process an assessment of the environmental effects of LNG shipping, associated with the Woodfibre LNG Project, between Howe Sound and the Pacific Ocean.

These points are elaborated upon in the paragraphs that follow.

B. Argument

1. Failure to address accidents and malfunctions

The BC EA process is fundamentally deficient in examining the environmental effects of accidents and malfunctions of the LNG storage and shipping aspects of the proposed Project, particularly in relation to determining whether Woodfibre is or is not a suitable site.

First, the Application, which is the information on which the assessment is supposed to be conducted, contains no systematic analysis of the suitability of the Woodfibre site and no mention of the world-recognized SIGTTO LNG siting criteria, the Department of Homeland Security/U.S. Coast Guard waterfront LNG siting criteria, or any other LNG siting criteria. Nor is the BC EA process using any form of ‘zone of concern’ analysis regarding the proposed terminal and LNG shipping lane. This is completely inconsistent with current best regulatory practices. For example, as discussed above, for LNG terminal siting processes under the U.S. Federal Energy Regulatory Commission, the Homeland Security/Coast Guard guidelines⁴⁴ utilize three concentric zones of concern⁴⁵ based on the 2004 Sandia Report.

The U.S. guidelines require a map depicting the outer perimeter of the zones along the entire LNG vessel transit route, in order to assess what port and community features fall within the zones. The map produced for *My Sea to Sky*, attached to this letter, shows that:

⁴⁴ NVIC-01-2001, www.uscg.mil/hq/cg5/nvic/pdf/2011/NVIC%2001-2011%20Final.pdf

⁴⁵ *Ibid.*, pdf p.22.

- Hazard Zone 1 (within 500 m) intersects the heavily utilized channel between the Horseshoe Bay Ferry Terminal and Bowen Island;
- Hazard Zone 2 (within 1,600 m) takes in a segment of the Sea to Sky Highway, the community of Furry Creek, the popular Porteau Cove Provincial Park campsite, Bowyer Island, parts of Bowen Island and parts of Keats Island (if Route B is used) and parts of the communities of Horseshoe Bay and West Vancouver; and
- Hazard Zone 3 (within 3,500 m) includes Murrin Provincial Park, Britannia Beach, most of the Furry Creek residential development, Anvil Island, most of the Village of Lions Bay, Halkett Bay Provincial Park, much of Bowen Island, and considerable portions of the District of West Vancouver.

I submit that by not using any form of ‘zone of concern’ analysis the BC EA process is in effect failing to conduct an assessment of the effects of accidents and malfunctions of the Project, contrary to *CEAA 2012* and the Substitution Decision.

Second, the Application’s purported *risk assessment* regarding accidents and malfunctions⁴⁶ is completely inadequate. After stating the truism that “The likelihood of LNG release is rare,”⁴⁷ the Application makes the absurd statement that: “The consequences [of an LNG spill] to humans or ecological receptors are anticipated to be negligible to minor, excluding fire [?!], which is addressed in Section 11.3.8”⁴⁸

In Section 11.3.8, the Application states:

“Fires and explosions could also be associated with an LNG carrier. Normally, such fires or explosions would not lead to loss of containment. However, should an explosion occur that leads to an LNG tank failure, it could result in an LNG release from one cargo tank, and in the worst case, all cargo tanks. In this scenario, the LNG would be ignited close to the vessel so dispersion of a flammable gas vapour cloud would not be anticipated.”⁴⁹

So, having nominally acknowledged that in a worst case scenario LNG would be released from *all* the cargo tanks on an LNG carrier (maximum capacity of 180,000 m³), the Application somehow finds comfort that “dispersion of a flammable gas vapour cloud would not be anticipated” – why? – because instead “the LNG would be ignited close to the vessel.” To state the obvious, either outcome – an immediate LNG pool fire, or a wind-blown vapour plume followed by a fireball followed by a pool fire – would have severely negative consequences “to humans or ecological receptors,” not the “negligible to minor” consequences the Application claims.

⁴⁶ Application, Section 11, Accidents and Malfunctions, at http://a100.gov.bc.ca/appsdata/epic/documents/p408/d38525/1421093684707_KQQVJ0PJSG1lcH9LDD8L1J0CQhQw7NgD32kZQsvpHsxWNdyq1qCg!1378338455!1421086505978.pdf; Appendix 11-1 Preliminary Quantitative Risk Assessment, at http://a100.gov.bc.ca/appsdata/epic/documents/p408/d38525/1421101345723_KQQVJ0PJSG1lcH9LDD8L1J0CQhQw7NgD32kZQsvpHsxWNdyq1qCg!1378338455!1421086505978.pdf.

⁴⁷ Is there a type of catastrophic event that is not rare?

⁴⁸ Application, p.11-38, underline added.

⁴⁹ Application, p.11-46, underline added.

Furthermore, the proponent's bald assumption that LNG spilled from a carrier would *necessarily* ignite close to the vessel is plainly wrong.⁵⁰ The Sandia Reports (discussed above), endorsed by the U.S. Coast Guard, are quite clear that LNG siting analysis must include the possibility that an LNG spill over water creates a vapour plume that could travel 2,500 m or more before ignition, the creation of a fireball, a flash back to the source, and then a pool fire at the spill site.

At a higher level of analysis, the crucial deficiency is that the BC EA process is working with an Application that brazenly dismisses a spill of the entire contents of an LNG carrier as being of "negligible to minor" consequence to humans (or "ecological receptors") and therefore makes no attempt whatsoever to address meaningfully whether the location of the Woodfibre site and LNG shipping route in proximity to populated areas and major passenger transportation routes is acceptable from a siting perspective. In contrast, SIGTTO, the Sandia Reports, and the U.S. Coast Guard criteria all make it abundantly clear that the proximity of people to a proposed LNG facility site and shipping route is a major factor that must certainly be examined. This is particularly so where, as in the Woodfibre LNG case, the proposed LNG carrier route places populated areas within the zones of concern identified for hazard analysis and public safety analysis by the Sandia reports.⁵¹

Clearly, the Application's risk assessment is not an adequate basis for determining the suitability of the Woodfibre site.

Third, in response to public comments that Woodfibre is the wrong location for an LNG terminal the proponent routinely cites the TERMPOL process, for example: "Additional information and confidence will be provided through the TERMPOL process."⁵² Significantly, however, the TERMPOL process will not be completed until after completion of the BC EA process in June 2015 (due to the 180-day time limit in the B.C. *Environmental Assessment Act*). As a result, the *status quo* is that the BC EA process will produce a final report for the (federal) Minister that does not include any consideration of the results of the TERMPOL process. This is in stark contrast with the prominent role of the TERMPOL reports within the environmental assessments under CEAA of the marine shipping components of the Enbridge Northern Gateway Pipeline Project and the Trans Mountain Pipeline Expansion Terminal Project.

The Federal Court of Canada provided relevant guidance in *Greenpeace Canada v. Canada (Attorney General)*, 2014 FC 463.⁵³ That case involved judicial review of the adequacy of a federal environmental assessment under CEAA of the Darlington New Nuclear Power Plant

⁵⁰ It is also inconsistent with a statement elsewhere in the same chapter of the Application that "fire is unlikely in the event of loss of containment of fuel or LNG from a collision, since an ignition source would have to be present." Application, p.11-29, underline added.

⁵¹ 2004 Sandia Report, p.19

⁵² Application, p. 11-39. The TERMPOL process is a voluntary Transport Canada technical review process and risk assessment of vessel transits from the terminal to the open ocean. Current information is that the proponent will not take the next steps in the TERMPOL process until at least August 2015. The Application itself states that risk assessment in the Application is preliminary and "will be assessed more comprehensively in the marine risk assessments for the TERMPOL process." Application, p.11-22.

⁵³ *Greenpeace Canada v. Canada (Attorney General)*, 2014 FC 463 (CanLII), <http://canlii.ca/t/g6z5z>

Project proposed by Ontario Power Generation. In lengthy reasons for decision, Mr. Justice Russell upheld many aspects of the EA in question. However, he did fault the review panel that conducted the environmental assessment for making a recommendation that prior to construction of the Project the Canadian Nuclear Safety Commission confirm that certain radiation dose acceptance criteria will be met.

Mr. Justice Russell begins by noting that the issue “seems to engage the realm of highly improbable, but possibility catastrophic, events.”⁵⁴ I submit that this characterization also applies to the issue of a large LNG spill event in the Woodfibre LNG EA context. The judge then states:

“On policy grounds, it is logical that such scenarios should be considered by political decision-makers, because once again they seem to engage mainly questions of “society’s chosen level of protection against risk” that will be difficult for a specialized regulator to assess with legitimacy.”⁵⁵

In the Woodfibre LNG context, this means that it is the *Minister of the Environment* (at the federal level) who can legitimately decide whether the Woodfibre site provides an acceptable level of risk; and that this should not be left to the specialized TERMPOL process after the completion of the EA.

Mr. Justice Russell continues:

“On this view, having found that such an analysis [engaging “society’s chosen level of protection against risk”] was required, it would seem more appropriate for the Panel to have insisted it be completed within the EA process, so that it could be considered in the s.37 context [i.e., by political decision-makers upon receipt of the Panel’s report].”⁵⁶

In the Woodfibre LNG context, this means, I submit, that the results of the TERMPOL process should be considered *within* the environmental assessment process so that the Minister has the benefit of the TERMPOL results in deciding whether the Woodfibre site is appropriate considering, among other factors, the risk of an LNG spill.

Fourth, a blatant inadequacy in the BC EA process vis-à-vis the requirements of the Substitution Decision is that the environmental assessment material expressly excludes consideration of the environmental effects of the project due to intentional acts (i.e., of war or terrorism) and even of “force majeure.”⁵⁷ With respect, this approach is grossly out of date. For more than ten years, the U.S. has included both accidental and intentional events within analyses of the threats, hazards, and consequences of an LNG spill over water, in order to help reduce the risks to public safety and property. This approach began with the 2004 Sandia Report, discussed above.

Furthermore, as the government of Canada has recently said:

⁵⁴ *Ibid.*, para.331.

⁵⁵ *Ibid.*, underline added.

⁵⁶ *Ibid.*, underline added.

⁵⁷ “Accidents and malfunctions resulting from intentional acts of terrorism or war, or force majeure are beyond the scope of this assessment.” Application, p.11-3. The stated exclusion of “force majeure” events illustrates both a misunderstanding of the term and a reluctance to acknowledge candidly the consequences of an LNG spill.

“The world is a dangerous place and Canada is not immune to the threat of terrorism. Terrorist attacks on our own soil demonstrate that our law enforcement and national security agencies require more tools to keep pace with evolving threats, and to better protect Canadians here at home.”⁵⁸

There is no valid rationale for excluding intentional acts from the assessment of the potential effects of the proposed Woodfibre LNG terminal and marine shipping. By excluding intentional acts from the assessment, the BC EA process is significantly failing to meet the requirements of *CEAA 2012* and the Substitution Decision.

In conclusion on this ground, I respectfully submit that the Substitution Decision should be rescinded because the EA process does not, properly or at all, examine the environmental effects of accidents and malfunctions regarding the LNG shipping component of the Project, contrary to *CEAA 2012*, s.34(1)(a) and s.19(1) and the Substitution Agreement, second bullet.

2. Failure to Provide Public Participation and Access to Information

Under the BC EA process, members of the public are only provided an opportunity to make comments at various stages, for example regarding the “valued components,” the Application as filed in January 2015, and the draft EA report when it is produced in June 2015. However, the core of the BC EA process is conducted by the “Working Group.” The Working Group receives oral and written presentations from experts including the proponent’s experts. The Working Group puts oral and written questions to the proponent and its experts, and receives the responses. Yet the Working Group is closed to members of the public. *My Sea to Sky*, the organization I represent, would very much like to have a representative serve on the Working Group. However, that is not allowed. *My Sea to Sky* would very much like even to *observe* the meetings of the Working Group. That too is not allowed.

The requirement of *CEAA 2012*, s.34(1)(b) and the Substitution Decision, fourth bullet, is that “the public will be given an opportunity to participate in the environmental assessment.” I submit that being allowed to make comments from time to time does not constitute an opportunity to participate in the environmental assessment. The Working Group is a closed body and does not allow the public an opportunity to participate in the assessment.

Furthermore, in the BC EA process there are routine delays in the Internet posting of crucial assessment information being considered by the Working Group. This is contrary to the requirement of *CEAA 2012*, s.34(1)(c) and the Substitution Decision, fifth bullet, that the public will have access to records in relation to the environmental assessment to enable their meaningful participation.

3. Exclusion of LNG Shipping between Howe Sound and Buoy J

The Substitution Decision, and the BC EA process, artificially excludes LNG shipping between Passage Island (at the entrance to Howe Sound) and Buoy J. This is inconsistent with the treatment of environmental effects from project-related shipping through the same shipping lanes (Georgia Strait, Boundary Pass, Haro Strait, Strait of Juan de Fuca) in the *CEAA 2012*

⁵⁸ http://www.canada.ca/en/campaign/antiterrorism/?utm_campaign=antiterrorism_20150130_pub-safety&utm_source=online_vanity-url&utm_medium=web-marketing

assessment of two other major B.C. projects: the Kinder Morgan Trans Mountain Pipeline Expansion Project, and the Roberts Bank Terminal 2 Project.

As recently as April 22, 2015, you, as Minister of the Environment, issued terms of reference⁵⁹ for the Roberts Bank Terminal 2 Project that require the EA to consider “the environmental effects of marine shipping associated with the project which is beyond the care and control of the proponent and within the 12 nautical mile limit of Canada’s territorial sea.”⁶⁰

Similarly, in the Trans Mountain Pipeline and Westridge Terminal Project EA, the National Energy Board issued a September 10, 2013 filing requirements letter confirming that “Trans Mountain’s application must consider inbound and outbound journeys to and from the [Westridge] Terminal out to the 12 nautical mile territorial sea limit.”⁶¹

The requirement under *CEAA 2012* for an assessment of the environmental effects of the proposed Woodfibre LNG Terminal necessarily includes the environmental effects of the associated LNG marine shipping. This is implicitly acknowledged by the Substitution Decision, as it requires assessment of the effects of LNG shipping *within Howe Sound*.

With respect, the exclusion of marine shipping between Howe Sound and the Pacific Ocean is unwarranted and arbitrary.

First, LNG carrier transit from Howe Sound to the Pacific Ocean is as associated with the Woodfibre Terminal as is LNG carrier transit within Howe Sound. Both segments are under exclusive federal jurisdiction. There is no less reason to care about the potential effects of LNG shipping on the humans and environmental features of the Howe Sound to the Pacific Ocean segment than of the Howe Sound segment. The potential for an LNG spill during the transit past Vancouver and through Georgia Strait, Boundary Pass, Haro Strait and Juan de Fuca Strait exists as much as it does within Howe Sound.

Second, the prospect of laden LNG carriers transiting Georgia Strait, Boundary Pass, Haro Strait and the Strait of Juan de Fuca warrants proper EA consideration no less than does the prospect of laden oil tankers and laden coal ships transiting exactly the same route.

In my respectful submission, the *Act* requires consideration of the environmental effects of the Project, defined to include the associated marine shipping within federal jurisdiction, and the Substitution Decision violates *CEAA 2012* s.34 in purporting to exclude the Howe Sound to the Pacific Ocean segment.

⁵⁹ FINAL Roberts Bank Terminal 2 Project Review Panel Terms of Reference, April 2015, <http://www.ceaa-acee.gc.ca/050/documents/p80054/101301E.pdf>.

⁶⁰ *Ibid.*, p.2, underline added. The requirement continues: “Consideration includes the environmental effects of malfunctions or accidents and any cumulative environmental effects, the significance of those effects, suggested mitigation measures and the possible requirements of any follow-up program that may be required.”

⁶¹ *Filing Requirements Related to the Potential Environmental and Socio-Economic Effects of Increased Marine Shipping Activities* (Filing ID [A3K9I2](#)), underline added.

VII. Conclusion

For the reasons set out above, on behalf of *My Sea to Sky* I respectfully request that you reconsider and rescind the February 19, 2014 Substitution Decision under which the B.C. environmental assessment of the Woodfibre LNG Project is substituted for federal environmental assessment under the *Canadian Environmental Assessment Act, 2012*.

Yours truly,

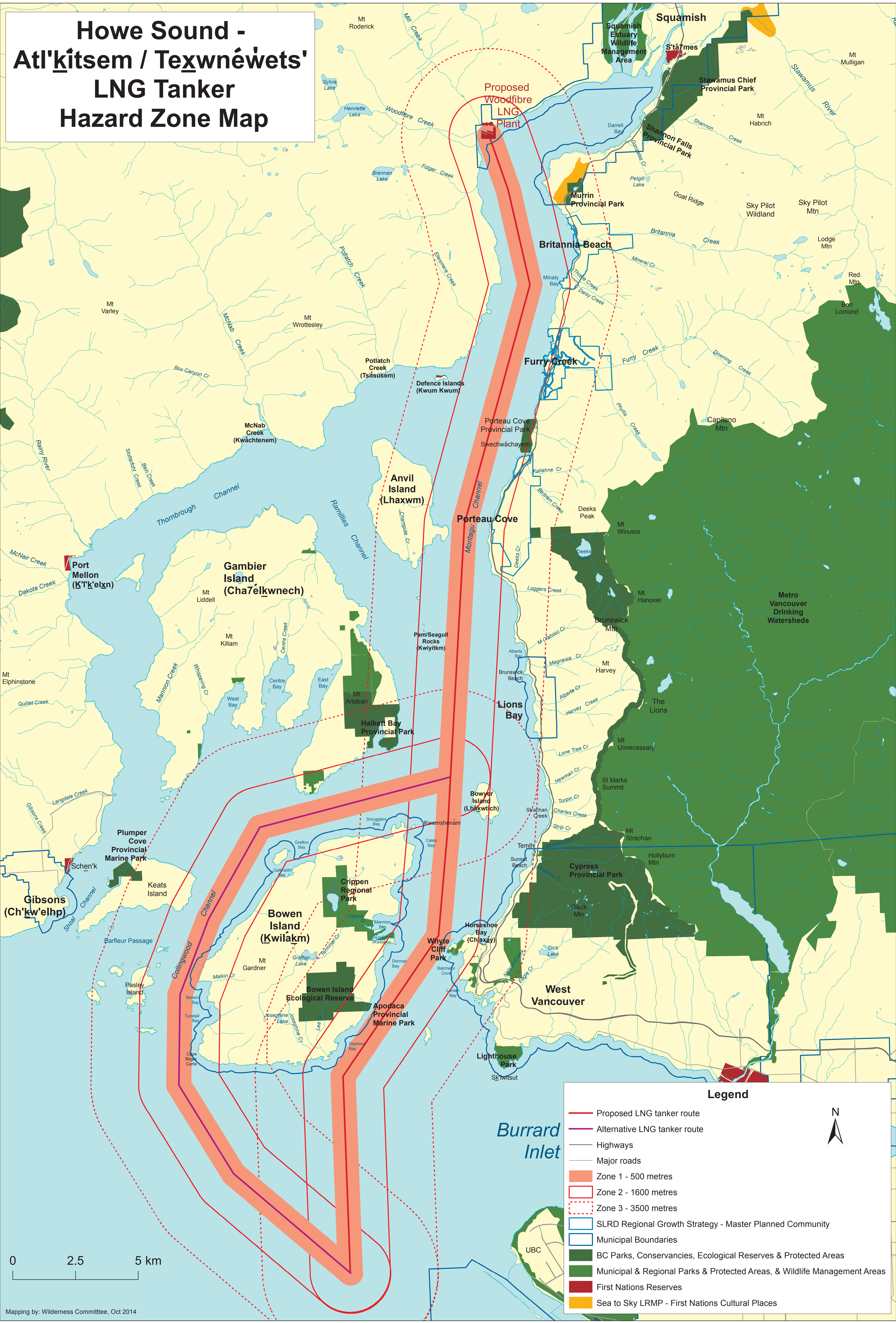


William J. Andrews
Barrister & Solicitor

cc. Hon. Mary Polak, B.C. Minister of Environment, env.minister@gov.bc
Michael Shepard, Project Assessment Manager, B.C. EAO, Michael.Shepard@gov.bc.ca

Enclosure: Map

Howe Sound - Atl'kítsem / Texwnéwets' LNG Tanker Hazard Zone Map





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

2015 May 05

FILE: 2410-20

UBCM Member Municipalities
Via Email Distribution

Dear UBCM Member Municipalities:

Subject: BC HOUSING NON-PROFIT ASSET TRANSFER PROGRAM
(Item 6 (G), Reports, Council 2015 May 04)

Burnaby City Council, at the Open Council meeting held on 2015 May 04, received the above noted report and adopted the following recommendations contained therein:

1. "THAT Council write to the Premier and the Deputy Premier and Minister Responsible for Housing, the Honourable Rich Coleman to express concern with the disposal of public land and building assets under the Non-Profit Transfer Program, as outlined in this report.
2. THAT Council request the Premier and Minister to provide for a long term plan to maintain public ownership of lands and buildings for non-market housing purposes to meet current and future community needs in the Province.
3. THAT a copy of this report be sent to Burnaby MLAs, the Metro Vancouver Board, and the City's Social Planning Committee.
4. THAT a copy of this report be sent to UBCM member municipalities for information."

In accordance with Recommendation No.4, a copy of the report is *enclosed* for your information.

Yours truly,

A handwritten signature in black ink, appearing to read 'Derek Corrigan'.

Derek R. Corrigan
MAYOR



Meeting 2015 May 04
COUNCIL REPORT

PLANNING AND DEVELOPMENT COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

SUBJECT: BC HOUSING NON-PROFIT ASSET TRANSFER PROGRAM

RECOMMENDATIONS:

1. THAT Council write to the Premier and the Deputy Premier and Minister Responsible for Housing, the Honourable Rich Coleman to express concern with the disposal of public land and building assets under the Non-Profit Transfer Program, as outlined in this report.
2. THAT Council request the Premier and Minister to provide for a long term plan to maintain public ownership of lands and buildings for non-market housing purposes to meet current and future community needs in the Province.
3. THAT a copy of this report be sent to Burnaby MLAs, the Metro Vancouver Board, and the City's Social Planning Committee.
4. THAT a copy of this report be sent to UBCM member municipalities for information.

REPORT

The Planning and Development Committee, at its meeting held on 2015 April 28, received and adopted the attached report providing a preliminary review of the BC Housing Non-Profit Asset Transfer Program.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor D. Johnston
Vice Chair

Councillor S. Dhaliwal
Member

Copied to:	City Manager Deputy City Managers Director Planning & Building Director Finance
------------	--



Meeting 2015 April 28

COMMITTEE REPORT

TO: CHAIR AND MEMBERS
PLANNING AND DEVELOPMENT COMMITTEE

DATE: 2015 April 16

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 16000 20

SUBJECT: BC HOUSING NON-PROFIT ASSET TRANSFER PROGRAM

PURPOSE: To provide a preliminary review of the BC Housing Non-Profit Asset Transfer Program.

RECOMMENDATIONS:

1. **THAT** Council write to the Premier and the Deputy Premier and Minister Responsible for Housing, the Honourable Rich Coleman to express concern with the disposal of public land and building assets under the Non-Profit Asset Transfer Program, as outlined in this report.
2. **THAT** Council request the Premier and Minister to provide for a long term plan to maintain public ownership of lands and buildings for non-market housing purposes to meet current and future community needs in the Province.
3. **THAT** a copy of this report be sent to Burnaby MLAs, the Metro Vancouver Board, and the City's Social Planning Committee
4. **THAT** a copy of this report be sent to UBCM member municipalities for information.

REPORT**1.0 BACKGROUND**

At its meeting on 2015 February 2, under 'New Business', Council requested staff to provide information on BC Housing's program to sell lands to non-profit societies operating social housing projects. This program is called the 'Non-Profit Asset Transfer Program', which proposes to sell Provincially-owned lands to non-profit societies on which social housing is built.

This report provides a preliminary review of the Non-Profit Asset Transfer Program and the response received from the BC Non-Profit Housing Association. More specifically, this report identifies the implications of the program for social housing properties in Burnaby; and discusses staff's concerns regarding the potential long-term impacts of the Province's divestment of public assets on the future provision of social housing in BC.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 2

The information included in this report was obtained from a variety of sources including staff consultation with representatives from BC Housing and BC Non-Profit Housing Association; BC Housing's website; newspaper articles; and Burnaby housing inventories.

2.0 BC HOUSING NON-PROFIT ASSET TRANSFER PROGRAM

In 2014 October, the Provincial government, as part of its housing strategy 'Housing Matters BC', introduced the Non-Profit Asset Transfer Program. The intent of the program is to offer non-profit housing providers the opportunity to buy the public land on which they operate social housing from the Provincial Rental Housing Corporation (PRHC). Over the next three years, up to 350 publicly-owned properties across BC may be involved in the program. It is anticipated that up to 115 of these properties will be transferred in 2015. The program is being implemented in two ways:

1. Sale of PRHC owned lands to non-profit societies who currently own and operate social housing buildings on these sites; and
2. Sale of public housing developments (properties directly managed by BC Housing) to non-profit societies through an open bid process (currently involving Stamps Place and Nicholson Tower in Vancouver).

BC Housing advises that proceeds from the sales will be reinvested into the creation of new non-market housing units, renovation of existing buildings, and other initiatives and partnerships that will expand affordable housing options.

***Summary Staff Comment:** After decades of senior government cutbacks in funding for social housing, the sale of publicly-owned land assets that have been set aside for this purpose would appear to be a continuation of the Provincial government's approach for divestment in social housing. While the Province has not announced the specifics of its intended allocation of the proceeds from these public land sales, in the absence of any new non-market housing programs, the proceeds would appear to be being allocated, over the short term, to fund current operating and building repair, upgrade and replacement cost and will result in the immediate and longer term loss of public ownership of non-market housing sites.*

2.1 Program Implementation

The Province's PRHC has about 350 publicly-owned properties across BC leased to non-profit societies. These properties all contain social housing buildings that are owned and operated by non-profit societies with operating funding provided under Federal and Provincial programs. The Province, through PRHC, is offering to sell the non-profit societies the land under these buildings. Eligible non-profits have the option of participating in the program or not. BC Housing advises that if a non-profit declines participation in the program, the existing lease agreement remains in place and no other purchasers would be considered for that property.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 3

For those non-profits that choose to participate, BC Housing will terminate the current lease and transfer ownership of the public land to the non-profit society at a market value, as determined by a property appraisal. The non-profit society will pay for the land and obtain a mortgage from a private lender to cover the purchase costs, if necessary. BC Housing advises that, in most cases, these would be second, 35 year term, mortgages on the property, as most non-profits will already have an existing mortgage in place for buildings on the land. BC Housing will assist the non-profit with securing CMHC-insured mortgages against the land. The non-profit will be responsible for the mortgage payments, which would replace any current land lease payments the non-profit may be making to PRHC. BC Housing advises that it will subsidize the non-profit's mortgage payments to the extent where the new mortgage payments are roughly equal to the land lease payments made previously. BC Housing adds that financial circumstances will vary by non-profit organization and each land purchase, which will be accounted for through this subsidy approach.

BC Housing advises that its current operating agreements with participating non-profits will remain in place after the transfer of the property. Operating agreements outline the number of required affordable housing units and the level of subsidy for the units. Those operating agreements that expire prior to the amortization of the new mortgage resulting from the transfer will be replaced by a new agreement with BC Housing that will apply until the end of the mortgage term. BC Housing advises that they do not anticipate any impacts to tenants or changes to the number of subsidized units as a result of the transfer of ownership under these new agreements.

At the time property is transferred to a non-profit society, a Section 219 covenant will be registered against the land to ensure the land remains available for affordable housing, only for the length of the operating agreement and/or mortgage. BC Housing states that prior to approving a property for transfer, it will ensure the non-profit society is in good standing under the *Society Act* and has a stated purpose to provide affordable housing. The non-profit society would be able to distribute assets upon dissolution or wind-up to another organization with a charitable purpose. BC Housing advises that once an operating agreement, covenant and mortgage expire, the non-profit society's constitution and bylaws will provide the only assurance that the property continues to provide for affordable housing.

Summary Staff Comment: *Once a non-profit society's mortgage is paid off and its operating agreement expires, it appears that mechanisms are not being put into place to ensure the land remains available for non-market housing in perpetuity. A non-profit society could choose, or may be forced, to sell the property on the open market for economic or other reasons. Proceeds from the sale could be directed to other housing units/sites, or to an alternate charitable purpose in another community, resulting in a loss of non-market units in the host community, and/or the long term loss of the non-market housing site in perpetuity.*

For the short term, the proposal's terms for the mortgage and housing agreements seem to maintain the provision of non-market housing by drawing on the revenue generated from the sale of the publicly owned land asset. Staff have sought clarification from BC Housing as to how the proceeds from land sales will be used, but have yet to receive a clear response. As such, staff

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 4

expect that the proceeds may in part or whole, be being used to fund ongoing operating agreements, and/or potential future allocations to housing programs. At this stage, however, accountability for the distribution of land sales revenues has not been provided by the Provincial government.

In the long term, the program would seem to transfer social housing responsibility to the charitable sector, with no assurances of continued public support in terms of social housing sites and/or operating support, and would result in the incremental loss of publicly owned lands for non-market housing over the longer term.

2.2 BC Non-Profit Housing Association response

The BC Non-Profit Housing Association (BCNPHA) represents most non-profit housing providers in BC. It has advocated for the transfer of Provincially-owned land to non-profit housing providers. It has indicated that land ownership would create more opportunities for housing providers to borrow money against their properties to fund capital upgrades or to expand the number of subsidized units.

From BCNPHA's perspective, the Non-Profit Asset Transfer Program is beneficial to the non-profit housing sector for several reasons:

- a) Land ownership would provide potential access to equity for investment in capital upgrades, redevelopment opportunities, and development of new stock in other locations, that otherwise should come from a Provincial housing program.
- b) Non-profits would potentially be able to leverage the ownership of assets into investments in affordable housing in an environment of expiring operating agreements¹ and a lack of new housing programs from senior levels of government.
- c) Land ownership would potentially support reinvestment in buildings because it would reduce the uncertainty associated with long-term leases that are approaching expiration.
- d) The Province's stated proposal to reinvest the proceeds of the transfers back into affordable housing is welcome in the short term, given the absence of any new Provincial funds for housing programs.
- e) Tenants would potentially benefit from the re-investment in improved general maintenance of the buildings, as supported by the conversion of the capital land asset into operating support.

¹ In B.C., approximately 30,000 units of social housing are managed under operating agreements with the Provincial and Federal governments. The operating agreements outline the subsidies that will be provided by both senior levels of government, and the obligations of the housing provider for obtaining the subsidy. The subsidies support housing providers to offer units on a rent geared to income basis. The majority of these long-term operating agreements are now beginning to reach their date of expiry and will continue to do so over the next ten to twenty years. At the time when the social housing developments were first built, it was viewed that once the original mortgage was paid off, there would be no ongoing need for continued government support. However, research by the Canadian Housing and Renewal Association indicates that many housing providers house tenants with very low incomes and do not generate sufficient income to pay for these ongoing expenses.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 5

Summary Staff Comment: The BCNPHA has advocated for the transfer of publicly-owned lands to its sector, largely as a response to decades of decreased funding commitments from senior governments. The sale of public assets would likely not be required if senior governments maintained funding for social housing at levels that would address public need, and building repair, maintenance and replacement requirements. The non-profit sector appears willing to accept the Province's responsibility for providing non-market housing, in an effort to assist those who cannot find appropriate housing within the private housing market. Again, from a long term perspective, the program would set a public policy direction for social housing to be the responsibility of the charitable sector, with specific levels of subsidy support regulated and/or restricted based on Provincial funding limits. Over the term of its implementation, the currently owned public land would be transferred to the charitable sector, representing a further divestment of publicly owned land assets that could otherwise provide for non-market housing in perpetuity.

3.0 BURNABY CONTEXT

Burnaby has over 5,500 non-market units located in 116 developments across the city that provide affordable housing for families, seniors, singles, and persons with disabilities and mental health challenges. These units are situated in non-profit, group home, co-operative, and public housing (directly managed by BC Housing) developments. In Burnaby, these developments are located on lands owned by the non-profit societies, co-operatives or PRHC. Of the properties located on land owned by PRHC, 25 properties are operated by non-profit societies and co-ops and the remaining seven properties are directly managed by BC Housing. In instances where the land is leased, the operator owns the improvements on the land (the buildings) and PRHC retains fee simple ownership of the land.

3.1 Eligible Burnaby Properties

BC Housing advises that of the 32 PRHC-owned properties in Burnaby, 15 that are leased to non-profit societies are eligible for the Non-Profit Asset Transfer Program. Of these 15 properties, six are already under contract to purchase that will take place early in the 2015/16 fiscal year. The remaining nine properties will be transferred over the next three years, should the affected non-profits choose to take part in the program. BC Housing states that the properties identified for the Non-Profit Asset Transfer Program were selected on a number of criteria including the good standing of the society, the condition and capital needs of the site, and the needs of the resident population. B.C. Housing did not provide the measures it used to evaluate these criteria to select the sites. A map of the 15 Burnaby properties is attached as **Appendix A**.

The six properties that are currently under contract to purchase are:

	Development Name	Burnaby Address	No. of Units	Operator	City party to Sec. 219 covenant?
1.	Catherine Anne Court	7273 17 th Ave.	45	Red Door Housing Society	Yes

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 6

	Development Name	Burnaby Address	No. of Units	Operator	City party to Sec. 219 covenant?
2.	Chaffey Lane	4389 Grange St.	37	Affordable Housing Societies	No
3.	Chelsea Terrace	5895 Kincaid St.	209	New Chelsea Society	No
4.	Chelsea View	5291 Oakmount Cres.	20	New Chelsea Society	Yes
5.	Heritage Heights	3765 Albert St.	21	Affordable Housing Societies	Yes
6.	Sunset Court	5850 Sunset St.	48	Affordable Housing Societies	Yes
TOTAL			380		

The remaining nine properties have been notified that they are eligible for transfer of ownership over the next few years are:

	Development Name	Burnaby Address	No. of Units	Operator	City Party to Sec. 219 Covenant?
1.	Altesse House/Lions Thurston Place	3762 Thurston St.	43	Burnaby Lougheed Lions Housing Society	No
2.	Britton House	7478 Britton St.	4	PosAbilities	No
3.	Concordia Court	7155 MacPherson Ave.	100	Affordable Housing Societies	No
4.	George Derby Centre	7550 Cumberland St.	300 beds	George Derby Care Society	No
5.	Lake Park Village	8580 Cumberland Pl.	43	More Than a Roof Mennonite Housing Society	Yes
6.	Liberty Place	7899 17 th Ave.	20	Strive Living Society	Yes
7.	Lions Kingsway Terrace	7393 16 th Ave.	32	Burnaby Lougheed Lions Housing Society	Yes
8.	Ridgeview Heights	450 Clare Ave.	40	PosAbilities	No
9.	Stride Place	7575 Kingsway	45	Burnaby Association for Community Inclusion	No
TOTAL			327		

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 7

Summary Staff Comment: *There are 15 out of 25 properties in Burnaby considered to be eligible for the program, leaving 10 properties to pursue renewal of their lease agreements and operating agreements nearing expiration. The short term future of properties ineligible for the program remains in question due to a lack of clarity by government as to future programs to support their continued provision of non-market housing. A clear commitment from the Province regarding how it will continue to support these operators is needed in the context of their expiring operating agreements.*

In terms of the City's efforts to commit these lands to public/non-profit housing, seven properties have City Section 219 covenants in place that maintain the housing use in perpetuity, as shown in the Table above. The covenants were established by the City at the time of commitment of the properties to non-market housing under rezoning. This same level of commitment could be put in place by the Provincial government on the titles of the eight remaining properties to maintain these public land assets, as well as for PRHC sites across the province. This would ensure the future use for these sites for non-market housing in perpetuity; however, currently this is not part of the Provincial program.

3.2 Public Housing Sites

BC Housing advises that there are currently no plans to transfer properties in Burnaby that it manages directly. However, it noted that two such properties in Vancouver, Stamps Place and Nicholson Tower, are currently being assessed for transfer. It is possible that other directly-managed sites in the Lower Mainland and elsewhere in B.C. may be transferred to the non-profit sector over the next several years.

Comment: *BC Housing's directly managed sites in Burnaby are not currently being considered for transfer. It remains, however, a concern and a possibility that they could be considered in the future. Residents of Stamps Place and Nicholson Tower in Vancouver have voiced significant concerns about the sale of these properties to a potential non-profit operator, the mandate of which may be unknown to existing tenants, due in part to a lack of consultation with residents. There is concern that the same lack of consultation and transparency would be applied to the sale of public housing sites in Burnaby and elsewhere in the Province should they come up for sale.*

3.3 204 Alpha Avenue and 205 Beta Avenue Properties

The properties at 204 Alpha Avenue and 205 Beta Avenue were purchased by BC Housing in 2007. These properties are comprised of two townhouse buildings constructed in 1959 with a total of 38 two-bedroom units. The properties are located on the southern border of Confederation Park.

BC Housing, through the PRHC, purchased the properties under the Provincial Homelessness Initiative. In 2008, the New Chelsea Society was selected to operate the housing, though PRHC retains ownership of both the land and buildings. Some of the units are provided to tenants on a rent geared to income basis while the remainder are provided at the low end of market rates.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 8

Currently, section 219 covenants are not registered on the titles of these properties to secure them for non-market housing into the future. BC Housing advises that these properties are not being considered for the Non-Profit Asset Transfer Program.

Comment: *In a letter dated 2007 October 10, Council requested BC Housing to provide written confirmation that the above properties will continue to be maintained as housing for low income families in perpetuity, however a response was not received.*

4.0 POTENTIAL LONG TERM IMPACTS

BC Housing states that the Non-Profit Asset Transfer Program provides a positive response to a long-standing request from non-profit housing operators to own the land on which their buildings are located. While the benefits of the program to non-profit societies have been publicized, there has been little discussion about how the divestment of public land assets is advantageous to the public and the security of public non-market housing into the future. Members of the Provincial Opposition and the media have suggested that the program is an effort by the Provincial government to balance its budget by eliminating property maintenance costs and collecting land sales revenue. Yet, the Province has remained largely silent regarding the questions and concerns raised about the program and the protection of public assets in the long term, and/or the accounting for sale revenue within the Provincial budgeting process.

The following further articulates concerns with the program.

4.1 Proceeds from Land Sales and Protection of Public Assets

Issue: *The sale of publicly-owned lands currently dedicated for affordable housing could result in the loss of lands for non-market housing in the future.*

BC Housing has advised that the proceeds from the land sales will be reinvested into the creation of new social housing units, the renovations of existing older social housing properties and other initiatives and partnerships that expand affordable housing options. However, they have not explicitly outlined how proceeds from the sale of publicly-owned assets will be utilized, and have not addressed the concern that in the longer term will there be a loss of public assets or sites remaining for non-market housing.

If the proceeds from the land sales are used to subsidize the principal and interest payments for the non-profits' mortgages, and to provide operating subsidies for the shorter term of the new operating agreements that will be put in place, it appears that this will consume the funds obtained from the sale of a capital asset for operating and shorter term funding of housing. Provincial Opposition members have asked for clarity about the Non-Profit Asset Transfer Program, assurances that the existing number and level of subsidies will remain in the future, and details of how the proceeds from the sale of publicly-owned property will be reinvested in affordable housing for the long term benefit of the Province. To date, these questions have remained unanswered.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16..... Page 9

In summary, once these lands are privately owned by non-profit societies, there is concern that the lands will no longer be secured for affordable housing in perpetuity. BC Housing advises that its operating agreements with participating non-profits will remain in place after the transfer of the property, and as part of these agreements, Section 219 covenants will be registered on the titles of the properties, only for the term of the operating agreements, restricting the use of the lands to non-market housing. However, the covenants are to be released at the expiration of the operating agreements, which could result in the lands being used for other charitable, non-housing purposes, or the housing site sold, with a direct impact in the number and security of social housing units in the Province. In the long term, the rising costs of land will make re-purchase of these currently held public lands less feasible for future generations.

BC Housing further advises that the societies' stated purposes under their constitutions will provide the only assurance that projects will continue to meet affordable housing needs into the future. These provisions require distribution of assets to other charitable entities upon dissolution or wind-up of a society. As noted, however, such provisions do not prevent a society from selling a property to a charitable entity outside the housing sector. Nor does it prevent the land from being sold and the proceeds from that sale being put towards a society's other housing operations or used to purchase land in other communities. In all cases, dedicated public lands for non-market housing in Burnaby and other BC municipalities could be permanently lost through this program.

4.2 Long-term Viability of Subsidized Units

Issue: With the Non-Profit Asset Transfer Program concerns about the long-term viability of subsidized units remain.

As mentioned above, BC Housing advises that current levels and the number of subsidies on transferred properties will be maintained through the establishment of new operating agreements; however, it is unclear what will happen once those agreements expire. Without continued operational funding from the Province, operators may be forced to find a balance between rental income and operational costs. In the longer term, with the removal of any requirements related to the number and level of rental subsidies in a development, a non-profit society would need to consider raising rents to levels above the affordability level of clients to maintain financial balance once the agreement expires, as funding levels are lower, or costs increase.

Concerns have also been expressed regarding the capacity of some non-profits to leverage newly gained land ownership to finance renovations or redevelopment. Depending on their financial expertise, some non-profits could encounter financial difficulties, which could result in fewer or reduced levels of subsidies for units. Given that the demand for affordable housing remains high and the region's population is growing, the Province needs to responsibly protect existing subsidized units and commit to providing more units and sites to meet growing demand with funding programs that meet social housing needs in BC.

To: Planning and Development Committee
 From: Director Planning and Building
 Re: BC Housing's Non-Profit Asset Transfer Program
 2015 April 16.....Page 10

4.3 Expiring Operating Agreements

Issue: For non-profit societies that are not eligible for the Non-Profit Asset Transfer Program, expiring operating agreements remain a concern.

The expiry of existing operating agreements between non-profit housing providers and the Federal and Provincial governments has raised concerns over the last few years about the security of subsidies for low income tenants. At the time when many of BC's social housing developments were first built, it was viewed that once the original mortgage was paid off, there would be no ongoing need for continued government support. However, research by the Canadian Housing and Renewal Association indicates that many housing providers house tenants with very low incomes and do not generate sufficient income to pay for these ongoing expenses, such as maintenance costs and rent subsidies, without continued funding from senior government. Potential impacts could include higher average rents, a reduced number of deeply subsidized units, and/or a net loss of more affordable units (i.e. the transfer of units to market rents). As such, the expiration of operating agreements will have significant impacts on many housing providers and tenants in developments that are deemed not eligible for new funding.

4.4 Loss of Public Accountability

Issue: The transfer of publicly-owned assets to non-profit societies weakens public accountability for the operation and maintenance of social housing.

With the transfer of public assets to non-profit societies, concerns have been expressed over the loss of public accountability for the operation and maintenance of social housing developments. Currently, the public can appeal to BC Housing and elected officials when concerns arise regarding the condition, maintenance and operation of social housing properties tied to BC Housing through its operating agreements and land leases. With the transfer of land ownership to non-profit societies, this direct level of accountability will be reduced.

4.5 Loss of Government commitment

Issue: With the Non-Profit Asset Transfer Program, the Province appears to be further divesting itself from its responsibility to provide housing for low income households and other vulnerable populations.

The BCNPHA advises that it has advocated for the transfer of publicly held lands to non-profit societies in response to the absence of any new senior government funding for social housing. This is a situational response to senior governments' diminishing commitment to the provision of non-market housing. The City is concerned that the Province is continuing this trend by selling publicly-owned housing assets and further removing itself from its responsibilities for the provision of non-market housing. As the City has long advocated, senior levels of government have the constitutional responsibility and are the only agencies with the fiscal capability to ensure an adequate and secure supply of non-market housing.

To: *Planning and Development Committee*
From: *Director Planning and Building*
Re: *BC Housing's Non-Profit Asset Transfer Program*
2015 April 16.....Page 11

5.0 CONCLUSION AND RECOMMENDATIONS

BC Housing's Non-Profit Asset Transfer Program has serious implications for the future of public land assets in Burnaby and province-wide. As with any public asset, the intent is that they provide long term benefits for the Province and its citizens. Due to the potential long-term implications of the program, numerous concerns have been raised, as outlined in this report. To ensure publicly owned land assets are protected now and in the future, it is critical that the Provincial government recommit to its responsibility as a direct provider of non-market housing.

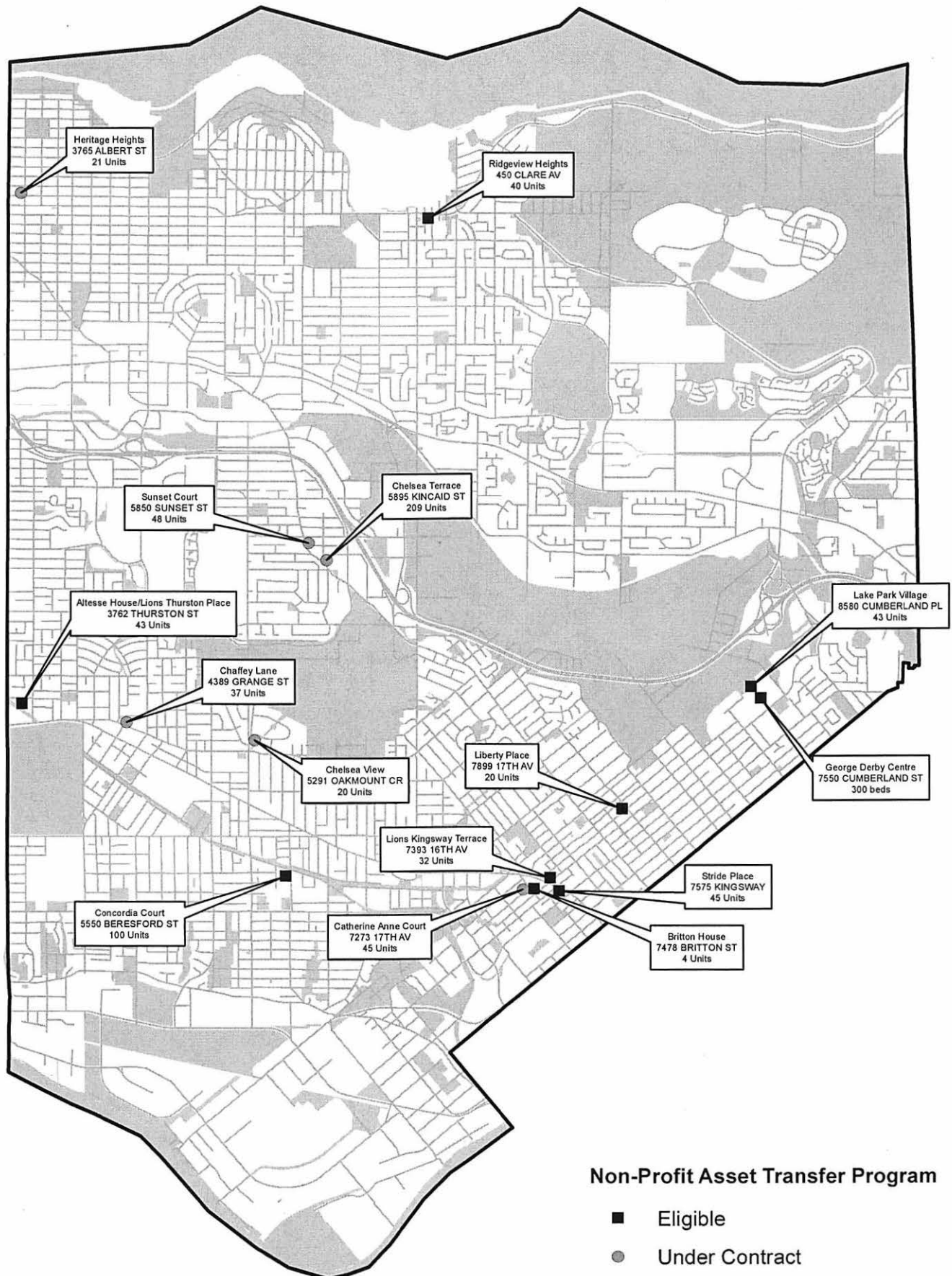
It is therefore recommended that Council write to the Premier and the Deputy Premier and Minister Responsible for Housing, the Honourable Rich Coleman to express concern with the disposal of public land and building assets under the Non-Profit Asset Transfer Program, and request the Minister to provide for a long term plan to maintain public ownership of lands for non-market housing purposes to meet current and future community needs in the Province.

It is further recommended that a copy of this report be sent to Burnaby's MLAs, UBCM member municipalities, the Metro Vancouver Board and the City's Social Planning Committee.


Lou Pelletier, Director
PLANNING AND BUILDING

CS/MM/sa
Attachment

cc: City Manager
Deputy City Managers
Director Finance
City Clerk



From: [Lions Bay Reception](#)
To: [Agenda](#)
Subject: FW: Finding common cause: Innovative environmental and public health action on Planetary Health
Date: Monday, May 04, 2015 5:11:31 PM
Attachments: [Planetary Health Flyer.pdf](#)

? Incoming Correspondence

Susan Loutet

Administrative Assistant

The Municipality of the Village of Lions Bay. www.lionsbay.ca

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

Tel: (604) 921-9333 ext. 100 | Fax: (604) 921-6643

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you'd notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not binding on the Municipality of the Village of Lions Bay ("Municipality") until contracted. This email is the property of the Municipality and may not be reproduced or further disseminated in whole or part without the Municipality's consent. It may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality.

From: Cecilia Velasco [mailto:staff@phabc.org]
Sent: Monday, May 04, 2015 4:02 PM
To: Cecilia Velasco
Subject: Finding common cause: Innovative environmental and public health action on Planetary Health

Dear PHABC members and friends,

As part of CPHA Annual Conference (Vancouver 25-28) PHABC is happy to present the following session dedicated to British Columbia:

Finding common cause: Innovative environmental and public health action on Planetary Health

Thursday, May 28 8:30-12:30 Hyatt Regency Vancouver

Registration: \$30 | PHABC Members: \$15 | Students/Seniors: \$15 [Register here](#)

Public health and the environmental movement share many common causes as environmental harm almost always results in damage to human health. Both also share many common strategies to bring about positive social and environmental change. Join us on Thursday, May 28 to discuss the right to a healthy environment, the impact of fossil fuels and learn how you can support the opportunities to create clean, green, healthy and sustainable energy systems across Canada.

Part I of this session will explore our right to clean air, fresh water and healthy food and demonstrate ways that you can secure your right to a healthy environment. During Part II, multiple dynamic speakers will inspire you as they impart knowledge and strategies and explore options for alternative energy systems. The session will close with panelists who will delve into how policy change can incite action.

[Learn more about this session](#) and the environmental and public health innovators that are leading transformative change for health.

I have attached a flyer for promotion, please share with your colleagues and networks.

Kind regards,

Cecilia Velasco

Office Coordinator

PHABC

210-1027 Pandora Ave

Victoria, BC V8V 3P6

(250) 595-8422

staff@phabc.org

www.phabc.org



Finding common cause: Innovative environmental and public health action on Planetary Health

Thursday, May 28 08:30-12:30 Hyatt Regency Vancouver

Registration: \$30

PHABC Members: \$25

Students/Seniors: \$15

Introduction

- Anthony Capon, International Institute for Global Health, United Nations University
- Trevor Hancock, School of Public Health and Social Policy, University of Victoria

Right to a Healthy Environment

The Legal Framework

- David Boyd, Resource and Environmental Management, Simon Fraser University & School of Environment and Sustainability, Royal Roads University

The Blue Dot Campaign

- Peter Robinson, The David Suzuki Foundation

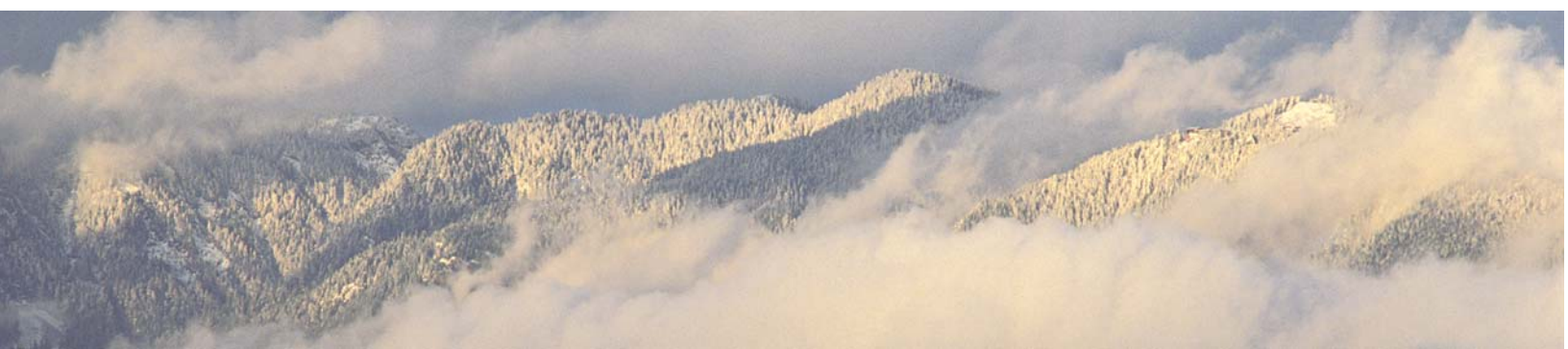
Pecha Kucha Presentations

- Seven dynamic speakers will inspire you, as they impart the knowledge and strategies they have used to take action against fossil fuels and opportunities to create clean, green, healthy and sustainable energy systems across Canada.

Policy and Action Perspectives: How do we go to the next step?

- Tim Takaro, Faculty of Health Sciences, Simon Fraser University & Lead, BC Climate Change and Health Policy Group
- Tracey Saxby, My Sea to Sky

Learn more about this session and the innovators leading the transformative change for health.



From: [Metro Vancouver Media](#)
Subject: Media Release - Love Food Hate Waste
Date: Thursday, May 07, 2015 10:19:33 AM
Importance: High



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

MEDIA RELEASE

May 7, 2015

LOVE FOOD HATE WASTE

Metro Vancouver today launched [Love Food Hate Waste](#), a three-year campaign to reduce avoidable food waste at home.

Food that was purchased but never eaten is considered avoidable waste. Common examples include bread that goes mouldy, vegetables that wilt, spoiled fruit, and expired dairy products.

“Over half of all food waste in Metro Vancouver is avoidable,” said Metro Vancouver Zero Waste Committee Chair Malcolm Brodie. “To put this into perspective, that’s 80,000 potatoes, 26,000 bananas, 70,000 cups of milk, and 32,000 loaves of bread wasted every single day in our region.”

“The problem is that people prepare or buy too much food without a plan for eating it,” he added.

Metro Vancouver’s Love Food Hate Waste campaign is modelled on [WRAP United Kingdom’s](#) successful initiative of the same name. Since its launch in 2007, avoidable household food waste was cut by 21 per cent over five years, saving UK consumers £13 billion.

“Working with WRAP UK we are able to replicate their program here in Canada taking full advantage of a highly successful, proven campaign,” said Director Brodie.

The campaign will initially focus on helping people get the most from the food they buy by using simple and practical steps to immediately reduce food waste. This includes storage tips for extending freshness, seasonal menus prepared by the North Shore Culinary School, portion calculation to determine how much of each ingredient to buy, and explanations about what ‘best before’ dates really mean.

To prepare for the campaign, Metro Vancouver conducted baseline research to determine the extent of waste as well as people’s attitudes toward food. This research included detailed kitchen diaries from 500 representative households around the region, and 80 random compost bin inspections.

In addition to reducing food waste in the region, Metro Vancouver also hopes to educate residents and businesses about the damage and costs incurred from using our drains like garbage cans.

“From the research undertaken, Metro Vancouver for the first time has data on what’s going down kitchen sinks, garburators, and toilets,” said Darrell Mussatto, Chair of Metro Vancouver’s Utility Committee. “We would also like to stop food waste from going down the drain or being flushed away.”

With the ability to receive guest content and blogs, Metro Vancouver’s [Love Food Hate Waste](#) website will provide residents and local chefs opportunities to exchange information and ideas on food use and waste reduction.

The Love Food Hate Waste campaign was announced, in collaboration with WRAP UK, at Metro Vancouver’s 2014 [Zero Waste Conference](#), and officially launched today at the Recycling Council of British Columbia’s 2015 conference in Whistler. The campaign will also be featured in Canada’s first ‘Feeding the 5,000’ on

May 27 at the Vancouver Art Gallery. The event will provide 5,000 free lunches prepared by culinary students using rescued food to those gathered at the event.

Hashtag: [#nofoodwasted](#)

Twitter: [@LFHW_ca](#)

Instagram: [LFHW_ca](#)

Pinterest: [LFHW_ca](#)

Media Contact

Don Bradley

Division Manager, Media Relations

c. 604-788-2821, don.bradley@metrovancover.org

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.



Canada united in the achievement of zero waste, now and for future generations

NEWS RELEASE

Celebrating Canadian Design for Preventing Waste & Increasing Sustainability

May 7, 2015 - Achieving zero waste means incorporating environmentally conscious design from start to finish, and Canada's [National Zero Waste Council](#) is highlighting eight companies for their ability to meet design criteria for zero waste and increased sustainability.

The National Zero Waste Council's [design portfolio](#) is a showcase and education portal featuring products made using lifecycle thinking and zero waste design principles as key elements of manufacturing, distribution, use, and disposal. These products provide a benchmark for Canada's zero waste movement, and the product and packaging industry.

"Finding new ways to prevent waste is essential to achieving the National Zero Waste Council's goal to advance a waste prevention agenda in Canada," said Malcolm Brodie, Chair of the National Zero Waste Council.

"We commend these eight businesses for their innovation in design and for being at the forefront of the waste reduction movement. This kind of leadership will help us achieve sustainability that will benefit future generations," he added.

The goal of the Council's [Product Design and Packaging Working Group](#) is to promote zero waste design at all stages of a product's lifecycle. This web-based design portfolio is the Working Group's first project, and showcases what companies can accomplish with great design.

"Design is the foundation for true sustainability in products," said Susanna Carson, CEO, BSI Biodegradable Solutions and Co-Chair of the Product Design and Packaging Working Group. "When companies can make a product that minimizes waste in production and creates no waste at the end of its use, we've made real steps towards a circular economy and a future of great products in Canada."

Businesses can [apply](#) to be featured in the design portfolio, and their products must be both available for purchase in Canada, and be either invented, designed, manufactured or packaged in Canada. A panel of leading experts in sustainable design and circular economy review all qualifying applications.

"By recognizing great design and thinking about all the systems required to achieve such designs, we hope to educate and inspire individuals and companies across the packaging value chain to think differently about the role that products and packaging can play in reducing and eliminating waste," said Alan Blake, Executive Director PAC NEXT and Co-Chair of the Product Design and Packaging Working Group.

"We look forward to expanding this design portfolio, and we invite companies with zero waste design in their products to get involved in this work and submit to the portfolio," he added.

The eight businesses and their products featured in the National Zero Waste Council's design portfolio are:

[Steelcase](#) – [Think Chair](#)

[Eclipse Awards](#) – [Green Recognition Awards](#)

[Nature's Path](#) - [Flax Plus® Granola Packaging](#)

[Keilhauer](#) - [Felt Furniture](#)

[Live for Tomorrow](#) - [Dirt Happens Laundry Detergent](#)

[Mountain Sky Soap](#) - [Mountain Sky Natural Bar Soap](#)

[Boardroom Eco](#) - [EcoApparel rPET Clothing](#)

[Totem Bags](#) - [Quality Bags with a Conscience](#)

ABOUT THE NATIONAL ZERO WASTE COUNCIL

The [National Zero Waste Council](#) was founded by [Metro Vancouver](#) in collaboration with the [Federation of Canadian Municipalities](#) in October 2013 to advocate for and collaborate on waste prevention, and advance a waste prevention agenda in Canada.

The Product and Packaging Working Group promotes industry education and adoption of zero waste principles in product design by Canadian businesses. It was founded in 2014 with representation from industry, associations, consultants, and government representatives from across Canada.

MEDIA CONTACTS

Denise Philippe
Senior Policy Advisor
National Zero Waste Council Secretariat
778-452-2650, admin@nzw.ca

Susanna Carson
Co-Chair, Product Design and Packaging Working Group, and
CEO, BSI, Biodegradable Solutions
604-350-8892, info@bsibio.com

The National Zero Waste Council is a leadership initiative bringing together governments, businesses, and non-government organizations to advance a waste prevention agenda in Canada.



Access Awareness Day 2015

MAYOR AND COUNCIL
PO BOX 141
LIONS BAY BC V0N 1W0

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

May 1, 2015

Dear Mayor and Council:

RE: Access Awareness Day—June 6, 2015—Is Accessibility Working in Your Community?

June 6, 2015 marks SPARC BC's 18th annual Access Awareness Day! Access Awareness Day gives each of us an opportunity to look at our communities and to think about what we can do to make our communities more accessible and inclusive for everyone!

The theme for this year's Access Awareness Day is "Accessibility is Working". As part of this year's Access Awareness Day, our goal is to draw attention to leading practices and local innovation across BC communities with a focus on working together to help ensure that our communities are as accessible and inclusive as possible.

Each year we ask local governments to help support Access Awareness Day by passing a proclamation that recognizes the rights of all individuals to be active in their communities and to have the opportunity to participate in all aspects of community life. We hope you will consider adopting a proclamation that confirms your on-going commitment and support for building accessible and inclusive communities together.

As in the past, we have created a "leadership space" on our website where we recognize municipalities and organizations that have joined with us to promote Access Awareness Day. Our website lists municipalities that have recognized Access Awareness Day through an annual proclamation or letter of support.

As part of this year's Access Awareness Day activities, our goal is to profile initiatives where accessibility is working. If you have a story or initiative that you feel is a good example of how

communities can work together to promote greater accessibility, please share it with us and we will help to promote it through our networks and with our members.

We also know that accessibility is something that is achieved by working together. Please join us in making this year's Access Awareness Day one of the best and help us to ensure that accessibility is working for everyone! If you have an idea or would like more information about how we could work together to advance shared accessibility goals, please do not hesitate to contact Alla Timofeyeva at 604-718-7735 or send an email to mycommunity@sparc.bc.ca.

Thank you for your support. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Lorraine Copas". The signature is fluid and cursive, with the first name "Lorraine" and the last name "Copas" clearly distinguishable.

Lorraine Copas
Executive Director

Enclosure:

Sample Proclamation

SPARC BC Access Awareness Day Poster

Access Awareness Day 2015 Proclamation

WHEREAS: Accessibility and inclusion is essential for ensuring that all community members have equity in opportunities, and the ability to fully participate in community life; and,

WHEREAS: Accessibility affects all aspects of community life—physical, social and economic including employment, transportation, recreation, housing, and other opportunities; and,

WHEREAS: We all have a role to play in ensuring that our communities are as accessible and inclusive as possible.

THEREFORE BE IT RESOLVED:

The citizens of _____ recognize the importance of ensuring that people with disabilities have equitable access to the opportunities that are important to them and live in an accessible community.

I, _____, Mayor/Chairperson of _____, do hereby proclaim Access Awareness Day—Saturday, June 6, 2015 in _____, a day of individual and group action to promote positive ways of building accessibility together to create accessible and inclusive communities for all of our citizens.

In witness whereof I hereunto set my hand this _____ day of _____ 2015.

Mayor/Chairperson of _____





PRESS RELEASE

Cross-Sector, Collaborative Approach to Raising Awareness on Harms of unused Prescription Drugs



*(John Weston, MP, and pharmacist **Cristina Alarcon** of West Vancouver's **Hollyburn Pharmacy** drop their unused prescription drugs in a designated pharmacy bucket propped up by **West Vancouver Police Department Inspector Scott Findlay**)*

May 08, 2015 –Hollyburn Pharmacy in West Vancouver witnessed today a highly collaborative approach to addressing the harms surrounding unused Prescription Drugs: **a rare cross section of key players from law enforcement, pharmacy, education, the Recovery movement, and government came together** at the local pharmacy to formally announce and kick-off National Prescription Drug Drop off Day. Participants included **Inspector Scott Findlay of the West Vancouver Police Department; pharmacist Christina Alarcon; West Vancouver School District's Deputy Superintendent Dave Eberwein; Executive Director of Orchard Recovery Center Lorinda Strang; Acting Mayor and Municipal Councillor Mary-Ann Booth; and John Weston, MP.**

Weston worked with local and national leaders to launch Prescription Drug Drop off Day in 2013, when two tons of unused prescription drugs were disposed of responsibly. His work sprang from his Private Member's Bill C-475, Tackling Crystal Meth and Ecstasy, and his work promoting Recovery from Substance Abuse.

The momentum created in building towards the day is part of the National Anti-Drug Strategy to raise awareness about the issue of prescription drug abuse and misuse, as well as to encourage Canadians to drop off their unused prescription drugs at their local pharmacy or participating police station—which can occur at any point throughout the year.

Why is this initiative so important?

Across the country, there has been a rise in overdose deaths and emergency room visits because of prescription drugs. **In British Columbia, as many people are dying of opioid overdose as those who die from drunk driving according to the Canadian Centre on Substance Abuse (CCSA).** One in eight



John Weston^{MP}

West Vancouver – Sunshine Coast – Sea to Sky Country

PRESS RELEASE

youth reported using a prescription opioid pain reliever non-medically in the past year, and of those teens, 70 per cent reported obtaining the drug from home according to the CCSA.

Setting aside a Day as part of the awareness campaign around the issue **marks one step in the larger goal to improve the health of all Canadians** and encourage a robust and engaged citizenry at the grassroots level that is willing to take their health, and the health of their children, into their own hands.

Weston has another Private Member's Bill to be tabled in the next two weeks, to continue work in combatting the misuse of prescription drugs.

Quotes:

"National Prescription Drug Drop-off Day is very important because it urges Canadians to take action. Keeping unused medicines around the house is not safe. Expired medicines can be ineffective or even toxic, and prescription drugs can be subject to inappropriate use and abuse."

- Christina Alarcon, Hollyburn Pharmacist

"In our schools, the number one priority for us is student safety. National Prescription Drug Drop-Off Day is important because it keeps children safe at home, at play and in school. I'm pleased to support initiatives that help keep legal or illegal drugs out of the hands of minors."

- Dave Eberwein, Deputy Superintendent, West Vancouver School District

-30-

For more information on this initiative, visit our website by [clicking here](#).

To arrange an interview or obtain comment from MP Weston, please contact:

Jessica Faddegon, **Director of Communications**

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

604-981-1791   JohnwestonMP

[Get Involved-Stay Connected!](#) [Sign-up for News from MP Weston's Office](#)

National Life Jacket and Swim Day on the Hill; Towards a Drown-free Canada



(L-R : Pierre Lafontaine, Lafontaine Sports Consulting and Swim Coach for the Parliamentary Fitness Initiative; **Camille Berube**, of the Para Pan Am Swim Team; **Erika Seltenreich-Hodgson**, of the Pan Am Swim Team; and **John Weston, MP** and initiator of the event pose with **Buckles the Red Cross Life Jacket** to promote swimming Safety across Canada)

(Ottawa, May 11, 2015) Parliamentarians and safe-swimming organizations joined together on the Hill to mark the fourth annual National Life Jacket & Swim Day on the Hill in Ottawa. **Erika Seltenreich-Hodgson**, of the Pan Am Swim Team, and **Camille Berube**, of the Para Pan Am Swim Team, spoke at the event regarding the important role that swimming has played in their lives. An array of organizations, Senators, and MPs, including the initiative's founder, John Weston, *MP for West Vancouver – Sunshine Coast – Sea to Sky Country*, came together on Monday, May 11th, to promote swimming as an accessible life skill and superb approach to health and fitness, all underlined by a safety theme.

An event related to [National Health and Fitness Day](#), National Life Jacket and Swim Day on the Hill also brought out **Rick Caissie**, Director General, Prevention and Safety, of the **Canadian Red Cross**, and **Raynald Hawkins**, of **Lifesaving Society Canada**, to speak about the importance of lifejacket use in drowning prevention. Other attendees included **Swimming Canada** and the **YMCA Canada**.

This event, which falls before the May Long Weekend, highlights the need for education surrounding swimming and boating safety. While boating is a popular summer activity, tragically there are fatalities every year as a result of the activity. For example, a young Québécois man tragically **drowned** in early

May of this year after he and his best friend were tossed out of their canoe into frigid and wavy waters. Able to grab only one lifejacket before the canoe tipped, the survivor was rescued hours later, while he was a victim of drowning.

Sadly, that drowning victim is not alone. Every year, an average of over 500 Canadians drown. Of these, over 160 Canadians drown while boating, around 90 **per cent** of whom were not wearing lifejackets, or **were not** wearing them properly. Incidents of drowning are increasingly common where life jackets are present on boats, but not worn – accounting for 24 **per cent** of **deaths caused by** drowning. Despite water safety initiatives, unsafe behaviours continue to put Canadians at risk. These statistics reflect the importance of risk prevention strategies, including First Aid or Swimming and Water Safety courses.

This non-partisan event saw the involvement of NDP MP **Peter Stoffer**, Liberal MP **Kirsty Duncan**, and Conservative MP **Weston** in promoting National Life Jacket and Swim Day. Youth from **Scouts Canada** assisted children in attendance with the use of lifejackets properly to drive home the message about safety. Other attendees included the **Canadian Red Cross**, which engages more than 1.2 million Canadians in its summer swim program, the Canadian Tire Jumpstart Charities, YMCA Canada, Swimming Canada, Lifesaving Society Canada, and Scouts Canada. The event was well attended by Parliamentarians, some of whom included Fin Donnelly, Colin Carrie, Barry Devolin, and Jim Eglinski.

Swimming:

- Swimming is a great form of moderate physical activity – adults need 2.5 hours of moderate activity per week.
- 525 Canadians drown each year– these deaths are often preventable with swimming and water safety lessons.. Drowning happens fast; sometimes in as little as two minutes.
- Drowning is one of the leading causes of death amongst Canadian children aged one to four.



(L-R: John Weston, MP; Erika Seltenreich-Hodgson, of the Pan Am Swim Team; Camille Berube, of the Para Pan Am Swim Team; Pierre Lafontaine, Lafontaine Sports Consulting and Swim Coach for the Parliamentary Fitness Initiative; and Canadian Tire's Jumpstart Kids pose with Buckles the Red Cross Life Jacket to raise awareness for swimming safety)

Camille Berube stated that "Every Canadian should be safe and feel safe around water. This is why I think it's important to give people tools to prevent drowning. Swimming is a sport that anyone can participate in at any age and it is definitely enjoyable! Knowing how to swim could save not only your own life but other people's too. I'm honoured to be part of this event today to ensure that we promote the importance of wearing a lifejacket and of knowing how to swim."

Weston added that, "Swimming changed my life, from sick child to athletic adult. By working together, we can promote swimming as a great form of physical activity, and work towards making Canada the Fittest Nation on Earth!"

For more information, high resolution photos, or a comment from MP John Weston, please contact:

Jessica Faddegon, Director of Communications
Office of John Weston, MP for West Vancouver – Sunshine Coast – Sea to Sky Country
Phone: 604-981-1791 or 604-355-3957
Email: john.weston.c1@parl.gc.ca

For more information or a comment from any of the above organizations, please contact:

Marilyn McIvor, National Health and Fitness Day Project Manager
Phone: 613-402-5154 Email: john.weston.a3@parl.gc.ca

www.johnweston.ca/national-health-and-fitness-day

From: [REDACTED]
Sent: Sunday, May 03, 2015 11:41 AM
To: Mandy Giesbrecht
Subject: 5 Year Plan

Mayor and Council,

I have reviewed the Proposed 5 Year Capital and Operating Plan for the Village of Lions Bay.

I am extremely pleased on your focus on fixing for 'GOOD' the frequent water issues that have plagued the Village over the past number of years.

I commend the integrity and and purpose of the current Mayor and Council to see the project through as the number 1 priority for 2015 for the Village residents.

Yours truly,

[REDACTED]

From: [REDACTED]
Sent: Monday, May 11, 2015 9:47 PM
To: Shawna Gilroy; Council @ Lions Bay
Subject: Kelvin Grove Beach Concerns

To Mayor Karl Buhr, Councillor Fred Bain, Councillor Jim Hughes, Councillor Ron McLaughlin, Councillor Helen Waterson,

I am writing to express my concerns with the Kelvin Grove beach waterfront. There is at present one boat anchored, one raft (which on occasion has any number of smaller boats tied to it), and three buoys. The ropes of the buoys are strewn across the sand at low tide. One is attached to a metal barrel full of concrete, which is so close to shore I can reach out and touch it without wading too far above my knees. My four year old daughter became entangled in the ropes on shore and nearly took a fall into the water had I not been there to grab her. My dog became entangled in the ropes while fetching a stick in the water. The concrete barrel is well within diving range and if a swimmer is not aware of its presence, they could easily dive head-first into it.

Each year the situation at Kelvin Grove beach becomes worse. Last year, we ended up with three large boats anchored so close to shore we could no longer swim there, much less throw sticks to the dogs. The boats were so close I could wade out and touch them if the tide was right. On several occasions we had to leave the beach early due to fumes from the boats' generators.

I want Council to be aware of the safety concerns that now exist at this beach. Is it possible for the Village to cordon off a section of the water for swimming as they do at the Lions Bay beach?

Thank you.

[REDACTED]

On 10 May, 2015, at 12:17 pm, [REDACTED] > wrote:

Hi Karl,

I sent over an email to you and council several weeks ago. We spoke the other day about it as well. Can we get an official response from you with a directive of how we can, residents of Lions Bay, get the washrooms renovated up to a normal, sanitary, decent standard this summer? Your guidance is what we need to avoid administrative "road blocks".

[REDACTED] is creating a design/plan for the reno. [REDACTED] will help me on the fundraising. We think we can get it done within a 20k budget. Obviously the question we have from several residents is why the dog park area washroom was renovated prior to the Beach one last year? In addition, we want to know how much can the village spare (\$\$\$) for the project? If none, we need to know the rationale and a comprehensive answer as how did Ron and council last year get approval for allocation of funds for dog washroom. We also assume that if village has no funds at all then no other project related to "enhancement" of our community would be undertaken this year either.

Note that Helen has given me some valuable insight and advice.

Bottom line is that we can't just sit still another year. It's our community and we need action.

A prompt reply from you and council would be greatly appreciated.

Thanks Karl.

[REDACTED]

[REDACTED]

From: Fred Bain
Sent: Wednesday, May 13, 2015 2:22 PM
To: Lions Bay Reception; Mandy Giesbrecht; Agenda
Subject: Fwd: bombing glass sponge bioherms in Howe Sound

Could this be added to correspondence for our next meeting?

FJB

Sent from my Samsung Galaxy Tab® S

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

From: [REDACTED]
Date: 2015-05-13 14:06 (GMT-08:00)
To: Fred Bain <councillor.bain@lionsbay.ca>
Subject: RE: bombing glass sponge bioherms in Howe Sound

Hi Fred,
Feel free to circulate far and wide. Discuss it as much as possible.
We really need a ground swell of public support on this
environmental issue.

As a back note I tried very hard to find a way to keep the issue
local and work with the local sport prawn gathers (fishermen),
It's just not working. I'm sorry but I feel there is no other path on
this issue now.

Thank you for your help and attention,
[REDACTED]

ps I fixed a slight typo in my text below as I was rushed and busy
this morning with several tasks...

From: councillor.bain@lionsbay.ca
To: [REDACTED]

Subject: Re: bombing glass sponge bioherms in Howe Sound

Date: Wed, 13 May 2015 17:22:52 +0000

[REDACTED],

May I submit this email to the Village as correspondence so that it becomes part of the local public record? It may at least inform our residents of what is being threatened in front of us.

Fred

Sent from my Samsung Galaxy Tab® S

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

From: [REDACTED]

Date: 2015-05-13 10:15 (GMT-08:00)

To [REDACTED]

Subject: bombing glass sponge bioherms in Howe Sound

Hi MLSS & Others

Yesterday I received a phone message from the Lions Bay Marina; they were concerned that a commercial or commercial looking vessel was dropping prawn traps directly on top of the Lions Bay sea mounts that are covered with very healthy glass sponge that form large bioherms.

Sure enough when I looked out my window I could see orange marker floats on the sea-mounts that I know are covered in very large sponge beds. This I view as tragic destruction of a very important natural habitat (rockfish habitat).

In late April in front of Lions Bay, I came across prawn trap markers from four different sport fisherman directly on the sponge, and spent an hour calling each of them, informing them of the destruction bottom contact trapping caused.

Note there is no law against what they are doing as we could not bring to the DFO tabled sponge talks, the known largest and healthiest stands of Howe Sound glass sponge. In effect for the meetings, the DFO staff would not consider the data I had on Howe Sound sponge, and other NGO's would not permit me to present on glass sponge beds in Howe Sound for fear of derailing the current talks; so hence here we are at this point of the destruction of the Howe Sound sponge beds.

So as we all stand by, sponge bioherms that maybe decades old are being flattened and destroy as we look on... and for what... a bucket of prawns!

If it is an oil spill it is all over the news, if it damage underwater no one seems to understand it or care.

What is occurring here is the slow destruction of the world unique sponge beds in Howe Sound while everyone just looks on.

This is not an over statement. And they may come a day when we realized what a mistake we have all made.

So the question I ask is; what can be done about this?

My recommendation to the DFO is to immediately prohibit all contact harvesting in the rockfish conservation area (RCA) in front of the village of Lions Bay.

Will the people of Canada just standby and just watch this happen to our natural world or will we take action?

Statement of fact;

The only known air dive-able glass sponge bioherms in the world are in Howe Sound. They are five in number, and stand completely unprotected from the maiming that humans can direct at them.

Sincerely,

A black rectangular box redacting the signature of the speaker.

Intentionally Blank

From: Mandy Giesbrecht
To: [Council @ Lions Bay](#)
Subject: Parking review
Date: Monday, May 11, 2015 1:11:47 PM
Attachments: [image001.jpg](#)
[Parking Review Resolution.msg](#)
[DRAFT Report on Village Signage.msg](#)
[image002.jpg](#)

Council,

Recently discussed has been the need for an overall signage review. This was reviewed last year by Nikii and Andrew, who wrote a report, but then it was tabled in favour of an overall Village parking review. On October 7, 2014, Council resolved that a comprehensive parking review should be undertaken. Unfortunately then came the election and some significant staffing changes and the budget process so nothing has happened with it since then.

I appreciate the desire to have less “restrictive” signage in the Village however the cost to update signs may be substantial. I believe at this stage, we could start this process with a simple canvass to residents, perhaps through an ad-mail or online survey, advising that we are undertaking a review of parking in the Village and asking them to submit their comments and concerns. Once compiled, Council could review and establish next steps. It also occurs to me that the roads aspect of the IMP may play a small role in this.

I am attaching the DRAFT report from Nikii and Andrew (draft because it never actually went to Council) as well as the background on the parking review for your information. We can perhaps discuss further at next week’s Regular meeting. Of note, our seasonal bylaw officer would be keen to participate in this – he has a number of suggestions based on his observations of the “problem areas” last year.

Thanks,
Mandy

Mandy Giesbrecht

Chief Administrative Officer

The Municipality of the Village of Lions Bay. www.lionsbay.ca

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

Tel: (604) 921-9333 | Fax: (604) 921-6643

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you'd notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not binding on the Municipality of the Village of Lions Bay ("Municipality") until contracted. This email is the property of the Municipality and may not be reproduced or further disseminated in whole or part without the Municipality's consent. It may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	Review of Parking in the Village		
Author	M. Koonts	Reviewed By:	G. McRadu
Date	September 30, 2014	Version	
Issued for	October 7, 2014 Regular Council Meeting		

*Resolution
passed.*

Resolution:

THAT the Village of Lions Bay Council authorizes Village staff to undertake a comprehensive review of parking issues in the Village.

Rationale:

Parking in the Village is a major concern and ongoing issue for both residents and staff. There is no easy solution and a number of factors need to be researched and considered before strategies and solutions can be identified.

It was staff's intent to bring forward a report on parking sign placement in the Village at the September 16, 2014 Regular Council meeting. After further review, staff are recommending the above resolution be passed by Council in order that we may proceed with building on previous reports to complete a comprehensive review of parking in the Village to include:

- Public engagement process to receive input on existing issues to assist in identifying strategies moving forward
- Traffic & Parking bylaw review and potential update
- Research and creation of policies to compliment certain portions of the bylaw
- Review of existing parking signage to identify gaps in public messaging
- Strike formal letters of understanding with stakeholders clearly defining jurisdiction and expectations under Village policies and guidelines

It is staff's intention to complete this review in early 2015 so that bylaws and policies can be adopted in time for the next spring and summer seasons.



DRAFT

THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	REPORT TO COUNCIL		
Title	Joint Report – Signage and Enforcement - Fire and Public Works Departments		
Author	N. Hoglund/A. Oliver	Reviewed By:	
Date	August 15, 2014	Version	
Issued for	September 16, 2014 Council Meeting		

1. Recommendation:

WHEREAS consistent and clear signage is required to enable enforcement of the Village's Traffic and Parking Bylaw and provide accurate information to residents and visitors to the Village; and

WHEREAS the safe and expedient access to all local streets by Fire or Public Works personnel responding to emergencies is paramount;

THEREFORE BE IT RESOLVED

THAT the current sign located at Lions Bay Beach Park that currently reads "Kayakers are to launch inside the boom area only and are prohibited inside the swimming area" be removed; and replaced with a sign reading "Kayakers are prohibited inside the swimming area"; and

THAT the "no parking" sign formerly located just south of the bridge over Alberta Creek on the west side of Bayview Road be reinstated on the existing pole; and

THAT existing "no parking" signs located on the stop sign at 90 Lions Bay Avenue, and between 430 and 440 Upper Bayview Road be removed; and

THAT "no parking" signs be installed at the east corner of Bayview Road and Mountain Drive between 210 and 220 Mountain Drive, in the cul-de-sac located just past 300 Lions Bay Avenue, outside of 330 Bayview Place, on the "no exit" sign post at the entrance to Seaview Place, and outside of 100 Lions Bay Avenue; and

THAT a new "resident parking only" sign be installed to demark the end of angle parking at Timbertop Drive

2. Purpose:

This report has been prepared to provide Council with a comprehensive list of signs noted by Public Works and the Fire Departments as requiring reinstatement, removal, or installation to ensure safe and expedient access to all local streets in the case of a Fire or Public Works emergency.

3. Summary:

On July 4 and 28, 2014, the Fire Chief and the Manager of Public Works drove every Village street to review the Village's current no parking signage. Noted below is a list of signs that are recommended for reinstatement, removal, or installation.

a. Recommended for reinstatement:

- i. West "no parking" sign on Bayview Road, arrows both directions, just south of the bridge over Alberta Creek on the existing post

b. Recommended for removal:

- i. Lions Bay Beach Park sign stating: "Kayakers are to launch inside the boom area only and are prohibited inside the swimming area"
- ii. Second "no parking" sign on Upper Bayview Road, located between 430 and 440 Upper Bayview Road
- iii. "no parking" sign located on the stop sign outside of 90 Lions Bay Avenue

c. Recommended for installation:

- i. "no parking" sign on the east side corner of Bayview Road and Mountain Drive, arrows pointing both directions, between 210 and 220 Mountain Drive
- ii. "no parking" sign in cul-de-sac located just past 300 Lions Bay Avenue, arrows pointing both directions
- iii. "resident parking only" sign with arrow pointing right to demark the end of angle parking at Timbertop Drive; to be located 25' from driveway of 435 Timbertop
- iv. "no parking" sign outside of 330 Bayview Place, arrow pointing left (relocate sign (b)(ii) noted above)
- v. "no parking" sign outside of 100 Lions Bay Avenue (relocate sign (b)(iii) noted above)
- vi. "no parking" sign with arrow pointing left to be affixed to the existing post of the "no exit" signage at the entrance to Seaview Place
- vii. "Kayakers are prohibited inside the swimming area" sign to be posted in the place of sign (b)(i) noted above.

Further to the above, Staff were directed by the Interim CAO to ensure that the Village's towing contractor, Payless Towing, provide assistance to the Bylaw Officer by towing ticketed vehicles parked in contravention to signage. The Fire Chief and Public Works Manager met with Payless Towing's representative on August 11, 2014, and have organized towing patrols to take place on Fridays (6-10:30pm), Saturdays (noon-10:30pm), and Sundays (noon-8:00pm); augmented by an on-demand service by phone. Only vehicles with a bylaw infraction ticket on them will be towed.

Payless Towing signage is now prominently displayed on Lions Bay Avenue, at the top of the cul-de-sac on Sunset Drive, at Brunswick Beach, and in the parking lots at Kelvin Grove Beach and above the CN Rail tracks. An ePost has also been distributed, and notices have been posted on the Village website, notice boards, and at the post office accordingly.

Respectfully submitted by:

Nikii Hoglund
Manager, Public Works

Andrew Oliver
Fire Chief

Intentionally Blank

Date: May 12, 2015

To: Village of Lions Bay Council and staff

From: Ruth Simons

Re: Woodfibre LNG Working Group Committee Report

Dear Council and Staff:

This is my third report to Council regarding my role representing the Village on the BC Environmental Assessment Office (BCEAO) Working Group committee for the Woodfibre LNG (WFLNG) project.

The BCEAO had requested supplemental information from Woodfibre based on outstanding questions resulting from the Working Group committee meetings.

I have provided written feedback via email on the Seawater Cooling System and Supplemental Wake Study report on May 7th, and the supplemental Accidents and Malfunctions report on May 11th. My responses are fairly lengthy and have been copied to the Village Manager by email. While there is time for further comments from the Village directly to the BCEAO, I recommend waiting until the first draft of the conditions attached to the environmental certificate from BCEAO are received. These are expected June 4th and there will be a three week review.

Questions or comments are welcomed.

Ruth Simons

50 Lions Bay Avenue

604 921-6564

Intentionally Blank