



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, MARCH 7, 2017 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Karl Buhr
Councillor Fred Bain
Councillor Jim Hughes
Councillor Ron McLaughlin

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Office Coordinator Shawna Gilroy (Recorder)

Delegations: 0

Public: 3

1. Call to Order

Mayor Buhr called the meeting to order at 7:04 p.m.

2. Approval of Agenda

Moved/Seconded

THAT item 8iv – Website Delivery be added; and

THAT item 8Dii – Draft Zoning Bylaw be added; and

THAT the agenda be approved as amended.

CARRIED

3. Public Participation

None

4. Delegations

None

5. Minutes

A. Regular Council Meeting – February 21, 2017

Moved/Seconded

THAT the Regular Council Meeting Minutes of February 21, 2017 be approved as circulated.

CARRIED

6. Business Arising from the Minutes

None

Audio: 00:10

7. Unfinished Business

A. Information and Resource Requests (IRRs)

Moved/Seconded

THAT the IRRs be updated in accordance with the following:

- ID 114: Drones – not feasible, remove from requests

CARRIED

8. Reports

A. Staff

i. CFO: Fourth Quarter Preliminary Financial Review

Moved/Seconded

THAT the report “Fourth Quarter Preliminary Financial Review” be received for information purposes.

CARRIED

Audio: 00:22

ii. CFO: 2017 Supplemental Budget Requests

With a 5% tax increase, and one addition of a \$15,000 budget request for new stairs at Kelvin Grove Beach, the 2017 Supplemental Budget Requests report was agreed upon. The item was tabled until after the closed portion of the meeting.

Moved/Seconded

THAT the CFO: 2017 Supplemental Budget Requests be tabled until after the closed portion of the meeting.

CARRIED

Audio: 00:39

iii. CFO: Council Remuneration Report

Moved/Seconded

THAT the report “Council Remuneration Report” be received for information purposes.

CARRIED

iv. Website Delivery

CAO DeJong provided an update on the new website, stating that a viewing may be brought to the next Council meeting.

Moved/Seconded

THAT the verbal Website Delivery report be received for information.

CARRIED

Audio: 00:42

B. Mayor

i. Draft Letter to Ministers Anton and Stone re. Average Speed Over Distance (ASOD) and Correspondence from Minister Anton

Moved/Seconded

THAT Council endorse the letter to Minister Anton and Minister Stone regarding Average Speed Over Distance.

CARRIED

Moved/Seconded

THAT Mayor Buhr send the Average Speed Over Distance Letter to Minister Anton and Minister Stone.

CARRIED

C. Council

i. Volunteer Week 2017

Councillor McLaughlin to find a resident to volunteer, and if no takers, Councillor Hughes to take on the planning process.

ii. Pulling Together Canoe Journey: Verbal Update

Councillor McLaughlin spoke with SafeWay regarding sponsoring the lunch for the Pulling Together Canoe Journey. Councillor McLaughlin to meet with CAO DeJong to discuss event further.

Audio: 00:54

D. Committees

i. Trees, Views & Landscapes Committee: Tree Application #75 – 445 Timbertop Drive
Moved/Seconded

THAT resident Guillermo Schwartz be allowed to speak to Council regarding Tree Application #75.

CARRIED

Mr. Schwartz voiced his opposition to removal of the trees that are marked to be cut along the driveway to his house. He argued instead for topping with regular maintenance and was supported by the comments of Councillor Bain and Councillor Hughes. CAO DeJong noted that topping is considered bad practice for a number of reasons, especially pertaining to liability for weak false leaders that grow out of the top of topped trees and pose a risk of breaking off and causing damage. Public Works' input on the application was for removal instead of topping. The Trees, Views and Landscapes Committee recommendation was for cut and removal.

Moved/Seconded

THAT all trees that have been marked with orange tape (photos taken), be topped and associated debris be removed.

CARRIED

Audio: 01:19

ii. Draft Zoning Bylaw

The following recommendation was brought forward from the Council Strategy Committee Meeting on March 7, 2017:

Moved/Seconded

1. THAT applications for short term rentals be considered on a case by case basis for temporary use permits;
2. AND THAT Council adopt a policy that applications for short term rental temporary use permits be evaluated for consistency with the following recommended conditions:
 - a. The short term rental unit must be the short term rental operator's primary residence (confirmation of which is to be required annually). [Or, could be a requirement that the operator be in residence there while the business is being run.]
 - b. If the short term rental operator is not the property owner, the operator must provide the Village with the owner's authorization to carry on the short term rental business.
 - c. No more than five guest rooms with two guests each.
 - d. Off-street parking space requirements will be determined on a case by case basis.

- e. No signs shall be permitted.
 - f. TUP shall specify quiet times between the hours of 10 pm and 8 am.
 - g. Operator contact information must be provided to neighbours within a 50 metre radius of the subject property of the short term rental.
 - h. If within a strata unit, the bylaws of the strata corporation must permit STR's and the strata council must provide authorization of the TUP application.
 - i. Security in the form of an irrevocable letter of credit or similar instrument in an amount (e.g. \$10,000) to be determined by Council will be required in conjunction with issuance of a TUP.
 - j. Temporary use permits for short term rentals should not exceed a period of one year, initially.
 - k. Short term rentals will not be permitted if the premises contain a child home care business.
 - l. [Other considerations such as restrictions on the rental or use of personalized watercraft, etc.]
3. AND THAT, subject to legal review, a density bonus provision be included in the new RS-1 (Residential - Single Detached) zone to allow for cottages of up to 115 m² on lots having an area of at least 1,000 m², subject to a covenant being registered on title that prohibits registration of a strata plan and restrict use of the cottage the owner, members of the owner's family and tenants.
 4. AND THAT provisions be included in the new W-1 (Water – Residential Foreshore) zone to limit overnight accommodation on vessels to three nights every 30 days,
 5. AND FURTHER THAT outdoor parking or storage of one commercial or industrial vehicle or piece of equipment be permitted to a maximum of 7,000 kilograms gross vehicle or operating weight.
 6. AND THAT Staff be authorized to begin the process of an application for license and occupation/lease for the foreshore adjacent to all public parks.

CARRIED

iii. Infrastructure Committee

Councillor Bain provided an update from the Infrastructure Committee and brought forward the following recommendations from the committee:

Moved/Seconded

THAT staff pursue Metro staff to gain support for conducting an internal Metro feasibility study into piping drinking water to the Village of Lions Bay.

CARRIED

Moved/Seconded

THAT staff move forward with an RFP to explore the installation of a cell tower on Village of Lions Bay property, which would also address municipal needs for the SCADA system.

CARRIED

Audio: 01:27

E. Emergency Services

ESS has made a request to use the former Library space in an event; Council requested a staff report on options for use of all the upstairs space and solicit public feedback before making a decision. The Community Safety Forum on May 18, 2017 will take place in Broughton Hall.

Moved/Seconded

THAT staff report back to Council on options for potential uses of the upstairs spaces and conduct a process to consult with or obtain public feedback.

CARRIED

Audio: 01:35

9. Resolutions

A. MVRD 2017 Homeless Count

Moved/Seconded

"Whereas the BC Non Profit Housing Association has been contracted to conduct the 2017 Homeless Count in the MVRD on the night of March 7/8, and

"Whereas Lions Bay may or may not have a homeless population, whether from week to week, or season to season, or other degree of permanence,

"Now therefore, Council directs staff to determine a current local homeless count, if any, adjusted seasonally, and to communicate it to the BC Non Profit Housing Association as part of the regional initiative.

And Council further directs staff to recommend a course of action if homeless residents are found to exist within Lions Bay."

CARRIED

10. Bylaws

None

11. Correspondence

Moved/Seconded

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

- G-1: Human Trafficking – no response
- G-2: Communities in Bloom Canada 150 – no response
- G-3: UBCM Membership – approved as part of the budget
- R-1: Highway Improvements Positive – Ruth Simons – Mayor Buhr responded already with thanks.

CARRIED

12. New Business

None

13. Public Questions & Comments

None

14. Closed Council Meeting

Moved/Seconded

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

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

a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

c) labour relations or other employee relations;

e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of an enactment.

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

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

CARRIED

The meeting was closed to the public at 8:45 p.m.

The meeting was re-opened to the public at 9:14 p.m.

Moved/Seconded

THAT the 2017 Supplemental Budget Requests be taken off table for consideration.

CARRIED

Moved/Seconded

THAT Council approve the 2017 Supplemental Budget Requests, including \$15,000 for the Kelvin Grove stairs.

CARRIED

15. Reporting Out From Closed Portion of Meeting

Items were discussed in the closed session pertaining to personnel costs around the supplemental budget items, and an approved report from staff on the discussions with MOTI on the new highway barrier.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:16 p.m.

Mayor

Corporate Officer

Date Approved by Council:	March 21, 2017
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