



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, APRIL 18, 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)

Guests: Planning Consultant, Steven Olmstead

Delegations: 0

Public: 4

1. Call to Order

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

2. Approval of Agenda

Moved/Seconded

THAT item 11B – Late Correspondence re. Zoning Bylaw be added; and

THAT the agenda be approved as amended.

CARRIED

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

A. Lisa Turpin

A few concerns with Zoning Bylaw – houseboat definition as presented, not sure what Council is getting at as most boats harboured out there have sleeping quarters.

Takes issue with how correspondence is received, as sometimes it's part of the Agenda and sometimes it isn't. It should all be part of the public record, regardless of how it comes in to the Village.

Concerned that many residents spoke to multiple issues at the Public Information Meeting (eg: houseboat), but those views don't seem to be reflected in recommendations from the Administration as to what other courses of action could be obtained by Council. Not healthy for debate and consideration to be waived regarding those ideas presented by multiple people. More conscious effort needed to respect the residents when they bring information to Council.

CAO DeJong replied, thanking Mrs. Turpin for her point regarding the apparent confusion around correspondence for the Agenda. He referred to the Correspondence policy on the website (which requires correspondence received by a majority of Council to be included on the Agenda) but that it does not account for information received through the feedback@lionsbay.ca address, which is used for a variety of less formal poll taking and input requests. He pointed out that all correspondence received through the feedback address regarding the zoning bylaw will be included in the public record for the Public Hearing. He recommended that the correspondence policy be further reviewed by staff and Council.

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

None

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – April 4, 2017

The following was added:

- Item 15: Reporting Out from Closed Portion of the Meeting: "Matters were discussed pertaining to the reasons for closing the meeting".

Moved/Seconded

THAT the Regular Council Meeting Minutes of April 4, 2017 be approved as amended.

CARRIED

6. Business Arising from the Minutes

None

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

The following items were amended or removed from the Follow-Up Action List:

- 1: Howe Sound Community Forum Agenda – strike

- 3: Pulling Together Canoe Journey – Councillor McLaughlin to seek clarity as to what Safeway is prepared to offer. Staff to review options.
- 4: Fire Report – strike
- 5: Canada Day Celebration – Councillor McLaughlin to liaise with Events Committee and staff to invite dignitaries
- 6: Volunteer Week – RSVPs coming in, catering arranged, appreciation banner going up on Monday next week, note to be included in Mayor’s Message
- 7: Metro Feasibility Study added to IRR list – strike
- 8: Public Information Meeting re: Zoning Bylaw – strike
- 9: Correspondence G1: Invasive Species – strike
- 11: Correspondence R1: Filming on the North Shore – strike
- 12: Correspondence G3: VEX IQ Challenge – strike
- 13: Correspondence G5: E-Comm 911 Board of Directors Designate – strike
- 15: Event Parking Relief – strike

8. Reports

A. Staff

i. CFO: Public Presentation of Budget – On Table

Council reviewed the Power Point budget presentation, presented by CFO Rooke.

Moved/Seconded

THAT the Power Point presentation of the budget be received for information.

CARRIED

Audio: 00:43

ii. PWM: 2016 Annual Drinking Water Quality Report

Council reviewed the 2016 Annual Drinking Water Quality report.

Moved/Seconded

THAT the information report “2016 Drinking Water Quality Report” be received.

CARRIED

B. Mayor

None

C. Council

i. Councillor McLaughlin: Thank You to ESS Volunteers – Verbal

The catastrophe last weekend was discussed and ESS was commended for their efforts and dedication. Councillor Bain will report back to Council after the next ESS meeting debrief.

D. Committees

None

E. Emergency Services

i. Lions Bay Fire Rescue Monthly Report

Council reviewed the Lions Bay Fire Rescue monthly report.

Moved/Seconded

THAT the Lions Bay Fire Rescue monthly report be received.

CARRIED

9. Resolutions

None

Audio: 00:53

10. Bylaws

A. 2017-2021 Five Year Financial Plan Bylaw No. 522, 2017 – First and Second Reading

CFO Rooke passed around an on-table report amending the highlighted portions re: taxation, other grants, other, and capital expenditures. A Special Meeting date will be proposed at the next meeting in order for adoption.

Moved/Seconded

THAT the 2017-2021 Five Year Financial Plan Bylaw No. 502, 2017 be read a first and second time, as amended.

CARRIED

B. Tax Rate Bylaw No. 523, 2017 – First and Second Reading

Moved/Seconded

THAT the Tax Rates Bylaw No. 523, 2017 be read a first and second time.

CARRIED

Audio: 01:01

C. Driveway Crossings Bylaw No. 521, 2017 – Adoption

Moved/Seconded

THAT Driveway Crossings Bylaw No. 521, 2017 be adopted.

CARRIED

Audio: 01:06

D. Road Closure Bylaw No. 517, 2017 – Adoption

Moved/Seconded

(1) THAT Road Closure Bylaw No. 517, 2017, be adopted.

CARRIED

Moved/Seconded

(2) THAT staff proceed with obtaining a survey for an easement on the south side of the lot to be created by the closure of the applicable portion of road (the “Lands”), in order to accommodate the stairs on the north side of 51 Brunswick Beach Road providing access to the resident around her house and providing access to both lots down to the Esplanade.

CARRIED

Moved/Seconded

(3) THAT staff proceed with the legal steps necessary to provide for the easement and for the registration of the Lands in the Land Title Office, in the name of the Municipality.

CARRIED

Moved/Seconded

(4) THAT staff continue to work with the resident of 51 Brunswick Beach Road regarding the clearing of the existing encroachments from the Lands and the provision of alternate arrangements for the structures and any new encroachment agreement required as a result thereof.

CARRIED

Moved/Seconded

(5) THAT Council direct staff to report back to Council on options for the intended process by which the Lands may be acquired.

CARRIED

Audio: 01:18

E. Building Bylaw No. 234, 1994, Amendment Bylaw No. 524, 2017 – First and Second Reading

Minimum requirements for the Zoning Bylaw have been amended in the current Building Bylaw until a new bylaw is presented in order to fill the gaps in the meantime.

Moved/Seconded

THAT Building Bylaw No. 234, 1994, Amendment Bylaw No. 524, 2017 be introduced and read a first and second time.

CARRIED

Audio: 01:24

F. Zoning and Development Bylaw No. 520, 2017 – Second Reading

The agenda was amended to consider item 11B ahead of item 10F.

Moved/Seconded

THAT the late correspondence regarding the Zoning Bylaw be received.

CARRIED

Discussion was held regarding the need to further redact contact information in the second petition with the handwritten names and addresses. It was noted that some of the signatories were minors. Corporate Officer DeJong to check on need to further redact due to document to be published on municipal website.

Note: audio recording device ceased functioning at this point and was not noticed until the meeting was recessed at 9:37 p.m.

Moved/Seconded

THAT receipt of the late correspondence be rescinded;

AND THAT the late correspondence be received subject to the Corporate Officer further redacting the documents, as needed, prior to publishing on the municipal website.

CARRIED

The Planning Consultant's report was then discussed at length, including point by point discussion of each of the recommended amendments to the Zoning Bylaw. Additional questions, comments and amendments were then discussed.

The meeting was recessed at 9:37 p.m.

The meeting was resumed at 9:49 p.m.

Moved/Seconded

THAT the meeting time be extended to 11:00 p.m.

CARRIED

Moved/Seconded

THAT the Request for Decision report titled "Zoning and Development Bylaw No. 520, 2017 - Consideration of Second Reading (as amended) and Scheduling of the Public Hearing", dated April 12, 2017 be received.

CARRIED

Moved/Seconded

THAT the recommended amendments in the April 12, 2017 report be endorsed, as amended and as follows:

1. Section 1.2.1 be amended by adding the words "as amended";
2. The definition of *emergency mooring* be amended by adding subsections (d) and (e) as follows:

(d) overnight purposes; or
(e) provisioning of supplies.

3. The definition of *houseboat* be deleted from the definitions section.

4. The following definition be added:

natural areas means land that is retained in its natural state for the purpose of protecting and preserving natural ecosystems, biological diversity, and steeply sloped lands.

5. The definition of *parking space* be amended to read as follows:

parking space, off street means an area on a *parcel* indicated for the parking of one motor vehicle and does not include *aisle space*.

6. The definition of *resource use* be amended to read as follows:

resource use means a *use* providing for the extraction or stockpiling of mineral and other resource materials, and in addition includes only the primary grading, cutting, crushing, pumping and filtering of such materials for shipment or distribution, and excludes all manufacturing of products, and any processing not specifically included in this definition.

7. Section 4.6 be amended to read as follows:

- 4.6 (a) Pursuant to the *Local Government Act*, all lands within the *Municipality* are designated as areas where temporary *uses* may be allowed under a temporary *use* permit;
- (b) Council delegates to the *CAO* the authority to grant temporary *use* permits in accordance with the Short Term Rental Policy No. 1702.

8. Section 4.12.5, which prohibits outdoor storage in conjunction with home occupations, be amended to read:

outdoor storage of materials or equipment is prohibited, except as provided for in section 4.15;

9. The heading of Column II of Table 1 be amended to read: “Required Number of *Off-Street Parking Spaces*” and Table 1 be moved up, between section 4.13 and 4.14.

10. Section 6.1 naming all the zones, be amended by adding “OS-1 (Open Space Areas)”.

11. Section 7.3.1 regarding density benefits for amenities to read as follows:

Despite section 7.2, the maximum *density* may be increased to an average of one *parcel* per 800 m², with a 700 m² minimum *parcel* area, where amenities identified in the Community Amenity Contribution Policy No. 1703 are provided.

12. Section 12.1.1(a) be amended to delete the words “for vessels 12 metres or less in length”; and the definition of *mooring system* to be amended to state it has the same meaning as in the *Navigable Waters Protection Act*, as amended.

13. Section 12.2.1(a) which reads as follows:

subject to a need for *emergency mooring*, no person shall anchor, moor, or permit the mooring of a vessel that is more than 12 metres in length, or a *houseboat*, for periods greater than 72 hours every 30 days;

be deleted and replaced with the following:

subject to a need for *emergency mooring*, no person shall anchor, moor, or permit the mooring of a floating residential vessel or structure, including but not limited to, a houseboat, for periods greater than 72 hours every 30 days.

14. Section 13.2.1, which relates to moorage in the W-2 zone and which reads as follows:

No person shall anchor, moor, or permit the mooring of a vessel for periods greater than 72 hours every 30 days;

be deleted and replaced with the following:

No person shall operate a motorized vessel;

15. Amend section 15 regarding Resource Use to read as follows:

RU-1 (Resource Use)

Permitted Uses

15.1 In a RU-1 zone the following *uses* and no others shall be permitted:

- .1 *Principal Uses, Buildings and Structures*
 - (a) *resource use;*
 - .2 *Secondary Uses, Buildings and Structures*
 - (a) *accessory buildings and structures.*

Siting of Buildings, Structures and Uses

15.2 The minimum *setback* for a *principal building* shall be 7.5 metres from a *parcel* line.

16. Add permitted uses and area of parcels for OS-1 (Open Space Areas) as follows:

OS-1 (Open Space Areas)

Permitted Uses

16.1 In an OS-1 zone the following uses and no others shall be permitted:

- .1 Principal Uses, Buildings and Structures
 - (a) community watershed management for protection of domestic water supplies;
 - (b) *natural areas;*
 - (c) recreation trails, including signage;
 - (d) fire department training facility.
- .2 Secondary Uses, Buildings and Structures
 - (a) parking areas.

Area of Parcels

16.2 .1 The minimum parcel area shall be 16 hectares.

17. Schedule A to Zoning Bylaw No. 520, 2017 be amended by redefining the boundaries of the W-2 (Water - Marine Community Recreation) zone in accordance with the GPS coordinates, to 5 or more decimal points, as set out on Schedule A.
18. Amend section 4.12.7 by striking the words “for commercial purposes”
19. Amend section 4.13.5 by replacing the word “square” with the word “linear”.
20. Amend section 4.15 by striking the word “Heavy” from the heading.
21. Amend section 11.1.1(d) by deleting “buoy for the mooring of vessels” and replacing it with “mooring buoy”.
22. Amend section 12.2.1 (g) by striking “, shed”.

CARRIED

Moved/Seconded

THAT Zoning and Development Bylaw No. 520, 2017 be read a second time as amended.

CARRIED

Moved/Seconded

THAT a public hearing regarding Zoning and Development Bylaw No. 520, 2017 be held at 7:00 p.m. on Thursday, May 4, 2017 at Broughton Hall, 400 Centre Road, Lions Bay.

CARRIED

11. Correspondence

A. List of Correspondence to Thursday, April 13, 2017

Moved/Seconded

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

- G1: E-Comm Board of Directors Designate 2017-2018 – no response
- G2: Metro Vancouver – Council of Councils – no response
- G3: Meatless Monday Proclamation – no response
- G4: Update from MLA Jordan Sturdy – no response
- G5: Flag Shop Paraphernalia for Canada 150 Day – no response
- G6: Request to Support the Salish Sea UNESCO World Heritage Site Application – Mayor Buhr to contact Salish Sea Trust for a stock letter to sign and support the initiative.
- R1: Mark Ignas – Tree Permit #75 – no response
- R2: Annmarie Gates – Letter to Council – previously responded to

- R3: Louis Peterson – Request for Use of Old Library Space – staff respond to Mr. Peterson advising of process
- R4: Lisa Turpin – Road Issue – previously responded to
- R5: Lisa Turpin – Zoning Bylaws – previously responded to
- R6: Lisa Turpin – Day Care Zoning and OCP – previously responded to

CARRIED

B. Late Correspondence re. Zoning Bylaw (On Table)

This Item was considered prior to Item 10F

12. New Business

None

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

Lisa Turpin

Oceanview Road – wanting to know when the drainage issues at the bottom of Oceanview and Panorama will be fixed.

Zoning Bylaw – uses are expressly prohibited if they aren't permitted so regardless of what Planning Consultant says you can't have a daycare unless you have zoning for it.

- Never answered question about poultry or storage of scaffolding
- How are you going to enforce in the W2 zone, buying a boat?
- Feel that houseboat provisions are discriminatory and will invite a lawsuit.

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:

- c) labour relations or other employee relations;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

The meeting was closed to the public at 10:25 p.m.

The meeting was re-opened to the public at 10:53 p.m.

15. Reporting Out From Closed Portion of Meeting

Council reports that it approved a new employment contract for the Chief Financial Officer.

16. Adjournment
Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 10:53 p.m.

Mayor

Corporate Officer

Date Approved by Council:	May 2, 2017
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