



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JUNE 6, 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: 2

1. Call to Order

Mayor Buhr called the meeting to order at 7:06 p.m.

2. Approval of Agenda

Moved/Seconded

THAT item 9A – Canada Day Celebration Resolution be added; and

THAT item 9B – Annual Report Resolution be added; and

THAT item 10C – Lions Bay Parks Regulation Amendment Bylaw No. 448, 2012, Amendment Bylaw No. 527, 2017 – First, Second, Third Reading; and

THAT item 8A (ii) – Encroachment Application: 520 Upper Bayview Road be removed from the agenda; and

THAT item 7B – Information and Resource Requests be removed from the agenda; and

THAT the agenda be approved as amended.

CARRIED

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

None

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

None

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – May 16, 2017

Moved/Seconded

THAT the Regular Council Meeting Minutes of May 16, 2017 be approved as circulated.

CARRIED

6. Business Arising from the Minutes

A. Item 12B

Mayor Buhr queried whether the Clean Water Wastewater Fund contract had been executed yet.

Audio: 00:08

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Description of Action Item	Action
2	2017 Parking Plan Initiatives	In progress
3	Councillor McLaughlin to be kept up to date as the organizing contact person for the Pulling Together Canoe Journey	In progress, staff to confer with PTCJ and create a check list
5	Canada Day Celebration	In progress
10	Correspondence G4: MLA Pimm’s First Nations Stakeholder Advisory Committee Report – staff to identify the Notice of Interest’s (NOI) in Lions Bay, if any, and report to Council in due course	In progress
16	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.	In progress

17	R3: Louis Peterson – Request for Use of Old Library Space – staff respond to Mr. Peterson advising of process	Completed
18	R2: Greg Weary – Howe Sound Community Forum – PWM to respond	Completed
19	R3: Ingrid Wray – Citizen of the Year Awards – Councillor Hughes to respond – applicant will be considered with all others	Completed

B. Information and Resource Requests (IRRs)

This item was removed from the agenda.

Audio: 00:14

C. Request to Revisit Tree Cutting Application #64 (385 Oceanview Road)

CAO DeJong reviewed the previously approved (September 2016) Tree Application #64 for 385 Oceanview Road which had been brought back to Council at the request of the original applicant due to a miscommunication with Councillor McLaughlin regarding the topping requested vs. topping by BC Hydro vs. cut and remove. A re-application would be required as Council may only reconsider a decision at the next meeting, but given the likelihood that Public Works, the Tree Committee, and the neighbour will not likely vary from their original positions, an expedited process may be the most appropriate. Options were provided in the attached report for Council's consideration.

Moved/Seconded

THAT staff be instructed to process a re-application by Charley Bradbury of 385 Oceanview Road on an expedited administrative basis, upon emailed confirmation from Public Works and the Tree Committee Chair that they see no reason to change their recommendations, given the attached materials and this report; and

THAT staff set the matter down for the June 20th Council meeting with notice to the affected neighbour that the matter will be considered further at that time and if she has any objections to make them known before then or appear in person as a delegation at the meeting.

CARRIED

Audio: 00:21

8. Reports

A. Staff

i. CFO: TransLink TRRIP Application for Stairs at Lions Bay Avenue

CFO Rooke explained that the TransLink TRRIP grant application was approved in order to replace the stairs on Lions Bay Avenue down to the underpass and bus stop, but only under the 50% funding contribution level of \$12,500 meaning Council will need to approve an additional capital expenditure for the other 50%. It was recommended to add a contingency of \$1500 for a total of \$14,000 to be funded by the Municipality.

Moved/Seconded

THAT Council approve additional capital expenditures to replace the stairs at Lions Bay Avenue up to a total of \$14,000 and that the required funding be withdrawn from capital reserves.

CARRIED

ii. PWM: Encroachment Application – 520 Upper Bayview Road

This item was removed from the agenda.

iii. PWM: Wireless Access Point for Broughton Hall

Public Works Manager Jaffer explained that due to load bearing walls, a new access point needs to be installed in Broughton Hall to allow for a stronger WiFi signal to the Hall. The estimated costs of \$2,000 can be absorbed in the current operational budget with minor savings in other areas.

Moved/Seconded

THAT Council direct staff to proceed with the installation of a Wireless Access Point for Broughton Hall.

CARRIED

Audio: 00:31

iv. CAO: Request for Decision re. Method of Sale of Road End Adjacent to 51 Brunswick Beach Road

CAO DeJong provided 4 different options for the sale of the road end adjacent to 51 Brunswick Beach Road.

Moved/Seconded

THAT staff proceed with a Request for Proposal / Request for Quotation from qualified real estate agents for the sale of the parcel created through Road Closure Bylaw No. 517, 2017 and return to Council with a recommendation for appointment of a realtor at the earliest opportunity to sell the parcel either through an auction process or standard listing agreement.

CARRIED

Audio: 00:38

B. Mayor

i. Mayor's Report re. 2017 Parking Plan Budget

Moved/Seconded

THAT Council direct the Administration to obtain Council approval for any and all parking related spending until it approves a plan for parking measures in Lions Bay.

CARRIED

ii. Verbal Report re. SUMM Meeting

Mayor Buhr reported on the most recent SUMM (Small Underfunded Metro Municipalities) meeting he attended including Bowen, Anmore, Belcarra and Lions Bay Mayor's and CAO's. They compared notes on the following subjects: Zoning Bylaws, including Community Amenity Contributions, lobbying the Provincial Government for clearance to apply for grants under the Rural Dividend Fund allowing residents the additional \$200 rural uplift on the homeowner grant, and providing for carbon tax rebates, crown grants, and dispensations re. hydro lands.

Audio: 00:48

C. Council

i. Councillor McLaughlin

a. Planning Session for 2017

Councillor McLaughlin suggested another facilitated strategic planning session after the new Councillor is elected October 21st. Council agreed on mid-late November and the CAO will look into dates with the facilitator.

Moved/Seconded

THAT staff facilitate a post mid-November Strategic Planning Session and to come forward with dates.

CARRIED

b. Events Committee Request for Food Trucks

The Events Committee queried having Food Trucks in the Village and have selected three days this summer when they would like to host an event in coordination with the Food Trucks. CAO DeJong noted that the Parks Bylaw does not allow for commercial activity or vehicles on the beach and that the bylaw would need to be amended in order to allow Food Trucks in the Village, and that there is a number of complicated processes handling Food Trucks such as inspections, vendor competition, permits etc. and seeing

how Council funds and provides insurance for the Events Committee, a process must be implemented first.

Moved/Seconded

THAT staff work with the Events Committee to try and facilitate three days of food truck/food vendor special events at Lions Bay Beach Park.

CARRIED

c. Beach Park Renovations – Call for Volunteers

Council discussed striking a Select Committee to come up with a strategic plan for Lions Bay Beaches. Council agreed that the Mayor as an ex-officio, the Public Works Manager and three or four members of the community should be appointed.

Moved/Seconded

THAT Council direct staff to create a Terms of Reference for the Beach Park Renovations Select Committee, an application template to call for volunteers, and recommendation for the next meeting noting a date for public release and a closing date for applications.

CARRIED

Audio: 01:12

d. Capital Projects/Expenditures (see IRRs re. stair projects)

Councillor McLaughlin queried more information on capital projects or larger operational items.

Moved/Seconded

THAT staff provide a Capital Projects/Expenditures report by the first meeting in July.

CARRIED

e. Canada Day Parking, Agenda/Activities

Councillor McLaughlin requested that Council suspend parking regulations on Canada Day, excluding parking where it would be unsafe for emergency vehicles to operate, such as in front of fire hydrants, at the fire hall or in cul-de-sacs.

Moved/Seconded

THAT Lions Bay parking regulations be suspended near the vicinity of the venues on Canada Day, subject to safety considerations for emergency vehicles to operate, such as in front of fire hydrants, at the fire hall or in cul-de-sacs.

CARRIED

D. Committees

i. Board of Variance Meeting – March 27, 2017

Council discussed the minutes of the decision made by the Board of Variance at their March 27, 2017 meeting.

Moved/Seconded

THAT the Board of Variance Meeting minutes of March 27, 2017 be received for information.

CARRIED

E. Emergency Services

None

9. Resolutions

A. Canada Day Celebration Resolution

Due to the fireworks at 10:00 pm at Lions Bay Beach, it was requested that the Noise Bylaw be exempt from its provisions until 12:00 midnight. Councillor McLaughlin to contact the Chair of the Events Committee to ensure neighbours of the private property where some of the evening events are proposed to take place (Store and Café) have been notified of the noise.

Moved/Seconded

THAT the Canada Day Event and its associated activities be exempted from the provisions of Noise Bylaw No. 283, 1998, as amended, pursuant to section 6 (m) thereof, up to 12 midnight; and

THAT the Lions Bay Beach Park remain open until 12 midnight.

CARRIED

Audio: 01:39

B. Annual Report Resolution

Moved/Seconded

THAT the Annual Report required under section 97 of the Community Charter be available for public inspection at the Village Office and via the Village website on or before June 29, 2017; and

THAT the Annual Meeting required under section 99 of the Community Charter be held in conjunction with the regular Council meeting on July 25, 2017; and

THAT the notice of the Annual Meeting under section 94 of the Community Charter be by way of:

- (a) Posting in the public notice posting places; and
- (b) Publication on the Village website and in the Village Update (Village Update distribution) on June 30, July 7, and July 14, 2017, as being reasonably equivalent to notice that would be provided by newspaper publication if it were practicable.

CARRIED

10. Bylaws

A. Building Bylaw No. 234, 1994, Amendment Bylaw No. 524, 2017 - Adoption
Moved/Seconded

THAT Building Bylaw No. 234, 1994, Amendment Bylaw No. 524, 2017 be adopted.

CARRIED

Audio: 01:45

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the sections of the Community Charter [90 (1) (f), (g) and (i)] as listed at the end of the minutes under item 14.

CARRIED

The meeting was closed to the public at 8:51 p.m.

The meeting was re-opened to the public at 9:08 p.m.

B. Zoning and Development Bylaw No. 520, 2017 – Adoption

Mayor Buhr read aloud the following statement in summary of Council’s deliberations to this point:

“The proposed bylaw provides Lions Bay with a much-needed updated zoning framework and toolkit. It empowers actions already called for in our Official Community Plan and it addresses issues such as an aging population wanting to stay in Lions Bay but needing to downsize, the need for rental accommodation, and the advent of commercial marijuana dispensaries. Changes contemplated by the bylaw are on an incremental, site-specific basis, and where appropriate the bylaw stipulates how proponents will be expected to provide community amenities to balance and compensate for such changes.

We heard extensively from the community on this bylaw. Through early drafts, multiple Council Strategy Committee meetings, two public information sessions, a public hearing and three readings, Council and staff reviewed and accommodated public input which ranged from enthusiasm, to acceptance, to opposition on a very few elements. What

has resulted is quite different to the first iteration, and staff have done excellent technical work to get us here. I am confident that the bylaw is ready for implementation.

The purpose of zoning of course is to segregate uses to prevent them from interfering with one another. Ultimately zoning is the local legislation that establishes the character of a community. I'll mention here for the record the so-called houseboat issue, to the limited extent it weighs on the proposed bylaw overall. The proposed W-2 Marine Community Recreation zone seeks to secure the use of the ocean immediately adjacent to our beach parks for the enjoyment of all. I am confident that the Municipality can accommodate conflicting interests regarding mooring of a private vessel in the proposed W-2 zone, through a compromise with measurable conditions and a fixed date to transition to the new zoning.

Another particular issue addressed through the bylaw is explicit prohibition of large commercial and industrial machinery and the stockpiling of construction materials in residential zones. Does the bylaw discriminate against uses incompatible with a given zone? Yes, it does: that is what zoning is, and I believe this bylaw serves the community's needs here, and in general."

Moved/Seconded

THAT Zoning and Development Bylaw No. 520, 2017 be adopted.

**CARRIED UNANIMOUSLY
(4 VOTES OUT OF 4 IN FAVOUR)**

Audio: 01:45

C. Lions Bay Parks Regulation Amendment Bylaw No. 448, 2012, Amendment Bylaw No. 527, 2017 – First, Second, Third Reading

This item was brought forward on-table to ensure that if food truck discussions advance, they will be permitted under Bylaw 448, as amended; CAO DeJong explained the amendments to the bylaw as follows:

- s.7.1 - Providing for Council ability to authorize commercial undertakings in the parks on specific dates and times;
- s.9.2 – Similar authorization for motor vehicles in a park;
- s.10.1 – Authorization to extend park hours for special events;
- 12.4 – Provision of storage facilities within a park, including seizure and sale of goods to enforce fees required; and
- Miscellaneous housekeeping amendments

Moved/Seconded

THAT Lions Bay Parks Regulation Amendment Bylaw No. 448, 2012, Amendment Bylaw No. 527, 2017 be read a first, second and third time.

CARRIED

Audio: 01:58

11. Correspondence

Moved/Seconded

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

- G1: Terry Fox Run (September 17, 2017) – no response
- G2: E-Comm 911 –Mayor to attend E-Comm Board Meeting – staff to advise E-Comm
- G3: TransLink Summer Service Changes – no response
- G4: Village of Lions Bay Annual Drinking Water Quality Report – no response
- G5: Call for Nominations – WoodWorks Community Recognition Award – no response
- R1: Ben and Ingrid Gauer – Mayor has responded

CARRIED

Audio: 02:00

12. New Business

A. Temporary Use Permits and Community Amenity Contributions Policies – Direction to staff for June 20th Council Meeting (On Table)

CAO DeJong discussed the background of the two policies attached and Council reviewed and queried several items. Council is to provide comments to the CAO by next week with a report back to Council for the June 20th Council meeting.

Moved/Seconded

THAT the Temporary Use Permits and Community Amenity Contributions Policies be received for information.

CARRIED

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

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:

- b) 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;
- (d) the security of the property of the municipality;
- (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 the municipality;
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

CARRIED

The meeting was closed to the public at 9:38 p.m.

The meeting was re-opened to the public at 9:57 p.m.

15. Reporting Out From Closed Portion of Meeting

Council resolved on the nominee for Citizen of the Year and further received brief updates related to the reasons for closing the meeting, full reporting out to come in due course.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:57 p.m.

Mayor

Corporate Officer

Date Approved by Council:

June 20, 2017