



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, FEBRUARY 6, 2018 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Karl Buhr
Councillor Fred Bain
Councillor Norm Barmeier
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: 3

Public: 14

1. Call to Order

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

2. Adoption of Agenda

Moved/Seconded

THAT item 8Aiv – Engineering of Lions Bay Avenue Stairs be added; and

THAT the following reasons for closing the meeting to the public be added: 90 (1) a, c, e, f, and k; and

THAT the agenda be adopted, as amended.

CARRIED

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

A. Mr. Jeff Stone

Mr. Stone expressed concern of residents being adversely effected by the radio waves from the cell towers, and that as there is no longer one small tower but literally thousands of them all over the country. The more exposure to these waves, the more it affects our health. Mr. Stone strongly advised Council to review the independent studies re. negative health effects before proceeding with a new cell tower in Lions Bay. He expressed that this health issue has been known since 1960 and the government has not done anything about it. Mayor Buhr advised him that proponent will have to provide independent studies so that residents are aware of the health implications, and advised Mr. Stone to provide any research information he may have to the Village Office.

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

A. Paul Kubik – Planned Work on Lions Trail by BC Mountaineering Club

Paul Kubik, Trails Director of the BC Mountaineering Club (BCMC), addressed Council regarding a proposed multi-year rehabilitation and maintenance project for the Lions Trail. Having worked on the trails for many years, Mr. Kubik has seen volunteer efforts dwarfed by the scope of maintenance on the trail. He has been recently working with Lions Bay Search and Rescue who have been assisting with maintenance, however it is too much for volunteers alone. The Lions Trail is designated as a recreational trail under s. 56 of the Forest and Range Practices Act meaning the Forest Service is authorized to fund and maintain the trail but in reality they do not have enough resources or funds, so the BCMC has been authorized to perform that maintenance. Proposed restoration work has been set out for seven separate sections of the trail and they will apply soon for grant funding.

However, there are also aspects of the work that Lions Bay could assist with, such as trail access parking, siting of sanitation solutions and ditching work along the first 3.23 km road section. Mayor Buhr suggested striking a working group committee to further the discussion with BCMC, and invited John Dudley of the Trail Blazers and Ed Lanford of SAR to share their thoughts from the gallery. Mr. Dudley expressed concerns about issues arising from the increased usage of the trail and Mr. Langford noted that the current rough conditions are essentially self-regulating so making the trail more accessible may be a double-edged sword. Both said they would be happy to be a part of a committee. Mayor Buhr indicated he would work with the CAO on a terms of reference.

B. Scott Gordon and Rene Rose – Dogs in Village

Mr. Gordon and Ms. Rose advised Council that they are building a house at 90 Lions Bay Avenue and that new tenants have recently moved in next door on the north side with 12 loudly barking dogs. They noted that the bylaw states you can only have two dogs [sic-3 over 4 months] and wondered what the Village will do to enforce the bylaw. They also advised Council that the tenants have received eviction notice for the end of February and are concerned about the length of time this could take if that issue is disputed. CAO DeJong was asked to respond but noted that specific law enforcement

issues must be discussed in closed meeting and that the matter will be addressed at that time.

C. Kambiz Azordegan – Parking Issues

Mr. Azordegan thanked Council for their hard work with improvements in Lions Bay, however he expressed his concerns with parking issues, such as: the meters did not work as visitors still came after the Bylaw Officer's hours, they park on the grass and the road. Mr. Azordegan also expressed that Council should be concerned of people having fires on the beach, that no Bylaw Officers are around after 10 pm so people make noise and has also witnessed drug and sexual acts in the parking lot. He noted that Lions Bay seems to be a friendly community for outsiders, not for residents who pay taxes and that bylaws with no enforcement do not work.

Audio: 00:41

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – January 23, 2018

The following items be amended:

- Item 2 – Adoption of Agenda: add the words “be added” to the end of item 6.
- Item 8Di – Core Service Level Review: amend the resolution to read: “THAT the Public Works Manager be directed to post for and hire a full-time Public Works Operator; and THAT the Chief Financial Officer be directed to secure an additional lease vehicle when we renew our current lease agreement.”
- Item 8Dii – Community Signage Plan: amend the beginning of the resolution to read: “THAT Council proceed with the Community Signage Project,…”
- Item 10A – Secondary Suite Surcharge Bylaw No. 536, 2018 and Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 537, 2018: amend the word VOTE FAILED to read MOTION FAILED at the end of the resolution.

Moved/Seconded

THAT the Regular Council Meeting Minutes of January 23, 2018 be approved as amended.

CARRIED

Audio: 00:45

6. Business Arising from the Minutes

A. Item 10A – Secondary Suite Surcharge Bylaw No. 536, 2018 and Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 537, 2018

Mayor Buhr queried whether the failed motion could be reconsidered by re-opening the motion. CAO DeJong advised Council that the original motion must be reconsidered at the same meeting or within 30 days, but the motion had been defeated in November or December.

Audio: 00:47

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

None

B. Strategic Plan Poster Revisited

CAO DeJong noted there were some suggestions on some of the changes that were approved at the last meeting, which were more or less administrative errors to simply be done within the purview of correcting the intent of Council. However after going through the list, he noted there were other items that required further discussion which Council reviewed.

Moved/Seconded

THAT the Strategic Plan Poster be adopted as amended, by correcting typos and changing the check marks to letters.

CARRIED

Audio: 00:58

8. Reports

A. Staff

i. CFO: 2018 Supplemental Budget Requests

Staff requested direction from Council on which items they wished to keep or remove. Council tabled receipt of information to discuss the on-table Engineering of Lions Bay Avenue Stairs which forms part of the budget request, and moved that item up on the agenda.

Moved/Seconded

THAT the report “2018 Supplemental Budget Requests” be tabled until after consideration of the report, Engineering of Lions Bay Avenue Stairs.

CARRIED

Moved/Seconded

THAT item 8Aiv be moved to item 8Aii and the remaining items to follow afterwards.

CARRIED

After discussion of item 8Aii – Engineering of Lions Bay Avenue Stairs, Council moved to receive the Supplemental Budget Requests for information.

Moved/Seconded

THAT the report “2018 Supplemental Budget Requests” be received for information.

CARRIED

Audio: 01:36

ii. PWM: Engineering of Lions Bay Avenue Stairs

PWM Jaffer advised Council that per Mayor Buhr’s request, he approached the engineers working on the Clean Water Wastewater Fund (CWWF) project to investigate potential cost savings of replacing the Lions Bay Avenue stairs. He advised Council they see a lot of potential cost savings as they will be doing concrete demo and steelwork which they could incorporate into the stairs. He noted that the only issue with it is that the tender is going out on February 13, 2018 and in order to tender the stairs as part of that project we would need engineering drawings, which would cost approximately \$8,000. Council discussed the cost estimate of the stairs.

Moved/Seconded

THAT Council approve the expenditure of up to \$8,000 for the engineering design work to prepare a tender ready drawing for the pedestrian stairs on Lions Bay Avenue between the Harvey Creek Bridge and the Highway 99 underpass.

CARRIED

Audio: 01:47

iii. Office Coordinator: Consent to MVRD Regional Parks Service Amendment Bylaw No. 1255

CAO DeJong advised Council that he followed up with the finance officer at Metro to find out what the financial considerations were for Lions Bay and what the cost impact would be regarding MVRD Regional Parks Service Amendment Bylaw. He noted that on one hand there is a reduction in operating costs for not having to look after these parks, but on the other hand there is a loss of 100,000 tax payers to pay for all of the parks. The net cost to Lions Bay will likely be approximately \$200-\$300 on an annual basis, so a slight increase to Lions Bay’s contribution to this regional service.

Moved/Seconded

THAT the Village of Lions Bay Council approve adoption of Metro Vancouver Regional District Regional Parks Service Amending Bylaw No. 1255, 2017 by providing consent on behalf of the electors of the Village of Lions Bay.

CARRIED

Audio: 00:1:51

iv. PWM: CWWF Verbal Update

PWM Jaffer advised Council that with the approval of the stairs, they are ready to proceed. He noted the design package is to be ready for February 13th including tender documents. Public Works Staff are reviewing the control valve design this week, with a turnaround date of one day for review. Bids on the tender process should be in by March 21, 2018.

Moved/Seconded

THAT Council receive the CWWF Verbal Update for information.

CARRIED

Audio: 01:53

B. Mayor

i. Information Report: Update re. Highway 99

Council reviewed the update on the highway issues. Mayor Buhr noted that the demand, as measured by the number of hours on calls by Lions Bay Fire Rescue, is less than half in 2017 compared to 2016. Council discussed the speed limits through Lions Bay along Highway 99.

Moved/Seconded

THAT Council receive the Update re. Highway 99 report for information.

CARRIED

ii. Information Report: LionsBay.ca Website Stats

Council reviewed the Village website statistics provided by Mayor Buhr.

Moved/Seconded

THAT Council receive the LionsBay.ca Website Stats report for information.

CARRIED

Audio: 02:04

C. Council

i. Councillor Barmeier: Community Signage Project Update

Councillor Barmeier briefed Council on the Community Signage Project, noting that he came up with a cohesive theme for the signage, and with a few different options to

consider. It was suggested that a member of Council finalize the design and wording with staff for the community consultation piece with a view to finalizing the final sign order in concert with the parking sign order.

Moved/Seconded

THAT the Information Report “Community Signage Project Update” be received for information.

CARRIED

Moved/Seconded

THAT Council direct staff to find a suitable signage consultant to provide constructive feedback on the current signage options, within the already approved \$15,000 signage budget.

CARRIED

Audio: 02:10

D. Committees

i. Lions Bay Beach Park Advisory Committee Minutes – December 21, 2017

Councillor McLaughlin provided a brief update on the last Lions Bay Beach Park Advisory Committee meeting.

Moved/Seconded

THAT the Lions Bay Beach Park Advisory Committee Meeting Minutes of December 21, 2017 be received for information.

CARRIED

E. Emergency Services

None

9. Resolutions

None

10. Bylaws

A. Utility User Rate Amendment Bylaws No. 538, 539 and 540 – 3 Readings

Council reviewed the Utility Rate Amendment bylaws.

Moved/Seconded

THAT Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 538, 2018 be introduced and given three readings.

CARRIED

Moved/Seconded

THAT Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 539, 2018 be introduced and given three readings.

CARRIED

Moved/Seconded

THAT Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 540, 2018 be introduced and given three readings.

CARRIED

Audio: 02:17

B. Secondary Suite Surcharge Bylaw No. 513, 2017, Amendment Bylaw No. 536, 2018 – 3 Readings

Council reviewed the Secondary Suites Amendment Bylaw. Mayor Buhr queried the definition of “occupied” and suggested amending it to: “Inhabited for periods of one month or longer within a calendar year or advertising for habitation or residency for periods of one month or longer within a calendar year”.

Moved/Seconded

THAT Secondary Suite Surcharge Bylaw No. 513, 2017, Amendment Bylaw No. 536, 2018 be introduced and read a first, second and third time, as amended.

CARRIED

Audio: 02:20

C. 52 Brunswick Beach Road Delegation Bylaw No. 541, 2018 – Adoption

Moved/Seconded

THAT 52 Brunswick Beach Road Delegation Bylaw No. 541, 2018 be adopted.

CARRIED

11. Correspondence

Moved/Seconded

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

- G-1: MPIC February 2018 Municipal Workshop – no response

- G-2: CTV News Inquiry – Mayor Buhr previously responded, no further response
- G-3: Recycling Council of BC – Annual Zero Waste Conference – no response
- G-4: MPIC Engagement Background – no response
- G-5: Transit Oriented Affordable Housing Study – no response
- G-6: Amending List of Species under the Species at Risk Act – no response
- R-1: Wendy Morton – Mayor Buhr responded, no further response

CARRIED

12. New Business

None

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

Mr. Peter Smith

Mr. Smith introduced himself as the “other side of the dog debate” at 100 Lions Bay Avenue. He noted that this matter is of great importance to his family and wanted to see Council face to face and point out that they are living next to a building site, not yet a home, and that if Mr. Gordon spent less time aggravating the dogs by banging and shouting, that they may not bark as much, or if he could perhaps call ahead to notify them that they will be visiting the work site, then the dogs could be brought indoors to avoid barking.

Mr. Doug Pollock

Mr. Pollock had an observation at the Lions Bay Beach Park noting that a number of boats are no longer in their racks, and noticed a sign that notifies they must be registered and queried whether a proactive measure has been taken to deal with the issue. PWM Jaffer advised Mr. Pollock that there was a bylaw amendment in order to act on delinquent boat space renters. Mr. Pollock also commented on some confusing signage when entering the Lions Bay Beach Park from the Marina which indicates all the reasons why it is necessary to revitalize the park. The posts on the shelter by the beach were rotten and apparently impossible to replace, however he recently noticed the posts in question were replaced and wondered how they were replaced without tearing down the structure, when the sign read “cannot fix”. It was noted that the wording of the signage could be incorrect and is meant to be beams rather than posts.

Mr. Jeff Stone

Mr. Stone queried the reason for the stair replacement on Lions Bay Avenue, and made a suggestion that perhaps the bus should stop at the top to pick up passengers if it had to do with access to the bus stop. He also pointed out that increasing speed on the highway through Lions Bay would increase the accident rate for residents because the entries are very short and numerous times people stop due to too much traffic and he expressed that he would not like to see traffic moving any faster. Mr. Stone queried whether the Village contracts for garbage pick-up. He also wondered how Council accounts for charging people Secondary Suite charges when we have houses in Lions

Bay being rented or occupied by an equivalent number of people, or more than those with just a Secondary Suite, for instance two people in the main house and one in the downstairs suite, whereas rental houses could have four or five people in one house, and queried whether it had been considered.

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 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;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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;

CARRIED

The meeting was closed to the public at 9:35 p.m.

The meeting was re-opened to the public at 11:25 p.m.

15. Reporting Out From Closed Portion of Meeting

Council reports out that they agreed to renew the listing agreement for the sale of 52 Brunswick Beach, owned by the municipality, for 6 months, and that the CAO Annual Review was undertaken.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 11:26 p.m.

Mayor

Corporate Officer

Date Approved by Council:	February 20, 2018
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