



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, SEPTEMBER 18, 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 Ron McLaughlin

Regrets: Councillor Jim Hughes

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

Delegations: 1

Public: 8

1. Call to Order

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

2. Adoption of Agenda

Moved/Seconded

THAT item 4A – Delegation Slideshow be added to the presentation;

THAT item 8Avii – Community Signage Style Guide be added;

THAT item 8Aviii – Community Signage Content Guide be added;

THAT item 8Aix – Harvey Tank Replacement Project Tender be added;

THAT item 11B – Infrastructure Planning Grant Program Correspondence be added;

THAT item 11C – Additional Correspondence re: Community Signage Style Guide be added;

THAT item 12A – Arts Council Municipal Grant be added;

THAT 90(1)(a) be added as an additional ground for closing the meeting; and

THAT the agenda be adopted, 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)

A. Mr. Arash Iranshahi – Development of a View Bylaw

Mr. Iranshahi spoke about the idea of a much needed View Bylaw in Lions Bay. He touched on the history of Lions Bay and noted that when Kelvin Grove was developed, it was clear-cut to build homes on. Since then, citizens planted trees to mark their property lines or for landscaping, and the trees have reached a point where in some cases they are blocking or limiting views, or potentially posing a hazard. He noted that currently there are no guidelines with respect to views on private land in Lions Bay and some neighbours do not agree to trim their trees in order to open up the view, and some ask for a significant sum of money from neighbours to permit tree trimming, which is unfair.

Mr. Iranshahi provided Council with his research on the subject, with examples cited of three municipalities in California and how they have dealt with the regulation of views. His recommendation was for Lions Bay to use the City of Rancho Palos Verde's quantifiable criteria as a standard for view determination and the City of Laguna Beach's procedures for view restoration.

David Shore was permitted to speak from the gallery in support of the concept.

Moved/Seconded

THAT the delegation presentation be received.

CARRIED

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – September 4, 2018

The following was amended:

- Re-word the title "Public Defecation" in item 11A R4 to "Gate at End of Lions Bay Avenue".

Moved/Seconded

THAT the Regular Council Meeting Minutes of September 4, 2018 be approved, as amended.

CARRIED

6. Business Arising from the Minutes

None

Audio: 00:19

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

| # | Meeting Date | Description of Action Item | Action |
|----|-------------------|---|-------------|
| 32 | February 6, 2018 | Mayor Buhr and CAO DeJong to work on a Terms of Reference for a Lions Bay Trail Maintenance Committee | In progress |
| 56 | July 3, 2018 | G4: City of North Vancouver – Notice to Withdraw from the North Shore Bylaw Notice Dispute Adjudication Registry Agreement – CAO to follow up | In progress |
| 57 | September 4, 2018 | G1: Cannabis Update – CAO DeJong to follow up per Policy No. 1802 | Completed |
| 58 | September 4, 2018 | R2: Kelvin Grove Parking – Liz Bell – Mayor Buhr to respond | In progress |
| 59 | September 4, 2018 | R4: Gate at End of Lions Bay Avenue – Max Wyman – CAO DeJong to respond and to look into the situation regarding control over use of easement | In progress |

8. Reports

A. Staff

i. CAO: Staff Training 2018

Council reviewed the Staff Training 2018 report.

Moved/Seconded

THAT the Information Report, “2018 Staff Training” be received.

CARRIED

ii. CAO: Surveillance Cameras

CAO DeJong noted that that this is a complicated area with sophisticated, expensive equipment involved and Council will need to carefully consider its objectives if there’s a desire to pursue any of the options or prioritize any of the locations. If further action is to be taken, he recommended an RFP requesting a review of Municipal objectives and proposed locations, a security plan with recommendations to meet those objectives, and a budget that would be required to fulfill the recommendations of the security plan.

The scope of the RFP could be limited to surveillance camera systems or security company patrols, or both, noting that security patrols might fulfill a wider scope of potential objectives.

Moved/Seconded

THAT the Surveillance Cameras report be tabled until the next strategic planning session or budget discussion.

CARRIED

Audio: 00:36

iii. CAO: Legal Status of Lands Commonly Known as the Glendale Avenue Lots
CAO DeJong outlined the legal status of the lots along Glendale Avenue, noting that Provincial staff was very helpful in assisting with the information provided in the report. As stated in the report, all of the lots have become highway right of way, with a portion vesting in the Province for arterial Highway 99 and the balance vesting in the Municipality as non-arterial highway and road right of way within Municipal boundaries. However, the preliminary view of staff is that there would be significant challenges to developing any of the land and there were no recommendations for follow up action.

Moved/Seconded

THAT the Information Report, “Legal Status of Lands Commonly Known as the Glendale Avenue Lots” be received.

CARRIED

Audio: 00:44

iv. CAO: North Shore Recycling Depot Agreement
The North Shore Recycling Depot is operated by Metro Vancouver on behalf of the North Shore communities of the District of West Vancouver, the District of North Vancouver and the City of North Vancouver, who fund the operation through the tipping fee bylaw of the Greater Vancouver Sewerage & Drainage District (GVSD). As Lions Bay is not a participant in the services provided by the GVSD, the Municipality is being asked to contribute \$1,500 per year which equals approximately Lions Bays’ portion of the cost of the facility on a per capita proportional basis (1%). The Agreement will mean that Metro Vancouver will provide information on the operations of the facility to the Village of Lions Bay and will engage Lions Bay on any changes to the operation of the depot. Lions Bay’s logo will be added to the signage for the depot.

Moved/Seconded

THAT the North Shore Recycling Depot Agreement between Metro Vancouver and the Village of Lions Bay (the “Municipality”) for a five year term commencing January 1, 2019, be approved.

CARRIED

Moved/Seconded

THAT the CAO, Peter DeJong, be authorized to execute the North Shore Recycling Depot Agreement.

CARRIED

v. CFO: 2018 Cash Flow Summary

CFO Rooke advised Council that the current cash flow has a sufficient amount of revenue and presents no issues between now and when the utility fees are due in March.

Moved/Seconded

THAT the Information Report “2018 Cash Flow Summary” be received for information purposes.

CARRIED

vi. CFO: Water Conservation Plan

Council expressed satisfaction with the Water Conservation Plan prepared by Urban Systems and approved the Plan.

Moved/Seconded

THAT the Lions Bay Water Conservation Plan be approved.

Moved/Seconded

THAT the motion be amended by inserting “dated September 2018” after the word “Plan”.

AMENDMENT CARRIED

THAT the main motion as amended be approved as follows:

THAT the Lions Bay Water Conservation Plan dated September 2018 be approved.

CARRIED

Audio: 01:00

vii. CAO: Community Signage Style Guide

Council reviewed the Community Signage Style Guide and agreed to approve option 2 by amending the Style Guide as to signage heights, being 7 feet to the bottom of the sign.

Moved/Seconded

THAT the Community Signage Style Guide be approved, as amended.

CARRIED

viii. CAO: Community Signage Content Guide

Council reviewed the Community Signage Content Guide and discussed how to handle amendments based on resident feedback. Council agreed to continue accepting feedback until Friday and the Mayor and CAO will proceed with finalization of the content guide.

Moved/Seconded

THAT Council give the Mayor and CAO authority to finalize the Community Signage Content Guide.

CARRIED

Audio: 01:07

ix. CAO: Harvey Tank Replacement Project Tender

CAO DeJong advised Council that the Request for Expression of Interest (RFEOI) was unsuccessful in terms of being able to proceed with an interested party towards a contract for the Harvey Tank Replacement Project and that it would need to go out to tender. He stated that while AECOM was instructed to prepare a tender that provided all three options of either a glass-fused steel, regular conventional concrete, or pre-stressed concrete tank, it was ultimately determined that it would create too much uncertainty for contractors of either material type to bother submitting any bid. based on the cost difference of each type under the assumption the municipality would choose the lowest price bid. Staff recommended focusing on attracting as many compliant steel bids as possible by deleting the options of conventional or pre-stressed concrete.

Moved/Seconded

THAT the Information Report, “Harvey Tank Replacement Project Tender” be received; and

THAT staff be directed to issue a tender for a Glass-Fused Steel tank for the Harvey Tank Replacement Project.

CARRIED

B. Mayor

Mayor Buhr noted that the UBCM conference was time well spent and recommended the next Council all attend each year. CAO DeJong provided Council with preliminary notice of the LGLA conference in Richmond on January 15-17, 2019 and asked that next term's elected officials save the dates.

C. Council

None

Audio: 01:22

D. Committees

i. Trees, Views and Landscapes Committee – Tree App #89: 295 Oceanview Road
Council reviewed tree application #89 and approved the recommendation.

Moved/Seconded

THAT as requested, the applicant is permitted to carry out work as requested in the application, and expanded so that Village trees may be trimmed to maximize the applicant's view. Clean up and remove of all associated debris.

CARRIED

ii. Trees, Views and Landscapes Committee – Tree App #90: 195 Highview Place
Council reviewed tree application #90 and approved the recommendation.

Moved/Seconded

THAT as requested, the applicant is permitted to carry out work as requested in the application. Clean up and remove of all associated debris.

CARRIED

E. Emergency Services

None

9. Resolutions

None

10. Bylaws

A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 551, 2018 - Adoption

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 551, 2018 be adopted.

CARRIED

B. Council Remuneration Bylaw No. 552, 2018 – Three Readings

Council moved and seconded the recommended motion prior to reviewing it. Council noted that section 6 of the bylaw appeared twice, and debated the content of the second section 6 dealing with non-payments for three consecutive regular meeting absences. Ultimately, Council decided to delete the second section 6 as well as section 7, retaining section 8 as the renumbered section 7.

Moved/Seconded

THAT Council Remuneration Bylaw No. 552, 2018 be introduced and given first, second and third reading.

OPPOSED UNANIMOUSLY

Moved/Seconded

THAT Council Remuneration Bylaw No. 552, 2018 be introduced and given first, second and third reading, as amended by deleting the second section 6 as well as section 7, retaining section 8 as the renumbered section 7.

CARRIED

Audio: 01:42

11. Correspondence

A. List of Correspondence to September 13, 2018

Moved/Seconded

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

- G1: CFJB Red Tape Awareness Week 2019 – no response
- G2: Commercial Cannabis Production on Agricultural Land – no response
- G3: Review of the Auditor General for Local Government Act and Office – no response – CAO DeJong completing the survey sent to all CAOs.
- R1: Kambiz Azordegan – Signage – Mayor Buhr responded, no further response
- R2: David Waller – Lions Bay Signs – feedback accepted, no response
- R3: Mike Hurst – Comments on Style Guide – Mayor Buhr responded, no further response

CARRIED

B. Infrastructure Planning Grant Program Correspondence

Council congratulated staff on the Infrastructure Planning Grant Program award of \$10,000.

Moved/Seconded

THAT the Infrastructure Planning Grant Program correspondence be received with the CAO to respond to the letter from Iola Knight.

CARRIED

C. Additional Correspondence re: Community Signage Style Guide

Council received the correspondence regarding the Community Signage Style Guide.

Moved/Seconded

THAT the additional correspondence re: Community Signage Style Guide be received.

CARRIED

Audio: 01:49

12. New Business

A. Arts Council Municipal Grant

CAO DeJong advised Council that the Arts Council internally allocated \$600 towards the Eat Together event, subject to certain things as between the Arts Council and House Concerts, and are providing House Concerts with \$261. The Arts Council wishes to put the balance of what they internally allocated towards a different project which promotes art in youth. Council and staff had no issue with the Arts Council spending the money in this manner.

Moved/Seconded

THAT the Arts Council Municipal Grant verbal update be received.

CARRIED

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

Ms. Deirdre Bain

With respect to the delegation presented at the beginning of the meeting, Ms. Bain queried who would end up paying for trees to be cut down if they were deemed to be necessary. Council advised that they assume the requestor would pay for the associated costs.

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;
- 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;
- 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];

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 8:53 p.m.

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

15. Reporting Out From Closed Portion of Meeting

Matters were discussed pertaining to the reasons for closing the meeting.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:09 p.m.

Mayor

Corporate Officer

| | |
|---------------------------|-----------------|
| Date Approved by Council: | October 2, 2018 |
|---------------------------|-----------------|