



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, DECEMBER 4, 2018 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier (via telephone)
Councillor Jaime Cunliffe

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

Delegations: 1

Public: 7

1. Call to Order

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

2. Adoption of Agenda

Moved/Seconded

THAT item 12F – Review of Council Policies re. Highway 99 be moved to item 4B; and
THAT item 8Bii – Verbal Report be added; and
THAT item 8Diii – Lions Bay Beach Park Advisory Committee Verbal Update be added;
and
THAT item 12A – Howe Sound Community Forum – Discussion re. Hosting be moved to
item 8Cii and the items in both sections be renumbered accordingly; and
THAT item 12E – Mayor’s Levee be added; and
THAT item 12F – 2019 BC Community Achievement Awards be added; and
THAT the agenda be adopted, as amended.

CARRIED

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

A. Ruth Simons

Ms. Simons provided the history on the Howe Sound Community Forum (HSCF) for those who may have been unaware. She noted that Brenda Broughton was one of the original signatories to the HSCF Principles of Cooperation in 2002 and since then the members have met twice a year; in the past 4-5 years, Ruth has reinvigorated those meetings and is now the lead person in the Howe Sound Biosphere Region Initiative (HSBRI). She explained that an example of one of the purposes of the HSCF is consensus building through dialogue and the opportunity to network with First Nations and Elected Officials in the region. Part of the agreement is for each community to host meetings and Lions Bay has hosted the 3 over the years, the most recent being in May 2018 (cost to Lions Bay was \$1000), so it's not our turn to host for a while.

B. Brenda Broughton

Ms. Broughton expressed her hope for Council to rescind the resolution supporting a 70 km/h speed limit through Lions Bay. She noted that the speed limit was negotiated through a period of 8 years with residents, sound engineers, and representatives of the Ministry of Transportation at the table. Ms. Broughton served on the Highway Advisory Committee as Chair for many years and through many serious negotiations. She expressed her concern with respect to the negotiations with residents on Panorama, that those negotiations were based on a 60 km/h speed limit, and that she does not believe there will be a desire to re-open the discussion. She also suggested that the removal of landscaping has effected the Kelvin Grove residents by increasing the sound and understands there may be some concern there. Ms. Broughton noted that the Bayview Road traffic has slowed down a lot since the Sea to Sky Highway pre-upgrade speed of 80 km/h was reduced to 60 km/h. Again, she hoped Council would rescind the resolution to support a speed increase as the research says higher speed leads to more accidents.

C. Michael Broughton

Mr. Broughton wished to reiterate a number of points he raised at the final meeting of the last council regarding the proposed change of the speed limit in the Village. He explained that he had served on the Highway Advisory Committee until it was disbanded, and one of the key issues of concern, next to core safety, was sound mitigation. He advised there was a tremendous amount of research that went into sound mitigation and the fact that sound is not just an inconvenience, but a liability to our residents (it can cause distress and serious health concerns, which has been documented). The Highway Advisory Committee negotiated the sound pavement, sound walls and speed limits as a package, and Mr. Broughton was concerned that if the Village takes responsibility of encouraging an increase in the speed limit, there could be serious issues with those residents holding Council liable. He encouraged Council to rescind the previous resolution to increase the speed to 70 km/h.

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

A. Karl Buhr – Highway 99 Policies

Mr. Buhr directed Council's attention to a graph in the presentation documents on page 7 which was produced as part of a study that the Ministry of Transportation and Infrastructure (MOTI) completed for Lions Bay. The data was drawn from Google Maps and represents hundreds of thousands of data points of highway travellers and shows actual speeds, specifically Brunswick Beach Road, Isleview Place (i.e. Lions Bay Avenue) and the Kelvin Grove exits. He explained that the top dotted line is the actual 85th percentile speed on the highway which is 95 km/h, meaning 85% of drivers go approximately 95 km/h through that stretch of the highway.

Most drivers believe this is the correct speed for that given piece of highway, when in fact that speed is too fast for the configuration, slopes, bend radius, and site lines of the highway. Mr. Buhr reiterated that the reality is, people drive these speeds regardless and although it was not designed to be a freeway, the speed limit proves to be irrelevant because due to the appearance the road portrays with on ramps, sound walls and double lanes on each side, therefore 60 km/h is not a believable speed.

Aside from this, Mr. Buhr discussed the drop in fatalities since the barriers were installed, directing attention to the graphs on pages 8 and 9 of the presentation. Beyond accidents, Mr. Buhr touched on noise, which he explained is not from tires or car engines as they are well handled by the quiet pavement and sound walls, but from motorcycles. The solution to the excessive speed from motorcycles and the 85th percentile, is Average Speed Over Distance (ASOD) and he encouraged Council to keep in place the resolution to increase the speed. He suggested that a speed limit of 60 km/h through Lions Bay is too slow for ASOD to work properly as part of the safety aspect is getting everyone to have a more or less consistent speed. UBCM endorsed the motion to introduce ASOD, with a survey still to be conducted as requested by MOTI. Mr. Buhr explained how ASOD works, noting that it offers excellent compliance based on other countries who use it. A driver is guaranteed a ticket if you speed, therefore drivers are more likely to comply with the speed limit.

B. Review of Council Policies re. Highway 99

Council discussed the feedback received from both public participation and the delegation presentation. Most seemed to favour the implementation of ASOD, if a pilot project can be arranged, with the speed limit to remain at 60 km/h, subject to any MOTI requirement for 70 km/h for the purposes of ASOD.

Moved/Seconded

THAT the CAO be directed to bring a proposed amending resolution to the next meeting supporting a speed of 60 km/h through the Village.

AMENDED MOTION:

Moved/Seconded

THAT there be some caveat added with respect to conditions that may be associated with Average Speed Over Distance requiring a speed limit of 70 km/h.

CARRIED

MAIN MOTION AS AMENDED:

Moved/Seconded

THAT the CAO provide, at the December 18th Regular meeting, a proposed resolution amending the previous resolution regarding the speed limit down to 60 km/h subject to any conditions that may apply to Average Speed Over Distance being reliant on a speed limit of 70 km/h.

CARRIED

Audio: 01:05

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – November 20, 2018

Moved/Seconded

THAT the Regular Council Meeting Minutes of November 20, 2018 be approved as circulated.

CARRIED

6. Business Arising from the Minutes

The following items were discussed from the November 20, 2018 Regular Council Meeting minutes:

- Councillor Barmeier queried whether the conflict of interest matters were resolved. Councillor Abbott clarified this was not a conflict of interest, that his concern was whether Council understood the issue it was voting for at the October 16th Council meeting, as there had not been any substantive discussion at that meeting of the proposed work to be contracted. CAO DeJong explained that the matter had been thoroughly discussed on a few occasions beginning in the summer and that Councillor Barmeier had actually recommended a potential contractor (who ultimately did not provide a final quote).
- Councillor Bain queried item 6A – CN Parking Lot and whether the environmental liability should be covered by CN's insurance since they are responsible for the lot and their cargo could far exceed any automotive impact on the environment. CAO DeJong advised that the terms we were offered was we take the lot "as is" and to cover any environmental liability up to \$10 million, however other options are being examined in order to deal with this issue.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
32	February 6, 2018	CAO DeJong to work on a Terms of Reference for a Lions Bay Trail Maintenance Committee	In progress – to be discussed in the New Year
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	DNV likely to take on Bylaw Notice Dispute Adjudication Registry – remove from action list
59	September 4, 2018	R4: Gate at End of Lions Bay Avenue – Max Wyman – CAO DeJong to respond	In progress

Audio: 01:20

8. Reports

A. Staff

i. CFO: 2018 Year to Date Review

Council discussed the 2018 year to date review.

Moved/Seconded

THAT the report “2018 YTD Review” be received for information purposes.

CARRIED

B. Mayor

i. Appointments to Standing Committees

See reporting out from the closed portion of the meeting.

ii. Verbal Report

Mayor McLaughlin reminded Council that the other small communities of Metro are Anmore, Belcarra and Bowen Island, and that he met with the Mayors of Anmore and Belcarra today. The meetings are for information and ideas to be shared amongst each other.

Mayor McLaughlin was also pleased to announce that the chair of Metro requested he be on the Advisory Board for the Spirit Pacific Regional Park as a representative for Metro, and also as a member of the Municipal Finance Authority (MFA).

C. Council

i. Appointments

See reporting out from the closed portion of the meeting.

Councillor Abbott excused himself from the meeting at 8:32 pm. He rejoined the meeting at 8:34 pm to advise he would be leaving the meeting due to a family emergency. He left the meeting at 8:35 pm. The meeting recessed at 8:35 pm and continued at 8:37 pm.

Audio: 01:28

ii. Howe Sound Community Forum – Discussion re. Hosting

This item was not discussed due to the advice of Ruth Simons that other communities are due the opportunity to host before it will be Lions Bay's turn again.

iii. Ocean Watch Task Force (HSCF) Representative

CAO DeJong advised Council that he spoke with Ruth Simons earlier in the day and she had provided an update on the work that the Ocean Watch Task Force has been doing and that the minutes from those meetings are posted on their website, and that all elected officials are encouraged to inform themselves and attend meetings when they see items of interest.

iv. Appointments of Representatives

See reporting out from the closed portion of the meeting.

D. Committees

i. Trees, Views and Landscapes Committee – Tree App #91: 145 Mountain Drive
Moved/Seconded

THAT the applicant is permitted to carry out work as requested in the application, in accordance with the captioned photographs submitted with application #91 and subject to limiting topping heights to the topping heights previously approved and implemented; and

THAT the arbutus tree in the middle of 145 Mountain Drive, be preserved as a significant tree; and

THAT the tree cutting permit is approved and can be repeated annually until October 15, 2022, subject only to confirmation prior to any cutting of:

- a) An acceptable traffic control plan
- b) All insurance and damage deposits submitted; and

THAT Council reserves to right to amend or cancel the term of the permit at any time; and

THAT the applicant must clean up and remove all associated debris.

CARRIED

Audio: 01:38

ii. Infrastructure Committee – Recommendation for a Study into Oceanview
Drainage Improvement

Councillor Bain explained that the drainage situation on Oceanview has been debated by the Infrastructure Committee and a decision should be made between either options A or B, either to re-establish the original drainage path to Rundle Creek or to retain the current drainage path all the way to lower Oceanview.

Moved/Seconded

THAT staff be directed to commission the study to assess the resulting drainage flow scenarios for Option A (re-establish original drainage path to Rundle Creek) and Option B (maintain current drainage path all the way down to lower Oceanview) and to provide cost estimates for both options. Cost estimates for Option A should include costs for both directional drilling and open trenching alternatives and the challenges associated with each.

CARRIED

iii. Lions Bay Beach Park Verbal Update

Mayor McLaughlin advised Council that staff provided an exceptional report which was reviewed by the committee and residents who attended had very good feedback. He believes Council will be pleased with the results when they come forward in due course.

E. Emergency Services

None

9. Resolutions

None

Audio: 01:44

10. Bylaws

A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 – Third Reading

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 be read a third time.

CARRIED

Audio: 01:46

11. Correspondence

A. List of Correspondence to November 29, 2018

Moved/Seconded

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

- G1: Development Inquiry – CAO DeJong to follow up with Mr. Zhang
- G2: Invitation to Stakeholders – no action
- G3: Recognition Letter – Jordan Sturdy – no action
- G4: Recognition Letter – Ministry of Municipal Housing and Affairs – no action
- G5: Non-Medical Cannabis – no action
- G6: Recognition Letter – RCMP – no action
- G7: Rural Program Eligibility – no action
- G8: Auditors General for Local Government – no action
- R1: Brenda Broughton – Concern re. Highway – no further action
- R2: Dawn Mitchell – Lions Bay School – Mayor McLaughlin and CAO DeJong meeting with School District 45 Superintendent and CFO; Councillor Cunliffe to follow up PAC meeting with article in Village Update
- R3: Tamara Leger – 2019 Lions Bay Cultural Funding Grant Notification Process – staff to respond to Ms. Leger

CARRIED

Audio: 01:55

12. New Business

A. Discussion re. Volunteer Week: April 7-13, 2019

Council discussed revitalizing Volunteer Week to bring the attendance numbers up. Councillor Cunliffe and Councillor Abbott to assess ideas for the next month and a half.

B. Citizens of the Year/Distinction

Councillor Abbott to take on coming forward with names for Citizen of the Year and Citizen of Distinction and add a piece in the Village Update requesting resident feedback.

C. PAC Liaison

Councillor Cunliffe was offered (and accepted) the role of PAC Liaison.

D. Historical Society

Mayor McLaughlin will continue on with the Historical Society.

E. Mayor's Levy

Councillor Cunliffe to organize a Mayor's Levee in January or February (social gathering with light food/drink, renew dog and boat licenses, etc).

F. 2019 BC Community Achievement Awards

The 2019 BC Community Achievement Awards application deadline is January 15, 2019. Staff to review and decide whether to put forward to the community for recommendations.

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:

- 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;
- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- 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;
- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
- 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 on strategic goals].
- m) a matter that, under another enactment, is such that the public may be excluded from the meeting.

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;
- d) a matter that, under another enactment, is such that the public must be excluded from the meeting.

CARRIED

The meeting was closed to the public at 9:08 p.m on Tuesday, December 4, 2018.

The meeting was re-opened to the public at 5:10 p.m. on Friday, December 7, 2018.

15. Reporting Out From Closed Portion of Meeting

Council reported out the following items:

- Mayor Ron McLaughlin was appointed to the Emergency Plan Steering Committee in place of former Mayor Karl Buhr;
- Councillor Barmeier was appointed to the Lions Bay Beach Park Advisory Committee;
- Councillor Abbott was appointed to the Curly Stewart Memorial Award Committee in place of former Mayor Karl Buhr;
- Resident Joanne Ronsley was appointed to remain as the representative of the Sea to Sky Invasive Species Council and report back to Council periodically with matters pertaining to the Village;
- Resident Joanne Ronsley was appointed to remain as the representative of the North Shore Substance Abuse Advisory Committee; and
- Council completed the Strategic Planning Session and will aim to report out items from the session in mid-January.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 5:13 p.m. on Friday, December 7, 2018.

Mayor

Corporate Officer

Date Approved by Council:

December 18, 2018