



## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

### REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, DECEMBER 18, 2018 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

#### AGENDA

1. **Call to Order**
2. **Adoption of Agenda**
3. **Public Participation (2 minutes per person totalling 10 minutes maximum)**
4. **Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)**
  - A. Ruth Simons – Howe Sound Community Forum (Page 5)
5. **Review & Approval of Minutes of Prior Meetings**
  - A. Regular Council Meeting – December 4, 2018 (Page 13)  

THAT the Regular Council Meeting Minutes of December 4, 2018 be approved as circulated.
6. **Business Arising from the Minutes**
7. **Unfinished Business**
  - A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Person Responsible
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	CAO DeJong
59	September 4, 2018	R4: Gate at End of Lions Bay Avenue – Max Wyman – CAO DeJong to respond	CAO DeJong
60	December 4, 2018	G1: Development Inquiry – CAO to follow up with Mr. Zhang	CAO DeJong
61	December 4, 2018	R2: Dawn Mitchell – Lions Bay School – Councillor Cunliffe to follow up PAC meeting with article in Village Update	Councillor Cunliffe
62	December 4, 2018	R3: Tamara Leger – 2019 Lions Bay Cultural Funding Grant Notification Process – staff to respond to Ms. Leger	CAO DeJong

## 8. Reports

### A. Staff

- i. CAO: Council Policy re. Highway 99 Through Lions Bay (Page 25)  
Recommendation: THAT Policy No. 1803 – Council Policy re. Highway 99 Through Lions Bay be adopted.
- ii. CAO: Village of Lions Bay Model Code of Conduct (Page 43)  
Recommendation: THAT Council adopt the Village of Lions Bay Code of Conduct.
- iii. CFO: 2019 Finance Workplan (Page 51)  
Recommendation: THAT the report “2019 Finance Workplan” be received for information purposes.

### B. Mayor – None

### C. Council

- i. Council Articles for the Village Update (Verbal)

### D. Committees – None

### E. Emergency Services – None

## 9. Resolutions

## 10. Bylaws

- A. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 – Adoption (Page 57)  
Recommendation: THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 be adopted.
- B. Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018 (Page 83)  
Recommendation: THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018 be introduced and read three times.
- C. Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018 (Page 117)  
Recommendation: THAT Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018 be introduced and read three times.

**11. Correspondence**

- A. List of Correspondence to December 14, 2018 (Page 137)

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

**12. New Business**

- A. Support for Saplings Pre-School (Verbal)

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

**14. Closed Council Meeting**

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;
- 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];

**15. Reporting Out From Closed Portion of Meeting**

**16. Adjournment**

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# THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

## DELEGATION REQUEST FORM

**Please forward your Delegation Request Form to the Village Office by 12:00 pm, the Thursday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total.**

Today's Date: Nov. 29, 2018 Council Meeting Date: December 18, 2018

**SUBJECT OF DELEGATION** I wish to speak before the Council regarding:

Overview and status of Howe Sound Community Forum and actions arising from previous forums ongoing

**SUPPORTING MATERIAL** I will provide additional information in advance of the Council meeting:

(by 12:00 pm the Thursday prior to the Council meeting so that the material can be included in Council package.)

Power Point presentation and handout

**ACTION.** The specific action I would like Council to take is:

Reaffirm commitment to the HSCF Principles for Cooperation and the ongoing efforts as reported. Commit to hosting a Howe Sound Community Forum within the next four years.

**NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:**

Name: Ruth Simons and Fiona Beaty

Signature: [Redacted Signature]

Organization (if any): Howe Sound Biosphere Region Initiative

Address: [Redacted Address]

Phone: [Redacted Phone] Fax: [Redacted Fax]

Email: [Redacted Email]

Note: A telephone number (where a message can be left with a person or voicemail), fax number or email address is required so that we can contact you in a timely manner.

# Atl'Kitsem. Howe Sound



Ruth Simons,  
Lead



Fiona Beaty,  
Project Director

# Seeking support for:

1. Howe Sound Community Forum – ***Village of Lions Bay’s continued participation and budget to host over the next four years.***
2. ***Village of Lions Bay: Letter of formal confirmation of Village of Lions Bay support of the Howe Sound Biosphere Region Initiative’s nomination to have Atl’Kitsem/Howe Sound designated as a Biosphere Reserve under UNESCO’s “Man and the Biosphere” program.***
3. Ocean Watch Task Force and Marine Reference Guide – ***continued participation on Task Force and with project development.***

# Howe Sound Community Forum - Established 2002



***“To provide a forum for local governments, Regional Districts and First Nations discussion to maintain and enhance the economic, environmental, cultural and social well being of the Howe Sound for the benefit of present and future generations.”***

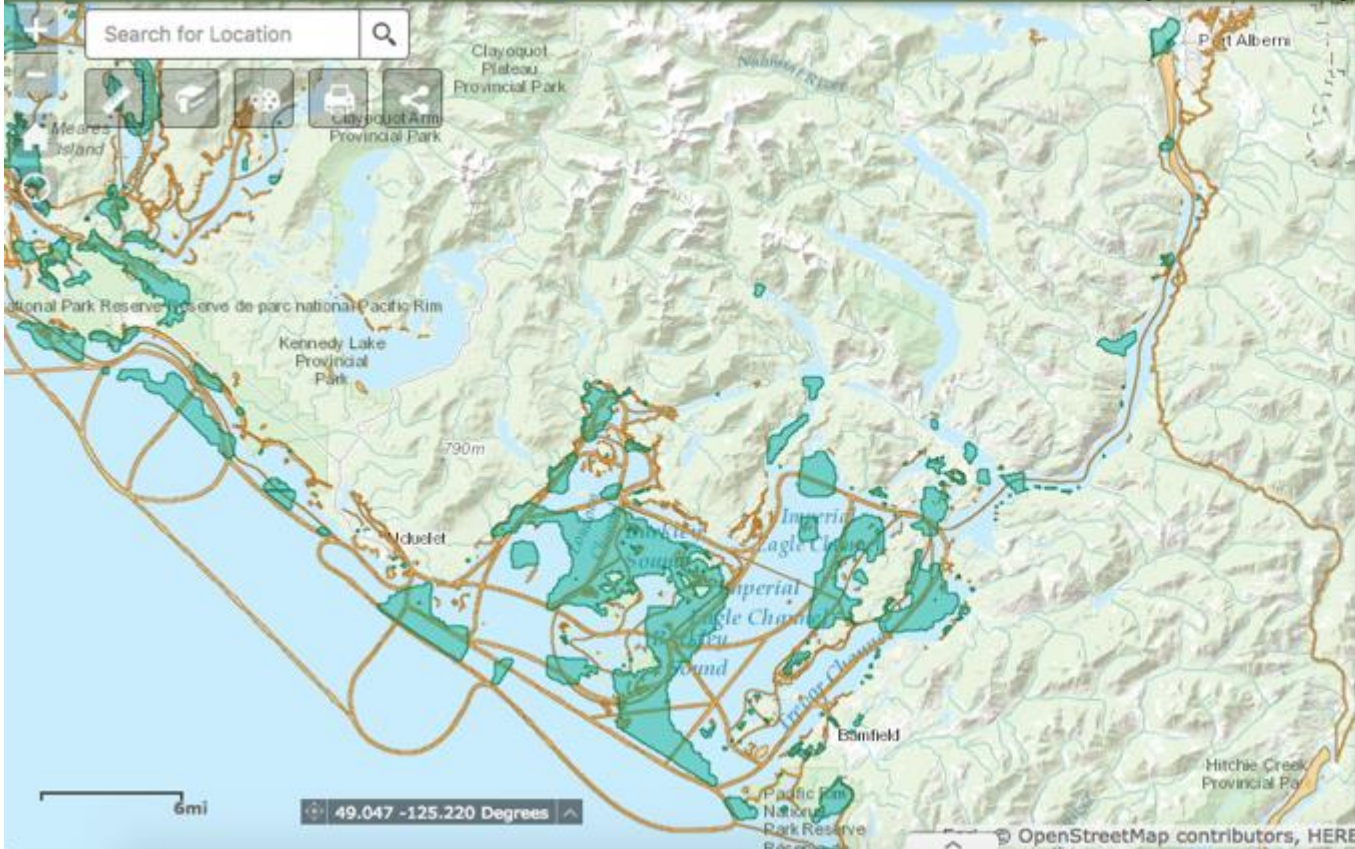
Squamish Nation - District of West Vancouver - Village of Lions Bay - Town of Gibsons - Resort Municipality of Whistler - Village of Pemberton - Bowen Island Municipality - Gambier Island Local Trust - District of Squamish - Metro Vancouver - Sunshine Coast Regional District -Squamish Lillooet Regional District.

Request:

***Village of Lions Bay appoint representatives to attend and budget up to \$3,000 to host the Howe Sound Community Forum within the next four years.***

## **Atl'Kitsem/Howe Sound Biosphere Region 2019 initiatives in support of:**

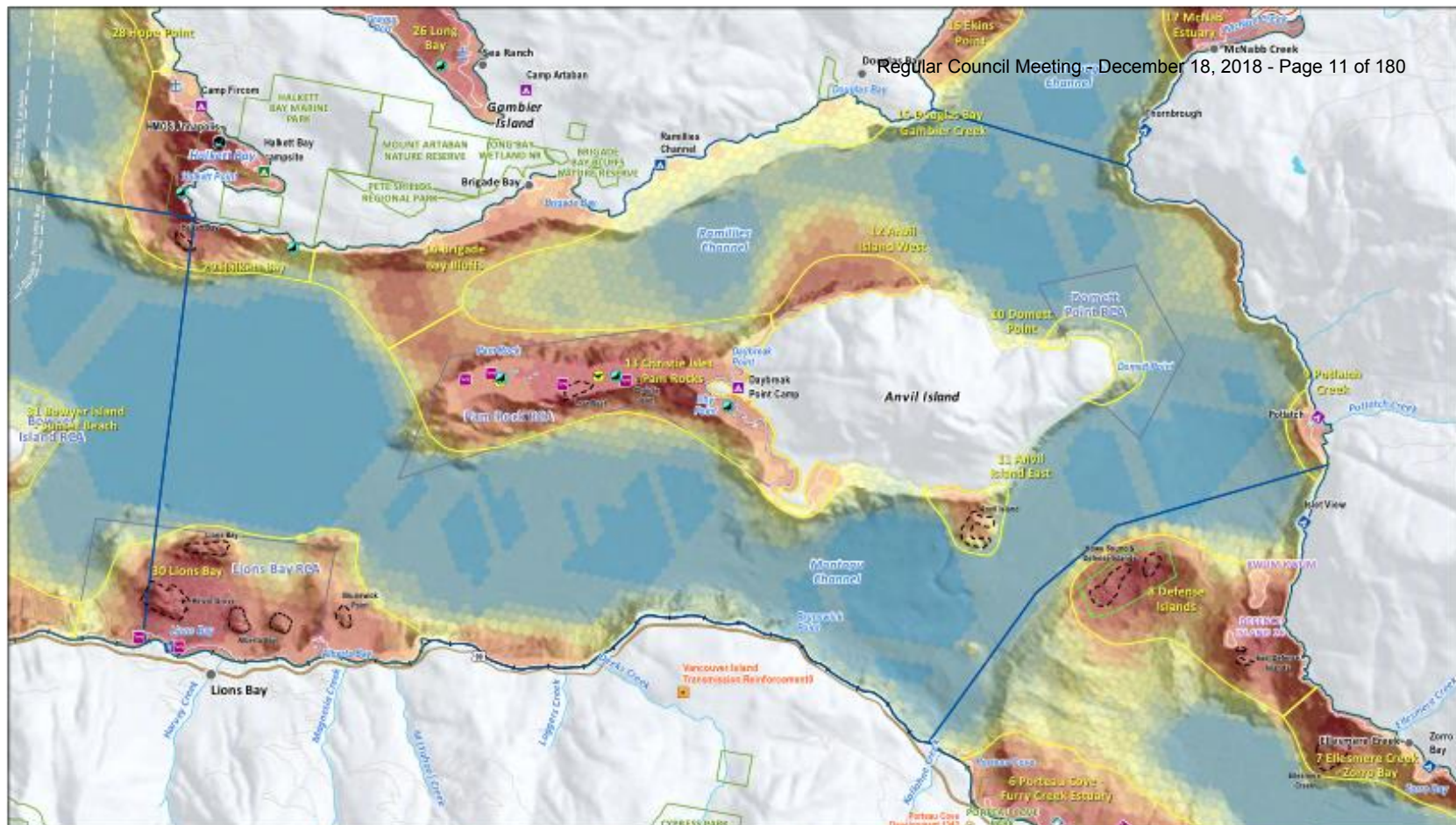
1. Completion and submission of nomination to UNESCO in 2019.
2. 2019 UN Year of Indigenous Languages
3. Follow up to the Howe Sound/UN Sustainable Development Goals Forum.
4. UN Coalition of Canadian Municipalities Against Racism and Discrimination.



### Layer List

- ▼ MERG
  - ▶ MARINE UNITS
  - ▼ AREA DESIGNATIONS
    - ▶  Aquaculture Area- Finfish
    - ▶  Aquaculture Area- Shellfish
    - ▶  Community Development Area
    - ▶  Cultural Management Area
    - ▶  Ecologically Significant Areas
    - ▶  Industrial Use Area
    - ▶  Fishing Area
    - ▶  Marine Transportation Area
    - ▶  Tourism and Recreation Area
  - ▶ MARINE INVEST MODELS

West Coast Aquatic's MERG tool for Barclay Sound: <http://marineguide.ca>



**Ramillies - Montagu**

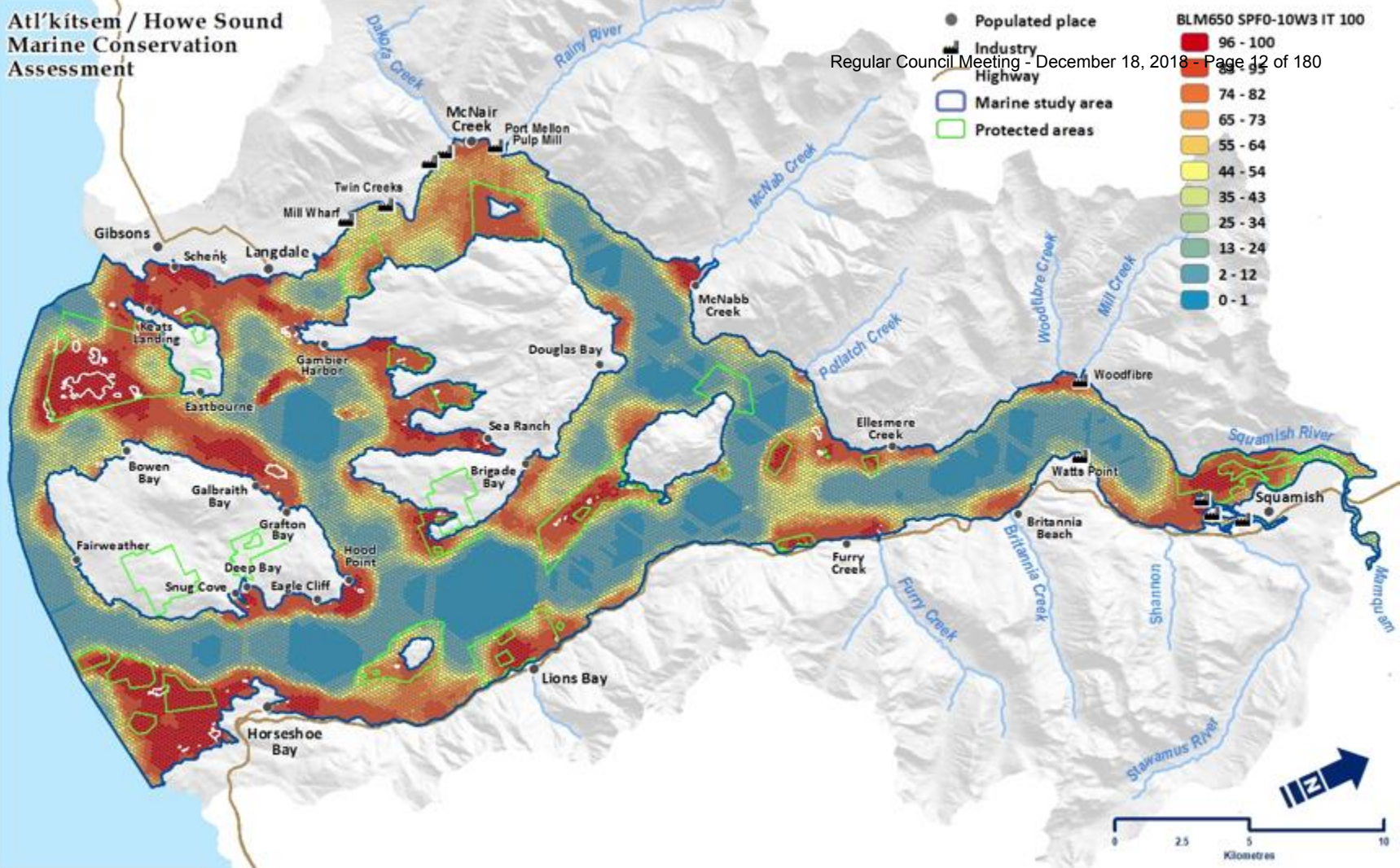


- |                        |                            |                |              |                                      |                     |                        |
|------------------------|----------------------------|----------------|--------------|--------------------------------------|---------------------|------------------------|
| Camp                   | Diving site                | Ferry terminal | Highway      | First Nation Reserve                 | Glass sponge reefs  | Marxian planning units |
| Campsite               | Industry                   | Boat launch    | Local road   | Park                                 | Closure area        | Selected 100 runs      |
| Marine trail composite | BC EAO Application         | Marina         | Ferry route  | Rockfish Conservation Area           | Confirmed reef      | 96 - 100               |
| Bird colony            | BC Major Project Inventory | Outstation     | Coastline    | Priority Conservation Areas (PCAs)   | Under investigation | 83 - 95                |
| Harbour seal haulout   | Ship wreck                 | Public dock    | EA footprint | Monitoring Zones (Marine Study Area) |                     | 74 - 82                |

- |         |         |
|---------|---------|
| 85 - 73 | 25 - 34 |
| 85 - 84 | 13 - 24 |
| 44 - 54 | 2 - 12  |
| 35 - 43 | 9 - 1   |



# Atl'kitsem / Howe Sound Marine Conservation Assessment





## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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### **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**

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#### **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.

*Audio: 00:14*

**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 85<sup>th</sup> 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 85<sup>th</sup> 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 18<sup>th</sup> 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 that his concern was whether Council understood the issue it was voting for at the October 16<sup>th</sup> 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.*

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Mayor

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Corporate Officer

Date Approved by Council:	
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DRAFT

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## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

<b>Type</b>	<b>Request for Decision</b>		
<b>Title</b>	<b>Council Policy re. Highway 99 Through Lions Bay</b>		
<b>Author</b>	<b>Peter DeJong</b>	<b>Reviewed By:</b>	
<b>Date</b>	<b>December 13, 2018</b>	<b>Version</b>	
<b>Issued for</b>	<b>December 18, 2018 Regular Council Meeting</b>		

### **Recommendation:**

THAT Policy No. 1803 - Council Policy re. Highway 99 Through Lions Bay be adopted.

### **Attachments:**

Urban Systems, June 2, 2017: Highway 99 Lions Bay Performance Review  
Policy No. 1803 - Council Policy re. Highway 99 Through Lions Bay

### **Key Information:**

Policy No. 1803 sets out the key information to be considered.

### **Options:**

1. Adopt the recommendation;
2. Amend the recommendation;
3. Refer the matter back to staff with directions.

**Preferred Option:** Adopt the recommendation.

**Other Considerations:** While Highway 99 is a Provincial highway for which the Municipality has no jurisdiction, safety and noise concerns remain very important to Village residents and a clear Municipal policy is required for both residents and external agencies, as well as for Council and staff in terms of providing a guide for further action and advocacy.

**Communication:** The updated policy, if adopted, will be communicated to MOTI and other external agencies as required, as well as uploaded to the Policies page of the website. It could also be the subject of a Mayor's Message to advise residents accordingly.

# MEMORANDUM

Date: June 2, 2017  
To: Ashok Bhatti, John Schnablegger  
cc: John Steiner  
From: Jeremy Finkleman  
File: 1961.0379.XX  
Subject: **DRAFT - Highway 99 Lions Bay Operating Conditions**

## INTRODUCTION

Highway 99 (Sea-to-Sky Highway) is a primary highway connecting Metro Vancouver to Squamish, Whistler and Lillooet. The highway bisects the community of Lions Bay and is the community's sole through access corridor.

Highway 99 operates as a four lane divided highway through Lions Bay. Access to the community is provided at low-speed grade separated interchanges at Brunswick Bay Road, Lions Bay Avenue, and Kelvin Grove Way. No direct property access or left turns are permitted from the highway through the community. Northbound and southbound traffic flows are separated by either concrete median barriers or planted medians.

Speeds along Highway 99 north and south of Lions Bay are posted at 90 km/h. Posted speeds decrease to 60 km/h through Lions Bay with short 70 km/h transitional zones at the community's northern and southern extent.

This short technical memorandum reviews traffic and mobility patterns along Highway 99 – Sea to Sky Highway through the Lions Bay community. Hourly median and variable travel speeds are gathered and presented for both weekday and weekend scenarios.

## TRAFFIC PATTERNS

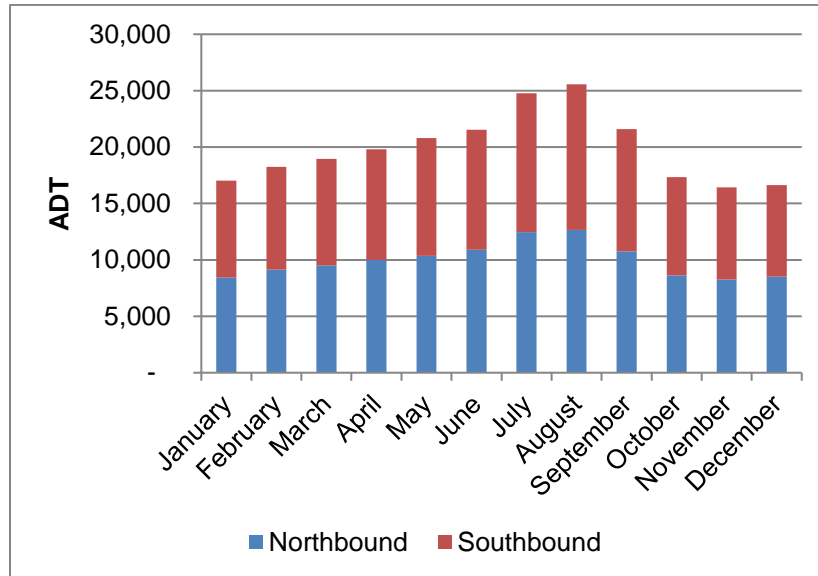
Traffic volumes along Highway 99 were obtained from MoTI permanent count station P-99-01NS, located approximately 12.5 km south of Lions Bay. Highway 99 served on average 19,900 vehicles per day in 2016. The highway experiences significant seasonality, as displayed in **Figure 1**, with summer daily traffic volumes approximately 1.5 times daily winter volumes.

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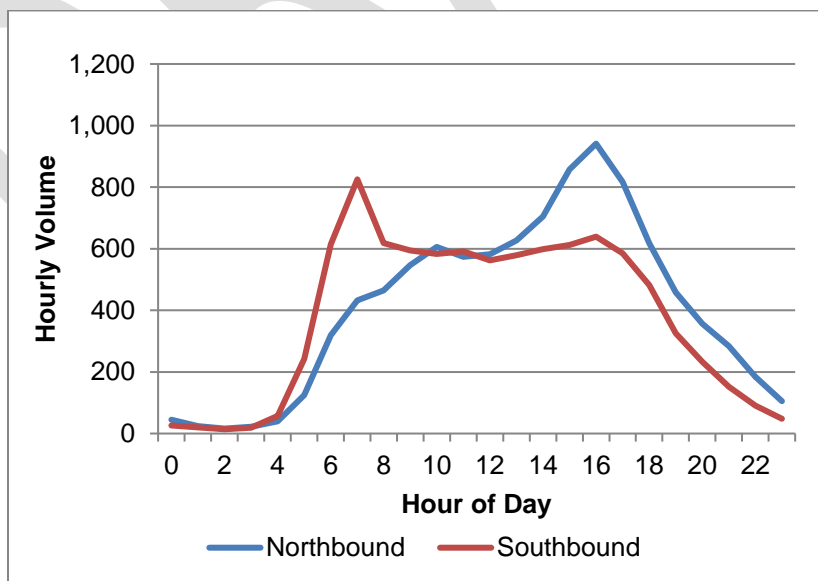


**Figure 1: Monthly Average Daily Traffic Volumes along Highway 99 near Lions Bay**



**Figures 2 and 3** illustrate average 2016 weekday and Saturday traffic profiles near Lions Bay. During weekdays, a commuting pattern to Metro Vancouver is clearly evidenced with southbound traffic volumes sharply peaking at 800 vehicles during the 7 – 8 AM hour and northbound volumes peaking at 940 vehicles during the 4 – 5 PM hour. Saturday traffic exhibits a very different pattern with northbound volumes building sharply to the 10 – 11 AM hour then decreasing throughout the day and southbound volumes building slowly through the day to the 4 to 6 PM period, which is reflective of Metro Vancouver tourism-oriented trips to the corridor.

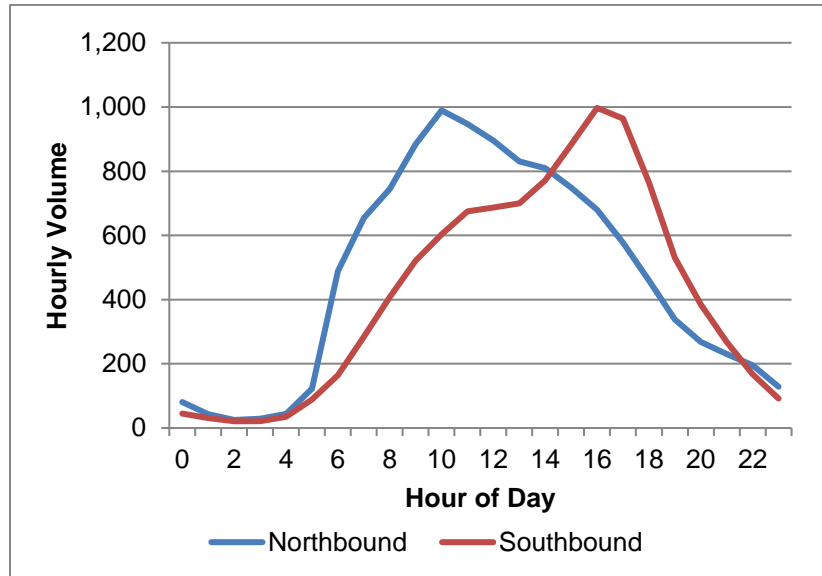
**Figure 2: Weekday Traffic Profile**



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**Figure 3: Saturday Traffic Profile**



The corridor serves approximately 2,700 buses and trucks each day, which comprise about 13.5% of total corridor traffic.

### MOBILITY REVIEW

Detailed weekday and weekend travel speeds and times along the study corridor were gathered and processed from TomTom Geospatial information. The information included in TomTom's database consists of chains of individual GPS 'breadcrumbs' gathered from the following sources:

- TomTom portable navigation devices with live services
- TomTom smartphone navigation applications
- TomTom fleet management systems
- In-vehicle systems (both TomTom and third party GPS systems)
- Select third party GPS enabled smartphones

July 2016 to May 2017 data was gathered to reflect operating conditions along the corridor. Sample sizes were in the thousands of hits per segment per hour.

#### *Weekday Conditions*

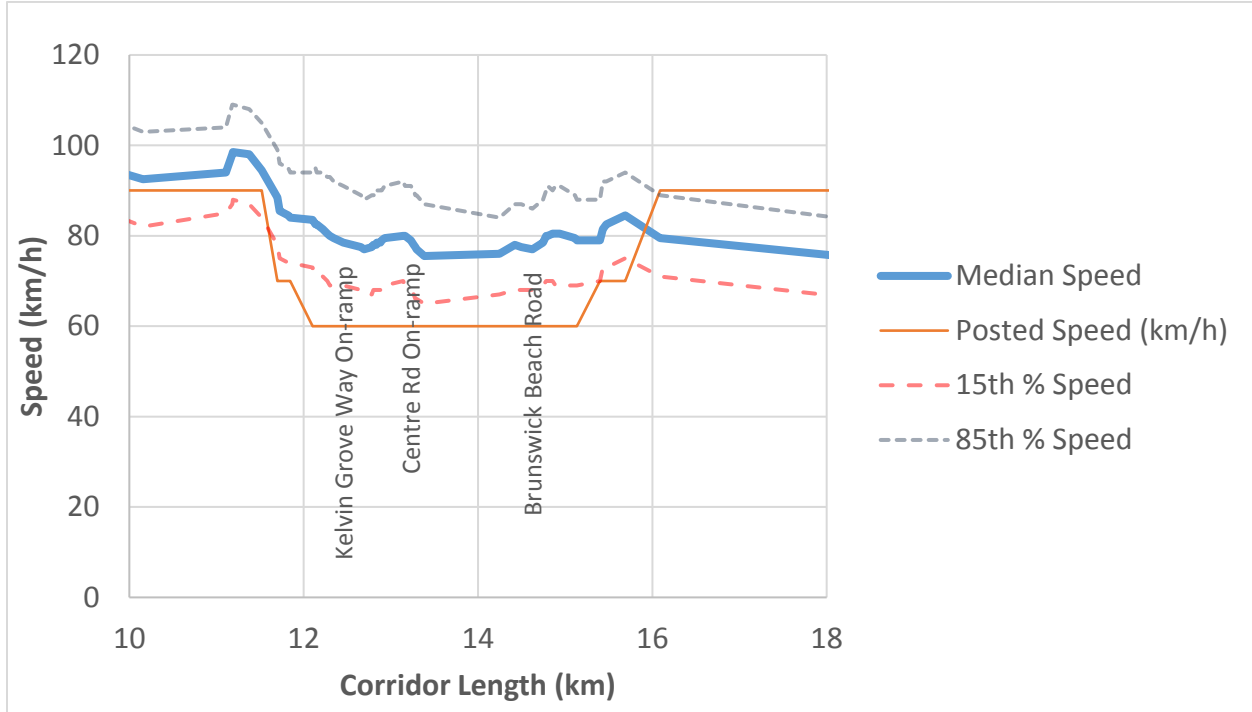
**Figures 4 – 6** display northbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 8 to 9 AM hour, the 12 to 1 PM hour, and the 5 to 6 PM hour on weekdays.

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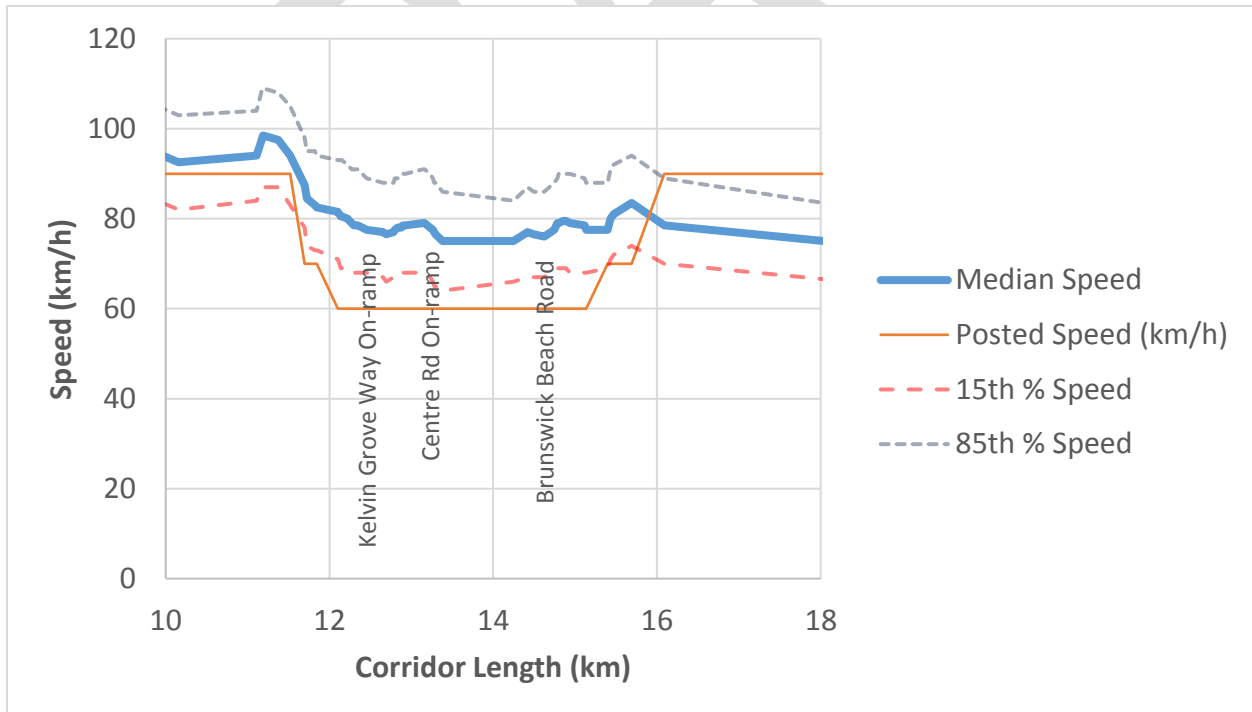
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**Figure 4: Northbound Weekday Highway 99 Median Speed and Variability Profile (8 to 9 AM)**



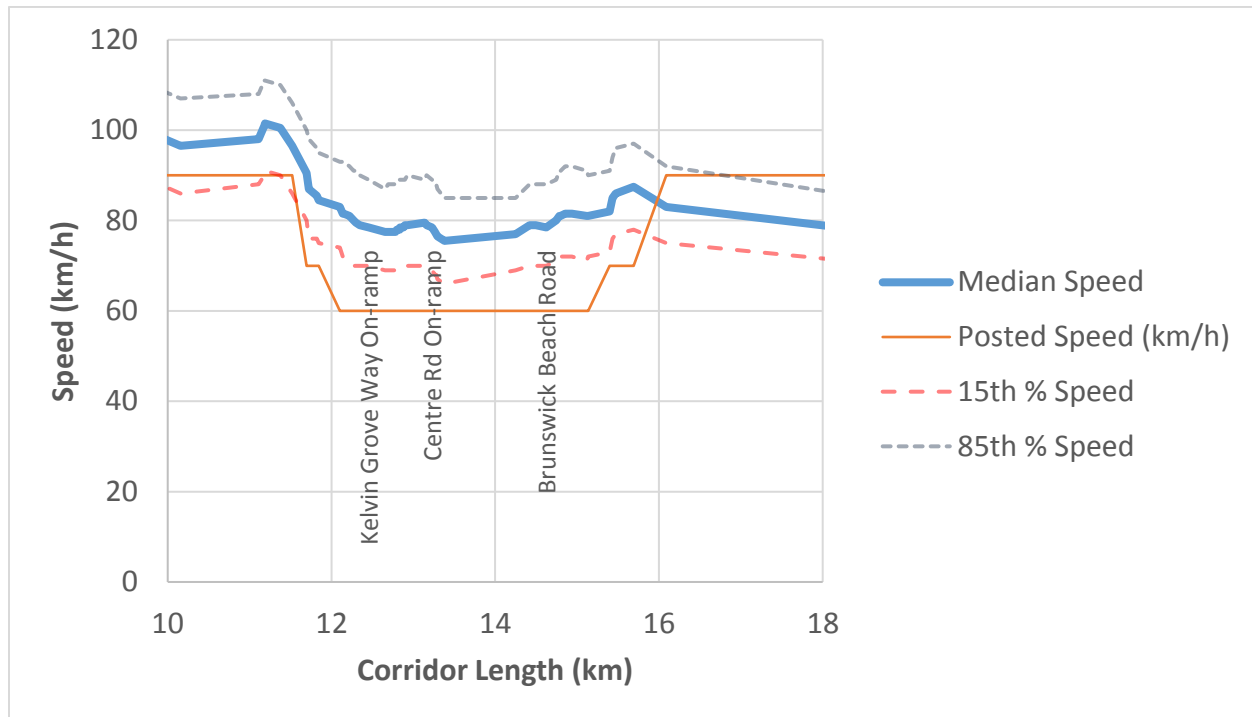
**Figure 5: Northbound Weekday Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



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**Figure 6: Northbound Weekday Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Key observations are as follows:

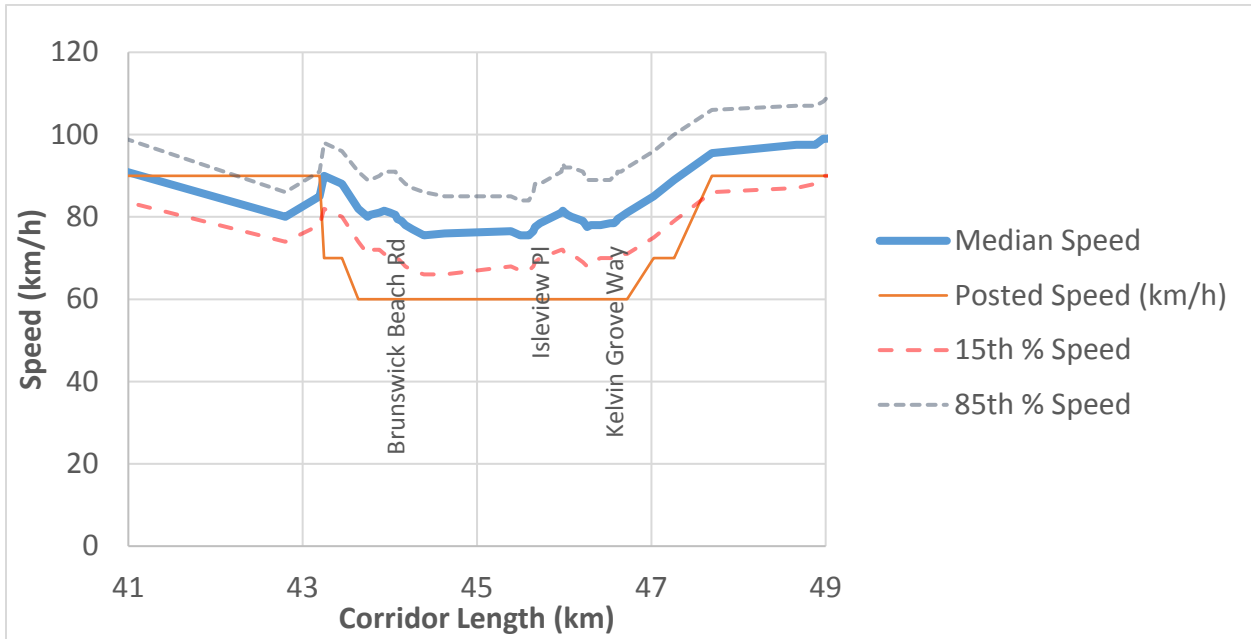
- **Northbound weekday speed profiles through Lions Bay are consistent throughout the day.** No significant differences in speed patterns are observed between the 8 to 9 AM, 12 to 1 PM, and 5 to 6 PM hours.
- **Northbound weekday speeds through Lions Bay significantly exceed the 60 km/h posted speed.** Median speeds of approximately 80 km/h are recorded through Lions Bay. Speed variability is relatively consistent through the corridor with 15<sup>th</sup>% speeds near 70 km/h and 85<sup>th</sup>% speeds near 90 km/h.
- **Despite increases in posted speed to 90 km/h north of Lions Bay, median speeds remain near 80 km/h north of the community.** This reflects the transition in road character north of Brunswick Bay to a two-lane windy highway.

**Figures 7 – 9** display southbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 8 to 9 AM hour, the 12 to 1 PM hour, and the 5 to 6 PM hour on weekdays.

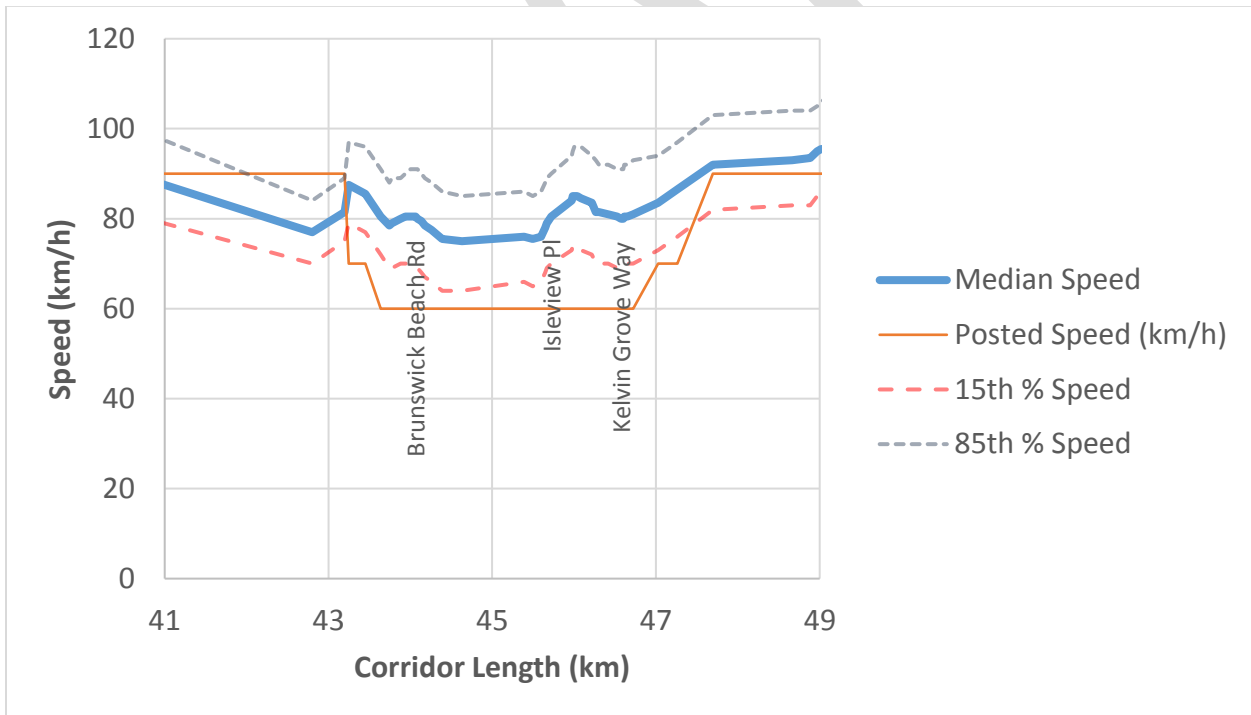
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**Figure 7: Southbound Weekday Highway 99 Median Speed and Variability Profile (8 to 9 AM)**



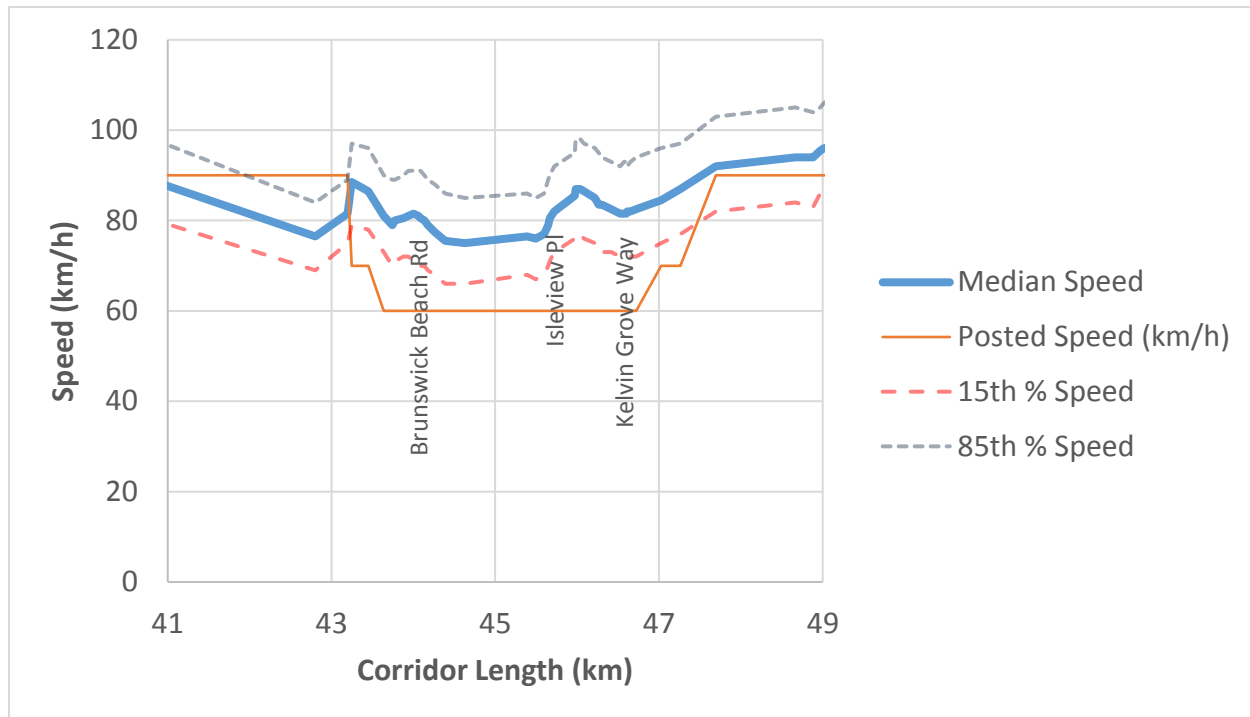
**Figure 8: Southbound Weekday Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



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**Figure 9: Southbound Weekday Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Key observations are as follows:

- **Southbound weekday speed profiles through Lions Bay are relatively consistent throughout the day.** While patterns are similar, traffic speeds are marginally slower during the 8 to 9 AM hour, when traffic volumes are higher.
- **Southbound weekday speeds through Lions Bay significantly exceed the 60 km/h posted speed.** Median speeds of approximately 75 km/h are recorded through Lions Bay. Speed variability is relatively consistent through the corridor with 15<sup>th</sup>% speeds near 65 km/h and 85<sup>th</sup>% speeds near 85 km/h. Of note, southbound speeds are approximately 5 km/h slower than northbound speeds through the study segment. This is likely reflective of roadway conditions further upstream in both directions of travel.
- **Despite decreases in posted speed north of Brunswick Bay, median and variable traffic speeds increase markedly at the northern segment extent.** This reflects the transition in road character north of Brunswick Bay from a two lane windy highway to a four-lane limited access expressway.
- **Median and variable speeds increase by 5 to 10 km/h beyond the Isleview Place off-ramp in all scenarios.** This is likely reflective of changes in roadway geometry beyond the exit (tangent section with 'freeway' exits / entrances).

#### Weekend Conditions

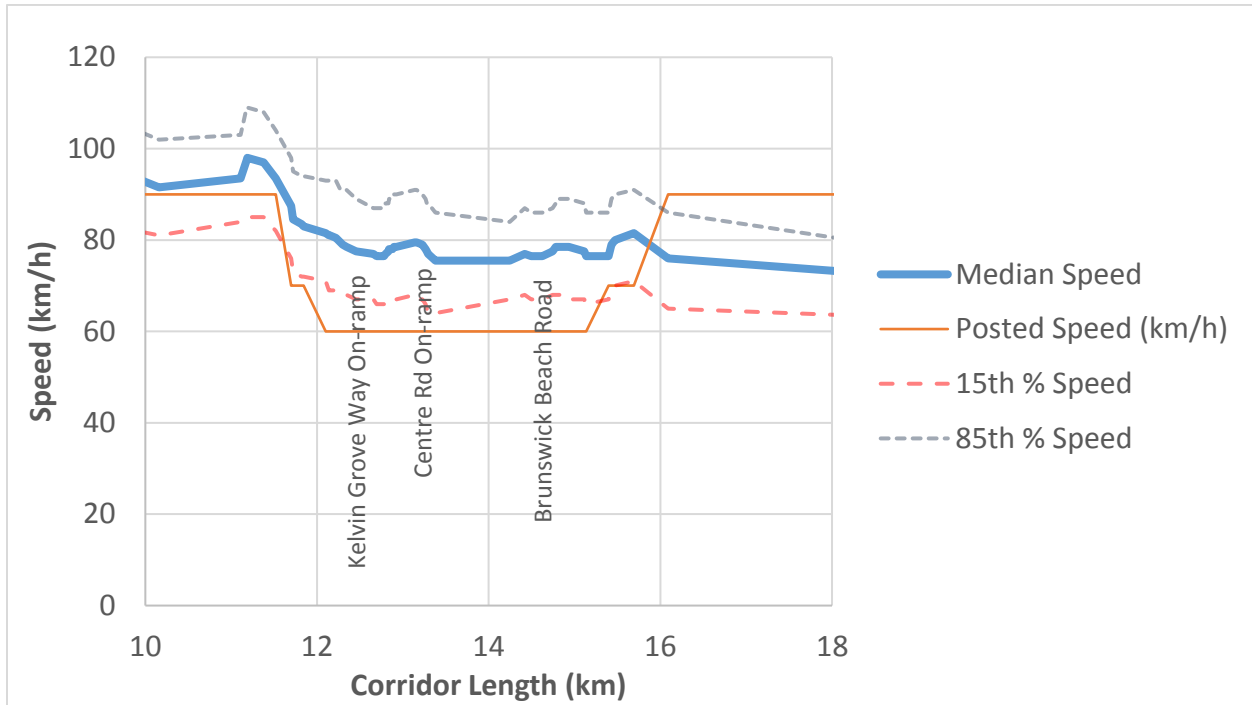
**Figures 10 – 12** display northbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 12 to 1 PM hour, the 2 to 3 PM hour, and the 5 to 6 PM hour on weekend days.

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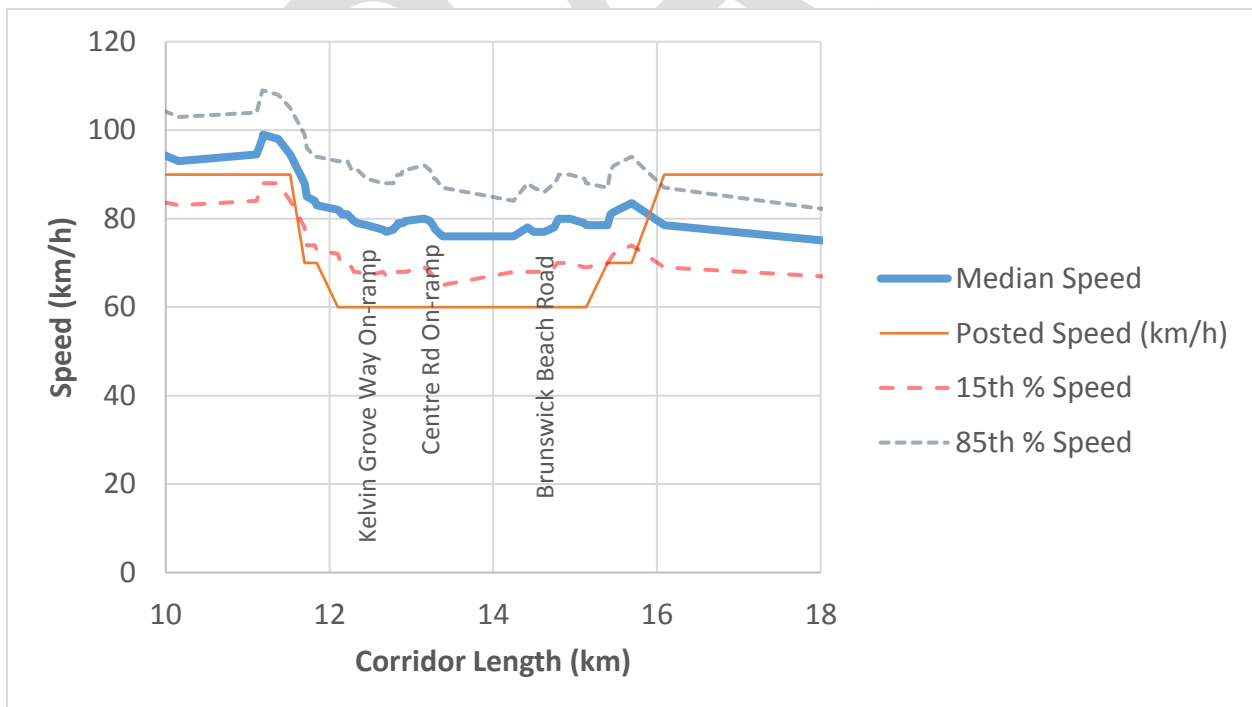
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**Figure 10: Northbound Weekend Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



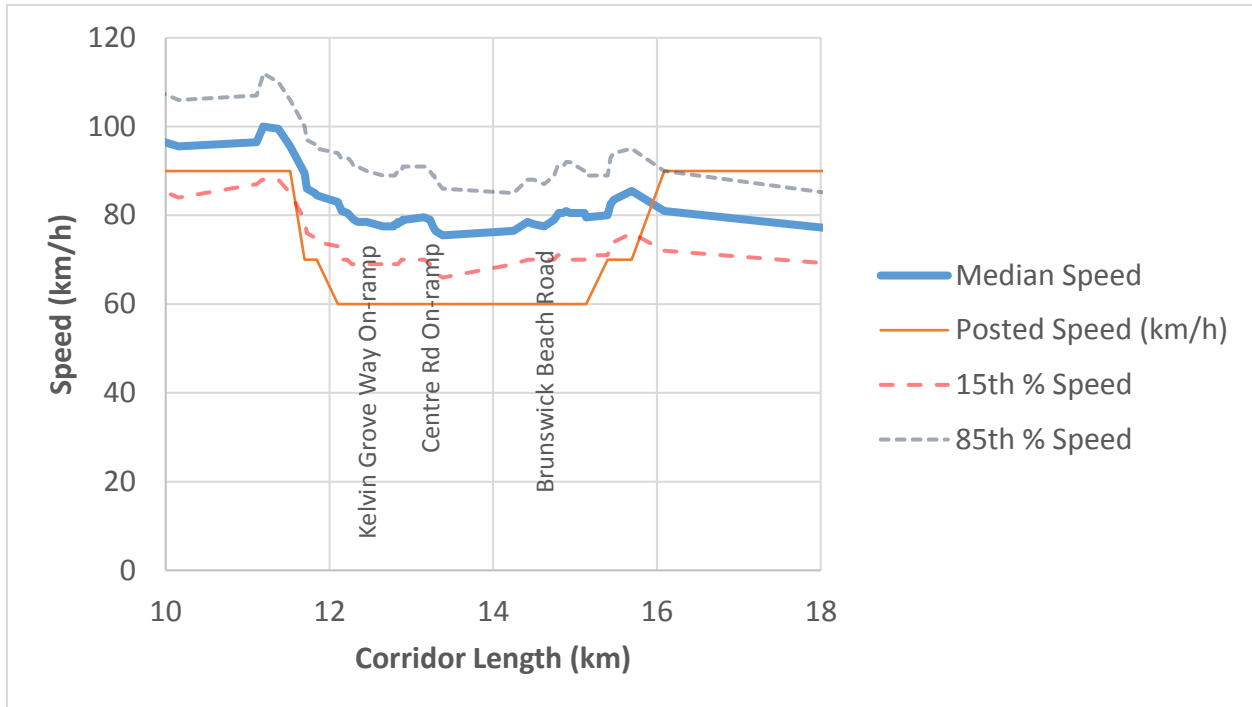
**Figure 11: Northbound Weekend Highway 99 Median Speed and Variability Profile (2 to 3 PM)**



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**Figure 12: Northbound Weekend Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



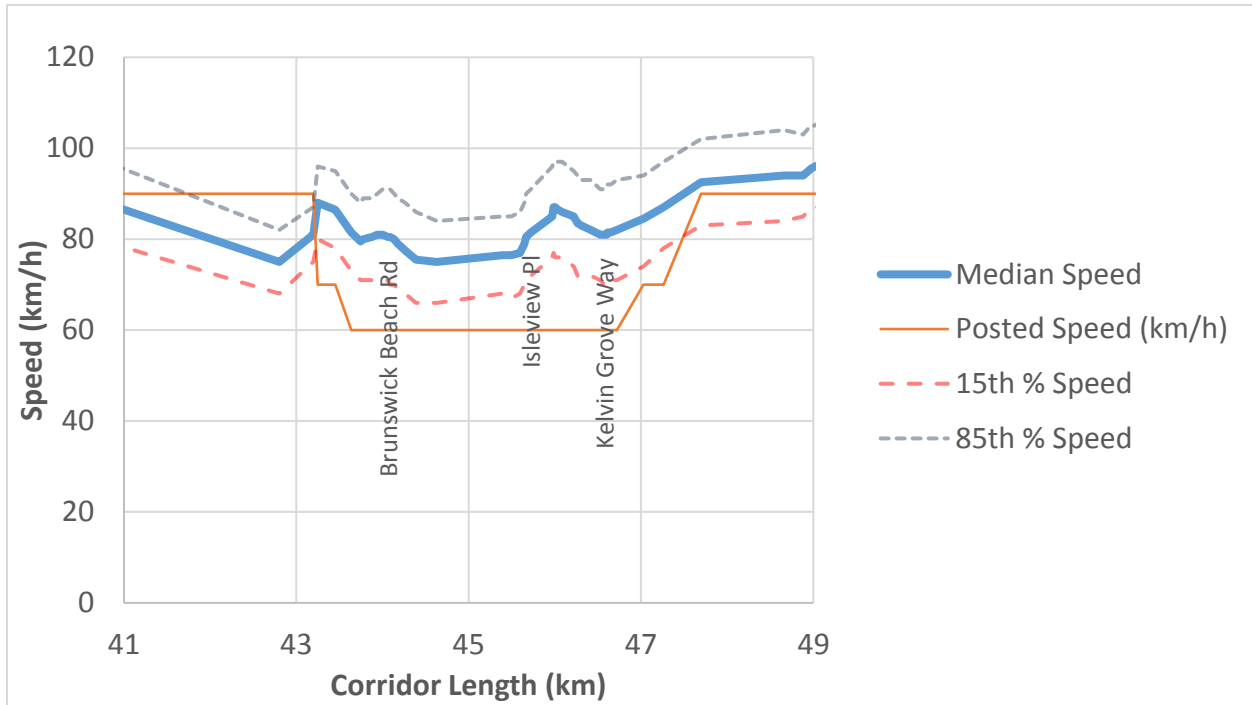
Northbound weekend speed profiles are not discernibly different from weekday profiles. No significant differences in speed patterns are observed between hours of the day. The same observations as noted for weekday conditions apply.

**Figures 13 – 15** display southbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 12 to 1 PM hour, the 2 to 3 PM hour, and the 5 to 6 PM hour on weekend days.

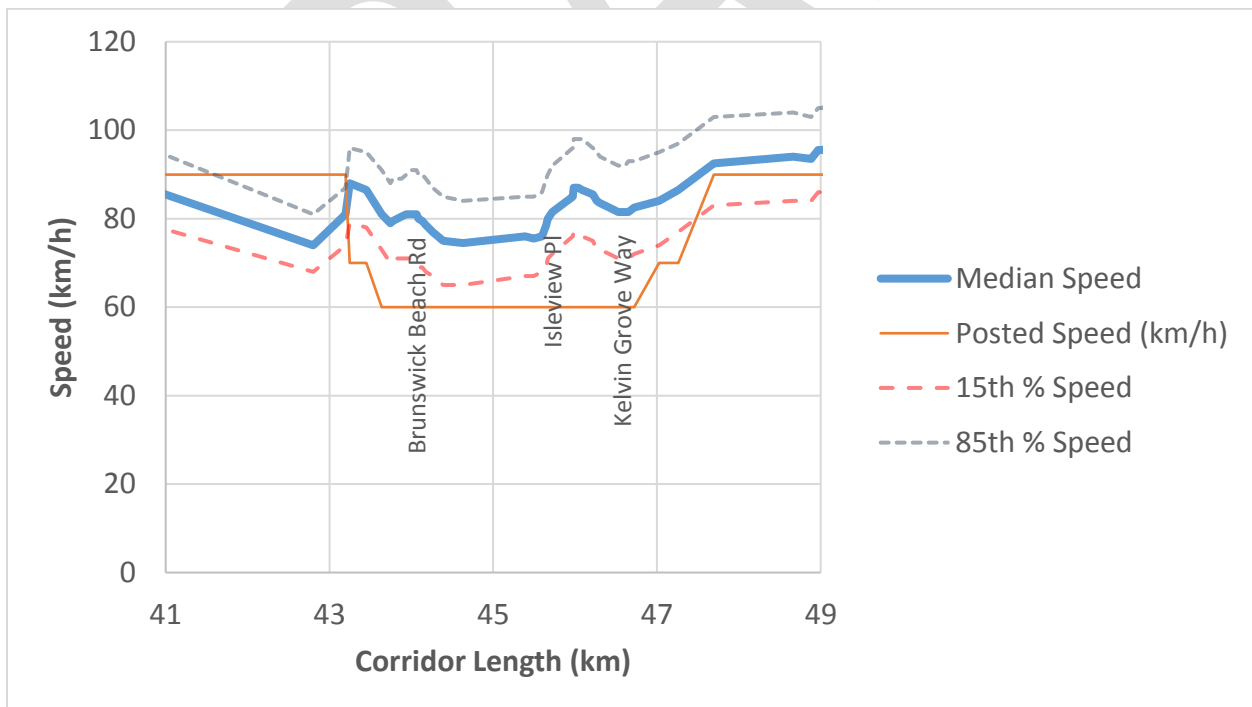
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**Figure 13: Southbound Weekend Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



**Figure 14: Southbound Weekend Highway 99 Median Speed and Variability Profile (2 to 3 PM)**

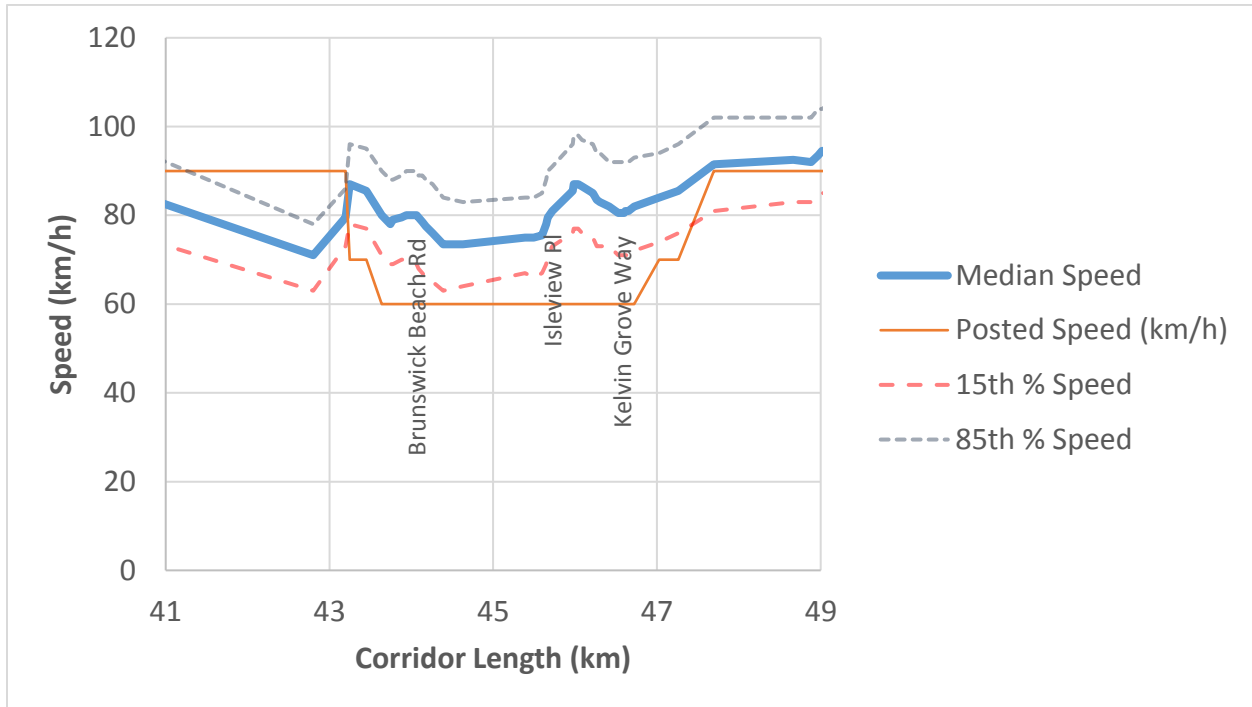




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**Figure 15: Southbound Weekend Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Southbound weekend speed profiles are not discernibly different from weekday profiles. No significant differences in speed patterns are observed between hours of the day. The same observations as noted for weekday conditions apply.

**CLOSURE**

We trust this memorandum satisfies your requirements. If you have any questions, please do not hesitate to contact either of the undersigned.

Sincerely,

**URBAN SYSTEMS LTD.**

Jeremy Finkleman, MCIP RPP  
 Transportation Planner

John Steiner, M.Eng, MCIP RPP  
 Principal

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## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

<b>Type</b>	<b>POLICY</b>	<b>Policy No</b>	<b>POL – 1803</b>
<b>Title</b>	<b>Council Policy re. Highway 99 Through Lions Bay</b>		
<b>Author</b>	<b>CAO, P. DeJong</b>	<b>Reviewed By:</b>	
<b>Date</b>	<b>December 12, 2018</b>	<b>Version</b>	<b>1</b>

### **Purpose**

The purpose of this Policy is to provide guidance for staff, Council and the general public with respect to Council policy regarding Highway 99 through Lions Bay.

### **Background**

Highway 99 has always been an integral part of Lions Bay, providing road access to early developers and residents, with through traffic to Squamish, Whistler and points beyond becoming increasingly significant over the years. It is a Provincial highway over which the Village of Lions Bay has no jurisdiction.

The hosting of the Winter Olympics and Paralympics in 2010 provided the Province with impetus for substantial upgrades to the highway, with resultant impacts to the Village. In anticipation of those impacts, the Municipality formed a Highway Advisory Group committee which lobbied the Provincial Government over several years in order to reduce those impacts to the extent possible.

In February, 2017, the Municipality and the Province entered into a Memorandum of Understanding regarding a number of issues, including some having to do with Highway 99. The MOU begins with the following:

#### **WHEREAS:**

- A. The ministry consulted with Lions Bay at the time of the Highway 99 Sea to Sky Highway Improvement Project and provided the following improvements to mitigate issues expected to arise as a result of the expanded corridor through the Lions Bay community:



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1. Context Sensitive Standards, which included design elements such as vegetative medians and noise reduction pavement through Lions Bay;
  2. Reduced speed limits in accordance with reduced design speeds through Lions Bay;
  3. Noise barriers in key locations along the highway right of way through Lions Bay;
- B. Notwithstanding these mitigation measures, the Sea to Sky Highway Improvement Project has had a substantive impact on Lions Bay.
- C. The ministry and Lions Bay are in agreement that changes to the corridor are worth considering to further improve the safety of the motoring public and reduce Highway 99's impact on the Lions Bay community.

In addition to the Province replacing the vegetative median from Alberta Creek to Brunswick Beach with concrete barriers to improve safety on that stretch of Highway 99, the following items were also included in the MOU:

5. The ministry will assess the appropriate speed and speed transition zones through Lions Bay and share its findings with Lions Bay. This will include potential recommendations for furthering safety enhancements that will help to enforce speed limits through the corridor. All information and findings will be shared with Lions Bay for further consideration.
6. The ministry will work with Lions Bay to improve the incident management protocol for the Highway 99 corridor.

The Ministry of Transportation and Infrastructure (MOTI) has shared a 2017 study by Urban Systems of speeds through Lions Bay and has modelled an increase of the lowest speed limit from 60 to 70 km/h, which has been approved by MOTI's chief engineer. It is understood the expectation of MOTI is that the change from 60 to 70 km/h will lead to a greater consistency of the range of actual speeds of drivers without increasing that range, and potentially decreasing the range. Consistency of driver speeds is a safety enhancement and noise mitigation consideration.

A key strategic initiative of enforcing a reasonable range of speeds through Lions Bay is the promotion of Average Speed Over Distance (ASOD) technology, which records a license plate at points A and B with the acceptable time between the two points based on an accepted speed

Policy No. 1803: Council Policy re. Highway 99 Through the Village



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limit. This enforcement tool has been very successful in several jurisdictions around the world and has been promoted to Provincial officials over the past couple of years by a few local governments in BC, including Lions Bay.

Existing Council policy with respect to Highway 99 matters is contained within the two following resolutions from October 17, 2017 and March 20, 2018:

### **October 17, 2017 Regular Council Meeting**

Moved/Seconded

THAT as a result of recent discussion between Mayor and the Ministry of Transport (MOTI), Council requests MOTI:

1. To evaluate and if so indicated effect removal of the 60 km/h speed zone on Highway 99 through Lions Bay, paying particular attention to the efficacy of the sound reduction pavement, on the following grounds as understood by Council on a non-expert basis:
  - a. Recent MOTI review has shown that 60 km/h is not being observed by the expected 85 percent of traffic for the given combination of road configuration, driving conditions and drivers. The 85th percentile speed, used by highway managers to determine the speed at which the majority of traffic is comfortable driving at, in fact ranges from 110 to 85 km/h through Lions Bay depending on measurement location. Current accident rates, noise levels and journey times are thus being achieved at these speeds, not 60.
  - b. While 60 might be too slow, 110 is too fast, given the disproportionate accident rates at Lions Bay, so the 70 km/h zone that would result from removal of the 60 zone might produce better compliance, as being more believable on a road the average road user may perceive to be an expressway.
  - c. On and off ramp lengths are understood to be technically adequate for a posted 70 km/h limit.
  - d. One fewer speed zone may produce less variability in speeds, a primary cause of accidents.
  - e. A reduction in noise of deceleration and acceleration, particularly of motorcycles, might be expected.
  
2. To evaluate extending the 70 km/h zone to 200 meters beyond the north and south municipal boundaries to move acceleration and deceleration further from residences, with relocation of speed-change warning signage to standard distances, or possibly to two warning signs in each direction.

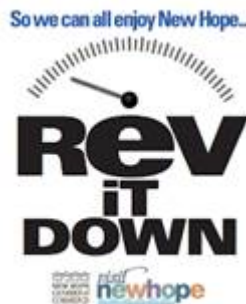


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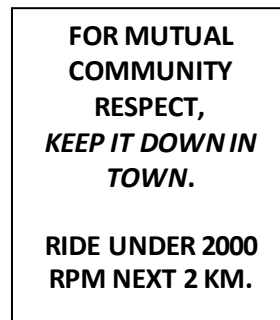
3. Prior to and independent of potential removal of the 60 km/h zone, to institute noise measuring at the existing dynamic sign location for an extended period, with a view to determining correlations between comparative noise level and a) speed, b) time of year, week and day, c) weather and road conditions, and other such considerations as may be relevant.
4. To add appropriate signage, whether via Manual of Standard Traffic Signs guidelines or ad hoc, that might:
  - a. Mitigate noise, particularly from cooperative motorcyclists who may be otherwise unaware that the noise from 500-1000 motorcycles every fine weather day can be a burden on nearby residents, akin to:



or



or better yet ,



- b. Inform road users that despite appearances, 99 at Lions Bay is not an expressway, akin to:



**CARRIED**

**March 20, 2018 Regular Council Meeting**

Moved/Seconded

THAT the Mayor is authorized to submit for consideration of the LMLGA a resolution seeking support for the use of average-speed-over-distance technology to explicitly control driving speeds in designated BC highway safety corridors such as Highway 99 through Lions Bay.

**CARRIED**



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**COUNCILLOR HUGHES OPPOSED**

**Updated Council Policy re. Highway 99 Through Lions Bay**

1. Safety enhancement and noise mitigation in relation to Highway 99 through the Village of Lions Bay remain the two highest concerns for the Municipality re. Highway 99.
2. Average Speed Over Distance (ASOD) as a means to address safety and noise considerations is strongly supported by the Municipality.
3. The Municipality urges the Ministry of Transportation and Infrastructure (MOTI) and the Ministry of the Solicitor General to adopt ASOD with a trial of the program through the Village of Lions Bay.
4. The Municipality requests that MOTI conduct detailed noise measuring studies at key locations through the Village of Lions Bay immediately and at reasonable intervals thereafter, particularly with a view to determining correlations between comparative noise level and (a) speed, (b) time of year, week and day, (c) weather and road conditions, and (d) other such considerations as may be relevant.
5. Subject to MOTI indicating they agree with a change of the base speed limit through the Village of Lions Bay from 60 km/h to 70 km/h, as a potential safety enhancement or noise mitigation strategy, or as part of a recommendation to implement ASOD through Lions Bay, the Municipality does not advocate for an increase in the base speed limit of 60 km/h through the Village.
6. The Municipality requests that MOTI review existing and potential signage for Highway 99 with the objective of reducing noise, particularly from motorcycles and trucks.

Adopted by Council:	
Updated:	

\_\_\_\_\_  
Peter DeJong, Corporate Officer

Policy No. 1803: Council Policy re. Highway 99 Through the Village

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## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

<b>Type</b>	<b>Request for Decision</b>		
<b>Title</b>	<b>Village of Lions Bay Code of Conduct</b>		
<b>Author</b>	<b>Peter DeJong</b>	<b>Reviewed By:</b>	
<b>Date</b>	<b>December 14, 2018</b>	<b>Version</b>	
<b>Issued for</b>	<b>December 18, 2018 Council Meeting</b>		

### **Recommendation:**

THAT Council adopt the Village of Lions Bay Code of Conduct.

### **Attachments:**

Draft Village of Lions Bay Code of Conduct

### **Key Information:**

At the November 20, 2018 Council meeting, staff was tasked with bringing back a new Code of Conduct suitable for the Village of Lions Bay, building upon the Model Code of Conduct recently published by the Working Group on Responsible Conduct (WGRC), consisting of members of the Ministry of Municipal Affairs & Housing, Union of BC Municipalities (UBCM) and the Local Government Management Association (LGMA). The attachment is intended to be a guiding document for both Council and Committee Members.

### **Options:**

- (1) Approve the recommendation and adopt the attached draft Code of Conduct;
- (2) Amend and then adopt the Code of Conduct;
- (3) Refer the matter back to staff with directions.

**Follow Up Action:** Publish Code of Conduct on the Municipal website and distribute to all Council and Committee Members for signature.



## **VILLAGE OF LIONS BAY CODE OF CONDUCT**

### **A. INTRODUCTION**

As local elected and appointed representatives (“Members”), we recognize that responsible conduct is essential to providing good governance for the Village of Lions Bay.

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership & collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being active participants in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

### **B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT**

This Code of Conduct applies to the Council Members of the Village of Lions Bay. It is each Council Member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public.

Elected officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by Council Members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the Village of Lions Bay, the common law and any other legal obligations which apply to Council Members individually or as a collective Council.

Except where otherwise indicated, this Code of Conduct also applies to the members of boards, committees, subcommittees, working groups, task forces and other advisory bodies, collectively referred to as Committee Members. Where the term “Members” is used without qualification, it applies to both Council Members and Committee Members.

### C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT

1. **Integrity** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.
2. **Respect** – means having due regard for others’ perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a Member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government.
3. **Accountability** – means an obligation and willingness to accept responsibility or to account for one’s actions. Conduct under this principle is demonstrated when the Council (or other decision-making body of the Municipality), individually and collectively, accept responsibility for their actions and decisions.
4. **Leadership & Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when a Member encourages individuals to work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

### D. STANDARDS OF CONDUCT

**Integrity:** Integrity is demonstrated by the following conduct:

- Members will be truthful, honest, and open in all dealings, including those with other Members, staff and the public.
- Members will ensure that their actions are consistent with the shared principles and values collectively agreed to by the Council.
- Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community.
- Members will direct their minds to the merits of the decisions before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of those decisions.

- Members will behave in a manner that promotes public confidence in all of their dealings.

**Respect:** Respect is demonstrated through the following conduct:

- Members will treat every person with dignity, understanding, and respect.
- Members will show consideration for every person's values, beliefs, and contributions to discussions.
- Members will demonstrate awareness of their own conduct, and consider how their words or actions may be perceived as offensive or demeaning.
- Members will not engage in behaviour that is indecent, insulting or abusive. This behaviour includes unwanted physical contact, or other aggressive actions that may cause any person harm or makes them feel threatened.

**Accountability:** Accountability is demonstrated through the following conduct:

- Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective Council.
- Members will listen to and consider the opinions and needs of the community in all decision-making, and allow for appropriate opportunities for discourse and feedback.
- Members will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

**Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

- Members will behave in a manner that builds public trust and confidence in the local government.
- Members will consider the issues before them and make recommendations and decisions as a collective body. As such, Members will actively participate in debate about the merits of a recommendation or decision, but once a recommendation or decision has been made, all Members will recognize the democratic majority, ideally acknowledging its

rationale, when articulating their opinions on a recommendation or decision.

- Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other Members and staff to provide their perspectives on relevant issues.
- As leaders of their communities, Council Members will calmly face challenges, and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues and staff to do the same.
- Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other Members, staff, and the public.
- Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

#### **E. SPECIFIC AREAS OF ETHICAL CONDUCT**

***Confidential Information:*** Members shall respect the confidentiality of information that could reasonably harm the interests of individuals or organizations, including the Village of Lions Bay, if disclosed to persons who are not authorized to access the information, as well as information to which section 117 of the *Community Charter* applies. Members shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

***Conflict of Interest:*** Council Members are expected to make decisions that benefit the community. They are to be free from undue influence and shall not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or business interests. Council Members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties in accordance with the statutory requirements of Part 4, Division 6 of the *Community Charter*.

Committee Members are uncompensated volunteers who are expected to provide advice and recommendations in the best interests of the community. They are to be free from undue influence and shall not act or appear to act in order to gain financial or other benefits for themselves, family, friends, or business interests. They are required to be vigilant for issues of real or perceived conflict of interest and declare any such conflicts openly and immediately, removing themselves from the meeting room and any discussion of the matter. The CAO is available to discuss issues of conflict with a potentially affected Committee member.

***Gifts and Personal Benefits:*** The receipt and reporting of gifts and personal benefits is dealt with under sections 105 and 106 of the *Community Charter*.

Council Members must not accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest, and to assist in avoiding that situation, Council Members will not accept gifts or personal benefits having a value that exceeds \$50.00 from business or commercial enterprises or, where the total value of such gifts and benefits, received directly or indirectly, from one source in any twelve (12) month period, would exceed \$250.00.

It is the responsibility of Council Members to be familiar with the provisions in the *Community Charter* relating to acceptance and disclosure of gifts and to ensure that they comply with these requirements as contemplated by the statute.

***Policy Role of Members:*** As a general principle, the Municipality adopts the one employee model where Council's point of contact with staff is the Chief Administrative Officer. In this model, the Council determines the policies of the Municipality with advice, information and analysis provided by Municipal staff. Council Members, therefore, shall not interfere with the administrative functions of the Municipality or with the professional duties of Municipal staff. Council Members will defer to the authority and responsibility of the Chief Administrative Officer on all matters relating to the management of staff or their duties and shall not impair the ability of staff to implement Council policy decisions.

***Respectful Workplace Environment:*** Members shall be aware of and act in accordance with the Village of Lions Bay Respectful Workplace Policy No. 1501.

#### **F. BREACHES, COMPLAINT HANDLING AND DISCIPLINARY ACTION**

Council Members are to abide by the requirements of the *Community Charter* and this Code of Conduct, and shall endeavor to resolve disputes in good faith, recognizing that interpersonal rancor does not facilitate good governance.

Alleged breaches of this Code of Conduct by Members shall be submitted in a written complaint addressed to the Mayor and the Chief Administrative Officer within six (6) months of the last alleged breach. In the event that the Mayor is the subject of, or is implicated in the complaint, the complaint shall be addressed to the current Acting Mayor unless that individual is the subject of, or implicated in the complaint.

The matter shall be set down for consideration by Council on a Closed Council Meeting Agenda within a timeframe which provides the person alleged to have breached this Code of Conduct at

least 21 days notice of complaint particulars and an opportunity to be heard. Upon hearing the matter, Council may:

- a. dismiss the complaint;
- b. require that the Member apologize to any person adversely affected by a breach of this Code of Conduct;
- c. remove the Member from a Committee;
- d. censure a Council Member for breach of this Code of Conduct;
- e. recommend counselling for a Council Member;
- f. make such other recommendation as Council may deem appropriate; or
- g. refer the matter to appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) as having the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator") and make recommendations to Council. If the parties cannot agree on the choice of investigator, the nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third Party Investigator.

Where a Council Member alleges a breach of this Code of Conduct by a fellow Council Member, all Council Members shall refrain from commenting on such allegations at open meetings of Council pending the conclusion of the investigation and any decision of Council.

Council Members who retain legal counsel to represent them in proceedings under this section may request in writing that the Municipality indemnify them for their reasonable costs of representation, in accordance with section 740 of the *Local Government Act*.

---

Date \_\_\_\_\_ Name \_\_\_\_\_

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## THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

<b>Type</b>	<b>Information Report</b>		
<b>Title</b>	<b>2019 Finance Workplan</b>		
<b>Author</b>	<b>Pamela Rooke</b>	<b>Reviewed By:</b>	<b>Peter DeJong</b>
<b>Date</b>	<b>December 13, 2018</b>	<b>Version</b>	<b>-</b>
<b>Issued for</b>	<b>December 18, 2018 Regular Council Meeting</b>		

### RECOMMENDATION

THAT the report “2019 Finance Workplan” be received for information purposes.

### ATTACHMENTS

- 2019 Finance Workplan – by task
- 2019 Finance Workplan – by date

### KEY INFORMATION

The attached workplan is a preliminary, high-level overview of key tasks (with deadlines) that must be completed by the Finance department. The workplan has been sorted by date and by task.

### FOLLOW UP ACTION

Staff will be available to respond to any questions at the December 18, 2018 Council meeting.

## The Village of Lions Bay

### Statutory Reporting Requirements

### Finance Workplan 2019 - Preliminary

Deliverable	Item	Due
Annual Report	Annual Report made available for public inspection	Tuesday, June 04, 2019
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 07, 2019
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 14, 2019
Annual Report	Council to consider the Annual Report	Tuesday, June 18, 2019
Fees Bylaw	Fees Bylaw - Review of Proposed Changes/1st & 2nd Reading	Tuesday, November 20, 2018
Fees Bylaw	Fees Bylaw - 3rd Reading	Tuesday, December 04, 2018
Fees Bylaw	Fees Bylaw - Adoption	Tuesday, December 18, 2018
Five Year Financial Plan 2019-2023	Budget Schedule to Council	January - March
Five Year Financial Plan 2019-2023	Preliminary Budget to Council	January - March
Five Year Financial Plan 2019-2023	Budget Presentations to Council	January - March
Five Year Financial Plan 2019-2023	Budget Presentations to Council	January - March
Five Year Financial Plan 2019-2023	Budget Presentations to Council	January - March
Five Year Financial Plan 2019-2023	Start work on 5 Year Financial Plan	January - March
Five Year Financial Plan 2019-2023	5 Year Financial Plan to Council for review	January - March
Five Year Financial Plan 2019-2023	Public Presentation	January - March
Five Year Financial Plan 2019-2023	5 Year Financial Plan Bylaw: First and second reading	Tuesday, April 02, 2019
Five Year Financial Plan 2019-2023	5 Year Financial Plan Bylaw: Third reading	Tuesday, April 16, 2019
Five Year Financial Plan 2019-2023	5 Year Financial Plan Bylaw: Adoption	Tuesday, May 07, 2019
Five Year Financial Plan 2019-2023	Submission of 5 Year Financial Plan to Ministry	Wednesday, May 15, 2019
Property Taxes	Property Tax Rate Bylaw: First and second reading	Tuesday, April 02, 2019
Property Taxes	Property Tax Rate Bylaw: Third reading	Tuesday, April 16, 2019
Property Taxes	Property Tax Rate Bylaw: Adoption	Tuesday, May 07, 2019
Property Taxes	Property tax brochure finalized	Tuesday, May 21, 2019
Property Taxes	Property tax bills mailed to residents	Monday, May 27, 2019
Quarterly Reviews	Third Quarter Review to Council (2018)	Tuesday, December 04, 2018
Quarterly Reviews	Fourth Quarter Review to Council (2018)	Tuesday, March 19, 2019
Quarterly Reviews	Second Quarter Review to Council (2019)	Tuesday, July 16, 2019
Quarterly Reviews	Third Quarter Review to Council (2019)	Tuesday, November 05, 2019

**The Village of Lions Bay  
Statutory Reporting Requirements  
Finance Workplan 2019 - Preliminary**

<b>Deliverable</b>	<b>Item</b>	<b>Due</b>
Water, Sewer and Solid Waste	Preliminary Water, Sewer and Solid Waste budget to Council	Tuesday, January 22, 2019
Water, Sewer and Solid Waste	Final Water, Sewer and Solid Waste budget to Council	Tuesday, February 05, 2019
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: 1st, 2nd and 3rd reading	Tuesday, February 05, 2019
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: Adoption	Tuesday, February 19, 2019
Water, Sewer and Solid Waste	Utility brochure finalized	Monday, February 18, 2019
Water, Sewer and Solid Waste	Utility bills mailed to residents	Friday, February 22, 2019
Year-end Audit and Financial Statements	BDO Interim Audit (3 days)	Wednesday, December 12, 2018
Year-end Audit and Financial Statements	Draft financial statements complete for BDO audit	Wednesday, April 10, 2019
Year-end Audit and Financial Statements	Audit package complete for BDO audit	Wednesday, April 10, 2019
Year-end Audit and Financial Statements	BDO commence audit (one week)	Monday, April 15, 2019
Year-end Audit and Financial Statements	Draft audited financial statements	Friday, April 26, 2019
Year-end Audit and Financial Statements	BDO presentation of the draft audited financial statements	Tuesday, May 7, 2019
Year-end Audit and Financial Statements	Council approval of the financial statements	Tuesday, May 7, 2019
Year-end Audit and Financial Statements	LGDE submission to Ministry	Wednesday, May 15, 2019
Year-end Audit and Financial Statements	Statement of Financial Information (SOFI) report to Ministry	Friday, June 28, 2019

## The Village of Lions Bay

### Statutory Reporting Requirements

### Finance Workplan 2019 - Preliminary

<b>Deliverable</b>	<b>Item</b>	<b>Due</b>
Fees Bylaw	Fees Bylaw - Review of Proposed Changes/1st & 2nd Reading	Tuesday, November 20, 2018
Fees Bylaw	Fees Bylaw - 3rd Reading	Tuesday, December 04, 2018
Quarterly Reviews	Third Quarter Review to Council (2018)	Tuesday, December 04, 2018
Year-end Audit and Financial Statements	BDO Interim Audit (3 days)	Wednesday, December 12, 2018
Fees Bylaw	Fees Bylaw - Adoption	Tuesday, December 18, 2018
Five Year Financial Plan 2019-2023	Budget Schedule to Council	January - March
Five Year Financial Plan 2019-2023	Preliminary Budget to Council	January - March
Five Year Financial Plan 2019-2023	Budget Presentations to Council	January - March
Five Year Financial Plan 2019-2023	Budget Presentations to Council	January - March
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Five Year Financial Plan 2019-2023	5 Year Financial Plan to Council for review	January - March
Five Year Financial Plan 2019-2023	Public Presentation	January - March
Water, Sewer and Solid Waste	Preliminary Water, Sewer and Solid Waste budget to Council	Tuesday, January 22, 2019
Water, Sewer and Solid Waste	Final Water, Sewer and Solid Waste budget to Council	Tuesday, February 05, 2019
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: 1st, 2nd and 3rd reading	Tuesday, February 05, 2019
Water, Sewer and Solid Waste	Utility brochure finalized	Monday, February 18, 2019
Water, Sewer and Solid Waste	Water, Sewer and Solid Waste Rate Bylaw: Adoption	Tuesday, February 19, 2019
Water, Sewer and Solid Waste	Utility bills mailed to residents	Friday, February 22, 2019
Quarterly Reviews	Fourth Quarter Review to Council (2018)	Tuesday, March 19, 2019
Five Year Financial Plan 2019-2023	5 Year Financial Plan Bylaw: First and second reading	Tuesday, April 02, 2019
Property Taxes	Property Tax Rate Bylaw: First and second reading	Tuesday, April 02, 2019
Year-end Audit and Financial Statements	Draft financial statements complete for BDO audit	Wednesday, April 10, 2019
Year-end Audit and Financial Statements	Audit package complete for BDO audit	Wednesday, April 10, 2019
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Five Year Financial Plan 2019-2023	5 Year Financial Plan Bylaw: Third reading	Tuesday, April 16, 2019
Property Taxes	Property Tax Rate Bylaw: Third reading	Tuesday, April 16, 2019
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Property Taxes	Property Tax Rate Bylaw: Adoption	Tuesday, May 07, 2019
Five Year Financial Plan 2019-2023	Submission of 5 Year Financial Plan to Ministry	Wednesday, May 15, 2019
Year-end Audit and Financial Statements	LGDE submission to Ministry	Wednesday, May 15, 2019

**The Village of Lions Bay  
Statutory Reporting Requirements  
Finance Workplan 2019 - Preliminary**

<b>Deliverable</b>	<b>Item</b>	<b>Due</b>
Property Taxes	Property tax brochure finalized	Tuesday, May 21, 2019
Property Taxes	Property tax bills mailed to residents	Monday, May 27, 2019
Annual Report	Annual Report made available for public inspection	Tuesday, June 04, 2019
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 07, 2019
Annual Report	Public notice of availability of annual report for public inspection	Friday, June 14, 2019
Annual Report	Council to consider the Annual Report	Tuesday, June 18, 2019
Year-end Audit and Financial Statements	Statement of Financial Information (SOFI) report to Ministry	Friday, June 28, 2019
Quarterly Reviews	Second Quarter Review to Council (2019)	Tuesday, July 16, 2019
Year-end Audit and Financial Statements	BDO presentation of the draft audited financial statements	Tuesday, May 7, 2019
Year-end Audit and Financial Statements	Council approval of the financial statements	Tuesday, May 7, 2019
Quarterly Reviews	Third Quarter Review to Council (2019)	Tuesday, November 05, 2019

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## VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018		
Author	Shawna Gilroy	Reviewed By:	Peter DeJong
Date	December 13, 2018	Version	3
Issued for	December 18, 2018 Regular Council Meeting		

### Recommendation:

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 be adopted.

### Attachments:

- (1) Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018
- (2) Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018 (Consolidation)

### Key Information:

The Fees Bylaw is looked at yearly in order for updated fees to take effect on January 1<sup>st</sup> of each year. Schedules 1-10 have been reviewed and several items have been amended, as outlined in the draft consolidation.

### Options:

- (1) Approve the recommendation above and adopt the bylaw;
- (2) Rescind third reading and amend the bylaw, and then re-read a third time (note, a Special Meeting will need to be called in order to adopt by January 1, 2019);
- (3) Refer the bylaw back to staff for revisions

### Preferred Option:

- (1) Approve the recommendation above and adopt the bylaw.

### Follow Up Action:

Assuming adoption, the new fees will be in effect January 1, 2019 and posted to the website.

## VILLAGE OF LIONS BAY



### **Fees Bylaw No. 497, 2016**

### **Amendment Bylaw No. 554, 2018**

**Adopted: xxx**

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0  
Phone: 604-921-9333 Fax: 604-921-6643  
Email: [office@lionsbay.ca](mailto:office@lionsbay.ca) Web: [www.lionsbay.ca](http://www.lionsbay.ca)

## Fees Bylaw No. 497, 2016 Amendment Bylaw No. 554, 2018

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “Fees Bylaw No. 497, 2016, Amendment Bylaw No. 554, 2018”.
2. Fees Bylaw No. 497, 2016 is hereby amended as follows:
  - a) Schedule 1 – General Administration:
    - i. delete the line called “NSF cheque fee”;
    - ii. delete the lines called “Tax certificates”, “Property title search from Land Title Office”, and “Reprinted tax/utility documents”; and
    - iii. add the following table:

<b>Property Tax and Utility Information:</b>	
Property Tax Certificate	\$30 (no charge to property owners)
Reprinted Property Tax/Utility Fee Notice	\$20 (no charge to property owners)
Property Title Search from Land Title Office	\$25
Property Ownership Transfer Tax on tax sale properties	As per Land Title Office fees
Property Tax Sale, registration and removal of Liens	As per Land Title Office fees

- b) Schedule 2 – Development, Land and Building Services:
      - i. replace the items relating to Temporary User Permits with the following:

Temporary Use Permit Application Fee (non-refundable)	\$250
Temporary Use Permit Inspection fee for Short Term Rentals	\$250 – Includes initial inspection plus one additional inspection. Each additional inspection \$75/hour
Temporary Use Permit (TUP)	\$1,000 (\$750 for renewal application)
TUP – Application for Council Reconsideration	\$250

- ii. in the item called “Request for Preliminary Review of Subdivision Development Proposal”, add “or strata lot” in between “lot created”;
          - iii. add “(non-refundable)” after “Board of Variance”;
          - iv. add “at time of renewal” after “75% of current Building Permit Fee” in Permit Renewals;
          - v. delete the items called “Site Alteration Permit & Reconsideration by Council”;
          - vi. delete the item called “Oil Tank Inspection Fee”;

- vii. add the following item:

Driveway Crossing Permit	\$100
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- viii. delete the item for “Lot grading”;
- ix. add the word “paid” after “50% of the building permit fee” in the item for “When a permit is surrendered and cancelled before any construction begins and the owner has provided written notification that the project will not be undertaken”;
- x. insert the following heading for all items prescribing fees for soil deposit or removal: “**Site Alteration Permits:**”; and
- xi. add to the bottom of the Site Alteration Permits section the following item: “Application for Council Reconsideration per s.11.2 of Bylaw No. 510, 2018 - \$250 (non-refundable)”.

c) Schedule 3 – Engineering and Public Works:

- i. in the line called “Locate water leak/water shutoff valve on private property/turn water on or off” insert “per person” between “\$75” and “per hour” and between “\$115” and “per hour”; and
- ii. delete the item for “Driveway Crossing Permit”

d) Schedule 5 – Traffic & Parking Fees:

- i. in the line “Extra annual parking permit” delete “per year” after \$40;
- ii. add “, and two free permits within 30 days of becoming a new property owner)” at the end of the sentence in brackets in the table called “Extra annual parking permit”;
- iii. delete the item for “Daily fee for placing dumpster/bin or construction material on highway” and replace it with the following:

Fee for placing dumpster/bin or construction material on highway	\$35 per day
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- iv. in the item called “Clean-up of spills or deposits on highway” insert “per person” between “\$75” and “per hour” and between “\$115” and “per hour”;
- v. in the item called “Remediation of damage to highway” insert “per person” between “\$75” and “per hour” and between “\$115” and “per hour”;
- vi. delete the item called “Administration fee for commercial contract”; and
- vii. in the item called “Towing of Vehicle” insert “per person” between “\$75” and “per hour” and between “\$115” and “per hour”.

e) Schedule 6 – Community Facility Rentals:

- i. add item “Block Hall for set-up/take-down: \$55” to the item called “Hall Rental for private events:”;
- ii. add “*Youth must be supervised by an adult while using Village facilities.*” to the end of the italicized text in the table called “Hall Rental for non-profit groups”;
- iii. delete the item called “Hall Drop In Rate”;
- iv. delete the item for “Meeting Room Rental” and replace with the following:

<b>Meeting Room Rental</b>	
Upper Council Chambers (former library)	\$10 per hour (2 hour minimum)

- v. delete the item for “Projector and Laptop Rental”;
- vi. in the item called “Deposit for facility/equipment rental”, strike the words “Equal to rental fee or minimum of \$50, whichever is greater” and replace with “\$100”, and add the word “Damage” to the beginning of the item heading; and
- vii. delete the asterisk from the word “Fee” at the beginning of the Schedule 6 Fee table and delete the “\*plus deposit” from the end of this table.

f) Schedule 7 – Filming:

- i. add “(non-refundable)” after “Filming application fee”; and
- ii. add “(per day)” after “Filming in VOLB parks”

g) Schedule 9 – Memorials and Dedications

- i. add “(valid for 10 years)” after “Bench Dedication”.

**READ A FIRST TIME**  
**READ A SECOND TIME**  
**READ A THIRD TIME**  
**ADOPTED**

**November 20, 2018**  
**November 20, 2018**  
**December 4, 2018**  
**xxx**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Corporate Officer**

**Certified a true copy of Fees Bylaw No. 497, 2016,  
Amendment Bylaw No. 554, 2018 as adopted.**

\_\_\_\_\_  
**Corporate Officer**

## VILLAGE OF LIONS BAY



### Fees Bylaw No. 497, 2016

#### Office Consolidation

This document is an office consolidation of Fees Bylaw No. 497, 2016 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Fees Bylaw No. 497, 2016, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

#### List of Amending Bylaws

Bylaw No.	Section	Description	Adopted
519	3	Deletes section 5.1.13	April 4, 2017
526	2.1	Amends schedule 1	May 5, 2017
530	2(a)	Adds metered parking fees to schedule 5	July 4, 2017
534	2.1	Replaces Schedules 1-10	December 19, 2017
544	2(a) 2(b)	Adds soil deposit and removal fees in schedule 2 Amends parking meter rates in schedule 5	May 11, 2018
547	2(a)-(c)	Amends text in Schedules 2 and 5	June 5, 2018
551	2(a)-(d)  3	Amends birthday party rental fees and non-profit rental fees in schedule 6  Deletes insurance costs from the table	September 18, 2018

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<u>554</u>	<u>2(a)-(g)</u>	<u>Amends text and fees in schedules 1, 2, 3, 5, 6, 7 and 9</u>	
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## **Fees Bylaw No. 497, 2016**

A bylaw to provide for the imposition of fees.

**WHEREAS**, pursuant to the provision of the *Community Charter and the Local Government Act*, the Village of Lions Bay may impose municipal fees in respect of all or part of a service of the municipality, the use of municipal property, the exercise of authority to regulate, prohibit or impose requirements, or in respect of such other matters permitted by an enactment;

NOW THEREFORE the Council of the Village of Lions Bay in open meeting assembled enacts as follows:

### **Part 1 – CITATION:**

1.1 This Bylaw may be cited for all purposes as "Fees Bylaw No. 497, 2016".

### **Part 2 – SEVERABILITY:**

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

### **Part 3 – FEES AND CHARGES**

3.1 The municipality hereby imposes the fees for the provision of services and information as specified in Schedules 1 to 10 inclusive, which are attached hereto and form part of this bylaw.

#### **Schedules**

Schedule 1: General Administration

Schedule 2: Development, Land and Building Services

Schedule 3: Engineering and Public Works

Schedule 4: Animal Control & Licencing

Schedule 5: Traffic & Parking Fees

Schedule 6: Community Facility Rentals

Schedule 7: Filming

Schedule 8: Fire Rescue / Emergency Permits & Fees

Schedule 9: Memorials and Dedications

Schedule 10: General

- 3.2 Fees imposed under this bylaw for the provision of services or information apply instead of any fees imposed under other bylaws for the same services or information, in the event of any conflict between this bylaw and any other bylaw.

#### **Part 4 – REPEAL**

- 4.1 The following bylaws are hereby repealed:

1. Security Alarm System Regulation Bylaw No. 272, 1997;
2. Fees and Charges Bylaw No. 462, 2014;
3. Repeal of Prior Fees and Charges Bylaw No. 465, 2014;
4. Fees and Charges Amendment Bylaw No. 480, 2014; and
5. Fees and Charges Amendment Bylaw No. 490, 2015.

#### **Part 5 – CONSEQUENTIAL AMENDMENTS**

- 5.1 The following bylaws are hereby amended as follows:

1. Water Rates and Regulation Bylaw No. 2, 1971, as amended:
  - (a) Section 4 is amended to read: "Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended"; and
  - (b) Schedule A is amended by deleting section 2, Connection Charges.
2. Village of Lions Bay Sewer Bylaw #101, 1984, as amended:
  - (a) Section 3 is amended by striking the heading and substituting therefore the heading "Fees";
  - (b) Section 3 is further amended by deleting the existing wording and substituting therefore: "Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended";
  - (c) Section 17 is hereby renumbered as Section 18; and
  - (d) The following is hereby inserted as Section 17:

"17. The tie-in of the building sewer shall be made into a wye at the property line. The owner shall be required to install this wye. A plug shall be inserted into the upper end of the wye to prevent any flow into the sewer system. After the acceptance of the house plumbing by the building inspector and after the building sewer from the wye to the house has been tested successfully, the plug shall be removed in the presence of a representative of the Village. The wye branch shall then be plugged and the excavation backfilled with suitable material. Under no

- circumstances shall the building sewer be used for drainage purposes during construction.
- (e) Schedule A is hereby deleted.
3. Subdivision Bylaw No. 141, 1985, as amended:
- (a) Section 5 is amended to read: "Fees for services that may be or are provided under this Bylaw or Development Application Procedures and Fees Bylaw No. 431, 2011, as amended, shall be payable as set out in Fees Bylaw No. 497, 2016, as amended. These fees shall be in addition to any fees prescribed under the *Land Title Act*, RSBC 1996, Chapter 250".
4. Lions Bay Soil and Material Deposit Bylaw No. 157, 1987:
- (a) Section 6 is amended to read: "Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended".
5. Village of Lions Bay Blasting Bylaw No. 170, 1988:
- (a) Section 5 is amended to read: "Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended".
6. Building Regulation Bylaw 234, 1994:
- (a) The heading for Section 21 is hereby amended by adding the words: "and Fees" to the word: "Schedules";
- (b) The existing Section 21 is hereby renumbered as Section 21(b);
- (c) The following shall be inserted as Section 21(a): "Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended"; and
- (d) Schedule D, Village of Lions Bay Permit Fees, is hereby deleted.
7. Animal Control and Licencing Bylaw No. 461, 2014:
- (a) All references in Sections 5, 11 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.
8. Village of Lions Bay Trees, Views and Landscapes Bylaw No. 393, 2007, as amended:
- (a) The reference in Section 3.4.1.4 to Fees and Charges Bylaw No. 462, 2014 is hereby replaced with a reference to Fees Bylaw No. 497, 2016, as amended.
9. Traffic and Parking Bylaw No. 413, 2009, as amended:

(a) The following is inserted as Section 35: “Fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended”.

10. Fire Bylaw No. 428, 2011, as amended:

- (a) Section 53 is hereby renumbered as Section 54;
- (b) The following is hereby inserted as Section 53: “Additional fees for services that may be or are provided under this Bylaw shall be payable as set out in Fees Bylaw No. 497, 2016, as amended”.
- (c) Appendix B is hereby deleted.

11. Development Application Procedures and Fees Bylaw No. 431, 2011, as amended:

- (a) All references in Sections 3 and 12 to Village of Lions Bay Fees and Charges Bylaw No. 462, 2014 are hereby deleted and replaced with references to Fees Bylaw No. 497, 2016, as amended.

12. Village of Lions Bay Outdoor Water Use Bylaw No. 484, 2015:

- (a) The reference in Section 4 of Schedule B to the Village of Lions Bay Fees and Charges Bylaw is hereby deleted and replaced with a reference to Fees Bylaw No. 497, 2016, as amended.

**Part 6 – EFFECTIVE DATE**

6.1 This bylaw shall come into force and take effect on January 1, 2017.

<b>READ A FIRST TIME</b>	<b>December 15, 2015</b>
<b>READ A SECOND TIME</b>	<b>December 15, 2015</b>
<b>READ A THIRD TIME</b>	<b>December 6, 2016</b>
<b>ADOPTED</b>	<b>December 20, 2016</b>

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Corporate Officer**

**Certified a true copy of Fees  
Bylaw No. 497, 2016 as adopted.**

\_\_\_\_\_  
**Corporate Officer**

**SCHEDULE 1 – GENERAL ADMINISTRATION**

<b>Description</b>	<b>Fee</b>
Freedom of Information and Protection of Privacy Act Fees payable for requests made under the <i>Freedom of Information and Protection of Privacy Act and Regulation</i>	As per <i>Freedom of Information and Protection of Privacy Act and Regulation</i> , Schedule of Maximum Fees.*  *Note: For commercial applicants, for each service listed, the actual cost to the public body of providing that service shall be determined at the rate of \$10.00 per ¼ hour.
Locating, retrieving, producing or preparing records for disclosure	\$7.50 per ¼ hour
Shipping documents	Actual cost of shipping method chosen by applicant
Photocopying / printing / scanning documents (FOI)	\$0.25 per page (black & white) \$1.65 per page (colour)
Copy of house plans	\$75 plus actual costs
<del>NSF cheque fee (returned cheques)</del>	<del>\$30 per cheque</del>
<del>Tax certificates</del>	<del>\$30 each</del>
<del>Property title search from Land Title Office</del>	<del>\$25</del>
<b><u>Property Tax and Utility Information:</u></b>	
<u>Property Tax Certificate</u>	<u>\$30 (no charge to <a href="#">property owners</a>)</u>
<u>Reprinted Property Tax/Utility Fee Notice</u>	<u>\$20 (no charge to <a href="#">property owners</a>)</u>
<u>Property Title Search from Land Title Office</u>	<u>\$25</u>
<u>Property Ownership Transfer Tax on tax sale properties</u>	<u>As per Land Title Office fees</u>
<u>Property Tax Sale, registration and removal of Liens</u>	<u>As per Land Title Office fees</u>
<del>Reprinted tax / utility documents</del>	<del>\$20 per document (no charge for property owner)</del>
Lions Bay Flag	\$100
Lions Bay Historical Society Booklet	\$10
Lions Bay stickers	\$2
Community Garden	\$25 per plot annually
Permit under Outdoor Water Use Bylaw No. 484	\$40
Biodegradable Organics Bags	\$4 plus GST

[Amended by Bylaw No. 554]

**SCHEDULE 2 – DEVELOPMENT, LAND AND BUILDING SERVICES**

<b>Description</b>	<b>Fee</b>
Official Community Plan Amendment (Residential)	\$2500 or \$3000 if combined with rezoning application, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
Zoning Bylaw Amendment (Residential)	\$2500, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
OCP or Zoning Amendment (Non-Residential)	\$2500 for first 465 m2 of building area plus \$500 for each additional 100 m2 or part thereof.
Request for Preliminary Review of Subdivision Development Proposal (Initial Meeting)	\$250
Request for Preliminary Review of Subdivision Development Proposal (Preliminary Review Process)	\$2000 plus \$300 for each additional lot after first lot <a href="#">or strata lot</a> created. Additional expenses may apply per Bylaw No. 431, as amended.
Land Subdivision (Final Approval) Application	\$1000 plus \$200 for each additional lot or strata lot after first lot or strata lot created
Development Permit	\$1200
Development Variance Permit	\$750
Temporary Use Permit Application Fee (non-refundable)	\$250
<del>Inspection fee for</del> Temporary Use Permit <a href="#">Inspection Fee</a> for Short Term Rentals	\$250 – Includes initial inspection plus one additional inspection. Each additional inspection \$75/hour
Temporary Use Permit <a href="#">(TUP)</a>	\$1,000 <del>plus</del> (\$750 for renewal application)
<a href="#">TUP – Application for Council Reconsideration</a>	\$250
Board of Variance <del>(non-refundable)</del>	\$500
Building Permit Application Fee (non-refundable)	\$100
Pre-Building Permit Application Consultation Fee	\$75 per hour
Building Permits (based on value of construction):	
Minimum fee (<\$1,000)	\$150
• \$1,000-\$9,999	\$150 plus \$12 per \$1,000
• \$10,000-\$49,999	\$250 plus \$11 per \$1,000
• \$50,000-\$99,999	\$300 plus \$10 per \$1,000
• \$100,000 and greater	\$400 plus \$9 per \$1,000
<i>The minimum fee for a building permit for a <u>new dwelling</u> shall be not less than the fee for a building having a value of \$300,000 (\$3,100.00).</i>	<i>Building permits are valid for a maximum of two years, at which time they expire. A permit may be renewed once only in accordance with Building Bylaw No. 234, 1994, as amended.</i>

Permit renewals <i>A building permit is valid for a maximum of two years, at which time it expires. A permit may be renewed once only in accordance with Building Bylaw No. 234, 1994, as amended.</i>	75% of current Building Permit Fee <u>at time of renewal</u>
Damage Deposit (based on value of construction): <ul style="list-style-type: none"> <li>• Up to \$10,000</li> <li>• Up to \$50,000</li> <li>• Up to \$250,000</li> <li>• Greater than \$250,000</li> </ul> <p><i>A Damage Deposit is required when taking out a Building Permit or a Demolition Permit, or when performing other works requiring an engineer's certificate or heavy machinery on Village highways. An occupancy certificate is needed with respect to a Building Permit and an inspection by the Public Works Manager is required prior to a Damage Deposit being returned.</i></p>	\$500 \$1,500 \$3,000 \$5,000
Demolition Permit fees: Accessory building or structure All other buildings	\$100 per building \$1000 per building
<del>Site Alteration Permit (includes soil and other material deposit or removal and land clearing)</del>	<del>\$250</del>
<del>Reconsideration by Council</del>	<del>\$750</del>
Change of Address	\$500
Blasting permit application fee	\$250
Secondary suite surcharge	40% of Annual Utility Billing
Secondary suite inspection fee	Initial inspection plus one additional inspection free. Each additional inspection \$75/hour
Tree cutting permit applications	\$75 (non-refundable)
Lawn sprinkling permit application	\$40
<u>Driveway Crossing Permit</u>	<u>\$100</u>
<u>Oil Tank Inspection Fee</u>	<u>\$250</u>
Plumbing Fee	\$100 plus \$25 for each fixture
Fire Sprinkler Permit: New construction	\$125 plus \$2.50 per sprinkler head
Renovations requiring sprinkling	\$250 plus \$2.50 per sprinkler head
Alternate Solutions: Building Inspector (additional charge if required on more involved issues per Building Bylaw) Code Professional (additional charge if required on more involved issues per Building Bylaw)	\$75 per hour (\$225 minimum) Actual cost plus 10%

Extra Inspections (after second inspection)	\$100 per inspection
<del>Lot grading (trucking receipt required)</del>	<del>\$250 (up to 10 loads) \$500 (11-20 loads) \$1000 (more than 20 loads)</del>
Pre-inspection of a building being moved within the Village	\$500 per structure
When a permit is surrendered and cancelled before any construction begins and the owner has provided written notification that the project will not be undertaken	50% of the building permit fee <u>paid</u> and 100% of the deposit shall be refunded to the property owner.
Plan review for building design modifications	\$75 per hour
Transfer of building permit	\$125
Unregistered Encroachment Agreement	\$400
Review & registration of Section 219 covenant placed according to the Land Title Act	\$400
For discharge of Section 219 covenant placed according to the Land Title Act	\$100
<b><u>Site Alteration Permits:</u></b>	
An application for the soil deposit or removal of more than 27 cubic meters (m <sup>3</sup> ) and up to 45 m <sup>3</sup> of in any one year.	\$100 (non-refundable)
Any application for the soil deposit or removal of more than 45 m <sup>3</sup> and up to 90 m <sup>3</sup> in any one year.	\$200 (non-refundable)
Any application for the soil deposit or removal of more than 90 m <sup>3</sup> and up to 180 m <sup>3</sup> in any one year.	\$400 (non-refundable)
Any application for the soil deposit or removal of more than 180 m <sup>3</sup> in any one year.	\$600 (non-refundable)
<u>Application for Council Reconsideration per s.11.2 of Bylaw No. 510, 2018</u>	<u>\$250 (non-refundable)</u>

*\*NOTE: All permits include one inspection. All security deposits are refunded, less costs incurred, after Final Inspection*

[Amended by Bylaw No. 547]

[Amended by Bylaw No. 554]

**SCHEDULE 3 – ENGINEERING & PUBLIC WORKS**

Description	Fee
Water service connection fees	\$600 plus actual costs
Sewer service connection fees	\$600 plus actual costs
Locate water leak / water shutoff valve on private property / turn water on or off	Regular hours (7 am to 3 pm): \$75 <del>per person</del> per hour or portion, plus equipment costs  After hours: \$115 <del>per person</del> per hour (3 hour minimum)
Locate Sewer Pipes / Connection	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs  After hours: \$115 per hour (3 hour minimum)
Public Works hourly rate per worker (regular business hours)	\$75 per hour
Emergency after hours call-out	\$115 per hour (3 hour minimum)
Bear Smart garbage container	\$175
<del>Driveway Crossing Permit</del>	<del>\$100</del>

[Amended by Bylaw No. 554]

**SCHEDULE 4 – ANIMAL CONTROL & LICENCING**

<b>Description</b>	<b>Fee</b>
Annual licence for altered dog	\$30 if paid before March 31 <sup>st</sup> or within 30 days of becoming a new resident or obtaining a new dog  \$60 for all others
Annual licence for unaltered dog	\$60 if paid before March 31 <sup>st</sup> or within 30 days of becoming a new resident or obtaining a new dog  \$90 for all others
Rebate of annual licence fee for dog altered subsequent to licence being paid	\$30
Tag replacement	\$10

**SCHEDULE 5 – TRAFFIC & PARKING FEES****FEES FOR PERMITS**

Description	Fee
Extra annual parking permit – obtainable by a resident, allows parking in “permit parking” zones	<del>\$40</del> <del>per year</del> (1 free permit for each Lions Bay Fire Rescue member, Search and Rescue member, and Village staff member, not otherwise receiving free permits with a property tax notice, <u>and two free permits within 30 days of becoming a new property owner</u> )
Worksite parking permit for building-site workers for three months – obtainable by homeowners or construction managers on projects, allows parking in “permit parking” zones	\$40 for three months
Film company parking Film worker’s personal vehicle Film company truck	Refer to Schedule 7: Filming
Daily parking permit – obtainable by residents, allows parking for one day for guests	\$0 per vehicle
Operating a vehicle or combination of vehicles in excess of 63,500 kgs licensed gross vehicle weight on highway	\$35 per vehicle load
Monthly fee for parking of extraordinary vehicle or trailer on Village property, with permission of Council Extraordinary vehicle or trailer under 6.1 metres in length Extraordinary Vehicle or trailer 6.1- 6.5 metres in length Extraordinary Vehicle or trailer 6.5-7.7 metres in length Extraordinary Vehicle or trailer over 7.7 metres in length	\$80 per month/\$960 per year \$80 per month/\$960 per year \$110 per month/\$1,320 per year \$135 per month/\$1,620 per year
<del>Daily</del> <del>fee</del> for placing dumpster/ <u>bin or construction material</u> on highway	\$35 <u>per day</u>
Where work is performed by the Village in cleaning up spills or deposits on a highway, or remediating damage to a highway, fees per hour of work will be charged as shown below, to cover staff time plus use of Village equipment. Actual extra costs to the Village for items such as fuel, materials, turf, plants, storage in commercial premises, and equipment rentals required for clean-up or remediation work, will also be charged, based on invoices or receipts for materials or equipment. If work is performed by a commercial contractor under contract to the Village, the actual cost of the contract will be charged, in addition to a \$150 flat fee for Village administration time.	
Clean-up of spills or deposits on highway	Regular hours (7 am to 3 pm): \$75 per <u>person per</u> hour or portion, plus equipment costs After hours: \$115 per <u>person per</u> hour (3 hour minimum)
Remediation of damage to highway	Regular hours (7 am to 3 pm): \$75 per <u>person per</u> hour or portion, plus equipment costs After hours: \$115 per <u>person per</u> hour (3 hour minimum)
<del>Administration fee for commercial contract</del>	<del>\$150</del>

**FEES FOR REMOVALS FROM HIGHWAY**

Where vehicles, obstructions and chattels are removed from a highway, fees per hour of work are charged for removals and towing. If these items are not claimed and must subsequently be advertised and sold at auction, a flat fee is charged to cover the cost of storage, administration time and advertising.	
Removal of chattels, obstructions and things seized from highway	Regular hours (7 am to 3 pm): \$75 per hour or portion, plus equipment costs After hours: \$115 per hour (3 hour minimum) plus \$50 per day fee for storage
Towing of vehicle	Actual cost plus Regular hours (7 am to 3 pm): \$75 <u>per person</u> per hour or portion, plus equipment costs After hours: \$115 <u>per person</u> per hour (3 hour minimum)
Sale of chattels, obstructions and things seized from highway	\$1000 flat fee

**FEES FOR METERED PARKING**

Description	Fee
Lions Bay Beach Park Lot (adjacent to train tracks) <i>*Permit holders NOT exempt from fee.</i>	\$3/hour or portion thereof up to a maximum of \$24 within a calendar day
Kelvin Grove Beach Park Lot <i>*Permit holders exempt from fee.</i>	\$2/hour or portion thereof up to a maximum of \$16 within a calendar day
Sunset Trailhead Lot <i>*Permit holders exempt from fee.</i>	\$1.50/hour or portion thereof up to a maximum of \$12 within a calendar day

[Amended by Bylaw No. 530]  
[Amended by Bylaw No. 544]  
[Amended by Bylaw No. 547]  
[Amended by Bylaw No. 554]

**SCHEDULE 6 – COMMUNITY FACILITY RENTALS**

Rental fee includes use of kitchen, tables, chairs and music player.

Description	Fee*
<p><b>Hall Rental for private events:</b> Examples of use: dances, weddings, ceremonies, etc.</p> <p><b>Block Hall for set-up/take-down:</b></p>	<p>\$220 if liquor being served \$110 if no liquor being served <b>\$55</b></p> <p><i>If event occurs over multiple days, the rate above applies per day</i></p>
<p><b>Hall Rental for children’s Birthday parties</b></p>	<p>\$50 per event (maximum 4 hours)</p>
<p><b>Hall Rental for program use:</b> Examples of use: programs contracted through the Village.</p>	<p>20% of revenue per session, or minimum payment amount of \$40.00 per month, whichever is greater.</p>
<p><b>Hall Rental for non-profit groups:</b> Community group activities, meeting a maximum of once per week to a maximum of 12 hours per month.</p> <p>Additional fee for events exceeding the maximum</p> <p>Non-profit community groups (single event)</p>	<p>\$25 per month</p> <p>\$25 per event</p> <p>\$25 per event</p> <p><i>This is the fee rate applicable to requests for fee waivers under the Municipal Grant program. <b>Youth must be supervised by an adult while using Village facilities.</b></i></p>
<p><b>Hall Drop-In Rate:</b> Examples of use: drop in for casual sports and fitness use (drop in rate does not apply for programs).</p>	<p>Youth: \$5 per person per hour Adult (18+): \$10 per person per hour</p> <p><i>Youth must be supervised by an adult while using Village facilities.</i></p>
<p><b>Meeting Room Rental (<del>accommodates up to 10 persons</del>):</b> <del>Meeting Room A (includes washroom)</del> <del>Meeting Room A and B</del> Council Chambers (former library)</p>	<p>\$10 per hour (2 hour minimum)-<del>per room</del></p>
<p><b>Rental of Tennis Courts for Program Use</b> (max 2 hours per day)</p>	<p>20% of revenue per session or minimum payment amount of \$40.00 per month, whichever is greater.</p>
<p><b>Cancellation Fee:</b></p>	<p>Refer to policy: POL-1408 Refunds &amp; Cancellations</p>

<p><b>Staff Assistance (assemble/disassemble equipment on-site – excluding stage):</b></p> <p><b>Stage (assemble/disassemble):</b></p> <p><b>Sound System:</b></p> <p><i>No offsite rental for stage and sound equipment.</i></p>	<p>\$50 set up \$50 take down</p> <p>\$100</p> <p>\$50</p>
<p><b>Equipment Rental Rates (for off-site use):</b></p> <p>Table rental</p> <p>Chair rental (No outside use of chairs without explicit written authorization)</p> <p><i>Equipment not returned within 72 hours will result in forfeiture of deposit.</i></p>	<p>\$10 each</p> <p>\$1 each (\$10 minimum)</p>
<p><del><b>Projector and Laptop Rental:</b></del></p> <p><del><i>No offsite rental for projector and laptop.</i></del></p>	<p><del>\$25 per use</del></p>
<p><b>Damage Deposit for facility / equipment rental:</b></p>	<p><del>Equal to rental fee or minimum of \$50, whichever is greater. \$100</del></p> <p>Refundable in accordance with policy POL-1407 Community Facility Rentals. <i>Note: Liability for damage or loss is not limited to the deposit amount.</i></p>

~~*\*plus deposit*~~

[Amended by Bylaw No. 551]  
~~[Amended by Bylaw No. 554]~~

**SCHEDULE 7 – FILMING [to be reviewed with filming policy]**

Description	Fee
Filming application fee <u>(non-refundable)</u>	\$250
Filming fee (per day)	\$300
Damage deposit	\$5000 (refundable)
Filming in VOLB parks <u>(per day)</u>	\$500
Parking fees:	
Car	\$25/day
Truck	\$100/day
Filming Liaison	\$40/hour
Municipal Services	\$80/hour
Fire Rescue Services	\$100/hour
Fireworks (pyrotechnics) permit	\$100

[Amended by Bylaw No. 554]

**SCHEDULE 8 – FIRE RESCUE / EMERGENCY PERMITS & FEES**

Description	Fee
Fire investigation	\$200 per person per hour or portion plus actual site security costs
Fire Safety Plan Review	\$100
Inspection of buildings other than routine inspections (after 2 <sup>nd</sup> inspection) under the Fire Services Act	\$100
Inspection of buildings other than routine inspections (after 3 <sup>rd</sup> and subsequent inspection) under the Fire Services Act	\$200
Inspections – special request	\$150
Special events fire permit/inspection	\$100 per person per hour or portion thereof
Fireworks Permit	\$50
Cost recovery for work performed in removal or remediation of a fire hazard at or around a building or premises	<p>\$100 per person per hour or portion thereof to cover time plus use of municipal equipment.</p> <p>Actual extra costs for items such as equipment rentals required for clean up or remediation work will also be charged, based on invoices or receipts for materials or equipment.</p> <p>Actual costs of a commercial contractor under contract to the municipality will be charged in addition to a flat fee of \$150 for municipal administration.</p>

*\*Note: all permits include one inspection*

**SCHEDULE 9 – MEMORIALS AND DEDICATIONS**

Description	Fee
Bench Dedication ( <a href="#">valid for 10 years</a> )	\$1,500 - \$1,750 includes cost and installation of bench, cost and installation of plaque and ongoing maintenance.

**SCHEDULE 10 – GENERAL**

Description	Fee
Boat space rental permit at Lions Bay Beach Park	\$125 per calendar year if paid by March 31 <sup>st</sup> \$150 if paid after March 31 <sup>st</sup> , but before May 31 <sup>st</sup> (after May 31 <sup>st</sup> , boat will be seized and removed)  <i>*If a new boat space is obtained after March 31<sup>st</sup>,                      the \$150 permit fee shall be prorated based on                      the number of months left in the year. No refunds                      will be issued for permits terminated during the                      year.</i>
Seizure and removal of boat from boat space rental area for failure to pay annual fee by June 1 <sup>st</sup> .	\$100 plus \$20/day for storage
Sale of seized boat if unclaimed for 120 days after seizure.	\$500 flat fee

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## VILLAGE OF LIONS BAY

<b>Type</b>	Request for Decision		
<b>Title</b>	Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018		
<b>Author</b>	Shawna Gilroy	<b>Reviewed By:</b>	Peter DeJong
<b>Date</b>	December 13, 2018	<b>Version</b>	1
<b>Issued for</b>	December 18, 2018 Regular Council Meeting		

### Recommendation:

THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018 be introduced and read three times.

### Attachments:

- (1) Bylaw Notice Enforcement Bylaw No. 555, 2018, Amendment Bylaw No. 555, 2018
- (2) Bylaw Notice Enforcement Bylaw No. 385, 2006 (Consolidation)

### Key Information:

After the City of North Vancouver withdrew from the North Shore Bylaw Notice Dispute Adjudication Registry Agreement, the District of North Vancouver has indicated it will take over responsibility for the registry at the beginning of 2019. The District of North Vancouver has not yet provided the neighbouring municipalities with an agreement, however we are taking action in advance to allow us to enter into an agreement with them once it has been made available and amend our bylaw accordingly.

### Options:

- (1) Approve the recommendation above and give the bylaw three readings;
- (2) Give the bylaw two readings and suggest further recommendations for the next meeting, and then give the bylaw third reading;
- (3) Refer the bylaw back to staff for revisions

### Preferred Option:

- (1) Approve the recommendation above and give the bylaw three readings;

### Follow Up Action:

Assuming three readings are given, the bylaw will be brought back on January 8, 2019 for adoption.



**VILLAGE OF LIONS BAY**



## **Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018**

**Adopted: xxx**

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0  
Phone: 604-921-9333 Fax: 604-921-6643  
Email: [office@lionsbay.ca](mailto:office@lionsbay.ca) Web: [www.lionsbay.ca](http://www.lionsbay.ca)

**Bylaw No. 555, 2018**  
**Bylaw Notice Enforcement Bylaw Amendment**

**A bylaw to amend of Bylaw Notice Enforcement Bylaw No. 385, 2006**

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018".
2. Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended, is hereby amended as follows:
  - (a) Delete section 8.2 and replace with the following:  
 "The Municipality is authorized to enter into, and the Mayor and Administrator are authorized to execute, a dispute adjudication system agreement or amended agreement with the District of North Vancouver and such other neighbouring jurisdictions as may wish to be a part of the Registry, such agreement to be attached to this bylaw as the new Schedule B upon execution by the Municipality."

<b>READ A FIRST TIME</b>	<b>xxx</b>
<b>READ A SECOND TIME</b>	<b>xxx</b>
<b>READ A THIRD TIME</b>	<b>xxx</b>
<b>ADOPTED</b>	<b>xxx</b>

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Corporate Officer**

**Certified a true copy of  
Bylaw No. 555, 2018 as adopted.**

\_\_\_\_\_  
**Corporate Officer**



# **Bylaw Notice Enforcement Bylaw No. 385, 2006**

## **Office Consolidation**

This document is an office consolidation of Bylaw Notice Enforcement Bylaw No. 385, 2006 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Bylaw Notice Enforcement By-law No. 385, 2006 as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0  
Phone: 604-921-9333 Fax: 604-921-6643  
Email: [office@lionsbay.ca](mailto:office@lionsbay.ca) Web: [www.lionsbay.ca](http://www.lionsbay.ca)

**List of Amending Bylaws**

<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>Adopted</b>
415	1 2 3	Amends s.9.2 re. designated classes of persons that may be appointed as screening officers Amends s.11.1 re. RCMP as police force Replaces Schedule A	July 21, 2009
434	Sched A	Replaces Schedule A	June 20, 2011
492	Sched A	Replaces Schedule A	June 2, 2015
495	Sched A	Replaces Schedule A	July 7, 2015
507	2(a) 2(b)	Amends penalties under Bylaw No. 428 (Fire), Sections 32, 33, 35 and 52. Adds penalties for Bylaw No. 393 (Trees)	July 19, 2016
533	2(a) 2(b) 2(c)	Adds penalties for Secondary Suite contraventions per s.10.1 of Bylaw No. 234 Amends penalties for provisions re. ss. 8(2), 10(a), 10(h), and 10(k) of Bylaw No. 413 Deletes penalties for Bylaw No. 362 and substitutes penalties for Bylaw No. 520	November 7, 2017
<u>555</u>	<u>2(a)</u>	<u>Deletes and replaces section 8.2</u>	

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**VILLAGE OF LIONS BAY**

**BYLAW NO. 385, 2006**

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# Village of Lions Bay

## Bylaw Notice Enforcement

### Bylaw No. 385, 2006

A bylaw respecting the enforcement of bylaw notices in conjunction with the North Shore Bylaw Adjudication Registry

The Council of the Municipality of Village of Lions Bay enacts as follows:

#### **Part 1 Citation**

- 1.1 This Bylaw may be cited as Bylaw Notice Enforcement Bylaw No. 385, 2006 (North Shore Bylaw Notice Dispute Adjudication Registry).

#### **Part 2 Severability**

- 2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

#### **Part 3 Definitions**

- 3.1 In this bylaw:

"**Act**" means the *Local Government Bylaw Notice Enforcement Act*;

"**Municipality**" means the Municipality of the Village of Lions Bay;

"**Registry**" means the North Shore Bylaw Notice Adjudication Registry established pursuant to Part 8 of this Bylaw.

#### **Part 4 Terms**

- 4.1 The terms in this bylaw have the same meaning as the terms defined in the Act.

#### **Part 5 Bylaw Contraventions**

- 5.1 The bylaw and bylaw contraventions designated in Schedule A may be dealt with by bylaw notice.

## **Part 6 Offence and Penalty**

- 6.1 The penalty for a contravention referred to in Part 5 is as follows:
- 6.1.1 subject to subsection 6.1.2 and 6.1.3, is the Penalty amount set out in column A1 of Schedule A,
  - 6.1.2 if received by the Municipality within 14 days of the person receiving or being presumed to have received the notice, is the Early Payment Penalty set out in column A2 of Schedule A,
  - 6.1.3 if more than 28 days after the person received or is presumed to have received the bylaw notice, is subject to a late payment surcharge in addition to the penalty under subsection 6.1.1, and is the Late Payment Penalty set out in column A3 of Schedule A,

## **Part 7 Period for Paying a Disputed Notice**

- 7.1. A person who receives a bylaw notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw notice:
- 7.1.1 pay the penalty, or
  - 7.1.2 request dispute adjudication by filling in the appropriate portion of the bylaw notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Village of Lions Bay Village Office.
- 7.2 A person may pay the indicated penalty after 14 days of receiving the notice, subject to the applicable surcharge for late payment accordance with subsection 6.1.3, but no person may dispute the notice after 14 days of receiving the bylaw notice.
- 7.3 Pursuant to the requirements of section 25 of the Act, where a person was not served personally with a bylaw notice and advises the Municipality that they did not receive a copy of the original notice, the time limits for responding to a bylaw notice under Part 6 and section 7.1 of this bylaw do not begin to run until a copy of the bylaw notice is re-delivered to them in accordance with the Act.

## **Part 8 Bylaw Notice Dispute Adjudication Registry**

8.1 The Registry is established as a bylaw notice dispute adjudication system in accordance with the Act to resolve disputes in relation to bylaw notices.

8.2

The Municipality is authorized to enter into, and the Mayor and Administrator are authorized to execute, a dispute adjudication system agreement or amended agreement with the District of North Vancouver and such other neighbouring jurisdictions as may wish to be a part of the Registry, such agreement to be attached to this bylaw as the new Schedule B upon execution by the Municipality.

~~The Municipality is authorized to enter into, and the Mayor and Administrator are authorized to execute, the dispute adjudication system agreement with the District of North Vancouver and the City of North Vancouver and the Municipality of Bowen Island and the Municipality of the Village of Lions Bay in the form and with the content of the agreement attached as Schedule B.~~

[Amended by Bylaw No. 555]

8.3 Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice or a compliance agreement under the dispute adjudication system established under this section must pay the Municipality an additional fee of \$25 for the purpose of the Municipality recovering the costs of the adjudication system.

## **Part 9 Screening Officers**

9.1 The position of screening officer is established.

9.2 The following are designated classes of persons that may be appointed as screening officers:

9.2.1 Village Manager

9.2.2 Corporate Secretary

9.2.3 Treasurer

9.2.4 Bylaw Enforcement Officer

[Amended by Bylaw No. 415, 2009]

and Council may appoint screening officers from these classes of persons by name of office or otherwise.

## **Part 10 Powers, Duties and Functions of Screening Officers**

10.1 The powers, duties and functions of screening officers are as set out in the Act,

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

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and include the following powers:

- 10.1.1 Where requested by the person against whom a contravention is alleged, communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw notice dispute adjudication system and the fee or fees payable in relation to the bylaw notice enforcement process;
- 10.1.2 To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the Act:
- (a) the person against whom a contravention is alleged or their representative;
  - (b) the officer issuing the notice;
  - (c) the complainant or their representative;
  - (d) the Municipality's staff and records regarding the disputant's history of bylaw compliance.
- 10.1.3 To prepare and enter into compliance agreements under the Act with persons who dispute bylaw notices, including to establish terms and conditions for compliance that the Screening Officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- 10.1.4 To provide for payment of a reduced penalty if a compliance agreement is entered into, as provided in column A4 of Schedule A; and
- 10.1.5 To cancel bylaw notices in accordance with the Act or Municipal policies and guidelines.
- 10.2 The bylaw contraventions in relation to which a Screening Officer may enter into a compliance agreement are indicated in column A4 of Schedule A.
- 10.3 The maximum duration of a compliance agreement is one year.

## **Part 11 Bylaw Enforcement Officers**

- 11.1 Persons acting as any of the following are designated as bylaw Enforcement Officers for the purposes of this bylaw and the Act:
- 11.1.1 Special constables, officers, members or constables of:

(a) The provincial police force as defined in section 1 of the *Police Act*, or

(b) The Royal Canadian Mounted Police;  
[Amended by Bylaw No. 415, 2009]

11.1.2 Bylaw enforcement officers appointed pursuant to the *Police Act* and *Community Charter*;

11.1.3 Local assistants to the fire commissioner under section 6 of the *Fire Services Act*;

11.1.4 Bylaw enforcement officers, licensing inspectors, building inspectors, animal control officers or other persons acting in another capacity on behalf of a municipality, regional district or local trust committee for the purpose of enforcement of one or more of its bylaws.

## **Part 12 Form of Bylaw Notice**

12.1 The Municipality may from time to time provide for the form or forms of the bylaw notice, provided the bylaw notice complies with section 4 of the Act.

## **Schedules**

Schedule A - Designated Bylaw Contraventions and Penalties

Schedule B – North Shore Bylaw Dispute Adjudication Registry Agreement



**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

**Schedule 'A' to Bylaw No. 385**

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
<b>BUILDING REGULATION BYLAW, NO. 234, 1994</b>						
234	5 (a)	Construct without a building permit	\$300	\$280	\$320	YES
234	5 (c)	Tamper with posted notice	\$500	\$475	\$500	NO
234	5 (d)	Work contrary to approved plans	\$300	\$280	\$320	YES
234	5 (e)	Obstruct Village officer or employee	\$500	\$475	\$500	NO
234	5 (f)	Fail to stop work	\$500	\$475	\$500	YES
234	5 (h)	Submit false information	\$500	\$475	\$500	YES
234	6 (b)	Unauthorized use of Village property	\$100	\$90	\$110	YES
234	10.1	Secondary Suite contrary to bylaw requirements	475	450	500	YES
234	12	Fail to post building permit	\$300	\$280	\$320	NO
234	16 (a)	Occupy without approval	\$300	\$280	\$320	YES
<b>NOISE CONTROL BYLAW NO. 283, 1998</b>						
283	2	Sound which disturbs	\$110	\$100	\$120	NO
283	3	Decibel level	\$110	\$100	\$120	NO
283	4 (a)	Continuous sound	\$110	\$100	\$120	NO
283	4 (b)	Construction sound	\$220	\$200	\$240	YES
283	5 (a)	Improper use of vehicle horn	\$110	\$100	\$120	NO
283	5 (b)	Car alarm noise	\$110	\$100	\$120	NO
<b>TREES, VIEWS AND LANDSCAPES BYLAW NO. 393, 2007, as amended</b>						
393	3.2	Obstruct Village Official	\$300	\$250	\$350	NO
393	3.3	Cut tree without permit	\$475	\$450	\$500	NO
393	3.4.5	Cut tree after expiry of permit	\$400	\$350	\$450	NO
393	3.4.6	Tree cut by unqualified owner or contractor	\$475	\$450	\$500	NO
393	3.4.8	Tree cut without exemption during bird nesting period	\$475	\$450	\$500	NO
393	3.4.9	Failure to provide insurance	\$475	\$450	\$500	YES

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
		certificate prior to commencement of work				
393	3.5	Tree damaging activities	\$475	\$450	\$500	YES
393	Schedules A and B	Failure to replant in accordance with approved plan and permit	\$400	\$350	\$450	YES
<b>GOOD NEIGHBOR BYLAW NO. 412, 2009</b>						
412	5.1.1	Create or cause a nuisance	\$200	\$185	\$215	YES
412	5.1.2	Permit a nuisance	\$200	\$185	\$215	YES
412	5.1.3	Allow unsightly parcel	\$200	\$185	\$215	YES
412	5.1.4 (a)	Allow an unsightly accumulation	\$200	\$185	\$215	YES
412	5.1.4 (b)	Permit or cause water to collect	\$200	\$185	\$215	YES
412	5.1.4 (c)	Store rubbish where visible	\$200	\$185	\$215	YES
412	5.1.4 (d)	Place graffiti	\$100	\$90	\$110	YES
412	5.1.4 (g)	Accumulate building materials	\$100	\$90	\$110	YES
412	5.1.4 (h)	Storage or accumulation of motor vehicle	\$100	\$90	\$110	YES
412	5.2.1	Fail to abate nuisance	\$100	\$90	\$110	YES
412	5.2.2 (a)	Fail to remove unsightly accumulation	\$100	\$90	\$110	YES
412	5.2.2 (b)	Fail to prevent or clear insect infestation	\$100	\$90	\$110	YES
412	5.2.2 (d)	Fail to clear parcel of brush, noxious weeds and grass	\$100	\$90	\$110	YES
412	5.2.2 (e)	Fail to shield or deflect outdoor light	\$100	\$90	\$110	YES
412	5.2.2 (f)	Fail to repair or remove fence	\$200	\$185	\$215	YES
412	7.3.2	Interfere with, resist or obstruct authorized person	\$500	\$475	\$500	NO
<b>TRAFFIC AND PARKING BYLAW NO. 413, 2009</b>						
413	8 (1)	Fail to obey traffic control device	\$100	\$90	\$110	NO

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	8 (2)	Interfere with traffic control device	\$300	\$200	\$400	NO
413	8 (3)	Plant interferes with traffic control device	\$45	\$35	\$55	YES
413	8 (4)	Illegal traffic control device	\$45	\$35	\$55	YES
413	10 (a)	Park in contravention of a traffic control device	\$65	\$50	\$80	NO
413	10 (b)	Fail to display insurance decal	\$45	\$35	\$55	NO
413	10 (c)	Park on or too near crosswalk	\$45	\$35	\$55	NO
413	10 (d)	Park near traffic control device	\$45	\$35	\$55	NO
413	10 (e)	Park on bridge	\$45	\$35	\$55	NO
413	10 (f)	Park near fire hydrant/equipment	\$80	\$70	\$90	NO
413	10 (g)	Park to obstruct or interfere with traffic/maintenance	\$80	\$70	\$90	NO
413	10 (h)	Park without permit for zone	\$65	\$50	\$80	YES
413	10 (i)	Park too near driveway	\$45	\$35	\$55	NO
413	10 (j)	Failure to park off roadway	\$45	\$35	\$55	NO
413	10 (k)	Park more than 72 hours	\$55	\$40	\$70	NO
413	10 (l)	Park more than 24 hours in snow	\$45	\$35	\$55	NO
413	10 (m)	Park in intersection	\$45	\$35	\$55	NO
413	11 (1)	Park extraordinary vehicle overnight	\$100	\$90	\$100	YES
413	11 (2)	Unattached trailer	\$100	\$90	\$110	YES
413	12	Park near school	\$45	\$35	\$55	NO
413	16	Fail to comply with direction of enforcement officer	\$100	\$90	\$110	NO
413	17	Hinder, obstruct or delay enforcement officer	\$100	\$90	\$110	NO
413	19	Operate sound broadcasting vehicle	\$45	\$35	\$55	NO
413	20	Drive over fire hose	\$80	\$70	\$90	NO
413	21 (a)	Drop or spill on highway	\$45	\$35	\$55	NO

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
413	21 (b)	Noxious flow on highway	\$45	\$35	\$55	NO
413	21 (c)	Damage plants/grass on highway	\$100	\$90	\$100	NO
413	21 (d)	Damage or deface highway	\$100	\$90	\$110	NO
413	21 (e)	Dead animal on highway	\$45	\$35	\$55	NO
413	21 (f)	Camp on highway	\$45	\$35	\$55	NO
413	21 (g)	Make fire on highway	\$100	\$90	\$110	NO
413	21 (h)	Unsecure load	\$100	\$90	\$100	NO
413	21 (i)	Urinate/defecate on highway	\$100	\$90	\$100	NO
413	21 (j)	Overweight vehicle on highway	\$100	\$90	\$100	NO
413	21 (k)	Operate vehicle with lugged wheels	\$100	\$90	\$100	NO
413	24	Sell/display goods/services on highway	\$100	\$90	\$100	YES
413	25	Chattel/structure on highway	\$100	\$90	\$100	YES
413	26	Dumpster on highway	\$100	\$90	\$100	YES
413	27	Accumulations on highway	\$100	\$90	\$100	YES
413	28	Unfenced excavation near highway	\$100	\$90	\$100	YES
413	29	Construction obstructing highway	\$100	\$90	\$100	YES
413	31	Fail to disperse on highway when directed	\$100	\$90	\$100	NO
413	32	Skate/blade/scoot without helmet	\$45	\$35	\$55	NO
<b>ANTI-IDLING BYLAW NO. 416, 2010</b>						
416	3	Unlawful idling	\$100	\$90	\$110	YES
<b>FIRE BYLAW NO. 428, 2011</b>						
428	27	Unauthorized entry to area limited for Fire Rescue purposes	\$100	\$80	\$120	NO
428	28	Hinder Fire Rescue operations	\$450	\$425	\$120	NO

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	29	Damage or destroy Fire Rescue apparatus or equipment	\$450	\$425	\$120	NO
428	30	Drive vehicle over Fire Rescue equipment without permission	\$100	\$80	\$120	NO
428	31	Falsely represent to be Fire Rescue member	\$100	\$80	\$120	NO
428	32	Obstruct/interfere with approach to Fire Rescue incident	\$200	\$180	\$220	NO
428	33	Interfere with fire hydrant	\$450	\$425	\$475	NO
428	34	Fail to maintain clearance around fire hydrant	\$50	\$40	\$60	YES
428	35	Fail to address fire hazard when ordered	\$450	\$425	\$475	YES
428	36	Construct fire pit or fire ring	\$100	\$80	\$120	YES
428	37	Burn wood outside a building	\$100	\$80	\$120	NO
428	38	Open burning	\$100	\$80	\$120	NO
428	39	Drop burning substance into or near combustible material	\$100	\$80	\$120	NO
428	40	Burn or use combustion device outside when banned	\$100	\$80	\$120	YES
428	41	Burn unauthorized material inside or outside a building	\$100	\$80	\$120	NO
428	42	Use water contrary to designated purpose, hours or methods	\$100	\$80	\$120	NO
428	44	Fail to install sprinklers in new residence	\$450	\$425	\$475	YES
428	45	Fail to install sprinklers during alteration to residence	\$450	\$425	\$475	YES
428	46	Fail to install fire extinguisher	\$100	\$80	\$120	YES
428	47	Fail to install smoke alarms	\$100	\$80	\$120	YES

**VILLAGE OF LIONS BAY**

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
428	48	Use fireworks when under age 18	\$50	\$40	\$60	NO
428	49	Use unauthorized Consumer Fireworks	\$100	\$80	\$120	NO
428	50	Use High Hazard Fireworks	\$200	\$180	\$220	NO
428	52	Fail to comply with order to address violations, requiring re-inspection	\$450	\$425	\$475	YES
<b>PESTICIDES BYLAW NO. 430, 2011</b>						
430	3	Use of pesticide for cosmetic purposes	\$250	\$225	\$275	NO
430	4	Use of non-permitted pesticide	\$250	\$225	\$275	NO
<b>PARKS REGULATIONS BYLAW NO. 448, 2012</b>						
448	5.1	Damage park	\$500	\$475	\$500	YES
448	5.2	Molest animals or birds	\$100	\$90	\$100	NO
448	5.3	Contaminate water in park	\$500	\$465	\$500	NO
448	5.4	Release water in park	\$500	\$465	\$500	NO
448	5.5	Improper climbing on structure	\$100	\$90	\$100	NO
448	5.6	Litter in park	\$100	\$90	\$100	NO
448	5.7	Unlawful waste in park receptacle	\$100	\$90	\$100	NO
448	6.1	Fireworks in park	\$250	\$230	\$270	NO
448	6.2	Make fire in park	\$100	\$90	\$100	NO
448	6.3	Improper barbecue in park	\$100	\$90	\$100	NO
448	6.5	Place burning substance in park	\$250	\$230	\$270	NO
448	6.6	Enter park at fire risk	\$250	\$230	\$270	NO
448	7.1	Sell/display goods/services in park	\$100	\$90	\$100	YES
448	7.2	Advertise in park	\$100	\$90	\$100	YES
448	7.3	Amplified noise in park	\$100	\$90	\$100	NO
448	8.1	Organized activity in park with no contract	\$100	\$90	\$100	NO

**VILLAGE OF LIONS BAY**

Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
448	9.1	Operate motorized watercraft near beach	\$250	\$230	\$270	NO
448	9.2	Motorized vehicle or device in park	\$250	\$230	\$270	NO
448	9.3	Unauthorized entry to closed park	\$100	\$90	\$100	NO
448	10.1	In park outside open hours	\$100	\$90	\$100	NO
448	10.3	Enter or remain in closed park	\$100	\$90	\$100	NO
448	11.1	Create a nuisance in park	\$100	\$90	\$100	NO
448	11.2	Obstruct use and enjoyment of park	\$100	\$90	\$100	NO
448	11.3	Fail to comply with direction of enforcement officer	\$100	\$90	\$100	NO
448	11.4	Obstruct or delay enforcement officer	\$100	\$90	\$100	NO
448	11.5	Urinate/defecate in park	\$100	\$90	\$100	NO
448	12.1	Store watercraft on beach	\$100	\$90	\$100	YES
448	12.2	Camp in park	\$100	\$90	\$100	NO
448	12.3	Prohibited sport in park	\$100	\$90	\$100	NO
<b>WASTE COLLECTION BYLAW NO. 455, 2013</b>						
455	5	Excess garbage	\$60	\$50	\$70	NO
455	6	Fail to securely house wildlife attractants	\$300	\$280	\$320	YES
455	6	Garbage receptacle encroaching on street	\$60	\$50	\$70	NO
455	10	Solid waste out before 5 AM	\$60	\$50	\$70	NO
455	11	Placing for collection inappropriate substance	\$60	\$50	\$70	NO
455	18	Storage not wildlife resistant, single family residential	\$60	\$50	\$70	NO
455	19	Storage not wildlife resistant, multi-family and commercial	\$60	\$50	\$70	NO
455	21	Fail to repair wildlife resistant containment	\$60	\$50	\$70	NO

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
455	22 (a)	Feeding dangerous wildlife	\$300	\$280	\$320	NO
455	22 (a)(b)	Storing edible wildlife attractants	\$300	\$280	\$320	YES
455	22 (c)	Bee hives accessible to wildlife	\$60	\$50	\$70	NO
455	22 (d)	Outdoor fridge or freezer accessible to wildlife	\$60	\$50	\$70	NO
455	22 (e)	Meat waste in compost	\$60	\$50	\$70	NO
<b>ANIMAL CONTROL &amp; LICENSING BYLAW NO. 461, 2014</b>						
461	5.1	No dog license	\$85	\$75	\$95	YES
461	5.5	No dog tag	\$40	\$30	\$50	YES
461	6.3	Fail to remove dog waste	\$60	\$50	\$60	NO
461	6.6.1	Dog at large	\$85	\$75	\$95	NO
461	6.6.5	Allow dog barking	\$85	\$75	\$95	NO
461	6.6.6	Keep more than three dogs	\$110	\$100	\$120	YES
461	6.7.1	Dog in prohibited area	\$60	\$50	\$60	NO
461	7.1(a)	Fail to provide food or water	\$60	\$50	\$60	NO
461	7.1(c)	Fail to exercise dog	\$60	\$50	\$60	NO
461	7.1(e)	Fail to provide medical care for dog	\$60	\$50	\$60	NO
461	7.2	Fail to provide proper shelter for dog	\$60	\$50	\$60	NO
461	7.4	Choke collar/neck cord used to tether	\$60	\$50	\$60	NO
<b>OUTDOOR WATER USE BYLAW NO. 484, 2015</b>						
484	6.1	Fail to Follow Water Conservation Level 1	\$100	\$75	\$125	NO
484	6.1	Fail to Follow Water Conservation Level 2	\$150	\$125	\$175	NO
484	6.1	Fail to Follow Water Conservation Level 3	\$200	\$175	\$225	NO
<b>ZONING AND DEVELOPMENT BYLAW NO. 520, 2017</b>						
520	3.2	Non-compliance with bylaw	\$300	\$250	\$350	NO
520	4.3	Use prohibited in all zones	\$475	\$450	\$500	NO

**VILLAGE OF LIONS BAY**  
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Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
520	4.3.7	Short-term rental without a Temporary Use Permit	\$475	\$450	\$500	NO
520	4.5	Accessory building, structure or use not permitted	\$400	\$350	\$450	NO
520	4.10	Fence or retaining wall contrary to bylaw	\$300	\$250	\$350	NO
520	4.11	Visibility obstruction contrary to bylaw	\$250	\$200	\$300	NO
520	4.12	Home-based business contrary to conditions	\$300	\$250	\$350	YES
520	4.13-4.14	Off-street parking requirements not met	\$350	\$300	\$400	YES
520	4.15	Parking and storage of commercial or industrial vehicles, equipment, or materials contrary to bylaw	\$475	\$450	\$500	NO
520	4.16	Temporary structure without valid permit	\$250	\$200	\$300	NO
520	4.17	Metal shipping container contrary to permitted uses	\$250	\$200	\$300	NO
520	4.18	Solar energy device not installed per requirements of bylaw	\$150	\$100	\$200	NO
520	4.19	Building or structure contrary to flood protection provisions	\$450	\$400	\$500	YES
520	7.1-7.11	Use, siting, setback, height, size or density not permitted in RS-1 Zone	\$450	\$400	\$500	YES
520	8.1-8.6	Use, siting, setback, height, size or density not permitted in RM-1 Zone	\$450	\$400	\$500	YES
520	9.1-9.5	Use, siting, setback, height, size or density not permitted in C-1 Zone	\$450	\$400	\$500	YES

**VILLAGE OF LIONS BAY**  
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Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty if Compliance Agreement shows "Yes")
520	10.1-10.5	Use, siting, setback, height, size or density not permitted in C-2 Zone	\$450	\$400	\$500	YES
520	11.1-11.2	Use, siting, setback, height, size or density not permitted in C-3 Zone	\$450	\$400	\$500	YES
520	12.1-12.2	Use, siting, setback, height, size or density not permitted in W-1 Zone	\$450	\$400	\$500	YES
520	13.1-13.2	Use, siting, setback, height, size or density not permitted in W-2 Zone	\$450	\$400	\$500	YES
520	14.1-14.5	Use, siting, setback, height, size or density not permitted in CU-1 Zone	\$450	\$400	\$500	YES
520	15.1-15.2	Use, siting, setback, height, size or density not permitted in RU-1 Zone	\$450	\$400	\$500	YES
520	16.1-16.2	Use, siting, setback, height, size or density not permitted in RS-1 Zone	\$450	\$400	\$500	YES

[Successively replaced by Bylaw Nos. 434, 492, 495]

[Amended by Bylaw No. 507, 2016]

[Amended by Bylaw No. 533, 2017]

## **Schedule B**

# **North Shore Bylaw Notice Dispute Adjudication Registry Agreement**

This Agreement, dated the \_\_\_\_\_ day of \_\_\_\_\_, 2006

**AMONG:**

**THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER, 75017<sup>m</sup>**  
Street, West Vancouver, British Columbia, V7V 3T3

("DWV")

**AND:**

**THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, 355 West**  
Queens Road, North Vancouver, British Columbia, V7N 2K5

("DNV")

**AND:**

**THE CORPORATION OF THE CITY OF NORTH VANCOUVER, 141 West 14<sup>0</sup>**  
Street, North Vancouver, British Columbia, V7M 1H9

("CNV")

**AND:**

**THE MUNICIPALITY OF BOWEN ISLAND, Box 279, 981 Artisan Lane,**  
Bowen Island, British Columbia, VON IGO

("MBI")

**AND:**

**THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY, P.O. Box 141, 400**  
Centre Road, Lions Bay, British Columbia, VON 2E0

("VLB")

**Witnesses that Whereas:**

- A. The Act permits local governments to create a bylaw designating certain bylaw contraventions that can be enforced by way of bylaw notice as an alternative to traditional bylaw enforcement mechanisms; and
- B. The Act permits two or more local governments to enter into an agreement, adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system; and
- C. Pursuant to the Act, DWV, DNV, and CNV have established the North Shore Bylaw Notice Dispute Adjudication Registry which they jointly administer and share the costs of;
- D. MBI and VLB wish to become participants in the Registry and DWV, DNV and CNV have agreed to permit them to join; and
- E. The Parties have agreed to administer the Registry on the terms and conditions set out in this Agreement;

**NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:**

**PART I - INTRODUCTORY PROVISIONS**

**Definitions**

In this Agreement, the following definitions apply:

- (a) "Act" means *the local Government Bylaw Notice Enforcement Act*,
  - (b) "**Adjudication Fee**" means the sum of \$75.00 payable by each Party for each adjudication scheduled to be conducted by the Registry;
  - (c) "**Agreement**" means this Agreement;
  - (d) "**Authorizing Bylaws**" means the bylaws adopted by the Councils of each of the Parties authorizing this Agreement;
  - (e) "**Committee**" means the North Shore Bylaw Notice Dispute Adjudication Registry's Administrative Committee;
- "**Contribution Adjustment Amount**" means, for each Party, the amount calculated in accordance with Section 21 herein in any year of the Term;
- "**Contribution Amount**" means the amount determined by the Administrative Committee as required by each of the parties to meet the operational costs to fund the Registry in accordance with subsection 14(d);

- (h) **"Parties"** means all of DWV, DNV, CNV, MBI or VLB;
- (i) **"Party"** means any one of DWV, DNV, CNV, MBI or VLB;
- (j) **"Registry"** means the North Shore Bylaw Notice Dispute Adjudication Registry established by this Agreement;
- (k) **"Revenues"** means any revenue actually received or estimated to be received, as the case may be, by the Registry, excluding Contribution Amounts or Contribution Adjustment Amounts;
  
- (i) **"Term"** means the term of this Agreement as set out herein.

## **PART II - ADMINISTRATION**

### **Administrative Committee**

- 2. The Parties agree to establish the Committee to implement and administer the Registry.
- 3. The Parties agree that authority of the Committee will include but not be limited to:
  - (a) preparing operational budgets; and
  - (b) setting policy as authorized under this Agreement and the Act.

### **Representation**

- 4. Each of the Parties will appoint one representative to serve on the Committee. The Parties agree that **representatives** will be paid employees of their respective local governments and will not be remunerated by the Registry.

## **PART III - ADJUDICATION**

### **Screen inn Officers**

- 5. The Parties agree that responsibility for the appointment, administration and funding of the position of screening officer will reside with each Party individually and will not in any way be a function of the Registry.

### **Bylaw Notice Dispute Adjudication Registry**

- 6. The Parties agree that the Registry will administer the dispute adjudication system and that disputes will be heard by a bylaw notice dispute adjudicator in the circumstances prescribed in the Act and Authorizing Bylaws.
- 7. The Parties agree that the Committee will select a roster of adjudicators who may hear and determine disputes from the provincial roster of adjudicators to be established by the Attorney General.

8. Adjudicators will be assigned to individual disputes in the manner prescribed by any applicable regulation and policy established by the Committee.

## **PART IV - OPERATIONS**

### **Location**

9. The location of the Registry will be in the municipal offices of the City of North Vancouver, 141 West 14<sup>th</sup> Street, North Vancouver, B.C. V7M 11-19 or such other location as may be designated by the Parties.

### **Administrative Services**

10. CNV will provide and supervise all administrative services required by the Registry, subject to the following:
  - (a) the collection of any fees, fines or penalties levied against an unsuccessful party in the dispute adjudication process will be the responsibility of the relevant municipality if not collected by the Registry immediately following the adjudication; and
  - (b) any penalty arising directly out of the bylaw notice itself may be paid to the relevant Party or to the Registry,

and any amounts collected by or paid to the Registry pursuant to (a) and (b) will be credited to the relevant Party's Contribution Adjustment Amount.

### **Financial Reporting**

11. CNV will ensure that its Director of Finance will conduct and oversee the financial reporting and record keeping of the Registry based on normal procedures, subject to the requirements outlined herein.

## **PART V - FINANCIAL PLANNING**

### **Start-Up Costs**

12. Each new Party is responsible for its own start-up costs with respect to its participation in the Registry and the dispute adjudication system.

### **Budget Year**

13. The budget year of the Registry is the calendar year.

### **Operating Budget**

14. The Parties agree that, no later than August 31 of each year, the Committee will prepare a draft operating budget for the following budget year, setting out in detail the operational funds required by the Registry for the carrying out of its mandate and responsibilities, including:

- (a) the estimated operational expenditures for:
  - (i) office and administration including financial reporting and administrative services;
  - (ii) bylaw dispute adjudicators; and
  - (iii) other functions of the Registry;
- (b) the anticipated revenues (if any) of the Registry;
- (c) the difference between estimated revenues and operational expenditures for the Registry; and
- (d) the Contribution Amount required from each of the Parties. **Budget**

### **Submissions**

- 15. The Committee will prepare the operating budget in a manner satisfactory to, and in such detail as requested by, the Directors of Finance of each of the Parties, and submit the draft operating budget to the Directors of Finance of each of the Parties each year when required.

### **Budget Approval and Adjustments**

- 16. The Parties will consider and approve, or recommend amendments to, the Registry's operating budget.
- 17. The Parties **agree** that all recommendations by them for adjustments to the Registry's draft operating budget will
  - (a) be reasonable and made in good faith; and
  - (b) ensure that a reasonable level of service quality can be maintained by the Registry.

### **Use of Funds**

- 18. The Committee and CNV may make only those expenditures during the budget year for the purposes and up to the amounts authorized in the approved operating budget. The Registry (or the Committee or CNV on behalf of the Registry) will not incur any other indebtedness or liability, or make any further expenditure, except that:
  - (a) CNV may make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$1,000 limit; and
  - (b) the Committee may:
    - (i) **make** a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$10,000 limit;
    - (ii) re-allocate funds within categories of the operating budget as reasonably required; and

- (iii) **make** a further expenditure or contract a further indebtedness or liability without limitation if approved in advance by all Parties.

## **PART VI - COST ALLOCATION**

### **Funding Contributions and Adjustments**

19. The Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by CNV on behalf of the Registry.
20. DWV, DNV, MBI and VLB will, upon approval of the Registry's operating budget by each of the Parties, pay to the CNV their respective Contribution Amounts for the upcoming budget year no later than June 30 of that budget year.
21. The CNV will, as soon following the end of a Budget Year as practicable, calculate the amount of each Party's Contribution Adjustment Amount by
  - (a) determining the amount by which Actual Expenditures exceed Budget Expenditures for the relevant year;
  - (b) determining the respective share of each Party; and
  - (c) deducting, if applicable, the aggregate of fines and administrative fees collected by the CNV on behalf of each Party for the relevant year.
22. Each of DWV, DNV, MBI and VLB will, within 30 days of receipt of notice of its respective Contribution Adjustment Amount, pay (if required) to CNV the Contribution Adjustment Amount.
23. CNV will pay (if required) any Contribution Adjustment Amount owing to DWV, DNV, MBI and VLB, as appropriate, within 30 days of preparation of a statement outlining the Contribution Adjustment Amounts of each Party or may, at the election of CNV in each year except the final year, credit the amount owing to the Contribution Amount required from each Party for the following year.
24. Each Party will pay to the CNV, within fifteen days following each of March 31, June 30, October 31 and December 31 of each year of the Term, the Adjudication Fee for each adjudication scheduled in respect of that Party in the previous quarter.

### **Maintenance of Records**

25. The Director of Finance of CNV will:
- (a) exercise the duties and powers of the officer responsible for financial administration as provided in the *Community Charter*, in maintaining the financial records for the Registry on behalf of the Parties;
  - (b) ensure that accounting and payroll records of the Registry are properly prepared and maintained, such records to include payroll, accounts payable, cash receipts and disbursements, accounts receivable, general ledger, subsidiary cost ledger, financial statements and reports and supporting documents to the foregoing;
  - (c) provide, when possible, any additional financial systems that have been requested by the Committee; and
  - (d) direct employees and officers of the Registry to the extent necessary to ensure that the systems and procedures established for financial controls *are in effect and are in accordance with the Community Charter*.

### **Examination of Records**

28. The Directors of Finance of DWV, DNV, MBI or VLB may, acting reasonably with regard to minimizing the administrative burden on the CNV, and no more frequently than once in each year of the Term, conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained for the Registry. CNV will cooperate with any reasonable request by the DWV, DNV, MBI or VLB Directors of Finance for access to financial records, user statistics and other information of the Registry.

## **PART VII - GENERAL PROVISIONS**

### **Insurance**

27. CNV will ensure that the Registry and its activities are covered under CNV's general liability policy and will provide copies of all relevant insurance policies and changes thereto to the Directors of Finance of DWV, DNV, MBI or VLB upon request.

### **Amendments**

28. The Parties will, in good faith, negotiate any proposed amendment to this Agreement upon request of any Party, all amendments to be in writing and executed by the Parties.

**Dispute Resolution**

29. The Parties will submit any dispute arising out of the interpretation or application of this Agreement:
- (a) first, to the Committee to resolve the dispute;
  - (b) second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
  - (c) third, if the Chief Administrative Officers **are** unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the *Commercial Arbitration Act*, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

**Term**

30. This Agreement comes into effect on \_\_\_\_\_ 2006 and continues in effect until December 31, 2008. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

IN WITNESS WHEREOF DWV, DNV CNV, MSI and VLB have executed this Agreement on the date first above written.

THE CORPORATE SEAL of THE  
CORPORATION OF THE DISTRICT OF  
WEST VANCOUVER was hereunto affixed in  
the presence of:

\_\_\_\_\_  
Mayor CIS

\_\_\_\_\_  
Municipal Clerk )

THE CORPORATE SEAL of THE  
CORPORATION OF THE DISTRICT OF  
NORTH VANCOUVER was hereunto  
affixed in the presence of:

\_\_\_\_\_  
Mayor ) CIS

\_\_\_\_\_  
City Clerk

**VILLAGE OF LIONS BAY**  
Bylaw No. 385, 2006

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THE CORPORATE SEAL of THE CORPORATION OF THE CITY OF NORTH VANCOUVER was hereunto affixed in the presence of:

\_\_\_\_\_  
Mayor ) CIS

\_\_\_\_\_  
Municipal Clerk

THE CORPORATE SEAL of THE MUNICIPALITY OF BOWEN ISLAND was hereunto affixed in the presence of:

\_\_\_\_\_  
Mayor ) CIS

\_\_\_\_\_  
Municipal Clerk

THE CORPORATE SEAL of THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY was hereunto affixed in the presence of:

\_\_\_\_\_  
Mayor

Administrator

Intentionally Blank



## VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018		
Author	Shawna Gilroy	Reviewed By:	Peter DeJong
Date	December 13, 2018	Version	1
Issued for	December 18, 2018 Regular Council Meeting		

### Recommendation:

THAT Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018 be introduced and read three times.

### Attachments:

- (1) Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018
- (2) Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018 (Consolidation)

### Key Information:

The amendment addresses an oversight in the definition of “*Land Alteration*” by adding the inclusion of “*other material*” as well as “*soil*”.

### Options:

- (1) Approve the recommendation above and give the bylaw three readings;
- (2) Give the bylaw two readings and suggest further recommendations for the next meeting, and then give the bylaw third reading;
- (3) Refer the bylaw back to staff for revisions

### Preferred Option:

- (1) Approve the recommendation above and give the bylaw three readings;

### Follow Up Action:

Assuming three readings are given, the bylaw will be brought back on January 8, 2019 for adoption.



# **Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018**

**Adopted: xxx**

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0  
Phone: 604-921-9333 Fax: 604-921-6643  
Email: [office@lionsbay.ca](mailto:office@lionsbay.ca) Web: [www.lionsbay.ca](http://www.lionsbay.ca)

**Bylaw No. 556, 2018**  
**Soil Deposit, Soil Removal and Land Alteration Amendment**

**A bylaw to amend Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018**

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018".
2. Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, as amended, is hereby amended as follows:

Section 4.1 (a) of Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018 is hereby amended by adding "or *other material*" between the words "soil" and "within".

<b>READ A FIRST TIME</b>	<b>xxx</b>
<b>READ A SECOND TIME</b>	<b>xxx</b>
<b>READ A THIRD TIME</b>	<b>xxx</b>
<b>ADOPTED</b>	<b>xxx</b>

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Corporate Officer**

**Certified a true copy of  
Bylaw No. 556, 2018 as adopted.**

\_\_\_\_\_  
**Corporate Officer**



# Village of Lions Bay Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018

## Office Consolidation

This document is an office consolidation of Bylaw Notice Enforcement Bylaw No. 510, 2018 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version of Bylaw Notice Enforcement Bylaw No. 510, 2018 as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: [admin@lionsbay.ca](mailto:admin@lionsbay.ca)

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0

Phone: 604-921-9333 Fax: 604-921-6643

Email: [office@lionsbay.ca](mailto:office@lionsbay.ca) Web: [www.lionsbay.ca](http://www.lionsbay.ca)

**List of Amending Bylaws**

<b>Bylaw No.</b>	<b>Section</b>	<b>Description</b>	<b>Adopted</b>
<u>556</u>	<u>2</u>	<u>Amends the definition of "alteration of land" in section 4.1 (a)</u>	

**Village of Lions Bay**  
**Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018**

A bylaw to regulate the Deposit and Removal of Soil  
and the Alteration of Land within the Village of Lions Bay

---

**WHEREAS** the *Community Charter*, authorizes the Council of the Village of Lions Bay to regulate, prohibit and impose requirements in relation to the removal and deposit of soil in the *Municipality*;

**AND WHEREAS** the *Municipality* may impose rates or levels of fees for a permit for the alteration, deposit, or removal of soil on or from any land or area in the Village of Lions Bay;

**NOW THEREFORE**, the Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

**1.0 Title/Citation**

- 1.1 This bylaw may be cited for all purposes as the “Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018”.

**2.0 Repeal and Application**

- 2.1 Lions Bay Soil and Material Deposit By-law No. 157, 1987 is hereby repealed.
- 2.2 This Bylaw applies to all land in the Village of Lions Bay.
- 2.3 Nothing in this Bylaw shall preclude anyone from complying with the provisions of any other local, provincial, or federal regulations or enactments.

**3.0 Purpose**

- 3.1 This Bylaw has been enacted for the purpose of regulating the *deposit* and *removal of soil* and *other material* and the *alteration of land* within the Village of Lions Bay in the general public interest. The purpose of this Bylaw does not extend:
  - a) to the protection of owners, occupiers or persons involved in the *deposit* or *removal of soil* or *alteration of land* from economic loss;

- b) to the assumption by the *Municipality* or any officer or employee of the *Municipality* of any responsibility for ensuring compliance by a person involved in the *deposit or removal of soil* on or *alteration of land*, his or her representatives, or any employees, contractors, or agents with this Bylaw, or any other enactments applicable to the *deposit of soil* or the development or *alteration of land*;
- c) to providing any person with a warranty that any *deposit or removal of soil* or *alteration of land* will not violate this Bylaw, or any other enactment or create any nuisance of any type.

## 4.0 Definitions

4.1 Within this Bylaw, the following definitions apply:

*Alteration of Land* means:

- (a) the *deposit or removal of soil* or other material within a *parcel* other than the *deposit or removal of soil* constituting *minor works*.

[\[Amended by Bylaw No. 556\]](#)

*Bylaw Enforcement Officer* means a person appointed by the *Municipality* to act on matters of bylaw enforcement.

*Contaminated Soil* means the presence in *soil* of a *hazardous waste* or another prescribed substance in quantities or concentrations exceeding provincial environmental quality standards.

*Council* means the elected and appointed Mayor and Councillors of the *Municipality* acting as the *Municipal Council* in assembled meetings thereof.

*Deposit or Deposited* means the placement, storage, filling, spilling or releasing, directly or indirectly, of *soil* or *other material* on lands in the *Municipality* where the *soil* or *other material* was not previously located.

*Hazardous Waste* has the meaning prescribed under the *Environmental Management Act*.

*Invasive Species* means a species not native to British Columbia whose introduction or spread does or is likely to cause economic or environmental harm or harm to human health.

*Minor Works* means the *removal or deposit of soil* or *alteration of land* where:

- (i) at any point the depth of the *soil removed* or *deposited* does not exceed 1.2 meters;
- (ii) the unrestrained slope of the filled or excavated surface does not exceed three (3) horizontal to one (1) vertical (30%);
- (iii) retaining walls associated with the work do not exceed a height of 1.2 meters measured from the natural ground elevation; and
- (iv) for *deposit of soil*, the slope of the existing ground does not exceed thirty percent (30%) at any point or, where the existing ground is filled, the underlying natural ground surface does not exceed thirty percent (30%) at any point.

*Municipality* means the Village of Lions Bay, in the Province of British Columbia, and where the context so requires also means the land included in the boundaries of the *Municipality*.

*Other Material* includes, but is not limited to, construction and demolition waste, masonry rubble, concrete, asphalt, wood waste, unchipped lumber, drywall, refuse, undecomposed organic matter, *contaminated soil*, *soil* containing *invasive species*, and other similar matter.

*Organic Waste* means biodegradable, compostable waste of plant or animal origin from domestic or industrial sources.

*Owner* means a person registered in the records of the land title office as the fee simple owner of a *parcel*, including the strata corporation in the case of a *parcel* under strata ownership.

*Parcel* means any lot, block or area in which land is held or into which it is subdivided.

*Parcel Line* means any boundary of a *parcel*.

*Permit* means the written authority granted by the *Municipality* and/or the *Public Works Manager* pursuant to this Bylaw for the *deposit* or *removal* of *soil* and *other material* or site alteration through the *alteration of land*.

*Permit Holder* means a person holding a *permit* issued by the *Municipality*.

*Public Works Manager* means a person who holds the position of *Public Works Manager* for the *Municipality* or such persons designated by Council or the Chief Administrative Officer to act on their behalf in the execution of this Bylaw.

*Qualified Registered Professional* means an, engineer, geoscientist, agrologist, environmental consultant, soil scientist, biologist, or land surveyor who is registered

with a professional association that is regulated by a statute, appointed to act in the capacities described under the sections of this Bylaw requiring a *qualified registered professional*;

*Remove or Removal* means to take, excavate, or extract *soil* from a *parcel* on which it exists or has been *deposited*.

*Soil* means clay, silt, topsoil, sand, gravel, cobbles, rocks, boulders, peat or other substance of which land is naturally composed, down to the bedrock but shall not include *other material*.

*Stockpile* means a man-made accumulation of *soil* or *other material* held in reserve for future use, distribution or *removal*.

*Wood waste* means wood residue in mechanically shredded form and includes sawdust, hog fuel, bark, chips, slabs, shavings, trimmings, edgings, or other such waste which is the result of any manufacturing process involved in the production of lumber or other wood products.

## 5.0 Prohibition

- 5.1 No person shall cause or permit the *deposit* or *removal* of *soil* or *alteration of land* within the *Municipality* except in accordance with this Bylaw.
- 5.2 No person shall deposit *other material* on any land within the *Municipality* without a valid permit or exemption under the *Environmental Management Act*, and amendments thereto.

## 6.0 Permit Requirements

- 6.1 Subject to the other terms in this Bylaw, no person shall cause or allow the *deposit* or *removal of soil* or *alteration of land* within the *Municipality* unless the person:
  - a) has applied for and been issued a valid and subsisting *permit* for such *deposit* or *removal* or *alteration*; and
  - b) carries out the *deposit* or *removal* or *alteration* in accordance with this Bylaw and the terms and conditions set out in the *permit*.

## 7.0 Permit Exemptions

7.1 Despite Section 5 of this Bylaw, a *permit* is not required where the *deposit or removal of soil or alteration of land*:

- a) is less than 27 cubic meters (m<sup>3</sup>) of *soil* in a calendar year;
- b) constitutes *minor works*;
- c) is for the purpose of constructing or maintaining provincial roadways, forest service roads, walkways or trails;
- d) is on land owned by, or works undertaken by, the *Municipality*;
- e) is on land managed under the *Forest Act* or regulated under the *Highways Act* and for which a provincial soil permit has been obtained, so long as the land continues to be used as managed forest or highways;
- f) is required as part of the clean-up or remediation of *contaminated soil* as directed and approved by the *Ministry of Environment*;
- g) involves *stockpiles* on land, other than residentially zoned land, and subject to compliance with any requirements of the Ministry of Mines;
- h) is undertaken pursuant to the *Mines Act* or under an active *Mines Act* permit issued by the designated Ministry of the Province of British Columbia;
- i) is undertaken as flood protection works by or on behalf of a dyking authority, a provincial ministry or the *Municipality*; or
- j) is undertaken to resolve emergency situations that present an immediate danger related to flooding, erosion or other immediate threats to life or property, including removal of hazardous trees.

## 8.0 Permit Application

8.1 An application for a *permit* must be made on a form provided by the *Municipality*.

8.2 A separate application for a separate *permit* must be made for each *parcel* onto which *soil* is to be *deposited* or from which *soil* is to be *removed*, as per Section 10.0 (*Permit Application Requirements*).

8.3 The *permit* application must be signed by the applicant, and

- a) If the applicant is not the *owner*, by all owners of the *parcel*, and
- b) In the case of strata property:
  - i. by an authorized representative(s) of the strata corporation plus the strata lot owner for the property where the *soil* is to be *deposited* or *removed*; and
  - ii. by resolution of the strata council if the *soil* is to be *deposited* or *removed* or the *alteration of land* takes place on common property.

## 9.0 Permit Application Fees

9.1 An application for a *permit* must be accompanied by a non-refundable permit fee as set out below and in Fees Bylaw No. 497, 2016, as amended.

- a) \$100 for any application for the *deposit* or *removal* of more than 27 cubic meters ( $m^3$ ) and up to 45  $m^3$  in any one year, or;
- b) \$200.00 for any application for the *deposit* or *removal* of more than 45  $m^3$  and up to 90  $m^3$  in any one year, or;
- c) \$400.00 for any application for the *deposit* or *removal* of more than 90  $m^3$  and up to 180  $m^3$  in any one year, or;
- d) \$600 for any application for the *deposit* or *removal* of more than 180  $m^3$  in any one year.

## 10.0 Permit Application Requirements

10.1 The *Public Works Manager* shall determine the submission requirements pursuant to this section for every application for a *permit* between 27 and 45  $m^3$  of *soil* to be *deposited* or *removed*, including in respect of the *alteration of land*, which could include some or all of the requirements contained in this section. At a minimum the following will be required:

- a) the location of the site from which *soil* is to be *removed*, in the case of *soil deposition*, or the location of the site to which *soil* is to be *deposited*, in the case of *soil removal*;
- b) the general description and volume of the *soil* to be *deposited* or *removed*;
- c) all drainage facilities, natural watercourses and ground water aquifers shall be kept free of silt, clay, sand, rubble, debris, gravel and all other material or thing originating from any removal or deposit of soil, from or upon any lands.

10.2 Where the application set out in section 10.1 relates to *parcels* (or portions thereof) that are situated within a development permit area pursuant to section 488(1)(b) of the *Local Government Act* (protection of development from hazardous conditions), the *Public Works Manager* is entitled to require that such application also be accompanied by detailed plans, data and specifications for the proposed site prepared by a *Qualified Registered Professional* to a scale of not more than 1:1,000, unless otherwise authorized by the *Public Works Manager*, showing the contour of the ground in its current state and containing information regarding the *soil deposit* or *removal* with respect to any, or all of the matters set out in section 10.3 c) through r).

10.3 Every application for a *permit* for more than 45 m<sup>3</sup> of *soil* to be *deposited* or *removed*, including the *alteration of land*, shall be accompanied by detailed plans, data, and specifications for the proposed site prepared by a *Qualified Registered Professional* to a scale of not more than 1:1,000, unless otherwise authorized by the *Public Works Manager*, showing the contour of the ground in its current state and shall contain information regarding the *soil deposit* or *removal* with respect to the following matters:

- a) the location of the site from which *soil* is to be *removed*, in the case of *soil deposition*, or the location of the site to which *soil* is to be *deposited*, in the case of *soil removal*;
- b) the general description and volume of the *soil* to be *deposited* or *removed*;
- c) all features including buildings, structures, tree cover, roads, bridges, and natural watercourses;
- d) land uses and designations, such as civic address, zoning, areas prone to flooding and erosion, and environmentally sensitive areas;
- e) the proposed slopes which will be maintained upon completion of the *soil deposit* or *removal*;

- f) the proposed methods to control the erosion of the banks of the *soil deposit or removal*;
- g) the proposed methods of drainage control during the *soil deposit or removal*;
- h) the proposed methods to control noise and dust generated by the proposed *soil deposit or removal*;
- i) the proposed methods and locations of access to the site during the *soil deposit or removal*;
- j) the proposed grading and rehabilitation plan for the *soil deposit or removal* site during and upon completion of the proposed *soil deposit and removal* operation, and copies of any remediation or site closure plans filed with the Ministry of Energy and Mines or the Ministry of Environment and any remediation requirements of these or other ministries or authorities having jurisdiction;
- k) the proposed location of machinery, buildings, scales, and all other proposed structures and improvements;
- l) the proposed location of buffers and tree cover, and the location and grade width of berms;
- m) the proposed schedule for the *deposit or removal of soil*, indicating the amounts to be either *removed* or *deposited* on a monthly basis;
- n) the proposed routes to and from a *soil deposit or removal* area;
- o) a traffic management plan, which would include but not be limited to a description of the frequency of trucks, signage, placement of safety control devices, and other traffic control that would minimize the disturbance created;
- p) copies of all other necessary approvals and permits from Federal and Provincial authorities required by statute or regulation in connection with the proposed *soil deposit or removal*;
- q) a site reclamation plan including Invasive Species Management Plan, prepared by a *Qualified Registered Professional* to be incorporated into the *permit*; and
- r) such other information as may be required under any applicable Development Permit.

## **11.0 Permit Issuance**

### 11.1 Where

- a) a completed application for a *permit* under this Bylaw has been submitted; and,

- b) the proposed *soil deposit or removal* set out in the application conforms with this Bylaw, all other bylaws of the *Municipality*, and all other applicable enactments; and,
- c) the applicant for the *permit* has paid the *Municipality* the required application fees;

the *Public Works Manager* may issue the *permit*, issue the *permit* with all or some conditions as per Section 12.11 or refuse the *permit* for non-compliance with the Bylaw.

11.2 Where an application or renewal is refused, or a *permit* is suspended or revoked, or a stop work order is issued in respect of it, by the *Public Works Manager*, the applicant may request a reconsideration of the decision in accordance with the procedure set out in Council Procedures Bylaw No. 476, 2015, as amended.

## 12.0 Permit Conditions

12.1 Permitted *soil deposit and removal or land alteration* activities may only occur between the hours of 7:30 a.m. to 5:30 p.m. on any day of the week except Sundays and statutory holidays, unless otherwise varied by the *permit*.

12.2 No person may *deposit or remove soil or alter land* so as to do any of the following:

- a) foul, obstruct, divert, or impede the flow of or damage or destroy any watercourse, ditch, rain, sewer, or other water utility, whether privately or publicly owned;
- b) damage or destroy amenities on the lands or adjacent lands including, without limitation, any utilities, works or services, statutory rights of way, structures, buildings or improvements;
- c) contravene any *Municipality* bylaw or provincial or federal law;
- d) threaten the health and safety of the public;
- e) result in the use of the *permit* lands in a manner inconsistent with the current zoning for the *permit* lands;
- f) compromise the hydrological function or drainage capacity of the *permit* lands or adjoining lands;
- g) result in *soil* on the land or on adjacent land becoming unstable or susceptible to erosion, slippage, landslide, slumping or settling;

- h) result in excessive costs for any government to provide public utilities, works or services to the *permit* lands or adjoining lands;
- i) permit dust, dirt or noise to escape the property boundary that may cause a private or public nuisance;
- j) result in the coverage of topsoil;
- k) permit the promotion of growth of invasive species on the lands that are subject to the *permit*, or on adjoining lands; or
- l) contravene any condition or requirement of a *permit* or this Bylaw.

12.3 All descriptions, plans and specifications submitted by the applicant in support of the *permit* application and marked 'FINAL' by the *Municipality* form part of and are incorporated into the *permit* and the *permit* specifically limits *soil deposit or removal* in accordance with the descriptions, plans and specifications accepted by the *Municipality*. Any amendments of descriptions, plans or specifications by the applicant must be approved in writing by the *Municipality* and the *permit* amended accordingly.

12.4 The *permit holder* is at all times responsible for compliance with the provisions of this Bylaw and any other applicable enactment and for any claim, demand, damage, loss, costs, expense, fees or fine that may arise from a *deposit or removal of soil*.

12.5 The *permit holder* shall save harmless, indemnify and keep indemnified the *Municipality*, its officers, employees, contractors, and elected officials from any claims, demands, damages, losses, costs, expenses, fees, fines, actions, proceedings whatsoever brought by persons arising from the issuance of a permit under this Bylaw with respect to the *deposit or removal of soil or other material* authorized under a *permit*.

12.6 The issuance of a *permit* does not constitute authority to conduct processing or *stockpiling of soil* or other material on the property if not appropriately zoned for such use.

12.7 Every *permit* issued pursuant to this Bylaw shall expire twelve (12) months following the date of issuance. Every *permit* shall cease to authorize *soil deposit or removal* upon the expiry date without the necessary *permit* renewal in accordance with Sections 13.1, and 13.2.

12.8 No *permit* issued pursuant to the terms of this Bylaw may be transferred, assigned or sold.

12.9 Before a *permit* is issued, the applicant shall have first obtained all other permits and permissions required from the *Municipality* and any other authority having jurisdiction.

12.10 Any *soil* or *other material* deposited without a *permit* (or contrary to the terms of a *permit*) shall be *removed* from the *parcel* by the *owner* of the *parcel* at the *owner's* cost. Failure to remove the *soil* or *other material* within the time period so given for the *removal* shall constitute an offence under this Bylaw. In the event that the owner of the *parcel* fails to *remove* the *soil* or *other material* in accordance with this section within the stated time period, the *Municipality* or its appointed agents may, at its sole discretion and at the expense of, as the case may be, the *permit* holder or the *owner* of the *parcel*, enter onto the *parcel* or any part thereof and carry out the work required to effect the *removal* of *soil* or *other material*.

12.11 The *Public Works Manager* may impose conditions on a *permit* that restrict the location of *deposit* or *removal* and the type and volume of *soil* to be *deposited* or *removed* based on the information supplied by the applicant under section 10.1, 10.2 or 10.3 of the Bylaw, to ensure the *deposit* or *removal* occurs in the manner and amount specified in the application. Where the applicant is required to submit detailed plans, data and specifications under section 10.2 or 10.3 of the Bylaw, the *Public Works Manager* may issue the *permit* on conditions pertaining to subsections 10.3 a) through r) of the Bylaw to ensure the applicant *deposits* or *removes soil* in accordance with the detailed plans, data and specifications provided.

12.12 If required under the terms of the *permit*, upon completion of the soil deposit and removal authorized by a *permit*, the *permit* holder shall deliver to the Director a certificate from a *Qualified Registered Professional* stating that all *soil deposited* or *removed* was *deposited* or *removed* in substantial compliance with the requirements of the *permit* and good environmental and engineering practices.

### **13.0 Permit Renewal**

13.1 A *permit* for *soil deposition* or *removal* may be renewed for one additional term not to exceed twelve (12) months at the request of the applicant if the *Public Works Manager* determines, after inspecting the *permit* lands that the applicant is in full

compliance with the *permit* and this Bylaw and the renewal is reasonably necessary to permit the applicant's proposed development of the site in accordance with Zoning and Development Bylaw No. 520, 2017 and any applicable development permit, development variance permit, Board of Variance order, temporary use permit, or building permit.

13.2 Application for renewal of a *permit* or part thereof will be made in the same manner as provided herein for a new *permit*. The original application may be re-submitted for renewal, provided all applicable drawings and specifications are updated as necessary to identify any material changes to site conditions and to demonstrate compliance with current bylaws and regulations.

13.3 At least 30 days prior to the expiry of a renewed *permit*, an applicant may apply to Council for an extension of a *permit* for up to six (6) months and shall provide full details in support of such application to the Public Works Manager and to the Corporate Officer, who shall set the matter down for the next regular Council meeting.

#### **14.0 Permit Revocation and Reinstatement**

14.1 The *Public Works Manager* may issue a stop work order, with immediate effect, acting reasonably, if *soil deposit* or *removal* activities have not been undertaken in accordance with the terms and conditions of this Bylaw or the *permit*.

14.2 The *Public Works Manager* may, by delivery of a 10 day written notice to a *permit holder*, revoke or suspend a *permit* under this Bylaw where:

- a) the *permit holder* has contravened this Bylaw, or another bylaw of the *Municipality*;
- b) the *permit holder* has contravened a condition of the *permit*;
- c) the *permit* was issued by the *Municipality* on the basis of descriptions, plans and specifications submitted by the *permit holder* in support of the permit application which were incorrect or misleading; or
- d) the *permit holder* failed or refused to comply with a stop work order made pursuant to this Bylaw.

14.3 The *Public Works Manager* may reinstate a *permit* if the applicant provides a report from a *Qualified Registered Professional* confirming compliance with the Bylaw.

## 15.0 Enforcement

15.1 The *Public Works Manager, Bylaw Enforcement Officer, all Municipality employees, persons retained by the Municipality for inspection purposes, and agents of the Municipality* are authorized individually or in combination to enter at all reasonable times on any *parcel* to ascertain whether the provisions of this Bylaw are being observed.

15.2 For the purposes of ascertaining compliance with this Bylaw the *Public Works Manager* may require a *permit holder* to provide records of *soil deposit or removal* and/or a specified report from a *Qualified Registered Professional*.

## 16.0 Offences and Penalties

16.1 Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by or pursuant to this Bylaw, including refusal or hindering of an inspection under this Bylaw, is guilty of an offence and

- a) pursuant to the *Community Charter* or the *Offence Act* or both shall be liable on summary conviction to:
  - (i) a fine not exceeding ten thousand dollars (\$10,000.00), imprisonment of not more than 6 months, or both,
  - (ii) the costs of prosecution, and
  - (iii) any other penalty or remedy imposed or permissible pursuant to an enactment;
- b) the penalties and remedies imposed under subsection a) shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this Bylaw or any other enactment; and
- c) each day that a violation is caused or allowed to continue constitutes a separate offence under this Bylaw.

16.2 Any person who neglects or refuses to carry out works prescribed by the *Public Works Manager* to remedy a contravention of this Bylaw commits an offence.

16.3 In addition to the foregoing, the *Municipality* may elect enforcement under Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended, and in that event, any bylaw contraventions under this Bylaw shall not constitute the creation of an offence.

### 17.0 Severability

17.1 If any Section or portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalid Section or portion shall be severed and such invalidity shall not affect the remainder of this Bylaw.

READ A FIRST TIME	the	10 <sup>th</sup>	day of	April, 2018.
READ A SECOND TIME	the	10 <sup>th</sup>	day of	April, 2018.
READ A THIRD TIME	the	24 <sup>th</sup>	day of	April, 2018.
Approval of the Ministry of Energy, Mines and Petroleum Resources waived	the	27 <sup>th</sup>	day of	June, 2018.
Approval of the Ministry of Environment and Climate Change Strategies waived	the	9 <sup>th</sup>	day of	July, 2018.
ADOPTED	the	17 <sup>th</sup>	day of	July, 2018.

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Mayor

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Corporate Officer

Certified a true copy of Soil Deposit,  
Soil Removal and Site Alteration  
Bylaw No. 510, 2018 as adopted.

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Corporate Officer

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## VILLAGE OF LIONS BAY

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### Incoming Correspondence - December 18

*General Correspondence:*

- G-1: Fiften Important Questions to be asked of TransLink (Page 1)
- G-2: Rural Program Eligibility for Village of Lions Bay (Page 8)
- G-3: Review of Navigational Risks of LNG Tankers (Page 9)
- G-4: Advancing Women's Equity in Canada (Page 18)
- G-5: Ocean Watch Task Force - Howe Sound (Page 19)
- G-6: Ocean Watch Task Force (Page 20)

*Resident Correspondence:*

- R-1: Patrick Craig - Lions Bay Beach Park Renewal (Page 23)
- R-2: Karl Buhr - Changing Highway 99 Speed Limits (Page 24)
- R-3: Lions Bay Beach Park Feedback (Page 37)
- R-4: Jon Povill - Climate Change Mitigation (Page 38)
- R-5: Rod Baker - \$40,000 RCMP (Page 40)
- R-6: Jon Povill - West Coast Environmental Law (Page 41)

**From:** [Ron McLaughlin](#)  
**To:** [Shawna Gilroy](#); [Municipal](#)  
**Subject:** Fw: Please deliver to Mayor and Council - Fifteen Important questions to be asked of TransLink.  
**Date:** Monday, December 03, 2018 4:32:06 PM

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For next correspondence section. Thanks.

## Ron McLaughlin

*Mayor*

### The Village of Lions Bay

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada

Tel: (604) 921-9333 | Cell: (604) 353-7138 | [www.lionsbay.ca](http://www.lionsbay.ca)

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**From:** D. Malcolm Johnston <[dmalcolmjohnston@gmail.com](mailto:dmalcolmjohnston@gmail.com)>

**Sent:** Monday, December 3, 2018 9:13 AM

**To:** [mayorscouncil metro vancouver](#); [mayor@langleycity.ca](#); [mayorandcouncil@portmoody.ca](#); [mayor@burnaby.ca](#); [mayorandcouncillors@richmond.ca](#); [info@cnv.org](#); [info@newwestcity.ca](#); [info@westvancouver.ca](#); [haley.mah@vancouver.ca](#); [christine.baird@anmore.com](#); [nbelenkie@belcarra.ca](#); [bim@bimbc.ca](#); Richard Stewart; [MayorHarvie@delta.ca](#); [jfroese@tol.ca](#); Ron McLaughlin; [enquiries@mapleridge.ca](#); [clerks@newwestcity.ca](#); [council@pittmeadows.ca](#); [infoweb@dnv.org](#); [westb@portcoquitlam.ca](#); [council@portmoody.ca](#); [dwalker@whiterockcity.ca](#); MayorandCouncil; [mayor@surrey.ca](#)

**Subject:** Please deliver to Mayor and Council - Fifteen Important questions to be asked of TransLink.

The next Mayor's Council on Transit meeting is on December 13 and a very important meeting indeed.

At this meeting the Mayor's Council on Transit will decide on the fate of Surrey's LRT project. The SkyTrain Lobby has been demonstrating a disturbing tendency in releasing misleading information to both the public and politicians about the proprietary light-metro system. A litany of man-of-straw arguments and Trumpian style fake news and alternative claims have been about light rail, while at the same time no hard questions have been asked of SkyTrain and/or light metro and Metro Vancouver's use of light-metro.

This has lead to a dichotomy with the rest of the world, where LRT has become the preferred (almost 600 systems in use) method of urban transport in cities of all sizes and populations, while Vancouver now remains the only city in the world planning to extend the out dated proprietary SkyTrain light metro system.

The following are 15 questions the regional mayors should ask and have answer before any

SkyTrain/light rail decision is made.

1. The Expo and Millennium Lines are a proprietary railway, which the technical patents are owned by Bombardier Inc. and the engineering patents owned by SNC Lavalin. **Are not employees of Bombardier Inc and SNC Lavalin in conflict of interest being involved in regional planning, especially rapid transit planning?**
2. The Expo and Millennium lines are unconventional, proprietary railways, now called Innovia ART, which patents are owned by Bombardier Inc. and SNC Lavalin. Only seven (7) lines have been built in almost 40 years, with only 3 seriously used for urban transport. **Why is Metro Vancouver now the only region in the world that continues to build with SkyTrain?**
3. Metro Vancouver, now the only region in the world continuing to plan for the proprietary Innova ART system (SkyTrain) for future transit projects. **How secure is TransLink getting affordable replacement parts and new vehicles, etc. for the aging rapid transit system?**
4. Surrey's new mayor and council have rejected a \$1.65 fully funded LRT system, in favour of an unfunded \$2.95 billion SkyTrain line to Langley. **Where is the additional \$1.3 billion in funding coming from?**
5. Both the IBI and ART studies done for the Toronto Transit Commission in the early 1980's found that ICTS SkyTrain (an earlier name for Vancouver's SkyTrain) cost up to ten times more to install for about the same capacity than LRT. **Why then does Translink's costs for LRT much higher than other city's costs for LRT and at the same time claims that SkyTrain has a higher capacity?**
6. Innovia ART (SkyTrain) capacity is legally limited to 15,000 pphpd as per Transport Canada's Operating Certificate, until an extensive and expensive rehab of the Expo and Millennium lines takes place. This is said to cost around \$3 billion and must be done before any increase in capacity can be achieved. **Has TransLink planned for this \$3 billion rehab and if so, how will be the funding be sourced?**
7. Still on the subject of the \$3 billion rehab of the existing Innovia ART lines. **As capacity on the Expo Line is now near SkyTrain's legal maximum limit, will not extending SkyTrain to Langley cause major operational issues in Burnaby and Vancouver transit customers, as full trains will cause major inconvenience and congestion at stations, as they pass customers by?**
8. TransLink now claims that the Surrey LRT is not being planned as a "fully dedicated system". **What is and isn't a "fully dedicated LRT system?"**
9. TransLink's planners seem to think that grade separation equals greater capacity, yet it is well known that simple at-grade light rail can handle traffic flows up to and over 20,000 pphpd. The Expo and Millennium Lines currently have a maximum legal capacity of only 15,000 pphpd and the Canada line with platforms have half the length of the Expo & Millennium Lines, effectively gives the Canada line slightly more than half the capacity of the ART Innovia lines. **Has TransLink deliberately reduced the planning**

**capacity of LRT in order to not cause embarrassing comparisons with the SkyTrain light-metro lines?**

10. Much is said about the speed of SkyTrain, but this is because SkyTrain has many fewer stations than LRT. Though SkyTrain may offer a higher commercial speed, because the much greater distances transit customers must travel to reach a SkyTrain stations, means door to door travel times tend to favour light rail. **Why does TransLink persist using this unprofessional "speed question" with their transit planning?**
11. Still on the subject of light rail, TransLink only planned for 40 metre long platforms for trams 40 metres or under. Today most modern trams are longer than 40 metres and have station or tram stop platforms of 60 metres or more. **Has TransLink deliberately reduced the capacity of LRT to make it look like a second rate transit system?**
12. In North America, the industry standard for building a subway, is a transit line with traffic flows that surpass 15,000 pphpd, yet traffic flows on Broadway in the peak hour, are less than 5,000 pphpd. **Why is TransLink and the City of Vancouver even considering a subway under Broadway, when traffic flows are so weak?**
13. In 2015, TransLink fired their two top planners, Tamin Raad and Brian Mills, rumored because of their opposition to the Broadway subway. **Who ordered the firings and why?**
14. The city of Ottawa sent a delegation to Vancouver to inspect SkyTrain as there was pressure by the federal government for Ottawa to build with Innovia ART (SkyTrain). The delegation found that SkyTrain was not only much more expensive to build than light rail, SkyTrain cost more to operate and maintain, had less capacity and lacked the operational flexibility. Ottawa's new LRT system is now nearing completion. **Has the findings of the Ottawa delegation ever been conveyed to Metro mayor's and councils or the Mayors Council on Transit?**
15. In 1993, a report from the GVRD's *Costs of Transporting People in the BC Lower Mainland*, found that the subsidy in 1991, for just the Expo Line from Waterfront Station. to New Westminister was \$157.6 million or put another way, the subsidy for SkyTrain was more than the diesel and electric buses combined! **What is the current annual subsidy for the entire SkyTrain light metro system and how is it funded?**

**A question from Rail for the Valley:**

In 2009, Rail for the Valley engaged [Leewood Projects \(UK\)](#) to do a study on the [feasibility of a rail service from Vancouver to Chilliwack](#), using the the former and still existing and in use BC Electric interurban railway. Not only did the [Leewood study](#), released in 2010, found that a passenger rail service was viable; it was affordable using TramTrain, which is a variant of light rail. The cost of a Vancouver to Chilliwack TramTrain was just under \$1 billion.

Confirmed information from the master agreement covering section of track through Langley, now owned by the CPR, can be upgraded for passenger operation at no cost to the taxpayer

and allocated a 33% wheelage for passenger service.

Today, a two train an hour Vancouver to Chilliwack TramTrain service could be operated through the densely populated central Surrey/Cloverdale area; Langley, Abbotsford; Sardis and Chilliwack for \$1.5 billion. Such a service could provide a 50 minute commute time for Langley residents (faster than SkyTrain) and provide redundancy for the now at capacity Expo Line. **Why then does TransLink refuse to consider this option and not informing regional mayors to consider a much cheaper and faster transit route to Vancouver from the Fraser Valley?**

Who is in charge of the clattering SkyTrain?

The axles creak and the couplings strain,  
and the pace is hot and the points are near,  
and costs hath deadened the Metro Vancouver's ear,  
and the stop signals flash through the night in vain,  
for TransLink is in charge of the clattering SkyTrain.

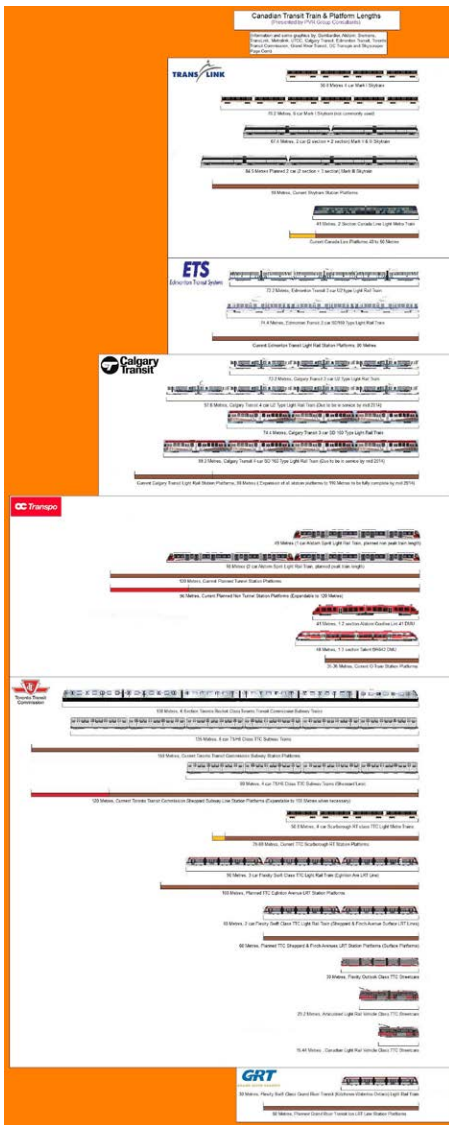
Malcolm Johnston

Rail for the Valley

604-889-4484

**Addendum:**

The following illustration compares all of Canada's tram, light rail and metro operations with both maximum length of Train and length of platform. The smallest platform for LRT is 60 metres, yet TransLink plans Surrey's LRT with 40 metre tram platforms? Please note, Ottawa's O-Train is not light rail at all, rather it is a diesel multiple unit, using existing rail tracks.



The Expo Line's operating subsidy and source of funding, from 1991. TransLink must provide the same information for 2018! From e GVRD's *Costs of Transporting People in the BC Lower Mainland*

<b>Transit Operating Subsidies—\$ million</b>					
Total	Total	SkyTrain	Diesel Bus	Trolley Bus	SeaBus
Total costs	418.78	178.08	152.42	82.76	5.52
Fares	124.0	20.45	61.95	39.11	2.49
<b>Operating Subsidy required</b>	<b>294.78</b>	<b>157.63</b>	90.47	43.65	3.03
Province	196.75	120.87	50.05	24.15	1.68
Gas tax	47.44	17.78	19.56	9.44	0.65
Hydro levy	12.58	4.72	5.19	2.50	0.17
Non-residential property tax	24.04	9.02	9.91	4.78	0.34
Municipal property tax	0.68				
General municipal revenues	13.29	5.24	5.76	2.78	0.19
<b>Operating Subsidy provided</b>	<b>294.78</b>	<b>157.63</b>	90.47	43.65	3.03

Total costs are calculated from transit vehicle kilometres and fixed and variable costs per kilometre. They are virtually equal to the totals in BC Transit's budget documents. Total fares were provided by BC Transit and have been pro-rated according to boarded passengers on each mode.

Certain provincial contributions are dedicated to SkyTrain. We have pro-rated provincial contributions to conventional transit according to the subsidy required.

Other sources of subsidy were identified in total by BC Transit. We pro-rated the subsidy across modes in proportion to the subsidy required.

**Who pays:** Payers of transit subsidies are identified in the table above.

**Assumptions and Data Limitations:** Where a subsidy is not designated to a particular transit mode, we have assumed the values to be directly proportionate to the value of the subsidy required.

**Major Data Sources:** BC Transit provided all data.

The modern modular tram can have its capacity increased cost effectively by adding another module. This means modern LRT can cost effectively increase capacity to meet demand.



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Pamela Goldsmith-Jones

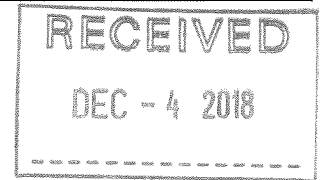
Member of Parliament

West Vancouver - Sunshine Coast - Sea to Sky Country



November 22, 2018

Honourable Doug Donaldson
Minister of Forests, Lands, Natural Resource Operations and Rural Development
Government of British Columbia
PO Box 9049 Stn Prov Govt
Victoria, BC V8W 9E2



VILLAGE OF LIONS BAY
FILE TO I/C
FILE TO PROPERTY FILE
OTHER

Dear Minister Donaldson,

RE: Rural Program Eligibility for the Village of Lions Bay

I understand that you and your Ministry are undertaking a review of the Rural Dividend Program (RDP). Currently, the Village of Lions Bay is not eligible to apply for grant funding under Provincial programs for rural funding due to its inclusion within the Metro Vancouver Regional District. Lions Bay has little in common with its Metro neighbours and does not receive the benefits of Metro's water, sewer and drainage services. Lions Bay struggles to maintain and operate its own water system from the mountain streams which rush through it and most of the village still operates on private septic systems. All of the communities throughout the Sea to Sky Corridor, with the exception of Lions Bay, are eligible for provincial rural funding.

The Government of Canada uses the provincial criteria to determine rural eligibility for federal programs such as the Community Futures Program and the new Rural and Northern Communities Infrastructure Program. Accordingly, the current provincial eligibility criteria penalizes the Village of Lions Bay.

It is my hope that the review will include the criteria for rural eligibility and recognize the Village of Lions Bay as a rural community within the Sea to Sky – Howe Sound area despite its inclusion within the boundaries of the Metro Vancouver Regional District. This will go a very long way to support the economic development challenges of a small, rural village.

Thank you for your consideration.

Sincerely,

P. Goldsmith-Jones (handwritten signature)

Pamela Goldsmith-Jones, M.P.
West Vancouver-Sunshine Coast-Sea to Sky Country

cc: Mayor and Council, Village of Lions Bay
Jordan Sturdy, MLA

Confederation Building, Room 583 | 6367 Bruce Street
Ottawa, ON K1A 0A6 | West Vancouver, BC V7W 2G5
Tel: 613 947 4617 Fax: 613 947 4620 | Tel: 604 913 2660 Fax: 604 913 2664

pam.goldsmith-jones@parl.gc.ca
www.pgoldsmithjones.ca

**From:** [Ron McLaughlin](#)  
**To:** [Municipal: Peter DeJong](#)  
**Subject:** Fw: TERMPOL review of navigational risks of LNG tankers in AtI"Kitsem / Howe Sound, B.C.  
**Date:** Tuesday, December 04, 2018 2:38:04 PM  
**Attachments:** [FedGov-Garneau-response-to-CCBowen-letter-Aug272018.pdf](#)  
[FedGov-Goodale-response-to-CCBowen-letter-Sep072018.pdf](#)  
[Re-re-Letter-Garneau-TERMPOL-AVV-July11-2018-final.pdf](#)

---

For next correspondence.

**Ron McLaughlin**

*Mayor*

### **The Village of Lions Bay**

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada

Tel: (604) 921-9333 | Cell: (604) 353-7138 | [www.lionsbay.ca](http://www.lionsbay.ca)

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**From:** Anton van Walraven <anton@cbbowen.ca>  
**Sent:** Tuesday, December 4, 2018 11:41 AM  
**To:** Council @ Lions Bay  
**Cc:** Marc Garneau; Raplh Goodale  
**Subject:** TERMPOL review of navigational risks of LNG tankers in AtI"Kitsem / Howe Sound, B.C.

Dear Mayor and Council,

For good order I am sending you the response letters I received from Mr. Garneau, Canadian Minister of Transport, and Mr. Goodale, Canadian Minister of Public Safety, as both letters were only CCed to each other and to MP Ms. Goldsmith-Jones, although our letters to both Ministers were CCed to all the people included in this list on our letter from July 11, 2018.

From Ministers Garneau's letter, it again becomes clear that, when it comes to public safety in relation to LNG supertankers, the current Canadian legislation that would apply seems inadequate as it does not contain specific regulations for LNG supertankers. It was definitely inadequate at the time the approvals for Woodfibre LNG proposal were granted.

As in earlier responses, Minister Garneau can only the TERMPOL review, which is a voluntary and non-binding review.

Again we are reminded that a public safety review that should have been appropriate as a pre-start phase of a project before deciding on an environmental assessment and before a proponent starts to invest serious money, was not done.

As you are well aware, as communities we still have no insight into what public safety and emergency measures are appropriate with the prospect of LNG supertankers passing by our communities.

Earlier correspondence with the Minister is available upon request.

Respectfully yours,

Anton van Walraven

--

Concerned  
Citizens  
**Bowen.ca**

[for the Protection of Átl'ka7tsem / Howe Sound](#)

351 Eagles Nest Rd  
Bowen island BC V0N 1G1

Minister of Transport



Ministre des Transports

Ottawa, Canada K1A 0N5

AUG 27 2018

Mr. Anton van Walraven  
Concerned Citizens Bowen  
351 Eagles Nest Road  
Bowen Island BC V0N 1G1

Dear Mr. van Walraven:

Thank you for your letter of July 11, 2018, which was further to our previous exchange of correspondence in which you expressed concerns about public safety and liquefied natural gas (LNG) tankers in Átl'ka7sem/Howe Sound, British Columbia.

With regard to your concerns, I would like to assure you that TERMPOL is only one component of Canada's robust marine safety system, which includes a comprehensive set of safety regulations under the *Canada Shipping Act (CSA), 2001*, the *Canada Marine Act*, the *Canada Transportation Act* and the *Canadian Navigation Protection Act*. Transport Canada administers these regulations to ensure that LNG is managed safely in Canada.

Parts 4 and 5 of the CSA allow the Governor in Council to make regulations to restrict navigation and shipping activities around a specific LNG project or around LNG projects in general. Transport Canada has exclusive jurisdiction over navigation and shipping only. Although our regulations and best practices may appear to be different from those of the United States for proposed LNG tanker routes, they are actually derived from the same international source—the International Maritime Organization (IMO).

In a letter dated January 19, 2018, Woodfibre LNG stated its willingness to complete the TERMPOL review process with the Government of Canada. This was subject to agreement on adjusting the timing of completion of the review in accordance with the project schedule. It is expected that Woodfibre LNG will have reviewed the agreement and be prepared to enter into a contract with Transport Canada for the completion of the TERMPOL review by October 2018.

-2-

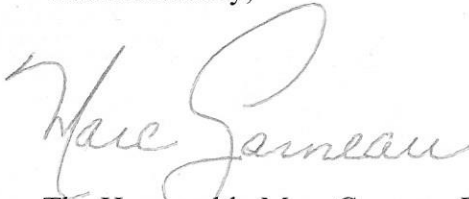
This review process provides objective guidance when planning to build and operate a marine system for bulk handling of oil, chemical and liquefied gases. Specifically, it is designed to assist the proponent in assessing the risks that could be incurred, as well as to identify any potential problems and opportunities for improvement to enhance marine safety, including vessel safety, route safety and cargo transfer operations associated with the marine terminal.

Canada's Ship Source Oil Spill Preparedness and Response Regime requires prescribed vessels and oil-handling facilities (OHFs) to have an arrangement with a Transport Canada-certified oil spill response organization (in British Columbia, it is the Western Canada Marine Response Corporation). In addition to having an arrangement with a response organization, prescribed vessels and OHFs are required under the CSA to have their own oil spill emergency and prevention plans in place.

The Canadian Coast Guard is the lead federal department responsible for overseeing the response to oil spills in the marine environment, while Environment and Climate Change Canada plays a critical role as well, providing science and local environmental sensitivity mapping to its partners in the regime.

I trust that the foregoing has helped to address your concerns. Thank you again for writing.

Yours sincerely,



The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport

c.c. The Honourable Ralph Goodale, P.C., M.P.  
Minister of Public Safety and Emergency Preparedness

Ms. Pamela Goldsmith-Jones, M.P.  
West Vancouver–Sunshine Coast–Sea to Sky Country

Minister of Public Safety and  
Emergency Preparedness



Ministre de la Sécurité publique  
et de la Protection civile

Ottawa, Canada K1A 0P8

SEP 07 2018

Anton Van Walraven  
Concerned Citizens Bowen  
351 Eagles Nest Road  
Bowen Island, British Columbia V0N 1G1

Dear Anton Van Walraven:

Thank you for sending me a copy of the letter that you originally sent my colleague, the Honourable Marc Garneau, Minister of Transport, on July 11, 2018, concerning LNG marine transportation in Àtl'ka7tsem / Howe Sound, in British Columbia.

Canada has the world's longest coastline, and our water is one of our most important resources. Canadians across the country rely on transportation to go about their everyday life or to deliver products to market in a safe and responsible way.

On November 7, 2016, the Prime Minister launched a \$1.5 billion national Oceans Protection Plan that improves marine safety and responsible shipping, protects Canada's marine environment, and offers new possibilities for Indigenous and coastal communities.

The Oceans Protection Plan has four main priority areas:

- Creating a world-leading marine safety system that improves responsible shipping and protects Canada's waters, including new preventive and response measures;
- Restoring and protecting the marine ecosystems and habitats, using new tools and research, as well as taking measures to address abandoned boats and wrecks;
- Strengthening partnerships and launching co-management practices with Indigenous communities, including building local emergency response capacity; and,
- Investing in oil spill cleanup research and methods to ensure that decisions taken in emergencies are evidence based.

Public Safety Canada, through the Government Operations Centre, supports overall Government of Canada efforts to coordinate the response in the context of events affecting the national interest, including marine incidents.

Thank you again for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R. Goodale', written in a cursive style.

The Honourable Ralph Goodale, P.C., M.P.

c.c.: The Honourable Marc Garneau, P.C., M.P.,  
Minister of Transport

c.c.: The Honourable Mike Farnworth M.L.A.  
Minister of Public Safety and Solicitor General, Port Coquitlam



Bowen Island, July 11, 2018

The Honourable Marc Garneau  
Minister of Transport  
House of Commons  
Ottawa, ON K1A 0A6

**Re: Response - Public safety and LNG Super tankers in Átl'ka7tsem / Howe Sound, B.C.**

Dear Minister:

I am sorry I wasn't able to meet you at the 'Democracy Talks' session organized by your colleague Ms. Goldsmith - Jones in West Vancouver recently. Although it was mentioned in Dr. Finn's I was present, family obligations made it impossible for me to be there: my wife had bought two tickets to a concert months earlier, and since no volunteer had come forward, the honour fell on me to chaperone my fourteen year old son to this event. I was glad to be able to do so. He had a great time.

Luckily my friends Thomas Rafael, Eoin Finn and Ruth Simons were able to attend the Democracy Talks session. All three informed me afterwards that you had not responded to their letters regarding LNG tanker safety in Átl'ka7tsem / Howe Sound and that you have made a promise at the meeting to respond ASAP.

I did sent you a letter too, dated September 9, 2016, and I did receive your response a few months later. Both letter and response are attached.

In this response you mention that *'TERMPOL does not replace any of the existing legislative mechanisms that govern safe and secure shipping in Canada.'* However when checking the existing legislation: Canada oil and gas act 1985, Canada shipping act 2001, Marine transportation security act 1994, Marine liability act 2001 (in case of accident) none mentions the shipping of LNG, and the act that comes closest to doing so, the Transportation of dangerous goods Act 1992, does not apply as it *'does not apply to dangerous goods confined only by the permanent structure of a vessel. (Section (4) (c)).'*

Woodfibre LNG, in its letter-to-the-Editor<sup>1</sup> published in the Bowen Island Undercurrent on August 12, 2016, mentions these acts as well, but stops short from pointing which sections apply as it seems such sections do not exist or do not apply to LNG tanker shipments.

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<sup>1</sup> <http://www.bowenislandundercurrent.com/opinion/letters/letter-woodfibre-is-transparent-1.2322448>

Curiously, this letter-to-the-editor also states that *'In addition, we are participating in Transport Canada's voluntary TERMPOL Review Process. The recommendations of the TERMPOL Review Committee are made public, and Woodfibre LNG is committed to incorporating the review panel's recommendations into the Woodfibre LNG Project.'*

When I was writing my letter dated Sept. 9, 2016, I assumed that we would see the results of this TERMPOL review. As it stands now, understanding from Thomas Rafael's email addressed to you, we won't.

As residents of Bowen Island, West Vancouver and Lions Bay, we are left in the dark when it comes to public safety and the risks LNG tankers pose to our communities, just because the project proponent has decided not to deliver on its TERMPOL promise: an assessment, we, as the public, would most certainly consider to be a minimum, although not independent, LNG tanker and public safety risk assessment by a Canadian Government agency.

For me, as an engineer and a member of the public, I find it most troubling to see that a test to determine the suitability of the LNG tanker routes, similar to the assessment used by the US Coastguard for proposed LNG tanker routes, are simply not available in Canada, and the Canadian test that comes closest – a TERMPOL review - is a voluntary test, a choice for the project proponent can choose not to do.

Troubling too is that such a test is not demanded at the very beginning when suitability of a project is considered. Compare it to the planning of a new sub-division: One checks for existing underground infrastructure - gas lines, water mains etc. - before any line is drawn, not at the very end when the design is finalized and construction is about to start.

Two years after government approvals were given, we, as communities, are still no step closer to clarity what risks LNG tankers pose to the Atl'Kistem / Howe Sound communities of Bowen Island, West Vancouver and Lions Bay. How we are supposed to organize our emergency responses in case of LNG tanker accidents? What communication and shelter infrastructure needs to be in place to protect the public to large methane cloud exposure?

As it stands, the only rudimentary risk assessment for the proposed LNG tanker route in Átl'ka7tsem / Howe Sound was done by Dr. Eoin Finn using the LNG Zones of Concern as defined by Sandia National Laboratories for the US Ministry of Energy, followed by a more detailed assessment using the same LNG Zones of Concern zones by Thomas E. Rafael and Peter Williamson (binder delivered to former MP Mr. John Weston). Both assessments formed the bases for a Google Map <http://ccb Bowen.ca/interactive/> that includes locations of schools, critical infrastructure (ferry terminals, Fire halls, Health facilities) and Governments buildings. The map has been viewed over 4,000 times.

As with the earlier concern for Herring spawn around the Woodfibre site and the risks the Woodfibre LNG proposed sea water cooling system would pose to it, we see the same pattern occurring when it comes to the risks LNG tankers navigating the waters of Átl'ka7tsem / Howe Sound could pose to public safety: The work, the research and bringing

this to the attention of decision makers was done by members of the community who stepped in, when government agencies and politicians dismissed the concerns all together.

So we ask again: Minister, is a risk assessment of LNG tankers associated with the Woodfibre LNG project as they could navigate through Átl'ka7tsem / Howe Sound too much of an ask?

Isn't it about time, now we know that Woodfibre LNG is unwilling to foot the bill of hiring a consultant to do the large cloud methane gas dispersion modeling, for the Government of Canada to pick up the tap and commit to what needs to be done?

I hope you will take this issue seriously, as we most certainly do. This is about the safety of our families and communities for which we will continue to advocate.

Looking forward to your timely reply, I remain.

Sincerely,



Anton van Walraven

Concerned Citizens Bowen  
351 Eagles Nest Rd  
Bowen Island BC V0N 1G1

CC mail and email:

- The Honourable Ralph Goodale, Federal Minister of Public Safety and Emergency Preparedness
- The Honourable Mike Farnworth, B.C. Minister of Public Safety and Solicitor General

CC by email:

- Chief Syetáxtn, Chris Lewis, Squamish Nation
- Chief K'ána, Deborah baker, Squamish Nation
- Chief SxwChálten ly Xelsilem, Dustin Rivers, Squamish Nation
- Ms. Pamela Goldsmith-Jones, MP - West Vancouver- Sunshine Coast - Sea to Sky Country
- Mr. Jordan Sturdy, MLA - West Vancouver- Sea to Sky
- Mayor and Council of Bowen Island
- Mayor and Council of West Vancouver
- Mayor and Council of Lions Bay
- Mayor and Council of Squamish
- Dr. Eoin Finn, Director My Sea to Sky
- Mr. Thomas E. Rafael, Barristor & Solicitor (retired)
- Ms. Ruth Simons, Executive Director Future of Howe Sound Society

**From:** [Shawna Gilroy](#)  
**To:** [Shawna Gilroy](#)  
**Subject:** FW: New publication The Role of Municipalities in Advancing Women's Equity in Canada / Nouvelle publication Le rôle des municipalités dans l'avancement de l'égalité des femmes au Canada  
**Date:** Thursday, December 13, 2018 1:59:41 PM

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**From:** Lacasse, Cynthia <[cynthia.lacasse@ccunesco.ca](mailto:cynthia.lacasse@ccunesco.ca)>  
**Sent:** Thursday, December 6, 2018 9:11 AM  
**To:** Undisclosed Recipient@TheCanadaCouncil  
**Cc:** Ntakirutimana, Thierry  
**Subject:** New publication The Role of Municipalities in Advancing Women's Equity in Canada / Nouvelle publication Le rôle des municipalités dans l'avancement de l'égalité des femmes au Canada

*\*Le français suit.*

Dear members and partners –

We are pleased to share with you a new publication entitled **[“The Role of Municipalities in Advancing Women's Equity in Canada”](#)**. Authored by Dr. Meghan Brooks, Chair of the Canadian Coalition of Municipalities against Racism and Discrimination Advisory Committee, the document presents how municipal governments are not only well placed to apply a gender lens to city planning and decision-making, but have an imperative to do so in order to adequately serve residents. By bringing women to the table, delivering gender-specific programming through an intersectional lens, gender mainstreaming governance and using data to inform decision-making and track progress, municipalities can enhance the inclusiveness of their communities and institutions.

You will find in the document an overview of key issues facing women, examples from the Canadian Coalition of Municipalities against Racism and Discrimination (CCMARD), concrete opportunities for Municipal Government to develop in order to take action, as well as some ideas to move forward.

To read the document: [https://en.ccunesco.ca/-/media/Files/Unesco/Resources/2018/TheRoleOfMunicipalitiesInAdvancingWomenEquityInCanada\\_MeghanBrooks.pdf](https://en.ccunesco.ca/-/media/Files/Unesco/Resources/2018/TheRoleOfMunicipalitiesInAdvancingWomenEquityInCanada_MeghanBrooks.pdf)

We hope you will find the document useful to inform the work undertaken by your municipality on gender equity. We would be interested in hearing about your experiences and your promising practices on the theme, please do not hesitate to share them with us!

Warm regards,

Cynthia

\*\*\*\*\*

Chers membres et partenaires,

La Commission canadienne pour l'UNESCO a le plaisir de vous présenter une nouvelle publication intitulée **[Le rôle des municipalités dans l'avancement de l'égalité des femmes au Canada](#)**. Rédigé par Meghan Brooks, présidente du Comité consultatif pour la Coalition canadienne des municipalités contre le racisme et la discrimination, ce document montre comment les administrations municipales sont non seulement bien placées pour introduire une perspective de genre dans la planification et la prise de décisions, mais qu'elles sont également tenues de le faire afin de bien servir les citoyens. En assurant la participation des femmes dans les discussions, en mettant en place des programmes sexospécifiques suivant une approche intersectionnelle, en adoptant une gouvernance qui intègre la dimension de genre et en utilisant des données pour éclairer le processus de prise de décisions et suivre les progrès, les municipalités peuvent renforcer l'inclusion dans leurs communautés et leurs institutions.

Vous trouverez dans le document un aperçu des principaux enjeux auxquels sont confrontées les femmes, des exemples issus de la Coalition canadienne des municipalités, des possibilités concrètes pour les administrations municipales afin de passer à l'action, ainsi que des idées pour aller de l'avant.

Pour lire le document : [https://fr.ccunesco.ca/-/media/Files/Unesco/Resources/2018/LeRoleDesMunicipalitesDansLAvancementDeLegaliteDesFemmesAuCanada\\_MeghanBrooks.pdf](https://fr.ccunesco.ca/-/media/Files/Unesco/Resources/2018/LeRoleDesMunicipalitesDansLAvancementDeLegaliteDesFemmesAuCanada_MeghanBrooks.pdf)

Nous espérons que vous trouverez ce texte utile pour informer le travail entrepris par votre municipalité en matière d'équité des genres. Nous aimerions beaucoup entendre parler de vos expériences et de vos pratiques prometteuses sur ce thème, n'hésitez pas à nous en faire part!

Cordialement,

Cynthia



**Cynthia Lacasse**  
Program Officer, Social and Human Sciences  
Chargée de programme, Sciences sociales et humaines  
613-566-4414, ext. | poste 4550 | 1-800-263-5588  
150 Elgin Street | rue Elgin, PO Box | CP 1047, Ottawa ON, K1P 5V8  
[en.ccunesco.ca](https://en.ccunesco.ca) | [Facebook](#) | [Twitter](#) | [YouTube](#)

**From:** [Kate-Louise Stamford](#)  
**To:** [Council @ Lions Bay; Municipal](#)  
**Subject:** Ocean Watch Task Force - Howe Sound  
**Date:** Thursday, December 06, 2018 5:30:57 PM  
**Attachments:** [Lions Bay letter Dec 3 2018.docx](#)  
[Updated TOR OceanWatch Action Plan Task Force Apr 2018.docx](#)

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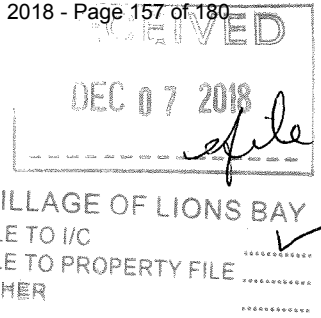
A hard copy of this introduction package has been mailed to your council along with an executive summary of the Ocean Watch Howe Sound Edition. The full document can be found here [http://oceanwatch.ca/howesound/?doing\\_wp\\_cron=1544145168.7326650619506835937500](http://oceanwatch.ca/howesound/?doing_wp_cron=1544145168.7326650619506835937500)

If you have any questions please do not hesitate to contact me at the above email or phone contact below or Ruth Simons at [howesoundbri@gmail.com](mailto:howesoundbri@gmail.com).

The next scheduled Ocean Watch Task Force meeting will be held on **Friday, January 25<sup>th</sup> 2019** at tentatively Gleneagles Golf Clubhouse 9:30am-11:30am. I hope Councillor Bain can continue to participate in the Task Force, but if another councillor is chosen, please forward their contact information to me so I can forward the agenda to the appropriate person.

Regards

Kate-Louise Stamford, Gambier Island Trustee  
Co-Chair Ocean Watch Task Force  
778-235-2240



December 3, 2018

Village of Lions Bay  
PO Box 141, 400 Centre Road,  
Lions Bay, BC, V0N 2E0

Dear Mayor McLaughlin and members of the Council,

Congratulations on the formation of the new Village of Lions Bay Council.

I am writing to you on behalf of the Ocean Watch Task Force to provide background into the work we are doing on your behalf and to request the continuing participation of your Council.

The Ocean Watch Task force (OWTF) is a multi-representative group that was created by the members of the Howe Sound Community Forum to advance the recommended actions summarized in the Ocean Watch Howe Sound report published by the Coastal Ocean Research Institute and the David Suzuki Foundation in 2017. See the executive summary attached.

Its primary objectives as outlined in the attached Terms of Reference are to:

- Identify which actions in the Ocean Watch: Howe Sound Action Plan are within the mandate and reach of member communities.
- Focus on the identifying selected actions by Local Governments for implementation and highlight potential actions that include policy integration and collaboration between member Local governments and First Nations;
- Contribute information on what action local governments and Squamish Nation are already undertaking toward the goals.
- Recommend a process through which the selected actions get done

One of the most significant actions has been to support the development of the **Marine Reference Guide**, a comprehensive, one-stop, live dataset that will be available for local planning, research and the general public to access online about Howe Sound/Atl'Kitsem. In 2018, the Village of Lions Bay supported this project by providing \$632 per year to cover a three-year commitment to Tides Canada in the development of the Marine Reference Guide for a total contribution of \$1,896.

Other action we are focusing on is derelict or abandoned vessels and associated marine structures and what tools are available to local governments to effect change for this complex issue.

The Ocean Watch Task Force are requesting that your Council continue to support our work by sending one locally elected member and a member of your planning staff to attend our meeting (generally at Gleneagles Golf Club) on a monthly basis.

We look forward to continuing our work with your local government to support the ongoing transformation of this special area.

Regards,

Kate-Louise Stamford, Gambier Island Trustee  
Co-chair

Doug Race, District of Squamish  
Co-chair

~~May 17, 2017~~ ~~April 2018~~ OceanWatch – Howe Sound Action Plan Task Force TOR

## **OceanWatch – Howe Sound Edition Action Plan**

### **Task Force**

#### **Terms of Reference**

**Background:** The Vancouver Aquarium's Coastal Ocean Research Institute produced in February 2017 the OceanWatch-Howe Sound Edition. This report was a collaborative and comprehensive project that provides a valuable assessment of the ongoing recovery of the health of Howe Sound. The report lists seven action items with recommendations that need to be supported in order to maintain the recovery and health of Howe Sound.

In 2002, the \_\_\_\_\_ signed the Principles for Cooperation as members of the Howe Sound Community Forum. Among a number of shared values is Stewardship. To support the stewardship of the Action Plan items, it is recommended a Task Force with participation from each Howe Sound community be established to identify the short, medium and long term contributions to each of the seven action items resulting from the plan.

#### **Responsibilities:**

- Identify which actions in the Ocean Watch: Howe Sound Action Plan are within the mandate and reach of member communities.
- Focus on the identifying selected actions by Local Governments for implementation and highlight potential actions that include policy integration and collaboration between member Local governments and First Nations;
- Contribute information on what action local governments and Squamish Nation are already undertaking toward the goals.
- Recommend a process through which the selected actions get done
- .

#### **Deliverables:**

Bring forward recommendations and processes to Howe Sound Community Forum members that target selected actions for local governments to achieve.

Report at the Howe Sound Community Forums on recommendations, timelines and progress to-date on the Action Plan.

#### **Representation:**

The task force is open to representation from Squamish and Tsleil Waututh Nations and one Council member and/or staff member with relevant portfolios from Local Governments (see table) directly adjacent to Howe Sound. Non-government organizations are invited to attend to provide input and support.

~~May 17, 2017~~ April 2018 OceanWatch – Howe Sound Action Plan Task Force TOR

This is intended to be a Working Group. Meeting coordination and facilitation will be with the volunteer assistance as needed.

**Local Governments:**

Squamish Nation
Tsleil Waututh
Village of Lions Bay
District of Squamish
Bowen Island Municipality
District of West Vancouver
Town of Gibsons
Gambier Island Local Trust
SCRD Area F
SLRD Area D
Metro Vancouver Area A

**Support:**

Members of the Vancouver Aquarium's Coastal Ocean Research Institute, Suzuki Foundation and Howe Sound Biosphere Region Initiative will provide technical/background support to the Task Force and help develop agendas.

Expertise and/or the Authors of various chapters in the Report may be asked to attend specific meetings to provide perspective, context and expertise.

**Meeting procedures:**

Frequency: The task force shall meet once a month in person or by teleconference as arranged by the Volunteer coordinator.

Costs: No commitment of money to the task force other than staff time.

Duration: 120 minutes each meeting.

Notice of meeting: As far as practicable, notice of meetings and supporting documentation shall be available three working days in advance of the meeting date.

Notes/Actions: Minutes of actions will be circulated to all Howe Sound Community Forum members, working groups and sub-committees.

**Task Force Process:**

Meetings will be co-chaired by Howe Sound Community Forum representatives and a member of the Squamish Nation, subject to the desire and availability to participate.

**From:** [Ron McLaughlin](#)  
**To:** [Municipal](#)  
**Subject:** Fw: LB beach park renewal  
**Date:** Monday, December 10, 2018 10:10:43 AM

---

For the correspondence section please.

**Ron McLaughlin**

*Mayor*

**The Village of Lions Bay**

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada

Tel: (604) 921-9333 | Cell: (604) 353-7138 | [www.lionsbay.ca](http://www.lionsbay.ca)

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**From:** Patrick Craig [REDACTED]  
**Sent:** Saturday, December 8, 2018 4:23 PM  
**To:** Ron McLaughlin; Council @ Lions Bay  
**Cc:** Peter DeJong  
**Subject:** LB beach park renewal

Please provide reference to Lons Bay Beach park recommendation for repairs/renewal found within the recent Lons Bay infrastructure report completed under last Council term.

Please provide results of Lons Bay Beach Park renewal survey, citing yes VS no results, to support Lions Bay Beach Park renewal decision by Council.

Please provide status/results of a structured decision-making process, as applied to Project Management Systems for decision making, to effectively draw such conclusion to advance the Lions Bay Beach Park renewal. If not undertaken, why not?

Please outline methods to avoid a similar situation as Lons Bay did so with the Village Hall renewal.

Will a copy of the Lons Bay Infrastructure report be appended to the grant application being submitted for the Lons Bay Beach Park renewal? If not, why?

Pat

**From:** [REDACTED]  
**To:** [Council@Lions Bay](mailto:Council@Lions Bay)  
**Cc:** [Municipal](#); [Peter DeJong](#)  
**Subject:** Council's endorsement of changing Highway 99 speed limits from 60 to 70  
**Date:** Thursday, December 13, 2018 11:13:25 AM  
**Attachments:** [2017-06-06 Hwy 99 Lions Bay Performance Review v3.pdf](#)

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Dear Council members,

As you consider rescinding Council's endorsement of changing the posted highway speed limit at Lions Bay from 60 to 70 km/h, please also consider these points:

1. The highway noise we experience today results from 85th percentile speeds of up to 90-110 km/h, not 60. These speed numbers are derived from hard data, that is hundreds of thousands of readings used for the 2017 MOTI Performance Review (attached). The data does not support anecdotal observations that traffic "is slowing down lately" or "no one is overtaking when I do 60 through Lions Bay." 85% of traffic comes through Lions Bay at freeway speeds, probably because it looks like a freeway. High accident rates show that even the 85% reasonable majority have it wrong. It is these people, doing 90 to 110 km/h between Kelvin Grove and Brunswick Beach, who we need to slow down.
2. Posting a 60 km/h limit is clearly not working. Nor will people now drop their speed to 70 if that is the limit. Instead, the idea is to see whether a few more believe 70, than believe 60 today. If they do, we get a lower average speed. The change has been modelled and planned by MOTI, and signed off by their Chief Engineer. It may also reduce noise due to less deceleration and acceleration, and might improve Lions Bay's widespread reputation as a speed trap (unfair, since as a community under 5000 we don't even share in the Traffic Fine Revenue Sharing program).
3. If people ignore a 70 limit like they ignore today's 60, we are no worse off: 85% of them are still going to drive the natural speed of the highway at Lions Bay, 90-110 km/h. Put another way, increasing the posted speed limit by 10 will not result in 85% of drivers now raising their speed to 100-120 km/h.

Small towns with big problems need new ideas. I think this idea is worth a shot, I think Council made the right call to endorse it a year ago, and I think reversing it would be a mistake, starting with possible negative impact on our candidacy for an ASOD pilot. With the Village's interests at heart, I ask you to retain the endorsement to change the posted speed limit at Lions Bay.

Regards,  
Karl

PS: here are representative articles on the current public state of play:

<https://globalnews.ca/news/3994842/sea-to-sky-highway-speeding-lions-bay/>  
<http://www.merrittherald.com/b-c-communities-call-for-highway-speed-camera-pilot-project/>  
<https://www.mountainfm.com/2017/11/02/lions-bay-mayor-advocating-average-speed-distance-corridors/>

PS2: to address a comment last Council meeting, no government is going to bring back

mobile photo radar on provincial highways: it'd be political suicide. And notwithstanding "speed on green" now operational at certain red-light cameras, fixed-location speed cameras will likely not happen either, for similar reasons. Besides, fixed-location cameras don't do what we need, which is to slow all traffic all the time throughout Lions Bay: experience shows that drivers simply slow down at that single point and then immediately speed up again. That's where ASOD comes in, but that's another topic.

PS3: I'm sure Council recognises claims that noise resulting from a speed limit change will result in liability for the Village are just alarmist. IF there was an increase in speed, AND a noise increase, AND any contractual liability, it would be the province's liability. It's their highway. And they aren't worried: like me, they believe the change may result in an average *slowing* of traffic.

# MEMORANDUM

Date: June 2, 2017  
To: Ashok Bhatti, John Schnablegger  
cc: John Steiner  
From: Jeremy Finkleman  
File: 1961.0379.XX  
Subject: **DRAFT - Highway 99 Lions Bay Operating Conditions**

## INTRODUCTION

Highway 99 (Sea-to-Sky Highway) is a primary highway connecting Metro Vancouver to Squamish, Whistler and Lillooet. The highway bisects the community of Lions Bay and is the community's sole through access corridor.

Highway 99 operates as a four lane divided highway through Lions Bay. Access to the community is provided at low-speed grade separated interchanges at Brunswick Bay Road, Lions Bay Avenue, and Kelvin Grove Way. No direct property access or left turns are permitted from the highway through the community. Northbound and southbound traffic flows are separated by either concrete median barriers or planted medians.

Speeds along Highway 99 north and south of Lions Bay are posted at 90 km/h. Posted speeds decrease to 60 km/h through Lions Bay with short 70 km/h transitional zones at the community's northern and southern extent.

This short technical memorandum reviews traffic and mobility patterns along Highway 99 – Sea to Sky Highway through the Lions Bay community. Hourly median and variable travel speeds are gathered and presented for both weekday and weekend scenarios.

## TRAFFIC PATTERNS

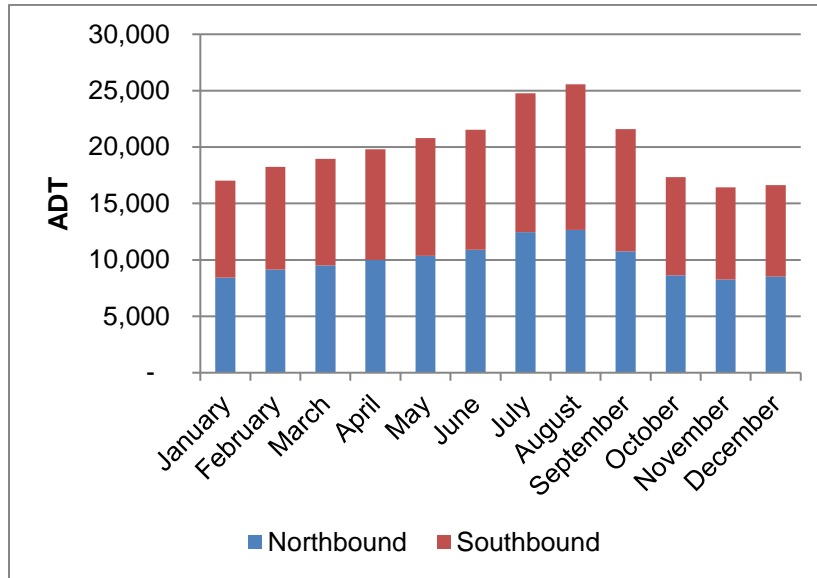
Traffic volumes along Highway 99 were obtained from MoTI permanent count station P-99-01NS, located approximately 12.5 km south of Lions Bay. Highway 99 served on average 19,900 vehicles per day in 2016. The highway experiences significant seasonality, as displayed in **Figure 1**, with summer daily traffic volumes approximately 1.5 times daily winter volumes.

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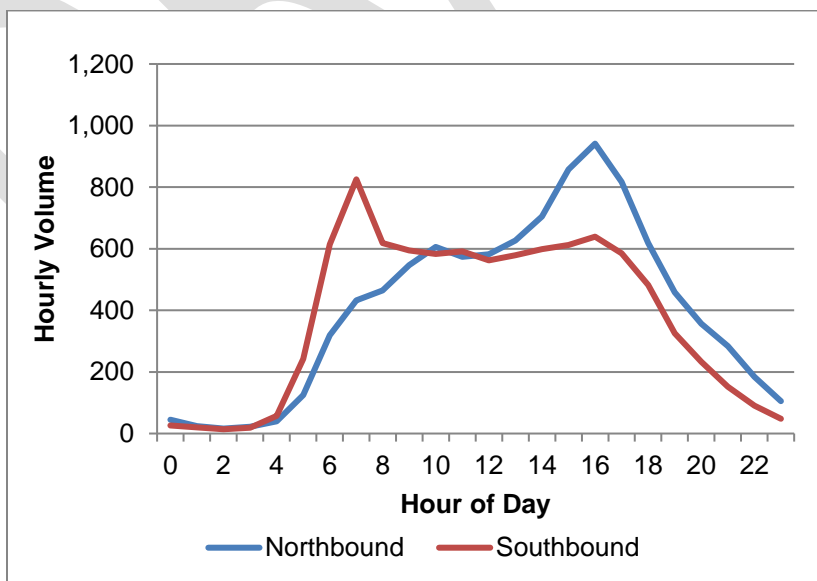


**Figure 1: Monthly Average Daily Traffic Volumes along Highway 99 near Lions Bay**



**Figures 2 and 3** illustrate average 2016 weekday and Saturday traffic profiles near Lions Bay. During weekdays, a commuting pattern to Metro Vancouver is clearly evidenced with southbound traffic volumes sharply peaking at 800 vehicles during the 7 – 8 AM hour and northbound volumes peaking at 940 vehicles during the 4 – 5 PM hour. Saturday traffic exhibits a very different pattern with northbound volumes building sharply to the 10 – 11 AM hour then decreasing throughout the day and southbound volumes building slowly through the day to the 4 to 6 PM period, which is reflective of Metro Vancouver tourism-oriented trips to the corridor.

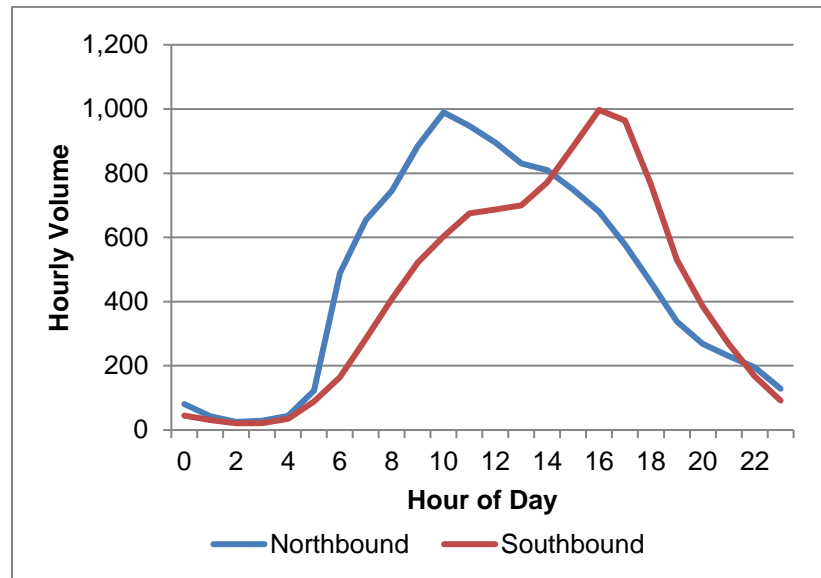
**Figure 2: Weekday Traffic Profile**



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**Figure 3: Saturday Traffic Profile**



The corridor serves approximately 2,700 buses and trucks each day, which comprise about 13.5% of total corridor traffic.

### MOBILITY REVIEW

Detailed weekday and weekend travel speeds and times along the study corridor were gathered and processed from TomTom Geospatial information. The information included in TomTom's database consists of chains of individual GPS 'breadcrumbs' gathered from the following sources:

- TomTom portable navigation devices with live services
- TomTom smartphone navigation applications
- TomTom fleet management systems
- In-vehicle systems (both TomTom and third party GPS systems)
- Select third party GPS enabled smartphones

July 2016 to May 2017 data was gathered to reflect operating conditions along the corridor. Sample sizes were in the thousands of hits per segment per hour.

#### *Weekday Conditions*

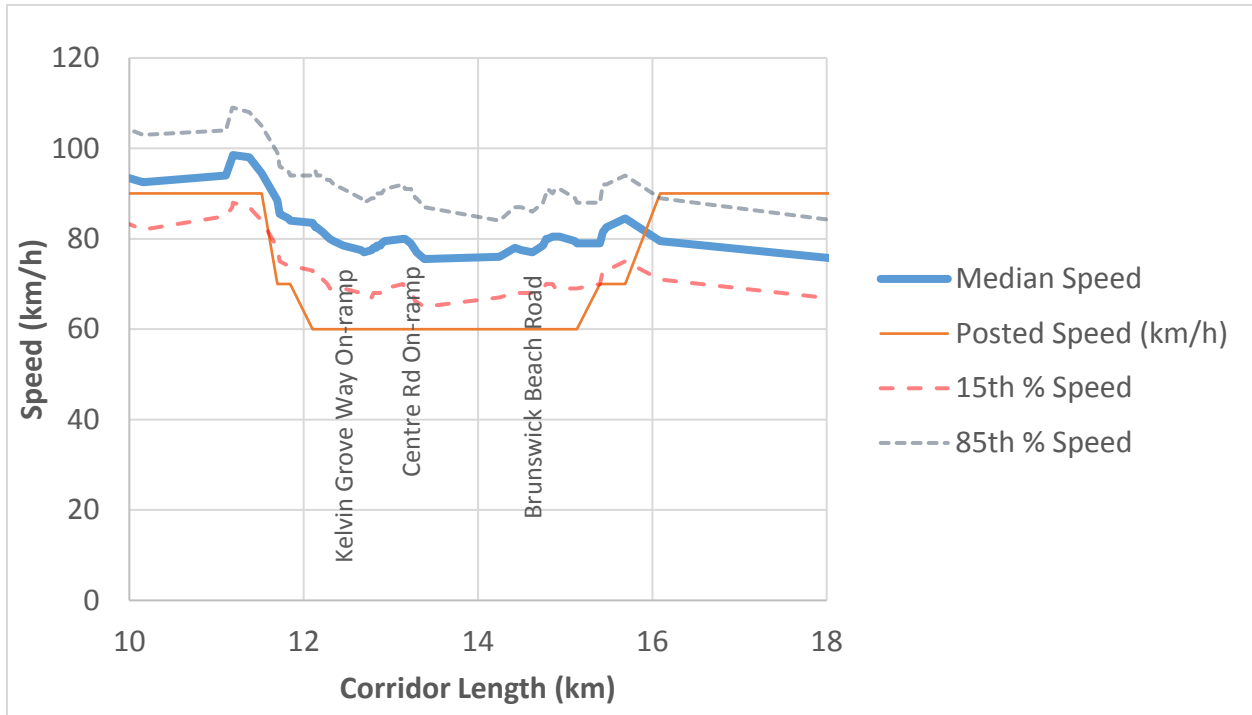
**Figures 4 – 6** display northbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 8 to 9 AM hour, the 12 to 1 PM hour, and the 5 to 6 PM hour on weekdays.

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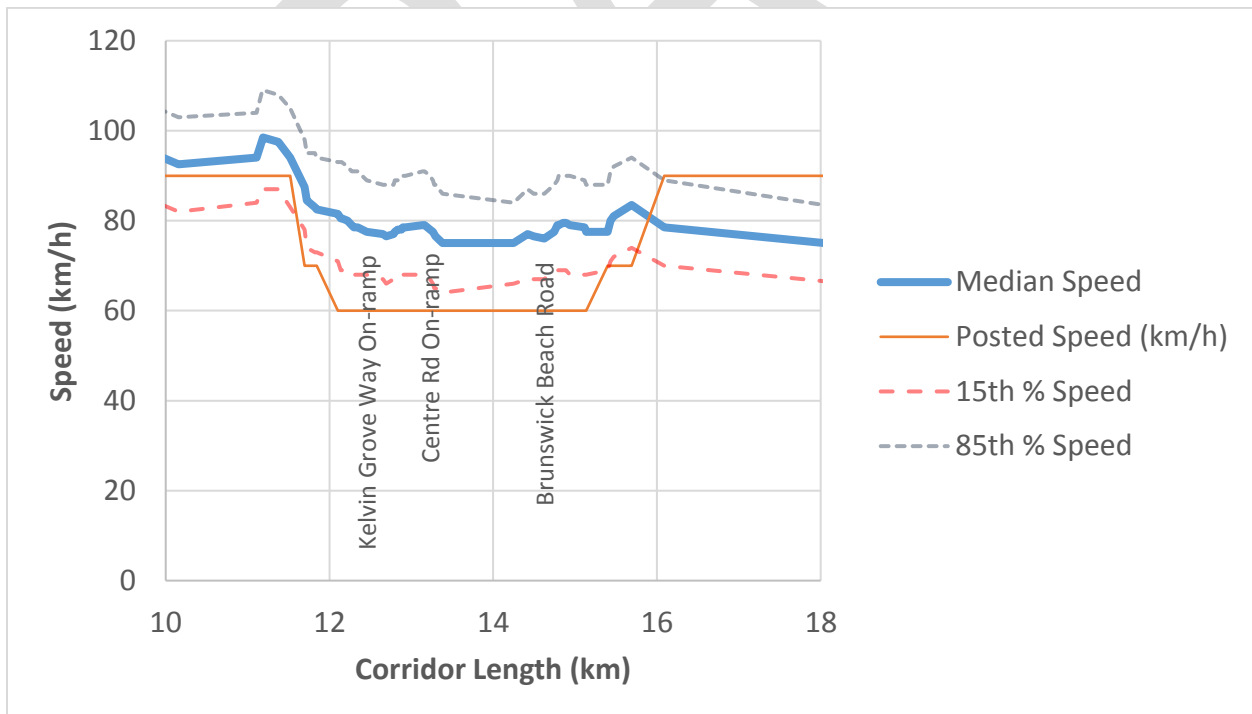
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**Figure 4: Northbound Weekday Highway 99 Median Speed and Variability Profile (8 to 9 AM)**



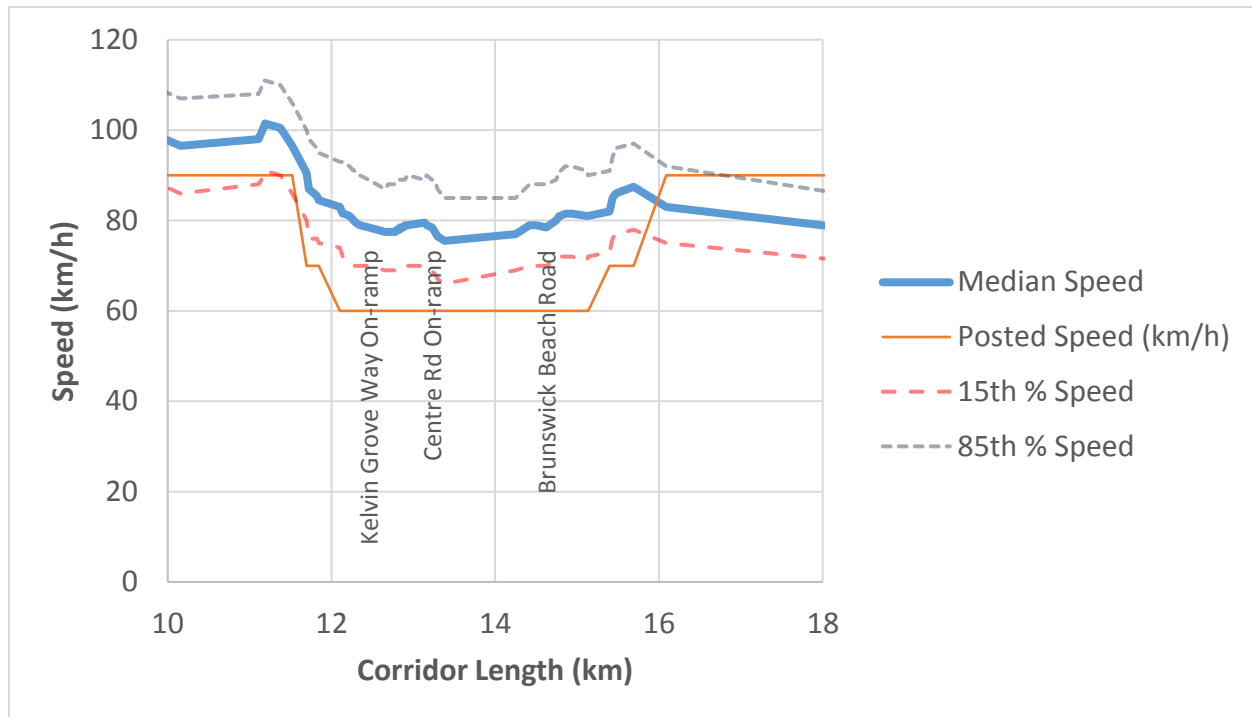
**Figure 5: Northbound Weekday Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



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**Figure 6: Northbound Weekday Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Key observations are as follows:

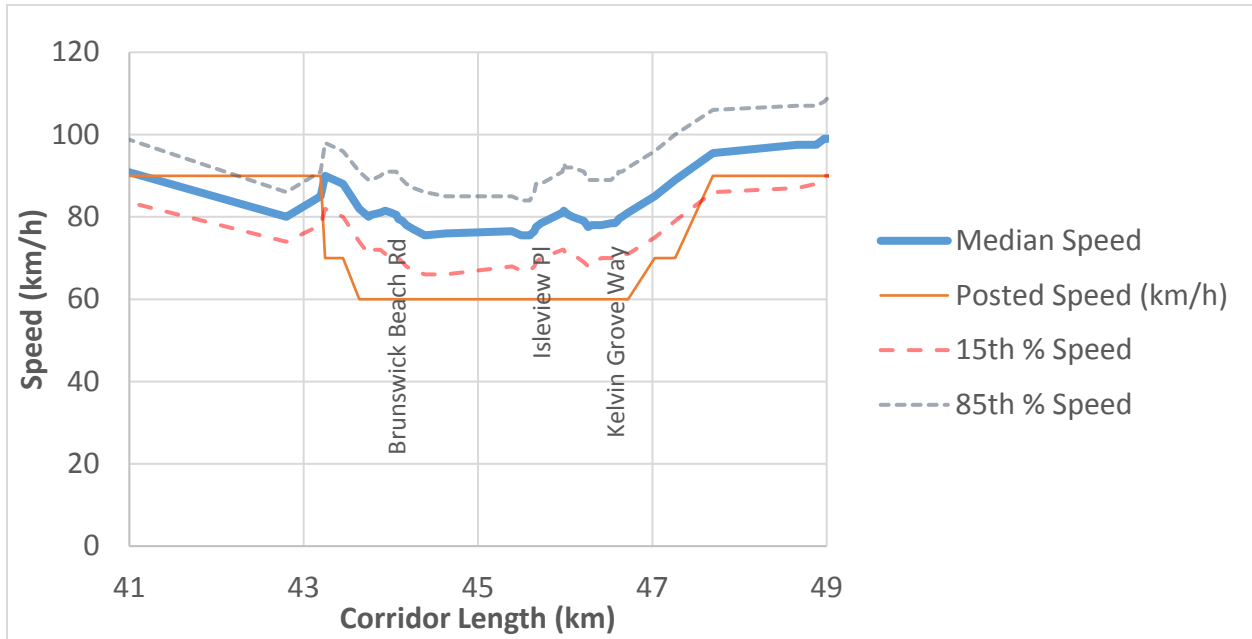
- **Northbound weekday speed profiles through Lions Bay are consistent throughout the day.** No significant differences in speed patterns are observed between the 8 to 9 AM, 12 to 1 PM, and 5 to 6 PM hours.
- **Northbound weekday speeds through Lions Bay significantly exceed the 60 km/h posted speed.** Median speeds of approximately 80 km/h are recorded through Lions Bay. Speed variability is relatively consistent through the corridor with 15<sup>th</sup>% speeds near 70 km/h and 85<sup>th</sup>% speeds near 90 km/h.
- **Despite increases in posted speed to 90 km/h north of Lions Bay, median speeds remain near 80 km/h north of the community.** This reflects the transition in road character north of Brunswick Bay to a two-lane windy highway.

**Figures 7 – 9** display southbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 8 to 9 AM hour, the 12 to 1 PM hour, and the 5 to 6 PM hour on weekdays.

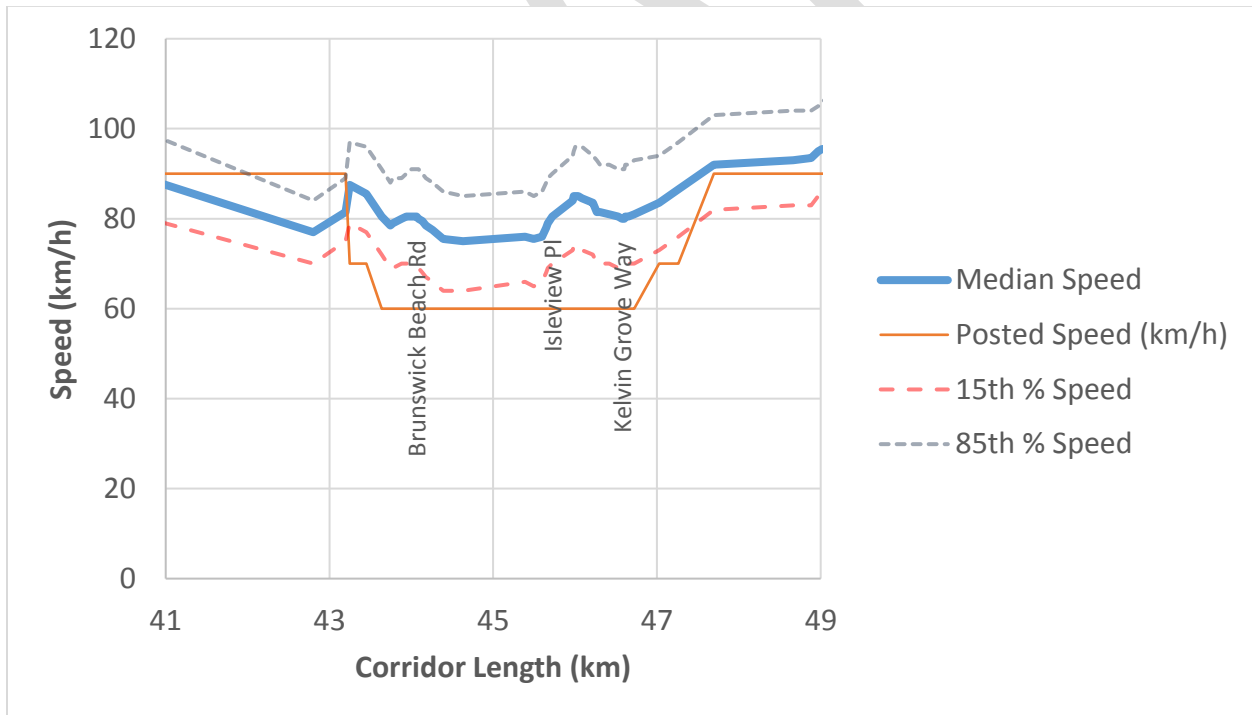
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**Figure 7: Southbound Weekday Highway 99 Median Speed and Variability Profile (8 to 9 AM)**



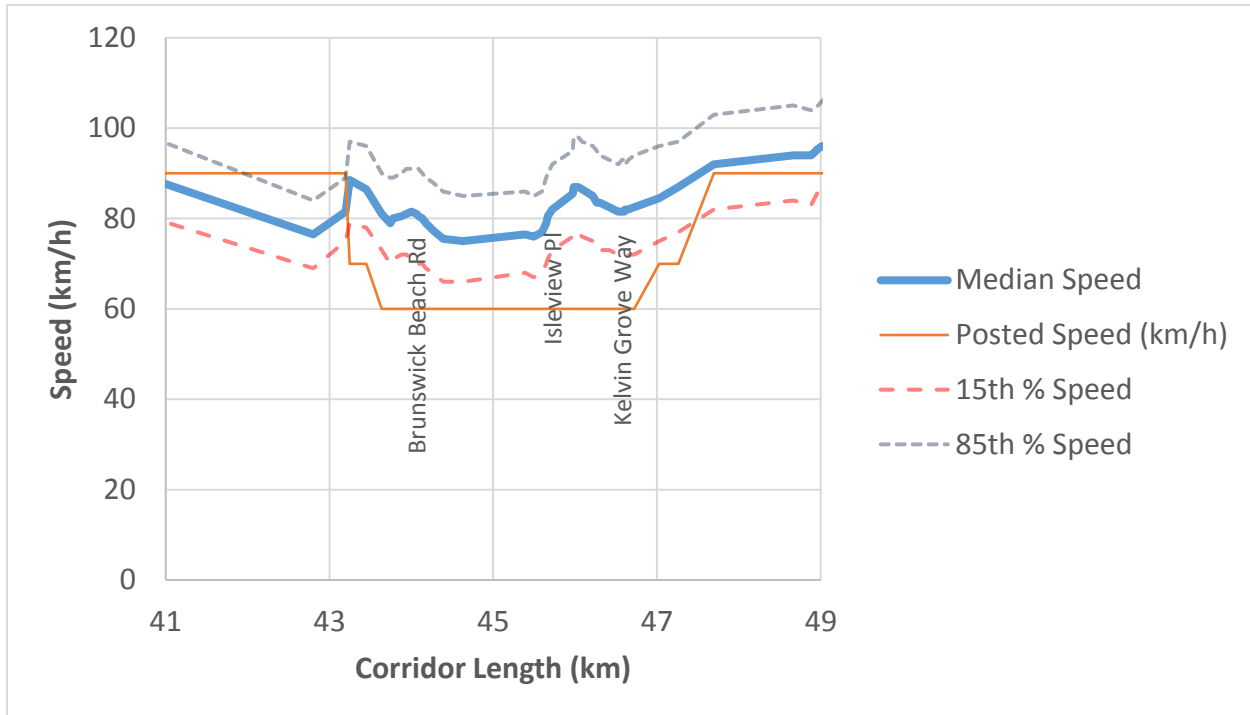
**Figure 8: Southbound Weekday Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



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**Figure 9: Southbound Weekday Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Key observations are as follows:

- **Southbound weekday speed profiles through Lions Bay are relatively consistent throughout the day.** While patterns are similar, traffic speeds are marginally slower during the 8 to 9 AM hour, when traffic volumes are higher.
- **Southbound weekday speeds through Lions Bay significantly exceed the 60 km/h posted speed.** Median speeds of approximately 75 km/h are recorded through Lions Bay. Speed variability is relatively consistent through the corridor with 15<sup>th</sup>% speeds near 65 km/h and 85<sup>th</sup>% speeds near 85 km/h. Of note, southbound speeds are approximately 5 km/h slower than northbound speeds through the study segment. This is likely reflective of roadway conditions further upstream in both directions of travel.
- **Despite decreases in posted speed north of Brunswick Bay, median and variable traffic speeds increase markedly at the northern segment extent.** This reflects the transition in road character north of Brunswick Bay from a two lane windy highway to a four-lane limited access expressway.
- **Median and variable speeds increase by 5 to 10 km/h beyond the Isleview Place off-ramp in all scenarios.** This is likely reflective of changes in roadway geometry beyond the exit (tangent section with 'freeway' exits / entrances).

#### Weekend Conditions

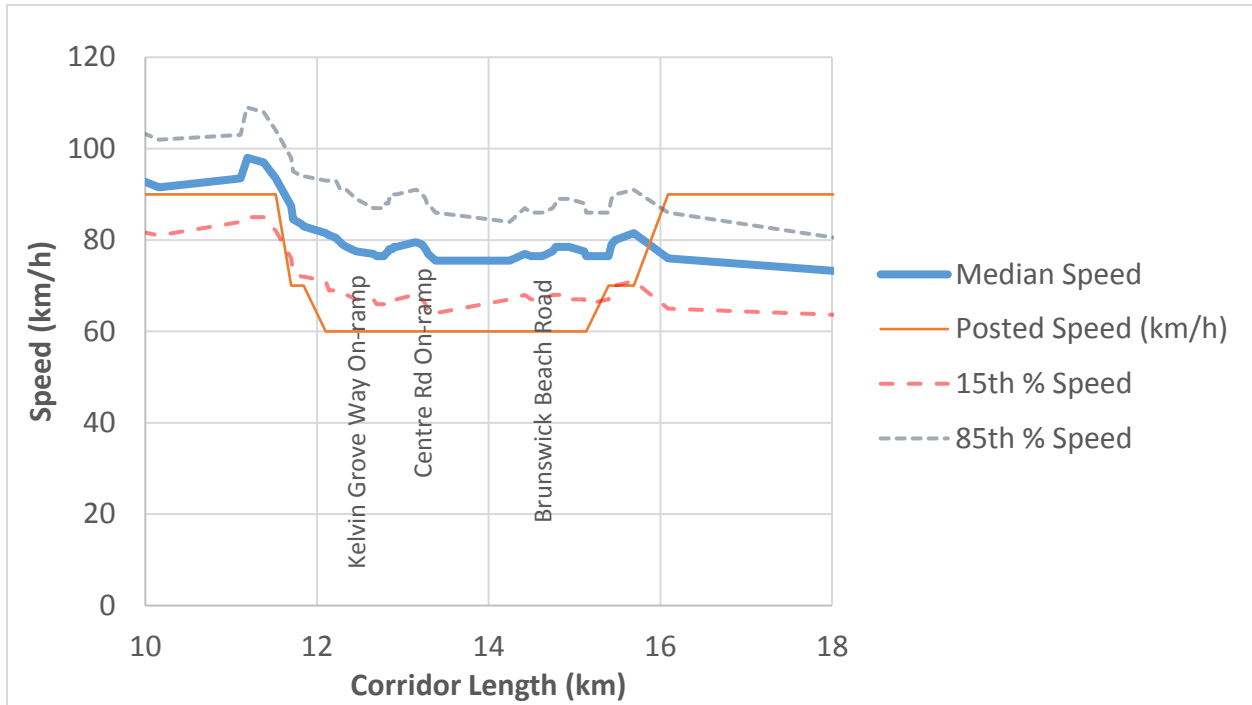
**Figures 10 – 12** display northbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 12 to 1 PM hour, the 2 to 3 PM hour, and the 5 to 6 PM hour on weekend days.

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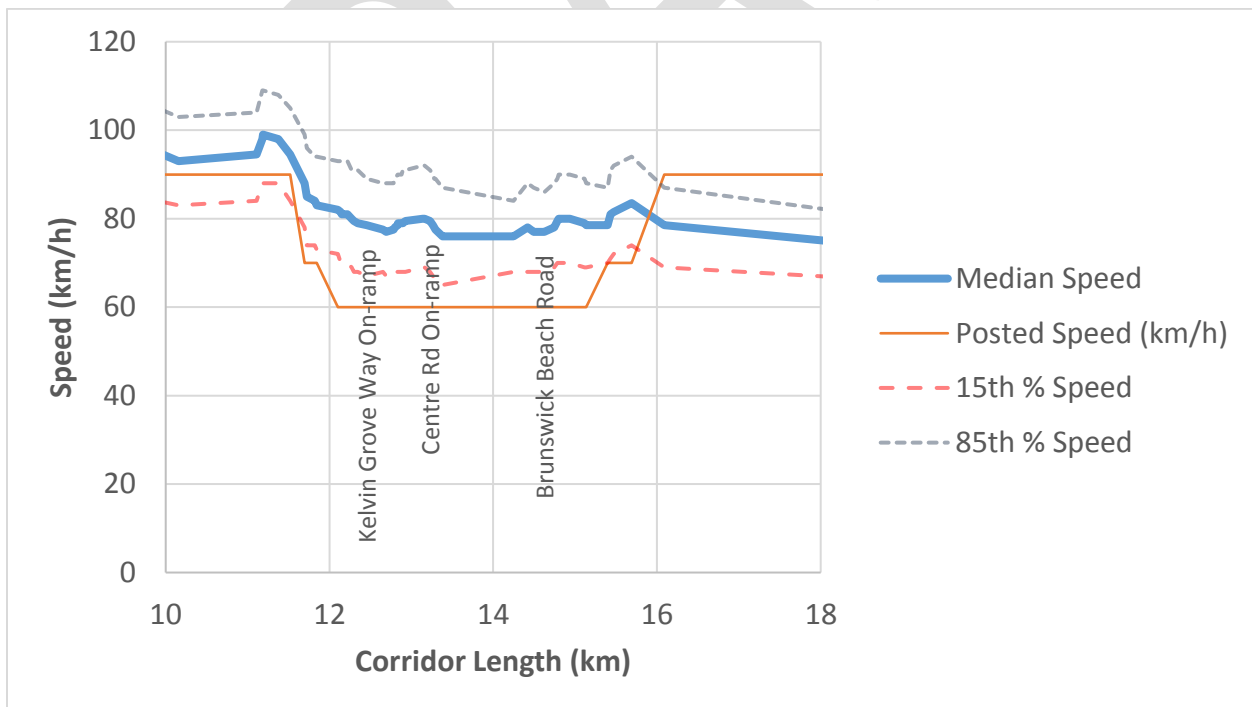
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**Figure 10: Northbound Weekend Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



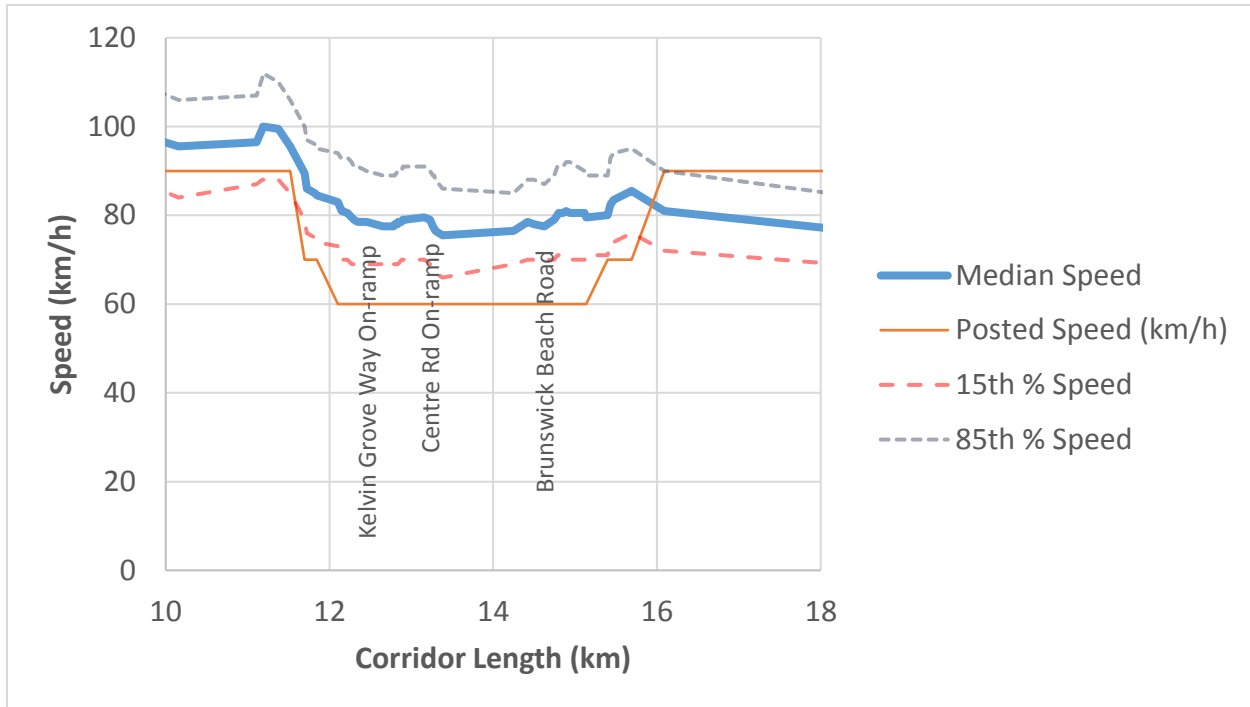
**Figure 11: Northbound Weekend Highway 99 Median Speed and Variability Profile (2 to 3 PM)**



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**Figure 12: Northbound Weekend Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Northbound weekend speed profiles are not discernibly different from weekday profiles. No significant differences in speed patterns are observed between hours of the day. The same observations as noted for weekday conditions apply.

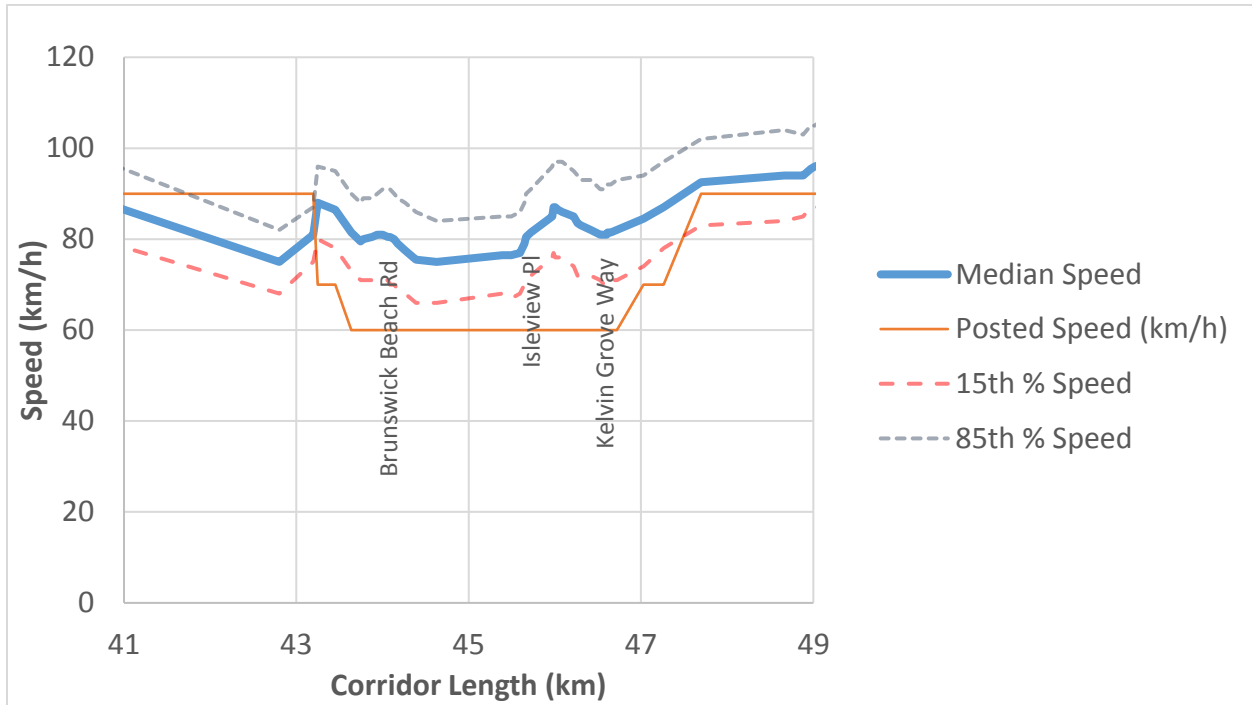
**Figures 13 – 15** display southbound Highway 99 median, 15<sup>th</sup>% and 85<sup>th</sup>% speeds through Lions Bay during the 12 to 1 PM hour, the 2 to 3 PM hour, and the 5 to 6 PM hour on weekend days.

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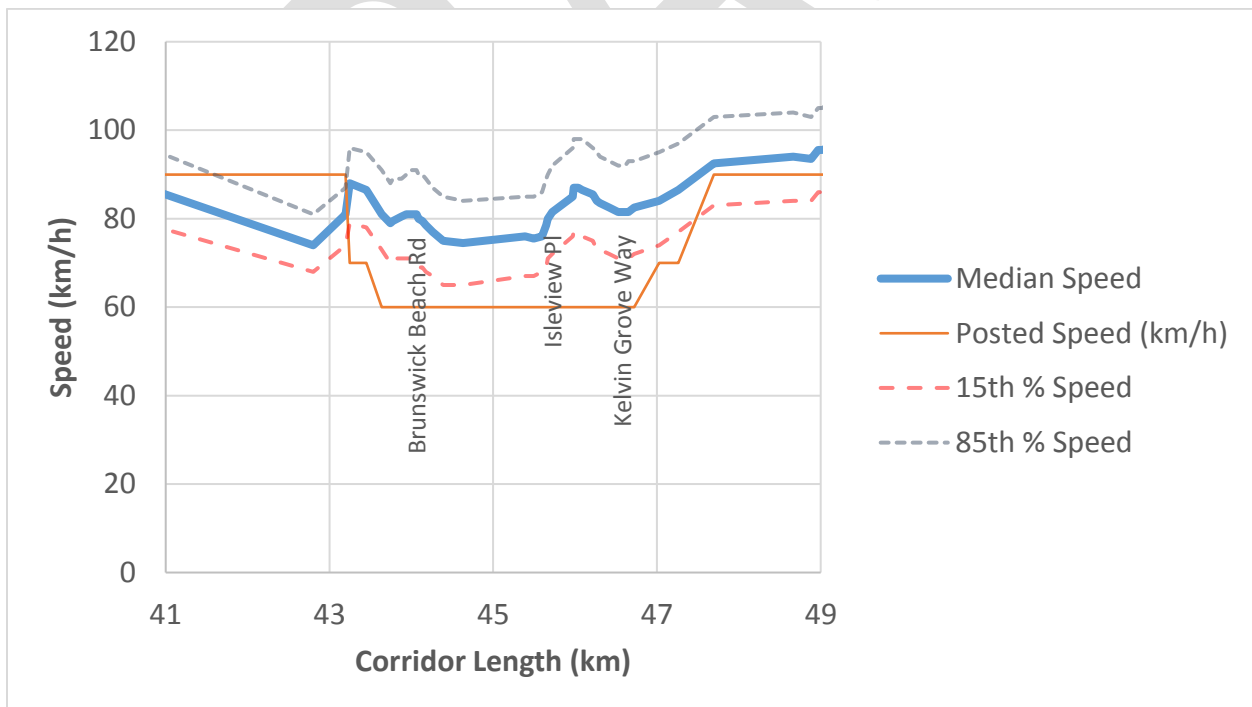
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**Figure 13: Southbound Weekend Highway 99 Median Speed and Variability Profile (12 to 1 PM)**



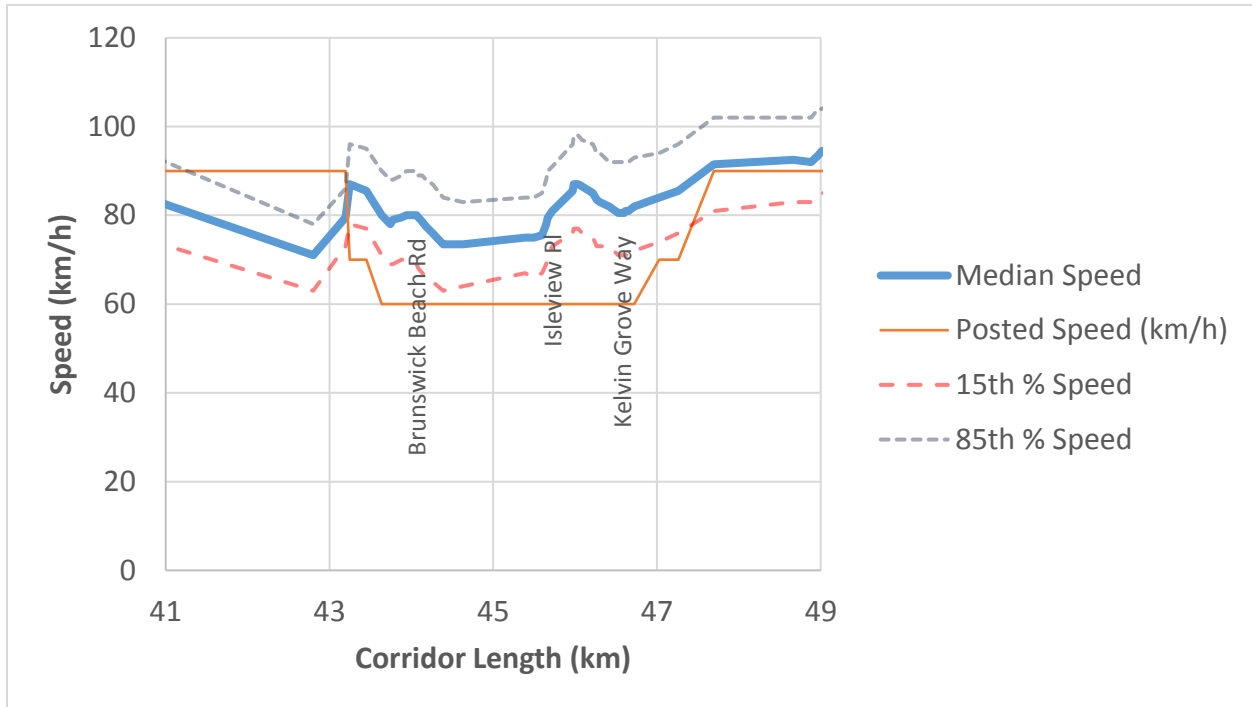
**Figure 14: Southbound Weekend Highway 99 Median Speed and Variability Profile (2 to 3 PM)**



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**Figure 15: Southbound Weekend Highway 99 Median Speed and Variability Profile (5 to 6 PM)**



Southbound weekend speed profiles are not discernibly different from weekday profiles. No significant differences in speed patterns are observed between hours of the day. The same observations as noted for weekday conditions apply.

**CLOSURE**

We trust this memorandum satisfies your requirements. If you have any questions, please do not hesitate to contact either of the undersigned.

Sincerely,

**URBAN SYSTEMS LTD.**

Jeremy Finkleman, MCIP RPP  
 Transportation Planner

John Steiner, M.Eng, MCIP RPP  
 Principal

[Click here to enter text.](#)

/jf

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**From:** [The Village of Lions Bay](#)  
**To:** [Shawna Gilroy](#)  
**Subject:** Form submission from: Feedback Form  
**Date:** Friday, November 30, 2018 2:31:38 PM

---

Submitted on Friday, November 30, 2018 - 14:31

Submitted by anonymous user: [50.68.110.157]

Submitted values are:

[REDACTED]

Your Feedback

My wish for the Lions Bay Beach Park is that it stays green and lovely.

We are in support of the safety improvements and updated boat rack and washroom, and excited about the new playgrounds.

We do not support the paving of a proposed basketball court or the paving of a lower patio/performance area.

Please keep all the grassy areas, preserve plants and trees as possible, and replant shade trees.

I think the most urgent changes need to be the return of basic lifesaving equipment/life preserver, and the continuous addition of sufficient sand under the wall directly above the beach so that the drop is not so high and rocky.

Also, I don't know if I dreamt this, but for safety's sake there should definitely not be a slide from the toddler play area down onto the beach/oceanfront!

[REDACTED]

The results of this submission may be viewed at:

<https://www.lionsbay.ca/node/35/submission/239>

**From:** [Ron McLaughlin](#)  
**To:** [Municipal: Peter DeJong](#)  
**Subject:** Fw: Some help with climate change mitigation for Lions Bay  
**Date:** Tuesday, December 04, 2018 9:05:52 AM

---

Not sure if you got this for the correspondence section of Dec 18th.

## Ron McLaughlin

*Mayor*

### The Village of Lions Bay

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada

Tel: (604) 921-9333 | Cell: (604) 353-7138 | [www.lionsbay.ca](http://www.lionsbay.ca)

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**From:** Jon Povill [REDACTED]  
**Sent:** Saturday, December 1, 2018 6:00 PM  
**To:** Council @ Lions Bay; %20agenda@lionsbay.ca  
**Subject:** Some help with climate change mitigation for Lions Bay

Dear Mayor and Council,

I believe that Lions Bay is a community that is, by and large, very environmentally aware and responsible. Accordingly, I hope that you will be interested in a strategy being put forth by West Coast Environmental Law in which local communities take action in order to promote the idea of fossil fuel companies helping to pay for some of the costs of climate change mitigation that are currently being borne by places like our Village.

WCEL's campaign aims to enlist the support of the municipalities and other local governments who bear the brunt of climate costs. It has two components:

- (1) Climate Accountability Letters. A number of BC municipalities and community groups have agreed to send letters to the twenty biggest polluters among the world's fossil fuel producers, asking them to accept responsibility for their fair share of the costs of climate change.
- (2) Climate Liability legislation. WCEL is asking municipalities and local governments to sign on to a letter addressed to Premier John Horgan, asking the BC government to pass new legislation that would hold fossil fuel companies strictly liable for climate-related harms.

WCEL recently (November 19th) sent a delegation to the West Vancouver Municipal Council to present the case for West Vancouver taking these two steps and it resulted in the Council approving the motion 7-0. I'm hoping that Lions Bay would be willing to entertain a similar delegation from WCEL.

One thing that I would like to propose even beyond inviting the WCEL delegation to speak to Council would be for Lions Bay to send a letter to Woodfibre LNG that is similar to those being sent to the 20 other fossil fuel companies that WCEL is targeting. Woodfibre, and the tankers that would be traversing Howe Sound carrying vast quantities of LNG, represents a clear threat to Lions Bay, and we should be doing everything possible to be certain that Woodfibre is required to pay for any potential or actual damages to our Village -- or preparations for such potential damages -- in advance of being granted the right to move forward with its project.

If you would be willing to hear from a WCEL delegation, please let me know and I will put them in touch with you.

Many thanks,  
Jon Povill

**From:** [Ron McLaughlin](#)  
**To:** [Peter DeJong](#); [Shawna Gilroy](#)  
**Cc:** [Council @ Lions Bay](#); [REDACTED]  
**Subject:** Fwd: \$40,000 RCMP  
**Date:** Friday, December 07, 2018 6:29:00 PM

---

Dear Shawna; as intended for Council please include in correspondence for the next session. Thank you.

**From:** Fred Bain  
**Sent:** Friday, December 7, 5:46 PM  
**Subject:** Fw: \$40,000 RCMP  
**To:** Rod Baker  
**Cc:** Council @ Lions Bay

Rod,

I have forwardred your email as requested as a copy to them.

FJB

**From:** Rod Baker [REDACTED]  
**Sent:** December 7, 2018 15:58  
**To:** Jaime Cunliffe; Fred Bain  
**Subject:** \$40,000 RCMP

Hi guys upon reading the village newsletter, I see the mayor suggested spending \$40,000 on RCMP "presence" As block watch captain I was told that this month was apparently the first month ever there were no police incidents in Lions Bay. If residents are asked to pay for this new cost, I believe they should be asked first if they believe it is necessary. Do you have any ideas where this initiative came from? I would be pleased if you could convey my views to counsel on this. I'm not against an RCMP presence in the village, but wonder if it is money well spent? considering the services we already have to pay for.

thanks

--

**Rod Baker** [REDACTED]

**From:** [REDACTED]  
**To:** [Council @ Lions Bay](#)  
**Cc:** [Shawna Gilroy](#); [Peter DeJong](#)  
**Subject:** Fwd: It's really about money (for the Village)  
**Date:** Friday, December 07, 2018 8:53:17 PM  
**Attachments:** [Recovering Climate Costs \(West Van\).ppsx](#)

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Dear Shawna: next correspondence section please. Thank you.

From: Jon Povill  
Sent: Friday, December 7, 5:06 PM  
Subject: It's really about money (for the Village)  
To: Ron McLaughlin  
Cc: Neville Abbott, Fred Bain, Norman Barmeier, Jaime Cunliffe

Hi Ron,

I don't know if you've had the time to take a look at the Power Point document that I attached to the email I sent you and the Council last Saturday regarding a potential (brief) presentation by West Coast Environmental Law that could, potentially, help raise additional funds for Lions Bay for dealing with climate change related issues. In that email I cited the dangers of tanker traffic from the Woodfibre project as being a potential reason to qualify for some additional funding. In speaking further with Gordon Cornwall, who would be one of the people actually making the presentation, I have since learned that the Woodfibre issues, though significant, would not be the most fruitful of issues to deal with as the idea is to defray the costs of planned or needed climate change mitigation projects for the Village.

Accordingly, I went through our Infrastructure Master Plan -- and sent a copy to Gordon -- and the projects that jumped out as being applicable to the WCEL approach were the proposed desalination plant and other water projects intended to increase our ability to fight wildfires. Presumably, any water project undertaken to deal with decreased water flows stemming from climate change would qualify for potential supplementary funds through the WCEL approach.

How much money are we talking about? I really don't know as I have only just learned about this WCEL initiative and presentation, but WCEL is a very considerable organization dedicated to the public good and they have a significant history of success in environmental matters. I certainly think it would be worth ten minutes of the Council's time to hear them out. After doing so, it would be entirely up to the Council as to whether it made sense for Lions Bay to join with the other municipalities that are pursuing this approach. It's not fair that taxpayers have to bear the full burden of these expenses that have been caused by fossil fuel companies knowingly acting in their own interests at the expense of the public good.

I see that the delegation request form does not seem to require a great deal of advance notice, but I wonder if there is a best date for you and the Council to receive this delegation. If there is, please let me know and I'll try to set things up for when it best suits you and the Council.

If you've not yet had time to look at the PowerPoint document which was assembled for the

West Vancouver presentation, I hope you'll take a few minutes to look it over. I'm attaching it again to make that easy for you. I'm hopeful you will see this as a strategy that has no risk and the potential for considerable reward for the Village. If, after receiving the delegation, you and the Council agree that this strategy would be in the Village interest, I would hope that someone could make a motion to proceed with it within a specific time frame so that it becomes a part of the Council's agenda.

Please let me know what dates might work best for you and the Council to receive the delegation.

Many thanks,  
Jon Povill

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