



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JANUARY 22, 2019 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier
Councillor Jaime Cunliffe

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

Delegations: 1

Public: 5

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:08 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT Item 8Bvi – LGLA Conference January 15-17 (Verbal) be moved to section 8C and numbered as Item 8Cii, and the balance of section 8B be renumbered;

THAT a verbal update regarding the Historical Society be added as Item 8Bvii; and

THAT the following grounds for closing the meeting be added under section 90 (1):

(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;

(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2); and

THAT the agenda be adopted, as amended.

CARRIED

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

None

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

A. Kambiz and Farah Azordegan regarding filming in Lions Bay

Mrs. Azordegan stated the old bylaw required 100% of affected households approve an application for filming, but somehow this was changed last October without notice to Lower Kelvin Grove residents and she asked how this could happen. They were directly affected and have provided information in that regard to the Mayor. They want to ensure everyone understands the impacts that filming has on her and her family, including: noise contrary to the noise bylaw, loss of sleep, garbage left in public places. They are concerned that the new house at the bottom of Tidewater Way may also now want to film. Is there a new strategy to deal with filming?

CAO DeJong clarified that the filming policy is a policy rather than a bylaw and that there is a review pending.

Mayor McLaughlin advised that staff have been requested to review the filming policy and bring forward a report for Council's consideration of the filming policy.

Mrs. Azordegan noted they are taxed on a residential basis and should not have to endure commercial activity in their neighbourhood. Filming only benefits one property owner but affects many others. She is also concerned about safety issues, including speeding on Tidewater.

Mr. Azordegan stated the situation is not fair and submitted that filming should not be allowed if one household objects. He then passed around and read a poem submitted On Table.

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – December 18, 2018

The following was amended:

- Item 8Bi – The third line should commence as follows: "...school would like to continue to stay open and that Council...";
- The commentary in item 8Cii regarding communications protocols was assigned item 8Ciii;
- Item 11A, Correspondence, 3rd bullet – the wording in the parentheses should read: (Councillor Abbott noted for all that he would be recusing himself from any matters dealing with Woodfibre LNG as his company has worked for them in the past and his company may do so again)

Moved/Seconded

THAT the Regular Council Meeting Minutes of December 18, 2018 be approved as amended. **CARRIED**

6. Business Arising from the Minutes

Staff to inquire with the Ministry of Transportation and Infrastructure as to the schedule for repaving Highway 99 through Lions Bay with the “quiet paving” product as local information indicates that was supposed to be every 5 years.

Mayor McLaughlin suggested that the order of the agenda be amended to allow consideration of Item 12A to come forward as the applicants were present in the audience.

Moved/Seconded

THAT Item 12A be considered next on the Agenda.

CARRIED

12A Encroachment Agreement: 253 Bayview Road

The report was reviewed along with updated drawings and a geotechnical report provided by the applicants On Table, to be added as schedules to the agreement. Assurances were provided by the Public Works Manager and the CAO that under the proposed agreement, the flat gravel area between the bottom rock wall and the paved portion of the road would remain undeveloped and available to the Municipality for drainage and/or ditching works if required in the future.

Moved/Seconded

(1) THAT the Municipality enter into an Encroachment Agreement with the Owners of 253 Bayview Rd in substantially the same form as the draft Agreement attached to this report (with schedules to be added); and

(2) THAT the CAO and Mayor be authorized to execute the Agreement.

CARRIED

Council returned to the regular order of the Agenda.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
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 advised that he is awaiting an updated agreement from the DNV Mngr. of

			Administrative Services [remove from FUAL]
63	December 18, 2018	R1: Patrick Craig – Lions Bay Beach Park Renewal – CAO DeJong to respond	[Completed]
64	December 18, 2018	R2: Karl Buhr – Changing Highway 99 Speed Limits – Mayor McLaughlin to advise Mr. Buhr of Council’s policy decision	[Completed]
65	December 18, 2018	R4: Jon Povill – Climate Change Mitigation – CAO DeJong to respond to request for delegation and make arrangements for a suitable Council meeting in the New Year	[Completed – Delegation coming March 5, 2019]
66	December 18, 2018	R5: Rod Baker - \$40,000 RCMP – Mayor McLaughlin to respond	[Completed]

8. Reports

A. Staff

i. CAO: Verbal Update re. Supplemental Policing Program

It was noted that the program essentially provides Canada’s 30% portion of the RCMP costs free, so an investment of \$40,000 would provide about \$57,000 worth of RCMP services to Lions Bay. Staff will be working with the Squamish RCMP Commander to gain a better understanding of costs per hour and how that resource could be tailored to suit the needs of Lions Bay, if approved.

Moved/Seconded

THAT the CAO Verbal Update re. Supplemental Policing Program be received.

- i. CAO: Verbal Report re. Letter of Intent – New Horizons Services for Seniors
 It was noted that a collective of collaborating partners, led by the District of West Vancouver and many non-profit organization around the Howe Sound region is forming to support a “Senior’s Connections” program aimed at reducing seniors’ isolation and connecting them to available programs. The group is seeking letters of support for this 100% grant funding initiative and Council is being requested to provide such support. Staff will also seek to involve the Lions Bay Seniors Social Circle as a member of the collective.

Moved/Seconded

THAT Council supports the Seniors Connection project and directs staff to prepare a letter of support for the program.

CARRIED

- ii. CAO: Request for Decision – Media Training

Discussion took place regarding the costs of the training and the CAO was directed to get additional quotes and/or feedback from other jurisdictions with respect to costs.

iii. CFO: BDO Planning Report

Moved/Seconded

THAT the Information Report “BDO Planning Report” be received for information purposes.

CARRIED

iv. CFO: 2019 Draft Water, Sewer, and Solid Waste Budgets

The three draft utilities budgets were reviewed and a discussion took place regarding an increase in the water budget toward reserves to help address the water infrastructure deficit. Notwithstanding the Asset Management Plan has yet to be presented, a recommendation was made that the water budget be increased 5%, with sewer at 5% and solid waste at 1.5%.

Moved/Seconded

THAT the report “2019 Draft Water, Sewer and Solid Waste Budgets” be received; and

THAT the water, sewer and solid waste budgets be brought back to the February 5th meeting for three readings based on increases of 5%, 5% and 1.5% respectively.

CARRIED

v. CAO: Partnering Agreement with Saplings Outdoor Program Inc.
The report was briefly reviewed and there were no questions.

Moved/Seconded

- (1) THAT the Partnering Agreement with Saplings Outdoor Program Inc. be approved subject to:
 - (a) notice being published in accordance with sections 24 (1) (d) and 94 of the Community Charter;
 - (b) publication of the notice being provided in accordance with section 94 (4) of the Community Charter through the Village Update electronic newsletter, which Council considers to be reasonably equivalent to that which would be provided by newspaper publication if it were practicable; and
 - (c) provision of an opportunity to be heard for any residents opposed to the proposed agreement.

- (2) THAT the Mayor and Corporate Officer be authorized to execute the Partnering Agreement subject to fulfillment of the conditions set out in the first resolution above.

CARRIED

- vi. CAO: Emergency Program Coordinator Update – CAO working on job description.
- vii. CAO: Emergency Management BC Webinar – Staff will be taking part in a webinar regarding emergency notification systems.

B. Mayor

- i. Meeting with MLA Sturdy & MP Goldsmith-Jones – the MLA and MP were provided with updates on Lions Bay grant applications and pledged to do what they could to assist.
- ii. Lions Bay Beach Park Grant Application – Lots of good work leading to submission of application on January 23rd.
- iii. Councillor Village Update Articles – Councillors were commended on their articles to date and Councillors Bain and Cunliffe were tasked with future articles on March 15th and 29th respectively.
- iv. Advice of Pending Meeting with Furry Creek – the Mayor will be meeting with the owners of the Furry Creek development to discuss issues of common interest, such as the Lions Bay School.
- v. Missing (deceased) Person – the Mayor dropped off a card with the family offering condolences on behalf of the Village.
- vi. E-Comm Board Representative (Verbal) – Discussion between Lions Bay and North Shore Mayors as to who would be the representative.
- vii. Historical Society – plans are in the works for a coffee table book
- viii. RCMP meeting – Mayor and CAO meeting with RCMP on February 5th to discuss further details regarding the potential for a Lions Bay part time officer.

C. Council

- i. Councillor Bain: Community Policing Public Information Meeting – a verbal report was provided by Councillor Bain regarding the meeting on January 17th at which about 22 people attended to receive an update from the RCMP on recent incidents and how best to protect oneself from fraud and other such crimes. Discussion focussed largely on Block Watch.
- ii. Councillor Abbott: LGLA Conference January 15-17 – a verbal report was provided by Councillor Abbott regarding the Local Government Leadership Academy conference attended by most of Council. Topics included bylaw enforcement, meeting procedures, Charter topics, conflict of interest, FOIPPA, regional district structures, indigenous interests, external organizations (eg: UBCM, FCM, MFA), Finance 101, DCCs and

CACs, Planning/OCPs, DPAs, Zoning, Media tricks and tips, climate action and green building practices.

D. Committees – None

E. Emergency Services

i. RCMP Monthly Report

Moved/Seconded

THAT the RCMP Monthly Report be received.

CARRIED

9. Resolutions

None

10. Bylaws

A. Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018 – Adoption

Moved/Seconded

THAT Bylaw Notice Enforcement Bylaw No. 385, 2006, Amendment Bylaw No. 555, 2018 be adopted.

CARRIED

B. Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018 – Adoption

Moved/Seconded

THAT Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018, Amendment Bylaw No. 556, 2018 be adopted.

CARRIED

11. Correspondence

A. List of Correspondence to January 17, 2019

Moved/Seconded

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

- G-1: Metro Vancouver Nominations for Membership on Metro’s AAC – No response
- G-2: Avalanche Safety – No response
- G-3: Gas Tax Agreement Community Works Fund Payment – No response
- G-4: FLNR Response to Rural Dividend Program – No response

- G-5: Message from the Legislative Assembly of BC – No response
- G-6: Community Child Care Program – No response
- G-7: Climate Change Impacts – No response
- G-8: International Day for the Elimination of Racial Discrimination – CAO DeJong noted that Ruth Simons was proposing to organize an event at Broughton Hall that would be a mingling/dialogue event focussed on the subject of “belonging” and Squamish Nation representatives would be invited. Communications would inform Villagers on what CCMARD and the event are about and as part of our UNESCO nomination, Mrs. Simons would write about actions being taken to promote “belonging” in the region and what more can be done. Council provided their support in principle, including waving of fees for the hall and set-up/take-down.
- G-9: 2019 Premier’s Awards for Excellence in Education – Councillor Cunliffe will inquire with the school PAC if there are any nomination potentialities.
- G-10: Federation of Canada Municipalities – No response
- R-1: Response from Mayor re. \$40,000 RCMP – No response (completed)

CARRIED

12. New Business

A. Encroachment Agreement: 253 Bayview Road

Considered earlier in the meeting, after Item 6: Business Arising.

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

None

Moved/Seconded

THAT the meeting be extended to 11:00 pm.

CARRIED

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
- 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;

- 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;
- 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;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

The meeting was closed to the public at 9:54 p.m.

The meeting was re-opened to the public at 11:00 p.m. with an addition to the Agenda as follows:

- 12B** Request for Decision – ICIP: Community, Culture and Recreation
Grant Resolution – *Corporate Officer/Recording Secretary DeJong apologizes for failing to remember to turn on the recording device.*

Council debated the proposed resolutions set out below regarding support and commitment of the Municipality's 26.67% share of updated estimated costs, including a 25% contingency.

Councillor Abbott stated that he did not believe that a majority of Villagers would be in favour of committing \$300,000 for this project given the other pressing infrastructure needs.

Councillor Barmeier noted that the Lions Bay Beach Park is an important asset that needs work and we can still work to pare down the number.

Councillor Bain agreed that it was a difficult ask due to the amount and we do need to work at reducing the number.

Councillor Cunliffe stated the Park is a great asset for the community, especially to attract young families, and perhaps we can do some fundraising to help cover the Village cost.

Councillor Abbott stated he was concerned that reducing costs will be very difficult, notwithstanding the sentiment, if the budget/grant was approved for the full scope.

Moved/Seconded:

THAT staff submit an application for grant funding for the Lions Bay Beach Park Revitalization Project through the *Canada-British Columbia Investing in Canada Infrastructure Program – Community, Culture, and Recreation*; and

THAT Council supports the Lions Bay Beach Park Revitalization Project and commits the Village of Lions Bay’s share of the project of up to \$300,000, to be funded by transfers from reserves.

CARRIED
OPPOSED: COUNCILLOR ABBOTT

Moved/Seconded

THAT the meeting be closed again to the public on the grounds previously provided at Item 14.

CARRIED

The meeting was closed to the public again at 11:10 pm.
The meeting was re-opened to the public at 12:38 am.

15. Reporting Out From Closed Portion of Meeting

Matters were considered pertaining to the reasons for closing but there was nothing to report out at this time.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned generally.

CARRIED

The meeting was adjourned generally at 12:38 am.

Mayor

Corporate Officer

Date Approved by Council:	February 5, 2019
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