



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JUNE 18, 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

Regrets: 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: 0

Public: 3

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:02 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 8Av – Request for Waiving of Filming Fees for Student Film be added; and
THAT item 9C – Relaxation of Noise Bylaw – General Store & Café be added; and
THAT item 11A R3: Craig Doherty – Utilities Hardship be added; and
THAT EV Charging Station be added as item 95 of the FUAL; and
THAT item 12A – CN Lot be added; and
THAT item 12B – Community Transit Survey be added; and
THAT the agenda be adopted, as amended.

CARRIED

Moved/Seconded

THAT Mr. Azordegan be approved to speak for two minutes during public participation.

CARRIED

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

A. Mr. Craig Doherty – Owner of General Store & Cafe

Mr. Doherty, owner of the General Store & Café, requested a blanket exemption under section 6 of the Noise Bylaw for live amplified music outside of the café on Friday's, Saturday's or Sunday's between 12 pm and 7 pm up until August 31.

B. Mr. Kambiz Azordegan

Mr. Azordegan queried why he was unable to present a 10-minute delegation that he understood was approved for this meeting. Mayor McLaughlin explained that the email correspondence sent to Mr. Azordegan advised that the delegation paperwork required detailed information with respect to the topic for discussion and requested he attend the July 2nd meeting instead whereby staff would have more information to provide to him regarding parking and filming, therefore his request for June 18 was denied by the CAO.

CAO DeJong excused himself from the meeting at 7:14 pm and returned at 7:17 pm.

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

None

Audio: 00:18

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – June 4, 2019

The following item was amended:

- Item 3A: add the word “have” between “Sound” and “been” in the first sentence.

Moved/Seconded

THAT the Regular Council Meeting Minutes of June 4, 2019 be approved as amended.

CARRIED

6. Business Arising from the Minutes

The following was discussed from the June 4, 2019 minutes:

- Item 6A – 1 Brunswick Beach Road Encroachment Application: Councillor Abbot queried the criteria for registering an encroachment on title, CAO DeJong explained the process as relating to the nature and impact of the request for the Municipality and any future purchasers of the subject lands.

- Item 8Av – Personnel Complement: Councillor Abbott queried where the Executive Assistant job was posted and whether it should have been in the Village Update, and noted it took some time to find on the Village website. He also queried how many applications were received. CAO DeJong explained that municipal jobs are posted on the Civic Info website, which is the ‘go-to’ resource for all local government positions. Larger job posting aggregators like “Indeed” also pick up postings from Civic Info. Councillor Abbott made the point that residents with suitable qualifications who are not necessarily looking may well be interested in working closer to home.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
76	March 19, 2019	Staff to consider the creation of a policy for the Infrastructure Committee and report back to Council.	[pending]
83	April 2, 2019	Item 8Aiii: Investigate option of falling outside the UCB to avoid future bylaws intended for larger municipalities	[in progress]
88	April 16, 2019	Councillor Abbott to follow up with former Mayor Douglas Miller re. BC Hydro Tiers – CAO DeJong to check on potential for making this a UBCM resolution and bring back to Council	[completed]
90	April 16, 2019	R4: Jennifer Monroe – Tree Cutting or Deforestation on School District property – PWM to respond	[completed]
92	April 16, 2019	R6: Penny Nelson – Public Consultation – Councillor Cunliffe to respond	[completed]
93	June 4, 2019	G3: Preventing Child Sex Trafficking – staff to include their information on the municipal website under both the Community and Emergency pages	[completed]
94	June 4, 2019	R1: Ivo Mencke – Highway Noise – Mayor McLaughlin to respond	[in progress]
95	March 19, 2019	EV Charging Station – staff to find a location in the Village for the station	[in progress]

Item 9 – Resolutions were discussed ahead of item 8. At 7:51 pm, the agenda returned to item 8A.

Audio: 00:51

8. Reports

A. Staff

i. CFO: 2018 Statement of Financial Information

CFO Rooke advised Council that all municipalities are required to send in the SOFI by June 30. The SOFI was reviewed and approved.

Moved/Seconded

THAT Council approve the 2018 Statement of Financial Information for submission to the Ministry of Municipal Affairs and Housing; and

THAT the 2018 Statement of Financial Information be made available for public inspection.

CARRIED

ii. PWM: 110 Sunset Drive Encroachment Agreement

PWM Jaffer advised Council that the applicant of 110 Sunset Drive requested an encroachment of 5 feet onto municipal property for a small portion of retaining wall and fence. He noted there would be plenty of space to add drainage in the future if needed.

Moved/Seconded

(1) THAT the Municipality enter into an Encroachment Agreement with the Owners of 110 Sunset Drive in substantially the same form as the draft Agreement attached to this report; and

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

CARRIED

Audio: 00:58

iii. PWM: Drinking Water Quality Report

Council reviewed and discussed the Drinking Water Quality Report, which was noted did not exceed any maximum limits recommended by Health Canada or the US Environmental Protection Agency. Staff advised they will be continuing their communication campaign with respect to the construction situation this summer with less water in reserve.

Moved/Seconded

THAT the 2018 Annual Drinking Water Quality Report be received, and

THAT the 2018 Annual Drinking Water Quality Report be made available on the Municipal website.

CARRIED

Audio: 01:12

iv. CAO: Insurance Coverage for Community Facility User Groups

CAO DeJong explained that the way the Municipality obtains their facility user group insurance was changed in 2018 on the advice of the Municipal Insurance Association of BC. He explained that prior to 2018, the Municipality purchased blanket coverage for the Community Hall and its regular users. Since then, an insurance portal was developed for local governments ensuring that users have the appropriate and adequate coverage in place directly to help protect the municipality as well as the residents/taxpayers. The Municipality lowered the fees of the facility rentals to accommodate the cost for community user groups having to purchase their own insurance so that the total cost was around the same as it was before. Many users have had no issues, aside from a learning curve at the beginning and a glitch when the MIA's provider changed. The portal is easy to use and generally costs anywhere from \$7-\$13 for a non-alcoholic event.

Moved/Seconded

THAT the Information Report, "Insurance Coverage for Community Facility User Groups" be received.

CARRIED

Audio: 01:31

v. Request for Waiving of Filming Fees for Student Film

It was explained that a student group from Langara College have submitted a filming permit application for a film called "Flying in the Wind" with a request to waive the fees due to their very small budget. The filming would take place for one day in July from 10 am to 10 pm at Lions Bay Beach Park. Council discussed waiving the \$1,200 fee amount but with the stipulations as set out in the Council resolution.

Moved/Seconded

THAT Council approve the request for filming with waiving of all fees [\$1,200 benefit] for "Flying in the Wind", as amended to include the following stipulations:

1. The use of the Lions Bay Beach Park is explicitly a non-exclusive use to film in accordance with their "filming activity" description;
2. The times for the one day of filming in July [or sooner] shall not exceed the 10 am to 10 pm and are to be on a Monday or Tuesday (but not a statutory holiday);
3. Filming parking permits to be issued for their truck and vehicles [with truck and other vehicles to park on Lions Bay Avenue];
4. Insurance required [with Village of Lions Bay as an additional insured];
5. Spill containment/safety plan re. fuel for generator.

CARRIED

B. Mayor

i. House Boat

Mayor McLaughlin provided an update on the Kelvin Grove house boat, noting that it was previously parked in Britannia however they are looking to lease it out as a crew cabin to someone in Gibsons. It is now listed for sale but if it is successfully leased for the time being, it will be taken to Gambier next weekend.

ii. TransLink

Mayor McLaughlin notified Council and staff that TransLink would like to attend the Canada Day celebration to promote the Transport 2050 survey.

iii. Newcomers Event

Mayor McLaughlin noted he had spoken with Councillor Cunliffe about taking on the Newcomers Event to be hosted by a resident in September.

C. Council

i. Councillor Bain: Evacuation Plan Select Committee

Mayor McLaughlin suggested tabling this item until July 16 due to the CAO's current focus on job interviews for the two new positions. Councillor Bain was concerned that the Municipality is far behind with an Evacuation Plan although he understood that CAO DeJong will be tied up for the next couple of weeks. CAO DeJong noted that he would prefer to sit down with Councillor Bain to ensure they are clear in the direction they want to go and that it may be useful to have the new Deputy Emergency Program Coordinator before they begin. Councillor Bain noted that he has canvassed a few people who were keen to assist on a committee and will discuss with CAO DeJong before canvassing further. Councillor Abbott supported Councillor Bain commencing work immediately rather than waiting until July. It was agreed that Councillor Bain should begin compiling information to bring forward.

Moved/Seconded

THAT Council approve the formation of a Select Committee to begin compiling information that will inform the creation of optional evacuation routes for each neighbourhood, to be added as appendices to the current Evacuation Plan; and

THAT Councillor Bain and CAO DeJong work on a Terms of Reference and put together a list of potential committee candidates for Council's consideration at the next Council meeting.

CARRIED

D. Committees

None

E. Emergency Services

None

Audio: 00:33

Item 9A-C was discussed ahead of item 8.

9. Resolutions

A. Crown Lease Renewal

CAO DeJong explained that this Crown Lease is for a piece of land that sits on the point from the other side of Magnesia Creek in front of the municipally-owned lands located at the end of Brunswick Beach Road. The lease was taken out in 1989 and has come up for renewal and the application has been submitted but requires Council resolution to extend. He further explained that he explored the possibility of letting this lapse on the premise that the land constitutes accreted land from the creek and therefore has become part of the esplanade and a lapse would result in it becoming part of our municipal highway; however, there is a difficult process to go through in respect of accreted land so it was not embarked upon at this time.

Moved/Seconded

THAT Crown Lease No. 234162 be renewed and that staff submit the Replacement Application for Community/Institutional Use to the Province.

CARRIED

B. Relaxation of Noise Bylaw – 140 Lions Bay Avenue

CAO DeJong noted that a section of the request with respect to angle parking along Lions Bay Avenue was left out of the resolution due to safety in this high traffic/pedestrian area. Council also discussed the reason for the daily parking permits and why it should be a requirement, so not to set a precedent for visitors to think they are able to park any time without using one.

AMENDED MOTION:

Moved/Seconded

THAT Council relax the Noise Bylaw and the Traffic and Parking Bylaw to allow live music until 10:30pm at 140 Lions Bay Avenue on Thursday July 18th for a House Concert; and

THAT guests are required to use free daily parking permits when parking in resident zones.

CARRIED

C. Relaxation of Noise Bylaw – General Store & Café

Council discussed the 1998 Noise Bylaw and the restrictions with respect to amplified music. Mayor McLaughlin queried whether the other complex owners should be notified before allowing amplified music outside. Council agreed to allow the amplified music and monitor its impacts going forward.

Moved/Seconded

THAT Council relax the noise bylaw to allow for live amplified music on the patio at the General Store & Cafe on Fridays, Saturdays, Sundays and holiday Mondays through to the end of summer, between the hours of noon and 8 pm, weather permitting, at the discretion of the Store/Cafe owner.

CARRIED

Audio: 02:07

10. **Bylaws**

A. Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019

Councillor Abbott queried whether the revisions to the Traffic and Parking Bylaw created legislation that was too restrictive in terms of having parties at a residence, i.e. a block party. CAO DeJong explained that regardless, a block party would require Council approval to relax the various bylaws. Council opted to rescind first, second and third reading and amend the bylaw to make the change less restrictive.

Moved/Seconded

THAT third reading of the Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019 be rescinded.

CARRIED

Moved/Seconded

THAT first and second reading of the Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019 be rescinded.

CARRIED

The following was amended:

- Add section 21(l): “camp, loiter, or imbibe alcohol either by day or night, in or on any parking lot.”

Moved/Seconded

THAT Traffic and Parking Bylaw No. 413, 2009, Amendment Bylaw No. 564, 2019 be re-read three times.

CARRIED

B. Lions Bay Parks and Regulations Bylaw No. 448, 2012, Amendment Bylaw No. 565, 2019

Moved/Seconded

THAT Lions Bay Parks and Regulations Bylaw No. 448, 2012, Amendment Bylaw No. 565, 2019 be adopted.

CARRIED

Audio: 02:21

11. Correspondence

A. List of Correspondence to June 13, 2019

Moved/Seconded

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

- G1: Sensitive Ecosystem Inventory – no response
- G2: Sea to Sky Community Based Seniors Services – Community Consultation – previously responded to, no further response
- G3: Council Motion – Provincial Support for Libraries – no response
- G4: Metro Vancouver Regional Greenway Plan Update – no response
- G5: 2019 UBCM Convention – Meeting Requests – no response
- G6: 2019 UBCM Convention – Provincial Appointment Book and Meeting Request Process – no response
- G7: Metro 2040 Land Use – no response
- R1: Karl Buhr – New Parking Measures – Mayor McLaughlin to respond
- R2: Penny Nelson – Insurance to use the Hall – no further response
- R3: Craig Doherty – Utilities Hardship – for follow up during the next budget process - Mayor McLaughlin to respond

CARRIED

12. New Business

A. CN Lot

Councillor Abbott queried the intent on changing the parking limits at the CN lot, restricting to daily parking only and no overnight. CAO DeJong explained the reason for the change to ensure sufficient space for daily users of the beach park and advised that he'll be monitoring occupancy levels over the next few weeks.

B. Community Transit Survey

Councillor Abbott was pleased to see the survey in the Village Update and thought it would have been another opportunity to use the "Have Your Say" banner so that residents begin to recognize the banner. He noted that in future we should not comment on the use of IP address as in this instance, more than one family member should be able to use the same computer at home to fill out their survey if they each use the bus.

C. Resident Conflict

Council discussed the confrontation with Mr. Azordegan earlier in the meeting and the procedural remedies going forward.

Moved/Seconded

THAT the meeting be extended until 11:00 pm.

CARRIED

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;

CARRIED

The meeting was closed to the public at 10:02 p.m.

The meeting was re-opened to the public at 11:36 p.m.

15. Reporting Out From Closed Portion of Meeting

Council reported that the Infrastructure Committee's (IC) draft Terms of Reference was reviewed and will be delivered to the IC before it is released to the public at their next meeting, date to be announced.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 11:36 p.m.

Mayor

Corporate Officer

Date Approved by Council:	July 2, 2019
---------------------------	--------------