



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, OCTOBER 1, 2019 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Councillor Jaime Cunliffe (Acting Mayor)
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier

Regrets: Mayor Ron McLaughlin

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Recording Secretary Carol Lee

Delegations: 1

Public: 0

1. Call to Order

Councillor Jaime Cunliffe, Acting Mayor, called the meeting to order at 7:00 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT Item 7 (Action Item 111) – Metro Vancouver Woodburning Bylaw Update be added; 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. SBA Communications Corporation

Darren Hird, Territory Director – Western Canada, SBA Communications Corporation, led the review of a presentation and highlighted:

- Background of SBA Communications
- Requirement for increased network density due to the proliferation of wireless devices and data usage
- Indication that the demand for seamless wireless services, including bandwidth intensive mobile data and video, will continue to show strong growth in the future
- SBA Communications services include site acquisition, tower construction and installation, leasing and maintenance.

CAO DeJong and Mr. Hird provided the following information in response to questions from Council:

- Avoiding visual distraction was one of the considerations in the selection of the tower location
- The remediation work and disposition of the material at the end of the useful life of the tower
- The ongoing maintenance will be sub-contracted to a qualified third-party by SBA Communications
- SBA Communications will assume liability during the construction of the tower
- The new tower will address the degrading connectivity in Lions Bay due to the demand for wireless service and bandwidth
- SBA Communications' expectation that the tower will achieve coverage throughout the Village
- Space on the tower will be provided free of charge to the Village and leased to major telecommunications carriers
- Public consultation will proceed following Council approval of the SBA Communications Telecommunications Tower Option and License Agreement
- Expectation that construction will commence in spring or summer 2020 and initial tenants will be in place by fall 2020
- Concern regarding radio-wave exposure will be addressed during the consultation by referring the public to Federal Government regulations
- Confirmation that SBA Communications will comply with the Village's building permit process.
- Likely to be a self-supporting lattice tower – can be painted to blend with trees

Audio: 00:52

Agenda Varied

Moved/Seconded

THAT the order of the agenda be varied to consider Item 8Ai prior to Item 5.

CARRIED

8. Reports

A. Staff

i. CAO: Telecommunications Tower Options and License Agreement

CAO DeJong referenced the report provided with the agenda material and highlighted the key terms of the Telecommunications Tower Option and License Agreement (Agreement).

CAO DeJong, Mr. Hird and PWM Jaffer provided the following information in response to questions from Council:

- The typical fee that would be paid by the first sublicensee
- SBA Communications has the option to renew the five-year term of the Agreement, up to five times, for a potential of 30 years
- The Village has the right to terminate the Agreement after 10 years
- The intention to provide coverage for all Village residents' wireless devices and the public traveling through Lions Bay
- The license fees to be paid to the Village is consistent with that paid to other municipalities.

Moved/Seconded

(1) THAT Council approve the Telecommunications Tower Option and License Agreement, subject only to any issues that arise out of the consultation process and any requisite Provincial approvals related to a small portion of the Access Road;

(2) THAT staff be directed to work with SBA to help coordinate the fulfillment of the consultation process by SBA, in accordance with federal regulations and the additional steps to be taken by SBA, as outlined in the Draft Public Consultation Reference Document (attachment 2); and

(3) THAT staff bring a report back to Council in due course outlining the results of the consultation process.

CARRIED

Audio: 01:12

Agenda Varied

The order of the agenda was resumed.

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – September 17, 2019

It was requested that Item 7B of the September 17, 2019 draft minutes be amended by adding information on three themes of feedback provided by various members of Council during the meeting as follows:

- It was asked that the fee structure be increased to reflect the required staff time and facilities;
- It was suggested that delegation of authority should be restricted to allow Council to maintain a role in the appeal process; and
- It was confirmed that public consultation proceed shortly after the draft filming policy has been developed and considered by Council.

It was requested that Item 8Diii be amended to include the recommendation brought forward to Council by the Infrastructure Committee.

Moved/Seconded

THAT the adoption of the Regular Council Meeting Minutes of September 17, 2019 be deferred to the October 15, 2019 Regular Council meeting.

CARRIED

6. Business Arising from the Minutes

A. September 17, 2019 Regular Council

- Item 7 (Action Item 95) – Councillor Barmeier advised that it is crucial to select a location for the electric vehicle (EV) charging station in order to meet the timelines of the grant application. Staff was requested to provide a recommendation on the location of the EV charging station at the October 15, 2019 Regular Council meeting.

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

| # | Meeting Date | Description of Action Item | Action |
|-----|--------------------|---|----------------------|
| 104 | September 17, 2019 | G2: Letter from Minister of Public Safety re. Speeding on Sea to sky – CAO DeJong to contact the CAO's of Squamish, Whistler and Pemberton back to Council. | Nothing to report |
| 105 | September 17, 2019 | G6: Request for Garbage Fees to be Waived for Home Dialysis Treatment – PWM Jaffer to provide information in the Village Update | In progress |
| 106 | September 17, 2019 | R1: Farrah Azordegan – Filming Survey – Mayor McLaughlin to respond | [Completed - strike] |
| 107 | September 17, 2019 | R2: Karl Buhr – Community Signage Project – CAO DeJong to respond | [Completed - strike] |

| # | Meeting Date | Description of Action Item | Action |
|-----|--------------------|---|--|
| 108 | September 17, 2019 | R3: Jon Povill – All Candidates Debate – Mayor McLaughlin to respond | [Completed - strike] |
| 109 | September 17, 2019 | R4: Susan Davis – Lot 52 Brunswick Beach – Mayor McLaughlin to respond | [Completed - strike] |
| 110 | September 17, 2019 | R5: Residents of Seaview Place re. 90 Seaview Place – CAO DeJong to respond | [Completed - strike] |
| 111 | September 17, 2019 | Metro Vancouver Woodburning Bylaw Update | Councillor Abbott will prepare an update for inclusion in the Village Update |

Audio: 01:38

8. Reports

B. Mayor

None

C. Council

None

D. Committees

None

E. Emergency Services

None

9. Resolutions

None

10. Bylaws

None

11. Correspondence

A. List of Correspondence to September 26, 2019

Moved/Seconded

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

- G1: CivX 2019 Communication to Membership – no response
- G2: Council of Councils - October 26, 2019 – Councillor Bain will advise Metro Vancouver of his intention to attend
- G3: Off-Road Vehicle Management Framework – no response
- G4: UBCM Resolution for Regional Management of Forestry – no response

- G5: The Rick Hansen Foundation – no response
- G6: Confirming Municipal Jurisdiction to Regulate Single-Use Items – no response
- R1: Roy Matthias - Proposed Unobstructed View Bylaw vs. Privacy – Acting Mayor to respond
- R2: Susan Davis - 52 Brunswick Beach - Mayor's Response – no response
- R3: Julie and Rob Kemp - Proposed View Bylaw vs. Privacy – Acting Mayor to respond

12. New Business

None

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

None

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

Moved/Seconded

A. Legal Advice

THAT Council considers

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:

- i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

Acting Mayor Cunliffe advised that Council does not anticipate reconvening the open meeting for any purpose other than to adjourn the meeting generally.

The meeting was closed to the public at 8:55 p.m.

The meeting was reopened to the public at 9:49 p.m.

15. Reporting Out from Closed Portion of Meeting

None

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:49 pm.

Mayor

Corporate Officer

| | |
|---------------------------|------------------|
| Date Approved by Council: | October 15, 2019 |
|---------------------------|------------------|