



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JUNE 15, 2021 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance:

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

Staff: Chief Administrative Officer Peter DeJong (via video conference)
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer (via video conference)
Municipal Coordinator Karla Duarte (Recorder)

Delegations: 2

Public: 9

1. Call to Order

Mayor McLaughlin called the meeting to order at 6:07 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 10Av Music Together at Wade Park be added; and

THAT item 10Ci EV charger be added; and

THAT item 10Di Trees, Views and Landscapes Committee – Tree Application #110 be considered after item 12A; and

THAT item 13B On Table Correspondence be added; and

THAT the agenda be adopted, as amended.

CARRIED

3. Closed Council Meeting (6:00pm)

Proposed topics for discussion in the absence of the public:

A. Land

B. Law Enforcement

C. Bylaw Enforcement Suggestions

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:

(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;

(m) a matter that, under another enactment, is such that the public may be excluded from the meeting;

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 6:10 p.m.

The meeting was re-opened to the public at 7:01 p.m.

4. Reporting Out from Closed Portion of Meeting

None

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

A. Marek Sredzki

M. Sredzki questioned agenda item 14B Development of Oceanview Road end

Mayor McLaughlin noted he will be discussing the item at that time.

B. Chris Clark

C. Clark commented on animal proof garbage bins and requested increase enforcement on the garbage bylaw and that Council consider putting together a working group to encourage bear smart practices .

C. Ruth Simons

R. Simons commented on the Bear Smart Committee that ended several years ago, previous activities and support for a new committee being formed. Ms. Simons also thanked Council for supporting the Howe Sound Community Forum, noting that there will be a formal announcement in September on the approval from UNESCO regarding the Biosphere Region.

D. Randi Byrne

R. Byrne spoke regarding his tree application, noting that the current process he is undertaking for landscaping has been halted and further delays would cause undue hardship. He requested that his application be considered under the current bylaw.

Mayor McLaughlin noted that his application would be considered at a special meeting that Council will schedule for Thursday, June 17, 2021.

E. Marcus Reuter

M. Reuter presented a petition from 202 residents asking to be exempt from Metro Vancouver's wood burning bylaw and urged Council to consider leaving the Urban Containment Boundary.

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

A. Tony Cox, Lions Bay Historical Society – Picture presentation to the Village of Lions Bay to celebrate the 50th Anniversary

Mr. Cox presented a picture "Paradise Found" on behalf of the Lions Bay Historical Society to the Village of Lions Bay in celebration of the 50th Anniversary, noting it's historical significance to the development of the community.

B. Craig Doherty - Noise Bylaw Exemption Request

C. Doherty presented his request for an exemption to the Noise Bylaw for the purpose of weekend music, noting that the café has made efforts to engage the community, local artisans, local musicians and different partnerships for local causes.

C. Doherty responded to questions noting that he is mindful of the effects of amplified music and the courtesy to be able to hold such events and that the events will not be mass gatherings such as found in other larger urban areas.

Mayor McLaughlin requested that the exemption be provided for two consecutive seasons, ending in 2022.

Discussion ensued on:

- Seasonal approval
- Decibel measurements: Municipality does not have equipment in place to enforce such measurements
- Subjectivity of what is considered reasonable and under what context
- Music at the café is an asset

Moved/Seconded

THAT Council grant an exception to Noise Bylaw No. 283, 1998 to allow for live amplified music on the patio at the General Store and Café on weekends and holidays from June 30, 2021 to September 30, 2021 and from June 30, 2022 to September 30, 2022 between the hours of 12p.m. and 9p.m.

CARRIED

7. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – May 25, 2021

Moved/Seconded

THAT the Regular Council Meeting Minutes of May 25, 2021, be approved, as circulated.

CARRIED

8. Business Arising from the Minutes

- A. Councillor Abbott commented on signage for port-a-potties from the May 25, 2021 regular Council meeting minutes (page 8, item 10Av) and requested that the words “rest area” not be used.
- B. Councillor Cunliffe questioned whether information regarding anti-idling was published in the Village Update and staff confirmed that it had.
- C. Councillor Abbott provided an update on the status of application for the Block Watch Society and upon confirmation, will publish information in the Village Update.
- D. Mayor McLaughlin noted that he will have information on the RCMP monthly report at the next meeting.

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
207	June 15, 2021	G2 B. Murray, Bears Matter Consulting - Resolution on need for a moratorium on Wolf Hunting in BC	For next agenda
208	June 15, 2021	G14 City of White Rock - Regional Model for Mobile Crisis Response Car Program and Proposed Charges for RCMP Attendance at Hospitals	For next agenda
209	June 15, 2021	G19 Sierra Club - Invitation to webinar "Intact Forests, Safe Communities" June 9th	Refer to CAC - Completed
210	June 15, 2021	R1 E. Montgomery - Kayak Storage	Completed
211	June 15, 2021	A. Hackstrom and P. Nelson and C. Bradbury regarding Tree Application 109	Completed
212	June 15, 2021	B. Stoddart and V. O’Keeffe regarding Tree Application 109	Completed

B. Help Cities Lead Campaign

Climate Action Committee – Recommendation from May 13, 2021 meeting
Councillor Cunliffe presented the recommendation from the Climate Action Committee.

Discussion was held on the impacts and cost of policy actions.

Moved/Seconded

THAT Council supports the Help Cities Lead campaign and THAT Council directs staff to provide a letter of endorsement on behalf of Council for the campaign.

CARRIED

10. Reports

A. Staff

i. Speed and Traffic Data on Mountain Drive

PWM Jaffer presented the speed and traffic data report on Mountain Drive and responded to questions, noting:

- traffic count vs speed for vehicles over 60km/h too small to register on the graph
- Council decision on whether to change the speed limit in the area
- crash data from ICBC notes that there are not many accidents in Lions Bay
- could place more signage at corners and blind spots to reinforce speed

CAO DeJong noted that speed enforcement is done through the RCMP and the Bylaw Officers cannot enforce speed limits

Mayor McLaughlin requested that information on traffic data be placed in the Village Update

Moved/Seconded

THAT the Information Report, “Speed and Traffic Data on Mountain Drive” be received.

CARRIED

ii. 2020 Annual Report

CFO Rooke presented Annual Report noting it has been available for public inspection since June 1, 2021 and the office did not receive any submissions from the public.

Moved/Seconded

THAT pursuant to section 99 of the Community Charter, Council has considered the Annual Report prepared under section 98 of the Community Charter, and any oral and written submissions and questions from the public.

CARRIED

iii. 2020 Statement of Financial Information

CFO Rooke presented the 2020 Statement of Financial Information

Discussion was held on:

- Improved deadline
- 3% tax increase every year and the need to find other ways of revenue and benchmark with other municipalities
- Other communities not comparable
- Other revenue ideas include looking at development, construction and densification, and Council has to consider options
- Need for more data on income portfolios from municipalities to understand where revenue streams come from – education piece
- Other data: staff ratios

Moved/Seconded

THAT Council approve the 2020 Statement of Financial Information for submission to the Ministry of Municipal Affairs; and

THAT the 2020 Statement of Financial Information be made available for public inspection.

CARRIED

iv. Portable Toilet and Kiosk Feedback and Action

PW Manager Jaffer summarized the feedback received regarding the Portable Toilet on Mountain Drive and PRV wraps noting that all respondents were opposed to the portable toilet and that most respondents did not want to see wrapping at the Mountain and School PRVs.

PW Manager Jaffer noted that the cost of \$10,000/PRV was a preliminary estimate, and that staff will go out for competitive bid that will include many suppliers. He noted that he will respond to all who submitted feedback and that residents at Upper Bayview were previously made aware of the cost.

PWM Jaffer confirmed that a report would come back to Council after issuing a Request for Proposal.

Moved/Seconded

THAT staff be directed to complete a camouflage wrap for the Upper Bayview PRV Kiosk only.

Moved/Seconded

THAT the motion on the floor be amended to add the words “an RFP for” after complete.

CARRIED

MAIN MOTION AS AMENDED

Moved/Seconded

THAT staff be directed to complete an RFP for a camouflage wrap for the Upper Bayview PRV Kiosk only.

CARRIED

Discussion was held on having extra port-a-potties at Sunset and the school parking lot with increased cleaning service. Council requested that two toilets be placed at each location.

CAO DeJong confirmed that there is already extra cleaning service, that he is awaiting confirmation of consent regarding the extra toilet at the school and signage will be concise for toilets.

CAO DeJong confirmed that on-street pay parking is available as of June 15, 2021, that staff is installing new signage, and that this will be communicated to users. Resident permit passes are valid in on-street pay parking areas if they are properly displayed and no payment is required. He noted that staff will do a mail out regarding this information.

v. Music Together at Wade Park

Staff confirmed that the user will have COVID protocols in place and that no other information, other than the authorization to use the park is required.

Moved/Seconded

THAT Council authorizes the use of Wade Park for the Music Together program to Tanya Cosgrave each Thursday from 9:30a.m. – 11:30a.m. between June 24, 2021, to August 5, 2021, as per Lions Bay Parks Regulations Bylaw No. 448, 2012.

CARRIED

B. Mayor

i. **Urban Containment Boundary**

Mayor McLaughlin noted that Metro Vancouver staff will attend a Council meeting.

CAO DeJong confirmed that dates are being finalized. Discussion was held on the Urban Containment Boundary, Urban vs. Rural and what the history of those are in Lions Bay. Metro Vancouver staff will address those matters at a Council meeting, including Metro 2050 overview. CAO

DeJong emphasized that these issues are big picture items and the effects of a change in designation from General Urban to Rural would need to be very carefully considered.

Council requested that the presentation be circulated prior to the meeting and that it be Lions Bay focused.

ii. Bear Smart

Mayor McLaughlin spoke regarding Lions Bay as a Bear Smart Community, noting that there are new residents, that the Conservation officers had placed a bear proof trap and that garbage out the night before is not acceptable.

Discussion ensued on:

- Fines and Bylaw Enforcement Officer schedules
- Garbage pick up schedules
- Waste Control route

PWM Jaffer noted that to have the waste pick up completed before noon would require two trucks and this is not in the contract.

Discussion ensued on:

- Consequences on bears – better to report sooner rather than later
- Supportive of prevention
- Bear proof bins
- Education

CAO DeJong confirmed the fines, noting the difference in methodology of enforcement and the Offence Act process. Currently Lions Bay has the Bylaw Notice Enforcement Bylaw, which may need to be revisited to include securing wildlife attractants.

Provincial bylaws can be enforced by conservation, if required. He confirmed that Bylaw Officers will have the schedule adjusted to monitor early waste.

Mayor McLaughlin requested that staff provide information on Bear Smart awareness program.

C. Council

i. Councillor Barmeier: EV Charger

Councillor Barmeier noted that a grant application will not be submitted for June 22nd, and he will be revisiting the project with the Climate Action Committee.

D. Emergency Services

None

11. Resolutions

None

12. Bylaws

A. Trees, Views and Landscapes Bylaw No. 393, 2007, Amendment Bylaw No. 603, 2021

CAO DeJong noted:

Bylaw amendment direction as set out from last meeting, exceptions for building permit, hazardous tree, or if delayed, Council would consider hardship. Council would consider scope, timing, and requirement for nesting survey.

Discussion ensued on:

- definition of Hazardous Tree
- Unacceptable vs Imminent Risk
- Staff and professional qualifications – staff cannot predict every situation and need to exercise judgement on certain situations
- Certified Arborist to make an assessment of a Hazardous Tree
- Council consideration of exceptions
- Requirement of Professional Biologist

Moved/Seconded

THAT Trees, Views and Landscapes Bylaw No. 393, 2007, Amendment Bylaw No. 603, 2021, as amended to note the limitations of the persons qualified to make the Hazardous Tree risk assessment to only a Certified Arborist and to include the requirement that the unacceptable risk be imminent, be introduced and read a first, second and third time.

CARRIED

THAT Council set a Special Meeting for Thursday, June 17, 2021, at 7 pm to consider adoption of Trees, Views and Landscapes Bylaw No. 393, 2007, Amendment Bylaw No. 603, 2021.

CARRIED

B. Committees

i. Trees, Views and Landscapes Committee – Tree Application #110 – 255 Oceanview Rd.

Moved/Seconded

THAT Council postpones consideration of Tree Application 110 to the June 17, 2021 special Council meeting.

CARRIED

C. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 606, 2021

Moved/Seconded

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 606, 2021 be introduced and read a first, second and third time; and

THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 606, 2021 be adopted.

CARRIED

13. Correspondence

A. List of Correspondence to June 10, 2021

Moved/Seconded

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

Date Rec'd	FROM	TOPIC	ACTION
21-May-21	G1 South Fraser Community Rail Society	Results of the South Fraser Transit Survey	Received
1-Jun-21	G2 District of Saanich	Resolutions regarding Climate Action Revenue Incentive Program(CARIP)	Received
1-Jun-21	G3 MP Weiler	Food Waste Reduction Challenge	Received
1-Jun-21	G4 MP Weiler	Free Tax Clinics	Received
2-Jun-21	G5 City of Prince George	Four resolutions for UBCM	Received
3-Jun-21	G6 R. Kandola	HandyDart Transit Program	Received
4-Jun-21	G7 MP Weiler	Canada recovery Hiring Program	Received
4-Jun-21	G8 C. Peters	Human Trafficking	Received
9-Jun-21	G9 Ministry of Environment and Climate Change Strategy	Climate Preparedness and Adaptation Strategy	Refer to Climate Action Committee
10-Jun-21	G10 MP Weiler	Enabling Accessibility Fund	Received
27-May-21	R1 A. Bradshaw	Port-a-Potties	Received
28-May-21	R2 U. Philips	Thank you from Lions Bay Arts	Received
3-Jun-21	R3 M. Clark	Green Bins	Staff to provide options as part of Bear strategy and to provide information to residents
4-Jun-21	R4 R. O'Dwyer	Parking feedback	Mayor McLaughlin to respond

7-Jun-21	R5 V O'Dwyer	Sewage Odour	PWM Jaffer to respond
8-Jun-21	R6 I. Wray	Fire risk on trails	Received
9-Jun-21	R7 O. Ganske	Wood Burning Bylaw	Councillor Abbott to respond
25-May-21	R8 E. Langford	Human Waste and Watershed to Tunnel Bluffs	Received
various	various	Response to prior correspondence	Received

B. On Table Correspondence

Date Rec'd	FROM	TOPIC	ACTION
15-Jun-21	C. Doherty	Noise Bylaw Exemption for Music	Received
15-Jun-21	M. Coghlan	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	A. Wilton	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	I. Chester	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	M. Moore	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	T. & R. Cosgrave	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	A. McKay	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	B. San Severino & L. Thorley	Support for C. Doherty's application for exemption to noise bylaw	Received
14-Jun-21	D. Thomas	Support for C. Doherty's application for exemption to noise bylaw	Received
12-Jun-21	L. Cuthbertson	3 PRV Wrap feedback	PWM Jaffer to respond
12-Jun-21	G. & D. Craig	3 PRV Wrap feedback	PWM Jaffer to respond
14-Jun-21	O. Ganske	3 PRV Wrap feedback	PWM Jaffer to respond
14-Jun-21	W. Nolte	3 PRV Wrap feedback	PWM Jaffer to respond
Various	various	Responses to previous correspondence	Received

14. New Business

A. CAC's

Mayor McLaughlin noted that a report on CAC's will be presented in September

B. Development of Oceanview Road end

Mayor McLaughlin requested an update on the potential for development of the Oceanview road end.

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

A. M. Sredzki

M. Sredzki questioned the Development of Oceanview Road end.

Mayor McLaughlin noted that a report with further information will come forward in September.

CAO DeJong clarified that the excess right of way land in question is the uphill slope at the intersection of Oceanview Rd. and Highview Pl.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:59 p.m.

Mayor

Corporate Officer

Date Approved by Council:	July 6, 2021
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