



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**SPECIAL MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON THURSDAY, JUNE 17, 2021 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin (via video conference)
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: 0

Public: 0

1. Call to Order

Councillor Abbott was requested by the Mayor to Chair the meeting and called the meeting to order at 7:02 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT item 10 Closed Meeting 90(1)(e) land matter; and

THAT item 8A Bear Smart be added; and

THAT item 8B Special Meeting request for CAO Review be added; and

THAT the agenda be adopted, as amended.

CARRIED

3. Public Participation

None

4. Bylaws

- A. Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021
CAO DeJong presented the amendment bylaw noting that the Ministry has published updated procedures for electronic meeting, providing the liberty to have all 5 members of Council can attend in locations other than the main designated meeting location regardless of any state of emergency, which might not be renewed in early July.

Important aspect: public to see and hear Council, important for democracy and transparency. Shouldn't be taken lightly.

Discussion ensued on:

- Telecommuting
- GHG reductions by no transport
- Staff presence
- Working from home flexibility
- State of emergency and staff being present

Moved/Seconded:

THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021 be introduced and given three readings.

CARRIED

- B. Trees, Views and Landscapes Bylaw No. 393, 2007, Amendment Bylaw No. 603, 2021
CAO DeJong presented the Amendment Bylaw 603, 2021, highlighting the recommendations from Council from the June 15, 2021 regular Council meeting.

Moved/Seconded

THAT Trees, Views and Landscapes Bylaw No. 393, 2007, Amendment Bylaw No. 603, 2021 be adopted.

CARRIED

5.

Reports

- A. Staff
None
- B. Mayor
None
- C. Council
None



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D. Committees

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

CAO DeJong presented the recommendation from the Tree, Views and Landscapes Committee, noting:

- Request from R. Byrne
- No expressed statutory protection for in-stream applications, such as the Tree Application 110
- Province has protected some: eg: DCC Bylaws, certain zoning matters, etc.
- Legal opinion this allows for changing bylaws midstream
- Consideration to be had of impact on the applicant, to be reasonable
- Impact relatively modest, could wait until mid august or obtain bird nesting reports from RP Bio – requirements may be frustrating but not considered to be significant
- In accordance with amendments – behoves council to consider under new bylaw – no indication that it is hazardous tree
- Scope of application to consider, can consider an exception

Discussion ensued on:

- Clarify hardship? No quantification of hardship, except for delaying costs, does have substantial landscaping project in progress, as well as deck and improvements to create bigger driveway
- Changing game midstream – grandfather clause – went through proper channels, not fair

Clarification: he must get a RPBio if he wants to cut the trees. Not an option for Council to consider if necessary or not

Bain: sympathy for situation, struggling with ethics on it.

Abbott: even without our bylaw, he has obligation to check for nests. Still can't go kill birds, accept to give him a variance but follow bylaw and confirm he doesn't have nest with RPBio

Ethics: switching midstream: Village covering cost?

Changing goal post midstream, unfair. Had old bylaw in place long time, switch it overnight. Shouldn't of deferred to today – should have considered it on Tuesday.

In favour of absorbing the cost
Logistics of RPBio and at what point is the cap
RP Bio process: they determine how many days
Put a cap on it re: payment for RP bio

Moved/Seconded

THAT the Trees, Views and Landscapes Committee recommends to Council
THAT Council approves the Tree Cutting Permit Application No. 110, subject
to the following [*Item c not recommended by Tree Committee*]:

- a. Cutting, topping and trimming is to be in accordance with the photos and requested work in the application materials;
- b. The applicant must clean up and remove all associated debris;
- c. The applicant must obtain the services of an Registered Professional Biologist to conduct a nesting survey to ensure there are no nests in the subject tree(s), the cost of which will be borne by the Municipality on this application only, up to a maximum of \$1,200;
- d. The tree cutting permit shall be valid for a period of three years subject only to confirmation prior to any cutting, or repeated cutting, within that period of:
 - i. Compliance with the bylaw restrictions regarding bird nesting season,
 - ii. A traffic control plan approved by Public Works, and damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements and any other requirements of the bylaw.

CARRIED

E. Emergency Services
None

6. Resolutions

7. Correspondence

8. New Business

A. Councillor Abbott: Garbage Bylaw 455 review – commented on : would like to have clarity on bylaw

B. Bear Smart Committee: Norma Rodgers – pass reigns to someone else – reach out
Discussion ensued on:

- Have immediate tools at our disposal
- Education blasts
- Revitalization of committee



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- Request to have social media blasts for Facebook designed and sent

CAO: plans underway to do a mail out: Bears, FOG and Pay parking
Staff confirmed re: design and blasts

C. Council Closed meeting: Monday, June 21, 2021 at 6pm for CAO's semi-annual performance review.

9. Public Questions & Comments

None

10. 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:
 - (e) disposition of land

CARRIED

The meeting was closed to the public at 8:15 p.m.

The meeting was re-opened to the public at 8:51 p.m.

11. Reporting Out From Closed Portion of Meeting

Council discussed land matter and have nothing to report out.

12. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 8:52 p.m.

Mayor

Corporate Officer

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| Date Approved by Council: | July 6, 2021 |
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