



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, OCTOBER 26, 2021 at 6:00 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)

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)

Regrets: Councillor Jaime Cunliffe
Councillor Norm Barmeier

Delegations: 0

Public: 8

1. Call to Order

Mayor McLaughlin called the meeting to order at 6:01 p.m.

2. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. Awards
- B. Personnel
- C. Land

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;
- (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;
- (c) labour relations or other employee relations;
- (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;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

CARRIED

3. Reporting Out from Closed Portion of Meeting
None

The meeting was reopened to the public at 7:00 p.m.

4. Adoption of Agenda
Moved/Seconded
THAT item 5 - Stop Signs, be added to be considered prior to Public Participation; and
THAT the agenda be adopted, as amended.

CARRIED

5. Staff Report – Stop Signs

PWM Jaffer provided an overview of the removal of the stop signs at rail crossings, noting:

- Transport Canada Rail Safety Inspectors checking crossings nationally and notifying road authority of issues regarding safety regulations, under the Railway Safety Act
- Brunswick Beach was inspected this month and Oct. 5th and Village received direction from Railway Safety Authority to remove the stop signs in accordance with clause 8.4.3 of the Railway Safety Act.
- Staff have elevated concern to a senior crossing engineer – awaiting response, anticipate response in accordance with the Grade Crossings Handbook.

- Staff have reached out to traffic engineers to provide cost for a traffic study; waiting for response
- PW have plans to institute traffic pattern changes – to ensure pedestrian and vehicles are navigating intersection safely – should Transport Canada force the issue of removal of the stop signs.

Councillor Bain noted that in his opinion, all rail intersections should be considered.

PWM Jaffer responded to questions, noting:

- There are communities with similar intersections
- Section 8.4.3: “Stop signs must not be installed at grade crossings equipped with a warning system”
- An Engineer would look at intersection to provide suggestions on safety that may or may not include a stop sign at the crossing.
- Awaiting response from senior engineer

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

A. Ruth Simons

R. Simons commented on supporting safety at the Lions Bay rail crossing and noted that the cost of a study should be borne by the rail authority.

B. Brenda Broughton

B. Broughton commented on the municipality’s authority to place road devices and urged that staff speak with senior staff for the authority, as they may be able to provide variances.

C. Michael Broughton

M. Broughton commented on intersection safety at all intersections and noted that the Village has authority to place devices.

Councillor Abbott commented on the importance of Council pushing to maintain a stop sign.

PWM Jaffer noted that an engineering study would provide evidence to Transport Canada (TC) to leave stops in place; however, if TC does not agree, then staff would consider traffic pattern changes. Costs for the engineering study are not known at this time.

7. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – October 5, 2021

Moved/Seconded

THAT the Regular Council Meeting Minutes of October 5, 2021 be approved, as circulated.

CARRIED

B. Special Council Meeting – October 12, 2021

Moved/Seconded

THAT the Special Council Meeting Minutes of October 12, 2021 be approved, as circulated.

CARRIED

8. Business Arising from the Minutes

Councillor Abbott requested that requested items be placed in the Unfinished Business listing.

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
210	June 15, 2021	R3 M. Clark re Green Bins	Completed – will be including options for bear proof bins in the RFP
234	July 27, 2021	H. Mossakowski	Completed
235	October 5, 2021	G4 District of Mount Waddington	Completed

10. Reports

A. Staff

i. AP Listing

CFO Rooke responded to questions, noting:

- Jackets for volunteers are for firefighter volunteers which are funded through donations and purchased every two years
- The procurement policy will be reviewed to consider application to committees; more committees this year
- Translink DCC remittance is a transfer of funds required after new build takes place; It is collected from developer when processing the building permit

Moved/Seconded

THAT the report “Accounts Payable Cheque Listing” be received for information purposes.

CARRIED

ii. Council Priorities Quarterly Update

CAO DeJong provided individual updates on the comments section of the Quarterly Update report.

Discussion ensued on:

- Quiet pavement sweeping: Village has been advised that sweeping is taking place

Staff responded to questions, noting:

- West Van would include clauses in their procurement program, would include Lions Bay so the Village can take advantage of preferred rates
- Infrastructure report presented at Strategy Session will include information on drainage

Moved/Seconded

THAT the Information Report, “Council Priorities – Quarterly Update” be received.

CARRIED

B. Mayor

i. Remembrance Day Update

Mayor McLaughlin provided an update on the plans for Remembrance Day, noting that invitations will be sent to those participating in the ceremonial aspect and that a program will be sent out shortly.

ii. Native Garden Update

Mayor McLaughlin provided an update on the Native Garden volunteers, noting that it is hoped that a Councillor could be a liaison to help with the initiative.

Councillor Bain agreed to volunteer.

iii. Correspondence Responses

Mayor McLaughlin noted that some correspondence is taking too long to respond and could be responded to more quickly, with Council rotation in mind.

Discussion ensued on the communications policy and that a review would be required for correspondence to be acknowledged.

C. Council
None

D. Committees

- i. Councillor Abbott noted that he will have a discussion with the CFO regarding the recommendations from the Curly Stewart Memorial Trust Fund Committee.
- ii. Councillor Abbott noted that a reminder on being Bear Smart will be provided in time for Halloween.

E. Emergency Services

- i. September 2021 Lions Bay Fire Rescue Dispatch Monthly Report
Moved/Seconded
THAT the September 2021 Lions Bay Fire Rescue Dispatch Monthly Report be received.

CARRIED

11. Resolutions

A. Noise Bylaw Exemption Request
Moved/Seconded

THAT Council grants an exception to Noise Bylaw No. 283, 1998 to allow for live amplified music at 168 Sunset Drive on December 4, 2021 from 8 p.m. to December 5, 2021 at 12:00 a.m. for the purposes of a Christmas Party.

Moved/Seconded

THAT the motion on the floor be deferred to the next meeting.

CARRIED

B. Renter's Code of Conduct

Discussion ensued on the applicability of the Code of Conduct: not necessary to define or single out a type of use.

An amendment was identified to the Code of Conduct:

- item 3: add "public" before activity and event in number 3.

Moved/Seconded

THAT Council approves the Renter’s Code of Conduct, as amended at the October 26, 2021 regular Council meeting, and approves it being added to the Facilities Rental Policy.

CARRIED

- C. Funding for Phase 2 of the Howe Sound/Átl’ka7tsem Marine Reference Guide
Moved/Seconded

THAT Council approves annual contributions in the amount of \$332.54 per year for five years (2022 – 2027) towards Phase 2 of the Howe Sound/Átl’ka7tsem Marine Reference Guide, which will be under the purview of the Átl’ka7tsem/Howe Sound Biosphere Region Society, as outlined in Table 1. of the Summary Letter to Lions Bay dated October 20, 2021; and
THAT Council directs staff to contribute the annual payments to the MakeWay Charitable Society for the years 2022 – 2027.

CARRIED

12. Bylaws

- A. Temporary Borrowing Bylaw No. 605, 2021

Moved/Seconded

THAT the Temporary Borrowing Bylaw No. 605, 2021 be adopted.

CARRIED

- B. Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021

Moved/Seconded

(1) THAT second and third reading of Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021 be rescinded.

CARRIED

CAO DeJong presented the proposed amendments to Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021, noting the provisions for conducting a meeting electronically and the Provincial guidelines.

CAO DeJong noted

- the Provincial guidelines, which highlight the importance of in person meetings for democratic processes
- s128.3 of *Community Charter* overview: procedure bylaw and requirements of subsection must be met
- changes to procedure bylaw allows for Chair to deem the meeting of such significance that all Council members must attend in person
- Council can come in person – puts option in hands of Council.

- Council can have hybrid meetings.
- Committee of the Whole definition changes
- Changes to when a meeting might start
- Changes to processes for quorum in case of technological failure
- Changes to order of agenda, such that closure is at beginning of list, when applicable
- Committee quorum changes

Staff responded to questions, noting:

- Resolution to go into closed happens during the open portion of the meeting; order of agenda changes to be able to have the closed meeting as the first order of business; public can object to an item that is proposed to be in closed.
- Guidelines note that in-person meetings are preferred mode of democratic process –many municipalities are expecting to continue to hold hybrid meetings.
- Benefits of electronic meetings and benefits of in person attendance, Council should continue to assess
- Amendment to bylaw: delete section 50 & 51 as it is redundant

THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021 be amended to delete section 50 & 51 and the subsequent sections be renumbered.

CARRIED

THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021 be re-read a first time, second time and third time, as amended.

CARRIED

Moved/Seconded

- (1) THAT notice of the proposed amendments be provided in accordance with section 94 of the Community Charter; and
- (2) THAT such notice may be given by way of publication in the Village Update for two consecutive weeks, which Council considers is reasonably equivalent to that which would be provided by newspaper publication if it were practicable.

CARRIED

- C. Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021
 CAO DeJong clarified the timing required prior to the next Board of Variance meeting.

Moved/Seconded

THAT Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021 be introduced and read a first, second and third time.

CARRIED

13. Correspondence

- A. List of Correspondence to October 21, 2021

Moved/Seconded

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

Date Rec'd	FROM	TOPIC	ACTION
1-Oct-21	St. John Ambulance	Start Me Up BC Campaign	Received
5-Oct-21	E-Comm	E-Comm Annual Report	Received
8-Oct-21	C. Peters	Global Summit Connecting to Protect	Received
15-Oct-21	Youth Parliament of BC Alumni Society	BC Youth Parliament	Received
5-Oct-21	M. Sredzki	Lions Bay Beach Park	Completed
7-Oct-21	various	Responses to previous correspondence	Received

14. New Business

None

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

None

16. Closed Council Meeting (Resumption)

The open meeting was closed for resumption of the closed meeting at 9:01 pm.

The meeting was re-opened at 9:20 pm.

17. Reporting Out from Closed Portion of Meeting

Mayor McLaughlin reported out that Council will be making an announcement on Remembrance Day and that Chief Oliver provided an update regarding Lions Bay Fire Rescue.

18. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:21 p.m.

Mayor

Corporate Officer

Date Approved by Council: November 16, 2021