



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY**

**HELD ON TUESDAY, NOVEMBER 16, 2021 at 7:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

Call to Order and Closure of Meeting at 6 pm – Open Meeting Business at 7 pm

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
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer (via video conference)
Municipal Coordinator Karla Duarte (Recorder)
- Delegations: 2
- Public: 10

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. Land and Enforcement Matters

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:

- (d) the security of the property of the municipality;

- (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;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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

The meeting was closed to the public at 6:02 p.m.

The meeting was re-opened to the public at 6:56 p.m.

3. Reporting Out from Closed Portion of Meeting (if applicable)

Mayor McLaughlin reported out that during the in-camera session, Council provided preliminary concept feedback on a potential development on Oceanview Road, noting that if they proceed it will be with a public proposal.

4. Adoption of Agenda

Moved/Seconded

THAT item 14A, request for Committee of the Whole meeting be added; and
THAT item 14B confirmation of time for the strategic planning session; and
THAT item 10Dii Climate Action Committee update be added; and
THAT item 11B resolution on Have Your Say UCB be added; and
THAT the agenda be adopted, as amended.

CARRIED

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

A. Marcus Reuter

M. Reuter thanked Council for opportunity to provide feedback on the Urban Containment Boundary topic and questioned whether the results were available.

Staff indicated that the results would be provided as soon as possible and would be published in the Village Update.

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

- A. Richard White Planning Advisory Services (R. White and S. Pomeroy) re. Presentation of Village of Lions Bay Housing Needs Assessment

Council requested to extend the time for this presentation and question/answer opportunity to 20-30 minutes.

S. Pomeroy presented on key findings from the Lions Bay Housing Needs Assessment.

The delegates responded to questions, noting:

- Mandate applicable to all jurisdictions
- Policy document is to inform all jurisdictions on housing findings to help with decision making
- Policy document informs communities that they already have challenges with housing: large percentage of income being spent on housing, no other options for housing when people want to downsize, limited diversity of housing
- Funding is harder to provide as money may be allotted to where there is a larger concentration of homes

7. Review & Approval of Minutes of Prior Meetings

- A. Regular Council Meeting – October 26, 2021

Moved/Seconded

THAT the Regular Council Meeting Minutes of October 26, 2021 be approved as circulated.

CARRIED

- B. Special Council Meeting – November 8, 2021

Moved/Seconded

THAT the Special Council Meeting Minutes of November 8, 2021 be approved as circulated.

CARRIED

8. Business Arising from the Minutes

- A. Lions Bay Paving – Verbal Update

PWM Jaffer provided an update on paving, noting that the weather has impacted paving, which will be postponed until 2022.

- B. PWM Jaffer noted that an update on the information on the engineering study for stop signs at the rail crossing will be presented during the strategic planning and until a review is conducted, the stop signs will stay.

Mayor McLaughlin requested that the topic be added to unfinished business

CAO DeJong noted that staff is working on the procurement policy.

Councillor Abbott noted that the communication policy does allow for responses to be made for the sake of timeliness.

CAO DeJong noted that Council received the summary of contents in an email on the topic of DPAs and there is no separate report. Idea is to have a discussion to answer questions that have been brought up previously in a public meeting to discuss the contents.

Discussion ensued on the November 24 Committee of the Whole meeting.

Moved/Seconded

THAT Council postpone the November 24 Committee of the Whole meeting.

CARRIED

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
236	October 26, 2021	Lions Bay Beach Park Revitalization	Complete
237	October 26, 2021	Green and Inclusive Community Buildings Program	Complete

CFO Rooke noted that the Ministry confirmed that the Green and Inclusive Community Buildings Program is intended for lower socio-economic, remote communities with social and economic barriers and Lions Bay is not eligible.

10. Reports

A. Staff

i. CFO: Christmas Office Closure

CFO Rooke presented the Christmas Office Closure report, noting:

- Boxing day is recognized as a Statutory holiday in union agreements
- Quiet during Christmas

- Utility bills can be paid online, cheque through slot; notice in VU

Moved/Seconded

THAT Council approve the closure of the Village Office from Wednesday, December 29 to Friday, December 31, 2021.

CARRIED

ii. CFO: 2021 Third Quarter Review

CFO Rooke presented the 2021 Third Quarter Review.

Discussion ensued on:

- Request to highlight additional revenue through compliance and fee adjustments, parking fines and meters
- Highlight the importance of revenue generation
- EV charger discussion, revenue streams
- Request that the Bylaw report show revenue generation trends

CFO Rooke noted that:

- Increase in compliance for construction permits and resident parking passes
- Klatt maintenance costs and utilities are allocated to Fire, Search and Rescue and Ambulance which appears as a notional entry for information purposes only
- MoTI notes on highways ramp

Moved/Seconded

THAT the report “2021 Third Quarter Review” be received for information purposes.

CARRIED

iii. PWM: Wildfire Risk Reduction and Fuel Management at 3 Critical Infrastructure Sites in the Village

PWM Jaffer noted the recommendation and that the work must be completed by February 7, 2022.

Moved/Seconded

- (1) THAT Council award the Wildfire Risk Reduction and Fuel Management contract to Silverback Tree Works Ltd. in the amount of \$25,850.00; and
- (2) THAT Council authorize the Mayor and Corporate Officer to execute contract documents substantially in the form attached.

CARRIED

PWM noted that Councillor Bain could send information regarding tree trimmings to public works.

iv. PWM: Garbage, Recycling, and Organics Collection and Hauling Contract for 2022

PWM Jaffer presented the report on the waste collection contract.

Discussion ensued on:

- behaviours and bear proof bins: may become more of an attractant due to reliance on bins
- Squamish success with bins
- Climate Action Committee helping with education opportunities
- Participation with Recycle BC is voluntary and it saves significant dollars towards overall waste collection

Moved/Seconded

THAT Council authorizes the Mayor and the CAO to execute a one-year extension to the existing Solid Waste Collection Agreement with Waste Control Services Inc. dated for reference April 1, 2021.

CARRIED

v. Lions Bay Beach Park Revitalization – next steps

PWM Jaffer noted that the Lions Bay Beach Park Revitalization is a large multi faceted project that will require additional management to help keep on target and prevent scope creep; costs have substantially increased since 2017 when the budget was first prepared.

Staff responded to questions, noting

- Overview of design: accessibility focused
- Design build RFP where Village would specify minimum requirements
- Recommendation is for how best to manage the process
- The reason for the court is because during special events, set up of structures destroys the grass; noise concerns can be addressed through options for surfacing
- Proposal noted the ability to have a multi-surface court, which provides flexibility
- Committee to do what was originally proposed
- Project manager would manage all projects concurrently
- Cost is covered by grant
- Details on specifications are to be determined
- Project manager would be publicly posted position; Project manager would develop the contract and specs for structures

- Portion of grant was set aside for project management/engineering
- Scope of managing all three projects is beyond current staff capacity
- Would require budgeting
- Specifications to come back to Council

Moved/Seconded

- (1) THAT Council acknowledge the project scope as refined through the public consultation processes undertaken for this project, submitted to and approved by senior levels of government for grant funding;
- (2) THAT Council direct the CAO to pursue a project manager for the Lions Bay Beach Park Project and other current projects, such as the Klatt Retrofit Project and the Lions Bay Avenue Connector Project, to ensure the timely and effective management of these projects in accordance with project goals and objectives and Municipal procurement policies.
- (3) THAT consideration of the budget for the management of the foregoing projects, and any other suitable project work, be referred to the Strategic Planning session November 30 and December 1, 2021.

CARRIED

- vi. Village of Lions Bay Housing Needs Assessment Report

Moved/Seconded

THAT the Village of Lions Bay Housing Needs Assessment Report be postponed to the Strategic Planning Session.

CARRIED

- B. Mayor
None

C. Council

- i. Councillor Abbott: 2022 Secondary Suite Initiative
Councillor Abbott presented the 2022 Secondary Suite Initiative proposal, noting:
 - Number rented to firefighters is unknown
 - Overview of three options in the report

- Consideration of a more broad reaching approach to secondary suites; option to waive fees completely
- Secondary suites provides service to housing
- May encourage people to register their suites
- Conversation needs to be broader in public

Discussion ensued

- Push to strategic planning session
- Have to have more fulsome discussion on how to promote secondary suites
- Ability of septic system to handle additional suites: need to understand
- Opportunity to offer financial incentive?
- More discussion is required around enforcement of unregistered suites
- Requirement to communicate to emergency services if there are additional suites

CAO DeJong noted that the public should be questioned on the topic of removing fees for secondary suites.

CFO Rooke noted that utilities are finalized in February.

Council noted they would discuss the topic during the strategic planning session

D. Committees

i. Trees, Views and Landscapes Committee Meeting Recommendations from November 10, 2021

- Tree Cutting Application #115 – 340 Oceanview Road
Moved/Seconded

THAT the Trees, Views and Landscapes Committee recommends to Council THAT Council approves Tree Cutting Permit Application No. 115, subject to the following:

- a. Removal 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 and notify the Municipality as soon as possible after the cutting to advise that this has been done;
- c. The tree cutting permit shall be valid for one year 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,
- iii. damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements, and
- iv. any other Municipal bylaw requirements

CARRIED

- Tree Cutting Application #114 – 345 Bayview Road
Moved/Seconded

THAT the Trees, Views and Landscapes Committee recommends to Council THAT Council approves Tree Cutting Permit Application No. 114, subject to the following:

- a. The application did not specify Topping, Trimming or Removal. Therefore Topping/Trimming to the existing levels is recommended and is to be in accordance with the photos and requested work in the application materials. If removal is required, the Tree Committee will meet further to discuss. A separate application will not be required;
- b. The applicant must clean up and remove all associated debris and notify the Municipality as soon as possible after the cutting to advise that this has been done;
- c. The tree cutting permit shall be valid for one year 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,
 - iii. damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements, and
 - iv. any other Municipal bylaw requirements

CARRIED

- Tree Cutting Application #116 – 445 Timbertop Dr.

CAO DeJong noted that there is still a cost to review applications and recommends to not waive the fee and that in the future, Council should consider whether the fee is adequate for cost recovery.

Discussion ensued on:

- Refunding the fee when it is in the bylaw (no motion put forward)

Moved/Seconded

WHEREAS the Trees, Views and Landscapes Committee considers that the proposed work in Tree Cutting Permit Application No. 116 is in accordance with the Management Plan described in Council Resolution 8Di dated May 16, 2017,

THAT the Trees, Views and Landscapes Committee recommends to Council THAT Council approves Tree Cutting Permit Application No. 116, subject to the following:

- a. Topping/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 and notify the Municipality as soon as possible after the cutting to advise that this has been done;
- c. The tree cutting permit shall be valid for one year 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,
 - iii. damage deposit, arborist/contractor's WorkSafe BC certificate and insurance in compliance with Municipal requirements, and
 - iv. any other Municipal bylaw requirements

CARRIED

- ii. Climate Action Committee Update
Councillor Barmeier provided an update noting that the CAC will provide a prioritized list for the Council Strategic Planning Session

E. Emergency Services

- i. September and October 2021 RCMP Report – For Information
Moved/Seconded
THAT the September and October 2021 RCMP Report be received.

CARRIED

- ii. October 2021 Lions Bay Fire Rescue Dispatch Monthly Report – For Information
Moved/Seconded
THAT the October 2021 Lions Bay Fire Rescue Dispatch Monthly be received.

CARRIED

11. Resolutions

- A. Special Event Request – Preschool Parent Group “Cider with Santa”
Moved/Seconded

THAT Council grant use of the Lions Bay Beach Parking Lot to the Preschool Parent Group on Sunday December 12, 2021 from 11:00 a.m. to 5 p.m. for the purposes of a fundraising event entitled “Cider with Santa”, subject to the applicant obtaining all necessary permit and insurance; AND
THAT Council grants an exemption to the noise bylaw to allow for amplified sound for the Cider with Santa event.

CARRIED

- B. Councillor Abbott: Resolution for the Have Your Say Urban Containment Boundary
Moved/Seconded

THAT Council directs Councillor Abbott to engage with Metro Vancouver staff to confirm the follow up actions to be taken as a result from the public feedback obtained through the Urban Containment Boundary Have Your Say feedback survey that was held in November 2021; and
THAT the CAO and the Mayor be copied on communications.

CARRIED

12. Bylaws

- A. Bylaw No. 602 – Fees Bylaw No. 497, 2016 Amendment Bylaw No. 602, 2021

CAO DeJong provided an amendment to Bylaw No. 602, noting that the fee for plumbing be deleted because the Village does not do plumbing inspections.

Moved/Seconded

THAT Fees Bylaw No. 497, 2016 Amendment Bylaw No. 602, 2021, as amended be introduced and read a first, second and third time.

CARRIED

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

CAO DeJong noted the amendments made that were discussed at the previous meeting.

Councillor Bain thanked the CAO.

Moved/Seconded

THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 607, 2021 be adopted.

CARRIED

- C. Bylaw No. 608 – Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021

Councillor Abbott noted a required change in the bylaw:
 - section 9.5: change “Special Council Meeting” to “Board of Variance Meeting”.

Moved/Seconded

THAT third reading of Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021 be rescinded.

CARRIED

Moved/Seconded

THAT Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021 be amended by striking the words “Special Council” in section 9.5 and adding “Board of Variance”.

CARRIED

Moved/Seconded

THAT Board of Variance Bylaw No. 502, 2017, Amendment Bylaw No. 608, 2021, as amended be reread a third time.

CARRIED

13. Correspondence

- A. List of Correspondence to November 12, 2021

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

26-Oct-21	G1 Forest Enhancement Society of BC	Climate Change Heroes	Received
26-Oct-21	G2 Ambulance Paramedics of BC	Paramedic Services	Received
26-Oct-21	G3 M. Wiebe	Parking	To be added to parking report
29-Oct-21	G4 SPARC BC	Accessible Parking Month	Received
29-Oct-21	G5 Ministry of Children and Family Development	Adoption Awareness Month	Received
5-Nov-21	G6 Schwab	Parking	To be added to parking report
12-Nov-21	G7 District of West Vancouver	North Shore WasteWater Treatment Plant	Received
9-Nov-21	G8 C Peters	Human Trafficking	Received

9-Nov-21	G9 L. Rojas	Consumer Fireworks	Councillor Abbott requested that a notice be provided to residents if fireworks are to occur CAO DeJong noted that consumer fireworks are prohibited other than for Halloween and New Year’s Eve and permission must be granted by the Fire Chief
4-Nov-21	R1 C. Bradbury	Lions Bay Walkways	PWM Jaffer and CAO to see how to address the issue; Councillor Barmeier expressed his concerns with traffic and noted that a risk tolerance policy is missing
5-Nov-21	R2 R. Kisser	UCB	Councillor Abbott to reply
5-Nov-21	R3 K. Buhr/M. Sredzki	UCB	Councillor Abbott to reply

14. New Business

- A. CAO DeJong noted that Metro 2050 has questioned whether Council would like a presentation on Metro 2050. Deadline for comments is November 26, 2021

Discussion ensued on whether there should be a meeting and how to best provide comments to Metro.

Moved/Seconded

THAT a Special Council Meeting be held on November 23rd at 6:30 p.m. to provide comments on Metro 2050.

CARRIED

- B. CAO DeJong confirmed the start time of the Strategic Planning Session to be at 4:00 p.m. on November 30th and December 1st.

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

- A. **Ryan Bruce**

R. Bruce commented on the paved area in the proposal for the Lions Bay Beach Park Revitalization, noting that the park provides an opportune location for youth to play. He strongly encouraged creating more opportunities and not less.

16. Closed Council Meeting (resumption, if applicable)

The closed meeting resumed at 10:00 p.m.

The meeting reopened to the public at 11:04 p.m.

17. Reporting Out from Closed Council Meeting (if applicable)

Mayor McLaughlin reported out on behalf of Council, Council reviewed the legal status of the encroachment agreements pertaining to the stairs and carport at 51 Brunswick Beach Rd and acknowledges that the rights and obligations contained in the agreements Council made with the former property owner are validly held by the current property owner. Accordingly, Council have instructed staff to rectify the documentation in the Land Title Office to reflect these rights and obligations.

18. Adjournment Generally

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 11:05 p.m.

Mayor

Corporate Officer

Date Approved by Council:	December 14, 2021
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