



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, JULY 5, 2022 at 6:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Jaime Cunliffe

Absent: Councillor Norm Barmeier

Staff: Chief Administrative Officer Peter DeJong
Public Works Manager Nai Jaffer (via teleconference)
Municipal Coordinator Linda Brick (Recorder)

Delegations: 1

Public: 12

1. Call to Order

Mayor McLaughlin called the meeting to order at 6:03 p.m.

2. Closed Council Meeting (6:00 PM)

Proposed topics for discussion in the absence of the public:

- A. Land Matters
- B. Legal Matters
- C. Contractual Matters
- D. Intergovernmental Relations 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* and where required, the Council does consider that the matters could reasonably be expected to harm the interests of the municipality if they were held in public:

- 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;
 - (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
 - (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);
- 90 (2)** A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

Council anticipates reconvening the open meeting to discuss the balance of the Agenda.

The meeting returned to open session at 7:01 pm.

3. Reporting Out from Closed Portion of Meeting

- Mayor reported out on Information Report 325 Bayview Drive Bridge Rehabilitation - project report will be available for public perusal and posted in the Village Update.

4. Adoption of Agenda

THAT the following items be added to the agenda:

- 10. A. ii. On table document regarding the scope of services;
- 10.A.v. Bear Smart Maters Update; and,

- New Business – Council Meeting Schedule.

AND THAT the agenda be adopted, as amended.

CARRIED

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

A. Oliver Ganski

O. Ganski spoke in support of the Village of Lions Bay application to be removed from the Metro Vancouver Urban Containment Boundary, expressing concern with the MV process and urged consideration of seeking dispute resolution to address the issue. He encouraged Council to withdraw support from the Metro Vancouver 2050 Plan.

B. Marcus Reuter

M. Reuter spoke in favour of a change in designation to a rural community and encouraged Council to withdraw support from the Metro Vancouver 2050 Plan.

Mayor McLaughlin provided an overview of the history of the redesignation application process and advised that the Village of Lions Bay will appear as a delegation before the Metro Vancouver Planning Committee on July 8, 2022.

C. Marek Sredzki

M. Sredzki expressed concern at the frequency of Closed meetings of Council and requested reports from Closed meetings be made publicly available. He inquired about the availability of reports from the Whistler conference.

Council responded noting that the reasons for closure of meetings is stated in the resolution passed prior to the closure of a meeting and the minutes and reports from the May 4-6, 2022 AGM held in Whistler are available on the LMLGA website.

D. David Shore

D. Shore requested staff provide comparable financial data from similar sized communities to benchmark Village expenditures.

It was highlighted that an accurate comparison of the baseline finances of smaller communities is often difficult due to the diversity of job responsibilities of staff and the services provided; staff will bring forward a report at a future meeting.

E. Carmon Leeson

C. Leeson spoke in support of Urban Boundary Containment removal for the Village.

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

A. Howe Sound Biosphere Region Initiative Society – Ruth Simons

R. Simons requested Council’s ongoing support for the Howe Sound Biosphere Region Initiative Society (HSBRIS) through approval of the updated Howe Sound Community Forum Principles for Cooperation. She highlighted HSBRIS’ support of the UNESCO Biosphere Region designation and conservation.

Moved/Seconded

THAT Council provide a letter of support for the updated Howe Sound Community Forum Principles of Cooperation;

THAT Council commits to co-host the Howe Sound Committee Forum with Metro Vancouver Area A in 2025; and,

THAT Council supports the Memorandum of Understanding with the Howe Sound Biosphere Region Initiative Society as submitted.

CARRIED

With the consent of Council, the Mayor invited further public participation at this point in the proceedings.

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

F. Tamara Leger

T. Leger commented on the Regional Context Statement designation change from General Urban to Rural, highlighting the community mandate through referendum. She urged Council to appeal to the Provincial Government for assistance in reaching a resolution on this matter.

Council provided a history of the application process to date and noted the upcoming Metro Vancouver Planning Committee delegation.

G. Chris Cauac Hill

C. Cauac Hill requested increased safety measures be installed at the Kelvin Grove North bound highway off ramp and additional garbage cans be placed at the beaches during the high season. He encouraged Council to continue advocating for the change in the Regional Context Statement designation to rural.

7. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting - June 21, 2022

Moved/Seconded

THAT the Regular Council Meeting Minutes of June 21, 2022 be approved as circulated.

CARRIED

B. Special Council Meeting - June 27, 2022

Moved/Seconded

THAT the Special Council Meeting Minutes of June 27, 2022 be approved as circulated.

CARRIED

8. Business Arising from the Minutes

None

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

No.	Date	Item Description	Action
238	November 16, 2021	Rail crossing stop signs	Completed
245	April 19, 2022	CN Vegetation Program	CAO following up
246	May 3, 2022	BC Timber Sales Spraying	Mayor McLaughlin following up with Metro
250	June 7, 2022	Howe Sound Community Forum	Completed
251	June 7, 2022	Response to G. Dunn	Completed
252	July 5, 2022	Municipal financial comparisons	CFO to provide report
253	July 5, 2022	Highway maintenance follow up	PWM to follow up with MOTI

10. Reports

A. Staff

i. CAO DeJong: Request for Decision – Sewage Outfall Notice of Renewal

CAO DeJong provided a brief overview the administrative requirements of the project noting that this is a renewal of the statutory right of way for the sewer outfall and is vital for the operation of the sewage treatment plant.

It was noted that the taxes were not included in the total fees payable in the Notice of Final Review.

Moved/Seconded

THAT the Application for an outfall right-of-way for the Kelvin Grove Sewer Treatment Plant, to replace the existing right of way, be approved;

THAT the Statutory Right of Way - Crown Land VAP16038RP be approved; and,

THAT the Mayor and Chief Financial Officer be authorized to execute the required Right-of-Way documentation on behalf of the Village of Lions Bay.

CARRIED

ii. PWM Jaffer: Request for Decision – Award of Traffic Engineering Analysis of Railway Crossing Intersections

PWM Jaffer advised that Transport Canada has made a determination that the railway crossing intersections require the removal of the stop signs. The proposed engineering reports will identify the required design for each railway crossing intersection.

Council discussion ensued on the implications of making the requested adjustments without further consultation or engineering studies. Staff noted there is liability involved with these crossings which would be assumed by the Village; the engineer reports are strongly recommended by staff.

Moved/Seconded

THAT Council award the Traffic Engineering Analysis of Railway Crossing Intersections in Lions Bay to in the amount of \$17,045 and authorize the Mayor and CAO to execute a contract, substantially in the same form as attached to this Council Report.

CARRIED

Voting Against: Councillor Abbott

iii. PWM Jaffer: Information Report – 2021 Annual Drinking Water Quality Report Council discussion included:

- In response to inquiries from Council staff advised they would conduct a caffeine test to identify if there is a correlation between spikes in coliform counts and the summer hiking season.
- Staff advised they are working with VCH on the watershed protection plan. This item could be considered as part of Council's strategic plan and funds allocated in the next budget.
- It was noted that E.coli spikes could be connected to heavy rainfalls, the last boil water advisory may have been in 2015.

Moved/Seconded

THAT the 2021 Annual Drinking Water Quality Report be received; and,

THAT the 2021 Annual Drinking Water Quality Report be made available on the Municipal website.

CARRIED

iv. PWM Jaffer: Information Report – Above Ground Pressure Reducing Valve Stations - Response to Correspondence

PWM Jaffer clarified that access to the chambers is needed anytime inspections are required and that WorkSafeBC does not classify an above ground station as a confined space. A survey will be conducted to identify resident concerns as part of the Upper Bayview Place and Centre Road water main design and road upgrade process.

Council requested that all possible options be considered before the final design is considered.

Moved/Seconded

THAT the Information Report “Above Ground Pressure Reducing Valve Stations – Response to Correspondence” be received for information purposes.

CARRIED

v. Bear Smart Matters

CAO DeJong reported out on the summary of Bylaw Enforcement Officers findings of garbage and organics compliance checks. As there is a high level of compliance the rounds will be reduced and staff focus will be directed towards mitigating areas of potential bear conflicts during collection windows.

Council discussion noted:

- A bear had been trapped and destroyed in the Village over the weekend;
- That an information leaflet be created and distributed on a targeted basis to encourage compliance;
- BEO be scheduled for early morning Friday and random Thursday evening compliance checks.

B. Mayor
None

C. Council
None

D. Committees
i. Board of Variance Meeting – June 1, 2022
Draft minutes for information.

E. Emergency Services
None

11. Resolutions

- A. Noise Relaxation Request
 Moved/Seconded

THAT Council grant an exception to Noise Bylaw No. 283, 1998 to allow for events with amplified sound between the hours of 10 am and 11 pm at the Village Hall in 2022.

CARRIED

Council requested a survey of the townhomes be conducted to identify if there are any concerns with noise from concerts held in Broughton Hall.

- B. MIABC Voting Delegate
 Moved/Seconded

THAT Council appoint Mayor McLaughlin as the voting delegate for the Municipal Insurance Association of BC (MIABC) for the upcoming 2022 MIABC annual meeting;

AND THAT Council appoint Councillor Barmeier and Councillor Abbott as alternate delegates for the Municipal Insurance Association of BC (MIABC) 2022 annual meeting.

CARRIED

12. Bylaws

None

13. Correspondence

- A. List of Correspondence to Wednesday, June 29, 2022

Moved/Seconded

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

Stand.earth	UBCM motion re: Protecting BC Coasts From Acidic Washwater Dumping	Received
Town of Gibsons	Hospice Services Funding – UBCM resolution	Received
MP Patrick Weiler	Launch of New Canada Greener Homes Loan	Received
City of New Westminster	Support for Library Funding UBCM Resolution	Received
Nathan Davidowicz	More sidewalks and bikeways from TransLink	Received
Kathrin Winkler	Proclamation Request	Received
Century House Seniors Centre	The Right Person, the Right Time, the Right Place	Received

CARRIED

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

- A. Tamara Leger
T. Leger commented on the Century House Seniors Centre correspondence, noting that mobility is critical for aging in place and should be taken into consideration when programs are developed in the Village of Lions Bay.

14. New Business

- A. Rescheduling of Regular Council Meeting

Moved/Carried

THAT the July 19, 2022 Regular Council Meeting be rescheduled to July 26, 2022.

CARRIED

16. Closed Council Meeting

Moved/Seconded

THAT the meeting be closed to resume the closed portion of the meeting on basis of the matters and reasons for closing set out in Item 2 of this Agenda.

CARRIED

The meeting was closed to the public at 8:44 p.m.

The meeting was re-opened to the public at 9:50 p.m.

17. Reporting Out From Closed Portion of Meeting

- A. Council discussed strategies for the upcoming Metro Vancouver Planning Committee delegation.
- B. At the request of Mayor McLaughlin, the following resolution from the June 7, 2022 Regular Meeting is put before Council for reconsideration pursuant to s. 131 of the *Community Charter*:

THAT the proposed Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) be accepted, as presented, pursuant to section 436 of the Local Government Act;

Moved/Seconded

THAT Council reconsider the above June 7, 2022, resolution regarding Acceptance of the Metro 2050 Regional Growth Strategy.

CARRIED

The following resolution was then put:

Moved/Seconded

THAT the proposed Metro 2050 Regional Growth Strategy (Metro Vancouver Regional District Regional Growth Strategy Bylaw No. 1339, 2022) be accepted, as presented, pursuant to section 436 of the Local Government Act;

CARRIED

B. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:50 p.m.

Mayor

Corporate Officer

Date Approved by Council:	July 26, 2022
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