



AGENDA

Regular Meeting of Council

Tuesday, September 2, 2025, 6:00 p.m.
Council Chambers, 400 Centre Road, Lions Bay
And Via Zoom Video Conference

Zoom Invite Link: <https://us02web.zoom.us/j/2780145720?omn=82661971906>
To join via phone, dial 778-907-2071 | Meeting ID: 278 014 5720

We are privileged to be meeting and doing work on behalf of the residents of Lions Bay on the traditional unceded territory of the Squamish and Musqueam Nations.

Pages

1. Call to Order

2. Closure of Council Meeting

Proposed topics for discussion in the absence of the public:

1. Contract award

Recommendation:

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:

(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;

3. Reporting out from Closed portion of Meeting

4. Adoption of Agenda

Recommendation:

That the Agenda of September 2, 2025, Regular Meeting of Council be adopted.

5. Public Participation

6. Delegations

6.1 Canada Post Changes and Updates

An overview of the recent changes to Canada Post service in the Municipality by Mike Lee, Manager, Government and Community Affairs (BC).

6.2 Training Workshop by Emergency Program Coordinator

Emergency Program Coordinator Mary Brown to host a workshop in October 2025, looking for feedback and/or questions from Council as per the email sent in August detailing the event.

7.	Approval of Minutes of Prior Meetings	
7.1	Regular Meeting of Council - July 22, 2025	9
	Recommendation: THAT the Regular Meeting of Council Minutes of July 22, 2025, be approved.	
8.	Business Arising from the Minutes	
9.	Unfinished Business	
9.1	Action Items Log	21
	A log of unfinished and ongoing actionable items. <i>- for information</i>	
10.	Reports	
10.1	Staff	
10.1.1	2024 Audit Update	
	2024 Audit presented by C Vanderhorst from MNP (verbal report). <i>- for information</i>	
10.1.2	Development Variance Permit Application - 405 Bayview Road	22
	Development Variance Permit for approval, by Chief Administrative Officer R Blackwell. <i>- for decision</i> Recommendation: THAT Council approve the Development Variance Permit for 405 Bayview Road, as outlined in the application.	
10.1.3	Snow and Ice Management Policy	36
	Staff are seeking approval of a Snow and Ice Management Policy, by Director of Operations Karl Buhr. <i>- for adoption</i> Recommendation: THAT Council Approve the Snow and Ice Management Policy.	
10.1.4	Tree Management Policy	42
	Staff are seeking approval of a Tree Management Policy, by Chief Administrative Officer Ross Blackwell. <i>- for adoption</i> Recommendation: THAT Council approve Tree Management Policy.	
10.1.5	Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw 652, 2025	49
	Proposed changes to the Garbage Bylaw as outlined in the Staff Report and Amendment document, by Chief Administrative Officer	

Ross Blackwell.

- *for decision*

Recommendation:

THAT Council grant First and Second Reading to *Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 652, 2025.*

10.1.6 Garbage and Recycling Collection Audit

59

An overview of the findings of a recent audit conducted to assess resident compliance with the garbage and recycling collection schedule, by Bylaw Enforcement Officer Taj Bindra.

- *for information*

10.1.7 Banking Resolution

Staff are seeking a resolution from Council to authorize signing authority on the Toronto Dominion accounts (chequing and investor) for Lions Bay Fire Rescue. Current authority rests with those no longer employed by the Village, and would be updated to Financial Officer Joe Chirkoff, Municipal Accountant Karen Jeffery, Chief Administrative Officer Ross Blackwell.

- *for decision*

Recommendation:

THAT Ross Blackwell, Joe Chirkoff, Karen Jeffery, be added as baking signatories in accordance with the requirements of TD Canada Trust.

WITH ALL appointments effective immediately.

10.1.8 Zoning and Development Bylaw No.520, 2017, Amendment Bylaw No. 650, 2025 - Setbacks

63

Proposed amendments to the Zoning Bylaw, specifically regarding setbacks, by Chief Administrative Officer Ross Blackwell.

- *for decision*

Recommendation:

THAT Council grant First and Second Reading to amendment Bylaw No.650 to amend Section 7.7.2 of *Zoning and Development Bylaw No. 520, 2017*, as follows:

“Where a parcel has a rear yard parcel line abutting the ocean or abutting a municipal esplanade abutting the ocean, setback averaging shall apply only to the parcel line facing the ocean.” and;

Recommendation:

THAT Council direct staff to schedule a Public Hearing for Amendment *Bylaw No. 650, 2025*, in accordance with the requirements of the *Local Government Act*.

10.1.9 Draft Subdivision Servicing Bylaw No. 651 2025

68

Draft *Bylaw No. 651, 2025*, presented by Chief Administrative Officer Ross Blackwell to replace the existing *Subdivision Bylaw No.141, 1985*, which no longer meets the legal, technical, or operational needs of the Village.

- for decision

Recommendation:

THAT Council grant First and Second Reading to *Subdivision Servicing Bylaw No. 651, 2025*, to replace *Subdivision Bylaw No. 141, 1985*; and

Recommendation:

THAT Council direct staff to schedule a Public Hearing for *Subdivision Servicing Bylaw No. 651, 2025*, in accordance with section 466 of the *Local Government Act*.

10.1.10 Zoning and Development Bylaw No.520, 2017, Amendment Bylaw No.641, 2025 - Short Term Rentals 176

Alison Espetveidt of Lidstone & Co. previously presented on the proposed amendments to the *Zoning and Development Bylaw No.520, 2017, Amendment Bylaw No.641, 2025*. Summary of updates include change in language and authority of the CAO.

- for direction and decision

Recommendation:

THAT Council adopt the revised Short-Term Rental Policy as proposed.

Recommendation:

THAT Council grant first and second reading to the proposed amendments to *Zoning and Development Bylaw No. 520, 2017* and direct staff to schedule a public hearing in accordance with statutory requirements.

10.1.11 Resident Satisfaction Survey 188

An update on the proposed, staff-led, citizen satisfaction survey for the municipality, by Chief Administrative Officer Ross Blackwell.

- for information

10.1.12 Public Toilets 191

Staff Report on the provision of public washroom facilities in the central commercial area of Lions Bay by Director of Operations Karl Buhr.

- for direction

10.1.13 Fees Bylaw No. 497, 2016, Amending Bylaw No. 647, 2025 197

Updates to the Fees Bylaw as outlined in the report by Deputy Corporate Officer Kristal Kenna.

- for decision

Recommendation:

THAT *Fees Bylaw No. 497, 2016, Amendment Bylaw No. 647, 2025*, be introduced and read a first, second and third time.

10.1.14 Beach Park Financials Report, FN-2025-003 211

An overview of the Beach Park Revitalization Project financials by Financial Officer Joe Chirkoff.

- for information

10.2 Committees

- none

10.3 Mayor and Council

- none

10.3.1 Important and time sensitive items removed from July 2025 Council Meetings 237

A list of items by Councillor Broughton which had previously been raised at the July 8th and 22nd regular Council Meetings.

- for discussion

10.3.2 Policy on Best Use of Village Facilities 239

Motions by Councillor Broughton to determine the best use of Village facilities.

- for decision

Recommendation:

THAT staff be directed to do a survey of Village facilities with a view to maximize meeting and other usable space while creating efficient and accessible storage, and;

Recommendation:

THAT no construction or acquisition of storage units for Village facilities occur until a survey of Village facilities and use of space is complete and recommendations are made, and;

Recommendation:

THAT all user groups be consulted to ensure Council is aware of present and future facility space needs for Village residents, and;

Recommendation:

THAT Councillor Broughton be asked to Chair an informal Task Force Team to assist in the timely completion of a survey on Village facilities and use of space needs, reporting back to Council at the October 7, 2025, Regular Meeting.

10.4 Emergency

- none

11. Resolutions

- none

12. Bylaws

- none

13. Correspondence

240

Correspondence received from July 23 - August 28, 2025.

- for information

14. New Business

15. Public Questions and Comments

16. Adjournment

Recommendation:

THAT the Council Meeting of September 2, 2025, be adjourned.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

Please forward the Delegation Request Form to the Village Office by 12:00PM, the Thursday prior to the regular Council meeting. Delegations may speak for a maximum of 10 minutes total

PREFERRED COUNCIL MEETING DATE (Click Here for Calendar)	DATE RECEIVED BY OFFICE (Office Use)
Sept 2, 2025	

APPLICANT NAME & CONTACT INFORMATION

Last Name Brown	First Name Mary	
Street Address [REDACTED]	Apartment/Unit N/A	
City Lions Bay	Province BC	Postal Code V0N 2E0
Primary Contact No [REDACTED]	FAX: N/A	
Email Address [REDACTED] mbrown@lionsbay.ca		

NAME OF PRESENTER(S)/ORGANIZATION

1. Mary Brown, Emergency Program Coordinator
2.

Supporting Documentation (optional): Any visual presentation or supporting material (handouts, notes, etc.) must be submitted by 12pm on the Thursday prior to your requested meeting date.

SUBJECT OF PRESENTATION and REQUESTED ACTION:

Addressing email sent Aug. 25/25 to mayor and council (and others). Concerning the Indigenous Cultural Safety and Humility Training workshop through drum making.

Any questions or issues?



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

COUNCIL DELEGATION INFORMATION

COUNCIL PROCEDURES BYLAW No. 476, 2015, as amended

- Council meeting dates can be found by visiting our website ([click here](#))
- Subject to Council dispensation, speakers will be limited to the subject matter and to a total of 10 minutes, regardless of the number of speakers
- Delegations concerning a bylaw where a public hearing has been held will not be permitted
- Subject to Council dispensation, the maximum number of delegations per meeting is three (3)
- The Corporate Officer may schedule delegations to another Council meeting or advisory body, as deemed appropriate, according to the subject matter of the delegation
- The Corporate Officer may refuse a delegation if the issue is not considered to fall within the jurisdiction of Council

OTHER IMPORTANT REQUIREMENTS

- This application will be published in the agenda - available to the public and on the internet
- Please provide the Municipal Coordinator with any relevant notes, if not handed out or published in the agenda
- Council may not provide an immediate answer, especially if the subject matter requires further consideration

HELPFUL APPLICATION AND PRESENTATION SUGGESTIONS

- Notify the Municipal Coordinator in writing seven days prior to the requested meeting date: office@lionsbay.ca
- Please arrive early. Delegations are scheduled at the start of the meeting
- Presentations are directed to Council and communication is made through the Chair (Mayor)
- Be concise. It is highly recommended to leave room for questions within the 10 minutes
- Support your position with facts and be prepared to answer questions from Council
- A respectful approach is appreciated, and debates are generally not permitted during the presentation

SUBMIT APPLICATION BY ONE OF THE FOLLOWING METHODS

MAIL: Village of Lions Bay, PO BOX 141, 400 Centre Road, Lions Bay, BC V0N 2E0
IN PERSON: Village of Lions Bay, 400 Centre Road, Lions Bay, BC V0N 2E0
FAX: 604.921.6643
EMAIL: office@lionsbay.ca

Village Office hours are Monday to Friday, 10:00 a.m. to 4:00 p.m., excluding Wednesdays.

General inquiries: 604.921.9333

For more information, contact Karla Duarte, Municipal Coordinator at 604.921.9333 or office@lionsbay.ca

APPLICANT'S DECLARATION

I understand and agree to these procedures for delegations

SIGNATURE <i>Maup M. Brown</i>	DATE <i>Aug 25/25</i>
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Office Use Only:

<input type="checkbox"/> APPROVED for Council meeting on:	<input type="checkbox"/> DECLINED
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MINUTES

REGULAR MEETING OF COUNCIL

VILLAGE OF LIONS BAY

July 22, 2025, 6:00 p.m.

Council Chambers, 400 Centre Road, Lions Bay
And Via Zoom Video Conference

In Attendance: Mayor Ken Berry
Councillor Neville Abbott
Councillor Michael Broughton
Councillor Jaime Cunliffe
Councillor Ron McLaughlin

Staff In Attendance: Chief Administrative Officer, Ross Blackwell
Deputy Corporate Officer, Kristal Kenna

1. Call to Order

Mayor Berry called the meeting to order at 6:01 PM

2. Closure of Council Meeting

Moved by: Councillor Broughton

Seconded by: Councillor Abbott

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:

(c) labour relations or other employee relations;

(g) litigation or potential litigation affecting the municipality;

CARRIED

3. Reporting out from Closed portion of Meeting

The Open session resumed at 7:00 PM

The Mayor advised that there was nothing to report out and that the Closed portion of the meeting would reconvene after the Open portion.

4. Adoption of Agenda

1

Moved by: Councillor McLaughlin

Seconded by: Councillor Abbott

THAT the Agenda of July 22, 2025, Regular Meeting of Council be adopted with the following items to be struck from the agenda.

- Item 10.1.5 - *Request for Review and Potential Reduction of Parking Fines* (deferred to a fall meeting)
- Item 10.3.2 - *Open and Transparent Disclosure of Freedom of Information Requests*
- Item 10.3.7 - *Request for Review of Previous Committee of the Whole Items*
- Item 14.1 *Communication Protocols*

CARRIED

2

Moved by: Councillor McLaughlin

Seconded by: Councillor Abbott

THAT the Agenda of July 22, 2025, Regular Meeting of Council be adopted with the addition of the following on-table item:

- Item 10.3.8 - *Use of Space and Storage*

Opposed (4): Mayor Berry, Councillor Abbott, Councillor Cunliffe, and Councillor McLaughlin

DEFEATED (1 to 4)

5. Public Participation

- Kambiz Azordegan: Spoke on filming in the Village, feels that upcoming filming will impact his family. Would like to have a follow up from with Staff in regard to accommodations requested for his family.
- David Udo et al. (Rob Simons and Gary Brown) - Noted his attendance in support of Tree Application No.131

- David Shore - Spoke in support of the reduction of parking fines, to improve parking behaviour and foster a more positive image for the Village.

6. Delegations

Ruth Simons requested that Council consider co-hosting the community forum in 2026 and renew the Memorandum of Understanding between the Howe Sound Biosphere Region Initiative Society and the Village of Lions Bay.

Ruth spoke to the history and work of the society. Noted that there are opportunities for signage in the Village in recognition the Village's United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Region designation.

Moved by: Councillor Broughton

Seconded by: Councillor Abbott

THAT the Village of Lions Bay co-host the Community Forum with the Howe Sound Biosphere Region Initiative Society (HSBRIS) in April 2026, including financial support of \$2,250 and renew the Memorandum of Understanding between the HSBRIS and the Village of Lions Bay.

CARRIED

7. Approval of Minutes of Prior Meetings

7.1 Regular Meeting of Council - June 17, 2025

Moved by: Councillor Broughton

Seconded by: Councillor Cunliffe

THAT the Regular Meeting of Council Minutes of July 17, 2025, be approved.

CARRIED

7.2 Special Meeting of Council- July 8, 2025

Moved by: Councillor McLaughlin

Seconded by: Councillor Cunliffe

THAT the Special Meeting of Council Minutes of July 8, 2025, be approved with the following amendments:

- Item 4 - *Adoption of the Agenda* motion be updated to **DEFEATED (3 to 2)**
- Item 4 - *Adoption of the Agenda* amended motion be updated to **CARRIED**

CARRIED

8. Business Arising from the Minutes

Discussion on the following items resulted, Item No. 342 from the Action Items Log - a resolution was passed to have staff investigate alternate suppliers for renewable diesel. Some questions around soliciting more public consultation on the relocation of the bus stop shelter at Isleview, staff suggested that this project remain operational and stay the course for quick completion. A request from Council was made have an Emergency program Committee meeting called as soon as possible.

Moved by: Councillor Abbott

Seconded by: Councillor Cunliffe

THAT Council direct Staff to review the Super Save fuels contract and review other suppliers to see if they can fulfill the Climate Action Committee's recommendations to Council regarding renewable diesel.

CARRIED

9. Unfinished Business

9.1 Action Item Log

The following action items from the log were discussed and/or added;

- Item 321 - the Chief Administrative Officer and Councillor Abbott have met and have a plan moving forward on Grants for Small Communities.
- Item 342 - Staff directed to source more renewable diesel fuel suppliers.
- Item 354 - Staff to investigate \$56k in funding from Translink.

10. Reports

10.1 Staff

10.1.1 Tree Application No.131

Tree Application No. 131 was presented.

Discussion ensued regarding the proposed work in areas A, B, C, as defined in the application. Council supports maintaining the original sightlines of the affected properties (Area C). Council discussed the Tree Committee's recommendation of removal of additional trees outside the scope of the original application (Area B), citing a larger discussion is required for the re-beautification of the area if trees are removed. Council is prepared to revisit a

discussion on area B should it be brought forth again once the work in Area C is complete.

Moved by: Councillor Broughton

Seconded by: Councillor Cunliffe

THAT Tree Cutting Permit Application No. 131: Lions Bay Beach Park Entrance, be approved for Area C only, as described in the application, subject to the following conditions:

1. Proceed with the proposed scope of work
2. Topping should not exceed two feet below existing topping levels

CARRIED

10.1.2 Union of BC Municipalities Conference Costs and Registration, DCO-2025-003

Staff presented a report outlining the costs and registration deadlines to attend the Union of BC Municipalities Conference in Victoria, BC, September 23-26, 2025.

Council discussed a request that the Chief Administrative Officer book a meeting with a minister regarding the 100% grants and attend that meeting.

Moved by: Councillor Abbott

Seconded by: Councillor Broughton

THAT Council direct Staff to arrange a ministry meeting to discuss 100% grants and that the Chief Administrative Officer attend the ministry meeting at the 2025 Union of BC Municipalities Conference.

CARRIED

10.1.3 Chain of Office, CAO-2025-007

Staff presented a report on acquiring a Chain of Office, a ceremonial necklace commonly kept by municipalities and worn by the Mayor at formal events.

The historical and ceremonial significance of the chain was discussed. Council is in support of the acquisition, however, felt it is not the right time. Council would like to investigate opportunities to collaborate on the purchase and/ or potential fundraising/donation/grant opportunities with the Historical Society.

10.1.4 2026 Annual Budget Timeline

Staff presented an infographic on 2026 Budget milestones for information. The intention of the document is to ensure that Council's budgetary priorities are in place for these scheduled planning meetings.

Council noted some scheduling conflicts with committee meetings but will be prepared for the planning sessions.

10.1.5 Request for Review and Potential Reduction of Parking Fines, Bylaw -2025-002

This item was not discussed and is being deferred to a later meeting in fall 2025.

10.2 Committees

- for information

10.2.1 Climate Action Committee

10.2.1.1 Climate Action Committee Minutes - April 22, 2025

10.2.1.2 Climate Action Committee Meeting Minutes - May 27, 2025

10.2.2 Trees, Views and Landscapes Committee

10.2.2.1 Trees, Views and Landscapes Committee Meeting Minutes - February 12, 2025

10.3 Mayor and Council

10.3.1 Lions Bay Beach Park Wildlife Management Plan, Council-2025-005

Mayor Berry presented a report requesting that Staff prepare a plan to manage wildlife and water quality at the Lions Bay Beach to prevent beach closures due to high e Coli counts.

Chief Administrative Officer expressed concerns that the resolution to draft a management plan for both wildlife and water quality would put a strain on Village staff who are already at workload capacity and the plan itself would require significant budgetary commitments for the consulting with Biologist and Engineers (a Request for Proposal would also have to be created). Suggestion to begin with a scientific assessment, to first determine sources of contamination prior to investing in a management plan.

Council expressed concerns in general regarding the presence of geese at the beach, and the significant negative impact that they can have in a recreational area. Council would like to move forward with a plan to abide by the provincial protections provided for the geese while maintaining a safe and clean recreational facility.

Moved by: Councillor McLaughlin
Seconded by: Councillor Broughton

THAT Staff present Council with a draft plan of a *Beach Park Wildlife and Water Quality Management Plan* and recommendations by November 15, 2025, in preparation for the 2026 summer season.

Amendment:

Moved by: Councillor Broughton
Seconded by: Councillor McLaughlin

THAT Staff be directed to prepare a report for Council that sets out the options to ascertain the causes for e Coli closures of the Beach.

CARRIED

10.3.2 Open and Transparent Disclosure of Freedom of Information Requests, Council-2025-006

This item was struck from the agenda.

10.3.3 Bylaw 455, 2013 Garbage and Recycling Collection, Section 7 Revision Suggestions, Council-2025-007

Recommendations were presented by Councillor Abbott from the Bear Smart Committee to be added to Garbage and Recycling Bylaw No.455, 2013.

Discussion ensued regarding the time-sensitive nature of these amendment as bears will begin hyperphagia in September. The intent of bringing forth the recommendations is to have a revised Bylaw prepared for first, second, and third reading at the next Regular Council meeting.

CAO suggests that the clean bylaw be prepared for first, second, and third reading, by addressing the 6 points,

Moved by: Councillor Abbott
Seconded by: Councillor McLaughlin

THAT staff be directed to prepare draft amendments to Section 7 of *Garbage and Recycling Bylaw (No. 455, 2013)* for first, second, and third reading to the next regular Council Meeting to address the following considerations:

1. Waste and recycling receptacles must be placed for collection no more than 10 feet from the roadway in front of the householder's premises.
2. Receptacles must not be placed for collection earlier than the time specified in the area's collection schedule on the scheduled collection day.

3. All receptacles must be removed from the collection point no later than 8:00 p.m. on the same day as collection.
4. Clean, non-attractant recyclable materials may be placed curbside outside of the prescribed area collection schedule, provided they do not create a wildlife attractant and are not set out before 7:30 a.m.
5. For residents unable to meet the area collection schedule, the Village will provide for the drop-off of food waste and garbage at the Public Works Yard on the day of collection and on the following Saturday.
6. Where a resident is unable to comply with the area collection schedule and also unable to access the drop-off option, curbside placement of food waste and garbage may be permitted after 7:30 a.m. on collection day, provided the materials are stored in a Village-approved wildlife-resistant container (e.g., Rollins clip-lock style or other approved container) and a permit has been issued by the Village for such use.

CARRIED

Amendment:

Moved by: Councillor Cunliffe

THAT the Municipality consider assisting residents with a proven-hardship with the acquisition of bear-resistant garbage cans.

10.3.4 Council Calendar Meeting Change, Council-2025-002

Councillor McLaughlin presented a report suggesting that moving forward, for the remainder of the year that scheduled Committee of the Whole Meetings be replaced by Regular Meetings of Council to expedite decision making on Village matters.

Discussion ensued regarding the value of Committee of the Whole Meetings for dedicated discussion. Councillor Broughton proposed an amendment suggesting that the Committee of the Whole meetings remain, which was not seconded.

Moved by: Councillor McLaughlin

Seconded by: Councillor Broughton

THAT Council resolves that for the remainder of 2025, Committee of the Whole (CotW) meetings are cancelled and replaced by Regular Council (RMC) meetings.

CARRIED

Amendment:

Moved by: Councillor Broughton

THAT the CotW schedule be retained, with the addition of a RMC being added post-Cotw discussion should time allow.

10.3.5 Future Council Meeting Notices in the Village Update, Council-2025-001

Moved by: Councillor Broughton

Seconded by: Councillor McLaughlin

THAT Council Meeting notice be provided as follows:

NEXT REGULAR MEETING OF COUNCIL:

Regular Meeting of Council (CLOSED) – (Day of the week), (Month) (Date), 2025 at 6:00 pm.

Regular Council meeting (OPEN) begins at 7:00 pm.

CARRIED

10.3.6 Lions Bay Beach Park and Translink Grants, Council-2025-003

Councillor McLaughlin presented a report requesting detailed updates, including financial breakdowns of money spent and remaining for Village projects (Lions Bay Beach Park and Translink Connector) for which grants were received.

Discussion ensued regarding the value of more explicit information for Council and residents who are not well-informed on the projects. Some of Council would find a brief overview document helpful, others felt that an update provided at a meeting would be sufficient.

1

Moved by: Councillor McLaughlin

Seconded by: Councillor Cunliffe

THAT Council resolves that the CAO will provide a fulsome and detailed report to Council on the status of the Lions Bay Beach Park grant and the Translink grant at the next Regular Meeting of Council and;

THAT the grant report will outline in detail the history of each grant, work to-date, costs expended to-date and answer questions as to why any parts of the Lions Bay Beach Park grant may not be proceeded with. The report should also include complete financial information for each project, in addition to completion timeline and;

THAT after Council's review of the documents, the Lions Bay Beach Park grant and the Translink grant report will appear in the next regularly scheduled Village Update following the Regular Meeting of Council in which the report is presented.

Opposed (1): Councillor Broughton

CARRIED (4 to 1)

10.3.7 Request for Review of Previous Committee of the Whole Items, Council-2025-008

This item was struck from the agenda.

10.4 Emergency

- none

11. Resolutions

11.1 Noise Relaxation Request

Moved by: Councillor Broughton

Seconded by: Councillor Abbott

THAT Council grant an exemption to Noise Bylaw No. 283, 1998, to permit events with amplified sound between the hours of 8:00 am and 11:00 pm at Broughton Hall for the following dates: Sunday August 3, and November 15, 2025.

CARRIED

12. Bylaws

12.1 Fees Bylaw No. 497, 2016, Amending Bylaw No. 647, 2025

This item was deferred to the next regular meeting to include a staff report.

THAT Council grant first, second, and third reading to the Fees Bylaw No. 497, 2016, Amending Bylaw No. 647, 2025.

13. Correspondence

1) In response to the letter from the Canadian Association of Municipal Administrators, Council acknowledge and thanked Chief Administrative Officer Ross Blackwell for his 10 years of service in municipal government. Council suggested a photo be taken with CAO Blackwell and his 10-year pin for the Village Update.

2) An on-table item *Sea to Sky MP Weiler and MLA Valeriote see opportunity in CN Rail announcement* from MLA Valeriote and MP Weiler dated July 16, 2025.

Moved by: Councillor Broughton
Seconded by: Councillor Cunliffe

THAT Council support MLA Jeremy Valeriote and MP Patrick Weiler in "build(ing) a business case, secure(ing) support from all levels of government, and make(ing) an offer to acquire the lease, via an operating entity passenger rail transit in the Sea to Sky corridor."

CARRIED

13.1 Resolution in Support of Rail Safety Week

Moved by: Councillor Broughton
Seconded by: Councillor Cunliffe

WHEREAS Rail Safety Week is to be held across Canada from September 15 to 21, 2025;

WHEREAS, 261 railway crossing and trespassing incidents occurred in Canada in 2024; resulting in 68 avoidable fatalities and 58 avoidable serious injuries;

WHEREAS, educating and informing the public about rail safety (reminding the public that railway rights-of-way are private property, enhancing public awareness of the dangers associated with highway rail grade crossings, ensuring pedestrians and motorists are looking and listening while near railways, and obeying established traffic laws) will reduce the number of avoidable fatalities and injuries cause by incidents involving trains and citizens; and

WHEREAS Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, indigenous communities, police services, media and others to raise rail safety awareness;

WHEREAS CN and Operation Lifesaver have requested City Council adopt this resolution in support of its ongoing efforts to raise awareness, save lives and prevent injuries in communities, including our municipality;

It is hereby RESOLVED to support national Rail Safety Week to be held from September 15 to 21, 2025.

CARRIED

14. New Business

14.1 Communication Protocols

This item was struck from the agenda.

15. Public Questions and Comments

- none

16. Adjournment

Moved by: Councillor Abbott

Seconded by: Councillor Cunliffe

THAT Council recess to the Closed session.

Council returned to the Closed Session at 9:04 pm.

CARRIED

Moved by: Councillor Cunliffe

Seconded by: Councillor Abbott

THAT the Regular Meeting of Council of July 22, 2025, be adjourned.

The meeting concluded at 9:50 PM.

CARRIED

Mayor

Corporate Officer

Date Adopted by Council:

VILLAGE OF LIONS BAY FOLLOW-UP ACTION ITEM LIST

ACTION NO.	DATE	ITEM/ACTION/DESCRIPTION	PERSON	STATUS
297	Sept 19, 2023	CAO to complete a cost-benefit analysis on document storage options	CAO	Ongoing
310	Nov 7, 2023	CAO to rescope connector project and bring back to Council	CAO/Public Works	Ongoing
311	Nov 7, 2023	Proceed with wayfinding signage project subject to community input		Deferred
315	Feb 20, 2024	Firefighting Reserve Water Policy referred to Infrastructure Committee	DO	In Draft
316	Feb 20, 2024	Water Shortage Policy	DO	In Draft
321	June 18, 2024	Staff to investigate whether the Village of Lions Bay can apply for grants and funding as a small community. Also follow up with MLA Jeremy V. who expressed support.	CAO & Councillor Abbott	Complete
328	December 3, 2024	Provide council with a working document of council duties (tasks, responsibilities and status).	CAO	Ongoing
339	May 6, 2025	Proposed Lions Bay trail race event for 2026 referred to staff and search and rescue	DOO & LBSAR	Ongoing
341	May 20, 2025	Through the LGLMA Conference, Council was advised that Lidstone & Co. offers bylaw updating via their articling students and templates (cost effective). Staff to source quotes.	CAO	Ongoing
344	May 20, 2025	Question from correspondence surrounding paid parking zones in the Village. CAO to follow up with BEO.	CAO & BEO	Ongoing
350	June 17, 2025	That the next council agenda include a discussion on budget and an interim plan while the fire chief and emergency program coordinator and emergency support services director positions are vacant.	DCO for CotW agenda	Complete
352	July 22, 2025	Staff to source other fuel suppliers to see if they can satisfy the CAC recommendations regarding renewable diesel.	DOO	Complete
353	July 22, 2025	That an Emergency Program Committee meeting be called as soon as possible.	ESS Coord. EPC Dir. & CAO	Complete
354	July 22, 2025	Staff to investigate and elaborate on the \$56k in funding from Translink	CAO	Ongoing

STAFF REPORT

DATE: 2025-08-25 **FILE:** CAO-2025-014
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **DVP 25-01**

[Click or tap here to enter text.](#)

PURPOSE:

The purpose of this report is to present Council with an application for a Development Variance Permit (DVP) for the property located at 405 Bayview Road. The Applicant is requesting relief from Section 7.5.1 and 7.10.2 of *Zoning and Development Bylaw No. 520, 2017* to allow the construction of a new accessory structure (garage with home office above) that encroaches into the required front yard setback and exceeds the maximum permitted height for accessory buildings.

OWNER: David & Christina Lee

LOCATION: 405 Bayview Road

LEGAL DESCRIPTION: Lot 1, Block 10, District Lot 1575, Plan 13432 (PID: 008-644-268)

ZONING: RS-1 (Residential - Single Detached)

BACKGROUND:

It is important to distinguish between a standard municipal Development Variance Permit (DVP) process (section 498 of the *LGA*) and the Board of Variance (BOV) process (section 542 of the *LGA*), as they are separate and distinct mechanisms established under the *Local Government Act*.

The DVP process is a discretionary tool of Council that allows for variances to *Zoning Bylaw* regulations where it is considered reasonable and consistent with broader land use policy. It is typically applied in situations where design flexibility is sought, often to enable site development that aligns with the Official Community Plan, while still respecting the general intent of the *Zoning Bylaw*. The DVP process is policy-driven, subject to Council consideration, and involves public notification to ensure transparency.

By contrast, the Board of Variance operates as a quasi-judicial, independent body with very limited jurisdiction. Its role is confined to considering minor variances to relieve undue hardship caused by site-specific physical constraints, provided that the variance does not contravene the intent of the *Zoning Bylaw*, the Official Community Plan, or applicable

policies. The BOV is not a substitute for Council's discretionary authority and cannot approve variances where broader policy issues or development impacts are at play.

In the case of 405 Bayview Road, the application involves considerations beyond the narrow scope of "hardship relief" intended for the Board of Variance. The requested changes engage broader land use policy and discretionary evaluation, which makes the Development Variance Permit process the appropriate and legally appropriate avenue for review and decision. This ensures the application is assessed in its full planning and policy context, with Council exercising its authority and the community provided with proper notice and opportunity for input.

Variance

The subject property is an established single-family residential lot located on the uphill (north) side of Bayview Road, characterized by sloping topography. The owners are proposing to construct a two-level accessory building to provide enclosed garage parking with a home office space above. The accessory structure is proposed to be located within the front yard, closer to the street than the principal dwelling, due to the physical constraints of the site.

A DVP is required as the proposed structure:

- Encroaches into the required front yard setback by 0.8 metres (from 7.5 m to 6.7 m), and
- Exceeds the permitted height for an accessory structure by 2.6 metres (from 3.65 m to 6.25 m).

The site plan, elevations, and a letter of rationale from the applicant are attached to this report.

All public notification requirements have been met.

DISCUSSION:

Rationale for Variance

The applicant has indicated that the variance is necessary to accommodate the sloping nature of the lot, which limits functional access and use of the rear yard. The garage structure is intended to reduce on-street parking demand and provide secure, weather-protected storage and workspace. The home office above the garage will enable work-from-home flexibility without requiring changes to the principal dwelling.

Front Yard Setback

While the proposed encroachment into the front yard setback is minor (0.8m), staff have reviewed the impact on adjacent properties and note that the streetscape along this portion

of Bayview Road includes other structures with similar front yard encroachments due to topographic constraints. The encroachment does not impede sightlines or access and maintains reasonable separation from the roadway.

Height Variance

The proposed height of 6.25m exceeds the allowable accessory building height by 2.6m. The additional height is required to accommodate the second-storey office space. The design incorporates a pitched roof with West Coast architectural features. The structure will be visually subordinate to the principal dwelling and will not create significant shadowing or overlook issues for adjacent neighbours. No habitable space is proposed above the height limit of the principal dwelling.

Impacts and Mitigation

Given the constrained site conditions and the positioning of the house at a higher elevation than the proposed accessory structure, the variance is not expected to materially impact neighbouring properties. Council could consider requiring visual screening or landscaping to reduce visual impacts from the street and enhance neighbourhood fit.

In this case, the proposed front-yard setback reduction is minor and does not interfere with parking functionality, given the side-access garage and additionally, it maintains compatibility with surrounding properties and does not significantly alter the streetscape. Given the modest nature of the request and the lack of significant adverse impacts on the surrounding area, the proposed variance is considered reasonable and supportable from a planning perspective.

OPTIONS:

(1) **THAT** Development Variance Permit No. DVP-25-01 be approved for the property located at 405 Bayview Road (*Lot 1, Block 10, DL 1575, Plan 13432*) to vary the following sections of *Zoning and Development Bylaw No. 520, 2017*:

- a) Section 7.5.1: to reduce the minimum front yard setback from 7.5 metres to 6.7 metres, and
- b) Section 7.10.2: to increase the maximum permitted height of an accessory building from 3.65 metres to 6.25 metres,

Subject to the following condition(s):

- a) That the accessory structure be constructed in substantial accordance with the drawings attached to this report.
- b) That landscaping or visual screening be installed along the front yard to mitigate visual impacts.

- (2) Approve Development Variance Permit 25-01 with Conditions (e.g., requiring landscaping, screening, design modifications)
- (3) Deny the Development Variance Permit 25-01
- (4) Defer consideration of Development Variance Permit 25-01 and request additional information.

RECOMMENDATION:

Based on the analysis provided, it is recommended that Council approve the requested variance to reduce the front-yard setback from 7.5 metres to 5.8 metres and increase the maximum permitted height of an accessory building from 3.65 metres to 6.25 metres as it meets the intent of the *Zoning Bylaw* and maintains the character of the surrounding neighborhood. The proposed variance is minor in nature, does not negatively impact adjacent properties or streetscape aesthetics, and remains consistent with sound planning principles. Approval of this variance will allow the property owner to enhance the usability of their site without compromising community planning objectives.

FINANCIAL CONSIDERATIONS:

There are no anticipated financial impacts to the Village resulting from this application. All costs associated with construction, permitting, and notification is the responsibility of the applicant.

LEGAL CONSIDERATIONS:

This application has been processed in accordance with the statutory requirements of the *Local Government Act*. Council is empowered to issue a Development Variance Permit under Section 498, provided that public notice has been given and Council has considered any public input. Approval of the DVP does not relieve the applicant from the obligation to comply with other applicable municipal bylaws or obtain a Building Permit.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Ross Blackwell".

Ross Blackwell, CAO
Chief Administrative Officer



Attachments:

- (1) Sketch Plans
- (2) Applicant Rationale

David & Christina Lee
405 Bayview Road, PO Box 129,
Lions Bay BC, V0N 2E0

May 19, 2025

Attention: Mr. Ross Blackwell, CAO
Village of Lions Bay
400 Centre Road Lions Bay, PO Box 141,
British Columbia V0N 2E0
Re: 405 Bayview Road | Garage/Studio Office Development Variance Permit Application

Dear Mr. Blackwell

Please find attached our Development Variance Permit Drawing Package for a proposed Garage/Studio Office for your review and consideration. While this application requests a variance mainly for building height to support an Art Studio and Home Office space, the long term intent is to prepare our property for the ability to provide additional housing for the community as mandated by the province.

The current zoning of the above noted property is RS-1. The proposed design calls for a 24' deep x 22' wide garage (accessory building) with studio/office space above. Our property characteristics suggest that the introduction of the 2-storey accessory building would not impact any neighbouring views (the front yard road is as high as the proposed roof height), and the site is generally flat making for ease of access and construction.

Impacts to neighbouring properties is minimal as only the adjacent property should be concerned with this development. The potential 2-storey accessory building would be outside of the side yard setback, and the front plane of the building sits behind the face of the neighbouring principal residence.

Within the application drawings, the design requires a small triangular variance of approximately 9sf of the front yard setback, and the second level roof height of 20'-6", requires a height variance of 5'-10", as accessory buildings are limited to a height of 14'-8" (4.5m). The front yard setback variance is a result of the location of the existing septic system and retaining wall, limiting the placement of the garage footprint.

Future Consideration and Official Community Plan Compliance

As noted earlier, we are considering future possibilities in providing an external secondary suite or coach house. While not currently permitted in the Village's **Zoning and Development Bylaw No. 520, 2017**, we are proactively preparing for their approval. Given the high cost to construct

in Lions Bay, there are efficiencies in building the structure now, rather than add on at a later date, which reduces overall cost as well as unnecessary construction material waste. In light of the Village's approved OCP, and a requirement to be in compliance with, we have outlined some considerations for future coach house approvals.

The **Village of Lions Bay Official Community Plan Designation Bylaw 408, 2008**, as amended suggests the Village over the next 20 years should likely increase density in a natural way. The following sections support this development application as well as managed density increases.

- Section 2.1e) *"should however land become available for new housing development, then population may increase as well."* Our site is perfectly suited for the addition of an accessory building containing a secondary suite.
- Section 4.3 speaks to *"single family neighbourhoods, and the affordability of its lifestyles"*, and this application provides one additional affordable suite, and supports *"opportunities for providing different housing forms for those at different stages of their life will be considered, within the context of compatibility with the character of the Village"*.
- Section 4.3 a) and b) speak to secondary suites and new housing opportunities, such as converting single family dwellings into duplexes - this is a similar type of opportunity.
- Section 5.2 addresses secondary suites, where we could provide this within our home. We choose not to have a secondary suite within the principal residence but are prepared to invest in supplying the secondary suite in a separate accessory building, providing privacy and a sense of ownership.
- Section 6 Regional Context Statement lists the Village's municipality owned assets, including the Katt building, *"which houses Lions Bay Fire & Rescue Hall, a BC Ambulance Station, and Lions Bay Search and Rescue."* The village nurtures strong and reputable training programs that are always in need of housing for first responders. Our property located only steps to the fire hall, would present an excellent opportunity to provide fire and rescue recruit rental housing.
- Section 6 Regional Context Statement: Goal 1, Strategy 1.1: support in providing a range of housing choices, to increase the tax base and produce a more complete community. There is limited undeveloped land within the Village boundary, therefore by providing the opportunity on our existing site, we are increasing density in a small and manageable way.
- Section 6 Regional Context Statement: Goal 4, Strategy 4.1: providing diverse and affordable housing choices is more relevant today than when our OCP was updated. *"Policies 4.3a and 4.3b of the current OCP speak to providing for secondary suites and*

exploring limited opportunities for development to increase housing options". Again, this is a perfect opportunity to explore housing supply options.

- Section 9 Greenhouse Gas Emission Reduction: 9.1 Targets: *"11% Reduction assuming oil heat users convert to an alternative renewable energy source and new buildings are constructed with greater energy efficiency."* Our home was recently renovated (2019) to higher levels of energy efficiency and uses 100% electric heat. This strategy would be continued in the construction of the accessory building.

As this application moves through the review process, and pending potential approval, we will continue to advance the design and engineering required to execute the project. This would include a Geotechnical Report, completed Neighbour Comment Form from residents within 100m of our property considering the siting and view analysis of the 2 storey structure, full engineering as required, and completion of the construction drawings ready for building permit application.

While we have already had a brief project introductory meeting, please advise of our next steps in moving this application forward.

Respectfully,

A handwritten signature in black ink, appearing to be 'DL' followed by a long horizontal stroke.

David and Christina Lee





bennett

LAND SURVEYING LTD
22371 St. Anne Avenue, Maple Ridge, BC
Phone: 604-463-2509 Fax: 604-463-4501

Client:

Lee, David

Project:

405 Bayview Rd,
Lions Bay, BC

PID:

008-644-268

Drawing Title:

Topographic Survey
Plan of Lot 1,
Block 10, DL 1575,
Plan 13432

Certified Correct
This 9th Day Of July, 2024



Mike Bernemann, BCLS

Legend:

- | | |
|--|---|
| | Survey Control Monument |
| | Tree (Tied At Point Of Entry Into The Ground) |
| | Ground Elevation |
| | Catch Basin |
| | Ditch (Swale) |
| | Edge Of Asphalt |
| | Fire Hydrant |
| | Guy Wire |
| | Inspection Chamber |
| | Lawn Drain |
| | Lamp Standard |
| | Manhole |
| | Power Pole |
| | Power Pole With Light |
| | Water Valve |
| | Sign |
| | Gas Valve |
| | Gas Meter |
| | Water Meter |
| | Junction Box |

Scale: 1" = 8'

Date: July 9th, 2024

File: 151177TQPO

NEEDED:

- GEOTECHNICAL REPORT
- STRUCTURAL ENGINEER

C

Benchmark Notes:

ELEVATIONS ARE TO AN ASSUMED DATUM.
NAIL ON BAYVIEW ROAD = 195.95 FEET.

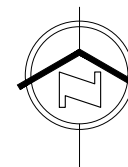
*This lot is Subject To The Following
Non-financial Charges and Interests*
496288M RESTRICTIVE COVENANT

Property:

Property dimensions shown are derived from Plan 13432 and may change with current legal survey
Offsets to property lines are not to be used to define boundaries.
Refer to current certificate(s) of title for additional, existing or pending charges.

General:

This plan shows the location of visible features only, and does not indicate buried services that may exist on or around the subject site. Features shown without dimensions should be confirmed with Bennett Land Surveying Ltd. Building location based on survey ties to visible exterior surfaces unless otherwise noted. Trees species and dimensions should be confirmed by qualified arborist, shaded area is not an indication of drip line location unless specifically labeled. The location of Trees and Hedges shown is not an indication of ownership. A more detailed survey of the trunk location would be required to confirm exact location with reference to property lines.



CLIENT

DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC

GARAGE/STUDIO

DRAWING NAME

EXISTING SURVEY PLAN

PROJ. NO.

N/A

SCALE

$$1'' = 20'-0''$$

ISSUED FOR DVP REVIEW

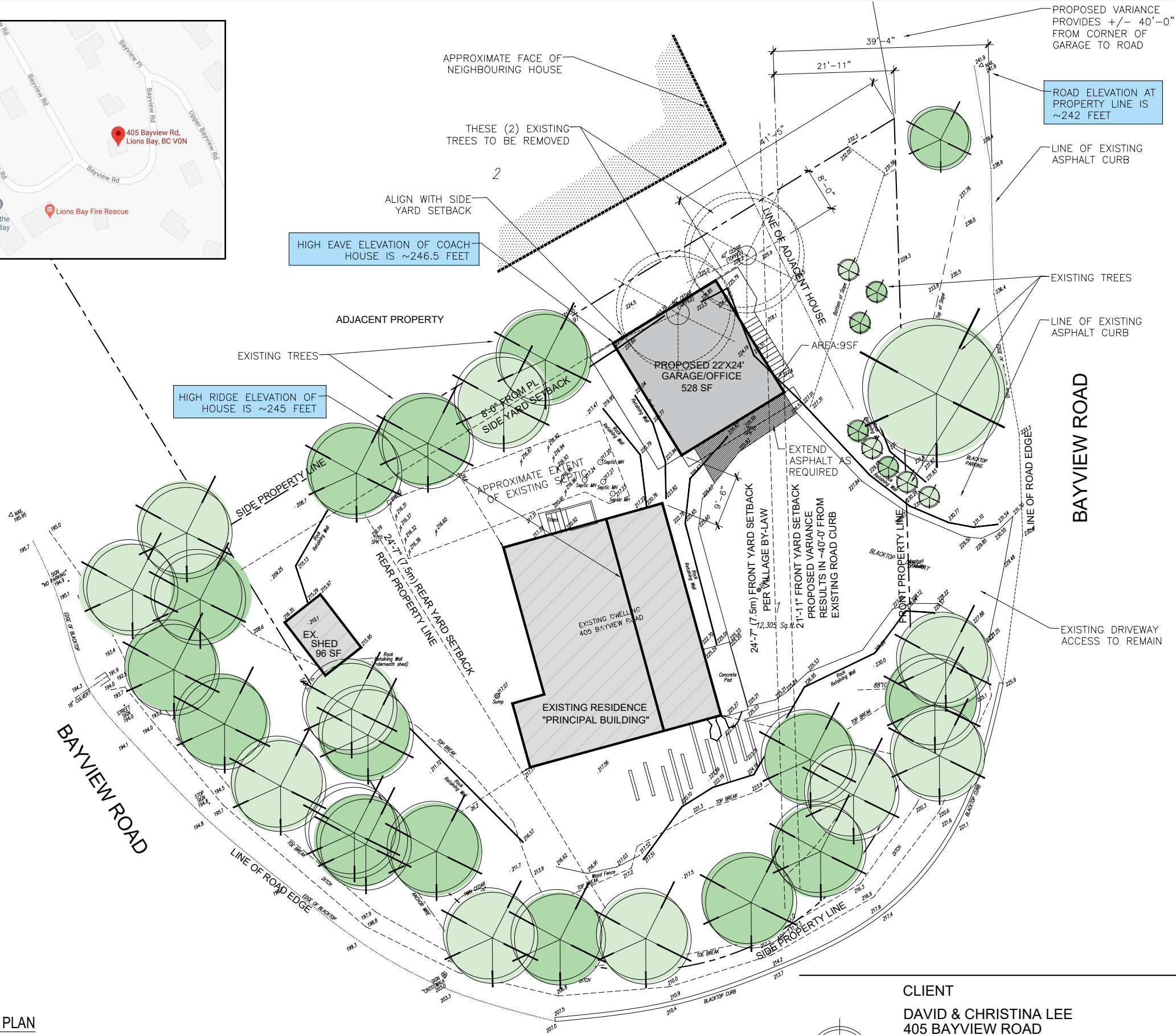
REV. DATE	May 17, 2025
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DATE	DEC 2, 2024
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A01

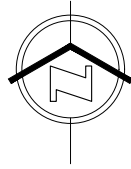


1 VICINITY PLAN
A02 SCALE: N.T.S.



2 PROPOSED SITE PLAN
A02 SCALE: 1"=20'-0"

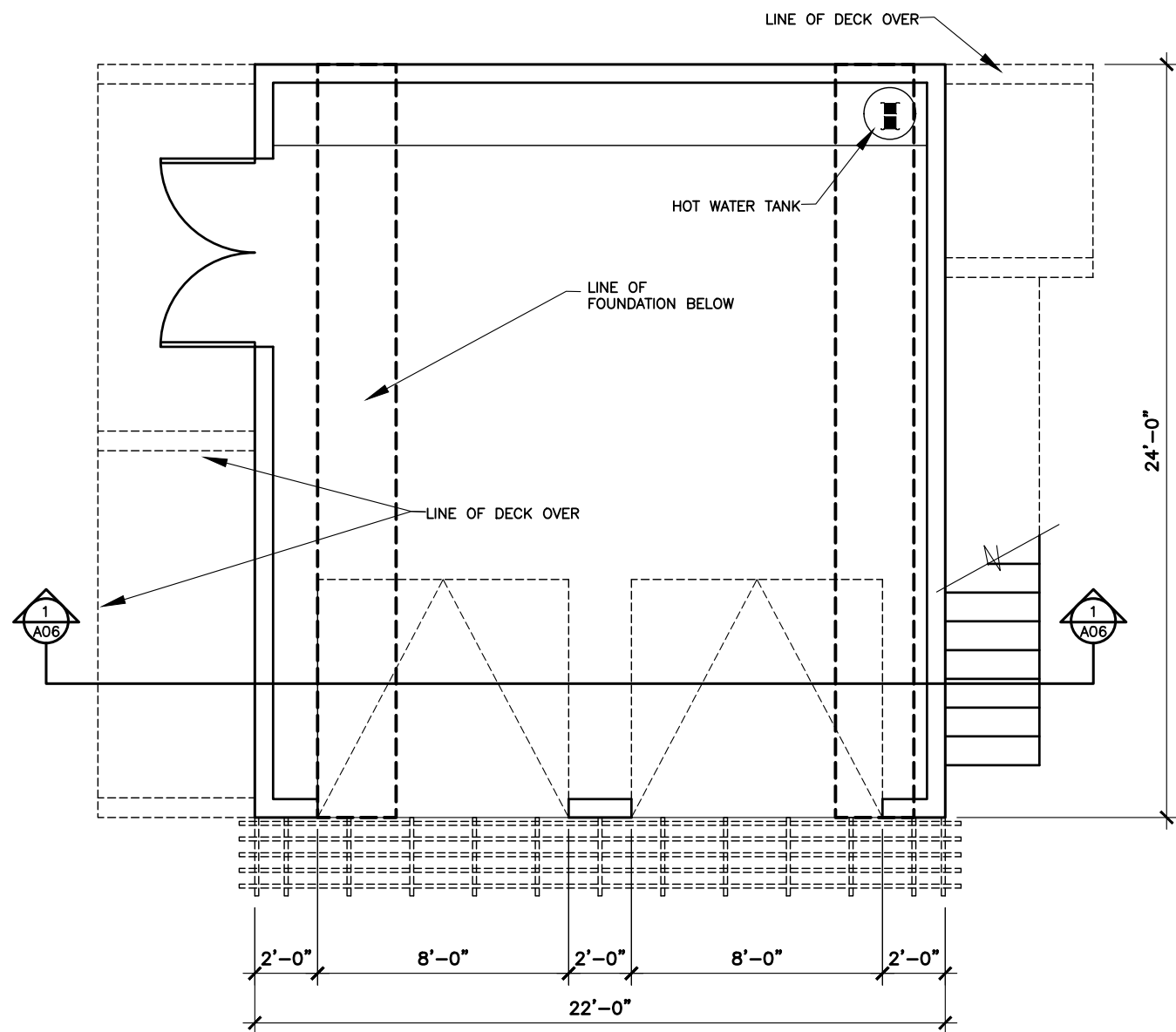
SITE STATISTICS		
EXISTING SITE AREA:	12,305 SF	
EXISTING RESIDENCE GROSS FLOOR AREA:	1284 SF 1284 SF 661 SF 3,229 SF	MAIN FLOOR BASEMENT UPPER FLOOR TOTAL
EXISTING FLOOR AREA RATIO:	26.2%	
EXISTING PARCEL COVERAGE:	1284 SF (10.4%)	
PROPOSED FUTURE GARAGE AND OFFICE/STUDIO AREA:	528 SF GARAGE 528 SF OFFICE/STUDIO	
PROPOSED FUTURE TOTAL GROSS FLOOR AREA:	4285 SF	
PROPOSED FUTURE FLOOR AREA RATIO:	34.8% (MAX 35%)	
PROPOSED FUTURE PARCEL COVERAGE:	1,812 SF (14.7%)	
PROPOSED ACCESSORY BUILDING HEIGHT	20'–6" (5'–10" VARIANCE) 6.25m (2.6m FLAT ROOF VARIANCE)	
PROPOSED ACCESSORY FRONT YARD SETBACK	21'–11" (2'–8" VARIANCE) 6.68m (0.82m VARIANCE)	
PROPOSED ACCESSORY SIDE YARD SETBACK	8'–0"	
VARIANCES REQUESTED: RELAX FRONT YARD SETBACK FROM 24'–7" TO 21'–11" (A VARIANCE OF 2'–8"). THIS REQUEST IS DUE TO THE PREVIOUS OWNER LOCATING THE NEW SEPTIC SYSTEM AT THE BASE OF AN EXISTING RETAINING WALL, LIMITING THE POSITIONING OF THE GARAGE. NEIGHBOURS' VIEWS ARE NOT IMPACTED BY MOVING THE CORNER OF THE BUILDING 2'–8" CLOSER TO THE ROAD, AND THE BUILDING STILL SITS WELL BEHIND THE FACE OF THE ADJACENT NEIGHBOURING RESIDENCE. THE HEIGHT VARIANCE IS REQUESTED IN ORDER TO FACILITATE A SECOND STOREY, PROVIDING OFFICE/STUDIO/STORAGE SPACE AND SUPPORT FUTURE MUNICIPAL AND PROVINCIAL HOUSING MANDATES AND STRATEGIES (IN ALIGNMENT WITH THE OFFICIAL COMMUNITY PLAN ENCOURAGING DIFFERENT HOUSING FORMS).		



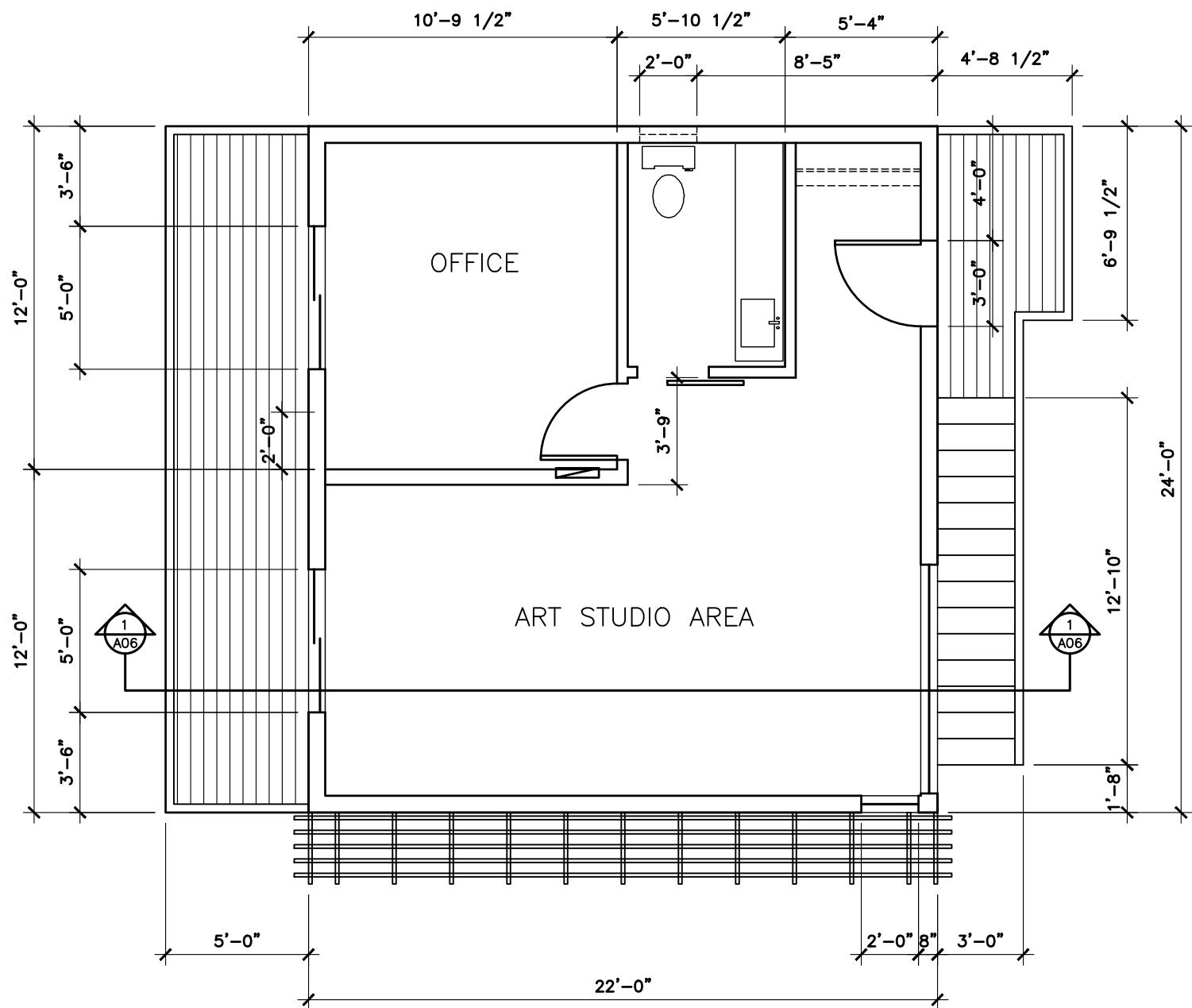
CLIENT
DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC
GARAGE/STUDIO
DRAWING NAME
PROPOSED SITE PLAN

PROJ. NO.
N/A
SCALE
1" = 20'-0"

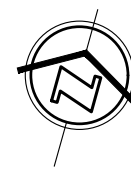
ISSUED FOR DVP REVIEW
REV. DATE May 17, 2025
DATE DEC 2, 2024
A02



1 MAIN FLOOR PLAN
A03 SCALE: 1/4"=1'-0"



2 UPPER FLOOR PLAN
A03 SCALE: 1/4"=1'-0"

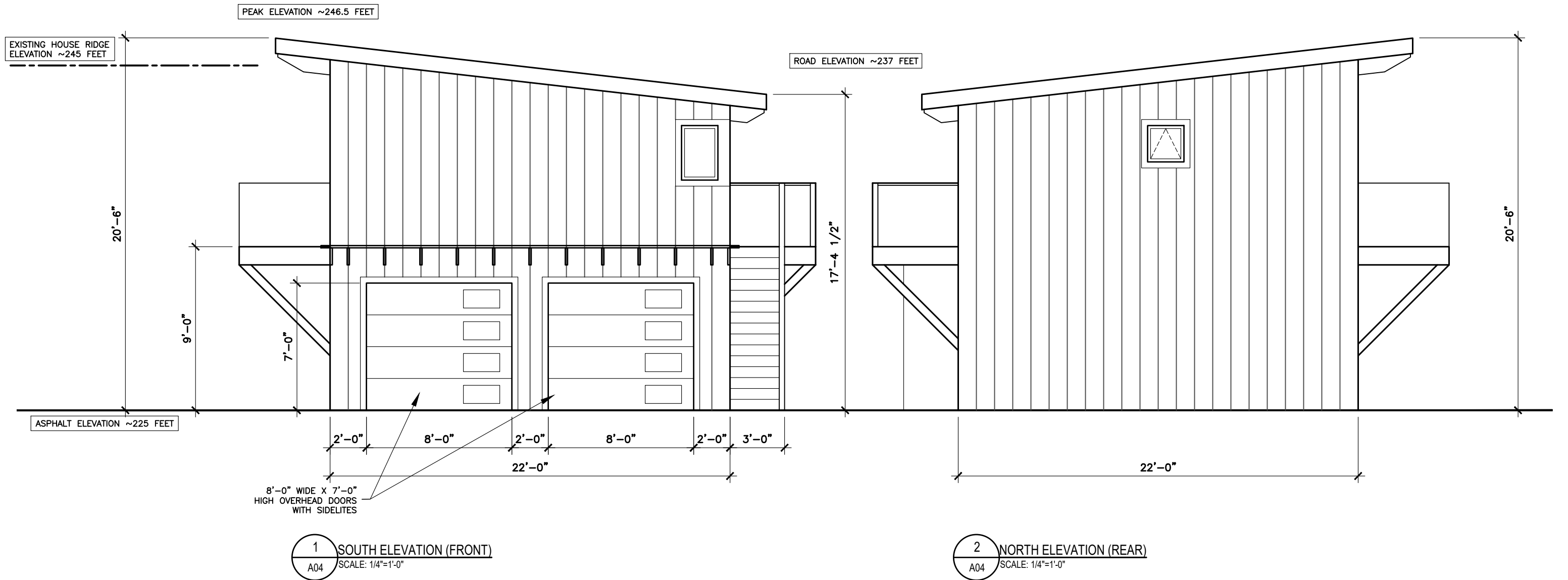


CLIENT
DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC
GARAGE/STUDIO
DRAWING NAME
LARGE SCALE PLANS

PROJ. NO.
N/A
SCALE
1/4" = 1'-0"

ISSUED FOR DVP REVIEW
REV. DATE May 17, 2025
DATE DEC 2, 2024

A03



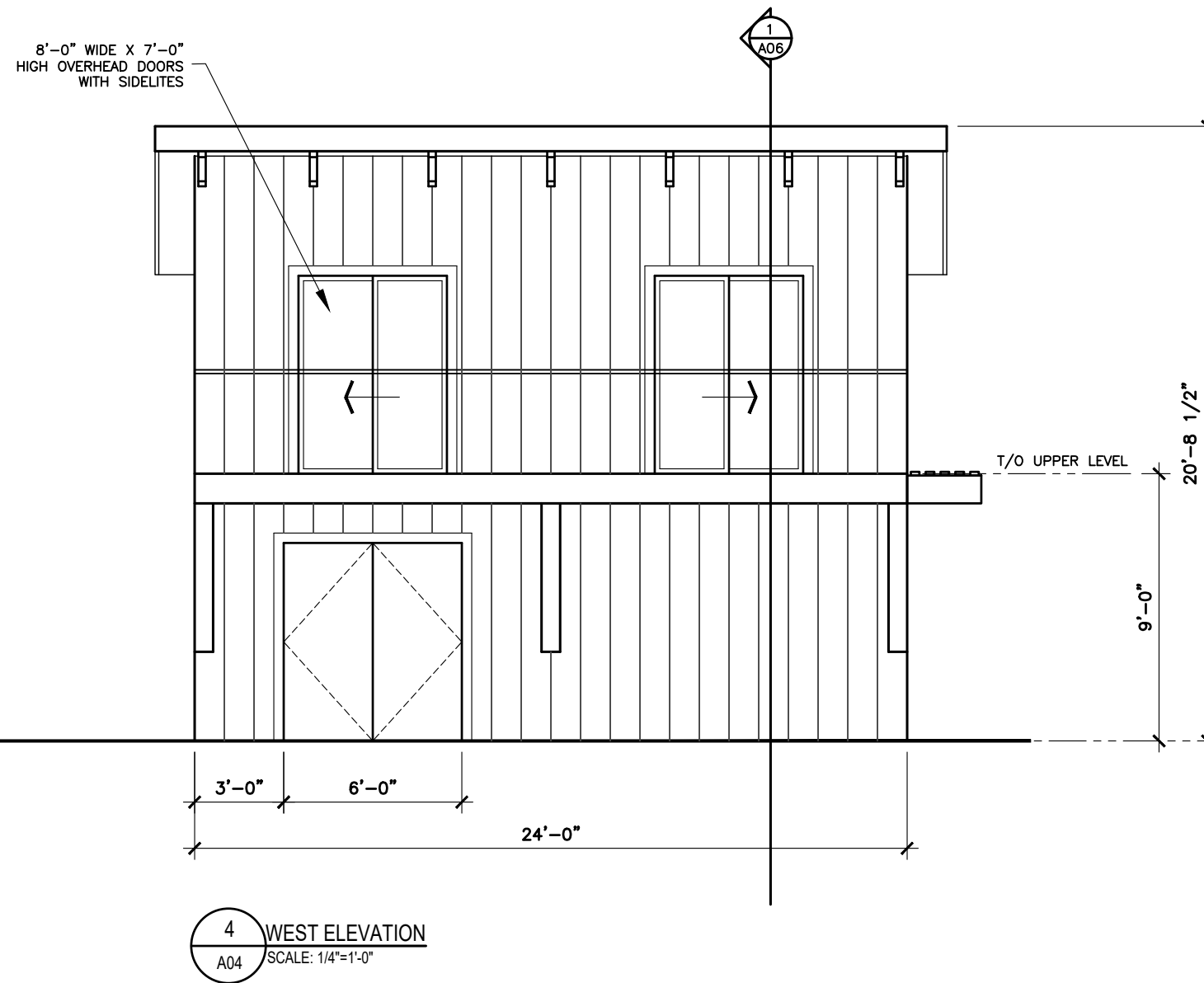
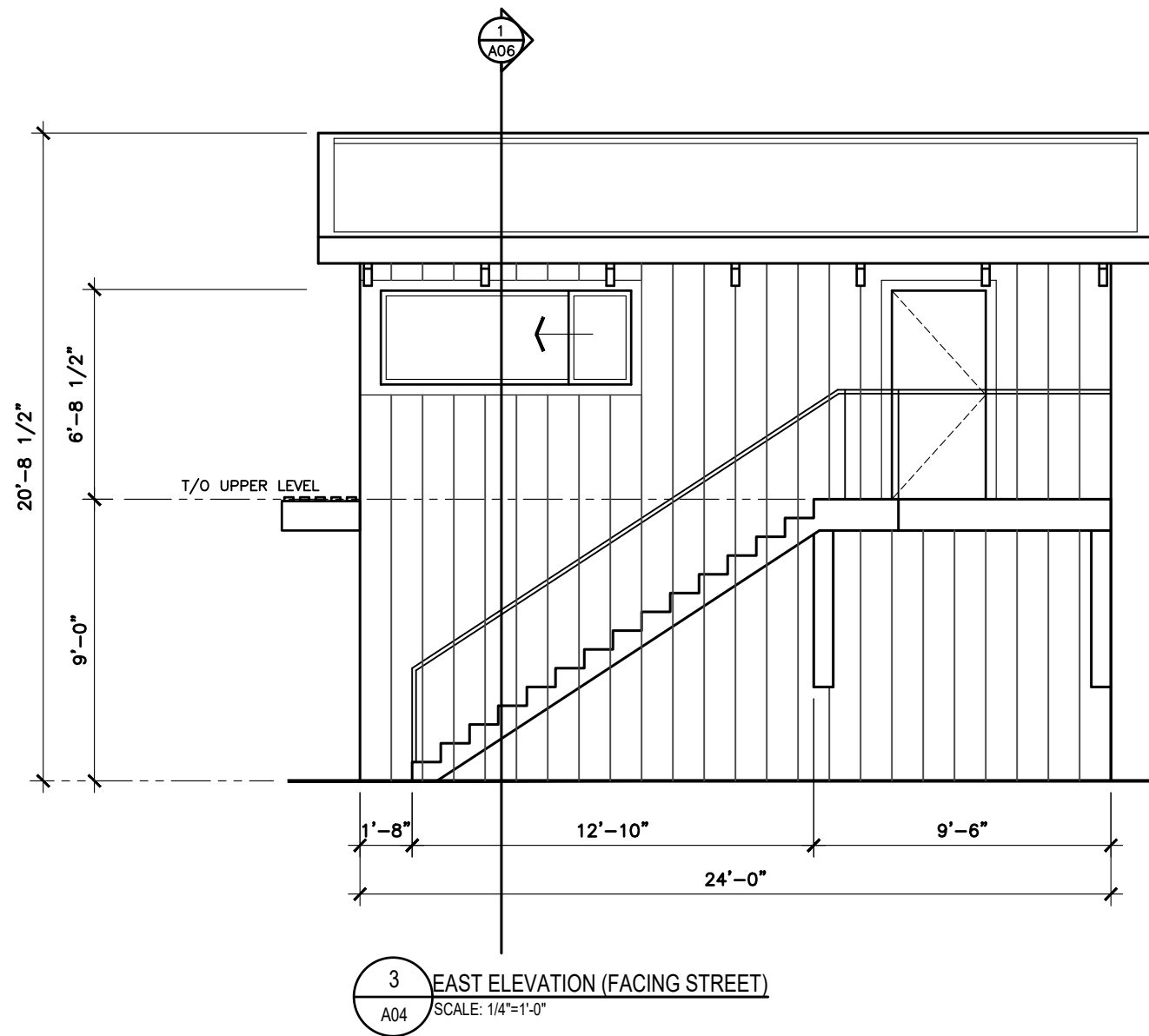
CLIENT
DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC
GARAGE/STUDIO
DRAWING NAME
ELEVATIONS

PROJ. NO.
N/A
SCALE
1/4" = 1'-0"

ISSUED FOR DVP REVIEW
REV. DATE May 17, 2025

DATE DEC 2, 2024

A04

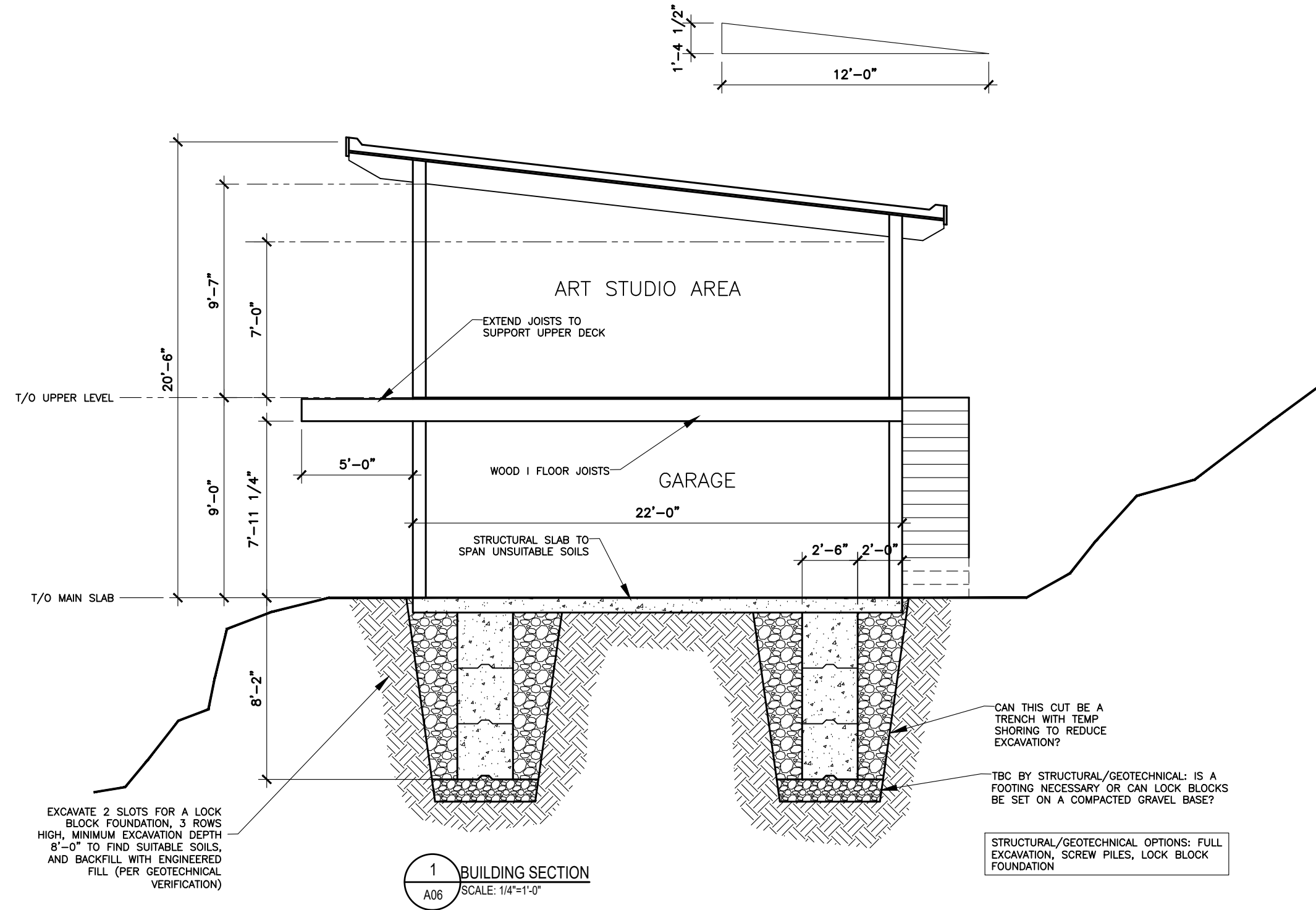


CLIENT
DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC
GARAGE/STUDIO
DRAWING NAME
ELEVATIONS

PROJ. NO.
N/A
SCALE
1/4" = 1'-0"

ISSUED FOR DVP REVIEW
REV. DATE May 17, 2025
DATE DEC 2, 2024

A05



CLIENT
DAVID & CHRISTINA LEE
405 BAYVIEW ROAD
LIONS BAY, BC

GARAGE/STUDIO
DRAWING NAME
BUILDING SECTIONS

PROJ. NO.
N/A
SCALE
1/4" = 1'-0"

ISSUED FOR DVP REVIEW
REV. DATE May 17, 2025

DATE DEC 2, 2024

A06

STAFF REPORT

DATE: 2025-07-25 **FILE:** PW-2025-006

TO: Ross Blackwell, MAP, MCIP, RPP, CAO

FROM: Karl Buhr, DOO

RE: SNOW AND ICE POLICY ON MUNICIPAL LANDS

[Click or tap here to enter text.](#)

PURPOSE

To provide Council with a comprehensive overview of legal, financial, and operational risk management considerations related to snow and ice control on municipal lands, and to recommend adoption of a formal Snow and Ice Management Policy to protect the Village from liability while promoting public safety.

BACKGROUND:

Municipalities are responsible for maintaining roads, sidewalks, and public spaces in a reasonably safe condition. Snow and ice accumulation present significant risks, including slip and fall incidents, motor vehicle accidents, and impaired emergency access. Adverse events resulting from inadequate winter maintenance can expose municipalities to legal liability.

Other high-risk municipal operations include sidewalk maintenance, tree management, and maintenance of play equipment. In each case, the adoption of formal, Council-approved policies provides legal protection and guidance for operational decision-making.

The Municipal Insurance Association of British Columbia (MIABC) recommends that municipalities implement clearly defined, Council-approved policies to establish levels of service and resource allocation decisions, thereby enabling access to policy defence in the event of litigation.

DISCUSSION:

Legal Context and Policy Defence

British Columbia courts recognize that municipalities must balance competing demands and allocate limited resources. Under the principle of policy defence, a municipality is not liable for damages arising from core policy decisions made in good faith by elected officials or senior administrators. These may include decisions regarding service levels, budget allocations, and operational priorities.

To invoke policy defence successfully, municipalities must:

1. Adopt a formal policy approved by Council;
2. Demonstrate that the policy reflects reasoned consideration of financial, operational, and public interest factors;
3. Implement the policy in good faith, even if not perfectly executed.

Without such policies, municipalities are at increased risk of liability for injuries or damages related to snow and ice.

Risk Management and Operationalization

The Village faces specific challenges, including steep terrain, limited access routes, and a constrained budget and staffing level. The Snow and Ice Management Policy establishes a risk-based, prioritized approach to winter maintenance operations. Key features of the policy include:

- Defined priority routes for snow and ice control;
- Criteria for initiating plowing and sanding/salting operations;
- Operational procedures tailored to staffing and equipment capacity;
- Clear delineation of public responsibilities (e.g., sidewalk clearing by adjacent property owners);
- Commitment to documentation of conditions and actions taken.

The policy does not guarantee bare pavement but provides reasonable, risk-informed standards that the Village can achieve with available resources.

FINANCIAL CONSIDERATIONS:

Snow and ice management activities are funded through the Village's annual operating budget. The adoption of the Snow and Ice Management Policy does not impose new or additional financial obligations but provides a framework for allocating existing resources more effectively.

Extreme weather events may necessitate supplemental funding, which would require Council approval. Future budgets should continue to reflect the Village's risk management priorities.

LEGAL CONSIDERATIONS:

Adopting the attached Snow and Ice Management Policy will achieve a number of objectives including:

- Support the legal position in defending against potential liability claims;
- Align with MIABC best practices;
- Demonstrate due diligence and responsible governance;
- Provide clarity to staff, residents, and external contractors regarding service levels and responsibilities.

Failure to adopt a policy may expose the Village to avoidable legal risks.

OPTIONS:

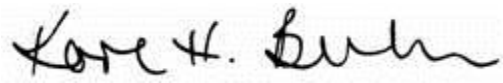
Council may consider the following options:

1. Approve the Snow and Ice Management Policy (Recommended)
2. Request Revisions to the Draft Policy
3. Take No Action

RECOMMENDED OPTION:

THAT Council approve the Snow and Ice Management Policy as attached to this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Karl H. Buhr".

Karl Buhr, DOO

Report Approved By,

A handwritten signature in black ink, appearing to be a stylized "R" followed by a horizontal line.

Ross Blackwell, CAO

Attachments:

- 1) Draft Snow and Ice Management Policy (Schedule A)

POLICY NO.	POL-2502	DEPARTMENT	Public Works
TITLE	Village of Lions Bay Snow and Ice Policy		
DATE ADOPTED	XXXX		
DATE AMENDED	XXXX		

1.0 PURPOSE

This policy establishes standards for the management of snow and ice in the Village of Lions Bay to promote public safety and minimize municipal liability in accordance with legal obligations and consistent with risk management guidelines provided by the Municipal Insurance Association of British Columbia (MIABC).

Municipalities have a duty of care to maintain roads and sidewalks in a reasonably safe condition for public use. Adopting a snow and ice management policy establishes management principles for the prioritization of resources towards areas with the highest potential risk to public safety. Snow and ice accumulation on roads, sidewalks, and public spaces can lead to slips, falls, motor vehicle accidents and delays to emergency services. Accordingly, the Village will apply the following guiding principles:

- 1) Focus on high-traffic areas, emergency access routes, and known problem areas.
- 2) Apply proactive monitoring and timely response within reasonable resource constraints
- 3) Maintain clear documentation of actions taken, including weather conditions, staff deployment and materials used.

2.0 SCOPE

This policy applies to all public roads, sidewalks, pathways, parking areas and other municipally owned or maintained infrastructure subject to snow and ice accumulation. This policy does not apply to:

- i) Provincial highways and interchanges maintained by the Ministry of Transportation and Transit and its contractors.
- ii) Private roads, driveways and other non-municipal lands.

3.0 SNOW AND ICE MANAGEMENT STANDARDS

3.1 Levels of Service

Prioritization of resources will be directed to areas with the highest potential risk to public safety. Snow and ice accumulation on roads, sidewalks, and public spaces can lead to slips, falls, motor vehicle accidents, and delays to emergency services. Accordingly, the Village will apply the following guiding principles:

1. Focus on high-traffic areas, emergency access routes, and known problem areas.
2. Apply proactive monitoring and timely response within reasonable resource constraints.
3. Maintain clear documentation of actions taken, including weather conditions, staff deployment, and materials used.

4. The Village may employ contracted services as needed to supplement municipal staff.

Priority 1 (Highest Priority):

- a. Municipal infrastructure (including but not limited to the Klatt Public Safety Building, the Smith Public Works Yard, municipal offices, water and wastewater treatment plant access roads)
- b. Primary streets: Oceanview from Highway 99 to Crosscreek, Crosscreek, Centre, Bayview from Centre to Mountain.
- c. Major evacuation routes, bus routes and school access routes

Priority 2:

- a. Secondary streets: Mountain, Upper Bayview, Oceanview, Lions Bay Ave., Kelvin Grove, Tidewater, Brunswick Beach.

Priority 3 (As Resources Permit):

- a. Tertiary streets: all remaining
- b. formal pedestrian sidewalks and transit stops
- c. Municipal parking lots

Note: The Village does not guarantee bare pavement and will respond based on the severity of conditions, forecast, and resource availability. Service calls from utility providers and emergency services may change the priorities above.

3.2 Operational Procedures

- 1) Snow plowing will commence when snow accumulation reaches approximately 5 cm or when conditions warrant.
- 2) Ice control measures (e.g., sand or salt application) will be applied as needed, particularly on hills, intersections, and high pedestrian traffic areas.
- 3) Plowing may be conducted outside of regular work hours during significant events.
- 4) The Village may employ contracted services as needed to supplement municipal staff.

7.0 RESPONSIBILITIES

- 1) Public Works staff are responsible for implementing this policy and maintaining operational readiness.
- 2) The Chief Administrative Officer (CAO) or assign is responsible for policy oversight and ensuring resources are allocated appropriately.
- 3)

7.2 Residents:

- 1) Shall move all property, including vehicles, off the road during periods where ice formation and/ or snowfall can be reasonably expected.

8.0 COMMUNICATION

The Municipality may, subject to capacity:

- 1) Post notices and updates during significant snow events.
- 2) Provide public education on snow clearing responsibilities and best practices.
- 3) Maintain a record of public complaints and service requests for documentation and follow-up.

9.0 BUDGET AND RESOURCES

Snow and ice management operations is subject to annual budget allocations. Service levels may be adjusted based on available funding and staff capacity. Council may approve temporary additional resources during extreme weather events.

10.0 REVIEW AND AMENDMENTS

This policy shall be reviewed every three years or as needed to respond to changing conditions, legal precedents, or best practices.

Certified a true copy of Policy No. 2502: Snow and Ice Policy adopted by Council **DATE ADOPTED**.

Corporate Officer

STAFF REPORT

DATE: 2025-07-25 **FILE:** CAO-2025-011

TO: Council

FROM: Ross Blackwell, MAP, MCIP, RPP, CAO

RE: **RISK MANAGEMENT AND TREE MANAGEMENT POLICY ON MUNICIPAL LANDS**

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PURPOSE

The purpose of this report is to provide Council with a comprehensive overview of risk management obligations related to trees on public lands, and to recommend the approval of a formal Tree Maintenance Policy to guide the Village's approach to managing municipal trees. The report outlines the legal context, best practices in risk mitigation, and the importance of a policy-based framework to limit municipal liability through the legal principle known as policy defense.

BACKGROUND:

The Village of Lions Bay, like all municipalities in British Columbia, is responsible for maintaining its public lands in a reasonably safe condition for users. This includes managing risks associated with trees located on municipal property, particularly along roads, in parks, near infrastructure, and adjacent to private lands.

In recent years, municipalities across Canada have faced increased litigation related to tree failures resulting in property damage, personal injury, or fatalities. Such cases have highlighted the need for proactive risk management practices supported by formally adopted policies.

Beyond trees, municipalities are typically most exposed to liability in areas involving:

- Sidewalk and roadway maintenance;
- Playground and park equipment maintenance;
- Snow and ice control;
- Tree management.

These areas require a documented, deliberate approach to resource allocation and risk management, ensuring legal compliance and public safety while recognizing financial and operational limits.

DISCUSSION:

Legal Principle: Policy Defense

In British Columbia, municipalities are shielded from liability for certain damages under the policy defense doctrine, which protects a local government from negligence claims if harm arises from decisions that were based on valid policy determinations. For the defense to apply, there must be evidence that Council or its authorized officers made a conscious and informed decision, based on factors such as budget, priorities, and resource availability, not to undertake or delay specific works.

However, failure to implement or follow a policy, or a lack of a clear policy, can leave a municipality vulnerable to liability. Courts generally distinguish between policy decisions (protected) and operational actions (which may be liable if deemed negligent).

Therefore, the development of a Tree Maintenance Policy, formally adopted by Council, is critical to reducing risk exposure. It creates a defensible record of Council's strategic intent, identifies inspection and maintenance standards, and provides operational staff with guidance on how to manage tree-related risks given the Village's capacity and resources.

Risk Management and Municipal Obligations

Municipalities have a duty of care to the public under the *Occupiers Liability Act* to ensure that public lands are reasonably safe. For trees, this duty includes:

- Identifying hazardous trees through inspections;
- Mitigating known risks (e.g., pruning, removal of dangerous trees);
- Responding in a timely and reasonable manner to public complaints or reports of tree hazards;
- Maintaining records of inspections, complaints, and actions taken.

Key elements that should be addressed in any Tree Maintenance Policy include:

- A tree inventory and classification system (e.g., high-risk areas);
- Inspection schedules, frequency, and documentation requirements;
- Criteria for prioritizing work, including public safety, proximity to infrastructure, and ecological value;
- Response protocols for reported hazards;
- Alignment with staffing levels and budget availability;

- Standards for tree planting, pruning, and removal.

A defensible policy recognizes that not all trees can be inspected or maintained annually. Prioritization based on risk assessment and the Village's budget constraints is legally acceptable provided it is documented in policy and adhered to.

FINANCIAL CONSIDERATIONS:

Tree management activities, including inspections, pruning, and removals, must be funded within the Village's annual operating budget for Public Works. Adoption of a Tree Maintenance Policy does not in itself impose direct costs but will help guide resource allocation and long-term planning.

Costs associated with proactive tree management (e.g., risk mitigation, arborist assessments) may help avoid significant liability and litigation costs. Budget requests for specific tree work will continue to be brought forward during the annual financial planning process based on policy priorities.

LEGAL CONSIDERATIONS:

Adopting a formal Tree Maintenance Policy enhances the Village's legal position by:

- Demonstrating due diligence in the identification and mitigation of tree-related risks;
- Supporting policy defense in the event of a claim arising from tree failure;
- Aligning with risk management standards promoted by Municipal Insurance Associations and legal counsel.

Without a policy, the Village is exposed to greater liability as decisions may appear ad hoc or unstructured. Conversely, a written policy—appropriately followed—provides a strong legal shield, particularly when constrained by finite staffing and funding.

OPTIONS:

Council may consider the following options:

Option 1 (Recommended): Approve the attached Tree Maintenance Policy.

Option 2: Refer the Tree Maintenance Policy back to staff for revisions or further input.

Option 3: Decline to adopt the Tree Maintenance Policy at this time, recognizing that this may increase legal exposure.



RECOMMENDATION:

THAT Council approve the Tree Maintenance Policy as attached to this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell".

Ross Blackwell, CAO

Attachments:

(1) Tree Management Policy

POLICY NO.	POL-2503	DEPARTMENT	Public Works
TITLE	Tree Management Policy		
DATE ADOPTED	XXXX		
DATE AMENDED	XXXX		

1.0 Purpose

The purpose of this policy is to establish a consistent and legally defensible approach to the management and maintenance of trees located on municipal public lands in the Village of Lions Bay. This policy aims to promote public safety, protect municipal infrastructure, preserve the ecological and aesthetic value of the urban forest, and minimize legal liability through a strategic, risk-based framework.

2.0 Policy Statement

The Village of Lions Bay recognizes that trees on municipal lands contribute significantly to the character, health, and environment of the community. However, the Village also recognizes that trees may present risks to public safety and property if not appropriately managed. This policy sets out a risk management approach to tree maintenance that aligns with municipal insurance best practices and legal standards, including the principle of policy defense.

All tree management activities shall be conducted within the scope of this policy, subject to available financial and human resources. Where resources are limited, the Village will prioritize tree management actions based on assessed risk to public safety and municipal infrastructure.

3.0 Scope

This policy applies to all trees located on municipal public lands, including but not limited to:

- i) Road rights-of-way;
- ii) Parks, trails, and recreational areas;
- iii) Municipal facilities and adjacent lands.

This policy does not apply to trees located on private property or lands not owned or under the legal jurisdiction the Village.

4.0 Definitions

- i) **Hazard Tree:** A tree assessed by a qualified individual as having a structural defect that makes it likely to fail and cause damage to property or injury to people or in proximity to high risk targets.
- ii) **Qualified Individual:** An arborist certified by the International Society of Arboriculture (ISA), a forestry professional, or other appropriately trained and experienced person.

- iii) **Risk Management:** The identification, evaluation, and prioritization of risks followed by the application of resources to monitor, control, and mitigate adverse impacts.

5.0 Responsibilities

- i) **Council** shall approve this policy and ensure it is reviewed periodically.
- ii) **Chief Administrative Officer (CAO)** shall oversee implementation of the policy.
- iii) **Public Works Staff** shall carry out tree inspections, maintenance, and removal activities in accordance with this policy and under the direction of the CAO.

6.0 Tree Management Principles

6.1 Inspection and Risk Assessment

The Village will conduct inspections of municipal trees in the following circumstances:

- i) **Routine Inspections:** Targeted inspections of high-use areas (e.g., parks, roadsides, playgrounds) at a frequency determined by risk level and operational capacity.
- ii) **Reactive Inspections:** Prompt inspections in response to public complaints, reports of damage, or observable risk indicators (e.g., leaning trees, dead limbs).
- iii) **Post-Event Inspections:** Inspections following significant weather events (e.g., windstorms, heavy snow) to identify damage or hazard conditions.

Inspections will be documented and may result in one or more of the following actions:

- No action required;
- Pruning or other maintenance work;
- Monitoring over time;
- Removal of hazard trees.

6.2 Tree Maintenance

Maintenance activities may include:

- Pruning for health, safety, and infrastructure clearance;
- Removal of dead, dying, diseased, or hazardous trees;
- Stump removal, if necessary for safety or replanting;
- Planting of replacement trees where appropriate and feasible.

6.3 Risk Prioritization

Given finite resources, the Village will prioritize tree maintenance activities based on the following risk factors:

- i) Proximity to high-use public areas or infrastructure;
- ii) Known defects or species susceptibility to failure;
- iii) History of incidents or complaints;
- iv) Recommendations from qualified individuals.

6.4 Documentation and Record Keeping

All inspections, maintenance activities, and public complaints related to tree management will be documented and retained in accordance with the Village's records management policies.

Documentation shall include:

- i) Date and nature of inspection or report;
- ii) Findings and risk assessment outcomes;
- iii) Actions taken and dates of completion;
- iv) Names of personnel involved.

Certified a true copy of Policy No. POL-2503: Tree Management Policy, adopted by Council **DATE**
ADOPTED.

Corporate Officer

STAFF REPORT

DATE: 2025-08-26 **FILE:** CAO-2025-016
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **DRAFT GARBAGE AND RECYCLING COLLECTION BYLAW NO. 455, 2013,
AMENDMENT BYLAW NO. 652, 2025**

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PURPOSE:

The purpose of this report is to present proposed amendments to *Garbage and Recycling Collection Bylaw No. 455, 2013*, for Council consideration. The amendments aim to clarify obligations of residents, establish operational standards for garbage, recycling, and green waste collection, and enhance enforceability to support public health, and wildlife management in a manner that seeks to find a balance between convenience for residents and functional requirements of the municipality.

BACKGROUND:

The matter of proposed Bylaw amendments was first brought to Council in March 2025 for discussion and consideration. At that time, Council provided no direction regarding the proposed changes.

In July 2025, Council directed staff to bring forward a series of specific revisions for Council's consideration. The proposed amendments address:

- Obligations of residents regarding garbage, recycling, and green waste containment
- Operational parameters for collection services
- Enforcement mechanisms for non-compliance

These revisions are intended to ensure safe, convenient, and efficient waste management operations while mitigating risks associated with wildlife interference and environmental hazards. In addition, staff have included additional language to improve the functionality of the *Bylaw* and to improve the text used in the Bylaw drafting.

DISCUSSION:

Key Proposed Amendments:

1. Obligations of Residents / Collection of Garbage

- a) Section 5: Strengthened the language pertaining to garbage receptacles to ensure sanitation and prevent wildlife access.
- b) New provisions added: prohibiting liquids in containers,
- c) Sections 7–11: Clarified placement, timing, and preparation requirements for all waste types, with the removal of the reference to low and high wildlife activity.
- d) New provision: residents responsible for lawful disposal of materials not considered garbage under *Bylaw* limits.

2. Service Provided by the Municipality

- a) Section 16: Clarified collection scheduling, including bi-weekly garbage collection and weekly recycling and green waste collection.
- b) New provisions: revised municipal food waste, garbage and recycling provisions.

3. Enforcement Provisions

- a) Section 33: Increased fines for contraventions to a maximum of \$2,000 plus associated prosecution costs.
- b) New sections added:
 - Non-compliant containers will not be collected, with informational tags left by collection staff.
 - Authorized municipal officials may enter properties to ensure compliance.
 - It is unlawful to obstruct officials in their duties.
 - Provisions are severable, and enforcement may occur via tickets or bylaw notices.
 - Each day of continued non-compliance constitutes a separate offence.

4. Administrative Adjustments

- a) Bylaw renumbered to reflect additions and deletions.
- b) Struck-out text removed, and italicized text added as per proposed amendments.

These changes align the *Bylaw* with contemporary operational standards, seek to strike the balance with public convenience, and provide clear authority for Bylaw enforcement. Further revisions can be considered by Council at a later date if deemed necessary.

FINANCIAL IMPLICATIONS:

Increased enforcement capacity may incur additional operational costs, including staff time for inspections and issuance of notices or tickets. However, improved compliance may reduce costs associated with wildlife-related damage and waste management inefficiencies.

Costs associated with bylaw amendment (printing, communications, and public notifications) are anticipated to be minimal and manageable within existing operational budgets.

LEGAL IMPLICATIONS:

The amendments strengthen enforceability under the municipal *Bylaw Notice Enforcement Bylaw No. 385, 2006*. Compliance with provincial statutes regarding waste management, wildlife management, and municipal authority is better facilitated.

OPTIONS:

Council may consider the following options:

1. Approve the amendments as proposed – implement revised *Bylaw* with strengthened resident obligations, operational standards, and enforcement provisions.
2. Modify the proposed amendments – direct staff to adjust specific sections before adoption.
3. Do not adopt amendments – maintain existing *Bylaw No. 455, 2013*, recognizing that operational inefficiencies, compliance gaps, and wildlife-related risks may persist.

RECOMMENDATION:

Staff recommend **Option 1**: that Council approve the proposed amendments to *Garbage and Recycling Collection Bylaw No. 455, 2013*, as presented, including:

- Removal of struck-out text and addition of italicized text as shown in the proposed revisions.
- Renumbering the Bylaw to reflect the amendments.
- Implementation of the strengthened enforcement, operational, and administrative provisions.

Approval of these amendments will provide the municipality with a clear, enforceable framework to support effective waste management, public health, and community safety. A suggested resolution is included below for convenience.

THAT Council:



1. Grant First and Second Reading to Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 652, 2025, and

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell".

Ross Blackwell, CAO
Chief Administrative Officer

Attachments:

- (1) Garbage and Recycling Collection Bylaw No.455, 2013, Amendment Bylaw No.652, 2025



Solid waste and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 652, 2025

Adopted: XXX, 2025

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Solid waste and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 652, 2025

A bylaw to amend Solid waste and Recycling Collection Bylaw No. 455, 2013

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as “Solid waste and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 652, 2025”.
2. Solid waste and Recycling Collection Bylaw No. 455, 2013, as amended, is hereby amended as follows:
 - i) all language indicated as struck through shall be removed from the Bylaw or, where applicable, replaced with the text shown in *italics*, and
 - ii) all text indicated in *italics* shall be inserted into the corresponding section of the Bylaw as referenced, and
 - iii) the Bylaw shall be renumbered and reformatted, as required, to reflect the revisions described above to maintain internal consistency, proper cross-referencing, and legislative clarity.

~~OBLIGATION OF RESIDENTS~~ COLLECTION OF SOLID WASTE

At section 5:

- ~~1-~~ 5. Every owner or ~~resident~~ or *occupier of land or dwelling unit* shall provide and maintain in good order and repair, solid waste receptacles, with tight waterproof covers. *All solid waste containers shall at all times be kept clean and in a sanitary condition, and of sufficient strength and design to prevent access to, or disturbance of, the contents by animals. The amount of solid waste shall not exceed 154 litres in total and no receptacle shall contain more than 121 litres. Two receptacles are allowed per household; tags for additional receptacles may be purchased at the Village Office.*

Added and renumbered after section 5:

- X. No liquids or free water shall be put or placed in or allowed to run into or accumulate in any solid waste container.*

At section 6:

6. ~~The r~~Receptacles required ~~under pursuant to this by-law~~ *by-law* shall, at all times, be ~~securely housed~~ *securely located in a manner that ensures that* the contents do not attract and are not accessible to wildlife.

Added and renumbered after section 6:

X. The amount of solid waste shall not exceed 154 litres in total, and no receptacle shall contain more than 121 litres. Two receptacles are permitted per household; tags for additional receptacles may be purchased at the municipal office.

At sections 7-11:

7. ~~During times of low wildlife activity,~~ All compostable solid waste, solid waste, and recycling receptacles shall be placed, ~~householder~~ by every owner or occupier of land or dwelling unit, for collection by the:

a. ~~Not more~~ Less than 10 feet (3.1m) from the roadway in front at the front property line of the ~~householder's~~ associated premises; at no time shall containers be placed on or encroach upon or project over any highway (which includes streets, lanes, and boulevards) or other public place and do not impede or endanger vehicle or pedestrian traffic on any street or other public place,

b. ~~no earlier than 5:00 a.m. on the scheduled waste collection day~~ no earlier than 30 minutes prior to the time prescribed by the area collection schedule on the scheduled waste collection day as posted by the municipality (as may be amended from time to time) and shall be removed no later than 8 p.m. the same day. Curbside placement of compostable solid waste and solid waste may be permitted after 5:00 a.m. on collection day, provided the materials are stored in a Village-issued wildlife resistant container. Clean, non-attractant curbside-collected recyclable materials may be placed curbside after 5:00a.m.

c. ~~removed no later than 8 p.m. the same day.~~

During times of increased wildlife activity, the Village may impose an area collection schedule. All solid waste and compostable solid waste receptacles and recycling shall be placed for collection by the householder:

d. ~~less than 10 feet from the roadway in front of the householder's premises,~~

e. ~~no earlier than the time prescribed by the area collection schedule on the scheduled waste collection day, and~~

f. ~~clean recycling products are excluded from the area collection schedule provide they do not create an attractant,~~

g. ~~during times of increased wildlife activity, the Village will provide for drop off of food waste and solid waste only, at Works Yard from 6 a.m. – 8 a.m. on day of pickup and 8 a.m. – 11:00 a.m. on the Saturday following.~~

8. Recycling is to be placed in the blue designated recycling boxes, and in ~~blue or yellow~~ dedicated bags, as established specified by Village municipal waste guidelines. Additional Cardboard may be placed

roadside, in flattened, ~~neatly~~ tied bundles, to a maximum bundle size of 3 feet by 3 feet (0.9m x 0.9m).

9. Garden waste collection ~~is to~~ be placed in brown kraft compostable solid waste bags, compostable plastic bags, or in containers that have been clearly marked 'Yard Trimmings'. Branches should not be more than 3" (~~3 inches~~ 7.6cm) in diameter, and bundles of branches no greater than 3 feet (0.9m) long.

10. Compostable solid waste ~~is to~~ be placed in brown kraft compostable solid waste bags or small compostable plastic bags (10 litre maximum), inside compostable solid waste container.

11. Solid waste ~~is to~~ be placed in biodegradable plastic bags, inside solid waste container.

Added and renumbered after section 11:

Every owner or resident shall be responsible for the lawful disposal of any materials not considered solid waste due to its nature, size or weight by the limitations established in this Bylaw.

SERVICE PROVIDED BY VILLAGE-MUNICIPALITY

At section 16:

16. Solid waste shall be collected bi-weekly while recycling, and compostable solid waste shall be collected weekly (*or as may be amended from time to time*) by the waste management disposal service provider for of the Village. ~~This regular pick up schedule may be altered by the Public Works Manager provided that two weeks' notice of the change is provided to all residents and businesses via the Village Update.~~ A drop-off service for of compostable solid waste, solid waste and recycling only may be provided, at the Public Works Yard.

The Director of Operations may establish and alter the frequency that collections are made or drop-off facilities are open.

Added and renumbered after section 16:

Once containers for solid waste are placed out to be emptied by the waste management service, those contents that comply with this Bylaw are the property of the municipality upon collection.

At section 32:

33. Every person who contravenes any provision of this Bylaw *or who suffers or permits any act or thing to be done in contravention of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction of this Bylaw and* commits an offence and upon summary conviction is liable to a fine not exceeding ~~\$1000.00~~ \$2000.00 ~~and plus the all costs of associated with prosecution.~~ Where enforcement proceeds under *Bylaw Notice Enforcement Bylaw No. 385, 2006, as amended from time*

to time, contraventions of this Bylaw do not constitute an offence, and penalties shall be applied in accordance with the provisions of "Schedule A" of Bylaw No. 385.

Added and renumbered after section 32:

- X. All materials or containers which contravene this Bylaw will not be collected or emptied, and employees of the Solid Waste Utility Management Service will leave a Solid waste Information Tag substantially in the form of Schedule "B" which explains the nature of the contravention of this Bylaw.*
- X. Municipal Bylaw Enforcement Officers and any other municipal official appointed to administer or enforce the provisions of this Bylaw are hereby authorized to enter at all reasonable times upon any property or premises, to ascertain whether the regulations or directions herein, are being observed.*
- X. It shall be unlawful for any person to prevent, obstruct or seek to or attempt to prevent or obstruct any aforesaid officials in, or from the carrying out of, any official duties under this Bylaw.*
- X. The provisions of this Bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a Court of Competent Jurisdiction, such decisions shall not affect the validity of the remaining provisions of this Bylaw.*
- X. A "Bylaw Officer" may enforce any regulation in this bylaw by means of a ticket or bylaw notice.*
- X. Each day that the offence continues is deemed a separate offence.*

- 3.** This bylaw shall take effect upon adoption.

READ A FIRST TIME

XXX, 2025

READ A SECOND TIME

XXX, 2025

READ A THIRD TIME

XXX 2025

ADOPTED

XXX, 2025

Mayor

Corporate Officer

Certified a true copy of

**Solid waste and Recycling Collection
Bylaw No. 455, 2013, Amendment
Bylaw No. 652, 2025, as adopted.**

Corporate Officer

DRAFT

STAFF REPORT

DATE: 2025-07-21 **FILE:** Bylaw -2025-004
TO: Ross Blackwell, MAP, MCIP, RPP, CAO
FROM: Taj Bindra, Bylaw Enforcement Officer
RE: **Garbage and Recycling Collection Audit**

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BACKGROUND:

A series of audits were recently conducted by staff to assess resident compliance with the garbage and recycling collection schedule as outlined in the Village of Lions Bay's *Garbage and Recycling Collection Bylaw No. 455, 2013*, with a focus on preventing early receptacle placement and adherence to the Friday collection schedule during periods of increased wildlife activity.

The *Garbage and Recycling Collection Bylaw No. 455, 2013*, Section 7, establishes requirements for waste collection during times of increased wildlife activity to minimize attractants and ensure public safety.

Key objectives include:

- Identify instances of early receptacle placement.
- Assess adherence to collection schedule
 - **7:30 a.m. - 9:00 a.m.:** Bayview Place, Upper Bayview, Mountain, Timbertop, Sunset, and all streets leading off these (central Lions Bay above the highway).
 - **9:00 a.m. - 10:00 a.m.:** Highview, Oceanview, Panorama, Kelvin Grove Way, and all streets leading off these.
 - **10:00 a.m. - 1:00 p.m.:** All other neighbourhoods (lower Kelvin Grove, Brunswick, central Lions Bay below the highway, etc.).
- Monitor for repeat non-compliance to guide future education and communication efforts.

Two audits were conducted:

Audit 1: Thursday, June 19, 2025, from 10:00pm-11:00pm, and Friday, June 20, 2025, from 6:00am-11:00am

Audit 2: Thursday, July 17, 2025, from 10:00pm-11:00pm, and Friday, July 18, 2025, from 6:00am-11:00am

Data was collected through field inspections by staff during the audit period.

DISCUSSION:

AUDIT #1

Night Before Placement:

Five households placed garbage/recycling receptacles before 11:00 p.m. on Thursday, June 19, in violation of the bylaw's timing requirements:

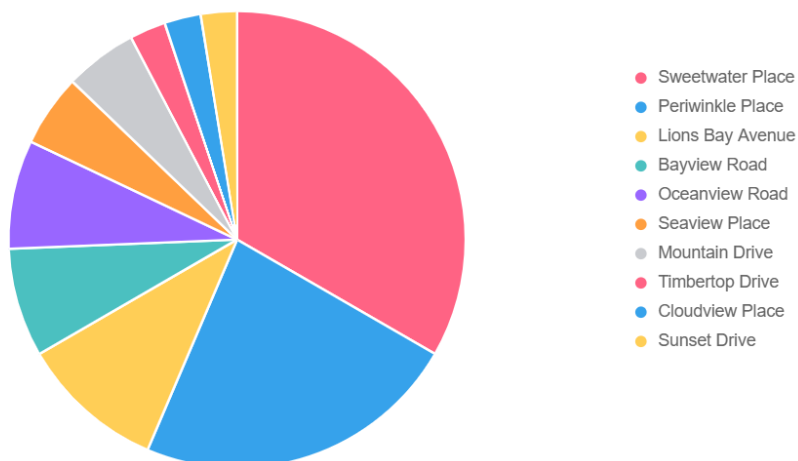
- 2 homes on Seaview Place
- 1 home on Bayview Place
- 1 home on Isleview Place
- 1 home on Kelvin Grove Way

Adherence to Friday Collection Schedule:

A total of 39 households did not adhere to the prescribed Friday collection schedule:

- | | |
|--------------------------|------------------------|
| • 13 on Sweetwater Place | • 2 on Seaview Place |
| • 9 on Periwinkle Place | • 2 on Mountain Drive |
| • 4 on Lions Bay Avenue | • 1 on Timbertop Drive |
| • 3 on Bayview Road | • 1 on Cloudview Place |
| • 3 on Oceanview Road | • 1 on Sunset Drive |

Non-compliant Households by Street (Friday Collection Schedule)



AUDIT #2

Night Before Placement:

Two households placed garbage/recycling receptacles before 11:00 p.m. on Thursday, June 19, in violation of the bylaw's timing requirements:

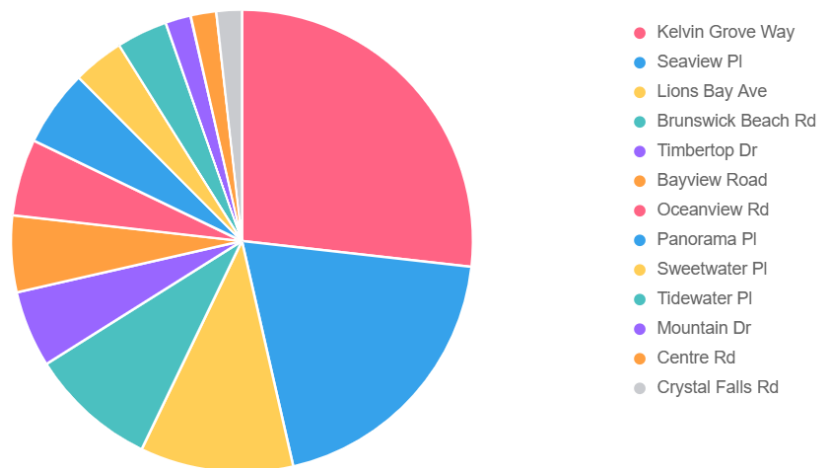
- 2 homes on Brunswick Beach Rd

Adherence to Friday Collection Schedule:

A total of **56 households** did not adhere to the prescribed Friday collection schedule:

- 15 Kelvin Grove Way
- 11 on Seaview Pl
- 6 on Lions Bay Ave
- 5 on Brunswick Beach Rd
- 3 on Timbertop Dr
- 3 on Bayview Road
- 3 on Oceanview Rd
- 3 on Panorama Pl
- 2 on Sweetwater Pl
- 2 on Tidewater Pl
- 1 on Mountain Dr
- 1 on Centre Rd
- 1 on Crystal Falls Rd

Non-compliant Households by Street (Friday Collection Schedule)



Repeat Non-Compliant Households:

Of the 58 non-compliant households, 10 were also cited in Audit 1:

- 4 on Seaview Pl
- 2 on Lions Bay Ave
- 2 on Sweetwater Pl
- 1 on Kelvin Grove Way
- 1 on Bayview Road

Preceding Night Placement Trends:

The number of preceding night placement violations decreased from five in June to two in July, both occurring on Brunswick Beach Road, which had not been flagged in the previous audit.

The reduction in night placements may reflect increased awareness following mailed letters and communications; however, the emergence of new infractions in previously compliant areas highlights the need for broader communication across all neighbourhoods, not just historically non-compliant ones.

Friday Schedule Non-Adherence Trends:

There was an increase in overall schedule violations, from 39 households in Audit 1 to 56 households in Audit 2.

The most significant concentration was observed on Kelvin Grove Way (15 households), followed by Seaview Place (9 households). The increase in schedule violations indicates potential confusion around collection times in these zones or a need for better engagement with residents.

Next Steps:

- Reminder letters will be sent to:
 - All 56 households identified as not adhering to the Friday collection schedule.
 - All 2 households identified for early receptacle placement.
- The Bylaw Department will:
 - Continue monitoring compliance and maintain a record of repeat infractions.
 - Conduct targeted outreach and education in neighbourhoods with high rates of non-compliance.
 - Assess to cause of this non-compliance trend.

Respectfully submitted,

Report Approved By,

A handwritten signature in black ink, appearing to read "Taj Bindra".

Taj Bindra
Bylaw Enforcement Officer

A handwritten signature in black ink, appearing to read "Ross Blackwell".

Ross Blackwell, CAO
Chief Administrative Officer

STAFF REPORT

DATE: 2025-07-22 **FILE:** CAO-2025-013
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **PROPOSED AMENDMENT TO ZONING AND DEVELOPMENT BYLAW NO. 520, 2017**

RECOMMENDED RESOLUTION:

THAT Council:

1. Grant First and Second Reading to amendment Bylaw No.650 to amend Section 7.7.2 of *Zoning and Development Bylaw No. 520, 2017*, as follows:
"Where a parcel has a rear yard parcel line abutting the ocean or abutting a municipal esplanade abutting the ocean, setback averaging shall apply only to the parcel line facing the ocean."; and
2. Direct staff to schedule a Public Hearing in accordance with the requirements of the *Local Government Act*.

PURPOSE

The purpose of this report is to present Council with a proposed text amendment to Section 7.7.2 of Zoning and Development Bylaw No. 520, 2017, to correct a technical inconsistency and clarify the intent of the setback averaging provision applicable to the Brunswick Beach Overlay Area. Council is requested to give the amending bylaw First and Second Reading and direct staff to schedule a Public Hearing in accordance with the Local Government Act.

BACKGROUND:

Section 7.7.2 of the *Zoning and Development Bylaw* currently reads:

"Where a parcel has two front parcel lines, one facing a highway and one facing the ocean, front setback averaging shall apply only to the front parcel line facing the ocean."

The intent of this provision appears to be to allow for setback averaging to be applied to the ocean-facing side of the parcel in this unique waterfront setting. However, the language used conflicts with the Bylaw's own definition of "front parcel line" and results in ambiguity that could compromise consistent interpretation and enforcement.

The definition of “front parcel line” set out in *Bylaw No. 520, 2017* is:

“parcel line, front means the parcel line common to the parcel and:

(a) an abutting highway, and

(b) where there is more than one parcel line abutting a highway, the shortest of these lines shall be the front.”

As a parcel cannot have two "front parcel lines" by definition, the current wording in Section 7.7.2 is legally incorrect and requires amendment.

DISCUSSION:

The Brunswick Beach Overlay Area contains parcels with distinctive site characteristics, including water frontage along the ocean and highway frontage on the opposite side. The current *Bylaw* language states that the ocean-facing side can be considered a "front parcel line." However, the *Zoning Bylaw* provides a singular, hierarchical definition of the front parcel line, always identifying it as the side that abuts a highway.

To preserve the original intent of setback averaging to apply to the ocean-facing side of a parcel and to correct the reference to two front parcels lines, a revision is required that aligns with the definitional framework of the *Bylaw*.

The following amended language is proposed to replace the existing subsection 2:

“Where a parcel has a rear yard parcel line abutting the ocean or abutting a municipal esplanade abutting the ocean, setback averaging shall apply only to the parcel line facing the ocean.”

This proposed language:

- Removes the incorrect reference to “two front parcel lines”;
- Aligns with the legal definitions in the *Bylaw*;
- Supports consistent, objective interpretation by staff and the Approving Officer;
- Maintains the intent of the regulation for the Brunswick Beach context.

The proposed amendment is minor in scope, clarifying an existing provision rather than changing the underlying zoning regulations. However, under the *Local Government Act*, any amendment to a zoning bylaw requires a formal bylaw amendment process, including a Public Hearing.

LEGAL CONSIDERATIONS

This amendment is necessary to ensure the *Zoning Bylaw* is internally consistent and enforceable. Retaining language that contradicts definitions contained within the *Bylaw* compromises the ability to apply zoning provisions effectively and exposes the municipality to unnecessary interpretation disputes. The recommended amendment brings clarity and compliance with *Zoning Bylaw* drafting standards and legal drafting principles.

FINANCIAL CONSIDERATIONS

There are no direct financial implications associated with the proposed amendment beyond standard advertising and staff time to support the Public Hearing.

OPTIONS

Council may consider the following options:

Option 1 (Recommended): Grant First and Second Reading to the draft *Bylaw* amendment and direct staff to schedule a Public Hearing.

Option 2: Request further amendments or defer the matter for additional staff analysis.

Option 3: Decline to proceed with the amendment, thereby preserving the existing language.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell", written over a horizontal line.

Ross Blackwell, CAO
Chief Administrative Officer

Attachments:

(1) Draft Amendment Bylaw No. 650, 2025



Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 650, 2025

Adopted: xxx

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 650, 2025

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as “Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 650, 2025”.
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

AMENDMENTS

- 1.1. Section 7.7.2 of the Zoning and Development Bylaw No. 520, 2017, is amended by deleting the “The base density for *parcels* created by subdivision shall be a maximum of one *parcel* per 8000m of existing *parcel* area.” and replacing it with “Where a parcel has a rear yard parcel line abutting the ocean or abutting a municipal esplanade abutting the ocean, setback averaging shall apply only to the parcel line facing the ocean.”

READ A FIRST TIME on	XX, 2025
READ A SECOND TIME on	XX, 2025
PUBLIC HEARING held on	XX, 2025

READ A THIRD TIME on	XX, 2025
ADOPTED by Council on	XX, 2025

Mayor

Corporate Officer

Certified a true copy of Zoning and Development
Bylaw No. 520, 2017, Amendment Bylaw No. 650, 2025
as adopted.

Corporate Officer

STAFF REPORT

DATE: 2025-08-01 **FILE:** CAO-2025-009
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **DRAFT SUBDIVISION SERVICING BYLAW NO. 651, 2025**

RECOMMENDED RESOLUTION:

THAT Council:

1. **Grant First and Second Reading** to *Subdivision Servicing Bylaw No. 651, 2025*, to replace *Subdivision Bylaw No. 141, 1985*; and
2. **Direct staff to schedule a Public Hearing** in accordance with section 466 of the *Local Government Act*.

PURPOSE:

The purpose of this report is to present Draft Subdivision Servicing Bylaw No. 651, 2025, to Council for consideration of First and Second Reading and to recommend that the Bylaw be scheduled for a Public Hearing. The new Bylaw is intended to replace the existing Subdivision Bylaw No. 141, 1985, which is outdated and no longer meets the legal, technical, or operational needs of the Village.

BACKGROUND:

The current *Subdivision Bylaw* was adopted in 1985. Over the past four decades, legislation, best practices, environmental standards, infrastructure needs, and land development trends have significantly evolved. The existing *Bylaw* lacks critical components necessary for modern subdivision processing and servicing, including engineering standards, infrastructure requirements, and clear procedures.

Subdivision and development activity, although limited in scale in the Village of Lions Bay, must be regulated through clear, enforceable, and modern provisions to ensure sustainable land development, protect public infrastructure, and uphold community expectations. A Subdivision Servicing Bylaw is a specialized regulatory instrument enabled by the *Local Government Act* that prescribes servicing requirements, infrastructure standards, application procedures, and related approvals for the subdivision of land. It ensures that new development integrates appropriately into the municipal servicing system (water, sewer, drainage, and roads) and complies with engineering and safety standards.

DISCUSSION:

Purpose and Scope of a Subdivision Servicing Bylaw

A subdivision servicing bylaw serves several key functions:

1. Establishes minimum servicing standards for infrastructure to support new parcels (e.g., roads, sidewalks, stormwater systems, water and sewer connections).
2. Prescribes the procedures and documentation requirements for subdivision applications.
3. Provides authority to the Approving Officer to regulate and impose conditions on subdivision approvals.
4. Protects municipal assets by ensuring development-related infrastructure is constructed to appropriate standards and integrated into the municipal system.
5. Ensures public safety, environmental protection, and long-term municipal sustainability through sound engineering practices.

Approving Officer Role and Council's Limited Involvement

Pursuant to the *Land Title Act* and *Local Government Act*, subdivision approval authority resides with the Approving Officer, who is a statutory official operating independently of Council. This ensures that subdivision decisions are made based on technical merit, statutory requirements, and professional standards, free of political influence.

Neither Council nor the public participates in subdivision approval decisions or processes. This independence is crucial for legal compliance, fairness, and minimizing liability risk to the municipality.

Subdivision Process and the PLR (Preliminary Layout Review) Letter

The standard subdivision process includes:

1. **Application Submission:** An applicant submits a completed application, including plans and supporting documentation, to the Approving Officer.
2. **Preliminary Review:** Staff conduct a technical review for compliance with zoning, servicing, and other applicable bylaws or policies.
3. **Issuance of a PLR Letter:** Also called a Preliminary Layout Review or Preliminary Layout Approval, this non-binding letter outlines terms and conditions that must be met before final subdivision approval can be granted.
4. **Final Approval and Plan Registration:** Upon meeting all conditions, the subdivision plan is approved and registered with the Land Title Office.

The PLR letter is critical as it provides clear direction to applicants regarding engineering design, servicing upgrades, access requirements, and other conditions. It ensures transparency and consistency and is foundational in managing applicant expectations and municipal oversight.

Key Features of the Proposed Bylaw

- Incorporates comprehensive technical servicing requirements tied to engineering standards, ensuring infrastructure quality and resilience.
- Introduces clear application processes, submission requirements, and evaluation criteria.
- Provides legal tools for security deposits, inspection, and acceptance of developer-constructed infrastructure.
- Ensures alignment with regional standards, bringing consistency and efficiency for developers, builders, home owners, and municipal staff.
- Incorporates climate resilience and environmental protection through stormwater management and sustainable design principles.

FINANCIAL IMPLICATIONS:

There are no immediate financial implications for the adoption of the proposed Bylaw. The Bylaw provides legal authority to require cost recovery from applicants for infrastructure upgrades, servicing connections, and municipal inspection services, thereby protecting the municipality from incurring costs related to private development.

Over the long term, ensuring that all new infrastructure is constructed to modern standards reduces future maintenance and replacement costs to the Village.

LEGAL IMPLICATIONS:

Subdivision and servicing regulation is enabled by Part 14 of the *Local Government Act* and Part 7 of the *Community Charter*. The Bylaw must provide a clear legal basis for all regulatory actions taken by the Village related to subdivision.

The outdated *Bylaw No. 141, 1985*, fails to meet contemporary legal standards and may expose the municipality to liability or enforcement challenges. Adoption of a modern Bylaw mitigates legal risk and ensures that the municipality has robust, enforceable authority in land development matters.



OPTIONS:

Council may consider the following options:

1. Grant First and Second Reading to *Subdivision Servicing Bylaw No. 651, 2025*, and direct staff to schedule a Public Hearing.
2. Refer the Bylaw back to staff for additional revisions.
3. Take no action and continue operating under *Bylaw No. 141, 1985* (not recommended).

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell", with a horizontal line extending to the right.

Ross Blackwell,
Chief Administrative Officer

Attachments:

(1) Draft Subdivision Servicing Bylaw



Subdivision & Development Servicing Bylaw No. 651, 2025



PO Box 141, 400 Centre Road
Lions Bay, British Columbia
V0N 2E0, Canada
604-921-9333
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www.lionsbay.ca

VILLAGE OF LIONS BAY**SUBDIVISION AND DEVELOPMENT SERVICING BYLAW NO. 651, 2025**

A BYLAW OF THE VILLAGE OF LIONS BAY TO
REGULATE THE SUBDIVISION AND DEVELOPMENT OF LAND
AND THE PROVISION OF WORKS AND SERVICES

WHEREAS the *Local Government Act, Part 14, Division 11* permits a local government to regulate and require the provision of works and services and road dedication in respect of the subdivision or development of land;

AND WHEREAS it is deemed desirable to regulate the subdivision or development of land in order to promote the orderly and economic development of the Village of Lions Bay;

AND WHEREAS pursuant to the *Community Charter, Part 5, Division 6*, Council may delegate powers, duties, and functions to its officers or employees;

NOW THEREFORE the Council for the Village of Lions Bay in open meeting assembled, enacts as follows:

1.0 ADMINISTRATION

1.1 Citation

- 1.1.1 This Bylaw may be cited for all purposes as the “Village of Lions Bay Subdivision and Development Control Bylaw No. 651, 2025”.

1.2 Application

- 1.2.1 This Bylaw shall apply to all applications for the Subdivision and Development of land and for the provision of Works and Services within the area incorporated as the Village of Lions Bay.
- 1.2.2 All Works and Services constructed in the Village of Lions Bay shall be design and constructed in accordance with the provisions of the Infrastructure Design and Construction Manual.

1.3 Delegation of Authority

- 1.3.1 The Approving Officer is hereby delegated the powers, duties, and functions of Council to administer and enforce the provisions of this Bylaw with respect to the Subdivision of land and the design and construction of Works and Services therefor, including to execute and amend all forms necessary for the Subdivision of land in accordance with this Bylaw, applicable legislation, and in the best interests of the Village.
- 1.3.2 The Building Official is hereby delegated the powers, duties, and functions of Council to administer and enforce the provisions of this Bylaw with respect to the Development of land and the design and construction of Works and Services therefor, including to execute and amend all forms necessary for the Development of land in accordance with this Bylaw, applicable legislation, and in the best interests of the Village.
- 1.3.3 The Servicing Officer is hereby delegated the powers, duties, and functions of Council to administer and enforce the provisions of this Bylaw with respect to the design and construction of Works and Services, including to execute and amend all forms necessary for the provision of Works and Services in accordance with this Bylaw, applicable legislation, and in the best interest of the Village.

1.4 Interpretation

- 1.4.1 In this Bylaw, defined terms are denoted with capitalization. Headings are included for convenience only and should not be relied upon for interpretation.
- 1.4.2 Words, phrases, and terms not defined in this Bylaw shall be interpreted as in the *Local Government Act*, *Land Title Act*, *Community Charter*, or the *Interpretation Act*, or if not therein defined shall be given their usual and customary meaning for the purpose of interpreting this Bylaw.
- 1.4.3 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; the word “person” includes a corporation, firm, partnership, trust, and other similar entities as well as an individual.
- 1.4.4 Where a regulation involves two or more conditions, provisions, or events, connected by the conjunction “and”, all the connected items are required; “or” means that any one will suffice, but does not prohibit fulfillment of multiple conditions, provisions, or events.
- 1.4.5 Any enactment or bylaw referenced herein includes the enactment or bylaw as amended, revised, consolidated, or replaced from time to time.
- 1.4.6 If any part, section, paragraph, or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

1.5 Definitions

In this Bylaw, unless the context otherwise requires:

“Application & Submissions Policy” means the Village’s corporate policy containing the standards and procedures for applications and submissions made in accordance with this Bylaw, including standard forms. See Section 1.6.

“Approving Officer” means a person appointed by Village Council as an approving officer of the Village under the *Land Title Act*, and includes their lawful designates. The Approving Officers’ delegated authority also includes the authority to act as a Servicing Officer.

“Building Bylaw” means the Village of Lions Bay Building Bylaw No. 234, 1994.

“Building Official” has the same meaning as “qualified building official” in the *Building Act* and as “building inspector” in the Building Bylaw.

“Building Permit” has the same meaning as in the Building Bylaw.

“Bylaw” or **“SDS Bylaw”** when used in isolation means the Village of Lions Bay Subdivision and Development Control Bylaw No. 651, 2025.

“Certificate of Final Acceptance” means a notice issued in the Village’s standard form and in accordance with Section 5.10, accepting the Works and Services to be vested in, be owned by, and be the responsibility of the Village for ongoing operation, maintenance, repair, and eventual replacement.

“Design Authorization” means a notice issued in the Village’s standard form in accordance with Section 5.4.3, authorizing a design for construction, insofar as it is in strict conformance with the provisions of this Bylaw or with any variances explicitly authorized by the Servicing Officer. Design Authorization is an administrative assurance that a design is in general conformance with the provisions of this Bylaw and is not an affirmation that the design complies with the provisions of this Bylaw, nor is it a technical endorsement of a design.

“Develop” or **“Development”** means any alteration or construction upon a parcel for which the Building Bylaw requires a Building Permit to be issued and may also mean Subdivision.

“Developer” means an Owner who wishes to or has applied to Subdivide or Develop property or to construct Works and Services within the Village and may include, if context requires, a person who has the express written authority to act on behalf of and represent the Owner.

“Developer’s Engineer” means a suitably qualified professional engineer, registered in good standing with *Engineers and Geoscientists BC*, who is retained by a Developer to design, inspect, test, and certify all Works and Services required as a condition of the Developer’s Subdivision or Development approval.

“Development Application Procedures & Fees Bylaw” means the Village of Lions Bay Development Application Procedures and Fees Bylaw No. 431, 2011.

“Excess” or “Extended” means those Works and Services in respect of:

- a portion of a Highway system that will provide access to land other than the land being Subdivided or Developed, or
- a portion of a water, sewage, or drainage system that will serve land other than the land being Subdivided or Developed.

“Highway” has the same meaning as in the *Land Title Act*, but does not include a statutory right-of-way or easement on private property.

“Infrastructure Design & Construction Manual” or “IDCM” means the Village’s corporate policy containing the engineering design standards and construction specifications for the provision of Works and Services. See Section 1.6.

“Maintenance Period” means the later of:

- a period of one (1) year from the date on which the requirements of Section 5.8 are completed to the satisfaction of the Approving Officer, or
- the period ending on date the requirements of Section 5.10 are completed to the satisfaction of the Approving Officer.

“Maintenance Security” means a financial security in a form acceptable to the Village, provided under the terms of a Servicing Agreement, in the amount that is the greater of \$10,000 and 10% of the actual construction cost of the Works and Services plus 200% of the cost of completing any outstanding work, including the repair of any deficiencies, as estimated by the Developer’s Engineer and accepted by the Approving Officer.

“Official Community Plan” or “OCP” means the Village of Lions Bay Official Community Plan Bylaw No. 408, 2008.

“Owner” has the same meaning as defined in the *Assessment Act*.

“Peer Review” has the same meaning as defined in the “Professional Practice Guidelines – Peer Review” document published by *Engineers and Geoscientists BC*.

“Performance Security” means a financial security in a form acceptable to the Village, provided under the terms of a Servicing Agreement, in the amount that is the greater of \$20,000 and 130% of the cost of the Works and Services as estimated by the Developer’s Engineer and accepted by the Approving Officer.

“Permission to Construct” means a permit, issued in the Village’s standard form, in accordance with Section 5.5, authorizing a Developer to proceed with construction of Works and Services within Village road right-of-way, subject to also obtaining a permit if required under Traffic Bylaw No. 413, 2009.

“Preliminary Layout Review Letter” means a letter issued by the Approving Officer in accordance with Section 3.1.2.

“Servicing Agreement” means an agreement between a Developer and the Village, in the Village’s standard form, for the purposes outlined in the *Local Government Act, Section 509(2)* and pursuant to the *Land Title Act, Section 219*.

“Servicing Officer” means the person appointed by Village Council as responsible to fulfill the duties assigned by this Bylaw or as a servicing officer of the Village under *Local Government Act*, and includes their lawful designates.

“Subdivision” has the same definition as in the *Land Title Act*.

“Subdivision Approval” means the approval of a Subdivision plan in accordance with the *Land Title Act*.

“Substantial Performance” means the stage of completion when the Works and Services are ready for use for their intended purpose and any outstanding or deficient Works and Services are capable of completion or correction at a cost of not more than:

- 3% of the first \$500,000 of the cost to provide the Works and Services,
- 2% of the next \$500,000 of the cost to provide the Works and Services, and
- 1% of the balance of the total cost to provide Works and Services.

“Total Performance” means the stage of completion when the Works and Services, including all deficiencies and incomplete work, have been Substantially Performed as required under Sections 5.8 and the Maintenance Period for all works as outlined in Section 5.9 has concluded.

“Works” or “Works and Services” means such infrastructure systems as highways, boulevards, sidewalks, transit bays or shelters, boulevard amenities, transportation systems or amenities, street lighting, underground wiring, water supply or distribution systems, fire hydrant systems, sewage collection or disposal systems, drainage collection or disposal systems, or any other such infrastructure systems necessary to support the Subdivision or Development of land.

“Village” means the Village of Lions Bay.

“Zone” means the zoning designation contained in the Zoning Bylaw.

“Zoning Bylaw” means the Village of Lions Bay Zoning Bylaw No. 520, 2017.

1.6 Supporting Corporate Policies

- 1.6.1 This Bylaw references the following corporate policy documents, which contain supplemental requirements to, and procedures for, this Bylaw but do not form part of this Bylaw. The authority to amend these policies is delegated to the Village’s chief administrative officer, who may approve changes to these policies in accordance with operational best practice and in the interest of the Village.
- a. Application & Submissions Policy for SDS Bylaw 651
 - b. Infrastructure Design & Construction Manual

2.0 SERVICING STANDARDS

2.1 Minimum Servicing Requirements

- 2.1.1 The Approving Officer, as a condition of Subdivision Approval, or the Building Official, as a condition of the issuance of a Building Permit, shall require that a proposed Subdivision or Development be serviced to the minimum standard based on Zone, as outlined in Table 2.1.A.

Table 2.1.A – Servicing Area Standards							
Zone	Highways ¹		Water ²	Sanitary Sewer ³	Storm Control ⁴	Street Lighting ⁵	3 rd Party Utilities ⁶
	New	Frontage					
RS-1	R-1	-	C	C	P	-	U
RM-1	R-2	R	C	C	P	IO	U
C-1	R-2	R	C	C	P	IO	U
C-2	R-1	-	C	C	-	-	U
C-3	R-1	-	P	P	-	-	O
W-1	R-1	-	P	P	-	-	O
W-2	R-1	-	C	C	-	-	O
CU-1	R-2	R	C	C	P	F	U
RU-1	R-1	-	C	C	P	-	O
OS-1	R-1	-	P	P	-	-	O
Notes:	¹ see Section 2.2.1		² See 2.2.2	³ See 2.2.3	⁴ See 2.2.4	⁵ See 2.2.5	⁶ See 0

- 2.1.2 Notwithstanding Section 2.1.1, the Approving Officer or Building Official may exempt an application from any of the minimum servicing standards required under Section 2.1.1 where:
- a proposed Subdivision is for the exclusive purpose of a Highway or parkland dedication, a lot consolidation, or a lot line adjustment in which no new lots are created,
 - a proposed commercial, institutional, or industrial Development is for new buildings or alterations to existing buildings that are valued at less than 20% of the assessed value of the existing improvements upon the land and the Development is expected to have a negligible impact to a Village infrastructure system, or
 - a proposed Development is for the reconstruction of a damaged or destroyed building to its prior original condition, the installation of utility structures or equipment, or for internal renovations such as accessibility upgrades, installation of emergency systems, or energy efficiency and seismic improvements.
- 2.1.3 Where this Bylaw requires the provision of a community water system or a community sewer system, the Approving Officer may require such systems must be connected to Village's respective system.
- 2.1.4 Works and Services necessary to service a proposed Subdivision or Development in accordance with the requirements of this section must be provided, designed, and constructed in accordance with the Application & Submissions Policy and the Infrastructure Design & Construction Manual (IDCM).

2.2 Servicing Standards

2.2.1 Highways Systems

- Any lot created by Subdivision or subject to Development must be serviced and accessible by a suitable Highway, in the opinion of the Approving Officer.
- Where a proposed Subdivision or Development is not accessible by a Highway or, in the opinion of the Approving Officer, access to lands beyond must be provided, dedication of right-of-way (ROW) for new Highways, alternate modes of transportation, or sustainable design features may be required to be provided in accordance with the *Land Title Act* and the *Local Government Act*.
- New Highways are to be constructed to the minimum standard in [Table 2.1.A](#). Values correspond to road cross-sections in the IDCM.
- If, in the opinion of the Approving Officer, the existing fronting Highway does not provide suitable access or if frontage improvements are indicated as required ("R") in [Table 2.1.A](#), the Approving Officer may require the fronting Highway to be improved up to the centreline of that Highway along the length of the frontage.

- e. Where a Highway ROW fronting a Development is not of sufficient width to support the cross-section for the classification of that Highway, alternate modes of transportation, or sustainable design features, dedication of additional ROW may be required in accordance with the *Local Government Act*.

2.2.2 Water Supply and Distribution Systems

- a. *“C” – Community Water System:* Any lot created by Subdivision and any lot subject to Development must be serviced by the Village’s community water system under this designation.
- b. *“P” – Private Water System:* Under this designation, a proposed Development is not required to be provided with water service unless desired by the Developer. If water service is desired and the Village’s system services or could reasonably be extended to service the proposed Development, the proposed Development must connect. If, in the opinion of the Approving Officer, service by the Village’s system is not reasonably able to provide service, a proven private water supply may be provided, if desired by the Developer, which must be designed by a suitably qualified professional engineer and be acceptable to the Approving Officer and *Vancouver Coastal Health*.

2.2.3 Sanitary Sewer Collection and Disposal Systems

- a. *“C” – Community Sanitary Sewer System:* Any lot created by Subdivision and any lot subject to Development must be serviced by the Village’s community sanitary sewer system under this designation if, in the opinion of the Approving Officer, the system could reasonably be extended to service the proposed Subdivision or Development. Otherwise, a Developer may provide service under the *“P”* designation.
- b. *“P” – Private Sewage Disposal System:* Under this designation, a proposed Subdivision or Development may be serviced by a private sewage disposal system, which must be designed by a suitably qualified professional engineer or authorized person as per the *Public Health Act* and *Sewerage System Regulation* and be acceptable to the Approving Officer and *Vancouver Coastal Health*.

2.2.4 Storm Control

- a. *“P” – Private Stormwater Control System:* Any lot created by Subdivision and any lot subject to Development must provide onsite stormwater management, including controlled release, treatment, and onsite storage as outlined in the IDCM under this designation.
- b. The Servicing Officer may exempt a proposed Development from private stormwater control systems if the Development will not materially alter the site impermeability and the downstream system has adequate capacity.

2.2.5 Street Lighting

- a. *“F” – Frontage Lighting:* Any Subdivision or Development required to provide Highways must provide such Highways, or improve such existing Highways, with a dedicated street lighting system along the frontage under this designation. A lease-light street lighting system on utility poles may be permitted in the case where overhead wiring systems (*“O”*) are designated, in lieu of a dedicated system.
- b. *“IO” – Intersection-Only Lighting:* Any Subdivision or Development required to provide Highways must provide such Highways, or improve such existing Highways, with a dedicated street lighting system at new intersections or at the site entrance under this designation. A lease-light street lighting system on utility poles may be permitted in the case where overhead wiring systems (*“O”*) are designated and adequate lighting levels can be provided.

2.2.6 Third Party Utilities: Electrical, Telecommunications, and Natural Gas

- a. *“U” – Underground Wiring*: the provision of natural gas service, electrical and telecommunication wiring, vaults, and routing infrastructure, including all pipes, ducting, service wiring, and junction boxes, if present, shall be provided underground under this designation; kiosks and transformers, if necessary for servicing, are to be pad-mounted.
- b. *“O” – Overhead Wiring*: the provision of electrical and telecommunication wiring may be provided overhead where acceptable to BC Hydro under this designation, except that all new service lines shall be provided underground. Any wiring adjacent to any parcels with the OS-1 or CU-1 Zone must also be installed underground to reduce wildfire risk. Natural gas services, if present, must be installed underground.

3.0 SUBDIVISION REQUIREMENTS

3.1 Preliminary Review Process

- 3.1.1 A Developer who wishes to Subdivide land shall, prior to making an application for Subdivision Approval, submit a request for preliminary review in accordance with the Development Application Procedures & Fee Bylaw.
- 3.1.2 Following receipt of such information as may be required, the Approving Officer will provide the Developer with a Preliminary Layout Review (PLR) Letter advising the Developer of the Approving Officer’s preliminary determination and, if not against the public interest or otherwise unsuitable for Subdivision, what the Developer must include in their application for Subdivision Approval.
- 3.1.3 The provision of preliminary information by the Developer does not constitute an application for Subdivision Approval under this Bylaw or the *Land Title Act*, nor does the issuance of a PLR Letter constitute or imply approval of a Subdivision.

3.2 Requirements for Works and Services

- 3.2.1 Works and Services may be required, as a condition of Subdivision Approval, to be provided:
 - a. to service and access all proposed lots to the standards defined in Section 2.0,
 - b. on that portion of a Highway immediately adjacent to the site being Subdivided, up to the centreline of the Highway, and
 - c. where otherwise necessary, in the opinion of the Approving Officer, to adequately service the Subdivision, mitigate directly attributable impacts, and maintain existing Works and Services.
- 3.2.2 Works and Services may necessitate the provision of statutory rights-of-ways (SRWs) or restrictive covenants as outlined in the IDCM. Where required, SRWs and covenants must be provided or obtained by the Developer in the Village’s standard form and at the cost of the Developer.

3.3 Requirements for Parkland Dedication

- 3.3.1 Dedication of up to 5.0% of the land proposed for Subdivision for public parkland, open space, trails, conservation of areas having the highest environmental sensitivity, or access to a natural body of water shall be provided without compensation, in accordance with the *Local Government Act*.
- 3.3.2 Parkland dedication shall be provided as a titled, serviced, and accessible lot.
- 3.3.3 Where parkland dedication is of an amount or in a location that is unacceptable to the Approving Officer, considering applicable OCP policies, then cash-in-lieu of parkland dedication shall be provided in the amount of 5.0% of the market value of the land proposed for Subdivision.

3.4 Requirements for Road Dedication

- 3.4.1 Dedication of land to establish new Highways through lands being Subdivided or widen existing Highways fronting lands being Subdivided may be required to adequately serve proposed lots, to provide access to lands beyond that being Subdivided, or for emergency egress.
- 3.4.2 Such land for Highways may be required to be provided without compensation subject to the considerations outlined in the *Land Title Act* and limitations defined in the *Local Government Act*.

3.5 Application for Subdivision Approval

- 3.5.1 A Developer who wishes to apply for Subdivision Approval must provide to the Approving Officer a complete application in accordance with the Application & Submissions Policy.
- 3.5.2 When Works and Services are required, the Approving Officer must not approve the Subdivision until the Developer has:
 - a. entered into a Servicing Agreement and provided Performance Security for completion of the Works and Services to the satisfaction of the Servicing Officer or received a Certificate of Final Acceptance from the Servicing Officer for the required Works and Services, and
 - b. granted or acquired statutory rights-of-ways, in the Village's standard form, in favour of the Village in such locations and with such dimensions as necessary to accommodate all required Works and Services.
- 3.5.3 When Parkland or Highway dedications are required, the parkland parcel and Highway dedications shall be included in the subdivision plan submitted for approval.

4.0 DEVELOPMENT REQUIREMENTS

4.1 Building Permit Conditions

- 4.1.1 The Building Official may require, upon recommendation of the Servicing Officer, that the Developer provide Works and Services in accordance with Section 4.2 or dedication of land for Highways in accordance with Section 4.3 as a condition of Building Permit issuance.
- 4.1.2 If Works and Services or dedication of land for Highway purposes are required as a condition of the issuance of a Building Permit, the Building Official shall not issue such Building Permit until the requirements of Section 4.2 and 4.3 have been met to the satisfaction of the Servicing Officer.

4.2 Requirements for Works and Services

- 4.2.1 Works and Services may be required, as a condition of Development approval, to be provided:
 - a. on the site being Developed,
 - b. on that portion of a Highway immediately adjacent to the site being Developed, up to the centreline of the Highway, and
 - c. where otherwise necessary, in the opinion of the Servicing Officer, to adequately service the Development to the standards outlined in Section 2.0, to mitigate directly attributable impacts, and to maintain existing Works and Services.
- 4.2.2 Works and Services may necessitate the provision of statutory rights-of-ways (SRWs) or restrictive covenants as outlined in the IDCM. Where required, SRWs and covenants must be provided or obtained by the Developer in the Village's standard form and at the cost of the Developer.
- 4.2.3 When Works and Services are required, the Building Official must not issue the Building Permit until the Developer has provided supporting engineering drawings to the satisfaction of the Servicing Officer as

outlined in the Application & Submissions Policy, fully executed and deposited with the *Land Title Office* any SRWs or restrictive covenants necessary to support or access the Works and Services and either:

- a. received a Certificate of Final Acceptance from the Servicing Officer for the required Works and Services or
- b. entered into a Servicing Agreement and provided Performance Security for completion of the Works and Services to the satisfaction of the Servicing Officer.

4.3 Requirements for Road Dedications

- 4.3.1 Dedication of land to establish new Highways through lands being Developed or to widen existing Highways fronting lands being Developed may be required to adequately serve proposed lots, to provide access to lands beyond that being Subdivided, or for emergency egress.
- 4.3.2 Such land for Highways may be required to be provided without compensation subject to the limitations defined in the *Local Government Act*.
- 4.3.3 When land is required to be dedicated for Highways as a condition of Building Permit issuance, the Building Official must not issue the Building Permit until the Developer has fully executed all documents for the road dedication subdivision and has deposited the road dedication subdivision plan with the *Land Title Office*.

5.0 PROVISION OF WORKS AND SERVICES

5.1 Directly Attributable Works and Services

- 5.1.1 Works and Services directly attributable to a Subdivision or Development shall be required only to the extent they are necessary for servicing, or mitigating the impacts of servicing, a proposed Subdivision or Development in accordance with the provisions of this Bylaw.
- 5.1.2 In determining which Works and Services are directly attributable, the Servicing Officer shall consider:
 - a. the impact that servicing a proposed Subdivision or Development will have on the Village's ability to maintain its existing system levels of service for future developments in accordance with the Official Community Plan and any other infrastructure or utility master plans, and
 - b. the ability of the Village's infrastructure systems to provide service to a Subdivision or Development in accordance with the needs of the Subdivision or Development to the servicing standards defined in Section 2.0.
- 5.1.3 Directly attributable Works and Services shall generally be required when a Subdivision or Development will result in an increased demand on an infrastructure system or when a system is not able to adequately service the proposed Subdivision or Development due to insufficient capacity, age, poor condition, limited accessibility, operational challenges, or safety concerns.

5.2 Excess or Extended Works and Services

- 5.2.1 Excess or Extended Works and Services may be required as a condition of Subdivision or Development approval where the Servicing Officer considers it prudent for the future servicing or benefit of adjacent or nearby lands to the land being Subdivided or Developed.
- 5.2.2 The cost of providing the Excess or Extended portion of the required Works and Services must be paid for by the Village unless the Village considers such costs to be excessive, in which case the costs shall be borne by the Developer.
- 5.2.3 If the Developer pays all or a portion of the costs of providing Excess or Extended Works and Services, the Servicing Officer shall inform the Developer of their eligibility to enter into a latecomer agreement for potential cost recovery.

- 5.2.4 If the Developer wishes to enter into a latecomer agreement for cost recovery, the Developer must notify the Servicing Officer in writing prior to making an application for Substantial Performance and provide the information and documents required in the Application & Submissions Policy.
- 5.2.5 If the Developer does not request a latecomer agreement, having been informed of their eligibility for cost recovery through such agreement, or, having requested a latecomer agreement but fails to provide the required information and documents prior to Substantial Performance, it shall be taken as a waiver of their right to cost recover, the Village shall be under no obligation to collect latecomer charges, and the Developer shall not be entitled to receive any latecomer payments.
- 5.2.6 If the Developer requests a latecomer agreement and provides all required information and documents, then, prior to issuing a Certificate of Final Acceptance for the Excess or Extended Works and Services, the Servicing Officer shall:
- a. prepare a latecomer agreement for execution by the Developer, which will set out
 - i. the Developer's actual cost of providing the Excess or Extended Works and Services,
 - ii. which parts of the Excess or Extended Works and Services benefit which lands,
 - iii. the latecomer term and the charge that will apply to each of the Benefiting Lands, and
 - iv. the interest rate of the latecomer agreement; and
 - b. notify the owners of all benefitting lands of the latecomer charge and interest thereon that would be payable prior to connecting to or using the Excess or Extended Works and Services.
- 5.2.7 No person shall use or connect to any Works and Services subject to a latecomer charge under an executed latecomer agreement until they have paid the latecomer charge and interest, compounded annually, thereon.
- a. Unless otherwise determined by bylaw, the annual interest rate shall be 5.0%.
- 5.2.8 The Village shall collect and remit to the Developer, or their permitted assignee, any latecomer charges collected by the Village in accordance with the terms of the latecomer agreement.

5.3 Village May Perform Works

- 5.3.1 The Servicing Officer may elect to have all or a portion of the required Works and Services designed or constructed by the Village if the Works and Services involve modifications or connections to an existing Village system or if the Works and Services overlap with a planned Village project and are not immediately required to service the development.
- 5.3.2 Where the Servicing Officer elects to have all or a portion of the Works and Services designed or constructed by the Village,
- a. the Servicing Officer will advise the Developer of the specific Works and Services that the Village has elected to design or construct,
 - b. the Developer must pay the Village, in cash, 125% of the cost of designing or constructing such Works and Services, as estimated by the Developer's Engineer and verified by the Servicing Officer, and
 - c. such Works and Services will be designed or constructed as and when needed by the Village.
- 5.3.3 Where the Servicing Officer elects to have all or a portion of the Works and Services designed or constructed by the Village, the Village will in no way be acting as the Developer's agent, employee, partner, consultant, contractor, or sub-contractor.

5.4 Developer To Perform Works

- 5.4.1 Unless the Servicing Officer elects to have the Village perform the Works under Section 5.3.1, the Works and Services must be provided by the Developer and designed and constructed in accordance with the standards and specifications outlined in the IDCM at the cost of the Developer.

- a. Where a variance to a technical standard is proposed by the Developer's Engineer, the Servicing Officer may authorize such variance upon careful consideration of the "Sustainability and Asset Management Principles" contained in the IDCM and only upon the written recommendation the Developer's Engineer.
- 5.4.2 Where Works and Services are required to be provided by a Developer, the Developer, at their expense, shall retain a professional engineer (i.e., the Developer's Engineer) to design, inspect, test, and certify all Works and Services. The Developer's Engineer must be employed by an incorporated firm registered in good standing with Engineers and Geoscientists BC.
- 5.4.3 The Developer must obtain Design Authorization for the design prepared by the Developer's Engineer, in accordance with the Application & Submissions Policy.
- 5.4.4 The Servicing Officer may require that any submission required for the provision of Works and Services undergo a Peer Review, at the cost of the Developer, to provide an independent, objective assessment of the submission to inform the Servicing Officer's determination of compliance with this Bylaw and good engineering judgement.

5.5 Application for Permission to Construct

- 5.5.1 No person shall construct Works and Services without the Servicing Officer granting Permission to Construct. An application for Permission to Construct must be made in accordance with the provisions of the Application & Submissions Policy.
- 5.5.2 The Servicing Officer may include, as a condition of Permission to Construct, any terms, provisions, or restrictions necessary to support or protect the Village's interests in relation to the construction.
- 5.5.3 The Servicing Officer may withdraw or suspend Permission to Construct whenever it is found that construction activities are not being performed in accordance with this or any Village bylaw or if any terms, conditions, or requirements of Permission to Construct are no longer being met.
- 5.5.4 In withdrawing or suspending Permission to Construct, the Servicing Officer shall notify the Developer to stop work and shall identify the details of the contravention. The Developer shall, upon notice that Permission to Construct has been withdrawn or suspended, cease construction activities and immediately work to secure, remediate, and stabilize the site in compliance with all applicable safety regulations. The Developer shall not resume construction activities until the Servicing Officer has re-issued Permission to Construct.

5.6 Construction Requirements

- 5.6.1 The Developer is responsible to ensure Works and Services are constructed in accordance with:
 - a. the standards and specifications contained in the IDCM,
 - b. the design drawings that were authorized by the Approving Officer,
 - c. any conditions which may be a requirement of Permission to Construct, and
 - d. all other bylaws, legislation, regulations, and statutes.
- 5.6.2 The Developer must provide and maintain through the course of construction:
 - a. access to the lands being Subdivided or Developed suitable for use by fire and emergency vehicles or equipment, and
 - b. a water supply system sufficient for fire suppression and containment.
- 5.6.3 The Developer must protect nearby or adjacent utilities, structures, and property from damage by construction activities and must immediately repair and make good any damage as a result of construction.

5.6.4 If the Developer does not promptly rectify any damage, the Village may elect to, but is not obligated to, rectify the damage at the expense of the Developer and the Developer shall reimburse the Village for its reasonable costs immediately upon receipt an invoice from the Village, either directly or through the Developer's Performance Security.

5.6.5 The Developer must ensure the Works and Services remain free and clear of any and all liens, charges, or encumbrances.

5.7 Application to Connect Works and Services

5.7.1 No person shall connect Works and Services to any existing Village infrastructure system without first obtaining the Servicing Officer's authorization for connection. An application to connect Works and Services must be made in accordance with the Application & Submissions Policy.

5.7.2 Upon connection, Works and Services within public road right-of-way will vest in and become the property of the Village and the Village will be responsible for operation and routine maintenance.

5.7.3 The permitting of a connection, the vesting of the Works and Services to the Village, or the Village's use, operation, or maintenance of the Works and Services shall not relieve the Developer of any requirements under other sections of this Bylaw and shall not be deemed an acceptance of the Works and Services until the Servicing Officer issues a Certificate of Final Acceptance.

5.8 Substantial Performance Requirements

5.8.1 When the Developer's Engineer determines that Substantial Performance of the Works and Services has been achieved, the Developer's Engineer must provide, to the satisfaction of the Servicing Officer, supporting documents and information as outlined in the Application & Submissions Policy.

5.8.2 When the Servicing Officer has received all required documents and records from the Developer's Engineer and is satisfied, upon inspection, that the Works and Services have reached Substantial Performance, the Developer shall provide the Village with Maintenance Security, the balance of the Performance Security shall be returned to the Developer, and the Maintenance Period shall commence.

5.9 Maintenance Period Requirements

5.9.1 During the Maintenance Period:

- a. the Village will be responsible for the operation and routine maintenance of the Works and Services;
- b. the Developer must promptly complete, modify, or reconstruct any incomplete, defective, or deficient Works and Services identified on the certificate of Substantial Performance;
- c. the Developer shall be responsible to monitor the Works and Services and promptly rectify, at their cost, any deficiencies in the design, materials, workmanship, or performance of the Works and Services; and
- d. should the Developer fail to promptly rectify any deficiency, the Village may elect to, but is not obligated to, rectify the deficiency at the expense of the Developer and the Developer shall reimburse the Village for its reasonable costs immediately upon receipt an invoice from the Village, either directly or through the Developer's Maintenance Security.

5.9.2 The Maintenance Period for any Works and Services repaired or reinstated shall commence on the date the Developer's Engineer certifies the Works and Services have been repaired or reinstated and are ready for their intended use.

5.9.3 The Village is not obligated to release any deficiency holdbacks until all deficiencies for the complete scope of work have been rectified to the satisfaction of the Servicing Officer.

5.9.4 During the Maintenance Period, should all or a portion of the Works and Services cease to function for their intended purpose, in the opinion of the Servicing Officer, as a result of a failure of the Developer to meet their obligations under this Bylaw:

- a. the Developer shall secure the site and resume responsibility for the operation and routine maintenance of the Works and Services and
- b. the Developer must promptly repair or reinstate the Works and Services to the satisfaction of the Developer's Engineer and the Servicing Officer.

5.10 Total Performance Requirements

- 5.10.1 When the Developer's Engineer determines that Total Performance of the Works and Services has been achieved and the Maintenance Period has expired, the Developer's Engineer must provide, to the satisfaction of the Servicing Officer, supporting documents and information as outlined in the Application & Submissions Policy.
- 5.10.2 Upon receipt of all documents, records, and agreements, and upon inspection at the expiration of the Maintenance Period, if the Servicing Officer is satisfied that the Works and Services have reached Total Performance the Servicing Officer shall issue a Certificate of Final Acceptance of the Works and Services and the balance of the Maintenance Security shall be returned to the Developer.
- 5.10.3 Upon the Servicing Officer's issuance of the Certificate of Final Acceptance for Works and Services within a municipal road right-of-way or utility statutory right-of-way, the Works and Services shall vest in and become the property of the Village.

6.0 IMPLEMENTATION

6.1 Limitations

6.1.1 No Duty of Care

- a. This Bylaw does not create a duty of care on the Village, Council members, the Approving Officer, the Building Official, or employees or agents of the Village with respect to its administration, implementation, or enforcement, including but not limited to the issuance of permits, approvals, reviews, investigations, authorizations, or acceptance certificates.
- b. The Developer and their agents shall not be entitled to rely upon the results of any investigations, inspections, field visits, or other due diligence conducted by the Village, its employees or agents, in connection with the Subdivision or Development of lands.

6.1.2 No Warranty or Representation

- a. A review, or failure to review, by the Approving Officer of Works and Services specification requirements, design and construction drawings, or supporting documents will not, in any way, constitute a representation, warranty, or statement that the design or construction of the Works and Services complies with the standards contained within this Bylaw. No person shall rely on such review, or failure to review, as establishing compliance with this Bylaw.
- b. An inspection by the Approving Officer in relation to the Substantial Performance or Total Performance of the Works and Services, will not, in any way, constitute a representation, warranty, or statement that the construction of the Works and Services have reached Substantial Performance or Total Performance.
- c. Site visits made by the Approving Officer, Council members, or any other officer, employee, or agent of the Village, or the failure to make such site visits, will not, in any way, constitute a representation, warranty, or statement that the Works and Services have been designed and constructed in accordance with this Bylaw.

6.1.3 Developer's Responsibility for Works and Services

- a. It is the full and sole responsibility of the Developer to design and construct any Works and Services required by this Bylaw in accordance with the provisions of this Bylaw, and to ensure that the Works and Services are inspected, tested, and certified by the Developer's Engineer in accordance with the provisions of this Bylaw.
- b. No issuances, approvals, reviews, verifications, or inspections which are performed or failed to be performed by the Village, including by the Approving Officer, Council members, or any other officer, employee or agent of the Village, will relieve the Developer from the responsibility to design and construct required Works and Services in accordance with the provisions of this Bylaw and other bylaws of the Village or to obtain necessary permits or authorizations from other jurisdictions.
- c. Neither the Approving Officer's granting of Permission to Construct, the expiration of any or all Maintenance Periods, nor the issuance of a Certificate of Final Acceptance will relieve the Developer, the Developer's Engineer, or the firm of the Developer's Engineer from any responsibility or liability for the faulty, defective, or deficient design or construction of the Works and Services, or for any breach of this Bylaw, whether such responsibility or liability arises before or after the Approving Officer's issuance of Permission to Construct or the Certificate of Final Acceptance.

6.2 Enforcement

- 6.2.1 No person shall Subdivide or Develop land or construct Works and Services for the Subdivision or Development of land contrary to the provisions of this Bylaw.
- 6.2.2 Every person who constructs Works or Services for the Subdivision or Development of land contrary to the provisions of this Bylaw must remedy the contravention in a timely manner and to the satisfaction of the Approving Officer.
- 6.2.3 Officers, employees, and agents of the Village are authorized to enter at all reasonable times upon any lands, property, or premises to inspect and determine compliance with the provision of this Bylaw, subject to *Section 16 of the Community Charter*.
- 6.2.4 No person shall prevent or obstruct, or attempt to prevent or obstruct, the entry of any officer, employee, or agent of the Village where such entry is authorized by this Bylaw.
- 6.2.5 Every person who contravenes or violates any of the provisions of this Bylaw, or who suffers or permits anything to be done in violation of this Bylaw, commits an offence and, upon summary conviction, is liable to a fine of not more than \$10,000.00.
- 6.2.6 Each day's continuance of an offence under this Bylaw constitutes a separate offence.
- 6.2.7 The penalties imposed for a contravention of this Bylaw are not a substitute for any other remedy to a contravention of this Bylaw.

6.3 Effective Date

- 6.3.1 This Bylaw shall come into force and take effect upon adoption.
- 6.3.2 Notwithstanding Section 6.3.1, if a complete application for Subdivision Approval has been made under Section 0 prior to the date of adoption of this Bylaw, this Bylaw shall have no effect with respect to that Subdivision for a period of 12 months from the date of adoption.

6.4 Repeal

- 6.4.1 Village of Lions Bay Subdivision Bylaw No. 141, 1985, as amended, is repealed.

Read a **FIRST TIME** this _____ day of _____, 2025

Read a **SECOND TIME** this _____ day of _____, 2025

Read a **THIRD TIME** this _____ day of _____, 2025

ADOPTED this _____ day of _____, 2025

Ken Berry
MAYOR

Ross Blackwell
CORPORATE OFFICER



Corporate Policy No. POL-2505

Application & Submissions Policy

for Subdivision & Development Servicing Bylaw No. 651, 2025

Type	Corporate Policy	Policy No.	POL-2505
Title	Application and Submissions Standards for Bylaw 651	Original Date	2025-09-02
Author	Public Works Manager	Version	01
Approved by	Ross Blackwell, CAO	Version Date	2025-09-02

1.0 ADMINISTRATION

1.1 Purpose

The purpose of this policy is to establish application and submission requirements for the construction of Works and Services in association with the Subdivision or Development of land.

1.2 Objectives

The objectives of this policy are to:

- a. Provide clear, consistent, and transparent standards for the application procedures and submission requirements associated with the design and construction of Works and Services associated with the Subdivision or Development of land.
- b. Enable staff to intake and process applications for the design and construction of Works and Services, with due consideration of the best interest of the Village and in a timely, objective, fair, and consistent manner.

1.2.1 Interpretation

This policy must be read in conjunction with Subdivision & Development Servicing Bylaw No. 651, 2025 (the “SDS Bylaw”) with respect to principles of interpretation, defined terms, and applicability. Defined terms from the SDS Bylaw used in this policy are denoted by capitalization.

Where this policy and the provisions of the SDS Bylaw are in conflict, the provisions of the SDS Bylaw shall take precedence.

1.3 Roles and Responsibilities

The following roles and responsibilities are clarified:

- a. The Approving Officer is responsible for the intake and processing of Subdivision applications under the Development Application and Fee Bylaw. The Approving Officer is the final decision-maker regarding the approval of a Subdivision application and any approval terms, conditions, or requirements.
- b. The Building Official is responsible for the intake and processing of Building Permit applications under the Building Bylaw. The Building Official is the final decision-maker regarding the issuance of a Building Permit and any permit terms, conditions, or requirements.
- c. The Servicing Officer, or, in the absence of an appointed Servicing Officer, the Public Works Manager or Approving Officer, is responsible for the intake and processing of applications to construct Works and Services. The Servicing Officer is the final decision-maker regarding the design and construction approval for Works and Services and any approval terms, conditions, or requirements.

2.0 SUBDIVISION APPROVAL PROCEDURES

The following section outlines the procedural and submission requirements for the intake of Subdivision Approval applications and for the assessment and provision of Works and Services associated with Subdivision under SDS Bylaw, Section 3.0.

2.1 Application for Subdivision Approval

- 2.1.1 A Developer who applies for Subdivision Approval must provide to the Approving Officer a complete application in the Village's standard form, which shall include:
- a. all reports, plans, studies, covenants, and other legal or technical documents as may be required under the Development Application Procedures and Fees Bylaw or at the discretion of the Approving Officer,
 - b. a Preliminary Layout Review Letter for the proposed Subdivision, issued by the Approving Officer not more than 12 months prior to the date of the application for Subdivision Approval, unless an extension is granted by the Approving Officer.
 - c. a Certificate of Final Acceptance issued by the Servicing Officer under Section 5.7.1, or a Servicing Agreement and Performance Security in accordance with Section 4.0, for any required Works and Services;
 - d. confirmation that all applicable fees and charges related to the application have been paid, and
 - e. confirmation that all taxes, impositions, charges (including any latecomer charges), and fees applicable to the land have been paid.
- 2.1.2 The Approving Officer shall not be obliged to grant Subdivision Approval until they are satisfied that:
- a. a complete application, in the Village's standard form, has been made;
 - b. all requirements of the Development Application Procedures and Fees Bylaw have been satisfied;
 - c. all requirements and conditions of the Preliminary Layout Review Letter have been satisfied, including, but not limited to, the provision of Works and Services, dedication of parkland, or dedication of land for Highway use;
 - d. the land is suitably zoned for the proposed Subdivision;
 - e. the proposed Subdivision is in the public interest, including but not limited to consideration of matters under *Section 86(c)* of the *Land Title Act*; and that
 - f. the land is not otherwise unsuitable for Subdivision under the provisions of the *Land Title Act*, the *Local Government Act*, all other applicable legislation and regulations, and all other Village bylaws.

2.2 Considerations and Limitations for Highway Dedications

- 2.2.1 *Section 513(2)(a)* of the *Local Government Act*: Dedication of land to establish new Highways through lands being Subdivided may be required to adequately access proposed lots, to provide access to lands beyond that being Subdivided, for emergency egress, or for other considerations as outlined in *Section 75* of the *Land Title Act*. Such Highways may be required to be provided without compensation to a maximum depth of 20 m.
- 2.2.2 *Section 513(2)(b)* of the *Local Government Act*: Dedication of land to widen existing Highways fronting the land being Subdivided may be required to be provided without compensation to a depth that is the lesser of 10 m and the difference between the current ROW width and 20 m.
- 2.2.3 *Section 513(3)* of the *Local Government Act*: Where, in the opinion of the Approving Officer, a paved roadway width of 8 m (13 m if the roadway is providing alternative forms of transportation) within or fronting a proposed Subdivision cannot be adequately supported, protected, or drained, then additional

ROW width to permit the Highway to be supported, protected, or drained may be required to be provided without compensation.

- 2.2.4 *Section 513.1 of the Local Government Act:* Where a new Highway or fronting existing Highway is to include sustainable design features or transportation infrastructure supporting walking, bicycling, public transit, or other alternative forms of transportation, up to an additional 5 m of width may be required to be dedicated without compensation.

3.0 BUILDING PERMIT PROCEDURES

The following section outlines the procedural and submission requirements for the assessment and provision of Works and Services associated with Development under SDS Bylaw, Section 4.0.

3.1 Circulation to Servicing Officer

- 3.1.1 Upon receipt of a Building Permit application that would result in any additional residential dwelling units upon a lot or, in the case of non-residential uses, any additional building area with a value greater than 20% of the assessed value of the existing improvements, the Building Official is to refer the application to the Servicing Officer for review of servicing requirements.

3.2 Offsite Works and Services

- 3.2.1 If Works and Services beyond the site being Developed are required to service the Development, the application for Building Permit must include the following:
- a. A Certificate of Final Acceptance issued by the Servicing Officer under Section 5.7.1, or a duly executed Servicing Agreement with Performance Security in accordance with Section 4.0.
 - b. Confirmation that any charges over the land in support of Works and Services have been duly executed by the Owner and registered in the *Land Title Office*. Charges may include Highway dedications, covenants, statutory rights-of-ways, easements, approvals, permits, or licenses as may be required by the Servicing Officer. All such charges shall be obtained by the Owner, at the Owner's risk and expense.
 - c. Any applicable fees according to Fees Bylaw No. 497, 2016.

3.3 Onsite Works and Services

- 3.3.1 If Works and Services are to be provided on the site being Developed, the application for Building Permit must include the following:
- a. A site servicing plan, a site grading plan, a stormwater management plan, and an erosion and sediment control plan, prepared by a professional engineer and acceptable to the Servicing Officer.
 - b. Confirmation that any charges over the land in support of Works and Services have been duly executed by the Owner and registered in the *Land Title Office*. Charges may include Highway dedications, covenants, statutory rights-of-ways, easements, approvals, permits, or licenses as may be required by the Servicing Officer. All such charges shall be obtained by the Owner, at the Owner's risk and expense.
 - c. Letters of Assurance, in the Village's standard form, duly executed for the coordination and assurance of design and construction field reviews of civil works:
 - i. Schedule A – Confirmation of Commitment by Owner and Coordinating Professional
 - ii. Schedule B – Assurance of Professional Design and Commitment for Field Review

3.4 Connection of Services

- 3.4.1 Connection to the Village's Works shall only be made in accordance with Section ii.

- 3.4.2 Where a Developer has provided Schedule A and B Letters of Assurance for Works and Services in accordance with Section 3.3.1.c, the Developer shall not be permitted to connect such Works and Services to the Village's Works until they have submitted, to the satisfaction of the Servicing Officer, Schedule C-A and C-B Letters of Assurance.

3.5 Considerations and Limitations for Highway Dedications

- 3.5.1 *Section 513.2(2)(a) of the Local Government Act:* Dedication of land to establish new Highways through a Development site may be required to adequately access proposed lots, to provide access to lands beyond that being Subdivided, or for emergency egress. Such Highways may be required to be provided without compensation to a maximum depth of 20 m.
- 3.5.2 *Section 513.2(2)(b) of the Local Government Act:* Dedication of land to widen existing Highways fronting a Development site may be required to be provided without compensation to a depth that is the lesser of 10 m and the difference between the current ROW width and 20 m.
- 3.5.3 *Section 513.2(3) of the Local Government Act:* Where, in the opinion of the Approving Officer, a paved roadway width of 8 m (13 m if the roadway is providing alternative forms of transportation) within or fronting a proposed Development cannot be adequately supported, protected, or drained, then additional ROW width to permit the Highway to be supported, protected, or drained may be required to be provided without compensation.
- 3.5.4 *Section 513.3 of the Local Government Act:* Where a new Highway or fronting existing Highway is to include sustainable design features or transportation infrastructure supporting walking, bicycling, public transit, or other alternative forms of transportation, up to an additional 5 m of width may be required to be dedicated without compensation.

4.0 SERVICING AGREEMENTS, SECURITY, & INSURANCE

4.1 Servicing Agreements

- 4.1.1 Servicing Agreements must be provided in the Village's standard form, duly executed by the Owner in registrable form as a covenant on title under *Section 219* the *Land Title Act*.
- 4.1.2 The Servicing Officer, in their discretion, may elect to not proceed with registering the Servicing Agreement on title if the Servicing Agreement is associated with a Building Permit application, the value of the Performance Security is less than \$250,000, and the works are limited in scope to the provision of direct utility services and access necessary under the *BC Building Code* for occupancy.

4.2 Performance & Maintenance Security

- 4.2.1 Performance Security amount is to be determined by the Developer's Engineer based on a viable engineering design and recent construction pricing for similar work within the region. The cost estimate prepared by the Developer's Engineer must be in MMCD format and is subject to verification by the Servicing Officer.
- 4.2.2 Performance and Maintenance Security may be in the form of a bank draft, certified cheque, irrevocable letter of credit, or surety bond, subject to the following:
- For amounts less than \$50,000, only a bank draft or certified cheque is permitted
 - For amounts greater than \$50,000, a bank draft, certified cheque, irrevocable letter of credit, or surety bond is permitted.
 - Surety bonds must be provided in the Village's standard form, from an institution regulated by the Office of the Superintendent of Financial Institutions (OSFI), with a minimum credit rating as detailed below:

Rating Agency	Credit Rating
AM Best	A-
Fitch	A+
Moody's	A1
Morningstar DBRS	A (high)
Standard & Poor's	A+

- 4.2.3 Maintenance Security must be provided in the form of a bank draft or certified cheque, unless the value is greater than \$50,000, in which case an irrevocable letter of credit is also acceptable.

4.3 Insurance Requirements:

- 4.3.1 The firm employing the Developer's Engineer must obtain and maintain at all times, until one year from the date the Certificate of Final Acceptance is issued, commercial general liability insurance, professional liability insurance, and errors and omissions insurance with a minimum of \$2,000,000 coverage per occurrence with insurance companies and terms satisfactory to the Village.
- 4.3.2 The Developer must obtain and maintain at all times, until the Certificate of Final Acceptance is issued, Comprehensive Commercial General Liability Insurance with a minimum of \$5,000,000 coverage per occurrence, with insurance companies and terms satisfactory to the Village.
- 4.3.3 Insurance policies shall name the "Village of Lions Bay" and its employees as an additional insured, shall state that the policy applies to each insured in the same manner and to the same extent as if a separate policy had been issued to each insured, and shall state that the policy cannot be cancelled, lapsed, or materially changed without at least 30 days written notice to the Village, delivered to the Village's Corporate Officer.

5.0 PROVISION OF WORKS AND SERVICES

The following section outlines the procedural and submission requirements for the design and construction of Works and Services provided by a Developer under SDS Bylaw, Section 5.0.

5.1 Application for Design Authorization

- 5.1.1 An application for Design Authorization must be made in the Village's standard form and shall include:
- payment of applicable fees under the Fees Bylaw, No. 497, 2016
 - design drawings in accordance with the technical submission requirements outlined Section 6.0, and
 - a cost estimate of the proposed works in MMCD format.
- 5.1.2 The Servicing Officer is not obliged to grant Design Authorization until they are satisfied that:
- a complete application has been made,
 - the design is in strict conformance with the requirements of the SDS Bylaw and all other Village bylaws or, if not in strict conformance, that all proposed variances have been identified by the Developer's Engineer for review, contain the professional assurance of the Developer's Engineer, and are acceptable to the Servicing Officer, and
 - any supporting technical documents, reports (including a Peer Review, if required), studies, or analysis necessary to determine if the proposed design is in strict conformance with this Bylaw, or that proposed variances are acceptable, have been provided by the Developer's Engineer.
- 5.1.3 Design Authorization expires in conjunction with the expiration of the PLR Letter or Building Permit, as applicable, or after 12 months from the date of issuance, whichever is earlier.

5.2 Application for Permission to Construct

- 5.2.1 An application for Permission to Construct must be made in the Village's standard form.
- 5.2.2 The Servicing Officer is not obliged to grant Permission to Construct until the Developer provides, to the satisfaction of the Servicing Officer, all documents, forms, or securities as may be required, which may include, but not be limited to:
- a. confirmation of Design Authorization for the proposed Works and Services, issued not more than 12 months from the date of application for Permission to Construct;
 - b. Letters of Assurance, in the Village's standard form, duly executed for the coordination and assurance of design and construction field reviews of civil works:
 - i. Schedule A – Confirmation of Commitment by Owner and Coordinating Professional
 - ii. Schedule B – Assurance of Professional Design and Commitment for Field Review
 - c. an executed Servicing Agreement and Performance Security;
 - d. a certificate of insurance, in the Village's standard form, from both the Developer's Engineer and the general contractor;
 - e. confirmation of the general contractor's qualifications, experience, and WorkSafe BC clearance;
 - f. a construction schedule, a public notification plan, and a traffic management plan; or
 - g. confirmation that any other permits required by other jurisdictions (i.e., Vancouver Coastal Health, BC Hydro, Provincial, or Federal) in relation to the provision of the Works and Services have been obtained.

5.3 Application to Connect Works and Services

- 5.3.1 An application to connect Works and Services to the Village's Works must be made in the Village's standard form at least two weeks in advance of the planned connection date.
- 5.3.2 The Servicing Officer will not be obliged to permit a Developer to connect Works and Services to the Village's systems until:
- a. a complete application has been made;
 - b. the Developer's Engineer has certified that the Works and Services to be connected are ready to be used for their intended purpose and provided all supporting documentation as may be applicable from those required under Section 5.5;
 - c. the Developer has provided a tie-in plan detailing the logistics of the connection work acceptable to the Servicing Officer;
 - d. the Developer has arranged for the Developer's Engineer and the Servicing Officer to be present for the witnessing of the connection;
- 5.3.3 The Servicing Officer may, at their discretion and if applicable, refuse to permit the connection until:
- a. the Approving Officer has issued the Subdivision Approval or the Building Official has issued Building Permit, or the Developer has entered into a Servicing Agreement in accordance with Section ;
 - b. the Developer has deposited with the *Land Title Office* all subdivision plans for highway dedications, all covenants, or any other documents required by the Village to be registered as a condition of Subdivision Approval, Building Permit issuance, or Permission to Construct; or
 - c. the Developer has paid any applicable fees or charges related to the connection, including but not limited to latecomer charges;

5.4 Request for Latecomer Agreement

- 5.4.1 If the Developer is required to provide Excess or Extended Services at their cost and wishes to enter into a latecomer agreement for potential cost recovery, they must notify the Servicing Officer in writing prior to making an application for Substantial Performance.
- 5.4.2 The Servicing Officer is not obliged to accept a request for latecomer agreement until the Developer provides, to the satisfaction of the Servicing Officer:
- a written technical report to inform the Servicing Officer's determination of the Excess or Extended portion of the Works and Services,
 - the estimate of the cost for the Excess or Extended portion, prepared by the Developer's Engineer and verified by the Servicing Officer, and
 - a draft latecomer agreement in the Village's standard form.

5.5 Application for Substantial Performance

- 5.5.1 When the Developer's Engineer determines that Substantial Performance of the Works and Services has been achieved, the Developer's Engineer must provide, to the satisfaction of the Servicing Officer:
- a Certificate of Substantial Performance in the MMCD format, including, if applicable, a schedule of deficiencies with a deficiency cost estimate,
 - Letters of Assurance, in the Village's standard form, duly executed for the assurance of coordination, construction field reviews, and compliance:
 - Schedule C-A – Assurance of Coordination of Professional Field Review
 - Schedule C-B – Assurance of Professional Field Review and Compliance
 - record drawings, supporting documents and data, field reviews, and testing records, as outlined in Section 6.0.
- 5.5.2 When the Servicing Officer has received all required documents and records from the Developer's Engineer and is satisfied, upon inspection, that the Works and Services have reached Substantial Performance, the Developer must provide to the Village:
- a statutory declaration that all accounts which have been incurred in performance of the Works and Services have been paid in full,
 - confirmation from a *BC Land Surveyor* that all survey pins and monuments within the construction area have not been disturbed or destroyed as a result of construction activities,
 - confirmation that all agreements, rights-of-ways, and covenants in relation to the Works and Services have been duly executed and deposited with the *Land Title Office*, and
 - an executed Servicing Agreement with Maintenance Security.

5.6 Application for Total Performance

- 5.6.1 When the Developer's Engineer determines that Total Performance of the Works and Services has been achieved and the Maintenance Period has expired, the Developer's Engineer must provide, to the satisfaction of the Servicing Officer:
- a Certificate of Total Performance in the MMCD format;
 - updated record drawings, supporting documents and data, field reviews, and testing records if Works and Services were modified during the Maintenance Period; and
 - a statutory declaration that all accounts which have been incurred in performance of the Works and Services have been paid in full.

5.7 Certificate of Final Acceptance

- 5.7.1 If, upon inspection, the Servicing Officer is satisfied that the Works and Services have reached Total Performance and the requirements of Section 5.6.1 have been met, the Servicing Officer shall issue a Certificate of Final Acceptance of the Works and Services.

6.0 ENGINEERING DRAWING SUBMISSION REQUIREMENTS

6.1 Drawing Submissions

- 6.1.1 The Village requires engineering drawings to be prepared using the publicly available MMCD AutoCAD Civil 3D template and in the general MMCD format and style.
- 6.1.2 Drawings submitted shall contain sufficient information and details so as to provide for detailed design review and constructability and as noted in the following subsections. All drawing submissions must be authenticated in accordance with EGBC Guidelines. Incomplete, substandard, or unsealed submissions will be returned to the professional engineer with a short letter of explanation as to why the drawings are being returned and without any detailed review comments.
- 6.1.3 Initial drawing submissions shall include:
- two full-sized hard-copy civil drawing set,
 - a digital PDF version of the civil drawing set, and
 - a Schedule A Letter of Assurance.
- 6.1.4 Subsequent drawing submissions involving changes to the previous submission must contain numbered revision clouds where changes were made; submissions to consist of:
- two full-sized hard-copy drawing sets for all project disciplines,
 - a digital PDF version of the drawing sets for all project disciplines, and
 - a revision tracking spreadsheet, with itemized descriptions of all changes and how comments were addressed, numbered to correspond to the revision clouds on the drawings.
- 6.1.5 Once the Servicing Officer advises the Developer's Engineer that the drawing submission is acceptable, the Developer's Engineer must remove all revision clouds and submit:
- two full-sized hard-copy drawing sets for all project disciplines,
 - a digital PDF version of the drawing sets for all project disciplines,
 - the AutoCAD Civil 3D model files, containing the design information used to prepare the authorized drawings, and
 - Schedule B Letters of Assurance from all project disciplines.
- 6.1.6 The Servicing Officer may review the design drawings and calculations to verify general compliance with the Village of Lions Bay requirements but is not responsible for the adequacy or accuracy of the Professional Engineer's design. Any errors or omissions will be the sole responsibility of the Professional Engineer whose seal appears on the drawings.

6.2 Design Drawing Requirements**6.2.1 General**

Drawing submissions shall incorporate the following:

- Elevations must be shown in metric geodetic datum. All survey work must be tied into an accepted benchmark using NAD83 UTM 10 data. The reference benchmark and elevation must be shown on the

design drawing. All existing rights-of-way and easements and their permitted uses must be confirmed through the *Land Title Office*.

- b. Drawings shall have a base plan compiled from topographic survey for surface features, utility records for non-critical underground utilities, and utility locates for critical underground utilities such as for tie-in locations and elevations, minimal-separation crossings, or where records do not exist. Any information received from the Village of Lions Bay on existing services must be used as a guide only. Verification of locations and elevations must be checked and confirmed by a qualified professional. The Village of Lions Bay takes no responsibility for the exactness of service information obtained from Village of Lions Bay files and drawings.
- c. Standard sheet size is A1 metric size 594 mm x 841 mm.
- d. A north arrow, existing and proposed road names must be shown on the design drawings.
- e. All drawing sheets are to be submitted complete with title block in the lower part of the sheet referencing the Village of Lions Bay file number.
- f. Dimensioning of drawing must be given from an existing or proposed iron pin or lot line.
- g. All new works must be drafted in bold dashed lines.
- h. Road chainage must be tied to an iron pin from the start of construction.
- i. Plans must show the legal layout of roads and properties, with all legal descriptions (lots and plan numbers) and dimensions (to the nearest 0.01m). Plan must also show existing house numbers and registered statutory rights-of-way.
- j. A cover sheet must be prepared and attached to the front of all drawing sets. The cover sheet must note the Professional Engineer's company name and contact information, the applicant's name and contact information, the Village of Lions Bay file number, the legal description of the lands involved, a site plan at a 1:5000 scale, and a drawing index. The plan must note all existing and proposed roads and buildings as appropriate. The cover sheet may be utilized to show the drainage catchment area.

6.2.2 **Key Plan**

A key plan must be provided to 1:2500 scale and must include the following:

- a. A plan of adjacent roads and existing lots with roads named and legal description of adjacent lots given.
- b. The civic address and the property being subdivided or developed shown shaded.
- c. The contours at 2.0 metres intervals except on very steeply sloping ground where 5 metre intervals will be accepted.
- d. If the subdivision or development is to be developed in stages, each proposed stage is to be shown clearly outlined and in the order of development indicated.
- e. The location of existing survey monuments.

6.2.3 **Composite Utility Plans**

The Composite Utility Plan is to be at a 1:1000 or 1:500 scale and must show:

- a. all proposed Works including water, sanitary and storm sewers, electrical, telephone, gas, street lighting, non-standard service connections;
- b. all appurtenances such as hydrants, valves, manholes, catch basins, transformers, and community mail boxes complete with all offsets, locations and dimensions;
- c. rights of way and easements including widths, covenant boundaries;
- d. lot boundaries with lot numbers, dimensions, bearings, and areas;
- e. control station monuments; and
- f. the site legal boundaries outlined with a bold line.

6.2.4 **Road Plans & Profiles**

The following information must be shown on road plan and profile drawings:

- a. Show all iron pins adjacent to the works and the existing ground elevation at each pin or proposed pin.
- b. Both plan and profile must be tied to an iron pin, preferably near or at 0+000 chainage. If the chainage exceeds 120 m, a second tie must be shown.
- c. Show the road width, curb, edge of pavement and sidewalk offsets measured from the property line where applicable.
- d. Road profiles must show the gutter of curb and/or centreline of road elevations.
- e. Detail the road construction with a typical cross-sectional view.
- f. The profile must be shown at true centreline length and provided in as close relationship as possible to the plan.
- g. Locate catch basins in accordance with specifications.
- h. Locate barricades.
- i. Locate ditches and centre of pavement in road construction by offsetting to property line.
- j. Existing and proposed critical driveway locations within the subdivision or development must be shown as well as a profile of each driveway from the road centreline to the end of the driveway within the property.
- k. Chainage of the BC and EC for horizontal curves must be shown together with the centreline radius. Curb radii are not required if the centre line radius and road width are shown, except on curb returns at intersections if other than 8 metres, at the end of cul-de-sacs, and on any curbs where alignment is not directly related to the centreline radius.
- l. The percent grade to two decimal places must be shown on the profile together with the following information on vertical curves:
 - i. the station and elevations of BVC, EVC, and PVI;
 - ii. the external value;
 - iii. the length of vertical curve;
 - iv. the elevation and station at 20 metre intervals and the low spot of sag curves;
 - v. the % grades of the adjacent vertical alignment; and
 - vi. the K value for vertical curves.
- m. On super elevated curves and cul-de-sacs on vertical and horizontal curves, show a profile of each curb or the edge of pavement (no centreline profile).
- n. Road cross-sections must be scaled at 1:100 horizontal and 1:50 vertical and must note the existing ground elevation, the proposed elevations of the road centreline, the curb and gutter (or road edge), the invert and top of any ditches, centreline of trails or sidewalks, and property lines. Cross-sections are required at 20 metre intervals. Additional sections may be required or requested where excessive cuts or fills are involved. Side and back slopes are to be shown.
- o. Each sheet must have a typical cross section.
- p. Show pavement markings and traffic control signs on all drawings.

6.2.5 **Sanitary & Storm Sewer Plans & Profiles**

The following information must be shown on the profile:

- a. size, type and class of pipe, class of bedding;
- b. percent grades to two decimal places. If critical, mark "CR" after the grade, if not critical, show the minimum grade thus: (1.08% min.);
- c. invert elevations at both inlet and outlet of manholes;
- d. rim elevations on all manholes and catch basins;
- e. existing Sanitary Sewer and Drain where required.

The following information must be shown on the plan:

- f. information on horizontal curves as detailed in paragraph 6.11;
- g. pipe offsets from property line; and

- h. the grade of any service connection from the upper end to the drop to the main if other than two percent.

The following additional information must also be shown on the appropriate part of the drawing:

- i. sanitary sewer manholes and cleanouts must be lettered in consultation with Village of Lions Bay staff;
- j. storm drain manholes, cleanouts and silt traps must be numbered in consultation with Village of Lions Bay staff;
- k. structural detail of all manholes not covered by MMCD Standard Drawings;
- l. cross sections and plan views of any swales or ditches required for the subdivision or development;
- m. details regarding any storm water retention or treatment facilities required for the development;
- n. where an open ditch drainage system is proposed, note the size of future driveway culverts required to conform to the design.

The information requested in this Bylaw for on-site sanitary sewerage systems must be shown and detailed on a suitably scaled drawing. Information and details regarding soils tests, treatment proposed and sewage disposal system proposed must be adequately and accurately detailed and noted on the drawings or attached submissions.

6.2.6 **Watermain Plans & Profiles**

The following information must be shown on the plan and profile drawings:

- a. size, type, and class of pipe;
- b. class of the pipe bedding;
- c. elevations and grades of the pipe;
- d. ground profiles and pipe cover; and
- e. valves, bends, fire hydrants, other appurtenances, etc. are to be shown complete with chainages; and
- f. all other requirements of the water utility.

The full pipe must be shown for the watermain on the profile.

All crossover points with sewers must be noted and shown to be protected in accordance with the water utility requirements.

The design drawings for a private utility must be provided.

6.2.7 **Streetlight Plans**

The following information must be shown on streetlighting plans:

- a. Location, type and wattage of luminaries complete with ducting information to be shown.
- b. Details of service base and wiring must be shown if not as per standard drawings.

6.2.8 **Third-Party Utility Plans**

The following information must be shown on shallow underground and overhead utility plans:

- a. Dimension the offset from property line and/or iron pins of the existing underground conductors or mains and the location of all appurtenances related to the system including house connections. Refer to the appropriate utility for complete details of existing underground installations. Offsets to be verified through the appropriate utility.
- b. Show proposed overhead or underground hydro/telephone/cable service schematically.
- c. Dimension the location of all poles, both existing and proposed, from the pole surface face to property line and/or iron pin.

6.2.9 **Lot and Site Grading Plans**

The Lot Grading Plan is to be at a 1:1000 or 1:500 scale and must show:

- a. pre-development ground contours in dashed lines extending 30 m beyond site boundary;
- b. post-development ground contours in solid lines;
- c. post-development elevations at corners of each proposed lot;
- d. drainage swales and easement and right of way boundaries;
- e. catch basins and lawn basins with rim elevations;
- f. storm and sanitary sewer service locations and elevations at property boundary;
- g. retaining walls integral to lot grading design and to be built by Developer;
- h. areas of cut and fill deeper than 1.5 m deep; and
- i. building envelope in accordance with the Zoning Bylaw and the minimum basement elevation on each lot.

6.2.10 **Stormwater Management Plans**

The Storm Water Management Plan is to be at a 1:1000 scale and must show:

- a. location plan of complete watershed at scale to fit;
- b. post-development contour lines at 1 m intervals for slopes less than 20%, otherwise 2.0 m intervals, showing match to pre-development contours which must extend 30 m beyond the site legal boundary;
- c. directional arrow on each lot indicating the prevailing post-development slope of the land;
- d. the proposed minor (10-year return) storm sewer system with inlet and outlet structures, and connections to existing, drainage systems;
- e. proposed major (100-year return) post-development flood routes, with connections to existing drainage systems, shown by arrows and indicating whether piped or overland;
- f. minimum basement elevations, service connection locations, and service elevations at property line;
- g. storm detention/infiltration facilities;
- h. legend;
- i. applicable general notes; and
- j. design table with information for each segment of proposed main including catchment area in hectares, run-off coefficients, time of concentration, rainfall intensity, major and minor flow volume, pipe size, slope and capacity both existing and proposed.

6.3 **Record Drawing Requirements**

6.3.1 Record Drawings shall consist of the authorized design, accurately revised to reflect actual construction recorded in accordance with MMCD Specification 01 33 01, as amended by the supplementary specifications.

6.3.2 Record Drawings must contain the following declaration, as recommended by EGBC Quality Management Guidelines – Guide to the Standard for the Authentication of Documents:

“The seal and signature of the undersigned on this drawing certifies that the design information contained in these drawings accurately reflects the original design and the material design changes made during construction that were brought to the undersigned’s attention. These drawings are intended to incorporate addenda, change orders, and other material design changes, but not necessarily all site instructions.

The undersigned does not warrant or guarantee, nor accept any responsibility for, the accuracy or completeness of the as-constructed information supplied by others contained in these drawings, but does, by sealing and signing, certify that the as-constructed information, if accurate and complete, provides an as-constructed system which substantially complies in all material respects with the original design intent.”

Record Drawings may not contain any additional disclaimers or limitation statements.

6.3.3 Record Submission shall include:

- a. two full-sized hard-copy civil drawing set,
- b. a digital PDF version of the civil drawing set,
- c. the AutoCAD Civil 3D model files, containing the design information used to prepare the Record Drawings, and
- d. a Schedule C-A Letter of Assurance and Schedule C-B Letters of Assurance from all project disciplines.

6.3.4 Record Submission drawings shall include:

- a. Site plan showing offsets and location of all Works and Services including service connections;
- b. Detailed plan-profile drawings for road works, water, sanitary sewer and storm sewer systems showing elevations, inverts, off-set, pipe materials, bedding, backfill and chainages reference to legal boundaries;
- c. Stormwater management plan;
- d. Lot grading plan with finished ground elevations at all lot corners, back of cur or sidewalk, any change in grade across the lot, lawn basins and manholes, and with inverts of swales and showing zoning bylaw building envelop and minimum basement elevation on each lot and any feature that may affect the construction of a building. Uniform grades between lot corners will be assumed to a tolerance of +/- 150mm;
- e. Street light plans showing make, model, type of luminaire unit, illumination levels achieved with the light spacing, locations of service bases, photocells, and hydro service entrances;
- f. Plans and details for which there are no MMCD or District standard (pump stations, etc.) complete with any operating manuals; and
- g. Final geotechnical report, if required, addressing all recommendations and details of the preliminary report, confirming construction techniques, applications and details including placement and compaction of fill materials in excess of 1.5m, stability of cut and fill slopes and embankments equal to or greater than 1:2.

6.4 Cost Estimate Requirements

- 6.4.1 Cost estimates for Works and Services to be owned by the Village shall be prepared in the MMCD Unit Rate Contract format, grouped under MMCD Specification headings.
- 6.4.2 Cost estimates shall be authenticated by the Developer's Engineer on the basis of the design information and quantities contained therein. The Village understands pricing is subject to variability and are based on past pricing, not future pricing. The Village will accept cost estimates containing additional declarations related to assumptions and limitations for unit rate pricing supplied by others, provided that unit rate prices shall be based on recent, similar, and nearby work with appropriate contingencies applied.

7.0 STANDARD FORMS & TEMPLATES

Contact the Servicing Office for the following standard forms and templates

7.1 Letters of Assurance

Schedule A	Confirmation of Commitment by Owner and Coordinating Professional Registrant
Schedule B	Assurance of Professional Design and Commitment for Field Review
Schedule C-A	Assurance of Coordination of Professional Field Review
Schedule C-B	Assurance of Professional Field Review and Compliance

7.2 Application Forms

- A-1 Application for Design Authorization
- A-2 Application for Permission to Construct
- A-3 Application to Connect Works and Services
- A-4 Application for Substantial Performance
- A-5 Application for Total Performance
- A-6 Application for Latecomer Agreement
- A-7 Application for Subdivision Approval

7.3 Standard Templates

- B-1 Servicing Agreement Template
- B-2 Certificate of Insurance Template
- B-3 Surety Bond Template
- B-4 Latecomer Agreement Template
- B-5 Cost Estimate Template

7.4 Certificates

- C-1 Certificate of Substantial Performance
- C-2 Certificate of Total Performance
- C-3 Certificate of Final Acceptance



Corporate Policy No. POL-2504

Infrastructure Design & Construction Manual

for the provision of Works and Services

Type	Corporate Policy	Policy No.	POL-2504
Title	Infrastructure Design & Construction Manual for Works & Services	Original Date	2025-09-02
Author	Public Works Manager	Version	01
Approved by	Ross Blackwell, CAO	Version Date	2025-09-02

Purpose

The purpose of this policy is to establish minimum engineering standards for the design and construction of Works and Services provided in association with the Subdivision or Development of land.

Objective

The objectives of this policy are to:

- Provide clear, consistent, and transparent standards for the design and construction of Works and Services associated with the Subdivision and Development of land.
- Ensure Village infrastructure is provided with consistency and quality in support of operational standardization and economic sustainability.
- Align technical engineering standards regionally for improved competitiveness

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0.0 ADMINISTRATION

0.1 Interpretation & Precedence

The Village of Lions Bay Infrastructure Design & Construction Manual (“IDCM”) contains the minimum standards for the design of Works and Services associated with the Subdivision and Development of land under Village of Lions Bay Subdivision & Development Servicing Bylaw No. 651, 2025 (the “Bylaw”) and must be read in conjunction with the Bylaw with respect to principles of interpretation, defined terms, and applicability. Defined terms are denoted herein by capitalization.

The IDCM design standards are based on the Master Municipal Construction Document (MMCD) Association’s [Municipal Infrastructure Design Guidelines, 2022](#) (herein the ‘MMCD Design Guidelines’). The provisions of the IDCM are to be applied in conjunction with the most current publication of the MMCD Design Guidelines; however, where the provisions of the IDCM are in conflict with the MMCD Design Guidelines, the provision of the IDCM shall take precedence.

The IDCM construction standards are based on the Master Municipal Construction Documents (MMCD) Association’s publication, the [MMCD 2019 Edition, Volume II - General Conditions, Specifications and Standard Drawings](#); however, where Supplementary Specifications are in conflict with the [MMCD 2019 Edition](#), they shall take precedence

0.2 Disclaimer to All Users of the IDCM

The IDCM is a minimum standard to ensure consistent performance and operational standardization of municipal infrastructure and may not be suitable for all contexts or applications within the Village of Lions Bay. It is provided without representation as to the appropriateness of its use in any particular situation and is not intended to be used as a basis for establishing good engineering practice or civil liability.

0.3 Responsibility of Developer’s Engineer

The IDCM is not intended to be a substitute for sound engineering knowledge, judgement, and experience. It is the responsibility of the Developer’s Engineer to exercise professional judgment on technical matters in the best interest of the Village, the Developer, the general public, and the environment. The Village expressly relies on the Developer’s Engineer for professional expertise and assurance of professional engineering design.

The Developer’s Engineer is solely responsible for the professional engineering work completed in accordance with the IDCM and must ensure that all designs, inspections, certifications, and all other engineering work completed under the requirements of the IDCM and SDS Bylaw 651 are suitable for their proposed application according to their own professional engineering judgement.

0.4 Right for Peer Review at Developer’s Cost

The Servicing Officer may require that any submission required for the provision of Works and Services undergo, at the cost of the Developer, a Peer Review to provide an independent, objective assessment of the submission to inform the Servicing Officer’s determination of compliance with the IDCM and good engineering judgement. The terms of reference for the Peer Review shall be established by the Servicing Officer and agreed upon by the Developer prior to undertaking the Peer Review. The Peer Review shall be conducted by a professional engineer of the Village’s choosing.

PART 1

DESIGN STANDARDS

1.0 GENERAL DESIGN CONSIDERATIONS

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1.1 Sustainability, Asset Management, and Variances to Standards

Works and Services must be designed to the minimum requirements contained within the IDCM. Where no standards exist or where context necessitates a variance from these standards, the Servicing Officer may, at their sole discretion, accept an alternate proposal or variance to the IDCM if the Works and Services are designed and constructed to meet the intent of the following sustainability and asset management principles:

- a. Minimize negative impacts on health, safety, and the environment;
- b. Minimize overall lifecycle costs and maintain operational standardization;
- c. Meet or exceed applicable standards for accessibility and safety;
- d. Meet or exceed the defined or established minimum level of service; and
- e. Account for impacts of projected climate change over the expected service life of the asset.

In accepting a variance to the criteria contained within the IDCM, the Servicing Officer is performing an administrative function and relying upon the assurance of the Developer's Engineer that the proposed design is technically appropriate for implementation. Acceptance by the Servicing Officer shall not be interpreted as an affirmation of suitability for the intended use or as a technical endorsement of the design.

1.2 Climate Change

In accordance with *EGBC Professional Practice Guidelines*, professional engineers must consider the impacts of climate change in their designs. The design of Works and Services must therefore consider and be adequate for the projected environmental conditions throughout the expected service life of the assets.

- a. High-risk and critical infrastructure, such as arterial roadways, reservoirs, pump stations, trunk mains, and community stormwater management facilities such as dikes and ponds should consider a moderate climate change forecast for a minimum 100-200 year service life; refer to the Village of Lions Bay Integrated Flood Hazard Management Plan for more additional information.
- b. Service infrastructure, including local and collector roadways, distribution and collection pipe infrastructure, and local stormwater management facilities should consider a moderate climate change forecast for a minimum 50-80 year service life.

Consult local resources where available, in addition to [EGBC Climate & Sustainability](#) resources, the [EGBC Practice Guideline: Developing Climate Change-Resilient Designs for Highway Infrastructure in British Columbia](#), and [Engineers Canada: Principles of Climate Adaptation and Mitigation for Engineers](#) guideline.

1.3 Independent Utilities

Independent Utilities are those not supplied by the Village and include electrical power, telecommunications, and natural gas. The Developer's Engineer is required to coordinate the design of independent utilities to avoid conflicts with existing, proposed, and future Works as part of a Subdivision or Development application.

1.4 Utility Rights-of-Way

Works and Services should generally be provided within a public road right-of-way (ROW) unless otherwise approved by the Servicing Officer to be in a utility statutory right-of-way (SRW). Works and Services installed within a road ROW must be capable of being excavated and replaced within the limits of that ROW.

Where approved, a utility SRW must:

- a. Be accessible by Village maintenance vehicles, including having sufficient width, alignment geometry, and pavement structure for the required maintenance vehicles;
- b. Be located outside any environmentally sensitive or archaeologically significant areas;
- c. Have a minimum width of 4.5 m for single pipes and 6 m for two or more pipes, except if the pipe is a trunk main, in which case the width must be sufficient for future twinning;
- d. Have a width sufficient to permit an open, un-shored excavation with bottom width at least 450 mm greater than the pipe diameter and side-slopes in accordance with geotechnical recommendations; and
- e. Have a width sufficient to permit an open, un-shored excavation in accordance with WorkSafe BC regulations for excavation and safe trenching.

The open, un-shored excavation limits of all buried Works and Services must be fully contained within a road ROW or utility SRW, or combination thereof, and must not conflict with the minimum safe distances to adjacent building footings based on a safe angle of repose from the limits of excavation. The Servicing Officer may require cross-sections to be provided that demonstrate a submitted design satisfies these requirements.

1.5 Utility Separation

Requirements for separation of watermains from sanitary or storm sewers, sanitary or storm forcemains, non-potable irrigation mains, or other piped hazardous fluids (collectively: "other non-potable fluids") are as follows, in accordance with the recommendations of the [Design Guidelines for Drinking Water Systems in British Columbia](#) (Part B. 17 of the [BC Drinking Water Officers' Guide, 2024](#)).

Exceptions to these requirements may be considered by the Servicing Officer in conjunction with the Vancouver Coastal Health Authority under an approved [Water Supply System Construction Permit](#) only where unusual conditions are present and where the Developer's Engineer has exhausted all reasonable efforts to meet the standard separation requirements.

1.5.1 Parallel Installation

Watermains must be laid in separate trenches with at least 3 m horizontal separation, measured edge-to-edge, and at least 450 mm vertically above, any parallel pipeline conveying other non-potable fluids.

Where all reasonable efforts to meet the requirements have been exhausted, consult *Section 16.6.1*, including *Tables 16-4* and *Table 16-5*, of the 2022 [Design Guidelines for Drinking Water Systems in British Columbia](#) for design guidance. Tables are copied below for convenience only.

Under no circumstances shall the installation of a pipeline result in a parallel run between a watermain and a pipeline conveying other non-potable fluids having less than 1 m horizontal edge-to-edge separation.

Table 16-4 Parallel Installation Configurations for Gravity Sewers

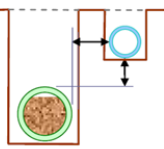
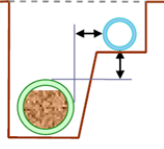
Configuration		Horizontal separation	Vertical separation	Scenario for Table 16-5	<div>Lower risk</div> <div>Higher risk</div>
Separate trenches (separately dug trenches in undisturbed soil with granular bedding around pipes)		> 3 m	> 450 mm	None, unless site-specific risks present (e.g. high water table)	
		> 3 m	< 450 mm Vertical separation < - D _{wm} discouraged where avoidable	None, unless site-specific risks present (e.g. high water table)	
		1 to 3 m	> 450 mm	B	
		1 to 3 m	- D _{wm} to +450 mm	A, B	
Common trench (watermain sits on bench of undisturbed soil)		> 1 m	> 450 mm	B	
		> 1 m	0 to +450 mm	A, B	

Table 16-5 Recommended Protective Measures

Scenario	Recommended Protective Measures
A (inadequate vertical separation when horizontal separation is <3 m)	<ul style="list-style-type: none"> Continuous hydraulic barrier (e.g. clay soil, geomembrane) or equivalent between pipes (see Figure 16-1), or Place water pipe, or parallel pipe, or both, in sleeve or casing pipe with watertight end seals. Casing pipe should be installed in accordance with best practices, including provisions for securing the pipe with spacers, skids or equivalent to protect pipe from movement and provide ease of removal for repair. Casing pipe must be a material that is approved for use as watermain and must be of the same or greater pressure rating as the water line. Isolation valves should also be included, as well as corrosion protection if necessary.
B (inadequate horizontal separation and/or pipes in same trench)	<ul style="list-style-type: none"> Increase the pipe strength of watermain, or parallel pipe, or both by a class, or Wrap watermain joints with heat shrink plastic, or pack watermain joints with compound and wrap with petrolatum tape by qualified installers in accordance with the latest version of AWWA C217, and AWWA C214 or AWWA C209,* or Use jointless pipe (e.g. solid pipe, welded joints, HDPE pipe with fusion-welded joints) for the watermain, parallel pipe, or both.

* It should be noted that the relevant AWWA standards define tapes/coatings in terms of their ability to protect pipes against corrosion. Third party testing against infiltration of waterborne pathogens has not been established for these products, and the use of joint wrapping/packing as a protective measure is at the discretion of the Issuing Official.

Table 16-6 Crossing Installation Configurations for Gravity Sewers

Configuration		Vertical Separation	Pipe Joints Requiring Protection	Additional Bedding Structural Support	Additional Notes
Watermain above sewer pipe		> 450 mm	None	No	None
		150 to 450 mm	Watermain joints	Yes	None
Watermain below sewer pipe		> 450 mm	Both watermain and sewer joints	No	Hydraulic barrier should be installed in trench between sewer and watermain ¹
		150 to 450 mm	Both watermain and sewer joints	Yes	

Lower risk
↓
Higher risk

1. Continuous hydraulic barrier (e.g. clay soil, geomembrane or equivalent) should extend no less than 300 mm beyond outer edge of watermain on both sides, such that the trench bedding width is protected.

1.5.2 Crossings

Where a watermain crosses a pipeline conveying other non-potable fluids, the watermain must be laid a minimum vertical distance of 450 mm above the pipeline, measured between the outside of the watermain and the outside of the sewer. The length of water pipe must be centered at the point of crossing so that joints in the watermain will be equidistant and as far as possible from the pipeline.

Where all reasonable efforts to meet these requirements have been exhausted, consult *Section 16.6.2*, including *Table 16-6*, of the [Design Guidelines for Drinking Water Systems in British Columbia](#) for design guidance.

Under no circumstances shall the installation of a pipeline result in the crossing of a watermain with a pipeline conveying other non-potable fluids having less than 150 mm vertical edge-to-edge separation.

1.5.3 Sewers in Common Trench

Storm and sanitary sewers may be installed in a common trench, provided that the design has taken into account:

- interference with service connections,
- stability of the benched portion of the trench, and
- conflicts with manholes and appurtenances.

The horizontal clearance between sewer pipes must not be less than 1.0 m. Separation between sewer pipes and manholes or appurtenances must be sufficient to allow physical access for mechanical compaction of backfill material to the specified minimum density.

1.5.4 Utilities Crossing Railroads, Provincial Highways, or Watercourses

Crossing of a railroad, Provincial Highway, or Watercourses with municipal utilities should be avoided where possible. Where accepted by the Servicing Officer and the Authority Having Jurisdiction (AHJ), when a watermain, sanitary sewer main, storm main, or other municipal utility (i.e., carrier pipe) crosses a railway track or right-of-way, Provincial Highway, or a watercourse, a protective steel casing pipe (i.e., casing pipe) should be provided and must be designed to all applicable static, dynamic, and seismic loadings and all other requirements of the AHJ. Generally:

- the size of the casing pipe must be at least the greater of 125% of the pipe bell outer diameter or 200% of the outside diameter of the main;

- b. the carrier pipe must be continually fused or provided with joint restraints; and
- c. the carrier pipe must be adequately supported within the casing pipe.

The Servicing Officer, in conjunction with the AHJ, may accept alternate solutions or trenchless technologies, giving consideration to the sustainability and asset management principles outlined in [Section 1.1](#). For Provincial Highway crossings, see the BC MoTT [Utility Policy Manual](#).

1.6 Trenchless Technologies

Where trenchless technologies are proposed, the Developer's Engineer, in cooperation with a suitably qualified contractor, must submit a comprehensive design brief and construction work plan that meets industry standards for the proposed trenchless technology and demonstrates to the satisfaction of the Servicing Officer that the sustainability and asset management principles outlined in [Section 1.1](#) are met.

1.7 Seismic Design Standards

The Developer's Engineer must ensure that the geotechnical conditions for the installation of Works and Services, with consideration given for seismic risks including susceptibility of ground conditions for wave propagation, liquefaction, and potential for permanent ground deformation, are suitable for the intended purpose and criticality of the Works and Services over their expected service life.

In areas of known risk or where the Developer's geotechnical engineer has identified areas of seismic concern or weak ground conditions, the Developer's Engineer shall consult with the Servicing Officer prior to commencing design to confirm if the Works can avoid the area, if the ground conditions may be improved, or if a variance to the material and connection specifications is appropriate.

1.8 Removals, Abandonment, and Decommissioning

In general, Village infrastructure that is made obsolete through the approval or servicing of new Subdivisions or Developments shall be removed at the Developer's cost. The Servicing Officer may consider permitting the decommissioning and abandonment of obsolete infrastructure as an alternative to removal upon consideration of the following factors:

- The risk of future liability to public health, the environment, infrastructure, or the stability of the area;
- The risk of conflict with future excavations, utilities, or infrastructure;
- The impact of removal on the public, the environment, or other nearby infrastructure that is remaining in service; and
- If infrastructure is within an SRW, any obligations or responsibilities of the Village for abandonment or decommissioning identified the terms of the SRW.

Where the Servicing Officer permits the decommissioning and abandonment of obsolete infrastructure as an alternative to removal, the following minimum standards apply:

- All concrete must be removed within 1.2 m of the surface and manholes must be filled with controlled-density fill or adequately compacted structural fill;
- Pipes must be filled with grout or controlled-density fill and pipe ends must be capped or sealed;
- Metallic appurtenances such as valves, tees, and hydrants should be salvaged and may not be abandoned where there is a risk of corrosion; and
- Obsolete services must be decommissioned by physical disconnection from the main and be filled and capped prior to abandonment. See additional requirements for water services at [Section 2.21](#).

1.9 Commissioning of Facilities

Facilities such as reservoirs, pump stations, PRV stations, chambers, drainage storage facilities, and traffic signal controllers may require additional coordination, special considerations, or specific actions to successfully implement the design of the Developer's Engineer. It is the responsibility of the Developer's Engineer to

understand and advise the Village of the initial and ongoing requirements necessary for the successful implementation of their design through the commissioning, operation, and ongoing maintenance of the facility.

1.9.1 Commissioning Plan

Prior to the operation of any new facility the Developer's Engineer must prepare a commissioning plan in consultation with, and acceptable to, the Servicing Officer. The Developer's Engineer, in coordination with the Servicing Officer, shall oversee the commissioning of the facility through to its normal operating condition.

The performance of the facility through the commissioning process shall be closely monitored for all operating conditions; draft process control narratives should be available at time of commissioning. The Developer's Engineer is responsible to document and rectify all deficiencies prior to completing the commissioning process.

Once all deficiencies have been corrected and upon successful commissioning of the facility, records shall be made to document the initial typical performance for all normal operating conditions.

1.9.2 Operating and Maintenance Manual

Upon successful commissioning, and prior to the Village's acceptance of any new facility, the Developer's Engineer must prepare an Operating and Maintenance (O&M) Manual that is acceptable to the Servicing Officer.

- a. The O&M manual must be provided digitally in PDF format and with three hard copies in the following format:
 - i. Bind contents in a three-ring, hard covered, plastic jacketed binder;
 - ii. Facility name to be embossed onto binder cover and spine;
 - iii. Each section to be separated from the preceding section with a plasticized cardboard divider with a tab denoting the contents of the section;
- b. Contents to include:
 - i. Title sheet, labeled "Operation and Maintenance Instructions," and containing the project name and date;
 - ii. Table of contents;
 - iii. Reviewed shop drawings of all equipment;
 - iv. Equipment list showing all model and serial numbers;
 - v. All equipment manufacturer's manuals;
 - vi. Record drawings sealed by a Professional Engineer registered in BC for all civil, mechanical, electrical, structural, control and alarm installations (include digital PDF and AutoCAD format separately);
 - vii. Full description of system operation, including (as applicable): design points, designed pump and system curves, ultimate capacity, area served, and any other design criteria relevant to the operation of the system;
 - viii. Full description of entire mechanical, electrical, and alarm system operation;
 - ix. Process control narratives;
 - x. Names, addresses, and telephone numbers of all design professionals, major subcontractors, and suppliers;
 - xi. Commissioning reports showing pressures, flows, current draw for all possible operating conditions;
 - xii. All SCADA programming shall be provided to the Village in digital format.

1.10 Access to Facilities

Facilities must be accessible by Village maintenance vehicles in all weather conditions. Access roads must have sufficient width, alignment geometry, and pavement structure for the required maintenance vehicles.

As a minimum, unless otherwise approved by the Servicing Officer, access roads to facilities must include a hard-paved asphalt or concrete surface and meet the requirements for emergency access roads (see [Section 0](#)) with a maximum grade of 8%.

2.0 WATER DISTRIBUTION

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2.1 General

Community water system designs, including water supply, treatment, transmission, and distribution systems, must be prepared under the direction of a suitably experienced professional engineer. The IDCM is not intended to be a substitute for sound engineering knowledge, experience, or judgement. The provisions of the IDCM are to be applied in conjunction with the most current publication of the [MMCD Design Guidelines](#); however, where the provisions of the IDCM are in conflict with the [MMCD Design Guidelines](#), the provision of the IDCM shall take precedence.

In addition to the provisions of the IDCM, community water systems must be designed in accordance with Provincial legislation and regulations (including, but not limited to, the [Drinking Water Protection Act and Regulation](#) and the [Public Health Act](#)), the [Design Guidelines for Drinking Water Systems in British Columbia](#), and the Vancouver Coastal Health Authority [Water Supply System Construction Permit Guidelines](#).

All water distribution system modifications (including construction, alterations, or extensions and before a new water source is used) require approval of the Vancouver Coastal Health Authority prior to construction. The Servicing Officer may require confirmation of a [Water Supply System Construction Permit](#) prior to granting Permission to Construct.

2.2 Metering

A water meter shall be installed on all new service connections in accordance with Water Bylaw No. 633, 2025. See [Section 2.21](#) for additional service connection requirements.

- a. No drain valve, water bypass, branch line, or any other type of fixture through which water may be taken shall be located upstream of a water meter, with the exception of lines that service only fire hydrants or building fire sprinkler systems.
- b. Water meters must be supplied and installed by the Developer under the supervision of the Servicing Officer and in accordance with the Approved Products List.
- c. Water meters must be located in an accessible location protected from freezing within an insulated meter pit or, if permitted by the Servicing Officer, within a building or heated, above-ground chamber (see [Section 2.20](#)).
- d. Strata lots, including bareland strata lots, shall provide the meter within the strata property in an easily accessible location near the property line, or as directed by the Servicing Officer.

2.3 Residential Demand

For the design of proposed community water system, use the per capita demands for residential land uses as shown in Table 2.3.A.

Table 2.3.A – Per Capita Residential Demand

Annual Average Day Demand (ADD)	450 L/c/d
Maximum Day Demand (MDD)	900 L/c/d
Peak Hour Demand (PHD)	1350 L/c/d

In lieu of development-specific information related to unit yield and number of bedrooms, for population estimates by area or unit type, use the population density estimates as shown in Table 2.3.B.

Table 2.3.B – Unit and Population Density

Land Use	Units per Ha	Ppl per Unit
Single-Family & Duplex Residential	20-34	3.5
Multiplex & Townhouse Residential	38-92	3.1
Apartment Residential	120-225	2.1
Mobile Home Park	25-42	2.5

For calculating residential design population, the number of dwelling units is to be based on the maximum permissible number of units allowed under the Zoning Bylaw for the lots being serviced by the proposed water system, including the maximum potential for multiple dwellings or multiple units on a single lot.

2.4 Non-Residential Demand

In the absence of development-specific data, use the non-residential maximum day demands for single-storey building construction without irrigation as shown in Table 2.4.A.

Table 2.4.A – Per Hectare Non-Residential Demand

Retail Commercial	26,000 L/Ha/day
Service Commercial	52,000 L/Ha/day
Institutional	65,000 L/Ha/day
Low-Use Industrial	45,500 L/Ha/day
High-Use Industrial	100,000 L/Ha/day

2.5 Fire Flows

The Required Fire Flow (RFF) is to be calculated in accordance with the current edition of “[Water Supply for Public Fire Protection](#),” published by Fire Underwriters Survey (FUS).

A proposed water distribution system must be sufficient to meet the calculated RFF of the theoretical highest demand building type allowable under the Zoning Bylaw for all proposed lots within the service area.

A proposed or existing system servicing a proposed Subdivision or Development is subject to the minimum requirements outlined in Table 2.5.A, based on the general land use and associated building type to be serviced.

Table 2.5.A – Minimum Available Fire Flow by Building Type @ 150 kPa (22 psi)

<i>Building Type or Zone Category</i>	<i>Minimum AFF</i>	<i>Minimum Duration</i>
Simple Residential (Part 9) ¹	90 L/s	1.5 hrs
Complex Residential (Part 3) ¹	150 L/s	2.0 hrs
Commercial & Mixed Use	150 L/s	2.0 hrs
Institutional	150 L/s	2.0 hrs
Industrial	225 L/s	3.0 hrs

¹ Residential Part 9 and Part 3 Buildings are as defined in the [BC Building Code](#).

Where an existing system is insufficient to meet the RFF of the proposed Subdivision or Development, the existing system must be upgraded to provide sufficient flow for the RFF or the RFF must be reduced.

2.6 Design Flows

Design Flow capacity is to be the greater of the Maximum Day Demand plus Fire Flow (MDD + FF) scenario and the Peak Hour Demand (PHD) scenario.

Proposed community water system design flow shall be supplied by gravity from a higher-elevation reservoir.

2.7 Water Pressure

A proposed community water distribution system must be designed to provide water service within the pressure limits shown in Table 2.7.A. Proposed community water system pressures shall be provided by gravity through a higher-elevation reservoir.

Table 2.7.A - Domestic Water Pressure

Maximum Allowable Static Pressure ^{1, 2}	850 kPa (86.5 m, 120 psi)
Minimum Residual Pressure at PHD ³	300 kPa (30.5 m, 45 psi)
Minimum Residual Pressure at MDD + FF ³	150 kPa (15.5 m, 20 psi)

¹ The maximum allowable pressure may be increased to 1035 kPa (105.5 m, 150 psi) for systems with multiple pressure zones at the discretion of the Servicing Officer.

² Where the maximum pressure exceeds 515 kPa (52.5 m, 75 psi) or where serviced off a transmission main, service connections must be individually protected by pressure reducing valves located in the building being served.

³ PHD and MDD scenarios to be modelled for the ultimate population of the service area based on the fully developed land conditions as anticipated in the current OCP.

Determination of pressure limits should generally be made at building main floor elevations, except that minimum residual pressures for residential areas should be evaluated at an elevation of 10 m above building main floor elevations (~3 storeys).

2.8 Hydraulic Design

2.8.1 Network Modelling

A proposed community water system must be designed to deliver the Design Flow using a proven network analysis computer model based on the Hazen-Williams formula. Refer to [MMCD Design Guidelines](#), Section 2.8 and Table 2.8 for roughness coefficients.

Other formulas and methods may be used, subject to prior approval from the Servicing Officer.

In addition to the Design Flow capacity, consideration must be given to water quality. For assessing water quality (i.e., water age, chlorine residual), the anticipated initial and ultimate Average Day Demand should be modelled to ensure adequate water quality is maintained for initial users and at full build-out. The Developer's Engineer should consider the intent of the proposed form of development and the expected occupancy timelines given the development phasing plan.

2.8.2 Maximum Velocities

A proposed community water distribution system must be designed to provide domestic water at or below the maximum allowable velocities shown in Table 2.8.A.

Table 2.8.A - Maximum Allowable Design Velocities

Pump Supply, Reservoir Supply Mains, & Trunk Mains ¹	2.0 m/s
Distribution Mains at PHD ²	2.0 m/s
Distribution Mains at MDD + FF ^{1, 2, 3}	4.0 m/s

¹ Under the greater of PHD, MDD+FF, or pump rate as applicable. The Developer's Engineer is responsible for assuring that surge and transient pressures are accounted for in their designs.

² PHD and MDD scenarios to be modelled for the ultimate population of the service area based on the fully developed land conditions as anticipated in the current OCP.

³ Maximum velocity under MDD +FF scenario may be increased to 4.0 m/s at the discretion of the Servicing Officer where the Developer's Engineer can demonstrate the resiliency and ability of the network to handle such velocities and anticipated surge pressures.

2.9 Minimum Pipe Diameter

Watermains and services are subject to the minimum nominal pipe diameters shown in Table 2.9.A.

Table 2.9.A – Minimum Pipe Diameters

Distribution Mains ¹	200 mm
Fire Hydrant Connections	150 mm
Service Connections ²	38 mm

¹ If approved by the Servicing Officer where no further extensions are possible, dead-end distribution main minimum diameter may be reduced to 150 mm provided that it serves no more than a single fire hydrant; the minimum diameter may be further reduced to 100 mm within the last 45 m if no hydrants or fire sprinkler systems are served.

² If approved by the Servicing Officer, minimum service connection may be reduced to 19 mm if the lot is only able to support two or less residential units under the Zoning Bylaw.

2.10 Dead Ends

Watermains must be looped wherever possible. Looping through a development site may require backflow prevention at entry points, SRWs for Village access, and other conditions as may be required by VCH. Where dead-ends are unavoidable, the Servicing Officer may require water modelling to confirm acceptable water quality and adequate fire flows. A blow-off or hydrant, or a blow-down, must be provided at the terminus of the main.

2.11 Depth of Cover

The minimum depth of cover of any watermain or service, from the crown of the pipe to the surface, must not be less than 1.0 m to prevent freezing. Consideration must be given for maintaining minimum cover where ditches and slopes are present, or where open-air structures (i.e., storm sewer catch basins) are present.

The maximum depth of cover of any watermain or service is determined by the width of the right-of-way and allowable temporary excavation slope of the trench material (see [Section 1.4](#)). Cover over pipe above 3.0 m requires prior approval from the Servicing Officer as supported by load calculations.

2.12 Grade

Watermains shall run along a consistent grade between defined deflection points. The minimum grade is 0.1%. Where slopes are equal to or greater than 10%, provide anchorage, joint restraints, trench dams, and trench drainage. Refer to MMCD Standard Drawing G8.

2.13 Corrosion Protection

Where there is a potential for encountering corrosive soils, a geotechnical corrosion analysis is to be conducted to determine the corrosiveness of the native soils. If the soils are determined to be corrosive, the Developer's

Engineer must prepare a report which addresses the life expectancy of metallic components and shall recommend protective measures, such as cathodic protection and use of stainless steel components, to prevent the corrosion of any metallic watermain or appurtenances over the design life of watermain.

Upon Substantial Performance, the Developer's Engineer must include inspection reports in their submission and certify the works were completed in material conformance with the design recommendations.

2.14 Valves

In general, valves are to be located at projected property lines to avoid conflicts with driveways, located outside vehicle and bicycle wheel-paths, and as follows:

- a. Not more than 250 m apart,
- b. Not more than one (1) hydrant isolated,
- c. Not more than 20 service connections or 50 units isolated,
- d. At the pipe intersections:
 - i. 3 valves at "X" intersection,
 - ii. 2 valves at "T" intersection, including hydrant branch tees,
- e. In place of curb stops for services 100 mm diameter and greater,
- f. To isolate sections of watermain in areas of seismic risk, and
- g. At each end of a section crossing a railway, Provincial Highway, statutory right-of-way, watercourse, or other significant obstruction to allow for isolation of the section.

Any section of main must be able to be isolated by operating no more than 4 valves. Gate valves must be used for watermain up to and including 300 mm diameter and must be the same diameter as the main. Butterfly valves with gear operators are permitted in mains larger than 300 mm.

2.15 Hydrants

Fire hydrants shall be spaced in accordance with "Water Supply for Public Fire Protection - A Guide to Recommended Practice" (latest edition), published by Fire Underwriters Survey, subject to the following minimum spacing, as measured along road centreline:

- Not more than 120 m apart in suburban and low-density residential areas;
- Not more than 100 m apart in high-density residential, commercial, industrial, or institutional areas.

Fire hydrants should be located at street intersections, at the last lot before a cul-de-sac bulb, near building main entrances as per BC Building Code, and generally as follows:

- 1.0 m back from curb or 0.6 m back of sidewalk to centre line of hydrant,
- Within boulevards and not sidewalks, unless unavoidable and with a 1.5 m clear travel path,
- Minimum 1.5 m clear of any other utility structure in all directions,
- Minimum 3.0 m clear in direct line with hose connections,
- At property line projections in mid-block locations,
- With sufficient clearance from property lines to provide for open cut excavation to base of hydrant assembly within the right-of-way (otherwise provide SRW over private property).

Bollards or concrete barriers for hydrant protection may be required at the Servicing Officer's discretion. Where ditches are present, a culvert crossing shall be provided to permit unobstructed access to the hydrant. On arterial highways with a raised median, fire hydrants shall be installed on both sides of the highway with each side treated exclusively for spacing requirements.

2.16 Blow Offs and Blow Downs

Blow-offs shall be provided at the terminal ends of all watermain whether permanent or temporary to facilitate scouring velocities during flushing. Blow-off sizes are:

- a. 50 mm diameter for 100 mm watermains
- b. 100 mm diameter for 150 mm watermains
- c. For mains 200 mm dia. and greater, special design is required.

Where practical and approved by the Servicing Officer, a hydrant may serve a secondary role as a blow-off or blow-down.

On all mains greater than 300 mm diameter, install blow downs at the lowest point in the watermain profile between the line valves.

2.17 Test Points

Test points shall be installed on all watermains in order to provide for the ability to collect water samples in accordance with [AWWA C651 – Disinfecting Water Mains](#). The need for and location of test points is to be determined in consultation with the Servicing Officer. In general, test points should be provided at the end of dead-end mains and near major distribution junctions.

2.18 Air Valves

Combination air valves shall be installed at the summits of all mains and at regular intervals and the crests of on long, ascending runs. Air valves may not be required on watermains 200 mm diameter and smaller upon approval by the Servicing Officer for the following:

- a. Where the difference in elevation between the summit and valley is less than 600 mm,
- b. Where it can be shown that air pockets will be carried by typical (ADD) flows, and
- c. Where active service connections are suitably located to dissipate entrapped air.

The typical air valve size for watermains up to 300 mm diameter is 25 mm, subject to design analysis.

Air valves must be vented to an appropriate secured above-grade location to eliminate any potential for cross connection in a flooded or contaminated chamber.

2.19 Thrust Restraint and Seismic Risk Mitigation

2.19.1 Thrust Restraint

Mechanical joint restraints shall be provided at all fittings requiring thrust restraints, including bends, tees, crosses, wyes, reducers, plugs, caps, valves, hydrants, and blow-offs. Thrust restraint may also be required in other locations where engineering analysis determines that thrust restraint is warranted. Thrust restraint is generally not required with 5° bends on mains 200 mm in diameter or less.

Concrete thrust blocks may be used with prior approval from the Servicing Officer in areas of low seismic risk. Where approved, concrete thrust blocks, whether pour-in-place or pre-cast, shall be placed against undisturbed or sufficiently compacted soil, be such that the pipe and fitting joints are accessible for repair, and be non-point loading on appurtenances. The thrust restraint system must take into account potential future excavations in the vicinity of the watermain; cast-in-place thrust blocks must not be larger than necessary.

Design calculations must be provided and include details of fitting type, water pressure, and soil conditions.

2.19.2 Seismic Risk Mitigation

Mechanical joint restraints shall be used on all joints for watermains larger than 250 mm in diameter, for watermains designated by the Servicing Officer as “lifeline service mains” servicing critical infrastructure or neighbourhood populations, and for watermains in areas of high seismic risk prone to liquefaction.

In areas of soil prone to liquefaction, provide tees with blind flanges and valves on either side of the area to allow for quick installation of temporary piping, incorporate expansion sleeves at valve locations to relieve pipe strain, and limit service connections within the area.

2.20 Chambers

Chambers or manholes containing valves, blow-offs, meters, or other appurtenances must be watertight structures that can withstand vehicle loading and that allow adequate room for maintenance, including at least 2.0 m of head-room and side-room. Access openings must be suitable for removing valves and equipment and permitting inspection cameras and pigging equipment. Chambers requiring entry to confined spaces are to be avoided. Chambers are to be complete with a permanent ladder, meter bypass, remote radio reading capability, and have all piping primed and painted with a rust-inhibiting paint.

Chambers are to be provided with a drain to a storm sewer or ditch, complete with backflow prevention, to prevent flooding; a pumping system may be required for drainage. In the absence of a nearby storm sewer or ditch, a rock pit sized for a 1:25-yr event may be provided at the discretion of the Servicing Officer, subject to suitable soil and groundwater conditions. Insulation to prevent freezing must be provided.

Adequate venting must be provided. The Servicing Officer may require provision of forced ventilation, lighting, heating, or dehumidification. Access and ventilation details must comply with WorkSafeBC requirements.

2.21 Service Connections

Every legal lot shall be provided with a single, separate service connection. Multiple service connections may be permitted by the Servicing Officer upon demonstrated need for residential side-by-side duplexes or row housing developments where each unit has a separate title, or for commercial or industrial developments where water quality or fire flow requirements makes a single, unlooped service location impractical. Where a service is looped through a commercial or industrial development, an approved backflow prevention assembly shall be installed at all service tie-in locations.

Service connection size shall align with the [BC Plumbing Code](#) for proposed Developments, or be calculated on the basis of the designated land use, including sprinkler systems or on-site hydrants, where applicable in the case of Subdivision. Minimum service sizes are outlined in [Section 2.9](#). To mitigate risk of flooding and cross-contamination, a community water system may only be permitted to service a proposed development where the building elevation criteria outlined in [Section 4.6](#) are satisfied.

All new service connections shall be metered in accordance with [Section 2.2](#). Water service connections 100 mm in diameter and larger shall be designed as mains. Water service connections are to have at least 1.0 m separation from other services and generally be located beneath driveways or, if no driveway, in the centre of the lot.

Proposed Developments may utilize an existing water service if all of the following are satisfied:

- The existing service connection, including saddle, corporation stop, pipe, and curb stop, meets all current requirements for size, materials, location, and minimum cover;
- The existing service is in good condition and is suitable for continued use, in the opinion of the Developer's Engineer and the Servicing Officer,
- Where there is no water meter, a new water meter is added in accordance with [Section 2.2](#), and
- The existing service connection is less than 50 years old.

Where Development results in obsolete services to a lot, all obsolete services must be fully decommissioned at the main in accordance with the following:

- Where the saddle or corporation stop is in poor or moderate condition, in the opinion of the Servicing Officer, or the corporation stop has been direct tapped, removal of the corporation stop and saddle, and installation of a repair clamp is required; or

- If the corporation stop and saddle are in good condition, in the opinion of the Servicing Officer, the corporation stop may be capped by installing a solid plug behind the flare/compression nut or adapted to a solid cap; or
- Where a larger diameter water service was connected to the main with a flange, then a blind plate is required on the tee with the service valve removed, if applicable.

2.22 Alignments and Corridors

Pipe alignment to be generally parallel with the road centreline, offset to achieve 3.0 m separation from the sanitary main, and to avoid unnecessary deflections or appurtenances. Tracer wire and metallic marking tape is to be provided in statutory rights-of-ways and on main and service with non-standard alignments within ROWs. All non-metallic service pipe must also have tracer wires. Metallic marking tape, where required, is to be placed at the road subgrade elevation and at least 0.45 m below finished grade.

For curved roads and alignments,

- a. provide a constant radius through the curve;
- b. bending of the pipe is not permitted;
- c. joint deflection should not exceed two-thirds of the maximum deflection specified by the pipe manufacturer; and
- d. where 5° bends are used, provide a minimum of one full pipe length between bends.

Vertical alignments should minimize the number of high points and avoid unnecessary deflections.

Where a watermain crosses private land, right-of-way requirements are as indicated in [Section 1.4](#). Requirements for clearances and crossings are outlined in [Section 1.5](#).

2.23 Tanks and Reservoirs

2.23.1 Preliminary Design

Prior to commencing detailed design of a reservoir, the Developer's Engineer must submit a preliminary design report in general conformance with the [MMCD Design Guidelines](#) criteria, to the satisfaction of the Servicing Officer. The preliminary design report must consider the principles outlined in [Section 1.1](#) and address, at a minimum, the applicable design standards and criteria, design objectives and assumptions, and proposed siting, sizing, configuration, and materials.

2.23.2 Capacity

- a. Reservoir capacity must provide a storage volume not less than the greater of one-day average annual consumption for the service area and the Sum of A + B + C, where:

A = Fire Storage, which shall be the greater of

- 1,080 cubic metres (150 L/s for 2 hrs),
- the volume as determined in accordance with the FUS [Water Supply for Public Fire Protection](#) guide for the theoretical highest demand building type allowable under the Zoning Bylaw for all lots within the reservoir service area, and
- the minimum volume outlined in Table 2.5.A for the highest future land use or building type within the reservoir service area.

B = Equalization Storage, which shall be

- 25% of Maximum Day Demand as determined in [Section 2.6](#).

C = Emergency Storage, 25% of A + B.

- b. Subject to the results of detailed engineering analysis to the satisfaction of the Servicing Officer, the requirement for reservoir storage may be reduced based on consideration of the following:
 - i. availability of storage from other reservoirs within the service area;
 - ii. known maximum day demand patterns;
 - iii. dependability and reliability of the water supply system to the reservoir, including standby power and redundancy of pump stations supplying the reservoir; and
 - iv. the need for adequate circulation of reservoir water to maintain quality.

2.23.3 Structural Design Codes

The Developer's Engineer is responsible to confirm the applicable design standards in the preliminary design report, considering the [BC Building Code](#), the [MMCD Design Guidelines](#), and other applicable standards.

2.23.4 Design Features

Upon receipt of the preliminary design report submitted by the Developer's Engineer, the Servicing Officer will issue a design terms-of-reference, which will outline the Village's requirements for the detailed design of the reservoir. In establishing the terms-of-reference, the Servicing Officer shall consider those principles outlined in [Section 1.1](#), the Village's operational capacity, and current best practice.

As a minimum, reservoirs should have provisions for isolation, cleaning, maintenance, access, sampling, and measurements, a PLC-control system, connection to SCADA system, a 24-hr uninterruptible power supply (UPS), and separate rooms for process piping, electrical components, and chemical storage for re-chlorination.

2.24 Pump Stations

2.24.1 Definition of Type

Pump stations for community water systems may be of two types:

- a. Intermittent Duty (ID) pump stations: ID pump stations generally supply reservoirs and cycle on/off based on control from the downstream reservoir(s) they supply.
- b. Continuous Duty (CD) pump stations: CD pump stations run continuously to supply a service area and maintain pressure within the service area.

Pump stations for private water systems servicing more than one user may be of either type and must comply in all applicable material respects with the standards for community water system pump stations, unless otherwise approved by the *Vancouver Coastal Health Authority*.

2.24.2 Preliminary Design

Prior to commencing detailed design of a pump station, an Developer's Engineer must submit a preliminary design report in general conformance with the [MMCD Design Guidelines](#) criteria, to the satisfaction of the Servicing Officer. The preliminary design report must consider the principles outlined in [Section 1.1](#) and address, at a minimum, the applicable design standards and criteria, design objectives and assumptions, and proposed siting, sizing, configuration, and materials.

2.24.3 Capacity

Pump stations shall be supplied with pumping redundancy for the largest pump being out of service and shall be designed with consideration for interim vs ultimate demands and average vs peak demands.

- a. Where the supplied reservoir has adequate storage as defined in [Section 2.23](#), ID pump stations are to be designed with pumping capacity to supply the MDD flow rate of the reservoir service area and at least 6-hr standby power shall be provided.

- b. Where adequate storage is not present in the supplied reservoir, ID pump stations are to be designed to supply the *Design Flow* of the service area, as determined in [Section 2.6](#), and at least 12-hr standby power shall be provided.
- c. Continuous-Duty (CD) pump stations are to be designed with pumping capacity to supply the *Design Flow* of service area, as determined in [Section 2.6](#), and at least 24-hr standby power shall be provided.

2.24.4 Design Features

Upon receipt of the preliminary design report submitted by the Developer's Engineer, the Servicing Officer will issue a design terms-of-reference, which will outline the Village's requirements for the detailed design of the pump station. In establishing the terms-of-reference, the Servicing Officer shall consider those principles outlined in [Section 1.1](#), the Village's operational capacity, and current best practice.

As a minimum, pump stations should have provisions for sampling and measurements, a PLC-control system, connection to SCADA system, standby power, and separate rooms for process piping, electrical components, and chemical storage for re-chlorination (if applicable).

2.25 Pressure Reducing Valve (PRV) Stations

2.25.1 Preliminary Design

Prior to commencing detailed design of a pressure reducing valve station, an Developer's Engineer must submit a preliminary design report in general conformance with the [MMCD Design Guidelines](#) criteria, to the satisfaction of the Servicing Officer. The preliminary design report must address, at a minimum, the applicable design standards and criteria, design objectives and assumptions, and proposed siting, configuration, components, and materials.

2.25.2 Design Features

Upon receipt of the preliminary design report submitted by the Developer's Engineer, the Servicing Officer will issue a design terms-of-reference, which will outline the Village's requirements for the detailed design of the station. In establishing the terms-of-reference, the Servicing Officer shall consider those principles outlined in [Section 1.1](#), the Village's operational capacity, and current best practice.

As a minimum, pressure reducing valve stations should be insulated or heated above-ground structures with provisions for sampling and measurements, a PLC-control system, connection to SCADA system, a 24-hr uninterruptible power supply (UPS), and separate rooms for process piping, electrical components, and chemical storage for re-chlorination (if applicable).

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3.1 General

Community sanitary sewer system designs, including gravity or pressurized collection piping, lift stations, and treatment facilities, must be prepared under the direction of a suitably experienced professional engineer. The IDCM is not intended to be a substitute for sound engineering knowledge, experience, or judgement. The provisions of the IDCM are to be applied in conjunction with the most current publication of the [MMCD Design Guidelines](#); however, where the provisions of the IDCM are in conflict with the [MMCD Design Guidelines](#), the provision of the IDCM shall take precedence.

Sanitary sewers are intended to convey wastewater only. This includes domestic wastewater flows from standard plumbing fixtures, interior floor drains, approved industrial and commercial wastewater, and unavoidable infiltration. Sanitary sewers are not intended for stormwater, roof drains, footing or building perimeter drains, or groundwater.

In addition to the provisions of the IDCM, community sanitary sewer systems must be designed in accordance with Provincial legislation and regulations, including the *Environmental Management Act*, the *Public Health Act*, and the *Municipal Wastewater Regulation*.

The sanitary sewer system is to be designed using a calibrated sanitary sewer model acceptable to the Servicing Officer unless the Servicing Officer determines the system is not complex. The downstream capacity of the existing system must be confirmed and capable of accepting the proposed flows from the subject development.

3.2 Per Capita Flow

For the design of proposed community sanitary sewer system, a residential per capita average daily dry weather (ADWF) flow of 320 L/c/d should be used for new, fully-metered residential development. For existing or unmetered residential flows, use 350 L/c/d or the observed ADWF for the relevant area contained in the most current *Village of Lions Bay Sanitary Sewer Master Plan*.

In lieu of development-specific information related to unit yield and number of bedrooms, for population estimates by area or unit type, use the population density estimates shown in Table 3.2.A.

Table 3.2.A – Unit and Population Density

<i>Land Use</i>	<i>Units per Ha</i>	<i>Ppl per Unit</i>
Single-Family & Duplex Residential	20-34	3.5
Multiplex & Townhouse Residential	38-92	3.1
Apartment Residential	120-225	2.1
Mobile Home Park	25-42	2.5

For calculating residential design population, the number of dwelling units is to be based on the maximum permissible number of units allowed under the Zoning Bylaw for the lots being serviced by the proposed sanitary sewer system, including the potential for multiple dwellings or multiple units on a single lot.

3.3 Non-Residential Flows

Commercial, industrial, and institutional demands are to be determined using specific data related to the development or zoning, if available and as accepted by the Servicing Officer, based on the most current version of the [Sewerage System Standard Practice Manual](#), Non-Residential Average Daily Flow Rate (see Table III-11 in Version 3, 2024) for average daily flows.

In the absence of development-specific data, use the non-residential maximum day flows for fully-metered single-storey building construction shown in Table 3.3.A.

Table 3.3.A – Per Hectare Non-Residential Flows

Retail Commercial	26,000 L/Ha/day
Service Commercial	52,000 L/Ha/day
Institutional	65,000 L/Ha/day
Low-Use Industrial	45,500 L/Ha/day
High-Use Industrial	100,000 L/Ha/day

3.4 Peaking Factor

For equivalent populations over 1,000 people, use hydraulic modeling software to determine the peak flow; consult the Servicing Officer for calibration based on established diurnal patterns. In the absence of such data or where hydraulic modeling is not warranted, the peaking factor is to be calculated using the design residential population and non-residential equivalent population, using the following equation:

$$PF = 1 + \frac{14}{4 + \sqrt{\frac{P}{1000}}}$$

Where: *PF* is the *Peaking Factor* and

P is the equivalent population of the design service area.

For service areas with an equivalent population less than 100 people, consult the [BC Plumbing Code](#) to ensure minimum pipe sizes are met to accommodate greater fluctuations in peak flows for surcharging.

3.5 Infiltration

For inflow and infiltration (I&I) allowance in new and existing community sanitary sewer systems, use the greater of 0.12 L/s/ha (10,400 L/ha/d) and the flow determined for nearby localized areas in the most current *Village of Lions Bay Sanitary Sewer Master Plan* for the gross tributary service area.

3.6 Design Flow

Design Flow shall be the Peak Wet Weather Flow (PWWF), calculated as follows:

$$Q_{PWWF} = Q_{PDWF} + Q_{I\&I}$$

Where: Q_{PDWF} is the (Equivalent Population) × (Per Capita Flow) × (Peaking Factor) and

$Q_{\&l}$ is the flow allowance for inflow and infiltration.

Proposed community sanitary sewer system design flow shall be conveyed by gravity to the existing community sanitary sewer system. Where conveyance solely by gravity to the existing system is not viable, in the opinion of the Servicing Officer, the Servicing Officer may permit the use of lift stations (see [Section 3.18](#)) and force mains.

3.7 Pipe Flow Formulas

3.7.1 Gravity Sewers

For design of gravity sewers, use *Manning's Formula* as follows:

$$Q = \frac{A \left(R^{2/3} \right) \sqrt{S}}{n}$$

Where: Q is the design flow,
 A is the cross-sectional area of the pipe,
 R is the hydraulic radius (area/wetted perimeter), and
 n is the roughness coefficient.

Use a roughness coefficient, n , for PVC mains of 0.013 for long-term capacity and flushing velocity design and 0.011 for peak velocity in steep conditions, unless otherwise accepted by the Servicing Officer.

Pipes shall be designed so that the design flow does not exceed d/D of $\frac{2}{3}$ (0.67) for pipes 250 mm diameter and less, and d/D of $\frac{3}{4}$ (0.75) for pipes greater than 250 mm, where d is the flow depth, and D is the pipe internal diameter.

3.7.2 Sewage Pressure Mains

For design of pressure sewers, use the Hazen-Williams formula. Refer to [MMCD Design Guidelines, Section 3.7.2](#). A roughness coefficient of 150 for PVC and 120 for PE mains should be used for the purposes of design checks for pipe capacity, flushing velocity, maximum velocity, and pumping capacity in the new and aged condition. Refer to design standards for watermains for additional considerations.

3.8 Flow Velocities

Sewers shall be designed to achieve the following flow velocities:

- a. Gravity Sewer Mains: minimum 0.60 m/s at PDWF,
- b. Pressure Sewers: minimum 0.75 m/s and maximum 3.5 m/s at standard pump flow rate.

Where design velocities in gravity mains are in excess of 3.0 m/s, consider measures to prevent pipe erosion and movement. Refer to MMCD Standard Drawing G8.

3.9 Alignment

Pipe alignment to be generally parallel with the road centreline and avoid unnecessary deflections. Tracer wire and metallic marking tape is to be provided in statutory rights-of-ways and on irregular alignments. Metallic marking tape, where required, is to be placed at the road subgrade elevation and at least 0.45 m below finished grade.

Except as indicated for curved sewers, horizontal and vertical alignments must be straight lines between manholes for gravity sewers and between defined deflection points for force mains. Deflections at manholes should preferably not exceed 45 degrees and deflections greater than 90 degrees are not permitted.

Force main line and grade requirements are as indicated for watermains. Air release valves are required at high points, with consideration given for odour control.

Where a sewer main crosses private land, right-of-way requirements are as indicated in [Section 1.4](#). Requirements for clearances and crossings are outlined in [Section 1.5](#).

3.10 Minimum Pipe Diameter

Sanitary sewers and services are subject to the minimum nominal pipe diameters shown in Table 3.10.A.

Table 3.10.A – Minimum Pipe Diameters

Gravity Sewers ¹	200 mm
Sewage Force Mains	75 mm
Service Connections ²	100 mm

¹ If approved by the Servicing Officer, the diameter of the uppermost section of a residential gravity sewer may be reduced to 150 mm where future extension is not possible.

² The greater of 100 mm and the size warranted under the [BC Plumbing Code](#).

3.11 Minimum Grade

The minimum grade of gravity sewers is the greater of 0.30% and as required to achieve the minimum flow velocity outlined in [Section 3.8](#), except for the upstream section of a residential sewer serving a design population of 25 or less, in which case, the minimum grade is 1.0%.

Pressurized sewage main (i.e., force main) grades are as indicated for watermains.

3.12 Curved Sewers

Curved sewers should generally be avoided. Vertical curves and pipe bending are not permitted. Where a curved alignment supports the elimination of excessive manholes or the installation of pipe outside the roadway, the Servicing Officer may approve horizontal curves formed using pipe joint deflection under the following criteria:

- Constant radius throughout the curve,
- Minimum radius of 60 m,
- Joint deflection not to exceed 67% of the maximum recommended by the pipe manufacturer,
- Minimum design velocity of 0.9 m/s under PDWF, and
- Curve locations and radii to be clearly indicated on design and record drawings.

3.13 Depth

Sanitary sewers must be installed at:

- a sufficient cover so as to prevent damage from surface loading,
- a minimum cover of 1.2 m to prevent freezing (measured from surface to top-of-pipe),
- a sufficient depth to permit gravity service connections to basements,
- a sufficient depth to permit future extension of the main to service upstream tributary lands,
- a depth not greater than that which would make open, unshored excavation of the sewer within right-of-way impossible or impractical due to undermining of other utilities, and
- a maximum depth of 4.5 m.

Where maximum depths would be exceeded to provide gravity service, pumped services may be permitted.

3.14 Manholes

3.14.1 Locations

Manholes are required at least every 150 m and at the following locations:

- Every change of pipe size or grade;
- Every change in direction, except for curved sewers in accordance with [Section 3.12](#);
- Upstream and downstream ends of curved sewers;

- d. Every pipe intersection, except as noted in [Section 3.16.4](#); and
- e. The upstream end of every sewer line, except as noted in [Section 3.14.3](#).

Avoid placing manhole lids in the wheel path of typical vehicle and cyclist traffic flow.

Manholes in off-road areas or outside right-of-ways must be identified with a steel marker post painted red with an offset dimension noted on the post and be designed with rim elevations above the 1:100 yr HGL and at least 150 mm above the surrounding finished grade.

3.14.2 Hydraulic Details

Design of manholes to include the following details:

- a. Crown elevations of inlet sewers shall not be lower than crown elevation of outlet sewers;
- b. When connecting a sewer main less than 300 mm in diameter to a sewer main 300 mm in diameter or greater, the invert of the smaller connecting main must not connect lower than at the $\frac{3}{4}$ ($d/D = 0.75$) flow depth of the larger main;
- c. Service connection inverts must not be lower than the sewer main crown elevation; and
- d. Force main discharges to be directed into the receiving manhole outflow pipe, with manhole benching extended a minimum 200 mm above the force main crown.

Minimum drop in invert elevations across manholes shall be as shown in Table 3.14.A.

Table 3.14.A – Minimum Invert Drop Across Manholes

Straight runs (no deflections)	10 mm
Deflections up to 45 degrees	20 mm
Deflections 45 to 90 degrees	30 mm

Drop manhole and ramp structures should be avoided where possible by steepening inlet sewers and service connections. Where necessary, provide drop structures in accordance with MMCD Standard Drawings and as shown in Table 3.14.B.

Table 3.14.B – Allowable Drop and Ramp Structures

Invert Difference	Structure
Up to 0.25 m	Inside Ramp
0.25 m to 0.90 m	Outside Ramp
Greater than 0.90 m	Outside Drop ¹

¹ Inside Drop structure may be used if specifically approved by the Servicing Officer in retrofit situations only where context makes excavation for an outside drop structure impractical. Inside Drop structures are not permitted for force main connections to manholes.

3.14.3 Temporary Clean-Outs

Temporary clean-outs in accordance with MMCD Standard Drawing S6 may be provided at the terminal sections of a main provided that all of the following conditions are met:

- a. Future extension of the main is proposed or anticipated with future development,
- b. The length of the sewer to the downstream manhole does not exceed 45.0 m, and
- c. The depth of the pipe does not exceed 2.0 m at the terminal point.

3.15 Odour Control

Design of community sanitary sewer systems shall be designed to minimize odour. Proper sizing and hydraulic design of gravity sewers, pump stations, and force mains to minimize turbulence and sewage age will tend to minimize odour generation.

Where design modifications to reduce odour are not practical, odour control strategies must be implemented where any of the following criteria are met, or expected to be met, in the opinion of the Servicing Officer:

- a. sewage age exceeds four hours,
- b. dissolved total sulphide exceeds a limit of 0.1 mg/L,
- c. hydrogen sulfide concentrations exceed 7×10^{-6} mg/m³ (4×10^{-6} ppm) within a 30-minute averaging period at a distance of 10 m,
- d. odour levels exceed 1.0 odour units within a 10-min averaging period at a distance of 10 m during summer conditions with winds between 2-10 km/h, or
- e. odour levels exceed 4.0 odour units within a 10-min averaging period at any time, where sewer facilities are closer than 10 m to a house, park, or public walkway.

Odour control strategies, if required, shall be sufficient to reduce odours below the criteria thresholds outline above. For more information, refer to the [MMCD Design Guidelines, Section 3.15](#).

3.16 Service Connections

Every legal lot shall be provided with a single, separate service connection. Multiple service connections may be permitted by the Servicing Officer for residential side-by-side duplexes or row housing developments where each unit has a separate title, or upon demonstrated need for commercial or industrial developments where topography makes a single gravity service location impractical.

Unless otherwise accepted by the Servicing Officer, all connections are to serve all plumbing by gravity. Minimum Building Elevations (MBEs) to facilitate sanitary sewer servicing by gravity shall be established at time of Subdivision on all lot grading plans in accordance with this section and [Section 4.6](#). To mitigate risk of flooding, infiltration, and cross-contamination, sanitary sewer servicing may only be provided to the proposed development where the building elevation criteria outlined in [Section 4.6](#) are satisfied.

Pumped connections may be permitted in conjunction with appropriate covenants if service by gravity to a fronting gravity main is determined not to be viable. Where permitted, pumped connections shall terminate at property line into a manhole with gravity flow into the sanitary main; pumped connections will not be permitted to connect directly to a gravity main or force main.

3.16.1 Size

Size services in accordance with the [BC Plumbing Code](#) for proposed Developments, subject to the following minimums: 100 mm diameter for residential services servicing up to 4 units and 150 mm for all other services (residential more than 6 units, commercial, industrial, institutional).

The Servicing Officer may restrict services to standard available sizing. Service connections 200 mm in diameter and larger, or longer than 30 m, may be required to be designed as mains at the discretion of the Servicing Officer.

3.16.2 Location

Connections to large lots are to be located generally at the lower portion of each lot. For urban developments, locate connections generally beneath the driveway or, if no driveway, in the centre of the lot. Ensure a minimum of 1.0 m separation between services of different types.

3.16.3 Grade

Minimum grade from property line to sewer main shall be:

- a. 100 mm diameter pipe: 2.00%
- b. 150 mm diameter pipe: 1.00%
- c. Larger sizes shall be designed for a minimum PDWF velocity of 0.75 m/s.

3.16.4 Details

Service connections must connect to a main of equal or greater size. Manholes are required at all services connections that are 300 mm or greater or of equal size to the connecting main. Use standard wye fittings for all other connections to new mains. For connections to existing mains, use wye saddles. Service connection fittings shall be installed at 45 degrees above horizontal; the service centreline must not be below the sewer main centreline.

Service connections should be made to manholes where possible, provided that:

- a. The connection is not oriented against the flow of the main (i.e., not more than 90 degrees),
- b. Manhole hydraulic and benching requirements are met, and
- c. The invert of the service connection enters the manhole at or above the sewer main crown.

Inspection chambers are required on all service connections unless it is a single-dwelling residential service less than 2.5 m long and connects to a manhole.

Inspection manholes in lieu of inspection chambers are required on all industrial and multi-family connections and on commercial connections at the discretion of the Servicing Officer where wastewater characteristics are expected to be atypical.

For a new Development tying into an existing service lateral, an inspection chamber must be installed if no inspection chamber is present. Replacement of the service lateral to the main may be required if, in the opinion of the Servicing Officer upon inspection, the condition of the service lateral is inadequate to service the proposed Development.

Pumped connections to a gravity service may be permitted in conjunction with appropriate covenants. Where permitted, pumped connections shall terminate at property line into a manhole with flow into the sanitary sewer main via gravity service; pumped connections will not be permitted to connect directly to a main.

3.17 Locations and Corridors

Pipe alignment to be generally located along the design road centreline and avoid unnecessary deflections and manholes. Rear yard sewers are not permitted for servicing within new subdivisions and should not be relied upon to service new development unless servicing from a main in a ROW is not viable. Where a sanitary sewer main crosses private land, right-of-way requirements are as indicated in [Section 1.4](#). Requirements for clearances and crossings are outlined in [Section 1.5](#).

3.18 Lift Stations

3.18.1 General

The use of sewage lift stations should be avoided where possible. Any proposed use of a lift station must receive prior approval from the Servicing Officer who shall consider the economic benefit to the utility of providing service.

The following standards are applicable for the design of small to medium submersible sewage lift stations. Larger capacity stations may require additional assessment and design criteria.

3.18.2 Preliminary Design

Prior to commencing detailed design of a sewage lift station, the Developer's Engineer must submit a preliminary design report in general conformance with the [MMCD Design Guidelines](#) criteria, to the satisfaction of the Servicing Officer. The preliminary design report must consider the principles outlined in [Section 1.1](#) and address, at a minimum, the applicable design standards and criteria, design objectives and assumptions, and proposed siting, sizing, configuration, and materials.

3.18.3 Capacity

Lift stations shall be supplied with full redundancy for the design pumping capacity of the peak hour wet weather flow rate and shall be designed with consideration for interim vs ultimate demands and average vs peak demands as follows:

- a. Sewage pump stations shall be designed to accommodate the projected design flow rate for the existing catchment/initial service area and be expandable to accommodate the design flow rate of the future service area upon full build-out;
- b. Submersible pumps shall be provided, each capable of handling the design flow (or collectively able to handle the design flow with one pump out of service where more than two pumps are present); and
- c. Emergency storage shall be provided for the greater of 1-hr AWWF in the wet well and 1-hr PWWF in the wet well and influent pipes.

3.18.4 General Design Features

Upon receipt of the preliminary design report submitted by the Developer's Engineer, the Servicing Officer will issue a design terms-of-reference, which will outline the Village's requirements for the detailed design of the lift station. In establishing the terms-of-reference, the Servicing Officer shall consider those principles outlined in [Section 1.1](#), the Village's operational capacity, and current best practice.

As a minimum, sewage lift stations should have provisions for sampling and measurements, a Programmable Logic Controller (PLC)-control system with UPS, connection to SCADA system, backup power generator, odour control, and separate areas for electrical components and chemical storage for odour control.

4.0 STORMWATER MANAGEMENT

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4.1 General

Community stormwater management infrastructure and systems, including storm sewer networks, open channels, culverts, and storage, attenuation, and treatment facilities, must be prepared under the direction of a suitably experienced professional engineer. The IDCM is a minimum standard, may not be appropriate in all contexts, and is not intended to be a substitute for sound engineering knowledge, experience, or judgement. The provisions of the IDCM are to be applied in conjunction with the most current publication of the MMCD Design Guidelines; however, where the provisions of the IDCM are in conflict with the MMCD Design Guidelines, the provision of the IDCM shall take precedence.

4.2 Integrated Stormwater Management Plans

The IDCM should be read in conjunction with the Village's Infrastructure Master Plan (AECOM, 2016), any applicable basin stormwater management plans, and any site-specific stormwater management or control plans for additional design guidance. All developments within the study boundary of a Village-approved stormwater plan or drainage plan must conform to the objectives and recommendations of the approved plan.

Where site-specific or upstream / downstream constraints have been identified, the Developer's Engineer must employ engineering judgement and consider best practice for additional measures to accommodate such constraints in consultation with the Servicing Officer. Site-specific or upstream / downstream constraints may include, but not be limited to, downstream capacity limitations, upstream conveyance accommodation requirements, flood risks, discharge restrictions, or special water quality considerations.

4.3 Stormwater Management Principles

4.3.1 Applicable Regulatory Policies and Guidelines

Stormwater management designs, in addition to the IMP, shall conform to other applicable Village of Lions Bay bylaws and policies, as well as applicable provincial and federal statutes and regulations.

Supplementary design guidelines and policies issued by applicable provincial and federal agencies should also be consulted. Refer to the [MMCD Design Guidelines, Section 4.3.1](#) for a list of several applicable regulatory, policy, and guideline documents. Where applicable federal or provincial statutes, regulations, policies, or guidelines are more stringent than those contained herein, the most stringent requirements shall take precedence.

4.3.2 Objectives

Design of stormwater management systems shall achieve the following objectives:

- a. To safely convey runoff from major storm events to a suitable receiving natural water body via the major system of overland or piped conveyance routes, and to ensure that such major flow routes are protected for public use.
- b. To safely convey runoff from minor storm events within the minor system, without surcharge, to an adequately sized major system or suitable receiving natural water body.
- c. To attenuate and treat runoff from localized catchments at the time of redevelopment such that downstream capacity is not exceeded and downstream quality is not adversely impacted.
- d. To preserve existing drainage patterns through development, while minimizing infiltration and protecting riparian habitat and water quality within natural systems.

For more detail on stormwater management objectives, refer to the Village's goals for stormwater management service delivery outlined in the Village's *Integrated Stormwater Management Plan* and the Village's basin-specific ISMPs.

4.3.3 Level of Service

Stormwater conveyance systems shall meet the following levels of service:

.1 Minor System

The *Minor System* consists of enclosed storm sewers (including storm mains and catch basins) and open storm sewers (including local roadside ditches and culverts) and shall be designed to contain, convey, and treat flows up to a minimum 1:10-year return period frequency storm event to reduce the inconvenience of frequent surface runoff.

.2 Major System

The *Major System* consists of surface flood paths, roadways, trunk storm sewers, roadside ditches and culverts for collector and arterial roadways, artificial watercourses, and bypass structures and shall be designed to convey flows up to a 1:100 year return period frequency storm event for most contexts to minimize damage to life and property.

Major watercourses and floodplain floodway crossings (i.e., culverts and bridges) under major arterial roads and provincial highways are to be designed to safely convey design flows up to a 1:200-year return period frequency with a minimum 0.3 m freeboard.

.3 Runoff Control and Treatment

Where storm control is required under the Bylaw:

- a. Runoff from development sites shall be captured, stored, and released at a rate that does not exceed the 1:10-year peak discharge rate for the natural condition of the site in a 1:10-yr storm event for the post-development condition.
- b. Development sites shall implement treatment systems such that 80% of total suspended solids (TSS) are removed from 50% of the peak 1:2-yr return flows, prior to any discharge into the minor system. A higher standard of treatment may be required for any development

at the discretion of the Servicing Officer in consideration of proximity to sensitive environments and downstream constraints and site-specific SWMPs.

The hillside areas of the Village are not suitable for infiltration; any stormwater infiltration proposal must be carefully considered and evaluated by a geotechnical engineer for local and global suitability.

The presence of an existing Village drainage facility or natural channel does not imply that such is a suitable or adequate point of discharge. Where a receiving minor or major system is not adequately sized to convey post-development flows, the peak run-off rate from a site shall be limited to not exceed the capacity of the receiving system or the receiving system shall be improved. When determining the capacity of the receiving system, the maximum allowable release rate for all sites shall be determined considering an equitable share of capacity for the entire post-development catchment.

See [Section 4.15](#) for runoff control standards.

4.3.4 Climate Change Impact Considerations

The Developer's Engineer is required to consider the impacts of climate change in the design of stormwater management systems. In lieu of detailed analysis for uniform sites with a total catchment and tributary area of less than 10 ha in area, the Developer's Engineer may apply a 15% increase to the current post-development rainfall intensities or use available future IDF curve projections; see [Section 4.9.3](#). For general information on climate-related considerations, refer to [Section 1.2](#).

4.4 Stormwater Management Plans

A Stormwater Management Plan (SWMP) details the proposed stormwater management system for a proposed Subdivision or Development and the impacts on the downstream drainage system. Where a SWMP is required, the submission shall include technical drawings and supporting calculations for all critical design elements. Depending on complexity, the Servicing Officer may require the submission of the SWMP in report format. Submissions should include the following:

- a. Design criteria and applicable objectives used to develop the plan;
- b. Reference to the Village's Infrastructure Management Plan and any other applicable master drainage or basin plans, watershed plans, or phased master SWMP;
- c. Methods and parameters used for hydrological and hydraulic analysis;
- d. Detailed design calculations and supporting information for all stormwater management facilities;
- e. All tributary areas to the site, with current and future land uses;
- f. Pre- and post-development flows entering and leaving the site;
- g. Any existing watercourses within or downstream of the site, including environmental classifications and background water quality parameters;
- h. Existing contours at appropriate intervals;
- i. Proposed lot grading, showing overland flow routes, critical grading points, site perimeter elevations, and site low point(s);
- j. Layout of existing drainage conditions and proposed drainage systems;
- k. Proposed onsite and offsite source control features to meet water quantity and quality objectives;
- l. Location, sizes, design flows, volumes, and capacities of all proposed works;
- m. Capacity assessment of the downstream, receiving drainage system;
- n. Minor and Major hydraulic grade line elevations of proposed and downstream works;
- o. Proposed service connection locations and minimum building elevations (MBEs); and
- p. Operation and Maintenance Plan and performance monitoring plan for the proposed onsite stormwater management features;

4.5 Site and Lot Grading

Site and Lot Grading shall typically be designed to match existing elevations at site boundary property lines, provide a defined outlet or low-point from the site, as well as direct water away from structures and pedestrian routes.

Grading designs shall facilitate building elevation requirements as outlined in [Section 4.6](#) while complying with the BC Building Code and the following subsections, as applicable.

4.5.1 General Lot Grading Requirements

Lot Grading plans shall generally conform with the following requirements:

- a. To facilitate MBEs and MFEs as outlined in [Section 4.6](#).
- b. Maintain positive drainage from the building at a minimum of 1-2% grade, generally for a distance of at least 4 m, and draining water away from all points of the building;
- c. Grade lots to drain to an approved municipal drainage system or roadway;
- d. Where draining to a natural drainage path is unavoidable, prioritize distributing rather than concentrating flows and ensure adequate water quality and erosion control measures are in place;
- e. Avoid drainage across adjacent lots. If cross-lot drainage is unavoidable, provide a swale to intercept flow and direct it to an acceptable location. Cross-lot drainage easements are required where concentrated or altered flows are directed across adjacent lots;
- f. Where lots are lower than the adjacent roadways, direct road runoff away from buildable areas and driveways and into an acceptable location; and
- g. Building area to have finished grades between -5% to +5%, with a range of -2% to +2% being preferred; the use of retaining walls to establish buildable areas is discouraged.

4.5.2 Lot Grading in Steep Areas

Lot grading in areas of steep slopes, as identified in the Official Community Plan, or as defined as lands that have a natural slope of 20% or greater for a minimum horizontal distance of 10 m, shall conform to the following additional requirements:

- a. Every proposed lot shall have sufficient building area for the use intended.
- b. Grade lots as close as possible to the existing landscape and minimize the use of large and visually prominent retaining walls; grading should avoid sharp cuts and manufactured appearances with long or wide runs of a uniform grade.
- c. Grade lots to integrate or protect unique or significant natural features of the site, such as landforms, rock outcroppings, mature trees and vegetation, drainage courses, hilltops, and ridgelines.
- d. Grading of large, flat terraces on hillsides to expand developable area is not permitted.

4.5.3 Retaining Wall Requirements

Retaining walls are subject to the following requirements:

- a. The maximum height for an exposed face of a retaining wall is 2.0 m.
- b. Where tiered retaining walls are constructed, the horizontal distance between walls shall be no less than the vertical height of the higher of the two walls and the footings of upper-situated walls shall be outside a 1:1 projection of the footings of lower-situated walls.
- c. Underground infrastructure should be installed outside the greater of a 1:1 projection line from the toe of any retaining wall and any reinforcing structures integral to the wall, as well as outside steep slope areas. Where installation in these areas is unavoidable, infrastructure must be capable of being maintained and replaced without extraordinary measures.

4.5.4 Regulated Retaining Walls

Regulated Retaining Walls are defined as those to which the *EGBC Practice Guideline: Retaining Wall Designs* applies (i.e., generally those that are greater than 1.2 m in height). Retaining walls located within a 1:1 projection of a building foundation or any municipal infrastructure regardless of height are also considered Regulated Retaining Walls for the purposes of this section.

Regulated Retaining Walls require design by a professional engineer. The following must be submitted to the Servicing Officer prior to granting Design Authorization:

- a. Retaining Wall Assurance Statement of Professional Design and Commitment for Field Review (*EGBC Standard Form*);
- b. Drawings showing a coordinated site plan and the type, location, extents, and elevations of the wall in plan and profile views, typical wall sections, drainage system, construction details, and any other drawings as may be necessary; and
- c. Geotechnical report containing a summary of the site investigation, recommendations for mitigation of any anticipated impacts to adjacent slopes or structures, recommendations for erosion and slope/wall face protection during construction, field review and compaction testing requirements during construction, and recommendations for long-term protection, monitoring, and maintenance of the wall post-construction.

Post-construction and prior to granting of Substantial Performance, the Developer's Engineer shall submit the EGBC Retaining Wall Assurance Statement of Field Review and Compliance form and a monitoring and maintenance plan, if applicable.

4.6 Building Elevations

4.6.1 Minimum Building Elevation (MBE)

The minimum building elevation (MBE) is defined as the elevation of the lowest floor slab in a building or the underside of the floor joists where the lowest floor is constructed over a crawl space or space that is not used for habitation or the storage of goods or equipment damageable by flood waters.

The MBE is to be identified on all Subdivision lot grading plans and shall be the higher of:

- a. the elevation determined in accordance with [Section 3.16](#) for sanitary sewer servicing;
- b. 0.3 m above the 1:100-yr HGL or, where connected to a storm sewer without backflow prevention, at least 0.60 m above the storm sewer service connection invert, whichever is higher;
- c. at least 0.30 m above the established high groundwater elevation; and
- d. the flood construction level (FCL), as established in Floodplain Management Bylaw No. 2751, 2021 (as amended or replaced).

To mitigate risk of flooding and cross-contamination, water, sanitary sewer, or storm services may only be provided to a proposed development where the MBE criteria above are satisfied.

A Developer may request consideration by the Servicing Officer for servicing of a structure to be constructed below the high groundwater table. In approving such servicing requests, the Servicing Officer shall ensure the design includes provisions for backflow prevention and eliminating groundwater penetration into the structure, while addressing buoyancy. Such requests may only be granted if a covenant is registered on title to prohibit pumping of groundwater to the Village's storm system, to restrict habitation uses and storage of damageable goods or building life-safety systems below the high groundwater elevation, and to indemnify the Village against flood related damage.

4.6.2 Main Floor Elevation (MFE)

The main floor elevation (MFE) is defined as the uppermost storey having its floor level not more than 2.0 m above existing grade and is used as the primary access to the building from the ground level.

The MFE is to be identified as part of a Subdivision or Building Permit lot grading plan, shall be established at least 0.30 m above the 1:100-yr hydraulic grade line (HGL), and be set such that:

- a. Garage elevations comply with applicable driveway grading and lane access requirements outlined in [Section 6.14](#);
- b. Site and lot grading requirements as outlined in [Section 4.5](#), including positive drainage from the defined MFE, are achievable; and
- c. Retaining walls greater than 1.2 m are not required.

The grading plan may identify a generally acceptable range of variability from the defined MFE, within which the requirements of this section may still be met. If no range is identified, a proposed development may vary the MFE by up to 0.10 m while meeting the requirements of this section, or as otherwise authorized by the Servicing Officer.

4.6.3 Building Foundation Perimeter Drains

Building foundation perimeter drains are not permitted to be connected to a Village storm sewer if installed below the high groundwater table elevation. The high groundwater elevation is defined as the highest observed elevation over the course of a 12-month monitoring period. Permanent or intermittent pumping of groundwater is not permitted to be discharged to the community storm drainage system.

Building foundation perimeter drains installed above the high groundwater elevation may be permitted to be connected to a storm sewer only where the receiving storm system is adequately sized and draining disposal to surface or ground on site is not possible.

Building foundation perimeter drains shall be hydraulically separated from roof downspouts.

4.7 Runoff Analysis Method

The design of storm drainage systems shall be carried out using one of the following methods, as applicable:

4.7.1 Rational Method

The *Rational Method* (see [Section 4.9](#)) may be used to calculate peak flows only if the catchment is hydrologically simple and uniform and is less than 10 ha in area for the detailed design of minor drainage systems and for the purpose of computing peak flow rates.

The *Modified Rational Method* (see [Section 4.9.5](#)) may be used for sizing of a simple detention system only if the catchment is hydrologically simple and uniform and is less than 0.5 ha in area.

4.7.2 Hydrograph Method

The *Hydrograph Method* (see [Section 4.10](#)) should be used to calculate peak flows and storage requirements where use of the *Rational Method* is not appropriate or at the discretion of the Developer's Engineer. Use a SWMM based modeling software, or approved equivalent. Each model must include a level of complexity appropriate for the watershed and the hydrologic processes that are present (i.e., detention, groundwater recharge, evapotranspiration, continuous simulation, etc.).

For both methods, supporting calculations and modeling data are to be submitted with designs.

4.8 Rainfall Data

Rainfall data shall be based on the most current Environment Canada [Engineering Climate Dataset](#) for short-duration rainfall Intensity-Duration-Frequency (IDF) statistics for the best-fit location. In lieu site-specific information, rainfall data may be estimated from the Howe Sound – Pam Rocks dataset. See [Section 4.9.3](#) for detailed calculation information.

4.9 Rational Method

The *Rational Method Equation* for calculation of peak flows is as follows:

$$Q = RAIN$$

Where: Q is the peak flow in cubic metres per second,
 R is the runoff coefficient (C) \times the adjustment factor (AF) as identified in [Sections 4.9.1 & 4.9.2](#),
 A is the area of the catchment in hectares,
 I is the intensity of rainfall in mm per hour as outlined in [Section 4.9.3](#), and
 N is 1/360.

Factors for use in the *Rational Method Equation* are indicated in the subsections below.

4.9.1 Runoff Coefficients

The runoff coefficients shown in Table 4.9.A are for use with the *Rational Method Equation*. These coefficients are for general application where site-specific development data is not yet available.

Table 4.9.A – Runoff Coefficients

Land Use or Surface Condition	Percent Impervious	Minor Storm	Major Storm
Residential (Lots > 0.40 ha)	20	0.35	0.40
Single-Family Residential	45	0.50	0.55
Duplex to 6-Unit Residential	55-85	0.60-0.8	0.85
Townhouse & Apartment Residential	85	0.80	0.85
Institutional (i.e., Halls, Schools)	65-80	0.65-0.75	0.80
Commercial & Industrial	95	0.85	0.90
Natural Grasslands	10	0.15 - 0.20	0.25 - 0.30
Natural Forest	5	0.10 - 0.15	0.15 - 0.30

Values shall be determined by the Developer's Engineer based on site-specific information where available, although should not be less than the indicated values.

Higher values may be applicable in hillside areas that experience rainfall during the winter when the ground is frozen or in areas with seasonal groundwater near the ground surface.

4.9.2 Runoff Coefficient Adjustment Factor

An adjustment factor (AF) is to be applied to the runoff coefficient to reflect variations in soil permeability and slope based on the values shown in Table 4.9.B.

Table 4.9.B – Runoff Coefficient Adjustment Factors

Soil Type and Slope	Adjustment Factor (AF)
Sandy or gravelly soil with flat slope (< 5 %)	0.9
Clayey soil with steep slope (> 5 %)	1.1
Rock	1.1

Soil types and conditions not identified should use an adjustment factor of 1.0.

4.9.3 Rainfall Intensity

Rainfall intensity for the *Rational Method* may be determined using the Howe Sound – Pam Rocks IDF Curve or calculated using coefficient method for the IDF Curve as follows:

$$I = A(T_c)^B$$

Where: I is the intensity of rainfall in millimetres per hour,
 A and B are as identified in [Table 4.9.C](#) for the appropriate design return period, and
 T_c is the duration in hours, equal to the *time of concentration* of the catchment (see [Section 4.9.4](#)).

Table 4.9.C - IDF Curve Values

Return Period (yr)	2	5	10	25	50	100
Coefficient (A)	15.7	22.9	27.5	33.3	37.6	41.9
Exponent (B)	-0.582	-0.641	-0.664	-0.685	-0.696	-0.705

4.9.4 Time of Concentration

The time of concentration for a catchment area is the time required for runoff to flow from the most remote part of the catchment to the discharge point. The time of concentration may include an inlet time and a travel time, and should be calculated as follows:

- a. For relatively flat, uniform, natural to suburban catchments, the *Airport Method* as follows may be used to calculate pre- or post- development times of concentration:

$$T_c = \frac{3.26(1.1 - C)L^{0.5}}{S^{0.33}}$$

Where: T_c is the time of concentration, in minutes,
 C is the runoff coefficient (maximum 0.65)
 L is the travel distance of the longest flow path, in metres (maximum 300 m)
 S is the average slope (%) of the longest flow path (maximum 5%)

- b. In small urban areas (< 0.2 ha) with direct runoff and where BMPs are not applied, the following post-development times of concentration may be assumed:

Single Family Lot	10 minutes
Multi-Family Lot	8 minutes
Commercial/Industrial/Institutional	5 minutes

- c. For larger or irregular urban catchments with formalized channels or piped conveyance systems, the assumed values in (b.) above may be used as an inlet time and *Manning's Formula* (see [Section 4.11.2](#)) may be used to estimate travel time through iteration to determine post-development time of concentration. Clearly display calculations in tabular format, showing all input values and iterative steps to optimization; see MMCD Design Guidelines, *Section 4.9.5*.

4.9.5 Modified Rational Method

The Modified Rational Method may be used to estimate storage requirements based on a trapezoidal watershed runoff hydrograph for simple, small, hydraulically uniform sites with a constant allowable release rate by subtracting the allowable discharge volume from the total rainfall volume over a given storm event as follows:

$$V_i = \frac{T_i(Q_i - Q_0)}{360}$$

Where: V_i is the estimated peak storage volume required for a storm of duration T_i , in m³
 T_i is the duration of a storm event for a given iteration, in minutes ($T_i \geq T_c$),
 Q_i is the peak flow of the storm event of duration T_i , calculated using the *Rational Method* for the post-development site condition, and
 Q_0 is the allowable release rate, calculated using the *Rational Method* for the pre-development site condition.

The peak storage volume may be determined by iteratively calculating the storage requirements for storms of increasing duration, beginning with a storm duration equal to the post-development time of concentration and increasing at reasonable intervals, until the peak storage requirement is found.

See [Section 4.3.3](#) for minimum storage requirements for post-development sites.

4.9.6 Presentation of Rational Method Design Calculations

Rational Method design calculations are to be clearly tabulated with all necessary input parameters, intermediate calculations, and output values shown; see MMCD Design Guidelines, *Section 4.9.5*.

A Stormwater Management Plan (SWMP) report with drawing(s), as defined in *Section 4.4*, may be required at the discretion of the Servicing Officer to present the design rationale used to develop the proposed stormwater management system as well as the location and sizes of proposed features.

4.10 Hydrograph Method

The Hydrograph Method shall be used for the design of stormwater management systems and storm sewers where use of the Rational Method is not appropriate.

4.10.1 Model Selection

Selection of software programs must be made in consultation with the Servicing Officer and be capable of analysing the hydrologic characteristics of the watershed and generating runoff hydrographs. Where the Village has modeling data for an existing drainage system, the Village may supply the modeling data on an “as-is” basis for the Developer’s Engineer in their preparation of their model; where such modeling data is provided, it is provided for information only and any use or reliance of the data is at the sole risk and responsibility of the Developer’s Engineer.

4.10.2 Modelling Parameters

For design purposes, land use data shall be based on the best available post-development conditions as per the Official Community Plan and other pertinent land use information as may be provided by the Servicing Officer. Modelling results should be calibrated using observed rainfall and flow data from the design watershed or a similar watershed, if available. Sensitivity of the model predictions to variations of key parameters must be tested and the findings used to develop realistic and conservative models.

Percent imperviousness can be selected based on values suggested in Table 4.9.A unless more accurate information from air photos or actual site designs are specifically available. Either the Horton or Green-Ampt methods may be used to estimate the infiltration characteristics based on the best available soil conditions information. The parameters must be reflective of the type of soils, ground cover, and typical Antecedent Moisture Condition (AMC) prevalent during the winter season.

A groundwater module should also be included to model the drainage system in areas where shallow groundwater flows are expected. The groundwater module should simulate the rainwater to infiltrate, store, and travel from the subsurface to the storm sewer system via the shallow unsaturated near-ground subsurface zone. The groundwater parameters shall be selected based on the subsurface soil and groundwater conditions, the underlying impermeable layer slope, and the past modelling and calibration experience of the Developer’s Engineer and the Servicing Officer for projects with similar subsurface conditions.

4.10.3 Modelling Procedures

Post-development hydrographs shall be generated at key points of the drainage system for a 2-year, 5-year, 10-year, and 100-year design storm with durations of 0.5, 1, 2, 6, 12, and 24 hours, or as necessary to identify the critical storm event(s) to be used in designing the system. Note that the storm duration that generates the critical peak flow may be different from the duration that generates the critical storage volume. Complex systems with interconnected ponds or with restricted outlet flow capacity may require analysis for sequential storm events or modelling with a continuous rainfall record.

Detailed designs must identify the maximum hydraulic grade lines (HGLs) of the minor and major systems, plotted on profiles of the minor and major system components, with comparison to MBEs and MFEs (see [Section 4.6](#)) to demonstrate servicing and flood protection constraints.

4.10.4 Presentation of Modelling Results

All digital modelling files must be provided. In addition to the modelling files and the standard requirements of a SWMP, the submission shall also include the parameters and simulation assumptions, schematic diagram of the model, design precipitation details, pre- and post-development hydrographs at key locations, sensitivity analysis of key parameters, and flow exceedance curves for the pre-development, post-development without detention, and post-development with detention, if a detention facility is proposed and continuous modelling is performed. The Servicing Officer may require the SWMP and modelling analysis to be Peer Reviewed at the cost of the Developer, prior to submission.

4.11 Minor System Design

4.11.1 General

Minor system ditches and storm sewers shall be sized to convey the peak flow rate of a 1:10-year storm without surcharging. Ditches are preferred over piped storm sewers, if space permits.

4.11.2 Pipe Capacity

For design of gravity sewers, use *Manning's Formula* as follows:

$$Q = \frac{A \left(R^{2/3} \right) \sqrt{S}}{n}$$

Where: Q is the design flow,
 A is the cross-sectional area of the pipe,
 R is the hydraulic radius (area/wetted perimeter), and
 n is the roughness coefficient.

Use a roughness coefficient, n , for PVC mains of 0.013 for long-term capacity and flushing velocity design and 0.011 for peak velocity in steep conditions, respectively, unless otherwise accepted by the Servicing Officer. For corrugated pipes and culverts, use 0.024 or as indicated by the manufacturer.

Pipes shall be designed so that the sewer flow does not exceed d/D of $\frac{3}{4}$ (0.67) for pipes 250 mm diameter and less, and d/D of $\frac{3}{4}$ (0.75) for pipes greater than 250 mm, where d is the flow depth, and D is the pipe diameter.

4.11.3 Flow Velocities

Sewers shall be designed to achieve the following flow velocities:

- a. minimum 0.75 m/s flowing half full,
- b. maximum 6.0 m/s flowing at the design pipe capacity.

Where design velocities in sewers are in excess of 3.0 m/s, consider measures to prevent pipe erosion and movement. Refer to MMCD Standard Drawing G8.

Maximum velocity in open channels is 0.5 m/s without provisions for scour and erosion protection.

4.11.4 Ditch Outlets

Ensure exit velocities will not produce scour or damage. Riprap bank protection and, if necessary, energy dissipation facilities shall be provided. Discharge generally at maximum of 45 degrees from stream flow/channel alignment. Outlets to open channels 450 mm in diameter or greater must have a concrete outlet structure with hinged safety grillage and riprap armouring.

All culverts and sewer outfalls shall be designed with provisions to protect children or other unauthorized persons from entering the sewer system. Safety grillage should have vertical bars no more than 150 mm apart, with adequate means for opening, removal, and locking in a closed position. Gratings should be designed to break away under extreme hydraulic loads in the case of blockage.

4.11.5 Ditch Inlets

Ditch inlets to storm sewers must be adequately armoured against scour and erosion. Inlets 450 mm in diameter or greater must have a concrete inlet structure with hinged safety grillage, debris screen, sediment basin, and riprap armouring.

4.11.6 Alignment

Pipe alignment to be generally parallel with the road centreline, offset to provide minimum 1.0 m separation from the sanitary main, located on the opposite side of the sanitary main from the watermain, and to avoid unnecessary deflections. Tracer wire and metallic marking tape is to be provided in statutory rights-of-ways and on irregular alignments. Metallic marking tape, where required, is to be placed at the road subgrade elevation and at least 0.45 m below finished grade.

Except as indicated for curved sewers, horizontal and vertical alignments must be straight lines between manholes. Deflections at manholes should preferably not exceed 45 degrees and deflections greater than 90 degrees are not permitted.

Where a sewer main crosses private land, right-of-way requirements are as indicated in [Section 1.4](#). Requirements for clearances and crossings are outlined in [Section 1.5](#).

4.11.7 Minimum Pipe Diameter

Storm sewers and services are subject to the minimum nominal pipe diameters shown in Table 4.11.A.

Table 4.11.A – Minimum Pipe Diameters

Gravity Sewers	300 mm
Culverts crossing roads ¹	450 mm
Culverts crossing driveways ¹	300 mm
Catch Basin leads (single CB)	200 mm
Catch Basin leads (double CB)	250 mm
Service Connections ²	150 mm

¹ For culverts conveying minor system flows only. For major system design, see [Section 4.12.2](#).

² The greater of that shown and the size warranted under the [BC Plumbing Code](#).

Downstream pipe sizes may only be reduced at the discretion of the Servicing Officer where the downstream pipe is 600 mm diameter or larger, increased grade provides adequate capacity, and operational issues are not anticipated.

4.11.8 Pipe Grade

The minimum grade of gravity sewers is the greater of 0.30% and as required to achieve the minimum flow velocity outlined in [Section 4.11.3](#). Where storm sewers are perforated or greater than 525 mm in diameter and intended for groundwater recharge or storage, the minimum grade is 0.20%.

Catch basin leads and service connections should be installed at 2.0% or greater, unless it can be shown that a flushing velocity of 0.75 m/s will be achieved with MAR flows at a reduced grade. The minimum grade for catch basin leads is 0.6%. The minimum grade for service pipe is 1.0%.

Pipes are to be designed with constant grade. Pipes with grades 15% or greater shall have an anchoring system and scour protection. Refer to MMCD Standard Drawing G8.

4.11.9 Curved Sewers

Curved sewers should generally be avoided. Vertical curves and pipe bending are not permitted. Where a curved alignment supports the elimination of excessive manholes or the installation of pipe outside the roadway, the Servicing Officer may approve horizontal curves formed using pipe joint deflection under the following criteria:

- a. Constant radius throughout the curve,
- b. Minimum radius of 60 m,
- c. Joint deflection not to exceed 50% of the maximum recommended by the pipe manufacturer,
- d. Minimum design velocity of 0.9 m/s at MAR flows, and
- e. Curve locations and radii to be clearly indicated on design and record drawings.

4.11.10 Sewer Depth

Storm sewers must be installed at:

- a. a sufficient cover so as to prevent damage from surface loading,
- b. a minimum cover of 1.0 m to prevent freezing (measured from surface to top-of-pipe),
- c. a sufficient depth to permit service connections to foundation drains, if applicable,
- d. a sufficient depth to permit future extension of the main to service upstream tributary lands,
- e. a depth not greater than that which would make open, unshored excavation of the sewer within right-of-way impossible or impractical, and
- f. a maximum depth of 4.5 m.

4.11.11 Pipe Joints

All pipe joints are to be watertight, including for perforated pipe.

4.11.12 Manholes

Manholes are required at least every 150 m, maximum spacing, and at the following locations:

- a. Every change of pipe size or grade;
- b. Every change in direction, except for curved sewers in accordance with [Section 4.11.9](#);
- c. Upstream and downstream ends of curved sewers;
- d. Every pipe intersection, except as noted in [Section 4.11.14](#); and
- e. The upstream end of every sewer line, except as noted in [Section 3.14.3](#).

Avoid placing manhole lids in the wheel path of typical vehicle and cyclist traffic flow.

Crown elevations of inlet sewers shall not be lower than crown elevation of outlet sewer.

Minimum drop in invert elevations across manholes shall be as noted in [Table 3.14.A](#).

Drop manhole and ramp structures should be avoided where possible by steepening inlet sewers. Where necessary, provide drop structures in accordance with MMCD Standard Drawings and as noted in [Table 3.14.B](#).

For storm sewers 450 mm diameter and greater, hydraulic losses are to be calculated for manholes with significant change of grade or alignment.

4.11.13 Catch Basins

Catch basins must be provided at regular intervals along roadways, at intersections, and at low points to provide sufficient inlet capacity for the design capacity of the storm sewer. Catch basins shall be provided as follows:

- a. To prevent overflow to driveways, boulevards, sidewalks, and private property;

- b. To reduce flow over crosswalks and sidewalk letdowns;
- c. To avoid low points in curb returns at intersections;
- d. To discharge into manholes where possible;
- e. At least every 450 sq.m of paved area on roads with grades up to 3%;
- f. At least every 300 sq.m of paved area on roads with grades greater than 3%; and
- g. Such that the maximum length of lead is 30 m

Catch basins shall include a side inlet for roads with a barrier curb. Double catch basins shall be used at low points and on steep grades.

Where ditch systems are present, provide curb cuts and swales to the ditch system at regular intervals.

Lawn basins shall be provided in landscaped areas where necessary to prevent ponding or flooding of sidewalks, boulevards, driveways, buildings, and yards. Beehive-style grates shall be used where lawn basins may be prone to clogging.

4.11.14 Service Connections

Service connections to community storm ditch systems are only permitted in conjunction with runoff controls in accordance with [Section 4.3.3](#), where onsite storage and controlled release are provided, and downstream capacity is present.

The minimum storm sewer service size is 150 mm and must be provided with an inspection chamber located 300 mm from property line. Storm services must discharge by gravity into the community storm system.

4.11.15 Locations and Corridors

Storm mains and service connections should be located within public road right-of-ways. Side or rear yard sewers are not permitted for proposed subdivisions or development. Where a storm sewer main or overland flow route crosses private land, right-of-way requirements are as indicated in [Section 1.4](#). Requirements for clearances and crossings are outlined in [Section 1.5](#).

4.12 Major System Design

4.12.1 General

The open channel system includes roadways, culverts, bridges, ditches and swales, and natural watercourses. Most open channel systems are designed to convey major event flows but may be applicable for minor system design in rural service areas. Surface flow routing and open channel systems conveying public drainage must be accessible for maintenance and accommodated within the public road right-of-way (preferred) or within a statutory right-of-way on private property. Where a statutory right-of-way is provided, see [Section 1.4](#) for additional requirements.

Design criteria include:

- a. HGL is to be at least 300 mm below the MBE of adjacent buildings;
- b. Maximum flow depth on roadways with curb is 150 mm,
 - i. Flow depth may be raised to 300 mm on arterial roadways where elevated boulevards and walkways are specifically designed to contain major flows within the right-of-way and driveways do not interfere with the flow route;
- c. One lane of at least 3.5 m width at the crown of the roadway is to be free from flooding;
- d. Where a roadway is used as a major flow path, the road grades are to be designed to accommodate and control the flow at intersections;
- e. Flooding is not permitted on private property except flow in defined channels protected under a statutory right-of-way;

- f. Overflow routes are required at all sags and low-points in roadways and other surface flow routes; and
- g. Major flood routes are required to exit down-slope cul-de-sacs.

4.12.2 Culverts

In sizing culverts, the Developer's Engineer shall determine if inlet or outlet control governs; for inlet control, surcharging shall not exceed the crown height. Culverts crossing arterial-classified roads shall be designed for a minimum 1:200-yr event. All other culverts conveying major flows shall be designed for a minimum 1:100-yr event. The minimum culvert size for culverts conveying major flows is 450 mm.

Inlet and outlet structures are required for all major system culverts. Design considerations are to include sediment and debris capture, maintenance accessibility, energy dissipation, and erosion control. Culverts should be designed to surcharge to maximize channel storage while maintaining a minimum 0.6 m freeboard, with the backwater profile contained within the ditch system and not encumbering properties or roadways.

Discharge to watercourses shall also follow the recommendations of a qualified environmental professional for riparian protection and mitigation measures required for water quality preservation.

Culverts discharging to major waterways should be set above the 1:200 yr flood elevation or include a flap gate to prevent backflow.

4.12.3 Ditches and Swales

Roadside ditches and ditches conveying major flows are to be designed with a minimum 0.6 m freeboard. Ditches should generally be trapezoidal in shape and not triangular, having maximum side slopes of 2.0H:1V, depending on soil characteristics, and a minimum bottom width of 0.5 m. The minimum ditch profile slope shall be 0.5% and have a maximum unlined channel velocity of 0.5 m/s. Higher velocities may be permitted where soil conditions are suitable or where erosion protection is provided. On steep slopes, grade control structures may be used to reduce velocity.

4.13 Surface Flow Capacity

Flow capacity of road surfaces, ditches, and swales can be calculated using the Manning formula outlined in [Section 4.11.2](#). Typical values for the Manning Roughness Coefficient 'n' are:

- 0.018 for paved roadways,
- 0.03 for grassed boulevards and swales, and
- 0.03 to 0.10 for natural, irregular, or treed channels.

Design detail is to include consideration of flow velocities and the potential requirements for erosion control measures. Ditches subject to degradation or change in condition over time should be designed using a low n-value to determine peak velocity and provide the basis for stable channel design but a high n-value to determine ditch capacity and freeboard.

4.14 Dike Protection

Infrastructure, utilities, or structures shall not be installed within a dike footprint. All new structures and utilities must be situated on the land side of a dike and set back at least 7.5 m from the toe of the dike.

4.15 Runoff Controls

A proposed development may implement a wide range of runoff control strategies to meet the level of service requirements outlined in [Section 4.3.3](#). See the [MMCD Design Guidelines, Section 4.15](#), for acceptable runoff control strategies, except that:

- a. Where drainage is directed to landscaped areas on site, these areas must have a minimum 300 mm depth of amended topsoil.
- b. Ponding storage in parking lots is only permitted in rainfall events 1:5-year return period and greater, and must not exceed 300 mm outside vehicle stall areas and 150 mm within vehicle stall areas;
- c. Detention ponds are not permitted in hillside contexts or where the facility may become regulated under the *Dam Safety Regulation*;
- d. Detention ponds should generally be offline, must be fully accessible for maintenance equipment, and must be provided with an emergency spillway adequate for a 1:100-yr storm event; and
- e. Detention pond design criteria to be confirmed with the Servicing Officer prior to commencing preliminary design.

All public facilities must be fully accessible by maintenance equipment within a road right-of-way or utility statutory right-of-way.

4.16 Flow Control Structures

Outlet controls for storage facilities may be designed using the standard orifice and weir equations:

Orifice Equation:
$$Q = CA(2gh)^{0.5}$$

Where: Q is the design flow,
 C is the orifice coefficient (0.62 for sharp or square edge),
 A is the cross-sectional area of the orifice opening,
 g is the gravitational acceleration (9.81 m/s²), and
 h is the net head on the orifice.

The minimum orifice size shall generally be 100 mm in diameter. Where smaller orifices are required, special provisions are necessary to prevent blockage. Flow control manholes shall be a minimum of 1200 mm diameter.

Weir Equation:
$$Q = CL(H)^{1.5}$$

Where: Q is the design flow,
 C is the weir coefficient
 L is the effective length of the weir crest, and
 H is the net head on the weir crest.

4.17 Erosion and Sediment Control

A Developer must implement appropriate Erosion and Sediment Control (ESC) measures where the construction of Works and Services may result in erosion or sediment transport within or from the development site or a community storm sewer system, include minor system infrastructure, major flow routes, or natural watercourses. Measures to prevent erosion and limit sediment transport may need to be implemented on a temporary or permanent basis.

Where ESC measures are warranted, the Developer is required to submit an ESC Plan to the Servicing Officer as a condition of Design Authorization. An ESC Plan must be designed, implemented, monitored, and closed out in accordance with the [MMCD Design Guidelines](#) and [EGBC ESC Practice Guideline](#). Monitoring records must be made available to the Servicing Officer upon request.

4.17.1 Requirement for Qualified Professional

The Developer must retain a Qualified Professional (P.Eng, P.Geo, RPBio, P.Ag, ASCT, CPESC, CISEC or CESCL) responsible for preparing the ESC Plan, overseeing its implementation, completing inspections of ESC facilities on a weekly or as-needed basis, and monitoring the ESC Facilities during significant rain events.

Should a site be determined to be non-compliant, the Professional will be responsible for submitting notification and presenting a remediation plan to the Village within two days of the event.

4.17.2 Level of Service

.1 Water Quality

No Person may cause, or permit another Person to cause, sediment or sediment-laden water to discharge into the storm system or a natural watercourse, with concentrations greater than 75 milligrams per litre (ppm) of total suspended solids (TSS). A sample measuring greater than 60 nephelometric turbidity units (NTU) will be the trigger point where the sample must also be sent to the lab for analysis.

.2 Temporary Measures

Temporary ESC measures must be included for the duration of construction and until vegetation is established. Temporary ESC measures must be overseen by a qualified professional and designed to withstand at least a 1:2-yr rainfall event for single-year construction durations and at least a 1:5-yr rainfall event for construction durations spanning multiple years, including consideration of upstream catchments. The Qualified Professional is responsible to determine the appropriate rainfall intensity for the design of temporary ESC measures.

.3 Permanent Measures

Permanent ESC measures must be included in the design of open channels, overland flood routes, engineered slopes, and as warranted in other situations that are appropriate to the design flows and design life of the infrastructure.

4.18 Drainage Pump Stations

Drainage pump stations are not typically permitted. Where unavoidable, consult with the Servicing Officer for design criteria. Drainage pump stations should be designed with similar considerations as under [Section 3.18](#) to accommodate the projected peak 1:100 yr major flow rate for the future build-out of the catchment.

4.19 Operation and Maintenance

An Operations and Maintenance (O&M) manual must be provided for all runoff control infrastructure, treatment units, and detention facilities or structures. An O&M Manual is to include, but is not limited to:

- a. Manufacturer's operation and maintenance information, if using a manufactured unit,
- b. An emergency spill abatement plan specific to the site,
- c. Schedules, timing, and procedures for removal and proper disposal of captured sediment and oil,
- d. Procedures for taking unit offline for maintenance and reactivating unit following maintenance, and
- e. Procedures for providing flow conveyance and treatment of runoff while unit is offline for maintenance.

5.0 DISTRICT ENERGY

The provision of District Energy (DE) systems are not a requirement of Subdivision or Development within the Village of Lions Bay. Developers proposing DE systems should consult with BC Hydro and the Village prior to advancing development plans.

Where acceptable to BC Hydro, Village Energy system designs shall be prepared under the direction of a Professional Engineer with appropriate experience, registered and in good standing with EGBC.

The implementation of District Energy systems shall consider appropriate covenants to be registered on title to ensure the long-term economic and technical viability of the system.

Refer to MMCD Design Guidelines, *Section 5.0* for more information.

6.0 TRANSPORTATION SYSTEMS

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6.1 General

The design of Highways and integrated transportation system elements, including public roads, streets, and lanes, sustainable transportation facilities such as sidewalks, bike lanes, crossings, pathways, and walkways, as well as transit stops, boulevards, streetlighting, street furniture and all other infrastructure necessary to support the movement of goods and people, must be prepared under the direction of a professional engineer who has the appropriate experience and is registered in good standing with EGBC.

The IDCM is a minimum standard, may not be appropriate in all contexts, and is not intended to be a substitute for sound engineering knowledge, experience, or judgement. Where minimum standards are, in the opinion of the Developer's Engineer or the Servicing Officer, inadequate for a given circumstance, the Servicing Officer may require the Developer's Engineer to submit supporting engineering analysis, including completion of a written design brief or traffic modelling, to establish or justify appropriate design criteria or an alternate solution. In determining an appropriate design solution, the Servicing Officer shall consider how the proposal meets the transportation objectives outlined below, in addition to the considerations outlined in [Section 1.1](#).

The provisions of the IDCM are to be applied in conjunction with the most current publication of the [MMCD Design Guidelines](#); however, where the provisions of the IDCM are in conflict with the [MMCD Design Guidelines](#), the provision of the IDCM shall take precedence.

6.1.1 **Transportation System Design Objectives**

Highway design practice shall accommodate users of all types, modes, ages, and abilities and shall prioritize safety and accessibility, followed by capacity. Highway designs shall incorporate complete street elements such as traffic calming, accessible design, active transportation, transit facilities, stormwater management, and landscaping within the right-of-way as necessary to support adjacent land uses. The design of Highway infrastructure shall also consider maintenance requirements, longevity, and life-cycle costs in the context of a Village that experiences severe weather conditions across all seasons, in addition to meeting the above objectives.

6.1.2 **Other Applicable Standards**

Where not otherwise specified in this Bylaw, design direction should be taken from the most current versions of the following standard guides, regulations, legislation, bylaws, and master plans:

a. Federal

[TAC \(Transportation Association of Canada\) - Geometric Design Guide for Canadian Roads;](#)
[TAC – Manual of Uniform Traffic Control Devices \(MUTCD\);](#)
[TAC – Canadian Guide to Traffic Calming;](#)
[TAC – Canadian Roundabout Design Guide;](#)
[TAC – Pedestrian Crossing Control Guide;](#)
[TAC – Canadian Road Safety Audit Guide;](#)
[TAC – Bikeway Traffic Control Guidelines for Canada;](#)
[TAC – Speed Management Guide;](#)
 NACTO – Complete Streets Design Guide
[Canadian Standards Association \(CSA\) Accessible Design for the Built Environment;](#) and
[Canadian Highway Bridge Design Code.](#)

b. Provincial/Regional

[Motor Vehicle Act;](#)
[BC MOTI \(BC Ministry of Transportation and Infrastructure\) – BC Supplement to TAC Geometric Design Guide;](#)
[BC MOTI – Supplement to Canadian Highway Bridge Code;](#)
[BC MOTI – British Columbia Active Transportation Design Guide;](#)
[BC MOTI – Traffic Management Manual For Work on Roadways;](#) and
[BC Transit – Infrastructure Design Guidelines;](#)

c. Local

Village of Lions Bay Official Community Plan Bylaw No. 408, 2008;
 Village of Lions Bay Zoning Bylaw No. 520, 2017;
 Village of Lions Bay Infrastructure Master Plan

6.2 **Road Classifications**

Highway classifications are based on the Zone of the fronting parcel as identified in Subdivision & Development Servicing Bylaw No. 651, 2025, *Section 2.0*.

Where a proposed Subdivision requires the creation of new Highways, the appropriate classification shall be determined in consultation with the Approving Officer and Servicing Officer.

6.2.1 Classifications

R-1: Local Road – Minor: road shall prioritize direct access to properties. Through traffic is discouraged or prevented. Speeds and vehicle capacity are limited. R-1 roads should service less than 100 units.

R-2: Local Road – Major: road shall prioritize balance direct access to properties while providing increased comfort for through traffic. R-2 Roads should service more than 100 units.

6.2.2 Design and Target Speeds

The design of Highways must consider the design speed of the road as a targeted maximum travel speed of the road. The Developer's Engineer, through the layout of a proposed Subdivision and design of appropriate cross-sectional elements, horizontal and vertical alignments, intersection type and spacing, and incorporation of active transportation and crossing elements, shall consider parameters, components, and design elements conducive to limiting travel speeds to the indicated design speed for the classification and land use context of that Highway.

Limited ability to exceed the design speed should be the inherent result of the geometric design and layout of a proposed Subdivision, with the addition of traffic calming measures being a secondary or reactive measure only. Desired maximum design speeds are provided in [Table 6.3.A](#).

6.3 Cross-Section Elements

Required cross-section elements are identified below in [Table 6.3.A](#).

Table 6.3.A – Typical Cross-Sectional Elements

<i>XS No.</i>	<i>Description</i>	<i>ROW Width</i>	<i>Design Speed¹</i>	<i>Asphalt Width</i>	<i>Banding Curb²</i>	<i>Shoulder Width³</i>	<i>Sidewalk⁴</i>
R-1	Local Rd – Minor	20.0 m	30 km/h	7.0 m	-	1.5 m	-
R-2	Local Rd – Major	20.0 m	40 km/h	10.0 m	Y	0.3 m	1 Side

¹ Design Speed for lanes to be 20 km/h. Design Speed for R-2 roads may be increased to 50 km/h if context permits.

² Banding curb to be 450 mm wide, 300 mm depth concrete, graded flush with edge-of-asphalt at 3% typical to top-of-ditch.

³ Shoulder to be MMCD Granular Base, graded at 5% typical from edge-of-asphalt, or banding curb, to top-of-ditch.

⁴ Sidewalk, of 1.8 m width, to be installed fronting developments with R-2 road frontage. Sidewalk type and location to be determined in consultation with the Servicing Officer. Where attached to road, provide with MMCD C2 Barrier Curb. See [Section 6.11](#).

Overall right-of-way and element widths are subject to change where warranted by engineering analysis to accommodate intersections, lane widths on curves with smaller radii, transit facilities (transit shelters, bus lanes), for other sustainable transportation elements (protected cycling facilities, crossings, landing zones, etc.), or for constructability considerations related to the roadway being adequately supported, protected, or drained (including for rockfall catchment ditches). Also see [Section 1.4](#).

6.4 Alignments

Alignment values shall be in accordance with the TAC Geometric Design Guide for Canadian Roads, unless otherwise noted herein. The IDCM is intended for application in a municipal context and is not appropriate for high-speed design considerations.

The design of alignments should avoid geometric elements at maximum or minimum values unless necessary due to topographic or physical constraints. Combining geometric elements at extreme values, such as a minimum radius of horizontal curvature in conjunction with a maximum grade or minimum K-value vertical curve should also be avoided. Where geometric design elements are proposed at maximum or minimum values, or one element is proposed in combination with another element at an extreme value, the Developer's Engineer should provide supporting justification to address safety concerns, including a thorough analysis of the overall context of the Highway, the anticipated speeds, the effective sight-distances, the appropriate stopping or decision sight-distances,

and any compounding factors such as the presence of vulnerable road users, exposure to winter conditions, and proximity to intersections, crossings, or accesses.

Where alignments may support traffic at a higher speed than the design speed, such as through long tangent sections or overlarge radii, the Developer's Engineer shall provide supporting justification and consider additional design measures to limit excessive speeds and address safety concerns.

6.4.1 Cross-Slopes

.1 Standard Crossfall

All roads shall be designed with a centreline crown. Lanes and private strata roads may be designed with a centreline swale.

The standard crossfall for all roadways is 3.0%. The standard crossfall in constrained conditions may range from 1.5% to 4.0% only upon thorough consideration of the safety implications and in consultation with the Servicing Officer.

.2 Crossfall at Intersections

At intersections, the crossfall of the lower-volume road must be varied to suit the profile of the higher-volume road.

The maximum rate of changing crossfall on approach to intersections or to establish superelevation is 6.0% in 30 m.

.3 Superelevation

Superelevation introduction, transition, and usage should follow guidelines within the TAC Geometric Design Guide and are subject to the maximum values indicated in Table 6.4.A.

Superelevation on approach to and through intersections shall be governed by the maximum allowable grades of the intersecting roads.

In submissions, superelevation designs shall be fully referenced and described for orienting, design review, and constructability.

6.4.2 Horizontal Alignments

The centreline of the roadway shall generally be located along the centreline of the right-of-way.

In submissions, horizontal alignment designs, including road centreline and curb return stationing, shall be fully referenced and described, showing tangent bearings and lengths, arc radii and lengths, with beginning and ending coordinates, taper ratios, property line offsets, and other descriptions as may be necessary for orienting, design review, and constructability.

Horizontal alignments shall follow the parameters outlined in Table 6.4.A.

Table 6.4.A – Horizontal Alignment Parameters

Design Speed	Acceptable Range of Curve Radii (m) ⁻¹			Minimum Taper Rate ⁻²	
	e (±2%)	e (+2%)	e (+4%)	Thru Lane Alignment	Aux. Lane Development
20	12-30	12-25	-	10:1	5:1
30	25-60	25-50	-	15:1	5:1
40	55-95	50-80	-	20:1	7.5:1
50	90-165	85-135	80-120	25:1	10:1

.1 Horizontal Curves

The acceptable range of horizontal curvature radii, for given rates of superelevation (e), are as shown in Table 6.4.A. For radii less than 60 m, where sightlines are inadequate for stopping sight distances, or where crossfall is superelevated greater than 2%, no parking shall be permitted.

Where a Developer's Engineer proposes a design outside the acceptable range for horizontal curvature radii, they must provide supporting justification and additional design considerations to address safety concerns in the context of the overall corridor.

Reverse curves (s-curves) at or approaching minimum radii should be avoided. Long tangent sections outside urban gridded areas should be avoided for design speeds of 50 km/h or lower.

Where a curve radius approaches or is smaller than the indicated minimums, the Developer's Engineer shall consider expected speeds on approach to the curve and the effective sight-distance relative to the appropriate stopping sight distances; additionally, lane widths shall be determined by turning movements for the appropriate design vehicle.

Where a curve radius approaches or exceeds the indicated maximum, the Developer's Engineer shall consider additional design measures to ensure targeted design speeds are not exceeded. Minimum curve radii should be increased by 10% for every 1% increase in grade over 3%.

.2 Tapers

Narrowing or widening of lane widths or dropping/adding a lane(s) are road characteristics that require appropriate and consistent pavement markings, signing and taper lengths based on speed. Centreline lane alignment and width transitions as well as auxiliary lane development tapers shall be as per principles in TAC Geometric Design Guide and as shown in Table 6.4.A.

6.4.3 Vertical Alignments

In submissions, vertical profiles, including road centreline and curb return stationing, shall be fully referenced and described, showing tangent grades, vertical curve data including beginning, PVI, crest/sag, and ending stationing and elevations, and other descriptions as may be necessary for orienting, design review, and constructability. Vertical alignments shall follow the parameters outlined in Table 6.4.B.

Table 6.4.B - Vertical Alignment Parameters

Design Speed	Max % Super-Elevation	% Grade			Minimum K-Values		
		Min	Desired Max	Max	Crest	Sag	
						Illuminated	
						No	Yes
20	2.0	1.0	10.0	12.0	2	4	2
30	2.0	0.5	8.0	12.0	3	6	3
40	2.0	0.5	8.0	10.0	4	9	5
50	4.0	0.5	6.0	10.0	7	13	7

.1 Grades

Normal grade limits, excluding intersections, are as shown in Table 6.4.B. Exceeding the desired maximum grade should be restricted to cases where:

- The desired maximum cannot be obtained due to topographical constraints over short distances, or
- The geometric design of an intersection can be improved by increasing grade on the lower-classification road to avoid compromising design of the higher-classification road.

The maximum grade of a road on approach to and through an intersection is 8.0%.

Approach distances shall be based on the *functional intersection area*, as defined in TAC Geometric Design Guide, and shall not be less than 15 m.

The maximum grade for a lower-volume road on approach to a stop-controlled intersection shall be 3% for a distance of at least 15 m from the stop location. Through roads at and on approach to intersections should also be reviewed in conjunction with the TAC Geometric Design Guide.

Lanes with normal crown or an inverted crown where a concrete drainage swale is installed may be installed at a reduced minimum longitudinal grade of 0.5%.

.2 Vertical Curves

Vertical curves shall be designed as parabolic curves in accordance with the TAC Geometric Design Guide and are subject to the minimum K-values indicated in Table 6.4.B. The K-value is the ratio of the curve length in meters to the algebraic difference in percent grades.

Changes in grade 2% or greater shall be designed with vertical curves.

Where a Developer's Engineer proposes to use a K-value approaching or below the minimum indicated K-value due to topographical constraints, they shall consider the adequacy of the effective three-dimensional sight-distance relative to the appropriate stopping sight distance.

6.5 Intersections

6.5.1 General

Intersections shall be designed in accordance with TAC Geometric Design Guide, with consideration of the BC Active Transportation Design Guide for integrating active transportation modes.

Intersections shall be design with roads intersecting as close to 90° as possible. The acceptable range of intersection angle is between 70° and 110°, with additional considerations necessary to achieve adequate lane alignment, turning movements, and sight-distances.

The minimum spacing between tee intersections is 60 m. The minimum spacing between four-legged intersections on arterial roads is as required to provide a minimum 40 m of left turn storage with 35 m of transition between storage lanes and an allowance for turning movements.

6.5.2 Curb Returns

Minimum curb return radii are as indicated in Table 6.5.A for standard intersections. Roundabouts require special design to determine curb radii. The Developer's Engineer shall give due consideration to the design vehicles expected to utilize the intersections. Consult with the Servicing Officer to determine appropriate design and control vehicles.

Curb returns should be designed as small as practical to encourage lower speeds in urban contexts. Curb returns located on roads within industrial or commercial areas may require larger radii or compound radii based on turning movements to facilitate truck or bus traffic.

Table 6.5.A - Minimum Curb Return Radii

Classification	Intersection with:		
	Local/Frontage	Collector	Arterial
Lane	3 m	With 3:1 flare to property corners	
Local Road	7 m	9 m	11 m

*Curb return radii at arterial roads and in industrial areas require specific designs taking into account projected volumes, turning movements, truck traffic, and whether turning lanes are provided.

6.5.3 Corner Cuts

Corner cuts must be sufficient to provide a minimum 4 m distance from curb face to property line. Minimum corner cuts are as indicated in Table 6.5.B.

Table 6.5.B - Minimum Corner Cuts

Intersection Type	Corner Cut¹
Lane to Lane	5 m × 5 m
Residential Lane with all other roads	N/A
All other intersections	3 m × 3 m

¹Intersections in commercial or institutional areas may require special design to determine actual corner cut area.

6.5.4 Left Turn Channelization

Warrants for, and details of, left turn channelization are to be in accordance with the TAC Geometric Design Guide. Left turn bays should be “opposing” style.

Guiding lines should be used in intersections with multiple turn lanes or skewed legs.

6.5.5 Sight Distances

Intersection sight distance must be provided for both the approach and the departure cases at an intersection. Design in accordance with the TAC Geometric Design Guide.

6.6 Roundabouts

Roundabouts should be considered as an alternative to a stop-controlled intersection to improve safety and reduce speeds. Roundabouts should not be considered for intersections with low turning movements or steep topography.

Roundabouts shall be designed in accordance with the TAC Canadian Roundabout Guide and the BC Supplement to TAC, Chapter 740 – Roundabouts. Additional signs and pavement markings for roundabouts to be in accordance with the TAC Manual of Uniform Traffic Control Devices for Canada.

6.7 Railway Grade Crossings

Locations and details of railway grade crossings are subject to requirements included in the TAC Geometric Design Guide and references noted therein. Railway crossing signs shall be in accordance with TAC Manual of Uniform Traffic Control Devices for Canada.

The Developer’s Engineer shall comply with all other applicable Federal or Provincial requirements.

6.8 Traffic Control Devices

All traffic control devices, signs, pavement markings, and warrants, shall be in accordance with the TAC Manual of Uniform Traffic Control Devices for Canada, TAC Geometric Design Guide for Canadian Roads, and British Columbia Active Transportation Design Guide.

Traffic signals should be in accordance with [Section 8.0](#). The design of intersection geometrics and underground utilities shall be closely coordinated with signal and lighting designs to ensure that pole locations are optimized and do not conflict with sidewalks, letdowns, or other infrastructure while maintaining accessibility to push buttons where applicable.

All longitudinal pavement markings on non-Local classified roads, all transverse pavement markings (stop bars, cross-walks, etc), and symbols (bike lanes, turn arrows) shall be thermoplastic and in accordance with the Approved Product List Policy. Pavement marking plans must show types, locations, dimensions, and materials of all pavement markings.

6.9 Cul-De-Sacs

A cul-de-sac termination may be provided to discourage through traffic and where further vehicle network connectivity is not warranted. Where a cul-de-sac is provided near an adjacent neighbourhood, an existing or future roadway, park, or natural area, a multi-modal walkway (minimum 6.0 m paved width) shall be provided for connectivity and permeability through neighbourhoods or for access to recreational areas.

The maximum road length for a cul-de-sac, as measured from the edge of the intersecting through road to the centreline of the cul-de-sac bulb, is 150 m. All dead-end roads longer than 90 m shall be provided with a cul-de-sac turnaround. In areas of steep terrain, upon demonstrated need, the Servicing Officer may permit a hammerhead turnaround in lieu of a cul-de-sac; see *BC Supplement to TAC, Section 1400* for configuration.

The maximum centreline grade within and on approach to a cul-de-sac is 5% to allow for safe turnaround of operational vehicles. The minimum radius from centre of bulb to edge-of-asphalt is 12.5 m (15.0 m in Industrial areas). Signage for “No-Parking” to be provided within cul-de-sacs.

6.10 Traffic Barriers and Clear Zones

The need for the use of reinforced concrete roadside barriers shall be avoided through the provision of appropriate clear zones with a recoverable fill slope of 4:1 or flatter, as outlined in the *TAC Geometric Design Guide* and *BC Supplement to TAC, Section 600 – Safety Elements*. In areas of steep topography, where appropriate clear zones are not reasonably achievable, in the opinion of the Servicing Officer, roadside barriers shall be provided; consider use of the warrant under *Section 600* of the *BC Supplement to TAC*.

6.11 Sidewalk and Pedestrian Crossings

Appropriate allocation of pedestrian facilities through sidewalk and pedestrian crossings is an important multi-modal consideration as part of the roadway.

6.11.1 Sidewalk

Sidewalk requirements vary by road classification and land use context. Sidewalk locations may be attached to the roadway in conjunction with barrier curb (MMCD Type C2) or separated from the roadway by a ditch or shoulder with banding curb; see [Table 6.3.A](#). Sidewalks should generally be located 0.3 – 0.6 m off property line (separated from the roadway) where space permits.

Typical cross-fall on sidewalks is between 1% and 2%. The maximum cross-fall on a sidewalk is 5% and is only permitted over short distances in constrained situations. Handrails to MMCD Standard Drawing C14 must be installed where the elevation drop, measured 1.2 m from the back edge of the sidewalk, exceeds 0.6 m.

6.11.2 Pedestrian Crossings

Use the TAC Pedestrian Crossing Control Guide to evaluate the warrant for a proposed pedestrian crossing as part of a broader design analysis, which should also include an understanding of existing and future site conditions and context, network connectivity and desire lines, pedestrian and traffic volumes, and pedestrian vulnerability and accessibility.

Pedestrian crossing width may range from a minimum of 2.5 m to as wide as 4.0 m and should generally be $1.45 \times$ the width of the connecting sidewalk. Pavement markings and signage configurations for pedestrian crossings shall be designed in accordance with the TAC Manual of Uniform Traffic Control Devices for Canada. Curb extensions to the edge of the travel lanes should be used where possible to reduce crossing distances.

Wheelchair ramps from sidewalks, medians, and traffic islands to crosswalks must be provided at intersections and multi-use pathways. Include Tactile Walking Surface Indicators (TWSIs) in accordance with [CSA B651-18 Accessible Design for the Built Environment](#) for all wheelchair ramps where a higher-level treatment beyond a signed and marked crosswalk is warranted.

6.12 Bikeways and Cycling Elements

Bike lanes are not a standard part of Village typical road sections. Where cycling infrastructure is provided, it shall be designed in accordance with the following guidelines:

- British Columbia Active Transportation Design Guide,
- TAC – Geometric Design Guide for Canadian Roads,
- TAC – Manual of Uniform Traffic Control Devices for Canada, and
- TAC – Bikeway Traffic Control Guidelines for Canada.

6.13 Transit Facilities

Transit facilities, where warranted or desired, shall be provided in accordance with BC Transit Infrastructure Design Guidelines.

6.14 Driveways

Driveways are intended to provide functional access to property while minimizing conflicts and speeds. Opportunities to consolidate driveways with shared access easements should be considered where possible to limit impact to on-street parking and boulevard trees, as well as to minimize conflict points between cyclists and pedestrians in residential or commercial areas.

6.14.1 Access Hierarchy

Driveways must access from an abutting lane if present, or if no lane is present, the fronting road of lowest volume.

6.14.2 Number of Driveways

For ground-oriented residential developments, one driveway per lot is permitted.

For corner lots of ground-oriented multi-unit buildings, a second driveway may be permitted.

Where two or more lots are created with frontage widths less than 16 m, properties shall share a common driveway on the shared property line.

For commercial, industrial, institutional, mixed-use, multi-family, or agricultural developments, only one access is permitted. A second access may be permitted upon demonstrated need, if supported by engineering analysis and acceptable to the Servicing Officer.

6.14.3 Driveway locations:

Driveways shall be located as follows:

- a. Driveway locations must achieve adequate sight distances.
- b. For ground-oriented residential developments located on corner lots, driveways shall be at least 7.5 m from the property line corner nearest the intersection.
- c. For all other developments located on corner lots, driveways shall be at least 15.0 m from the property line nearest the intersection.
- d. Driveways shall not be located within 3.0 m of a crosswalk.
- e. The minimum distance between driveways on the same property is 3.0 m.
- f. Driveways adjacent to interior lot lines shall be no closer than 2.0 m to the lot line.
- g. No driveway or boulevard crossing shall be permitted within 1.5 m clear distance from an above ground utility structure or obstacle.
- h. Accessory Dwelling Units on residential properties without laneway access shall be accessed off the primary residential driveway.

6.14.4 Driveway widths:

Driveways shall be of minimum and maximum widths as follows:

- a. Access to and egress from a lane may be permitted along the entire length of a lot that is abutting a lane.
- b. Ground-Oriented Residential zoned developments, the minimum driveway width is 4.0 m in width and the maximum width is 6.0 m, except where multiple driveways are permitted, the maximum width is 4.0 m.
- c. Multi-Family Residential, Mixed-Use, and Comprehensive zoned developments and any development in the Urban service area regardless of zone, the maximum driveway width is 7.5 m for a single driveway and 6.5 m for multiple driveways.
- d. Commercial and Institutional zoned developments, the maximum driveway width is 7.5 m for a single driveway and 6.5 m for multiple driveways.
- e. Industrial and Agricultural zoned developments, the maximum driveway width is 12.0 m for a single driveway and 9.0 m for multiple driveways.
- f. Driveways for all other developments must be a minimum of 4.5 m in width for one-way traffic and a minimum of 6.5 m in width for two-way traffic.

Upon consideration of turning movements for an appropriate design vehicle and engineering analysis, the minimum or maximum driveway widths may be modified by the Servicing Officer upon demonstrated need. In varying the maximum driveway width, the Servicing Officer shall also consider impacts to other transportation elements and how those impacts are to be mitigated by the proposed development.

6.14.5 Driveway Grades

Driveway access grades should be designed to permit the appropriate vehicular access for the zone without vehicles “bottoming-out” or “hanging-up”. From edge of pavement to property line, driveway grade to match road cross-fall for the first 1.8 m from edge of pavement. If driveway crosses a ditch, a culvert must be installed (see [Section 4.12.2](#))

For the first 10 m onto private property, general limits are outlined in Table 6.14.A.

Table 6.14.A – Driveway Grades (10 m On-Site)

Type	Grade (%)				
	Minimum	Downhill Maximum	Preferred Max. (Uphill)	Uphill Maximum	Maximum Rate of Change
1-2 Unit Residential	0.5	10.0	10.0	15.0	6% over 6 m
Industrial	0.5	4.0	6.0	8.0	6% over 15 m
All Others	0.5	4.0	8.0	10.0	8% over 15 m

Developments requiring access routes for fire department vehicles must meet the provisions of BC Building Code, Division B, Part 3 for fire access routes, locations, and design.

For driveways with grades over 8%, a driveway plan/profile drawing is required.

6.15 Clearances

6.15.1 Signs and Poles

Utility poles should generally be within 2 m of the property boundary. Where approaching roadway, use the following horizontal clearance from edge of travel lane to edge of utility pole or sign:

- Roadways without curbs: 2.0 m minimum,
- Roadways with curbs (≤ 40 km/h): 0.3 m min, 1.2 m preferred,
- Roadways with curbs (> 40 km/h): 1.2 m min, 2.0 m preferred.

Where providing clearances at or approaching minimum values, the Developer's Engineer shall consider additional safety appurtenances such as poles with break-away or frangible bases and additional warning signage.

6.15.2 Trees

Trees should be planted in locations with adequate clearances to provide sufficient space for canopy spread and for soil volume for the selected species at maturity without conflicting with utilities. Provide root-barrier, placed at backs-of-curbs and edge of sidewalks, where trees are within 3 m of curbs or sidewalks. Where approaching roadways, use the following horizontal clearances:

- Roadways without curbs, from edge of travel lane to tree trunk: 2.0 m minimum.
- Roadways with curbs (< 50 km/h): 0.6 m minimum, 1.0 m preferred, provided tree does not conflict with sidewalk,
- Roadways with curbs (\geq 50 km/h): 2.0 m minimum or 0.6 m beyond the sidewalk.
- Horizontal clearance from edge of driveway or curb return to tree trunk: 3.0 m.

Refer to BC Hydro and other third-party utilities for additional clearance requirements.

6.16 Underground Utility Locations

Underground utility general locations for watermains, sanitary sewer mains, and storm drainage mains within a road right-of way are noted in [Sections 2.22](#), [3.17](#), and [4.11.6](#), respectively.

Electrical, communications, and natural gas mains shall be located as close as possible to property lines, within the sidewalk area, avoid boulevards, and be in accordance with any applicable joint-trenching agreements. Vaults and boxes should be located outside sidewalks where possible to limit trip hazards.

Manholes and valve boxes should be clear of wheel paths. All utilities shall be clear of curbs.

6.17 Pavement Structures

6.17.1 General

Pavement design for hot-mix asphalt pavement should be based on past history of successful pavements within the Village of Lions Bay and any design method covered in TAC Pavement Design and Management Guide.

Pavement and mix designs must be confirmed as adequate for the proposed use by a suitably qualified geotechnical engineer and may be required to be submitted to the Servicing Officer ahead of granting Permission to Construct.

The minimum design life for all classifications of roads is 20 years.

6.17.2 Pavement Design

Designs shall consider subgrade soil type, frost susceptibility, moisture conditions, subgrade drainage provisions, Equivalent Single Axle Loads (ESALs), and anticipated traffic conditions.

Where the subgrade soils are classified under the Unified Soil Classification System (USCS) as GM, GC, SM, SC, ML, CL, or OL, the pavement design shall specify the necessary minimum depth of granular material. Minimum pavement depths shall be as required in [Section 6.17.3](#). For areas of frost susceptibility (generally above 25 m geodetic) where the subgrade soil classifications are GM, GC, SM, SC, ML, or CL, the pavement structure should include granular material to a minimum depth of 50% of the depth of frost penetration. Subgrade soils having classifications of OL, MH, CH, OH, and Pt require special design by a suitably qualified geotechnical engineer or removal and replacement with soils having better strength and drainage characteristics.

The traffic evaluation methods presented in the TAC Pavement Design and Management Guide using Annual Average Daily Traffic (AADT) showing various truck type percentages with equivalent truck factors, traffic growth, traffic directional split, and lane distribution for the design lane shall be used. The total traffic loading accumulated over the design life of the road must be expressed as an Equivalent Single Axle Load (80 kN).

Asphalt Mix Design shall be carried out by a laboratory which is certified by the Canadian Council of Independent Laboratories (CCIL) for Marshal Mix Design testing (Type “A” Certification).

6.17.3 Minimum Pavement Structures

Minimum pavement structures for roadways of various classifications are outlined in Table 6.17.A.

Table 6.17.A - Minimum Structure for Asphaltic Concrete Pavement

Road Classification	Minimum Thickness (mm) for Subgrade Soil Class SC & Better			Minimum Thickness (mm) for Subgrade Soil Class ML/CL		
	Sub-Base	Base	Hot-Mix Asphalt ¹	Sub-Base	Base	Hot-Mix Asphalt ¹
Highway	Refer to Provincial Standards			Refer to Provincial Standards		
Local	300	150	95	300	150	95
Lane	300	100	75	300	100	75
Pathways and Driveways	150	150	50	175	150	50

¹ Hot-Mix Asphalt thickness greater than 75 mm must be placed in two lifts.

Minimum pavement structures for concrete sidewalks, driveway letdowns, and other Portland Cement concrete pavements are outlined in Table 6.17.B. See also the applicable Standard Drawings.

Table 6.17.B - Minimum Structure for Portland Cement Concrete Pavement

Type	Minimum Thickness (mm)		
	Sub-Base	Base	PC Concrete
Sidewalks and Walkways	150	125	120
Mountable Sidewalk	150	150	150
Driveway Letdowns	150	150	150/200 ¹

¹ 150 mm for low-density residential, 200 mm for all others and for heavy vehicles

Minimum overlay thickness is three times the maximum nominal aggregate size, but in no case shall be less than 40 mm.

6.17.4 Minimum Design Traffic

The pavement structure shall be designed for the expected traffic volumes and types over the design life of the road and is subject to the following minimum design loading:

- Lanes and R-1 Roads: 2.8×10^4 ESAL
- R-2 Roads: 2.8×10^5 ESALs

6.18 Bridges

Bridges, including culvert structures that span larger than 3.0 m, shall be designed in accordance with the latest version of the Canadian Highway Bridge Design Code CAN/CSA S6, and the BC MOTI Supplement to Canadian Highway Bridge Design Code. Consult with the Servicing Officer to establish design criteria for each structure prior to commencing design.

Bridges shall be designed with a minimum 75-year life span and to BCL-625 Live Loading specifications.

6.19 Hillside Standards

In Hillside contexts where average topography exceeds 20% slope, designs shall consider the following objectives:

- a. Accommodation of hillside land development while minimizing environmental impacts such as disturbance of natural slopes, vegetation, and watercourses,
- b. Encouragement of low-speed traffic, particularly for local roads,
- c. Providing safe, liveable, and functional roads, and
- d. Development of site layouts compatible with the above objectives.

6.19.1 Roads

Modification of standard geometric design criteria is generally not appropriate in hillside contexts, given cold climate conditions. However, in consultation with the Servicing Officer, design speeds may be reduced in hillside contexts to address specific hillside objectives.

6.19.2 Network Considerations

In hillside contexts, longer streets may be required to access developable pockets within areas of steep terrain and it may not be possible to provide connectivity at each end of a street. In lieu of a formalized neighbourhood fire protection and evacuation plan that may support a road network with higher densities, hillside roads are subject to the following minimums, adapted from *NFPA 1140 Standard for Wildland Fire Protection (2022), Chapter 11 – Means of Egress* and BC Supplement to TAC, Chapter 1400 – Subdivision Roads:

- a. A cul-de-sac is required at the terminus of all roads longer than 90 m in length;
- b. An emergency egress lane or local road providing a functionally distinct connection to a collector (or higher) classified road is required within 150 m of the terminus of roads up to 360 m in length and capable of serving no more than 100 units.
- c. Areas or road segments capable of serving more than 100 units must provide a looped local road connection to a higher classified road at least every 360 m. For clarity, an area servicing between 100-600 units must have two functionally distinct routes in and out of the area.
- d. Areas capable of serving more than 600 units must provide three functionally distinct connections to an arterial classified road. Of the three connections, only one may be an emergency egress lane. For clarity, an area serving more than 600 units must have three functionally distinct routes in and out of the area.

In assessing the maximum number of units, the build-out potential under the allowable zone shall be considered, including the potential for suites, carriage houses, and multi-family buildings. For non-residential traffic, a trip generation assessment should be completed and converted to a residential equivalent for the purpose of assessing total unit build-out potential.

6.20 Traffic Calming

Traffic calming provides a standardized approach to challenges associated with maintaining the appropriate traffic volumes and speeds for specific road classifications. In some cases, increased volumes and speeds may result from road users navigating around areas of congestion or moving more rapidly through a particular road to get to a destination.

In these cases, engineered physical measures to ‘calm’ traffic may be warranted if network modifications and intersection controls are not adequate or viable. The design of traffic calming measures shall be consistent with the TAC Canadian Guide to Neighbourhood Traffic Calming. The use of traffic calming measures shall be considered within the context of the neighbourhood, to ensure short-cutting traffic is not moved from one neighbourhood street onto another.

See MMCD Design Guidelines, *Table 6.20* for a summary of commonly used treatments for traffic calming, with the following considerations around the use of vertical deflections:

- No vertical deflections permitted where transit routes are present or where a road is the only/primary access to a neighbourhood for emergency vehicles.
- No vertical deflections permitted on roads with grades >6%.
- In rural or industrial areas, consideration for heavy truck activities may limit the use of vertical deflection.

6.21 Street Parking

The design of appropriate street parking geometry enables access to surrounding areas while maintaining the appropriate traffic throughput of the roadway.

Parking shall be restricted where noted in [Sections 6.4.2.1](#) and [6.9](#) where horizontal radii, grades, sight-lines, intersections, driveways, hydrants, or other facilities are a factor.

7.0 STREET LIGHTING

The design of roadway lighting, including lighting of streets, sidewalks, crosswalks, intersections, walkways, and tunnels, must be prepared under the direction of a suitably qualified professional engineer with experience in street lighting design and the Canadian Electrical Code (CEC).

Design of street lighting is to be in accordance with the MMCD Design Guidelines and ANSI/IES RP-8-21.

8.0 TRAFFIC SIGNALS

Traffic signals shall only be permitted with the consent of the Provincial Ministry of Transportation, where the Ministry is responsible for operations and maintenance. The design of traffic signals shall follow the Provincial Ministry of Transportation standards.

PART 2

CONSTRUCTION STANDARDS

9.0 STANDARD SPECIFICATIONS AND DRAWINGS

9.1 MMCD 2019 Edition, Volume II

Works and Services shall be constructed in strict conformance with the specifications and standard drawings contained in the [MMCD 2019 Edition, Volume II - General Conditions, Specifications and Standard Drawings](#) unless modified by an MMCD Supplementary Update or a Supplemental Specification.

9.2 MMCD Supplementary Updates

Supplementary Updates issued by the MMCD take precedence over the MMCD 2019 Edition, Volume II Standard Specifications and Drawings but do not take precedence over Village Supplemental Specifications and Drawings.

Supplementary updates can be found at <https://www.mmcd.net/resources/supplementary-updates/>.

9.3 Supplementary Specifications and Drawings

Village of Lions Bay Supplementary Specifications and Drawings are contained in [Section 10.0](#) and supersede MMCD Supplementary Updates and MMCD 2019 Edition, Volume II Standard Specifications and Drawings.

9.4 Approved Products List

The Approved Products List outlines approved infrastructure types, materials, components, and other appurtenances that must be installed, where suitable, as part of Village-owned Works and Services.

The Village of Lions Bay Approved Products List is contained in [Section 11.0](#).

10.0 SUPPLEMENTAL SPECIFICATIONS AND DRAWINGS

The Village of Lions Bay Supplemental Specifications and Drawings are to be read in conjunction with the MMCD 2019 Edition, Volume II Standard Specifications and Drawings. The Village of Lions Bay Supplemental Specifications supersede the MMCD 2019 Edition, Volume II Standard Specifications and Drawings.

10.1 Supplementary Specifications

No Supplemental Specification are currently in force as of 2025-09-02

10.2 Supplementary Drawings

No Supplemental Drawings are currently in force as of 2025-09-02

11.0 APPROVED PRODUCTS LIST

The purpose of the Approved Products List is to ensure high-quality, long-lasting infrastructure that supports consistent service delivery through standardized products that are available, maintainable, and replaceable.

11.1 Administration

Where an approved product is not suitable for a given context, the Developer's Engineer is responsible to ensure that a suitable alternative is specified for use, to the satisfaction of the Servicing Officer.

Any use of an alternate product requires the prior approval of the Servicing Officer, who shall not grant approval until the Developer's Engineer has made a written request that certifies the technical and operational equivalencies of the alternative product and the Servicing Officer is satisfied that:

- a. the Village is able to readily stock the alternative product at a competitive cost,
- b. the manufacturer has a reliable track record,

- c. the Village has the necessary training and equipment to service the product, and
- d. that the use of the product would be of benefit or neutral impact to the Village.

11.2 Approved Products

The following products are approved for use within the Village of Lions Bay. Where the approved products list does not contain an approved product for a specific application, the Developer's Engineer must provide the Servicing Officer with information outlined in Section 11.1 if requested.

11.2.1 Water Distribution

All products to conform to the applicable standards (CSA, AWWA, etc) as noted in the MMCD Specifications for Watermains.

Item	Type	Material	Manufacturer	Make/Model	Size Range	Comments/ Conditions	Date Approved
1.0	Watermains & Service Pipe						
1.01	Service Pipe	Copper	-	-	19 mm, 38 mm		
1.02	Service Pipe	HDPE			50 mm, 75 mm		
1.03	Water Meters	-	Neptune	TBD			

11.2.2 Sanitary Sewers

No product restrictions currently in force.

11.2.3 Stormwater Management

No product restrictions currently in force.

11.2.4 Transportation Systems

No product restrictions currently in force.

11.2.5 Street Lighting

No product restrictions currently in force.

11.2.6 Traffic Signals

No product restrictions currently in force.

SCHEDULE A

Forming Part of the Application & Submissions Standards Policy
For Subdivision & Development Servicing Bylaw No. 651, 2025

City File Number

**CONFIRMATION OF COMMITMENT BY OWNER
AND COORDINATING PROFESSIONAL REGISTRANT**

- Notes:
- (i) This letter must be submitted before issuance of the *Notice to Proceed with Construction*.
 - (ii) In this letter the words in italics have the same meaning as in Subdivision & Development Servicing Bylaw No. 651, 2025 or Engineers and Geoscientists BC Bylaws and Quality Management Guidelines.

To: The Village of Lions Bay
Attn: Servicing Officer

Re:

(Name of Project)

(Address of Project)

(Professional's Seal and Signature)

(Date)

The undersigned has retained _____ as the coordinating *Professional Registrant* to coordinate the design work, *Field Reviews*, and preparation of *Final Design Drawings* of the registered *Professionals of Record* required for this project. It is the responsibility of the coordinating *Professional Registrant* to ascertain which registered *Professionals of Record* are required, and to initial each Schedule B. The coordinating *Professional Registrant* shall coordinate the design work and *Field Reviews* of the registered *Professionals of Record* required for the project in order to ascertain that the design will substantially comply with Village of Lions Bay Subdivision, Development and Servicing Bylaw No. 651, 2025 (herein "SDS Bylaw 651") and other applicable enactments and that the construction of the project will substantially comply with SDS Bylaw 651 and other applicable enactments, excluding construction safety aspects.

"*Field Reviews*" are defined in Quality Management Guides, Guide to the Standard for Documented Field Reviews During Implementation or Construction, published by Engineers and Geoscientists BC (EGBC) as reviews conducted by *Professional Registrants*, or by *Subordinates* acting under *Professional Registrants' Direct Supervision*, at the site of the implementation or construction of professional engineering or professional geoscience work, that *Professional Registrants* in their professional discretion consider necessary to ascertain whether the implementation or construction of work substantially comply in all material respects with professional engineering or professional geoscience concepts or intent reflected in the *Documents* prepared for such work.

The *Owner* and the coordinating *Professional Registrant* have read the SDS Bylaw 651. The *Owner* and the coordinating *Professional Registrant* each acknowledge their responsibility to notify the addressee of this letter of the date the coordinating *Professional Registrant* ceases to be retained by the *Owner* before the date the coordinating *Professional Registrant* ceases to be retained or, if that is not possible, then as soon as possible. The coordinating *Professional Registrant* acknowledges the responsibility to notify the addressee of this letter of the date a registered *Professional of Record* ceases to be retained before the date the registered *Professional of Record* ceases to be retained or, if that is not possible, then as soon as possible.

The *Owner* and the coordinating *Professional Registrant* understand that where the coordinating *Professional Registrant* or a registered *Professional of Record* ceases to be retained at any time during construction, work on the above project will cease

VILLAGE OF LIONS BAY

SCHEDULE A

Forming Part of the Application & Submissions Standards Policy
For Subdivision & Development Servicing Bylaw No. 651, 2025

City File Number

until such time as

- (a) a new coordinating *Professional Registrant* or registered *Professional of Record*, as the case may be, is retained, and
- (b) a new letter in the form set out in Schedule A or in the form set out in Schedule B, as the case may be, is filed with the Village of Lions Bay to the attention of the *Servicing Officer*.

The undersigned coordinating *Professional Registrant* certifies that he or she is a *Professional Registrant* as defined in the *Professional Governance Act*, and agrees to coordinate the design work, *Field Reviews*, and preparation of *Final Design Drawings* of the registered *Professionals of Record* required for the project as outlined in each attached Schedule B.

Coordinating Professional Registrant

Owner

(Name)

(Contact Name)

(Firm Name)

(Company Name)

(Address)

(Address)

(Address)

(Address)

(Phone Number)

(Phone Number)

(Email Address)

(Email Address)

(Date)

(Professional's Seal and Signature)
(Permit to Practice)

Owner's or Owner's appointed agent's signature. (If *Owner* is a corporation, the signature of a signing officer must be given here. IF the signature is that of an agent, a copy of the document that appoints the agent must be attached.)

(Date)

SCHEDULE B

Forming Part of the Application & Submissions Standards Policy
For Subdivision & Development Servicing Bylaw No. 651, 2025

**ASSURANCE OF PROFESSIONAL DESIGN AND
COMMITMENT FOR FIELD REVIEW**

- Notes:
- (i) This letter must be submitted before issuance of the *Permission to Construct*. A separate letter must be submitted by each registered *Professional of Record*.
 - (ii) In this letter the words in italics have the same meaning as in Village of Lions Bay Subdivision & Development Servicing Bylaw No. 651, 2025 or Engineers and Geoscientists BC Bylaws and Quality Management Guidelines.

To: The Village of Lions Bay
Attn: Servicing Officer

Re:

(Name of Project)

VLB File Number

(Address of Project)

The undersigned hereby gives assurance that the design of the
(Initial those of the items listed below that apply to this registered *Professional of Record*. All the disciplines will not necessarily be employed on every project.)

_____ **CIVIL**
_____ **TRANSPORTATION**
_____ **GEOTECHNICAL**
_____ **STRUCTURAL**
_____ **MECHANICAL**
_____ **CIVIL-ELECTRICAL**
_____ **ELECTRICAL**
_____ **ENVIRONMENTAL**

(Professional's Seal and Signature)

(Date)

components of the plans and supporting documents prepared by this registered *Professional of Record* in support of the application for construction of Works and Services as outlined below substantially comply with the Subdivision & Development Servicing Bylaw No. 651, 2025 and other applicable enactments, except for construction safety aspects.

The undersigned hereby undertakes to be responsible for *Field Reviews* of the above referenced components during construction, as indicated on the "Summary of Design and Field Review Requirements" below.

The undersigned hereby undertakes to be responsible for the preparation of *Final Design Drawings* as may be required under Subdivision & Development Servicing Bylaw No. 651, 2025.

(CRP's Initials)

VILLAGE OF LION BAY

Schedule B - *Continued*

VLB File Number

Discipline

The undersigned also undertakes to notify the *Servicing Officer* of the Village of Lions Bay in writing as soon as possible if the undersigned's contract for *Field Review* or preparation of *Final Design Drawings* is terminated at any time during construction.

I certify that I am a *Professional Registrant* as defined by Engineers and Geoscientists BC.

(Name)

(Firm Name)

(Address)

(Address)

(Phone Number)

(Email Address)

(Professional's Seal and Signature)
(Permit to Practice)

(Date)

Note: The above letter must be signed by a registered *Professional of Record*, who is a *Professional Registrant* in good standing with EGBC, employed by a *Registrant Firm* in good standing with a *Permit to Practice*.

(CRP's Initials)

SUMMARY OF DESIGN AND FIELD REVIEW REQUIREMENTS

(Initial applicable discipline below and cross out and initial only those items not applicable to the project.)

CIVIL

- 1.1 Water network supply and pressure control facilities
- 1.2 Water distribution system sizing, pressure class, and material
- 1.3 Watermain alignment, cover, and separation clearances
- 1.4 Watermain appurtenances and thrust restraint
- 1.5 Fire hydrant locations and spacing
- 1.6 Watermain flushing, pressure testing, disinfection, bacteriological testing, and tie-ins
- 1.7 Sanitary sewer system sizing, pressure class, and materials
- 1.8 Sanitary sewer main alignment, cover, and grades
- 1.9 Sanitary sewer testing and CCTV
- 1.10 Sanitary sewer system downstream pumping facilities
- 1.11 Storm sewer system sizing, pressure class, and materials
- 1.12 Storm sewer main alignment, cover, and grades
- 1.13 Storm sewer testing and CCTV
- 1.14 Stormwater management, attenuation, storage, and treatment
- 1.15 Overland flood routing
- 1.16 Erosion and sediment control – temporary
- 1.17 Erosion and sediment control – permanent

TRANSPORTATION

- 2.1 Classification and cross-section elements
- 2.2 Alignment and geometrics
- 2.3 Emergency and operational vehicle egress and turnarounds
- 2.4 Active transportation and accessibility
- 2.5 Transit facilities
- 2.6 Intersection alignment and movements
- 2.7 Sight lines, stopping and decision sight distances
- 2.8 Traffic control, intersections and crossings, pavement markings and signage
- 2.9 Traffic signal configuration, phasing, and timing

GEOTECHNICAL

- 3.1 Bearing capacity of the soil
- 3.2 Infiltration capacity of the soil
- 3.3 Temporary excavations and slopes
- 3.4 Temporary construction dewatering
- 3.5 Backfill and imported materials
- 3.6 Compaction of native and engineered fill
- 3.7 Permanent groundwater management
- 3.8 Permanent slope stability

(Professional's Seal and Signature)
(Permit to Practice)

(Date)

(CRP's Initials)

Schedule B - *Continued*

VLB File Number

Discipline

CIVIL-ELECTRICAL

- 4.1 Conduit alignment, cover, materials, and clearances
- 4.2 Testing of conduit installation
- 4.3 Siting of structures, vaults, and kiosks
- 4.4 Streetlight ducting, bases and poles
- 4.5 Traffic signal kiosks, bases, and poles
- 4.6 Review of all applicable shop drawings

ELECTRICAL

- 5.1 Streetlighting illumination, power supply, and control systems
- 5.2 Traffic signal programming, power supply, and control systems
- 5.3 Facility programming, power supply, and control systems
- 5.4 Review of all applicable shop drawings
- 5.5 Operations and maintenance manuals for programming and control systems

STRUCTURAL

- 6.1 Regulated retaining walls
- 6.2 Structural aspects of structure footings and foundations
- 6.3 Structural capacity of bridges, culverts, or other structures
- 6.4 Review of all applicable shop drawings
- 6.5 Independent review of structural designs

MECHANICAL

- 7.1 Water network supply and pressure control facilities
- 7.2 Sewer pumping facilities
- 7.3 Functional testing facility process piping
- 7.4 Operations and maintenance manuals for mechanical systems
- 7.5 Review of all applicable shop drawings

ENVIRONMENTAL

- 8.1 Works in and about a stream
- 8.2 Restoration of disturbed areas
- 8.3 Stormwater discharge quality

(Professional's Seal and Signature)
(Permit to Practice)

(Date)

(CRP's Initials)

SCHEDULE C-A

Forming Part of the Application & Submissions Standards Policy
For Subdivision & Development Servicing Bylaw No. 651, 2025

**ASSURANCE OF COORDINATION OF
PROFESSIONAL FIELD REVIEW**

- Notes:
- (i) This letter must be submitted after completion of the project but before *Substantial Performance* is issued.
 - (ii) In this letter the words in italics have the same meaning as in Village of Lions Bay Subdivision & Development Servicing Bylaw No. 651, 2025 or Engineers and Geoscientists BC Bylaws and Quality Management Guidelines.

To: The Village of Lions Bay
Attn: Servicing Officer

Re:

VLB File Number

(Name of Project)

(Address of Project)

(The coordinating *Professional Registrant* shall complete the following:)

(Name)

(Professional's Seal and Signature)

(Firm Name)

(Date)

(Address)

(Phone Number & Email Address)

I hereby give assurance that:

- (a) I have fulfilled my obligations for coordination of *field reviews* of the registered *Professionals of Record* required for the project as outlined in Engineers and Geoscientists BC's "Quality Management Guidelines – Guide to the Standard for Documented Field Reviews During Implementation or Construction" and in the previously submitted Schedule A - Confirmation of Commitment by Owner and by Coordinating Professional Registrant;
- (b) I have coordinated the functional testing of all necessary components of the project to ascertain that they substantially comply in all material respects with
 - i. the applicable requirements of Subdivision & Development Servicing Bylaw No. 651, 2025,
 - ii. the applicable requirements of any other codes, standards, or regulations, and
 - iii. the plans and supporting documents submitted in support of the application for Permission to Construct;
- (c) I have coordinated the *field reviews* to ascertain that the project substantially complies in all material respects with
 - i. the applicable requirements of Subdivision & Development Servicing Bylaw No. 651, 2025,
 - ii. the applicable requirements of any other codes, standards, or regulations, and
 - iii. the plans and supporting documents submitted in support of the application for Works and Services Permit;
- (d) I am a *Professional Registrant* as defined by Engineers and Geoscientists BC.

VILLAGE OF LIONS BAY

SCHEDULE C-B

Forming Part of the Application & Submissions Standards Policy
For Subdivision & Development Servicing Bylaw No. 651, 2025

CONFIRMATION OF PROFESSIONAL FIELD REVIEW AND COMPLIANCE

- Notes:
- (i) This letter must be submitted after completion of the project but before *Substantial Performance* is issued. A separate letter must be submitted by each registered *Professional of Record*.
 - (ii) In this letter the words in italics have the same meaning as in Village of Lions Bay Subdivision & Development Servicing Bylaw 651, 2025 or Engineers and Geoscientists BC Bylaws and Quality Management Guidelines.

To: The Village of Lions Bay
Attn: Servicing Officer

Re:

VLB File Number

(Name of Project)

(Address of Project)

(The coordinating *Professional Registrant* shall complete the following:)

(Name)

(Professional's Seal and Signature)

(Firm Name)

(Date)

(Address)

(Phone Number & Email Address)

I hereby give assurance that:

- (a) I have fulfilled my obligations for coordination of *field reviews* of the registered *Professionals of Record* required for the project as outlined in Engineers and Geoscientists BC's "Quality Management Guidelines – Guide to the Standard for Documented Field Reviews During Implementation or Construction" and in the previously submitted Schedule B – Assurance of Professional Design and Commitment for Field Review and
- (b) The components of the project opposite my initials in Schedule B substantially comply in all material respects with
 - i. the applicable requirements of Subdivision & Development Servicing Bylaw No. 651, 2025,
 - ii. the applicable requirements of any other codes, standards, or regulations, and
 - iii. the plans and supporting documents submitted in support of the application for Works and Services Permit;
- (c) I have prepared *Record Drawings* incorporating all change orders and material design changes brought to my attention and certify the information contained in the *Record Drawings* provides an as-constructed system which substantially complies in all material respects with the authorized design, to the best of my knowledge.
- (d) I am a *Professional Registrant* as defined by Engineers and Geoscientists BC.

STAFF REPORT – SPECIAL COUNCIL MEETING

DATE: March 27, 2025 **FILE:** CAO-2025-004
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **SHORT TERM RENTAL POLICY AND BYLAW REVISIONS**

PURPOSE:

The purpose of this report is to present recommended updates to the Village of Lions Bay's Short-Term Rental (STR) Policy and corresponding amendments to *Zoning and Development Bylaw No. 520, 2017*. These revisions have been developed in consultation with the municipal solicitor to ensure compliance with current provincial legislation and to strengthen the legal integrity of both the policy and Bylaw. Council's direction is sought on adopting the revised STR Policy and granting first and second reading to the proposed Bylaw amendments.

DISCUSSION:

The regulation of Short-Term Rentals (STRs) is an evolving issue in municipalities across British Columbia. Provincial legislation now imposes additional regulatory requirements on STR operators, necessitating updates to municipal bylaws and policies to ensure compliance.

In Lions Bay, STRs are regulated through a combination of municipal policy and Zoning Bylaw provisions and through the issuance of Temporary Use Permits. However, a recent review has identified several critical issues that need to be addressed:

- **Compliance with Provincial Legislation:** The provisions in existing Policy and Bylaw need to be updated to ensure consistency with provincial STR regulations.
- **Structural Deficiencies:** Certain policy provisions have been identified as *problematic* and need to be addressed.
- **Ambiguous Language:** Updating language to increase the efficacy of the Policy and Bylaw provisions.

To address these issues, staff has worked with the municipal solicitor to develop amendments to the STR Policy and *Zoning and Development Bylaw No. 520, 2017*. The proposed revisions are shown in the attachments.

SUMMARY:

The proposed updates to the STR Policy and *Zoning and Development Bylaw No. 520, 2017* are necessary to achieve compliance with provincial legislation and to strengthen the legal enforceability of municipal STR regulations. By refining definitions, clarifying conditions, and eliminating problematic provisions, these revisions ensure that the policy and Bylaw function effectively.

Staff recommend that Council adopt the revised STR Policy and advance the Bylaw amendments through first and second reading.

OPTIONS:

- (1) a) **THAT** Council adopt the revised Short-Term Rental Policy as proposed.
 - b) **THAT** Council grant first and second reading to the proposed amendments to *Zoning and Development Bylaw No. 520, 2017*, and direct staff to schedule a public hearing in accordance with statutory requirements.
- (2) Provide no decision or direction.
- (3) Refer the matter to staff with specific direction.

RECOMMENDED OPTION:

Option #1

FINANCIAL CONSIDERATIONS:

None.

LEGAL CONSIDERATIONS:

The legal considerations are set out in the report.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell", with a horizontal line extending to the right.

Ross Blackwell, CAO

Attachments:



- (1) Proposed Short Term Rental Policy revisions
- (2) Proposed *Zoning and Development Bylaw No. 520, 2017* amendments



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	POLICY	Policy No	POL – 1702
Title	Temporary Use Permits for Short Term Rentals		
Author	CAO	Reviewed By:	
Date	June 20, 2017	Version	10

Purpose

The purpose of this Policy is to provide guidance for staff, elected officials and property owners regarding applications for Temporary Use Permits (TUPs) for Short Term Rentals (STRs).

Council has seen fit to regulate STRs in order to sustain the character of Lions Bay's residential zones, to reduce nuisance from noise, parking and other aspects arising from the existence of STRs, ~~and to regulate/manage utility usage, and to be able to influence the amount of short-term vs. long-term rental accommodation available in the community.~~

Zoning and Development Bylaw No. 520, 2017 (the Zoning Bylaw) prohibits STRs in all zones except where authorized under a TUP. Council has delegated the authority to grant TUPs ~~in accordance with this policy~~ to the Chief Administrative Officer (CAO). This Policy explains the regulations in the Zoning Bylaw and the Development Application Procedures and Fees Bylaw No. 431, 2011 (the DAP Bylaw).

Definitions

Dwelling Unit has the same meaning as in the Zoning Bylaw.

Secondary Suite has the same meaning as in the Zoning Bylaw.

Short Term Rentals (STRs) has the same meaning as in the Zoning Bylaw.

Temporary Use Permits (TUPs) has the same meaning as in Division 8 of the *Local Government Act*.

Policy

1. TUPs for STRs shall not be granted in respect of:
 - a. houseboats,
 - b. Secondary Suites, or
 - c. premises which contain a child home care business or are located within 50 metres of a school or daycare.



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2. Without limiting the generality hereof, the TUP application form will specify a pre-inspection checklist for STRs to assist applicants in meeting the requirements of the Zoning Bylaw and the DAP Bylaw. As required by the DAP Bylaw, An-an application for a TUP must be submitted by the property owner (the "Owner"), along with a state of title certificate, and stipulate provide information on whether the Owner will be living on the applicable parcel during the STRs. Application fees are in accordance with Fees Bylaw No. 497, 2016, as amended. Temporary use permits are subject to notification requirements set out in the Zoning Bylaw and, when appealed to Council, statutory notification requirements as outlined in the Local Government Act.
- ~~3. Preference in granting TUPs will be given to Owners living on site and in Lions Bay. If the Owner does not live on site or within Lions Bay, they must employ an agent within Lions Bay to manage the STR. Twenty-four hour per day contact information for the Owner and, if applicable, the agent, must be provided to the Municipality and all neighbouring residents within 50 metres of the property ("Neighbours"). The Owner or agent must be capable of responding to complaints made by Neighbours within one (1) hour, and by the Municipality within 24 hours. A report of the complaint and action taken shall be filed with the Municipality by the Owner or agent within 48 hours of such action.~~
- 4.3. The number of STR guests at any one time shall not exceed 8 on any parcel 2 for each bedroom that meets the minimum requirements of the BC Building Code, unless the entire principal residence is rented to one party, in which case the number of STR guests at any one time shall not exceed 10.
- 5.4. All parking for STRs must be provided on the property. The operator of the STR should advise guests that the number of guest vehicles shall not exceed the number of guest vehicle parking spaces on the parcel, having regard to which are separate from any parking spaces required for the Owner and/or Secondary Suite tenants. In Permit Parking zones, Owners may not rely on street parking to achieve the requisite count of parking spaces.
- 6.5. Web listings for STRs shall specify the maximum number of guests and guest vehicles.
- 7.6. No more than one Dwelling Unit per parcel may be granted a TUP for STRs.
- 8.7. Premises subject to a TUP application for STRs may be inspected by the Municipality for compliance with the BC Building Code, the Lions Bay Building Bylaw and other applicable bylaws, in relation to the use intended under the application.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- ~~1. The CAO must determine if the subject property is within a Natural Hazard Assessment Area, as defined in the Village of Lions Bay Official Community Plan Designation Bylaw No. 408, 2008, as amended (the "OCP"). If the STR is located within a Natural Hazard Assessment Area, a concurrent development permit may be required in addition to the TUP. Without limiting section 17 of this Policy [general]~~
9. Decisions regarding the granting of TUPs for STRs may take into consideration the following:
 - a. safety considerations identified regarding the applicable premises;
 - b. the ability of water supply, central sewage in the case of parcels so serviced and onsite wastewater disposal systems to handle the use, the proximity to and potential impacts on ecosystems;
 - c. the ~~proximity to and~~ impact on neighbouring parcels, public rights-of-way, beaches, parks and other public use areas;
 - d. the location and siting of the STR, including the siting of the specific dwelling unit within which the short term rental will be located size of
 - i. ~~the dwelling unit;~~
 - ii. ~~the parcel; and~~
 - f. the intended form of management of the STRs;
 - g. previous history of complaints regarding STRs at the property;
 - h. potential impacts upon the neighbourhood;
 - i. responses to the application received ~~from Neighbours~~ as a result of the statutory notices of the TUP;
 - j. the residential character of the neighbourhood in which the STR is located and the suitability of a STR for the dwelling units in which the use is proposed to occur the number of TUPs already issued for STRs in the neighbourhood and in Lions Bay overall;
 - k. compliance with the Municipality's Secondary Suite regulations.
10. The CAO may require the Owner to provide a report from an authorized person under the Sewerage System Regulation to confirm that a septic disposal system is capable of handling the anticipated uses related to a TUP.
11. All TUPs shall specify quiet times between the hours of 10 pm and 8 am seven days per week and restrict the use of outdoor areas accordingly.
- ~~12. No signs~~ Signs are not encouraged, but one sign may be permitted if it does not vary the residential appearance of the land and premises where a short term rental is located indicating the STR use are permitted on or off the property.



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~~13. STR applications for strata units must be supported by a resolution from the strata council.~~

~~14.~~12. Security in the form of cash deposit, bond, irrevocable letter of credit or similar instrument in the amount of \$2,500 is required in conjunction with the issuance of a TUP for STRs. This security may be drawn upon by the Municipality for any of the grounds permitted under section 502 of the *Local Government Act*.

~~a. any Bylaw Notices issued under Bylaw Notice Enforcement Bylaw No. 385, as amended;~~

~~b. any judgements obtained or legal expenses incurred in pursuit of remedies in BC Provincial or Supreme Court;~~

~~c. a. any of the grounds permitted under section 502 of the *Local Government Act*.~~

If drawn upon by the Municipality, this security shall be replenished by the Owner within 30 days.

~~15. Owners must provide proof of insurance for the use intended, including a Broad form commercial general liability policy for a limit of not less than five million (\$5,000,000.00) dollars per occurrence with respect to third party liability claims for bodily injury, property damage, personal injury, or death with a specific rider acknowledging the use of all or part of the property as an STR, and showing the Village as an Additional Named Insured. Such insurance must stay in force and not be amended, cancelled or allowed to lapse during the term of the TUP.~~

~~16. Owners must execute the Indemnification Agreement prepared by the Municipality as a condition of being granted a TUP.~~

~~17.~~13. The term of the first TUP issued in respect of a property shall be no longer than 1 year. Within 60 days before the expiry of the term of a TUP, the Owner may apply for a 1 year renewal term. Any subsequent use of the property for STRs beyond the original or the renewal term shall be prohibited unless the Owner applies for and receives a new TUP. After the first two years, an Owner may apply for a TUP for up to 3 years, which may be renewed for an additional 3 years subject to this policy.

~~18.~~14. A decision of the CAO under this policy may be reconsidered by Council if, within 30 days of the CAO's decision being conveyed to the Owner in writing via email, the Owner requests a

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

reconsideration in accordance with section 35 (5) of Council Procedures Bylaw No. 476, 2015, as amended.

~~19.15.~~ The onus is on Owners to apply for TUPs; staff will follow the Municipality's enforcement policy and seek compliance as the primary objective.

~~20.16.~~ Owners who do not have a valid TUP may be given a one week grace period to apply but shall not market their property or accept any new bookings unless and until their application has been approved.

~~21.17.~~ The Municipality will take reasonable steps to investigate and evaluate contraventions of this Policy and of TUP conditions on a complaint basis.

Mayor

Corporate Officer

Adopted by Council:	July 4, 2017
Updated:	July 3, 2018
Updated:	July 17, 2018
<u>Updated</u>	<u>February __, 2025</u>



Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 641, 2025

Adopted: xxx

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 641, 2025

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as “Zoning and Development Bylaw No. 520, 2017, Amendment Bylaw No. 641, 2025”.
2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

AMENDMENTS

- 1.1. Section 4.6 (b) of the Zoning and Development Bylaw No. 520, 2017 is amended by deleting the “in accordance with the Short Term Rental Policy” and replacing it with “for short term rentals in accordance with section 4.6.1”.
- 1.2. Inserting immediately after section 4.6 (b) and before the heading Siting Exemptions the following:
 - “4.6.1. The CAO may grant a temporary use permit for a short term rental subject to the short term rental use complying with the regulations in section 4.6.2 and having regard to the residential character of the neighbourhood in which the short term rental is located, any objections received after notice of the proposed temporary use permit for the short term rental is given in section 4.6.3, the history of prior complaints related to prior short term rental on the parcel, and the suitability of a short term rental for the dwelling units in which the use is proposed to occur.
- 4.6.2 All of the following regulations apply to a temporary use for a short term rental:
 - (a) A maximum of one (1) short term rental is permitted on a parcel.
 - (b) A maximum of two (2) guests per bedroom that meets the minimum requirements of the BC Building Code may be allowed as part of a temporary short term rental use.
 - (c) A maximum of one (1) sign indicating a short term rental may be permitted if it does not vary the residential appearance of the land and premises where a short term rental is located.
 - (d) No short term rental is permitted as an accessory commercial use for a houseboat, secondary suite or on a parcel that contains a child home care business.
 - (e) No short term rental is permitted on a parcel with a property line that less than 50.0 metres from a school or daycare.

-
- (f) In addition to the requirements in section 4.13 for any other uses occurring on the parcel, two (2) off-street parking spaces shall be provided and maintained on the parcel for the short term rental.
 - (g) No short term rental is permitted on a parcel unless it is connected to a community sewer system or has a septic disposal system that is capable of handling the demand generated by the short term rental.
- 4.6.3 Notice of consideration of the application for a temporary use permit for a short term rental shall be given:
- (a) When being considered by the CAO, the CAO will give notice to owners and occupants of all parcels of land within 50.0 metres from the property line of the parcel on which the short term rental will be located and will allow two weeks for owners and occupants to provide comments; and
 - (b) When being considered by Council, notice shall be given in accordance with section 494 of the Local Government Act.
- 4.6.4 The CAO may specify conditions in a temporary use permit for a short term rental relating to:
- (a) the deposit of security of \$2,500 in the form of cash deposit, bond, irrevocable letter of credit or similar instrument as a guarantee the performance of the terms of the temporary use permit for the short term rental;
 - (b) safety considerations identified as impacting guests that may stay temporarily in the short term rental, including advice from a building inspector that the parcel on which the short rental use will be located is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rockfalls, subsidence or avalanche or other considerations applicable under the BC Building Code for this type of occupancy;
 - (c) the adequacy of the water and sewage systems servicing the parcel to handle any increased demand caused by the short term rental;
 - (d) mitigation measures to reduce the impact of the short term rental on neighbouring parcels, public rights-of-way, beaches, parks and other public use areas;
 - (e) the location of the short term rental on the parcel, including the siting of the specific dwelling unit within which the short term rental will be located;
 - (f) the impact of additional traffic generated by the short term rental;
 - (g) establishment of quiet hours guests of the short term rental;
 - (h) the form of management of the short term rental or other measures to ensure that guests using the short term rental are not disruptive to neighbours; and
 - (i) any matter addressed in the secondary suite regulations.

- 4.6.5 A decision of the CAO to refuse or approve a temporary use permit for a short term rental, with or without conditions, may be reconsidered by Council if, within 30 days of the CAO's decision being conveyed to the Owner in writing via email, the Owner requests reconsideration in accordance with section 35 (5) of Council Procedures Bylaw No. 476, 2015, as amended.
- 4.6.6 The term of the first temporary use permit issued in respect of a parcel shall be no longer than one (1) year. Sixty (60) days prior to the expiry of the initial term of the temporary use permit, the Owner may apply for a one (1) year renewal term. Thereafter, any short term rental use beyond the original or the renewal term shall be prohibited unless the Owner applies for and receives a new temporary use permit for a short term rental. After the first two (2) years, the temporary use permit for a short term rental shall be issued for a term of up to three (3) years, which temporary use permit may be renewed for an additional term of up to three (3) years."

READ A FIRST TIME on
READ A SECOND TIME on
PUBLIC HEARING held on

XX, 2025
XX, 2025
XX, 2025

READ A THIRD TIME on
ADOPTED by Council on

XX, 2025
XX, 2025

Mayor

Corporate Officer

Certified a true copy of Zoning and Development
Bylaw No. 520, 2017, Amendment Bylaw No. 641, 2025
as adopted.

Corporate Officer

STAFF REPORT

DATE: 2025-08-25 **FILE:** CAO-2025-015
TO: Council
FROM: Ross Blackwell, MAP, MCIP, RPP, CAO
RE: **Citizen Satisfaction Survey**

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PURPOSE:

To provide Council with an overview of a proposed, staff-led, citizen satisfaction survey for the municipality.

BACKGROUND:

This matter was first brought before Council at the Committee of the Whole in early 2025, at which time Council expressed its preference to defer consideration until September. In accordance with that direction, the report is now being returned to Council for further discussion.

Citizen satisfaction surveys are a common tool used by municipalities to gauge resident perceptions, evaluate service delivery, and identify community priorities. These surveys provide valuable insights into areas of strength and opportunities for improvement, while also fostering a stronger sense of engagement with residents.

The Village of Lions Bay has not yet undertaken a comprehensive citizen satisfaction survey. Given the growing complexity of issues such as infrastructure renewal, environmental sustainability, solid waste collection, and aging in place, etc. structured feedback from residents is now both timely and essential to inform decision-making and ensure that municipal priorities align with community needs.

DISCUSSION:

A citizen satisfaction survey offers numerous benefits and considerations for the municipality. Some of the key aspects are set out below.

1) Foundation

- **Data-Driven Decision Making.** The survey will provide quantitative and qualitative data that can inform Council and staff decisions.

- **Enhanced Community Engagement.** Conducting a survey demonstrates a commitment to listening to the community, building trust, and fostering transparency in governance.
- **Benchmarking and Performance Measurement.** A satisfaction survey establishes baseline data that can be used to measure progress over time and assess the impact of municipal initiatives.
- **Grant and Funding Support.** Evidence of community consultation can strengthen grant applications and demonstrate alignment with community needs and priorities.

2) Benefits

- **Comprehensive Feedback:** The survey provides an opportunity for all residents to voice their opinions, ensuring diverse perspectives are captured.
- **Identifying Trends:** Data from the survey can reveal patterns and trends that may not be apparent through informal feedback channels.
- **Improved Relationships:** Proactively seeking resident input can strengthen confidence between the community and the municipality.
- **Strategic Planning:** Results can directly confirm an understanding residents' satisfaction levels and priorities can guide resource allocation, policy development including strategic plans, operational plans, policy planning, financial planning, asset management, and project prioritization.

3) Key Considerations

- **Resource Intensive:** Designing, administering, and analyzing a survey requires staff time. For a small municipality with limited capacity, such as Lions Bay, this must be carefully managed to avoid workload impacts.
- **Expectation Management:** The survey may raise expectations among residents for immediate action on all identified issues, which may not be feasible. This will require clear communication.
- **Potential Bias:** The survey will be designed so that survey results ensure responses accurately represent the views of the entire community, particularly if certain demographics are underrepresented.
- **Follow-Through Requirements:** A clear plan for using and communicating the results, the survey is important to avoid potential frustration or skepticism among residents.

- **Survey Design and Scope:** The survey will be designed to ensure clarity, relevance, and neutrality. Questions will align with municipal priorities and be limited in scope to maintain engagement.
- **Timeline:** To ensure sufficient participation and data quality, the survey process will be allocated adequate time for planning, implementation, and analysis.
- **Communication Strategy:** Clear communication before, during, and after the survey is essential to encourage participation and manage expectations about how the results will be used.

4) Next Steps

- Develop a project plan, including timelines, and communication strategy.
- Select a Canadian Based survey data hosting platform.
- Survey launch
- Analyze survey data
- Provide a summary report with recommendation to Council
- Provide a summary report with recommendation to Council

CONCLUSIONS:

A citizen satisfaction survey represents a strategic opportunity to gather valuable feedback, engage residents, and guide future municipal initiatives. While there are resource implications, the potential benefits in terms of planning and informed decision-making, enhanced engagement, and improved service delivery are significant.

FINANCIAL CONSIDERATIONS:

The survey will be developed and undertaken internally. Accordingly, costs will be limited to staff time.

LEGAL CONSIDERATIONS:

None.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "R. Blackwell".

Ross Blackwell, CAO
Chief Administrative Officer

STAFF REPORT

DATE: 2025-08-27 **FILE:** PW-2025-007

TO: Ross Blackwell, MAP, MCIP, RPP, CAO

FROM: Karl Buhr, Director of Operations

RE: REQUEST FOR DIRECTION: PUBLIC TOILET FACILITIES

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PURPOSE:

To seek Council direction regarding the provision of public washroom facilities in the central area of Lions Bay.

BACKGROUND: the municipality provides public washroom facilities throughout Lions Bay:

1. Lions Bay Beach Park: permanent washrooms on a currently undersized septic system
2. Kelvin Grove Beach and Marine Park: permanent washrooms on the adjacent wastewater treatment plant
3. Lions Bay Beach Park parking lot: 2 portables
4. Lower School Field parking lot: 2 portables
5. Brunswick Beach 99 underpass: 1 portable, locked for TransLink driver use only
6. Sunset Trailhead: 8 portables to serve regional visitors, partly addressing a VCH directive to “minimise fecal contamination in the watershed.” From weekly pumpout volumes, these units are certainly diverting some contamination.

Historically, the private store/café at 350 Centre provided washroom access to the general public. The operator began restricting public access to their washroom about 18 months ago, and recently stopped public access altogether, resulting in:

- A notable increase in public requests to use facilities at the municipal campus. Use of the single office facility is not permissible under WorkSafeBC Occupational Health and Safety Regulation Part 4.85, and use of the hall facility is an option addressed below.
- Use of bushes and surrounding areas, creating health, safety, and reputational concerns.

DISCUSSION:

On the basis that the municipality provides washroom facilities where needed by the general public, in Spring 2024 staff agreed with the store owner, who is also the strata president, to

cover one-third of the cost of two portables contracted by the strata to be placed in a public area at 350 Centre Rd. Within months these units were removed. The strata was mistaken in their public contention that the municipality had stopped paying for them, when they were the contractor.

In Spring 2025, staff initiated discussions to lease a portion of strata property for public bear-proof garbage and toilet facilities. Two temporary outhouses were installed in July in anticipation of the lease but removed in August after the store operators mistook how they were serviced and took it upon themselves to lock them, while posting staff names and phone numbers on the units and in the store, respectively to persuade staff to greater effort, but unfortunately also preventing their servicing.

The need for public washroom facilities in central Lions Bay remains, and staff now seek Council's direction in relation to bring a resolution to this matter.

Council may wish to consider the aesthetic, reputational, environmental, and public health implications of four near-term options identified by staff:

1. **Open the Hall washrooms to the public.** Security, servicing, limited hours and overuse of the onsite wastewater system are issues, and this option is not seen as viable.
2. **Highway and in-Village signage to the Lions Bay and Kelvin Grove Beach Park facilities.** In both cases, park parking is some distance away from the facilities and currently pay only. Members of the public unfamiliar with Lions Bay have trouble locating them, and making one or more parking spaces free for 5-10 minutes will be difficult to enforce and subject to abuse. A corollary of this option is "No Facilities" highway signage alongside existing blue amenities signs should such, however, it is unlikely that the MoTT would be amenable to such signage.
3. **Public portables.** Assuming interference can be dealt with, portables could be reintroduced on a seasonal or semi-permanent basis. Typical units have a 32 gallon holding tank volume, accommodating 200–250 uses before requiring pumping. Servicing obtainable in Lions Bay is currently weekly. Placement of say four portable units on a prepared site could meet seasonal demand at a cost of \$180/month each, though user experience, odour control, and handwashing capacity be subpar. However, such unit have a very industrial appearance and might not be well received in the community.
4. **Semi-permanent modular washroom on land leased from the strata.** A two-stall pumped-storage facility with flush toilets, sinks and lighting would improve hygiene,

extend service intervals, and enhance user experience. Typical capacities are 1000 gallons, about 800 uses total. Cost considerations:

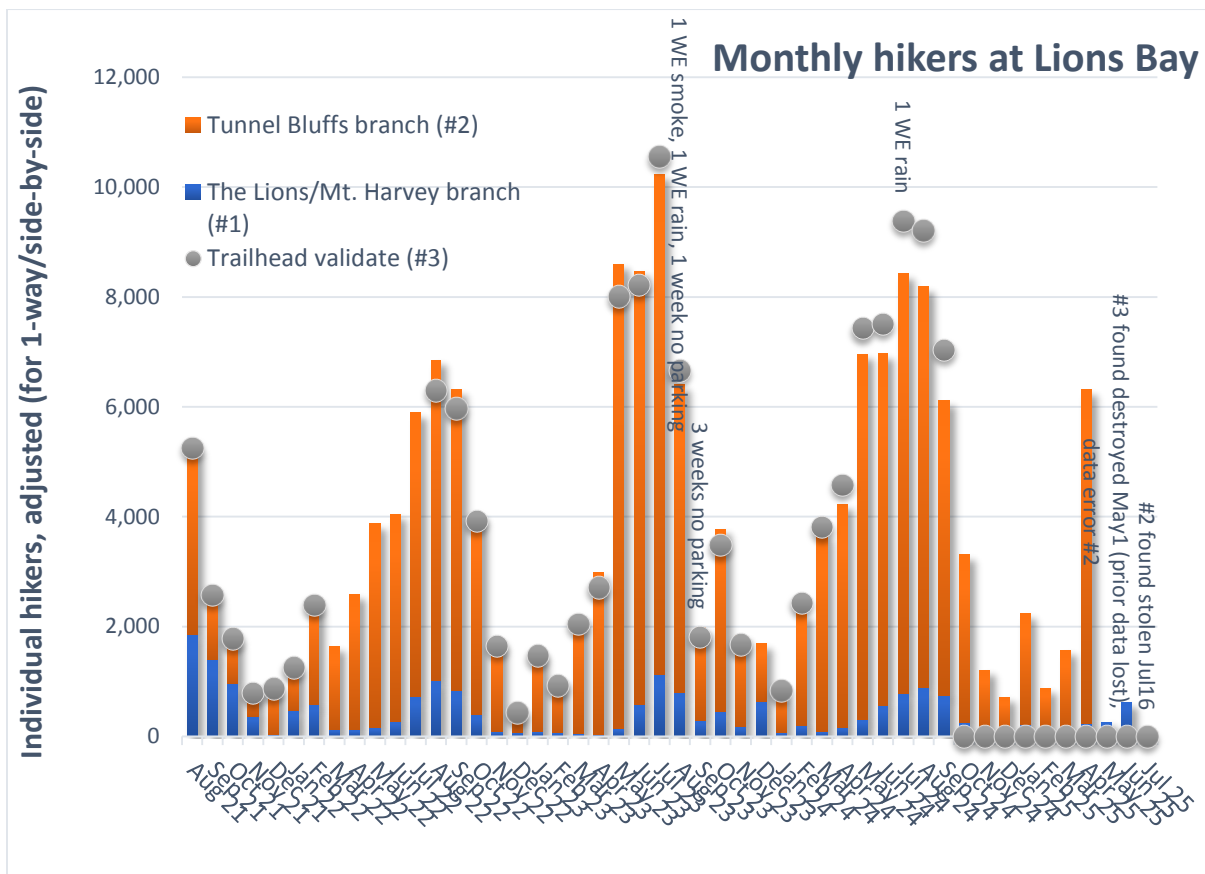
- Budget cost for purchase or lease (over 36 months) is \$60,000.
- Water will be \$10,000 to plumb in supply from the strata building, \$40,000 to run a new service line from the watermain terminating at the intersection of Crosscreek and Centre.
- Electricity will be \$3000 to tap into the strata supply, \$15,000 for a BC Hydro design, one new pole, stringing and a meter base.
- Recurring costs include cleaning, pumping, paper supply, and utilities.

Implementation again requires a lease agreement with the strata. Further challenges including enforcement of opening hours, and vandalism. The residents of the strata units at 350 Centre should be consulted (by the strata Council) about such a facility. This type of facility would be the most aesthetically pleasing and thus acceptable to the community.

Members of the public seeking toilet facilities throughout Lions Bay are regional visitors or people driving through, not locals. They are passing by on the highway, and highway use is ever-increasing:

Vehicles in both directions at Eagle Ridge just north of Horseshoe Bay Dr.			
MONTH	Per weekend day	Per weekday	Average per day
June 2025 (latest)	28,192	21,557	23,838
June 2024	25,702	21,109	23,151
July 2024	32,031	24,078	26,996
Aug. 2024	30,911	24,747	27,029

Trail users that do visit the store/café are sometimes allowed to use its private facilities, but are ever-increasing too (counts in the last several months have been stymied by repeated vandalism; it is hoped that new locations for counters will resume usable counts from August):



Strategically, Council might consider approaching appropriate Ministries (though low probability of uptake) for assistance, specifically with:

- Plumbed (flush) pumped facilities at the Sunset Trailhead
- Dry (pumped only) facilities at the Tunnel Bluffs Y, requiring significant road upgrades to allow pumper access)
- Highway rest stops at Tunnel Point (southbound only, to replace the one removed after vandalism), Eagle Ridge (northbound only), and elsewhere.

Members of the public seeking toilet facilities throughout Lions Bay are regional visitors or people driving through, not locals. They are passing by on the highway, and highway use is ever-increasing:

Vehicles in both directions at Eagle Ridge just north of Horseshoe Bay Dr.			
MONTH	Per weekend day	Per weekday	Average per day
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Trail users that do visit the store/café are sometimes allowed to use its private facilities, but are ever-increasing too (counts in the last several months have been stymied by repeated vandalism; it is hoped that new locations for counters will resume usable counts from August):

FINANCIAL IMPLICATIONS:

Option 1: minor signage costs, loss of parking revenue, enforcement costs

Option 2: \$180 drop charge and \$180 per month per unit, minor site preparation costs.

Option 3:

- Capital/lease cost of approximately \$60,000.
- Additional utility connection and site preparation costs to be determined based on engineering review.
- Annual maintenance and servicing costs dependent on frequency of use.

LEGAL IMPLICATIONS:

- 1) Lease Agreements: Any installation on private/strata land requires a formal lease agreement outlining maintenance, liability, and access rights.
- 2) Risk Management: Public facilities must be maintained to appropriate sanitation standards to mitigate municipal liability for health hazards, injuries, or human rights/accessibility complaints.

RECOMMENDATION:

For direction.



Respectfully submitted,

Report Approved By,

A handwritten signature in black ink that reads "Karl H. Buhr".

A handwritten signature in black ink that appears to be "Ross Blackwell".

Karl Buhr
Director of Operations

Ross Blackwell
Chief Administrative Officer

STAFF REPORT

DATE: 2025-08-11 **FILE:** DCO-2025-004
TO: Council
FROM: Kristal Kenna, Deputy Corporate Officer
RE: **RFD Fees Bylaw No.497, 2016, Amendment Bylaw No.647, 2025**

RECOMMENDED RESOLUTION:

(1) THAT Fees Bylaw No. 497, 2016, Amendment Bylaw No. 647, 2025, be read a first, second and third time.

PURPOSE:

The purpose of this report is to present Council with proposed amendments to the Village of Lions Bay Fees Bylaw for consideration. The Fees Bylaw is a key financial and governance instrument, ensuring compliance with section 194 of the *Community Charter* by authorizing the Municipality to recover costs associated with delivering services. The proposed amendments are intended to modernize and clarify the Bylaw, align fee structures with actual service delivery costs, eliminate redundant or outdated provisions, and ensure consistency with Council's strategic direction and current operational realities.

BACKGROUND:

The *Fees Bylaw* is the means by which the Municipality effects cost recovery for many of its services in accordance with section 194 of the *Community Charter*. A local government cannot impose a fee other than by bylaw and, for convenience, most jurisdictions combine such fees in a "fees bylaw". The current *Fees Bylaw* has not been significantly updated since 2022. Staff generally bring this *Bylaw* forward annually (at a minimum) for updates as required. In the current draft update, the proposed amendments would address the following matters:

- 1) An update to all fee schedules (1-10)
- 2) Provide miscellaneous clarifications and grammatical edits
- 3) Removal of the Request for preliminary review of Development Application proposal
- 4) Removal of the Development Permit
- 5) Minimum fee for a building permit for a new dwelling starts at \$3,100
- 6) Building permit renewals will be charged at the balance of construction outstanding, broken-down remaining building stages

- 7) Removed proportional Demolition Permit fees
- 8) Encroachment Agreement application
- 9) Review and registration of Section 219 covenant placed
- 10) Water service connection
- 11) Sewer service connection
- 12) Removal of rebate for dog being altered subsequent to licence being paid
- 13) Additional resident parking permits to be sold with proof of more than 2 permanently registered vehicles at an address and permits available at no charge for non-resident school attendees with school authorization
- 14) Fees involving public works are now referred to Schedule 3 for Public Works staff costs
- 15) Complimentary daily parking passes now available for events
- 16) Towing of vehicle, actual cost + 15%
- 17) Removal of highway remediation due to damage
- 18) Addition of Screening Officer Administrative Fee
- 19) Addition of Pay parking at Mountain Drive
- 20) Update to all Community Facility Rentals
- 21) Increase in the Filming Application fee
- 22) Removal of Fire Hall rental for filming
- 23) Removal of fee for temporary road closure due to filming
- 24) Removal of Pyrotechnics Permit
- 25) Removal of Village Manager fee
- 26) Removal of Lions Bay Fire Rescue Services for filming
- 27) Removal of extraordinary services fee for filming
- 28) Damage depot for filming, no longer area specific
- 29) Boat space prorated base don \$150 rate
- 30) Removal of refunds of boat space permits terminated during the year
- 31) Recovery of seized boat fee increase

DISCUSSION:

The *Fees Bylaw* is a critical instrument in ensuring that the Village maintains financial sustainability, fairness in service delivery, and compliance with statutory requirements under section 194 of the *Community Charter*. In reviewing the existing bylaw, staff have undertaken a comprehensive analysis of current practices, comparative municipal fee structures, and the operational realities of providing municipal services in Lions Bay. The resulting amendments are intended to modernize the bylaw, align cost recovery with actual service provision, and eliminate redundancies or provisions that are no longer practical or necessary.

A significant portion of the proposed amendments relates to updating the ten fee schedules to reflect current costs, inflationary pressures, and emerging service requirements. Many of these fees have not been substantively reviewed since 2022, and failure to update them on a timely basis could result in under-recovery of costs, creating inequity between users of municipal services and the general taxpayer base.

The removal of several development-related fees, including the preliminary review of development applications and Development Permit fees, reflects staff's recognition that these items either duplicate processes addressed elsewhere in legislation or are inconsistent with the municipality's current development review procedures. Similarly, changes to building permit renewals and minimum fees for new dwelling permits are intended to ensure that fees more accurately represent the actual cost of inspection and administrative oversight through the life of a project.

Public works, utilities, and infrastructure-related fees have also been clarified and consolidated under Schedule 3, which will assist with administrative efficiency and transparency in cost recovery. This includes updates to water and sewer service connection fees, the introduction of an encroachment agreement fee, and the establishment of clear provisions for recovery of towing costs and associated administrative charges.

In relation to community and cultural services, the proposed amendments modernize the structure of facility rental fees and filming permits. Several filming-related fees have been removed to simplify administration and eliminate rarely used provisions that no longer reflect the Village's service capacity. Facility rental fees have been updated to reflect market rates while continuing to support fair access to community space. Complementary daily parking passes for events and additional resident parking provisions reflect a balance between cost recovery, community benefit, and local needs.

Finally, staff have introduced or refined several provisions to strengthen fairness and administrative efficiency, such as the Screening Officer Administrative Fee and adjustments to dog licensing and boat space management. These changes respond to operational issues identified over the past two years and aim to reduce ambiguity for both staff and residents.

Taken together, the proposed amendments bring the *Fees Bylaw* into closer alignment with Council's fiscal responsibility objectives, ensure compliance with legislative requirements, and enhance transparency and consistency in the application of municipal fees. Should Council support the amendments, staff will continue to review the bylaw annually to ensure it remains current and responsive to both community needs and municipal service delivery costs.

OPTIONS:

- 1) Approve the recommendation set out at the beginning of this report;
- 2) Amend the bylaw and then give it three readings;
- 3) Refer to Staff with direction.

RECOMMENDED OPTION:

- 1) Approve the recommendations at the beginning of this report;

FINANCIAL CONSIDERATIONS:

As outlines in the report.

LEGAL CONSIDERATIONS:

Legislation as set out in the *Community Charter* and *Local Government Act* of British Columbia.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "K Kenna".

Kristal Kenna, DCO
Deputy Corporate Officer

Report Approved By,

A handwritten signature in cursive script, appearing to read "R Blackwell".

Ross Blackwell, CAO
Chief Administrative Officer

Attachments:

- (1) Fees Bylaw No. 497, 2016, Amendment Bylaw No. 647, 2025



Fees Bylaw No. 497, 2016
Amendment Bylaw No. 647, 2025

Adopted: XX

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Fees Bylaw No. 497, 2016

Amendment Bylaw No. 647, 2025

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “Fees Bylaw No. 497, 2016, Amendment Bylaw No. 647, 2025.
2. Fees Bylaw No. 497, 2016, Amendment Bylaw No. 647, 2025, is hereby amended as follows:
 - a) Part 3.1 – Schedule 3: remove “Engineering and”
 - b) Replaces all schedules 1-10:

SCHEDULE 1 – GENERAL ADMINISTRATION

Description	Fee
Requests under the <i>Freedom of Information and Protection of Privacy Act and Regulation</i>	As per <i>Freedom of Information and Protection of Privacy Act and Regulation</i> , Schedule of Maximum Fees. For commercial applicants, for each service listed below, cost shall be determined at the rate of \$10.00 per ¼ hour.
Locating, retrieving, producing or preparing records for disclosure	\$7.50 per ¼ hour
Photocopying / printing / scanning documents (applies to 8 pages and more)	\$0.25 per page (black & white) \$0.50 per page (colour)
Copy of house plans	\$75 plus actual costs of printing
Property Tax and Utility Information:	
Property Tax Certificate	\$30 (no charge to owners)
Reprinted Property Tax/Utility Fee Notice	\$20 (no charge to owners)
Property Title Search from Land Title Office	\$25
Property Ownership Transfer Tax on tax sale properties	As per Land Title Office fees
Property Tax Sale, registration and removal of Liens	As per Land Title Office fees
Lions Bay flag	\$110 + GST
Community Garden	\$25 per plot annually
Biodegradable compostables/organics bags	At cost + GST
Garbage bag tags	\$5

SCHEDULE 2 – DEVELOPMENT, LAND AND BUILDING SERVICES

Description	Fee
Official Community Plan amendment (residential)	\$2,500 or \$3,000 if combined with rezoning application, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.
Zoning Bylaw amendment (residential)	\$2,500, plus actual advertising cost, plus 10% thereof, with \$700 refunded if no public hearing.

OCP or Zoning amendment (non-residential)	\$2,500 for first 465 square meters of building area plus \$500 for each additional 100 square meters or part thereof.
Request for preliminary review of Development Application proposal for subdivision, rezoning or OCP amendment	\$2,000 plus \$300 for each additional lot after first lot created. Additional expenses may apply per Bylaw No. 431, as amended.
Land Subdivision (Final Approval) application	\$1,000 plus \$200 for each additional lot or strata lot after first lot or strata lot created
Development Variance Permit	\$750
Temporary Use Permit application fee	\$250
Inspection fee for Temporary Use Permit for Short Term Rentals	\$250 for initial inspection plus one further inspection. Each additional inspection \$80/hour
Temporary Use Permit	\$1,000 plus \$750 for renewal application
Board of Variance application	\$500
Building Permit application	\$150
Pre-Building Permit application consultation	\$80 per hour
Building Permit, based on <i>value</i> of construction, not the applicant's estimated <i>cost</i> of construction	
Minimum fee (<\$1,000)	\$150
<ul style="list-style-type: none"> \$1,000-\$9,999 \$10,000-\$49,999 \$50,000-\$99,999 \$100,000 and greater 	<ul style="list-style-type: none"> \$150 plus \$12 per \$1,000 \$250 plus \$11 per \$1,000 \$300 plus \$10 per \$1,000 \$400 plus \$9 per \$1,000
	Minimum for a new dwelling: \$3100 (a construction value of \$300,000)
Permit renewals (a building permit expires after two years, but may be renewed once in accordance with Building Bylaw No. 234, 1994, as amended)	<p>The balance of construction outstanding, based on the completion of inspections at time of renewal, determined by the Building Inspector:</p> <ul style="list-style-type: none"> 75% - excavation, foundation, drain tile, damp proofing 50% - framing 25% - insulation 10% - final/safety items
Damage Deposit for Building Permit	
<ul style="list-style-type: none"> Up to \$10,000 Up to \$50,000 Up to \$250,000 Greater than \$250,000 	<ul style="list-style-type: none"> \$500 \$1,500 \$3,000 \$5,000
Damage Deposit for Demolition Permit	\$5,000 (deposit, or balance, will be rolled over to cost of Building Permit, once inspection by Public Works has been completed)

Damage Deposit for other works, including but not limited to those requiring an engineer's certificate or material deposited on a Highway or a Soil Deposit/Removal/ Land Alteration Permit	\$5,000
Demolition Permit	
Accessory building or structure	\$100 per building
All other buildings	\$1,000 per building
Change of Address	\$500
Blasting permit application fee	\$250
Secondary Suite surcharge	40% of Annual Utility Billing
Secondary Suite inspection fee	Initial inspection plus one additional inspection free. Each additional inspection \$80/hour
Tree cutting permit application	\$75
Lawn sprinkling permit application	\$40
Driveway Crossing permit application	\$100
Fire Sprinkler permit: New construction and renovations requiring sprinkling under Fire Bylaw No. 428, 2011	\$250 plus \$2.50 per sprinkler head
Alternate solutions: Code Professional (additional charge if required on more involved issues, per Building Bylaw No. 234, 1994	Actual cost plus 10%
Extra inspections (after second inspection)	\$100 per inspection
Pre-inspection of a building being moved within the Village	\$500 per structure
Written notification that the project will not be undertaken and request for cancellation of permit before any construction begins	50% of the permit fee paid and 100% of deposit(s) shall be refunded
Plan review for building design modifications	\$80 per hour
Transfer of Building Permit to new owner	\$125
Encroachment Agreement application	\$400
Encroachment Agreement production if approved by Council	\$2000
Review & registration of Section 219 covenant placed according to the Land Title Act	\$1000
Discharge of Section 219 covenant placed according to the Land Title Act	\$500
Application for soil deposit or removal	
Over 27 cubic meters (m ³) and up to 45 m ³ of in any one year	\$100
More than 45 m ³ and up to 90 m ³ in any one year	\$200
More than 90 m ³ and up to 180 m ³ in any one year	\$400

More than 180 m ³ in any one year.	\$600
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All permits include one inspection. Security and damage deposits are refunded, less costs incurred, after approval by the Building Inspector or Public Works Manager as the case may be, and in the case of a Building Permit, issuance of an Occupancy Certificate.

SCHEDULE 3 – PUBLIC WORKS

Description	Fee
Water service connection	\$600 plus actual costs
Sewer service connection	\$1200 plus actual costs
Locate water leak on private property, turn water on or off, clean up spills or deposits or remediate damage to a Highway including use of municipal equipment. Fuel, materials, turf, plants, storage in commercial premises and equipment rentals will be charged at 15% markup, based on invoices or receipts for materials or equipment. Work performed by contractors will be charged at cost plus a \$150 flat fee.	See Schedule 3 of LB Local 389 Collective Agreement for Public Works staff rates
Locate Sewer Pipes / Connection	See Schedule 3 for Public Works staff rates

SCHEDULE 4 – ANIMAL CONTROL & LICENCING

Description	Fee
Annual licence for altered dog	\$30 if paid before February 28 th or within 30 days of becoming a new resident or obtaining a new dog \$45 thereafter
Annual licence for unaltered dog	\$60 if paid before February 28 th or within 30 days of becoming a new resident or obtaining a new dog \$90 thereafter
Tag replacement	\$10

SCHEDULE 5 – TRAFFIC & PARKING FEES

Description	Fee
Extra resident parking permit: obtainable by a resident upon proof of more than 2 vehicles permanently registered at their address	\$40 (1 permit free to members of Lions Bay Fire Rescue, Lions Bay Search and Rescue, committees of Council and Village staff who do not otherwise receive permits as residents and non-resident school-attendees with the school's authorization)

Contractor parking permit: valid for three months. Obtainable by homeowners and contractors working in Lions Bay. Allows parking in “permit parking” zones	\$40 for three months
Film company parking Film worker’s personal vehicle Film company truck	Refer to Schedule 7: Filming
Visitor / Event parking permit – obtainable by residents, allows parking for one specified day for guests	\$0 per vehicle
Operating a vehicle or combination of vehicles in excess of 63,500 kgs licensed gross vehicle weight on highway	\$35 per vehicle load
Parking of Extraordinary Vehicle or trailer on a Highway or other Village property, with permission of Public Works Manager upon application in the requisite manner:	
Extraordinary Vehicle or trailer under 6.5 m in length	\$80/month or part thereof
Extraordinary Vehicle or trailer over 6.5 and under 7.7 m in length	\$110/ month or part thereof
Extraordinary Vehicle or Trailer over 7.7 m in length	\$135/month or part thereof
Upon approval of the Public Works Manager, daily fee for temporary placement of a moving container, a disposal container or construction material on a highway	\$35 per day
Placement on a highway or other Village property of an office trailer, storage container or other similar chattel reasonably required in respect of a building permit, with permission of Public Works Manager upon application in the requisite manner:	
Under 6.1 nominal meters (20 feet)	\$300 per month or part thereof
Over 6.1 nominal meters (20 feet)	\$600 per month or part thereof
Removal of chattels, obstructions and things from Highway	See Schedule 3 for Public Works staff costs
Towing of vehicle	Actual cost plus 15%
Sale of chattels, obstructions and things seized from highway	\$1,000 flat fee
Pay parking at Lions Bay Beach Park Lot	\$4/hour or portion thereof up to \$32 per calendar day
Pay parking at Kelvin Grove Beach & Marine Park Lot	\$3/hour or portion thereof up to \$24 per calendar day
4Pay parking at Sunset Trailhead Lot	\$3/hour or portion thereof up to \$24 per calendar day

Pay parking at Mountain Drive meter	\$2/hour or portion thereof up to \$16 per calendar day
Pay parking in street pay zones	\$2/hour or portion thereof up to \$16 per calendar day
Screening Officer Administrative Fee An administrative fee applies to the cancellation of any parking violation notice that is dismissed due to user error, including but not limited to: <ul style="list-style-type: none"> • Entering the wrong license plate number • Selecting an incorrect vehicle during payment • Other data entry errors attributable to the user This fee covers the administrative costs associated with reviewing, processing, and correcting the violation record. The fee is non-refundable and applies regardless of the outcome of the review process.	\$25

SCHEDULE 6 – COMMUNITY FACILITY RENTALS (includes use of kitchen, tables, chairs and equipment), subject to availability. For liability insurance and refund policy refer to POL-1407 Community Facility Rentals. For cancellation refer to POL-1408 Refunds & Cancellations.

Description	Fee*
Broughton Hall Failure to pay monthly fees on time may result in forfeiture of damage deposit, and future bookings revoked. Weekly recurring groups are to a maximum of two hours per week. Drop ins are for children's birthday parties and activities only.	Drop In: \$25 (two-hour maximum) \$50 (four-hour maximum) Community Private/Public Event (for profit): \$150/day Community Private/Public Event (non-profit): \$125/day Weekly Recurring Group (profit/non-profit): \$100/month Commercial: \$350/day Prior Day Set-up Fee (subject to availability): \$55
Council Chambers Meeting use only. Maximum of four hours.	First two hours - \$25 One hour increments thereafter - \$10

Tennis Courts for Recurring Program Use Two-hour max per day. These bookings are for recurring program use only.	\$100/month
Off-site Equipment Rental No outdoor use of chairs. Equipment not returned within 72 hours will result in forfeiture of deposit. Pick-up/drop-off is the renters' responsibility. Maximum of 10 tables and 30 chairs. Subject to availability.	Tables: \$10 each Indoor Chairs: \$2 each (\$10 minimum)
Damage Deposit Deposits are refundable in accordance with Policy <i>POL-1407: Community Facility Rentals</i> . Liability for damage, loss, or mess is not limited to the deposit amount.	\$150 Events including alcohol are subject to an additional \$100 deposit with an approved liquor license.

SCHEDULE 7 – FILMING

Description	Fee
Filming Application Fees	
Filming application fee	\$500
Filming fees (per day):	
Residential Zone	\$1,000
Brunswick Pit	\$500
Additional Location Fees (per day):	
Undeveloped Municipal Land	\$500
Tennis Courts, Wade Park, Trails (eg: Centennial, Pride, Marjorie Meadows)	\$750
Lions Bay Beach Park, Kelvin Grove Beach Park, Brunswick Beach Park/Esplanade	\$1,000
Broughton Hall	\$500
Council Chambers	\$250
Parking fees (per set up/filming/strike):	*Price break for number of days
Car (all types)	\$30/day
Truck (includes generator) (all types)	\$120/day
Filming Liaison	\$80/hour (regular hours)
Public Works Services	\$80/hour per person (regular hours)
Fire Hydrant Use (only to be operated by Municipal employees)	\$80 per hour - regular hours (7am – 3pm) \$120 per hour (3 hours minimum) outside regular hours

Damage deposit	\$10,000 (refundable) for permits over \$20,000 \$5,000 (refundable) for permits under \$20,000
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SCHEDULE 8 – FIRE RESCUE/EMERGENCY

Description	Fee
Fire investigation	\$200/person/hour or portion plus actual site security costs
Fire Safety Plan review	\$100
Inspection of buildings other than routine inspections (after first inspection*) under the Fire Safety Act	\$100
Inspection of buildings other than routine inspections (after second inspection*) under the Fire Safety Act	\$200
Inspections – special request	\$150
Special events fire permit/inspection	\$100/person/hour or portion thereof
Fireworks Permit (valid only Oct 31 & New Year's Eve)	\$50
Cost recovery for work performed in removal or remediation of a fire hazard at or around a building or premises	\$100 per person per hour or portion thereof to cover time plus use of municipal equipment. Actual extra costs for items such as equipment rentals required for clean up or remediation work will also be charged. Actual costs of a commercial contractor under contract to the municipality will be charged in addition to a flat fee of \$150 for municipal administration.

**Note: all permits include one inspection*

SCHEDULE 9 – MEMORIALS AND DEDICATIONS

Description	Fee
Bench dedication	\$3,000 for provision and installation of bench and brass plaque up to 30 X 10 cm and maintenance for 10 years (after which plaque is removed for return to proponent)

SCHEDULE 10 – GENERAL

Description	Fee
Boat rack rental, first year, if available	Pro-rated (based on \$150 rate)
Renewal of boat rack rental, Lions Bay Beach Park (<i>no refunds for permits terminated during the year</i>) (Stickers must be displayed to avoid seizure)	\$120 per calendar year before Mar. 31 \$150 per calendar year between Mar. 31 and May 31 (after May 31, boat is seized)
Recovery of seized boat from Public Works Yard (boats unclaimed after 120 days of seizure are discarded)	\$200

3. This bylaw shall come into force and take effect upon adoption.

READ A FIRST TIME	XX
READ A SECOND TIME	XX
READ A THIRD TIME	XX

ADOPTED	XX
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Mayor

Corporate Officer

**Certified a true copy of Fees Bylaw No. 497, 2016,
Amendment Bylaw No. 647, 2025, as adopted.**

Corporate Officer



STAFF REPORT

DATE: 2025-08-28

FILE: FN-2025-003

TO: Council

FROM: Joe Chirkoff, CPA, CA

RE: **FOR INFORMATION – Lions Bay Beach Park Revitalization Costs to Date**

Click or tap here to enter text.

PURPOSE:

To provide a summary of the Lions Bay Beach Park (“LBBP”) grant funding, costs to date and available funding remaining.

BACKGROUND:

The Village of Lions Bay (the “Village”) applied for and received grant funding (the “Agreement”) from the province of British Columbia February 17, 2022 in the amount of \$784,952. This is a share cost agreement with the Village to contribute \$285,486 resulting in a total budget of \$1,070,438.

The Agreement began on the commencement date of February 17, 2022 and expires on December 31, 2026.

The grant application included the following budget guidelines:

Design / Engineering				
(Note max 15% of construction project costs should be engineering/consulting fees)	Engineering & Architectural designs, permits	1.00	42,000.00	42,000
Design / Engineering Sub-Total:				\$42,000
Construction / Materials				
	Park entrance & accessible pathway to beach	1	24,000	24,000
	Multipurpose hard surface	1	19,900	19,900
	Playground structures	1	73,500	73,500
	Covered picnic areas	1	151,950	151,950
	Kayak / SUP storage facility	1	35,000	35,000
	Restrooms	1	400,000	400,000
	Stairs and landscaping	1	45,000	45,000
	Revitalized pier & kayak launch area	1	65,000	65,000
Construction / Materials Sub-Total:				\$814,350
Contingency				
	25% contingency			214,088
Contingency Sub-Total:				\$214,088
TOTAL ELIGIBLE COSTS*:				\$1,070,438

FINANCIAL IMPLICATIONS:

To date the Village has expended \$378,042 in costs related to the project broken down as follows:

Vendor	Totals	2025	2024	2023	2022	Description
CORE	18,076	0	0	0	18,076	Project management
CMO Consultants	5,000	0	5,000	0	0	Jetty Assessment / Wind Analysis
Millenia Architecture	34,257	0	2,486	31,771	0	Architectural design
PMG Landscape Architects	24,214	0	0	6,240	17,974	Septic site prep and design
District of West Vancouver	169	0	0	0	169	Water meter parts
Balanced Advisors	27,700	0	27,700	0	0	Jetty Assessment / Wind Analysis
NBA Architect	59,753	47,753	12,000	0	0	LBBP re-design
JTE Consulting	24,967	7,182	17,786	0	0	Project management
QS Fencing	1,908	1,908	0	0	0	Fencing
Habitat	182,000	0	182,000	0	0	Playstructure
	378,042	56,842	246,972	38,011	36,218	

The majority of costs relate to an order for playstructure equipment of \$182,000 and project management, architectural and design fees of \$161,266.

Respectfully submitted,



Joe Chirkoff
Financial Officer

Report Approved By,



Ross Blackwell, CAO
Chief Administrative Officer

Attachments:

- (1) Project cost summary to date
- (2) Detailed vendor cost listing
- (3) Agreement with the Province of British Columbia

*Budget - \$1,070,438 Refer to ICO352 - Lions Bay Beach Park Estimate

Account #13-3-1380-007 Beach Development

Vendor	Totals	2025	2024	2023	2022	Description
CORE	18,076	0	0	0	18,076	Project management
CMO Consultants	5,000	0	5,000	0	0	Jetty Assessment / Wind Analysis
Millenia Architecture	34,257	0	2,486	31,771	0	Architectural design
PMG Landscape Architects	24,214	0	0	6,240	17,974	Septic site prep and design
District of West Vancouver	169	0	0	0	169	Water meter parts
Balanced Advisors	27,700	0	27,700	0	0	Jetty Assessment / Wind Analysis
NBA Architect	59,753	47,753	12,000	0	0	LBBP re-design
JTE Consulting	24,967	7,182	17,786	0	0	Project management
QS Fencing	1,908	1,908	0	0	0	Fencing
Habitat	182,000	0	182,000	0	0	Playstructure
	378,042	56,842	246,972	38,011	36,218	

Budget details	Actual	Budget	Over (Under) Budget
Design / Engineering	161,266	42,000	119,266
Park entrance & accessible pathway	2,076	24,000	(21,924)
Multipurpose hard surface	0	19,900	(19,900)
Playground structures	182,000	73,500	108,500
Covered picnic areas	0	151,950	(151,950)
Kayak / SUP storage facility	0	35,000	(35,000)
Restrooms	0	400,000	(400,000)
Stairs and landscaping	0	45,000	(45,000)
Revitalized pier & kayak launch	32,700	65,000	(32,300)
Contingency	0	214,088	(214,088)
Total	378,042	1,070,438	(692,396)

Budget	1,070,438
Less: 10% Holdback	(107,044)
Less Costs to Date	(378,042)
Budget Remaining	<u><u>585,352</u></u>

Village of Lions Bay
Lions Bay Beach Park Project Summary

ICO352 - Lions Bay Beach Park Estimated Cost	\$1,070,438
ICO352 - Government Approved Funding	\$784,952 73.30%
Cost to Lions Bay from Original Budget	\$285,486 26.70%

Vendor	Date	Amount	Description
Core Project Management	19-May-22	880.00	LBBP project management
Core Project Management	8-Jun-22	1,400.00	LBBP project management
Core Project Management	14-Jul-22	2,980.00	LBBP project management
Core Project Management	16-Aug-22	2,140.00	LBBP project management
Core Project Management	16-Sep-22	1,860.00	LBBP project management
District of West Vancouver	30-Sep-22	168.51	Water meter parts
Core Project Management	12-Oct-22	4,495.96	LBBP project management
Core Project Management	31-Oct-22	1,580.00	LBBP project management
PMG Landscape Architects	11-Nov-22	4,750.00	Landscape plan preparation
PMG Landscape Architects	15-Nov-22	10,186.21	Preliminary concent and septic preparation
PMG Landscape Architects	15-Nov-22	3,037.50	Septic site preparaiton and design
Core Project Management	30-Nov-22	2,740.00	LBBP project management
Millenia Architecture	4-Apr-23	2,358.00	Architectural drawings
PMG Landscape Architects	25-May-23	6,240.00	Landscaping
Millenia Architecture	31-Aug-23	8,838.00	Architectural drawings
Millenia Architecture	27-Sep-23	7,755.50	Architectural drawings
Millenia Architecture	30-Sep-23	2,988.00	Architectural drawings
Millenia Architecture	21-Dec-23	5,668.00	Architectural drawings
Millenia Architecture	31-Dec-23	4,163.00	Architectural drawings
Millenia Architecture	31-Jan-24	2,486.19	Schematic, Drawings, Admin
CMO Consultants	15-Jun-24	5,000.00	Jetty Wind Analysis
Balanced Advisors Ltd.	21-Jun-24	27,700.00	Jetty Assessment
JTE Consulting Ltd.	30-Jun-24	6,920.05	Project management
JTE Consulting Ltd.	31-Jul-24	4,205.68	Project management
JTE Consulting Ltd.	31-Aug-24	2,433.12	Project management
JTE Consulting Ltd.	30-Sep-24	1,704.38	Project management
NBA Architecture & Design	31-Oct-24	12,000.00	Retainer
JTE Consulting Ltd.	2-Nov-24	1,568.03	Project management
Habitat	30-Nov-24	182,000.00	Playstructure equipment Purchase Order
JTE Consulting Ltd.	2-Dec-24	954.45	Project management
QS Fencing	28-Feb-25	1,907.50	Fence
NBA Architecture & Design	31/01/25	13,162.50	Design - Lions Bay Beach Park
NBA Architecture & Design	31/01/25	20,831.11	Design Fees (85% complete of \$ 32 375.00
JTE Consulting Ltd.	28/02/25	204.52	LBBP Eurohouse Invoicing Design
JTE Consulting Ltd.	11/4/2025	477.23	Habitait Emails Trees Drawings
NBA Architecture & Design	11/4/2025	9,631.30	Re-design Fees (70% complete of \$13 759.
JTE Consulting Ltd.	30/04/25	752.45	Emails Trees Beach Committee
JTE Consulting Ltd.	30/05/25	1,850.32	LB Beach Park
NBA Architecture & Design	31/05/25	4,127.70	Beach Park Revitalization
JTE Consulting Ltd.	25/06/25	1,988.18	Beach Park Design PM
JTE Consulting Ltd.	31/07/25	1,908.90	Beach Park
Total Costs to Date		\$378,042	

This Shared Cost Agreement dated for reference the 17th day of February, 2022.

BETWEEN

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA**, represented by the Minister of Municipal
Affairs (the "Province")

AND

VILLAGE OF LIONS BAY (the "Recipient")

for the Lions Bay Beach Park Revitalization Project No. IC0352

WHEREAS:

- A. The Government of Canada ("Canada") and the Province entered into the Integrated Bilateral Agreement for the Investing in Canada Infrastructure Program (the "IBA-ICIP") on March 22, 2018.
- B. The IBA-ICIP has been subsequently amended on November 26, 2020 to include the creation of a new COVID-19 resilience infrastructure stream to support pandemic response and economic recovery efforts and on June 7, 2021 for the addition of a fifth project category under this stream to support ventilation improvements in publicly-owned buildings.
- C. Funding has been approved under the Community, Culture and Recreation program of the IBA-ICIP to be paid by the Province to the Recipient for the Project defined in this Agreement, on the terms and conditions set out in this Agreement.
- D. The participation and performance of the Recipient play a critical role in achieving the purposes of the IBA-ICIP.
- E. The parties wish to delineate their respective responsibilities in this Agreement to ensure compliance with the IBA-ICIP.

NOW THEREFORE, in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency of which is acknowledged by each party, the parties agree as follows:

DEFINITIONS

1. In this Agreement and its recitals the following definitions apply:

"Agreement" means this Shared Cost Agreement and any attached schedules;

"Applicable Laws" means all laws, statutes, regulations, and bylaws of any governmental authority having the force of law from time to time including those affecting, applicable to or otherwise relating to the Project, the Recipient or any Third Party;

"Commencement Date" means the date identified in Schedule A on which the Project was approved;

"Completion Date" means the date identified in Schedule A upon which the Recipient will complete the Project;

"Contract" means a contract between the Recipient and a Third Party whereby the Third Party agrees to contribute a product or service to the Project in return for financial consideration;

"Eligible Expenditures" are those expenditures set out in Section D.1 of Schedule D which represent the categories of Project costs toward which the contributions by Canada and the Province are to be used and those Project costs which are eligible for reimbursement through the funding contributions from Canada and the Province;

"Federal Co-Chair" means the individual appointed by Canada pursuant to section 7 of the IBA-ICIP;

"Fiscal Year" means the period beginning April 1 of a calendar year and ending March 31 of the following calendar year;

"IBA-ICIP Staff" means employees of the Ministry of Municipal Affairs who are directly involved in the administration of the IBA-ICIP, and includes anyone authorized to act on their behalf;

"Ineligible Expenditures" are those expenditures set out in Section D.2 of Schedule D;

"Local Government Information System" ("LGIS") means an online portal and project management tool developed by the Province to support Information Management;

"Oversight Committee" means the committee(s) established under the authority in section 7 of the IBA-ICIP;

"Person" means, without limitation, a person, the Province, a Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees or agents;

"Project" means the project described in Schedule A;

"Substantial Completion" – means, when referring to a Project, that the Project can be used for the purpose for which it was intended; and

"Third Party" means any person or legal entity, other than a party to this Agreement, who participates in the implementation of the Project by means of a Contract.

SCHEDULES

2. The Schedules to this Agreement are:

Schedule A	Project Information
Schedule B	Payment Terms and Conditions
Schedule C	Reporting Requirements
Schedule D	Eligible and Ineligible Expenditures

TERM

3. Notwithstanding the actual date of execution of this Agreement, the term of this Agreement begins on the Commencement Date, and expires on December 31, 2026.

OBLIGATIONS OF THE RECIPIENT

4. The Recipient agrees to:

- (a) carry out the Project in a diligent and professional manner;
- (b) commence carrying out the Project within one (1) year of the date of reference of this Agreement;
- (c) complete the Project no later than the Completion Date;
- (d) provide evidence satisfactory to the Province that the Recipient has commenced the Project in accordance with section 4(b) of this Agreement. Such evidence may consist of verification that construction has started, or other evidence deemed appropriate by the Province;
- (e) submit its claims for reimbursement of Eligible Expenditures in accordance with the provisions of Schedule B of this Agreement;
- (f) be responsible for any and all costs, expenses and liabilities (other than Eligible Expenditures which are reimbursed in accordance with the terms of this Agreement) including all Ineligible Expenditures, unapproved expenditures, and cost overruns;
- (g) establish and maintain accounting and administrative records which clearly disclose the nature and amounts of the different items of cost pertaining to the Project, including those that are to be used as the basis for the calculation of the claims by the Recipient for reimbursement of Eligible Expenditures and which shall include the Contracts, invoices, statements, receipts and vouchers in respect of the Project;
- (h) permit the Province, Canada, or any member of the Oversight Committee, for contract monitoring and audit purposes, to inspect at all reasonable times both before and after the Completion Date, any books of account or records (both printed and electronic), and any other information reasonably required by the Province or Canada, whether complete or not, that are produced, received or

otherwise acquired by the Recipient as a result of or in connection with this Agreement;

- (i) maintain all such accounts, records and information until March 31, 2034;
- (j) ensure that all Contracts entered into by the Recipient with any Third Parties contain the provisions in section 6 below;
- (k) ensure that, pursuant to section 11 of the IBA-ICIP, no site preparation, vegetation removal or construction will occur for a Project until the Province and Canada are satisfied that the project proposed by the Recipient will adhere to all environmental mitigation measures, if any, identified during the environmental assessment process and will continue to adhere to all mitigation measures through project completion.
- (l) work with the Province and Canada to ensure that pursuant to section 12 of the IBA-ICIP, no site preparation, vegetation removal or construction will occur for a Project until the Province and Canada are satisfied that, if applicable:
 - i. Aboriginal groups have been notified and, if applicable, consulted;
 - ii. a summary of consultation or engagement activities have been provided to the Province and Canada, including a list of Aboriginal groups consulted, concerns raised, and how each of the concerns have been addressed, or if not addressed, an explanation as to why not;
 - iii. accommodation measures, where appropriate, are being carried out; and
 - iv. any other information has been provided that the Province or Canada may deem appropriate.
- (m) use LGIS, or another process designated by the Province, to fulfill the obligations of the Recipient under this Agreement, including but not limited to the following:
 - i. Section 4 (e) above
 - ii. Schedule C (Reporting).
- (n) if applicable, ensure that the Project meets or exceeds the requirement of the highest published accessibility standard established in the *British Columbia Building Code*; and

- (o) if the Project is a type of project specified below, it must meet the described requirements:
- i. A community, culture and recreation project must be community-orientated, non-commercial in nature and open for use to the public and not limited to a private membership;
 - ii. Community, Culture and Recreation projects must be publicly accessible, multi-purpose spaces that bring together a variety of different services, programs and/or social and cultural activities to reflect local community needs;
 - iii. The primary rationale for undertaking a sport infrastructure Project must not be to serve as a home facility for a professional or semi-professional sports teams;
 - iv. Health and education facilities must benefit Indigenous population by advancing the Truth and Reconciliation Commission's *Calls to Action* as approved by Canada; and
 - v. Projects with total estimated Eligible Expenditures of twenty-five million dollars (\$25,000,000) or more, will report on community employment benefits provided to at least three (3) federal target groups (apprentices, Indigenous peoples, women, persons with disabilities, veterans, youth, new Canadians, or small-medium-sized enterprises and social enterprises) in accordance with section 4 h) of the IBA-ICIP.
 - vi. Projects with total estimated Eligible Expenditures of ten million dollars (\$10,000,000) or more, must provide a greenhouse gas emissions assessment, that includes a cost-per-tonne calculation in accordance with section 4 (g) (i) (b) of the IBA-ICIP.
 - vii. Projects with total estimated Eligible Expenditures of ten million dollars (\$10,000,000) or more must provide a climate change resilience assessment in accordance with section 4 (g) (ii) (b) of the IBA-ICIP.
- (p) ensure that the Project meets or exceeds any applicable energy efficiency standards for buildings outlined in the *Pan-Canadian Framework on Clean Growth and Climate Change*.
5. If the Recipient has failed to provide evidence satisfactory to the Province in accordance with section 4(d) of this Agreement to demonstrate the Project has commenced, the Province will inform the Federal Co-Chair and the Oversight Committee will examine the issue.
6. The Recipient and any Third Party will comply with all Applicable Laws, including all requirements of, and conditions imposed by, regulatory bodies having jurisdiction over the subject matter of the Project.

7. The Recipient is solely responsible for all aspects of the Project, including without limitation, the planning, design, construction, operation, maintenance, worker and public safety, completion and ownership of the infrastructure, and nothing in this Agreement shall be deemed to give the Province interest in, or responsibilities for the Project, unless otherwise expressly provided in this Agreement.
8. The Recipient will ensure that the federal/provincial contribution is to be used solely for the purpose of defraying the Eligible Expenditures incurred by the Recipient in carrying out and completing the Project as described in Schedule A.
9. The Recipient acknowledges that Eligible Expenditures that have received funding from any other federal or provincial sources may not be reimbursed under this Agreement, and the Recipient agrees to promptly notify the Province through IBA-ICIP Staff in writing of any and all such funding received.
10. The Recipient will not knowingly permit any member of the House of Commons of Canada or the Senate of Canada or the Legislative Assembly of British Columbia to be admitted, directly or indirectly to any share or part of any Contract, agreement or commission made pursuant to this Agreement or in relation to the Project or to obtain any benefit arising therefrom.
11. The Recipient acknowledges and agrees that no action by the Parties or Canada will establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between the Recipient and the Province, the Recipient and Canada, the Province and a Third Party, or Canada and a Third Party. The Recipient also acknowledges and agrees that it will not hold itself out as such and will not do any act or thing which might be construed as authorizing any contract or permitting any other liability or obligation to be incurred on behalf of either Canada or the Province.
12. For the purposes of this section “significant change” in respect of a Project includes:
 - (a) any material change to its location, scope or timing; or
 - (b) any change that would trigger a further environmental assessment.

Any requests for changes or variations to the Project, including significant changes, will be made in writing to the Province and will require approval by Canada and the Province.
13. Unless otherwise approved by Canada and the Province, the Recipient will maintain ongoing operations and will retain title to, and ownership of, infrastructure resulting from the Project for at least five (5) years after Completion Date.
14. If at any time within five (5) years from the date of Completion Date, the Recipient sells, leases, or otherwise disposes of, directly or indirectly, any asset purchased, acquired, constructed, rehabilitated or renovated, in whole or in part, with funds contributed by Canada or the Province under this Agreement, other than to Canada, the Province, a local government or regional government, or otherwise with the consent of Canada and the Province, the Recipient may be required to reimburse Canada and the Province any funds received for the Project.

The Recipient will immediately notify the Province in writing if at any time during the five (5) year period following Completion Date any transaction triggering the above-mentioned repayment occurs.

15. The Recipient will ensure that any Contracts it awards to any Third Party will be awarded in a way that is fair, transparent, competitive, and consistent with value for money principles, or in a manner otherwise acceptable to the Province, and if applicable, in accordance with the *Canadian Free Trade Agreement* and international trade agreements.
16. All Contracts for works associated with the Project will be publicly tendered. If this is not feasible or practicable, the Recipient must obtain approval from the Province in writing before proceeding with the Contract.
17. The Recipient acknowledges that the Province reserves the right to review the Recipient's procurement and tendering policies and practices relating to the Contracts at any time from the date of approval of the Project to three (3) years after the Completion Date.
18. If the Province determines that a Contract is awarded in a manner that is not in compliance with the foregoing, upon notification to the Recipient, the Province may consider the expenditures associated with the Contract to be ineligible.

OBLIGATIONS OF THE PROVINCE

19. Provided the Recipient is in compliance with its obligations under this Agreement, and subject to the terms of this Agreement, the Province will pay the Recipient the amount and in the manner set out in Schedule B of this Agreement.
20. Without prejudice to the generality of section 19, the Province will not have any obligation to make a contribution under section 19 unless the Recipient has complied with the provisions set out in Schedule B.
21. The Province has no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province, until the Province is satisfied that the federal requirements under the ***Impact Assessment Act***, other applicable federal environmental assessment legislation that is or may come into force during the term of this Agreement, and other applicable agreements between Canada, the Province and Aboriginal groups are met and continue to be met.
22. The Province has no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province, until any legal duty to consult, and where appropriate, to accommodate Aboriginal groups or other federal or provincial consultation requirement, has been met and continues to be met. If required, the Province must be satisfied that for each Project:
 - (a) Aboriginal groups have been notified and, if applicable, consulted;
 - (b) if applicable, a summary of consultation or engagement activities has been provided to the Province and Canada, including a list of Aboriginal groups

consulted, concerns raised and how each of the concerns have been addressed, or if not addressed, an explanation as to why not;

- (c) accommodation measures, where appropriate, are being carried out by the Recipient; and
- (d) any other information has been provided that the Province may deem appropriate.

COMMUNICATIONS

- 23. The Recipient agrees to comply with the communications protocol set out in Schedule B of the IBA-ICIP which can be found at <https://www2.gov.bc.ca/assets/gov/driving-and-transportation/funding-engagement-permits/grants-funding/investing-in-canada/2018-bc-canada-bilateral-agreement-en.pdf>. The Recipient acknowledges it has reviewed the communications protocol prior to the execution of this Agreement.
- 24. The Recipient acknowledges that the eligibility of expenditures related to communication activities will be subject to Schedule D of this Agreement.
- 25. The Recipient agrees to be responsible for all required Project signage.
- 26. The Recipient agrees to follow signage guidelines as provided by the Province. Pursuant to section D.1 (b) of Schedule D of this Agreement, communication related expenses including Project signage costs are Eligible Expenditures.
- 27. The Recipient agrees to install in a visible location at the Project site, temporary signage thirty (30) days prior to the start of construction which will remain in place until thirty (30) days after construction is completed and the infrastructure is fully operational or opened for public use.

LIMITATION OF LIABILITY

- 28. In no event will Canada, the Province, and their officers, servants, employees or agents be held liable for any damages in contract, tort (including negligence) or otherwise, for:
 - (a) any injury to any Person, including, but not limited to, death, economic loss or infringement of rights;
 - (b) any damage to or loss or destruction of property of any Person; or
 - (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligationin relation to this Agreement or the Project.

INDEMNIFICATION

29. The Recipient will, at all times either before or after the expiration or termination of this Agreement, indemnify and save harmless Canada, the Province, and their officers, servants, employees or agents, from and against all actions, claims, demands, losses, costs, damages, suits or other proceedings, whether in contract, tort (including negligence) or otherwise, by whomsoever brought or prosecuted in any manner based upon or occasioned by:

- (a) any injury to any Person, including, but not limited to, death, economic loss or any infringement of rights;
- (b) any damage to or loss or destruction of property of any Person; or
- (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation

in relation to this Agreement or the Project, except to the extent to which such actions, claims, demands, losses, costs, damages, suits or other proceedings are caused by the negligence or breach of the Agreement by an officer, servant, employee or agent of Canada or the Province in the performance of his or her duties.

INSURANCE

30. The Recipient will, without limiting its obligations or liabilities herein, purchase and maintain insurances with insurers licensed in Canada with coverage of a type, and in amounts, that any similar business, acting reasonably, would procure for a project of the scope, size and exposure of the Project, during the term of this Agreement and for any subsequent ongoing operations and maintenance of the resulting infrastructure.
31. The Recipient shall require and ensure that each Third Party maintains insurances comparable to those required above.
32. Upon request by the Province, the Recipient will deliver a certified copy of the policies of insurance applicable under this Agreement. No review or approval of any insurance policy by the Province derogates from or diminishes the Province's rights or the Recipient's liability under this Agreement.

DEFAULT

33. Any of the following events will constitute an Event of Default, whether any such event is voluntary, involuntary or results from the operation of law or any judgment or order of any court or administrative or government body:
- (a) the Recipient fails to comply with any provision of this Agreement;
 - (b) any representation or warranty made by the Recipient in connection with this Agreement is untrue or incorrect;

- (c) any information, statement, certificate, report or other document furnished or submitted by or on behalf of the Recipient pursuant to or as a result of this Agreement is untrue or incorrect;
- (d) the Recipient ceases, in the opinion of the Province, to carry on business as a going concern;
- (e) a change occurs with respect to one or more of the properties, assets, conditions (financial or otherwise), business or operations of the Recipient which, in the opinion of the Province, materially adversely affects the ability of the Recipient to fulfill its obligations under this Agreement;
- (f) an order is made, or a resolution is passed, or a petition is filed for the liquidation or winding up of the Recipient;
- (g) the Recipient becomes insolvent or commits an act of bankruptcy or makes an assignment for the benefit of its creditors or otherwise acknowledges its insolvency; or
- (h) a bankruptcy petition is filed or presented against the Recipient, or a proposal under the *Bankruptcy and Insolvency Act* (Canada) is made, or a receiver or receiver-manager of any property of the Recipient is appointed.

TERMINATION

- 34. Upon the occurrence of any Event of Default and at any time thereafter the Province may, notwithstanding any other provision of this Agreement, at its sole option, elect to do any one or more of the following:
 - (a) terminate this Agreement and request repayment of all or a portion of the funding paid under this Agreement in which case the Province's obligation to make any further payment of the money remaining unpaid under this Agreement is terminated;
 - (b) require that the Event of Default be remedied within a time period specified by the Province;
 - (c) suspend any installment of payment due to the Recipient by the Province while the Event of Default continues;
 - (d) waive the Event of Default; or
 - (e) pursue any other remedy available at law or in equity.
- 35. If the Province terminates this Agreement under section 34 and requests repayment of all or a portion of the funding paid to the Recipient under this Agreement, the Recipient shall repay the requested amount forthwith to the Province and the Province is discharged of all liability to the Recipient under this Agreement.

36. If the Province terminates this Agreement under section 34(a), then such termination may take place on ninety (90) days written notice.
37. The Province may, at its sole option, terminate this Agreement at any time without cause upon one hundred and twenty (120) days written notice to the Recipient.

REMEDIES NON-EXCLUSIVE

38. The rights, powers and remedies conferred on the Province under this Agreement or any statute or law are not intended to be exclusive and each remedy shall be cumulative and in addition to and not in substitution for every other remedy existing or available to the Province.
39. The exercise of any one or more remedies available to the Province will not preclude the simultaneous or later exercise by the Province of any other right, power or remedy.

APPROPRIATION

40. Notwithstanding any other provision of this Agreement, the payment of money by the Province to the Recipient under this Agreement is subject to:
 - (a) there being sufficient monies available in an appropriation, as defined in the *Financial Administration Act*, to enable the Province, in any fiscal year or part thereof when any payment by the Province to the Recipient falls due under this Agreement, to make that payment; and
 - (b) Treasury Board, as defined in the *Financial Administration Act*, not having controlled or limited expenditure under any appropriation referred to in subsection (a) of this section.

NO FURTHER OBLIGATIONS

41. The Recipient acknowledges that nothing in this Agreement will bind Canada or the Province to provide any financing for any addition or improvement to the Project, or any cost overruns of the Project and that no partnership, joint venture or agency will be created or will be deemed to be created by this Agreement or any action of the parties under this Agreement.

TERMS APPLICABLE TO CANADA

42. The Province and the Recipient acknowledge the financial contribution to the Project by Canada under this Agreement and, in consideration of that contribution and notwithstanding that Canada is not a signatory to this Agreement; the parties agree that the terms of this Agreement applicable to, or with respect to, Canada are for her sole benefit.

JOINT AND SEVERAL OBLIGATIONS

43. In the event the Recipient is comprised of more than one entity, then the covenants and obligations of each of such entities with the others will be both joint as well as several.

AMENDMENTS

44. Unless otherwise specified in this Agreement, this Agreement may be amended only by further written agreement between the parties.

SURVIVAL OF TERMS

45. Sections 4(i) and (j), 13, 14, 25, 28 and 29, continue in force indefinitely, even after this Agreement ends.

NOTICE

46. Any written communication from the Recipient to the Province must be mailed, personally delivered, or electronically transmitted to the following address:

Ministry of Municipal Affairs
Local Government Infrastructure and Finance Branch
P.O. Box 9838, STN PROV GOVT
Victoria, British Columbia V8W 9T1
Email: INFRA@gov.bc.ca

Attention: Director, Infrastructure and Engineering

47. Any written communication from the Province to the Recipient must be mailed, personally delivered, or electronically transmitted to the following address:

Village of Lions Bay
Box 141
Lions Bay, BC
V0N 2E0
Email: cao@lionsbay.ca

Attention: Chief Administrative Officer

48. Any written communication from either party will be deemed to have been received by the other party on the tenth business day after mailing in British Columbia or on the date of transmission if emailed.
49. Either party may, from time to time, notify the other party in writing of a change of address and, following the receipt of such notice, the new address will, for the purposes of sections 46 or 47 of this Agreement, be deemed to be the contact information of the party giving notice.

LOBBYISTS AND AGENT FEES

50. The Recipient warrants:

- (a) that any person it has hired, for payment, to speak to or correspond with any employee or other person representing Canada or the Province on the Recipient's behalf, concerning any matter relating to the contribution under this Agreement or any benefit hereunder and who is required to be registered pursuant to either the *Lobbying Act*, R.S.C. 1985, c. 44 (4th Supp.) or the *Lobbyists Registration Act*, S.B.C. 2001, c. 42, as amended, is registered pursuant to one or both of those acts; and
- (b) it has not and will not make a payment or other compensation to any legal entity that is contingent upon or is calculated upon the contribution hereunder or on negotiating the whole or any part of the terms of this Agreement.

In the event of a breach of subsections (a) or (b), the Province may terminate this Agreement and recover from the Recipient the full amount of all contributions under this Agreement.

MISCELLANEOUS

- 51. This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable in British Columbia.
- 52. The Schedules to this Agreement are an integral part of this Agreement as if set out at length in the body of this Agreement.
- 53. If any provision of this Agreement or the application to any person or circumstance is invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to any other person or circumstance will not be affected or impaired thereby and will be enforceable to the extent permitted by law.
- 54. Nothing in this Agreement operates as a consent, permit, approval or authorization by the Province or any ministry or branch thereof to or for anything related to the Project that, pursuant to Applicable Laws, the Recipient is required to obtain unless it is expressly stated herein to be such a consent, permit, approval or authorization.
- 55. All disputes arising out of or in connection with this Agreement will be referred to and finally resolved by arbitration pursuant to the *Arbitration Act*, R.S.B.C. 1996, c. 55.
- 56. The Recipient acknowledges and agrees its rights, benefits and obligations under this Agreement are subject always to the Province's obligations under the IBA-ICIP. To the extent that any right, benefit or obligation conferred by this Agreement contravenes or is inconsistent with the IBA-ICIP, such right, benefit or obligation will be amended or modified so as not to contravene or be inconsistent with the IBA-ICIP.

IN WITNESS WHEREOF each of the parties has executed this Agreement on the dates set out below.

SIGNED by the Minister of Municipal Affairs)
or his or her duly)
authorized representative on behalf of)
HER MAJESTY THE QUEEN IN RIGHT OF)
THE PROVINCE OF BRITISH COLUMBIA)

Minister or his/her authorized representative

Date: _____

VILLAGE OF LIONS BAY (the "Recipient"):

Per: _____
Authorized Signatory

Date: _____

Name/Title

Schedule A: PROJECT INFORMATION

- A.1 Project Title: Lions Bay Beach Park Revitalization Project, Project No. IC0352
- A.2 The Lions Bay Beach Park Revitalization Project will consist of the following:
- Park entrance and accessible pathway to beach;
 - Multipurpose hard surface;
 - Playground structures;
 - Covered picnic areas;
 - Kayak/SUP storage facility;
 - Restrooms;
 - Stairs and landscaping;
 - Revitalized pier & kayak launch area; and,
 - Related works.
- A.3 The Commencement Date of the Project is August 6, 2021 which is the date the Project was approved.
- A.4 The Completion Date of the Project shall be no later than March 31, 2026. All project works shall be completed by this date. The Project must also reach Substantial Completion before this date.

Schedule B: PAYMENT TERMS AND CONDITIONS

B.1 Payment by the Province of the financial contributions from Canada and the Province:

The Province will make financial contributions to the Recipient which will not exceed the lesser of seventy three point thirty three percent (73.33%) of the total Eligible Expenditures of the Project or Seven Hundred Eighty-Four Thousand Nine Hundred Fifty-Two Dollars and Zero Cents (\$784,952) being the maximum amount (the 'Total Contribution') approved to be paid under this Agreement to pay for Eligible Expenditures incurred by the Recipient.

These financial contributions are available to the Recipient through two funding sources, both to be paid through the Province. Three Hundred Fifty-Six Thousand Seven Hundred Seventy-Seven Dollars and Zero Cents (\$356,777) are eligible for funding by the Province ('Contribution by the Province') and Four Hundred Twenty-Eight Thousand One Hundred Seventy-Five Dollars and Zero Cents (\$428,175) are eligible for funding provided by Canada ('Contribution by Canada') in accordance with this Schedule B.

B.2 Timing of Eligible Expenditures:

The Province will not make any payment for Eligible Expenditures incurred before the Commencement Date or after the Completion Date, except for climate lens assessment costs identified under section 4.g) of IBA-ICIP and Aboriginal engagement and/or consultation costs identified under section D.1.f) of Schedule D of this Agreement.

B.3. Timing of Claims:

- B.3.1** The Recipient will be eligible for the Contributions by Canada and the Province once claims for Eligible Expenditures have been submitted to and approved by the Province. The Recipient will submit to the Province online claims setting out the amount of Eligible Expenditures actually incurred and paid by the Recipient to the date of such claims.
- B.3.2** Claims for reimbursement will be submitted in accordance with the forecast detailed in the Recipient's most current budget forecast report, as described in section C.2 of Schedule C of this Agreement.
- B.3.3** The Recipient will submit a claim to the Province covering Eligible Expenditures that have been incurred and paid on a semi-annual basis at a minimum.
- B.3.4** No reimbursement of a claim of the Recipient may be paid by the Province unless it is received by the Province on or before March 31 for eligible costs incurred and paid within the same Fiscal Year, and in all cases, no reimbursement will be paid if a claim is received later than December 31, 2026.
- B.3.5** In the event the total sum of all claims for Eligible Expenditures submitted by a Recipient in a Fiscal Year is less than the amount set out in the forecast detailed

in the Recipient's most current budget forecast report for that Fiscal Year, the Province is not obligated to pay the difference between the total sum of all claims and the forecasted amount for that Fiscal Year to the Recipient. The Province may, at its sole discretion, choose to add the difference referred to above to a payment in the next Fiscal Year, in which case the forecast provided in the most current budget forecast report is deemed to be amended to reflect the change.

B.3.6 The Province will not reimburse a claim unless the following have been submitted and approved in accordance with Schedule C of this Agreement:

- (a) current periodic progress report and/or final report;
- (b) current budget forecast report; and
- (c) any other additional reporting requirements as required under Schedule C of this Agreement.

B.3.7 Notwithstanding any other provisions of this Agreement, the parties agree the Province is entitled to withhold the final ten percent (10%) of the Total Contribution amount until the Province has received and approved the Final Report required under sections C.3 of Schedule C of this Agreement.

Schedule C: REPORTING REQUIREMENTS

C.1 Periodic Progress Reports:

The Recipient will submit to the Province through IBA-ICIP Staff on a quarterly basis and/or upon request by the Province, periodic progress reports ending March 31, June 30, September 30, and December 31 of each year of the term of this Agreement commencing on the first quarter following the Commencement Date and ending on the Project Completion Date. Each report will be due on the 7th day of the month following the end of the reporting period. The periodic progress reports will be in a form established by the Province.

C.2 Budget Forecasting Report:

The Recipient will submit to the Province through IBA-ICIP staff on a monthly basis and/or upon request by the Province, budget forecast reports ending the last day of each month for each year of the term of this Agreement commencing on the first month following the Commencement Date. Each report will be due on the 7th day of the month following the end of the reporting period. The budget forecast reports will be in a form established by the Province.

C.3 Final Report:

In order to receive final payment when the Project is completed, the Recipient will submit to the Province through IBA-ICIP Staff a Final Report, in a form established by the Province.

C.4 Project Audit Report:

Prior to payment of the final claim for Eligible Expenditures, the Recipient may also be required to provide, upon request by the Province, a Project audit report from a person authorized to be an auditor under section 169 of the *Community Charter* confirming that the Project expenditures have been made in compliance with this Agreement and the IBA-ICIP. If required by the Province, the audit is to be in accordance with the form and reporting standards recommended by the Canadian Institute of Chartered Accountants.

C.5 Additional Reporting Requirements:

The additional reporting requirements are:

Environmental Design Considerations

Prior to payment in excess of 10% of the approved funding amount, the recipient must submit a brief summary to the Province identifying the project's environmental design considerations, including:

- Reducing water use or reusing water;
- Reducing energy use for the facility size (e.g., high-efficiency equipment/appliances/lighting, heating systems, and HVAC controls),

- recovering energy (e.g. heat recovery ventilation), or generating energy on-site (e.g., renewable energy);
- Securing local materials, where possible;
- Any other measures that minimize greenhouse gas impact (e.g., local food production), and;
- Any other measures that reduce environmental impacts.

Construction Permit

Prior to payment in excess of 25% of the approved funding amount, the recipient must submit to the Province the approved construction permit or equivalent.

Water Impacts

Prior to payment in excess of 25% of the approved funding amount, the Recipient must submit to the Province a copy of all approvals, licenses, or permits required by regulatory authorities for project work in, around, or to divert, store, or use water. This includes approvals required under the BC Water Sustainability Act, Department of Fisheries and Oceans Canada, and the BC First Nations Health Authority.

Asset Management

Prior to payment in excess of 50% of the approved funding amount, the recipient must submit to the Province a summary of how the service levels will be set and monitored for the asset group that was funded (e.g., for a Recreation Centre, the asset group would be 'all recreation assets'). This summary should include:

- Desired levels of service;
- Current levels of service;
- Brief summary of how desired levels of service were established – (e.g. set by regulatory requirements, in consultation with community regarding desired level of service and willingness to pay);
- Brief summary of how service levels are tracked through performance measures or indicators (e.g., tracking technical levels of service, tracking customer satisfaction);
- Cost to deliver the current service provided and an estimate of what it would cost to achieve the desired levels of service;
- Brief summary of how the organization records and considers risks to delivery of services, and;
- Brief summary of how service levels and service cost are communicated to elected officials and/or the public.

Asset Management BC Roadmap and AssetSMART, including resources related to service levels: <http://assetmanagementbc.ca>

Accessibility

Prior to payment in excess of 75% of the approved funding amount, the recipient must submit to the Province a document showing that the funded facility or modifications will meet or exceed the highest published accessibility standard

for your jurisdiction. Examples include the BC Building Code (2018) or CSA B651-18 Accessible Design for the Built Environment (2018).

Asset Replacement Profile

Prior to payment in excess of 90% of the approved funding amount, the recipient must submit to the Province an Asset Renewal Profile, showing the renewal of assets constructed as part of the project and other assets in the same asset category (ex. recreation assets), that includes:

- Graph with replacement year on the X-axis and the total replacement costs for assets in each year on the Y-axis. The X-axis should start at the current year and show the projected replacement costs for the next 30 years or more. This should be based on the expected remaining life and replacement value for individual assets from the community's asset data register.
- Summary of what is shown and the implications on long-term planning for service delivery, asset replacement, and financial planning.

If further information is required, please contact your Program Contact for guidance and examples relevant to your project's infrastructure type.

GHG Impacts & Local Materials

Prior to payment in excess of 90% of the approved funding amount, the recipient must submit to the Province all of the following:

- Document showing the project's updated estimated greenhouse gas (GHG) impact calculations, including increased GHGs (e.g., electricity use) and avoided GHGs. Please use the methodology available on the program website (or from Program Contact).
- Brief summary of which construction materials were sourced locally, regionally, and provincially. If it was not possible to source materials within BC, briefly describe the reasons why.

Reports submitted by the Recipient under this section are for the Province's information and IBA-ICIP guidelines accountability only, and their review by the Province in no way endorses, approves or verifies the findings, technical data, results, quality statements, representations or recommendations therein, and the Recipient warrants that all information contained in any report is true and correct.

C.6 Other Information:

The Recipient will provide the Province through IBA-ICIP Staff, upon request, all such other information concerning the progress of the Project to completion and payment of Eligible Expenditures, as may be required by the Province from time to time.

Schedule D – ELIGIBLE AND INELIGIBLE EXPENDITURES

D.1 ELIGIBLE EXPENDITURES

Excluding those identified under Section D.2 (Ineligible Expenditures), Eligible Expenditures will be all costs considered by the Province to be direct and necessary for the successful implementation of the Project. Eligible Expenditures will include the following:

- a) capital costs, design and planning costs, and costs related to meeting specific Program requirements, including completing climate lens assessments and creating community employment benefit plans;
- b) communication related expenses including expenditures for Project related signage;
- c) the incremental costs of the Recipient's employees may be included as Eligible Expenditures under the following conditions:
 - i. The Recipient is able to demonstrate that it is not economically feasible to tender a contract; and
 - ii. The arrangement is approved in advance and in writing by the Province and Canada;
- d) leasing of equipment directly related to the construction of the Project;
- e) costs incurred between the Commencement Date and the Completion Date set out in Schedule A and also the costs associated with completing a climate lens assessment in accordance with section 4g) of the IBA-ICIP prior to the Commencement Date; and
- f) costs related to Aboriginal engagement and/or consultation activities incurred on or after February 15, 2018 with the exception of direct payments to Aboriginal groups and legal fees.

D.2 INELIGIBLE EXPENDITURES

The following expenditures are ineligible:

- a) expenditures incurred prior to the Commencement Date, excluding those identified under section 4.g) of the IBA-ICIP and under section D.1.f) of Schedule D of this Agreement which are eligible even though incurred prior to the Commencement Date;
- b) cost incurred for cancelled projects;
- c) land acquisition;
- d) financing charges, legal fees, and interest payments on loans, including those related to easements (e.g. surveys);
- e) leasing land, buildings and other facilities; leasing equipment except those noted under D.1(d) above; real estate fees and related costs;
- f) furnishings and non-fixed assets which are not essential for the operation of the Project;
- g) costs associated with operating expenses and regularly scheduled maintenance work;
- h) the expenditures related to any goods and services which are received through donations or in kind;
- i) any overhead expenditures, including salaries and other employment benefits of any employees of the Recipient, direct or indirect operating or administrative expenditures of Recipients, and more specifically expenditures related to planning, engineering, architecture, supervision, management and other activities normally carried out by Recipient staff except in accordance with subsections D.1(c) in the Eligible Expenditures above;
- j) provincial sales tax or goods and services tax for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates;
- k) permit fees charged by the Recipient to itself;
- l) costs of relocating entire communities;
- m) all capital costs, including site preparation and construction costs, until Canada has confirmed that environmental assessment and Aboriginal consultation obligations as required under sections 4(k) (environmental assessment) and 4(l) (Aboriginal consultation) have been met and continue to be met; and
- n) any costs related to Aboriginal engagement and/or consultation activities incurred prior to February 15, 2018 including direct payments to Aboriginal groups and legal fees.
- o) Other costs that, in the opinion of the Province, are not considered to be direct and necessary for the successful implementation of a project.

COUNCILLOR REPORT

DATE: 2025-08-28 **FILE:** Council-2025-010
TO: Council
FROM: Councillor Broughton
RE: Important and time sensitive items deleted from July 8 and July 22 Council meetings

[Click or tap here to enter text.](#)

BACKGROUND:

Time-sensitive items were placed on both the July 8, 2025, and July 22, 2025 Council agendas and were removed arbitrarily during the adoption of the agenda by 3 to 2 votes. All Councillor members have fiduciary responsibility to the residents of Lions Bay to bring forward items of concern of Village residents and for those to be discussed and dealt with.

Agenda items have been provided to the September 2, 2025, Council meeting for consideration by all Council in good faith and the best interests and to inform Village residents of matters of considerable and material concern to residents.

The following items require decisions, a process to address the concern as required, or require information and updates to be made available to residents consistent with creating an informed, respected and current electorate in an environment of transparency.

DISCUSSION:

1. Interim Plan and Budget for Emergency Management and Fire Chief Positions

A discussion of budget and an interim plan while the fire chief and emergency program coordinator and emergency support services director positions are vacant or interim. Regional discussions and Consultant review will be ongoing and will inform this dynamic and evolving plan going forward.

Recognizing that it is operational, however Council could benefit from an update on Fire Truck 63 repairs to inform Councils longer term decisions on budget for replacement.

2. Beach Park Revitalization and Jetty Replacement Project - Update on project status request from CAO Blackwell

- a. Eurohouse Contract
- b. Artwork recommendations for Washroom

3. Battani Creek Debris Flow
 - a. Update and introduction of Recovery Manager.
 - b. Aid (Emergency program related) from the District of North Vancouver and Metro Vancouver
4. **Appreciation** for Canada Day 2025 Event
Council to express appreciation to all involved with the July 1st Celebration.
5. Vancouver Coastal Health Water Quality Notices. Lions Bay Beach water sampling results and health warnings.
 - a. **Appreciation** to residents who led and participated in Goose Faeces clean up and assisting in a safe, healthy and pleasant beach park and beach front.

COUNCILLOR REQUEST FOR DECISION

DATE: 2025-07-22 **FILE:** Council-2025-011
AUTHOR: Michael Broughton
RE: Policy on best use of Village facilities

RECOMMENDED RESOLUTIONS:

1. THAT staff be directed to do a survey of Village facilities with a view to maximize meeting and other usable space while creating efficient and accessible storage, and;
2. THAT no construction or acquisition of storage units for Village facilities occur until a survey of Village facilities and use of space is complete and recommendations are made, and;
3. THAT all user groups be consulted to ensure Council is aware of present and future facility space needs for Village residents, and;
4. THAT Councillor Broughton be asked to Chair an informal Task Force Team to assist in the timely completion of a survey on Village facilities and use of space needs, reporting back to Council at the October 7, 2025, Regular Meeting.

BACKGROUND:

The multiple use of all Village facilities requires a wide range of resources and equipment.

Mixed and diverse use of spaces should be sought and supported.

Meeting space is at a premium and is a required asset for a strong community.

To maximize the use of all space, effective storage facilities are required.

Proximity to where the materials and equipment are used must be considered.

A high level of organization such as has been recently demonstrated in the storage room upgrade in Broughton Hall should be a goal.

The demising of the Council Chambers as in the past should be considered an option to create more meeting and workspace at minimum cost and impact on current use.

Correspondence Listing

General Correspondence:		
Date Rec'd	FROM	TOPIC
07-28-25	Ivan Michael Scott	BC Judicial System
08-01-25	City of Surrey	Monthly SIT Report
08-07-25	Metro Vancouver	Historic Regional Demographic Patterns
08-14-25	Metro Vancouver	Regional Parking Study – Final Report
08-15-25	Sally	Village Parking Fines
08-19-25	Rogan Steacy	Parking Fines
08-20-25	Metro Vancouver	Trends in Emissions from Transportation and Buildings
08-26-25	Blink49 Productions	Endowment for the Municipality
Resident Correspondence:		
Date Rec'd	FROM	TOPIC
07-02-25	Jim Cannell	Bylaw Enforcement
07-22-25	David Shore	Village Parking Fines & Office of Ombudsperson Attachment
07-29-25	Ashlee Davidson	Trail Conditions and Fire Concerns
08-06-25	Jim Cannell	Bylaw Enforcement
08-15-25	Glenn Dennison	Beach Park Water Quality and Lions Bay Marina
08-20-25	Marilyn Blusson	Garbage and Recycling Collection
08-20-25	Jocelyn Horb	Garbage and Recycling Collection
08-20-25	Dawn & Jay Hope	Garbage and Recycling Collection
08-27-25	Lions Bay Arts	Beach Park Revitalization Project

Date: July 28, 2025

To:

Executive Director and Senior General Counsel
Canadian Judicial Council
Ottawa, ON K1A 0W8
Email: info@cjc-ccm.ca
Fax: 613-288-1575
Phone: 613-288-1566

Re: Judicial Accountability and Revolving-Door Justice in British Columbia

Dear Members of the Canadian Judicial Council,

My name is Ivan Scott and I write to you not only as a private citizen of British Columbia, but also as a former corporate executive, professional civil engineer, and community advocate who led the “Keep the RCMP in Surrey” campaign, which garnered the support of over 100,000 British Columbians. I have long held a deep respect for the rule of law and the institutions that uphold it.

It is with this respect—and concern—that I express what I know to be a growing and justified alarm shared by many: our judicial system is no longer serving its fundamental duty to protect the public. The principles of transparency, efficiency, impartiality, and accountability, which should define Canadian justice, are steadily being undermined by systemic dysfunction and an apparent detachment from public expectation.

The Problem is clear—and it’s in the Courts

The signs are unmistakable. Major crime is increasing. Repeat offenders are regularly released on bail. Our police—both RCMP and municipal—work under increasing strain, only to see their efforts undone in court. What was once a justice system is increasingly seen as a revolving door for offenders.

The problem does not lie with law enforcement. It lies with courtroom decision-making, where public safety is often sacrificed in the name of procedural formalism or unchecked leniency.

Despite multiple letters sent directly to senior judicial figures in British Columbia, I have not received even the basic courtesy of a reply. This silence is not only discourteous—it is deeply troubling. It suggests an institution that believes itself immune to public concern. Judicial independence is essential, yes—but when it breeds institutional indifference, it becomes a threat to public trust.

A System That Serves Itself—Not the People

There is a prevailing perception that the system is more responsive to the interests of the legal profession than to the citizens it claims to serve. Prolonged litigation, absurd procedural delays, and the toleration of vexatious lawsuits have become routine. The result? Justice too often goes to the party with the more expensive lawyer, not the more compelling case.

Here are some of the most pressing concerns:

1. **Justice for Sale** – The legal system increasingly appears structured to benefit legal professionals through extended and unnecessary litigation. Procedural complexity and needless delays seem almost designed to favor those with the resources to endure them. This perception is corrosive—and not unfounded.
2. **Lack of Judicial Accountability** – Judges who render irrational, dangerous, or ideologically driven decisions are insulated from consequence. There is no meaningful oversight, no performance review, and no real transparency. This would be unacceptable in any other public institution.
3. **Judicial Overreach** – Courts are not legislatures. Yet judges are increasingly assuming activist roles, making decisions that defy legislative intent under the guise of constitutional interpretation or “judicial independence.” This fosters public confusion and undermines respect for both parliament and judiciary.
4. **Unpredictability and Frivolity** – The legal system is marked by inconsistency, excessive reliance on prior-case minutiae, and the tolerance of frivolous or abusive claims. This unpredictability disincentivizes fair settlements, promotes endless litigation, and buries the public’s faith in reliable legal outcomes.
5. **Inefficient Use of Time** – The daily operating hours of courts, particularly the Supreme Court of British Columbia, are indefensibly short. A typical day runs from 10:00 am to 12:30 pm (with a 15-minute break), then 2:00 pm to

4:00 pm (again with a 15-minute break). Four hours of courtroom work per day is neither efficient nor acceptable given the volume and urgency of cases.

Recommendations

The public demands a legal system that puts justice first. Therefore, I respectfully call on the Canadian Judicial Council to support or initiate the following reforms:

1. **Reform Bail Guidelines** – Tighten eligibility for repeat violent and sexual offenders, with mandatory public safety assessments.
2. **Implement Judicial Performance Metrics** – Track and report bail decisions, recidivism outcomes, and case timelines as a matter of public record.
3. **Mandate Victim and Community Input** – Ensure that release decisions formally acknowledge the impact on victims and communities.
4. **Establish a Civilian Judicial Liaison Office** – Create a public-facing ombuds office, independent of the legal profession, to monitor citizen complaints and unanswered correspondence.
5. **Rebalance Charter Application** – Review how Charter rights are weighed, ensuring public safety and dignity are given equal constitutional weight.
6. **Publish Monthly Revolving-Door Case Reports** – Provide the public with data on repeat offenders who are released and reoffend.
7. **Consider Broader Reform Consultation** – If provincial resistance persists, a national referendum or consultation on judicial oversight should be considered.

Conclusion

The judiciary is not immune from accountability simply because it is independent. Independence requires earned legitimacy—and that legitimacy depends on public trust. That trust is being lost.

This is not a call for disrespect toward the bench. It is a call for responsibility from it.

The judiciary is meant to serve the people, not the other way around.

I respectfully ask the Canadian Judicial Council to take a more active role in evaluating judicial performance, increasing transparency, and ensuring that courts

are not allowed to operate above the standards expected in a modern, democratic society.

I am not alone in these concerns. Thousands of British Columbians—and many more Canadians—are losing faith in a system that appears unaccountable, inefficient, and detached from public realities.

Please acknowledge receipt of this letter and provide a statement on how the Canadian Judicial Council intends to engage with these pressing concerns. If no such mechanisms currently exist, I urge you to lead in helping to establish them.

Because silence is complicity—and we have been silent for too long.

Sincerely and Respectfully,

Ivan Michael Scott

Surrey, British Columbia, V3Z 0Y2

From: FHPrinting02@surrey.ca
To: [Agenda](#)
Subject: Monthly Sit Report of 2025-07
Date: August 1, 2025 4:32:48 PM
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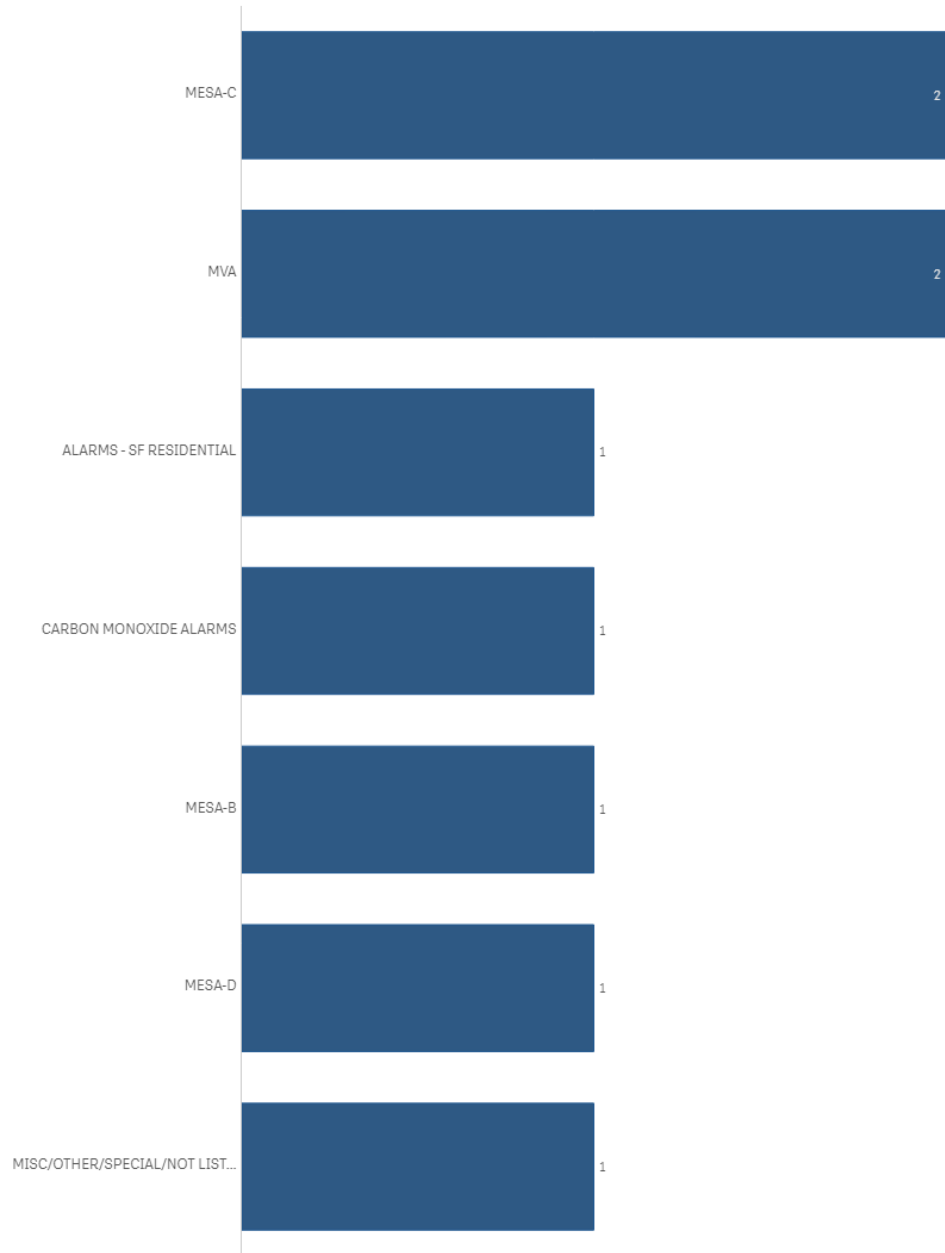
Surrey Regional Fire Dispatch Monthly Report

From 2025-07-01 To 2025-07-31

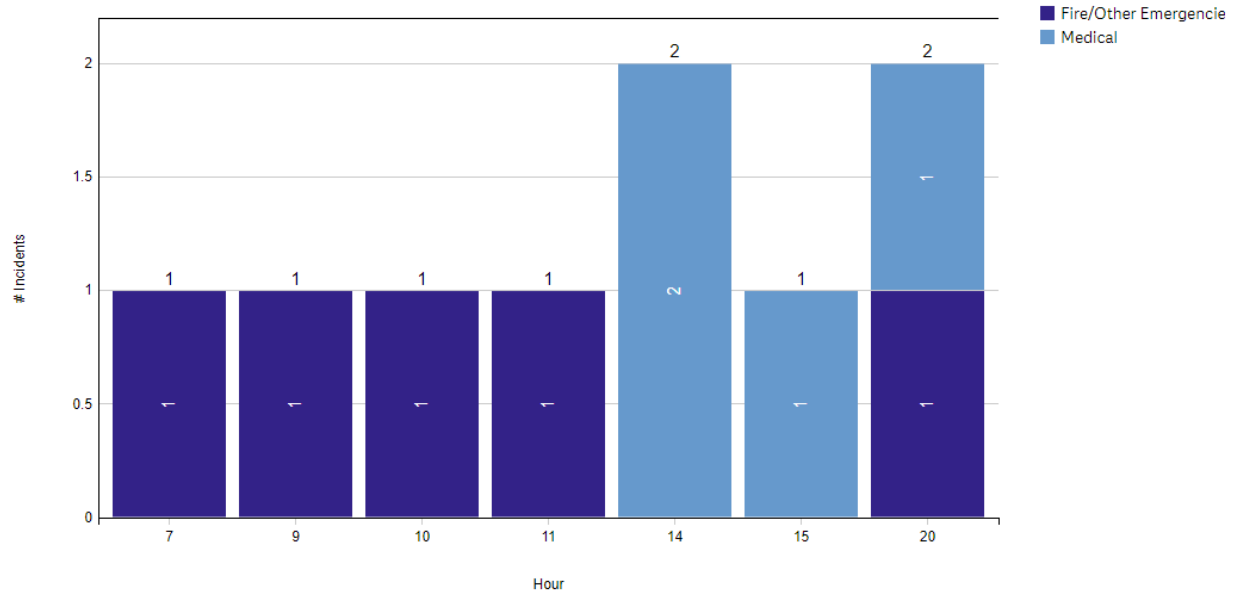
LIONS BAY FIRE RESCUE

# Incidents	# Incident Apparatus	# Incident Attendees
9	15	20

Incidents by Dispatch Type



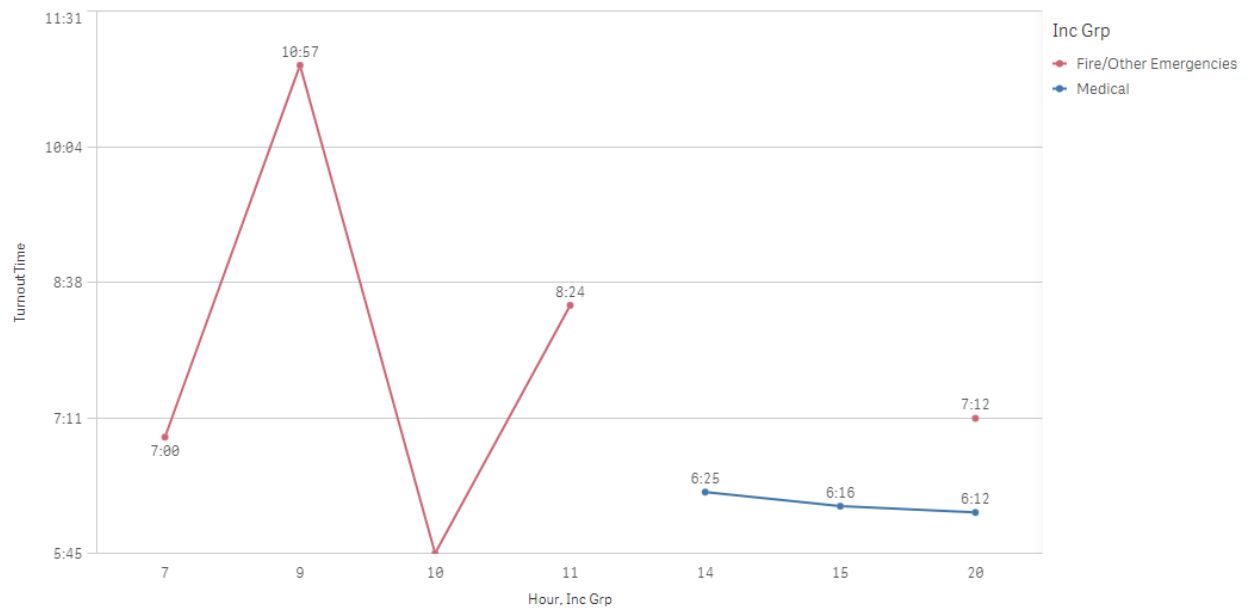
Incidents by Hour



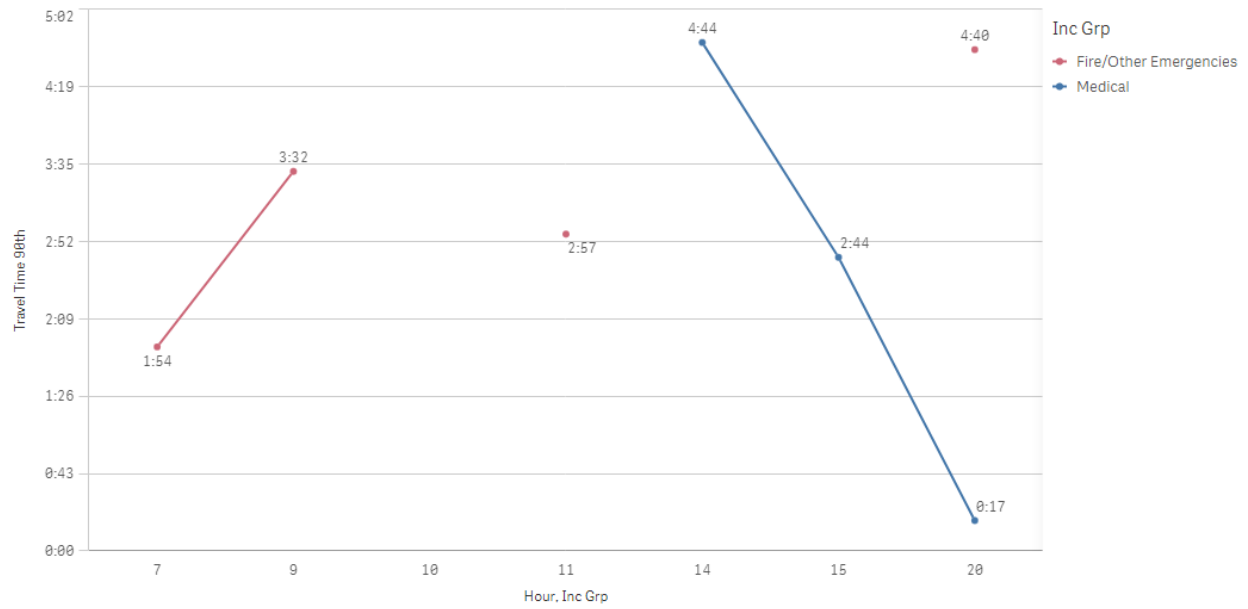
Performance for Emergency Incidents and First On-Scene Apparatus

Turnout Time	Travel Time	On-Scene Time
9:09	4:41	42:38

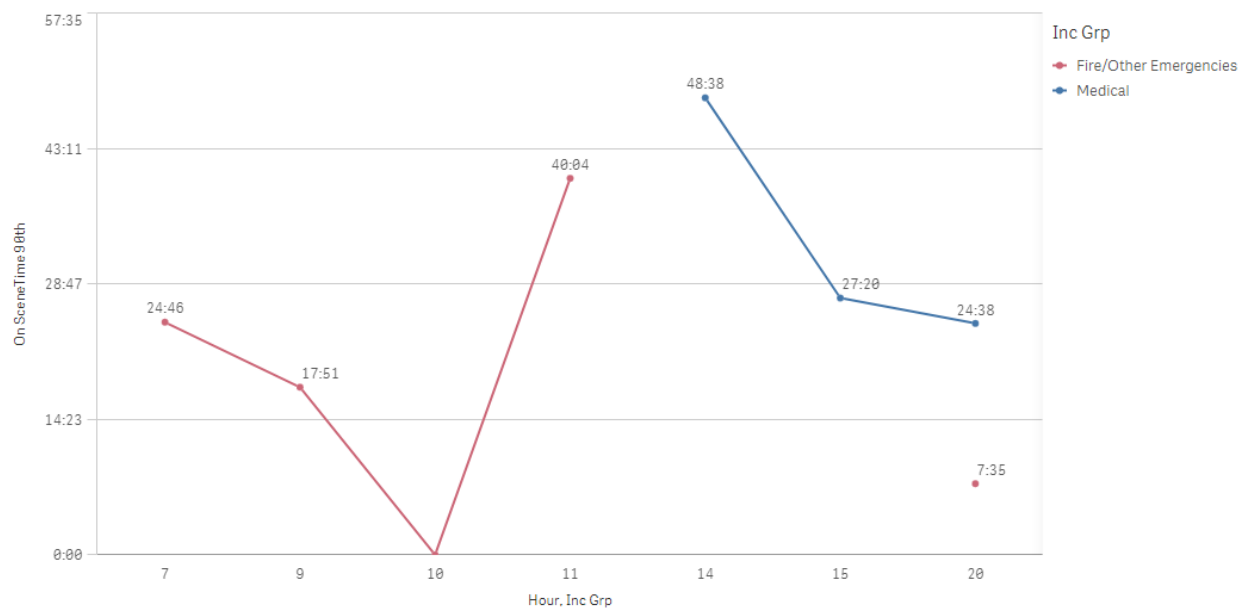
Turnout Time 90th Percentile for Emergency Incident and First On Scene Apparatus



Travel Time 90th Percentile for Emergency Incident and First On Scene Apparatus



On-Scene Time 90th percentile for Emergency Incident and First On Scene Apparatus



Truck Utilization

AppUnit	AppName	Hours Committed	Days Committed	# of Days selected	Hours Capacity	Utilization
LBR63	LB Rescue 63	4.2	0.2	8	192	2%
LBE62	LB Engine 62	1.8	0.1	8	192	1%

Office of the Chair
Tel. 604-432-6215 or via Email
CAOAdministration@metrovancover.org

August 7, 2025

File: CR-12-01
Ref: RD 2025 07 25

Mayor Ken Berry and Council
Village of Lions Bay
400 Centre Road PO Box 141
Lions Bay, BC V0N 2E0
VIA EMAIL: council@lionsbay.ca

Dear Mayor Ken Berry and Council:

Historic Regional Demographic Patterns

At its July 25, 2025 regular meeting, the Board of Directors of the Metro Vancouver Regional District (MVRD) passed the following resolution:

That the MVRD Board:

- a) receive for information the report dated June 10, 2025, titled “Historic Regional Demographic Patterns”; and*
- b) forward a copy of the report dated June 10, 2025, titled “Historic Regional Demographic Patterns” to member jurisdictions with an offer of a presentation including local demographic profiles to Council upon request.*

As Metro Vancouver’s long-range population, housing and employment projections continue to evolve due to shifting immigration patterns and demographic trends, the “Historic Regional Demographic Patterns” report highlights the historic data and regional demographic trends that influence model assumptions. Metro Vancouver is committed to updating projections annually to ensure that they reflect the most up to date conditions. The 2025 Projections Update will incorporate new federal immigration targets (2025 – 2027) and updated Statistics Canada estimates and will be presented to the MVRD Board in Fall 2025.

78116246

Highlights from the “Historic Regional Demographic Patterns” report include:

- **Population Growth:** Immigration remains the primary driver of growth, with most newcomers settling in Vancouver and Surrey. However, outmigration to other parts of the province has increased significantly. Inter-municipal migration within Metro Vancouver continues to shift eastward and beyond the region.
- **Housing Trends:** Apartment inventory has grown by 41 per cent since 2011, now comprising 43 per cent of total regional housing stock.
- **Employment Shifts:** Metro Vancouver’s employment grew 34 per cent from 2001 – 2021, reaching 1.35 million jobs, though growth has slowed since 2006.

We are pleased to provide you with the report dated June 10, 2025, titled “Historic Regional Demographic Patterns” for your information. We look forward to continuing to collaborate with you on population, dwelling unit, and employment projections. If your Council would like to receive a presentation from Metro Vancouver staff about the report, please contact Jonathan Cote, Deputy General Manager, Regional Planning and Housing Development, by phone at 604-432-6391 or by email at jonathan.cote@metrovancover.org.

Yours sincerely,



Mike Hurley
Chair, Metro Vancouver Board

MH/JC/ac

cc: Ross Blackwell, Chief Administrative Officer, Village of Lions Bay
Kristal Kenna, Deputy Corporate Officer, Village of Lions Bay
Jerry W. Dobrovolsky, Commissioner/Chief Administrative Officer, Metro Vancouver
Heather McNell, Deputy Chief Administrative Officer, Policy and Planning, Metro Vancouver

Encl: [Report titled “Historic Regional Demographic Patterns,” dated June 10, 2025 \(pg. 110\)](#)

78116246

August 14, 2025

File: CR-12-01
Ref: RD 2025 07 25

Mayor Ken Berry and Council
Village of Lions Bay
400 Centre Road PO Box 141
Lions Bay, BC V0N 2E0
VIA EMAIL: council@lionsbay.ca

Dear Mayor Ken Berry and Council:

Regional Parking Study – Final Report

At its July 25, 2025 regular meeting, the Board of Directors of the Metro Vancouver Regional District (MVRD) passed the following resolution:

That the MVRD Board:

- a) receive for information the report dated June 9, 2025, titled “Regional Parking Study – Final Report”; and*
- b) forward a copy of the report dated June 9, 2025 titled “Regional Parking Study – Final Report” to member jurisdictions with an offer of a presentation to Council upon request.*

The Regional Parking Study finds that local context matters, with off-street residential parking utilization rates varying from 57 per cent in some communities up to 75 per cent in others. Distance to transit – especially SkyTrain – and housing tenure (strata versus rental) continue to be leading factors influencing parking supply and demand.

Detailed parking utilization data will be shared with member jurisdictions to support further local analysis of parking patterns. This data may be used by member jurisdictions, developers, and others to estimate context-specific parking needs and explore affordability considerations.

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Metro Vancouver's Regional Planning staff are available to present detailed and localized findings from the Regional Parking Study to member jurisdiction Councils. To request a Council presentation, please contact Jonathan Cote, Deputy General Manager, Regional Planning and Housing Development, by phone at 604-432-6391 or by email at jonathan.cote@metrovanancouver.org.

Yours sincerely,



Mike Hurley
Chair, Metro Vancouver Board

MH/JC/ms

cc: Ross Blackwell, Chief Administrative Officer, Village of Lions Bay
Kristal Kenna, Deputy Corporate Officer, Village of Lions Bay
Jerry W. Dobrovolny, Commissioner/Chief Administrative Officer, Metro Vancouver
Heather McNell, Deputy Chief Administrative Officer, Policy and Planning, Metro Vancouver

Encl: [MVRD Board report dated June 9, 2025, titled "Regional Parking Study – Final Report" \(page 31\)](#)

78105237

From: Sally Plummer <[REDACTED]>
Sent: August 15, 2025 11:32 AM
To: Lions Bay Reception <reception@lionsbay.ca>
Subject: Parking Fines

You don't often get email from [REDACTED] [Learn why this is important](#)

Hi,

I recently received a parking ticket in Lions Bay, which I've since paid. However, I was shocked by the amount, which is significantly higher than what's typical in nearby areas—Vancouver, for example, ranges from \$35 to \$170, while Lions Bay appears to start at \$100.

Lions Bay is clearly a place of privilege—a beautiful village with access to sea, sky and mountains that not many could afford to live in. But when public access is discouraged through disproportionately high fines, it feels like the area is being managed more like a gated community than a public space. This raises concerns about accessibility and fairness, especially for visitors who contribute to the upkeep of roads and public infrastructure through taxes.

Can you help me understand how the fine amounts are determined, and what justifies the higher rates in Lions Bay?

Thanks for your time,
Sally

From: The Village of Lions Bay <no-reply@upanupstudios.com>

Sent: Tuesday, August 19, 2025 2:31 PM

To: Lions Bay Reception <reception@lionsbay.ca>

Subject: Form submission from: Feedback Form

Submitted on Tue, 08/19/2025 - 14:30

From (name)

Rogan Steacy

Email address (will not be published)

[REDACTED]

Feedback

The municipality of Lions Bay needs to stop charging visitors and tourists an extreme 100\$ for a parking ticket. I find it sad, and quite frankly greedy, that a visitor cannot go use the beach on a nice day for 30 minutes without getting gouged by a bylaw enforcement officer. The fact that someone even has to pay for parking at such a park is absurd to begin with. Rather than a way to raise funds for the municipality, it comes across as a way to keep people out. If you, at the municipality of lions bay, are so short on funds that you feel the need to charge someone 100\$ for a parking ticket; why don't you use your brain and come up with a creative way to raise funds for your community rather than scamming honest and hard working people. You're welcome for my 100\$, I just hope you decide to change the policy for future families trying to have a nice day.

Please indicate if this feedback is for staff or Council

For Council (and as such will appear on the next Council meeting agenda)

August 20, 2025

File: CR-12-01
Ref: RD 2025 07 25

Ross Blackwell, Chief Administrative Officer
Village of Lions Bay
400 Centre Road PO Box 141
Lions Bay, BC V0N 2E0
VIA EMAIL: cao@lionsbay.ca

Dear Ross Blackwell:

Trends in Emissions from Transportation (Personal Mobility) and Buildings

At its July 25, 2025 regular meeting, the Board of Directors of the Metro Vancouver Regional District (Metro Vancouver) passed the following resolutions:

That the MVRD Board:

- a) receive for information the report dated June 16, 2025, titled "Trends in Emissions from Transportation (Personal Mobility)"; and*
- b) direct staff to forward a copy of the report dated June 16, 2025, titled "Trends in Emissions from Transportation (Personal Mobility)" to member jurisdiction staff, with an offer of a presentation to Council upon request.*

That the MVRD Board:

- a) receive for information the report dated June 16, 2025, titled "Trends in Emissions from Buildings"; and*
- b) direct staff to forward a copy of the report dated June 16, 2025, titled "Trends in Emissions from Buildings" to member jurisdiction staff, with an offer of a presentation to Council upon request.*

Please find enclosed the reports titled "Trends in Emissions from Transportation (Personal Mobility)" and "Trends in Emissions from Buildings", along with their respective backgrounders, for your reference.

These documents respond to requests from the Metro Vancouver Board and Committee members for more accessible and concise information on air quality and climate change, specifically regarding transportation and building emissions, which are the two largest sources of greenhouse gas (GHG) emissions in the region. The reports provide a summary of current trends in personal mobility and

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building-related emissions across Metro Vancouver, and outline their implications for public health and environmental sustainability.

The transportation-related report highlights patterns in how people move around the region, including changes in vehicle use, the growing role of electric vehicles, and a shift toward more sustainable options such as walking, cycling, transit and remote work. The report also highlights emerging economic opportunities.

The buildings-related report summarizes emissions trends in residential, commercial, and industrial buildings. It describes challenges related to the continued use of fossil natural gas for space and water heating, the need for retrofits in existing buildings, and the potential for building upgrades to protect residents from extreme heat events while reducing emissions and supporting economic activity.

Together, these reports aim to inform ongoing discussions among decision makers, stakeholders, and the public regarding local government policies and initiatives to reduce GHGs, improve air quality, and contribute to healthier, more sustainable communities.

If you have any questions, or would like to receive a presentation from Metro Vancouver staff on these reports, please contact Conor Reynolds, Director, Air Quality and Climate Action Services, by phone at 604-456-8811 or by email at conor.reynolds@metrovancover.org.

Yours sincerely,



Jerry W. Dobrovolny, P.Eng., MBA
Commissioner/Chief Administrative Officer

JWD/HM/eb

cc: Kristal Kenna, Deputy Corporate Officer, Village of Lions Bay
Heather McNell, Deputy Chief Administrative Officer, Policy and Planning, Metro Vancouver

Encl: [MVRD Board report dated June 16, 2025, titled "Trends in Emissions from Transportation \(Personal Mobility\)" \(page 173-191\)](#)

[MVRD Board report dated June 16, 2025, titled "Trends in Emissions from Buildings" \(page 196-213\)](#)

78116480

From: Will Erb <Werb@blink49.com>

Sent: August 26, 2025 12:14 PM

To: Karen Jeffery <kjeffery@lionsbay.ca>; Vera Lubimova <vlubimova@blink49.com>

Subject: Re: FF - Endowment

Hi Karen, there isn't a rush but we should effort making the payment before the end of next month.

From: Karen Jeffery <kjeffery@lionsbay.ca>

Date: Tuesday, August 26, 2025 at 11:59 AM

To: Will Erb <Werb@blink49.com>, Vera Lubimova <vlubimova@blink49.com>

Subject: RE: FF - Endowment

Hi Will,

This is very exciting. Yes, I can forward you some things. I'll run it by some higher ups to see what the consensus is. Much appreciated.

Do you have a timeline as to when you'd like this information by?

Cheers,

Karen Jeffery

Municipal Accounting

Film Liaison



www.lionsbay.ca

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 CANADA

Desk: +1(604) 921-9333 X 1004

From: Will Erb <Werb@blink49.com>

Sent: August 26, 2025 11:50 AM

To: Karen Jeffery <kjeffery@lionsbay.ca>; Vera Lubimova <vlubimova@blink49.com>

Subject: FF - Endowment

Hi Karen,

Hope all is well. I am starting to organize the endowment and wanted to ask for some information on where we can direct payment. Our feeling is that we would like to donate to a specific cause ideally something in the arts, whether that be art/theater classes, auditorium renovations, public movie nights; etc. Would you be able to send me some recourses on what the community has going on and what organizations could benefit from our endowment? Thank you again for all the help.

From: Elaine Dehoney < >

Sent: July 2, 2025 7:44 PM

To: councillor.mclaughlin@lionsbay.ca <councillor.mclaughlin@lionsbay.ca>

Subject: Bylaw enforcement

Hi Ron,

Today I received a letter from our bylaw enforcement officer to say my garbage container was placed on the street earlier than permitted. Because this was a warning rather than a fine I am not questioning this. However I am sure the container(s) were not early. As you know, I am retired and am home most days. Usually I put the garbage out around 9:30-10:00am. I must say, when I put my garbage out, my neighbors have already put theirs out! Generally I pickup the cans as they are emptied.

My concern is the lack of common sense displayed by the bylaw enforcement officer(s). For some time now, sometimes weeks, sometimes months there have been parking infractions on Seaview Place, mostly trailers on the boulevard or in the cul-de-sac at the end of the street. This parking is not really a concern for me, however the bylaw officer had to drive past four trailers parked on the street without apparently noticing them, but he had no problem seeing my (maybe) early garbage can.

I wouldn't want to guess what we pay for bylaw enforcement, but I would like to think all our bylaws are being enforced at all times.

Thanks Jim

From: [Ron McLaughlin](#)
To: [Agenda](#); [Kristal Kenna](#)
Subject: Fw: Parking fines
Date: July 23, 2025 7:20:43 AM
Attachments: [OMB-FairnessInPractice-ForWEB-Feb18-5.pdf](#)

For next correspondence in September.

Get [Outlook for iOS](#)

From: David Shore <[REDACTED]>
Sent: Tuesday, July 22, 2025 7:19:40 PM
To: Council <council@lionsbay.ca>
Subject: Parking fines

Mayor and Council,

I did not have enough time to give this email the gravity I had intended due to travel delays this afternoon.

But I want to say that the fines we have experimented with in Lions Bay should have provided enough evidence that the high prices do not reduce the number of infractions. Yet they do create a very negative image for Lions Bay Residents in the eyes of those that wish to come and enjoy lions Bay beaches and trails.

We all know that Lions Bay is often very poorly referenced as an "elitists" and "NIMBY" community. Fines like this fuel that

I would expect that most people did not know they were parking illegally and were shocked at the size of the fine.

I challenge you to show evidence that higher fines result in better behaviour. To the contrary, it is well documented that the perceived consistency of enforcement is far more effective in changing behaviour. You can also see that [perception of fairness](#) is extremely [important for a small community](#) like ours to convey to the public.

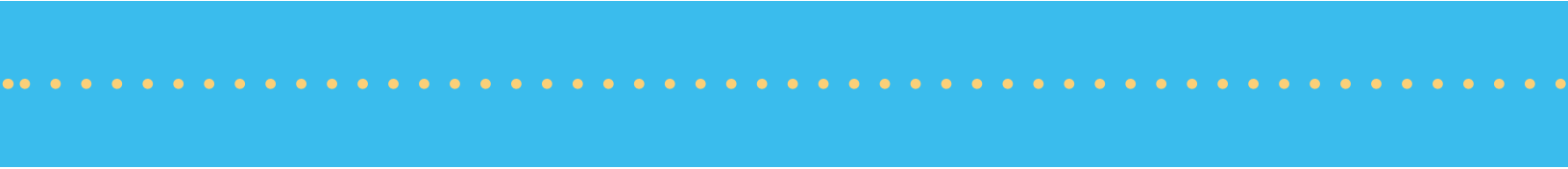
Please consider the provided attachment and links and consider what measures will most effectively influence behaviour, while fostering a sense of respect and integrity within the Lions Bay community.

Best,
David Shore
[REDACTED]

FAIRNESS IN PRACTICE GUIDE

A Guide to Administrative Fairness
in the Public Sector





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ROLE OF THE OMBUDSPERSON

The Office of the Ombudsperson is an independent office of the Legislature. We act under the authority of the *Ombudsperson Act*. Our office has been serving legislators and the public since 1979 and we have more than 1,000 provincial and local public bodies under our jurisdiction.

Our office's vision is to be BC's independent voice for fairness and accountability. We do not advocate on behalf of people making a complaint about public services, or on behalf of public bodies. Instead, we advocate for fairness and good public administration.

As an independent statutory office, our mandate is to ensure that the people of British Columbia are treated fairly by public bodies, promote fairness and accountability in public administration, and provide independent and impartial oversight of public bodies in BC. We fulfill this mandate by responding to complaints and enquiries from members of the public, and by conducting investigations of complaints made about local and provincial public bodies.

In 2019, the Ombudsperson received a second mandate to investigate allegations of wrongdoing under BC's new whistleblower protection law, the *Public Interest Disclosure Act*. Under this law, current and former BC public servants are able to seek advice and make disclosures of public sector wrongdoing to the Ombudsperson and are protected from reprisal for doing so.

Since 2017, the Ombudsperson has also offered training and consultation services to public sector organizations, strengthening fairness in service delivery, complaint handling and program design as well as supporting the implementation of the *Public Interest Disclosure Act*.



Investigative Process

Ombudsperson staff respond to an average of 8,000 complaints and enquiries each year from the public. Many of these complaints are referred back to the public body if the person has not raised their concerns with them directly before approaching our office. In addition, many of these complaints do not fall within our jurisdiction under the *Ombudsperson Act*, or are simply requests for information and therefore do not result in investigation.

Our Intake and Early Resolution Team determines which complaints can be resolved with minimal intervention from our office, and which should be referred for further assessment and possible investigation. We conduct approximately 1,000 individual investigations per year. These are handled by our three specialized investigative teams, divided into program and service areas. Our Systemic Team conducts more in-depth Ombudsperson-initiated investigations into broader issues that have an impact on many people.

Ombudsperson investigations are independent, impartial and confidential. These are key features of ombuds work worldwide, and differentiate our process from other types of reviews such as public inquiry processes or reviews undertaken by advocacy organizations. We do not prejudge complaints; instead, we collect information and hear both sides before reaching any conclusions about whether a public body has acted fairly in delivering its services.

Our work is consultative and resolution-focused. We aim to work together with public sector employees to search for solutions to problems we identify through our individual investigations. Through consultation with a public body, we are usually able to reach a resolution to individual complaints and make suggestions for improvement to the administration of public policies.

Although the Ombudsperson has the authority under the *Ombudsperson Act* to report findings and recommendations to the Legislative Assembly, it is our preference to work cooperatively with public bodies to reach consensus on needed improvements, and we are able to achieve this in the vast majority of our investigations.

Common resolutions to our individual investigations include:

- a better explanation or clearer reasons for a decision
- a new hearing or reconsideration of a previous decision
- an apology
- a refund or reimbursement of expenses
- access to a benefit previously denied
- a commitment to follow policy in the future
- recommendations for employee training
- changes to policy, procedures, and sometimes legislation

WHY DOES FAIRNESS MATTER?

Fairness in public service delivery has several important features. It includes allowing people to be heard in processes that affect them, ensuring decisions are made without bias and acting consistently with the rules that apply. It is also about making decisions that are considerate of the individual's needs and circumstances and based on relevant information. Fairness is also about providing clear and meaningful reasons for decisions so the person affected can understand what process your organization followed and how it came to the decision it did.

By following a fair process, members of the public can better understand the reasons for decisions being made by those in positions of authority. It helps to build public trust in public services if decision makers can clearly demonstrate and explain how and why decisions are made. We find in our work that when public bodies deliver their services in a fair and transparent manner, people are more likely to accept a decision or outcome, even when they don't agree with the decision itself.

Fairness in public service delivery is in everyone's best interests. Ensuring your policies, procedures and practices are fair is good for your organization, your employees and the people you serve.

Cultural Humility

In public service, both clients and public sector employees bring their own history, expectations, experiences and beliefs to each encounter. Fairness in public service delivery requires public sector employees to adopt a stance of cultural humility in their work.

In public service delivery, cultural humility is the capacity of public sector employees and organizations to respond appropriately and effectively to people of diverse backgrounds and identities. The goal in developing a stance of cultural humility is to create an environment of respect and cultural safety for all service users.

There are three main tenets of cultural humility, which invite public sector employees to:

1. Engage in lifelong learning and critical self-reflection on their own cultural biases, assumptions and practices, recognizing that we all have cultures, not just the people receiving services from public bodies.
2. Recognize and challenge power and privilege imbalances that are often inherent in the public service provider/client dynamic.
3. Challenge institutional-level barriers that affect marginalized communities and emphasize institutional accountability.

Adopting an approach of cultural humility encourages public sector employees to develop respectful partnerships with clients and helps to ensure fairness in public service delivery.

THE FAIRNESS TRIANGLE



Although each of us has an instinctive sense of what fairness is, it can be a difficult concept to define and there are often different views on the requirements of fairness in any particular case. We offer the Fairness Triangle as a tool to help understand what fairness means in public service delivery. The Fairness Triangle provides standards for fair actions and decisions in the delivery of public programs and services. By using the Fairness Triangle, it is easier to understand why a service user may perceive a decision or experience as being unfair. It also helps to pinpoint what can be corrected.

The Fairness Triangle illustrates that fairness in public service delivery has three main dimensions: fair process, fair decision and fair service. It is important to note that the three parts of the Fairness Triangle overlap.

Fairness means more than just making the right decision and following the right process. Fairness is also tied to interpersonal treatment and interactions. Even where a person has received a fair process that resulted in a fair decision, the quality of the interaction with the public body may still cause them to feel unfairly treated.

Fair Process: How was the decision made?

A fair process, also known as procedural fairness, refers to the process that public bodies follow to make decisions that affect a person, group of people or organization. It includes the steps a public sector employee takes before, during and after making a decision.

A fair process requires:

An impartial decision maker	Reasonable notice that a decision is going to be made
Clear information about the decision-making criteria	
An opportunity for the person affected to be heard and have their views considered	A timely decision
Clear and meaningful reasons for decisions	Information about any available review or appeal processes

Example of an unfair process:

Maryam's mother moved into a residential care facility for people with dementia three years ago. Recently, Maryam relocated to a different city to take on a new and exciting opportunity at work. However, this move meant that she was now a two-hour drive away from her mother. After talking with her mother, she requested that the health authority transfer her to a facility that would be closer to her new home. The health authority denied her request. When she asked why it was denied, the health authority simply responded that was their policy, but did not provide Maryam with a copy of the policy or any further explanation for the decision. When Maryam requested that a supervisor review the decision, she was told that there was no review process available and that the decision was final.



Fair Decision: What was decided?

A fair decision, which is also known as substantive fairness, refers to the decision itself and includes following the relevant rules to reach a fair outcome for the person affected.

Fair decisions are:

Made with appropriate legal authority

Made in accordance with applicable rules, laws and policies

Based on relevant information

Considerate of the individual needs and circumstances of the person affected

Based on rules that are fair (not unjust, improperly discriminatory or unreasonably burdensome)

Example of an unfair decision:

Luis applied for income assistance after he lost his job a year ago and was unable to find a new one. He makes around \$150 a month selling his paintings. When Luis applied for income assistance, he was denied because he made over \$100 a month. Luis did not think this decision was fair as the policy that he found online said that a person could make up to \$500 a month while still qualifying for income assistance.



Fair Service: How was I treated?

Fair service, also called relational fairness, refers to how a person is treated in their interaction with a public body. If a person feels that they were treated disrespectfully, or that a public sector employee was not honest and forthright with the information they provided, even if the decision was procedurally and substantively fair, the person might still raise a concern about the service they received.

Fair service includes:

Active listening	Making information clear and easily accessible
Being honest and forthright	Offering respectful and courteous treatment
Being transparent about what you can and cannot do	Respecting confidentiality
Being accountable and apologizing if you or your organization makes a mistake	
Being trauma-informed	Demonstrating cultural humility

Example of unfair service:

Jonathan applied to his local government for a business licence for his new restaurant. Jonathan uses a wheelchair and was concerned about accessing the permitting department of his local government so he called ahead to find out where to go. The clerk on the phone did not know, and put him on hold for 20 minutes to find out the answer. When the clerk returned, they did not acknowledge the long delay. However, the clerk confirmed that Jonathan could access the permitting department through the main entrance of City Hall and also confirmed that it was wheelchair accessible.

When Jonathan arrived at the main entrance of the building, there was one step into the entry. Frustrated, he waited until a security guard came around to show him where the accessible entrance was at the side of the building. After he had received his business licence, he asked why the clerk hadn't informed him of the accessible entrance on the phone, to which the clerk just shrugged. Though he received his business licence, Jonathan felt that his local government had not treated him fairly.

ADMINISTRATIVE DECISION MAKING

Administrative decisions are decisions made by a public sector employee under legislation. Administrative decision making is a key part of delivering public services and despite the routine nature of many administrative decisions, they can have a significant and immediate impact on people's lives. Examples of administrative decisions include:

- processing an application for a driver's licence, homeowner's grant, building permit, student loan, or PharmaCare coverage
- deciding whether to issue a business licence or income assistance benefits
- determining whether to place conditions on a registered psychologist's practice

Administrative decisions are different from public policy, political or court decisions. They are also different from clinical decisions, such as whether a person receives a particular medical treatment, or other decisions reflecting the exercise of professional judgment.

Where does the power to make decisions come from?

The power to make administrative decisions comes from legislation. In order to make a decision, public sector employees must have legal authority to do so and must know and understand the legislation, including the specific provisions that authorize them to make decisions.

Some public programs and services operate under policy only. In these cases, public sector employees should ensure that they are familiar with their governing policy and that they are the appropriate decision maker pursuant to that policy.

The public sector employees who are authorized by legislation to make administrative decisions are sometimes called *administrative decision makers*. Administrative decision makers also include boards, tribunals and committees created by legislation to determine specific issues, as well as individuals working for public bodies from deputy ministers to executive directors to junior employees. Administrative decision-making power is also often delegated. This means legislation may authorize a particular person, such as a minister or director, to make decisions and also authorize that person to delegate their decision-making power to other employees in the organization.



The role of administrative law

Administrative law governs the exercise of power and authority by public bodies. A key principle of administrative law is the *rule of law*, which requires those exercising public authority to act within the authority they are granted under legislation. This means administrative decision makers are required to follow and comply with the law that empowers them to make a decision.

Power in public service delivery

Depending on the type of service or program your organization provides, you may hold significant power in your relationship with the people that your organization serves. It is important to be aware of this power and consider how it affects your decision making and interactions with the people your organization serves.

People accessing your service may also have certain perceptions about the power you have to make decisions or to address their situation. They may not fully understand your decision-making power, which can lead to conflict if the person misunderstands your authority or holds certain beliefs about what you can accomplish for them. It is important to clarify any misunderstandings a person has and ensure that information about your organization's programs and services is easily accessible to the public.

In some contexts, such as health care, corrections, and for families with children in care, a person may be an involuntary client and obliged to receive services from your organization. This can affect the person's sense of power and control over their life, and also likely their perception of your organization. In these situations, it is important to consider whether the person you are dealing with has a choice about whether they receive services from your organization. Clients who are obliged to receive services may appear to be uncooperative, distrustful or hesitant.

As a result, when working with involuntary clients it is important to:

- be mindful that it can be an upsetting and disempowering experience to be obliged to receive government services
- listen to and try to understand and acknowledge their perspective and experience
- incorporate the person's perspective into your decision making
- develop a respectful, effective working relationship with them
- explain what your role is, the power you hold in their situation and the decisions you may make that could affect them

PROCESS FAIRNESS

What is process or procedural fairness?

Process or procedural fairness is a concept that evolved from the rules of natural justice that were developed by the courts in order to guarantee a fair hearing to a person affected by a court's decision.

The rules of natural justice require the right to an independent and unbiased hearing and the right to be heard. Historically the rules of natural justice were limited to court decisions, meaning that they did not apply to decisions made by public bodies.

However, with the increasing engagement of public bodies in delivering a wide variety of public programs and services, Canadian courts concluded the rules of natural justice (now known as the duty of procedural fairness) should similarly apply to decisions made by public bodies where those decisions affect the rights, interests or privileges of a person.



Adrian Raeside

Procedural fairness is now commonly referred to in short form as simply “fairness” or a “duty of fairness.” Despite this change in wording, the focus remains on ensuring that public bodies use fair procedures in making decisions that affect the people they serve.

Why is process fairness important?

Think for a moment about the number of different regulatory areas where important decisions are made by public bodies. These are just some:

land use/zoning/density

forestry and mining

medical and drug plans

employment and labour standards

income assistance and housing

law/medicine/dentistry/nursing

health and safety

human rights

As you can see, decisions of government touch almost every area of human activity. These types of administrative decisions being made by public bodies can have a profound and immediate impact on the people they serve.

In these next sections, we look at the two constituent elements of process fairness in greater detail.

How process fairness can benefit you:

- supports decision making that is transparent and understandable
- ensures your organization is using consistent and fair procedures when making decisions
- promotes sound public administration by ensuring that decisions are made with input from those affected by them
- supports making well-informed decisions. Well-informed decisions are likely to be better decisions

1. Impartial decision maker

The right to an impartial decision maker means that decision makers must approach each decision with an open mind, be open to persuasion and should not prejudge or form an opinion about the person or case before hearing from the affected parties.

Those who make administrative decisions must do so without bias or prejudice, either real or perceived. Being an impartial decision maker means that the person making decisions must not have any personal interest in the decision being made, and must not have predetermined the matter prior to hearing from the parties and considering their information and evidence.

The question is not merely whether there is actual bias, but whether a reasonable person could *perceive* bias. There are a variety of situations that can give rise to a reasonable apprehension of bias. These include a personal, family or business relationship with a party, a history of hostility towards a party, or a decision maker's active involvement in a matter prior to their review, reconsideration or appeal. The appearance of bias can also arise through a decision maker's interactions with a party, such as treating a person affected by their decision in a rude or inconsiderate manner.



Members of the public who do not agree with the outcome of a decision sometimes allege that the decision maker was biased. Although bias can be difficult to prove, it is important to remember that it is not necessary to demonstrate actual bias in order to bring the fairness of a decision into question. The fairness of a decision-making process can be undercut by the mere perception of bias, where that perception is deemed to be reasonable. The test for reasonable apprehension of bias was originally set out by former Supreme Court Justice de Grandpré:

“What would an informed person, viewing the matter realistically and practically – and having thought the matter through – conclude? Would he think that it is more likely than not that the [board member], whether consciously or unconsciously, would not decide fairly?”

– Committee for Justice and Liberty v. National Energy Board, [1978] 1 SCR 369 at para 394, [1978] 1 RCS 369.

Courts across Canada have repeatedly endorsed this test, explaining that a reasonable apprehension of bias does not require a finding of actual bias. It merely requires that a reasonable person, informed of the circumstances, would reasonably perceive bias on the part of the decision maker.

Implicit bias

Implicit bias is another type of bias. Unlike the legal concept of bias that focuses on preventing consciously biased decision making, implicit or unconscious bias presents a unique challenge because it suggests the possibility that we treat others differently, without any awareness of doing so, based on a set of unconscious mental shortcuts. These mental shortcuts, also known as attitudes or stereotypes, include both favourable and unfavourable assessments of other people based on their characteristics. The implicit associations we hold are difficult for us to recognize because they are activated without our awareness and are deeply rooted in our thinking processes. They are influenced by all of our life experiences, including our upbringing and the information, popular culture and media we have been exposed to.

Talking about bias can be uncomfortable. However, in public service delivery, we have a duty to identify our own potential biases and step through any discomfort so that we properly consider how our biases might influence the way we deliver services to others.

Addressing implicit bias

While there is no simple answer or solution to address implicit bias, there are some steps you can take to counter it. These are:

- **Acknowledgement and mindfulness:** Research has shown that if a person believes they are unbiased, they are more likely to discriminate. It is important to acknowledge our biases and monitor our own thinking to see where implicit bias may be at play. Being more deliberate in our thinking is a key step to guard against implicit bias.

- **Take adequate time to make decisions:** Because implicit bias is a result of unconscious mental shortcuts, it is more likely to affect us when we are tired, in a hurry or distracted. To prevent implicit bias from affecting decision making, it is helpful to slow down and reflect before taking an action or making a decision.
- **Think of counter examples:** Research has shown that thinking of a counter example that is different from what our automatic thinking process suggests is one of the most powerful ways to counter implicit bias. For example, if when you think of a doctor you automatically think of a person of specific age, ethnicity or gender, you can recognize this thinking as being driven by implicit bias, label it as biased, reflect on what led you to think this (past experience, popular culture, etc.) and replace this example with a counter example. In this example, you might think of a doctor who helped a family member or friend who does not meet the description of who you automatically thought of.



2. Participation rights

The right to participate in decisions that affect a person's rights, interests or privileges is the second element of process fairness. In this section, we look at participation rights, which include reasonable notice of a future decision, proper disclosure of the decision-making process, an opportunity to respond to information that may adversely affect a person, and adequate and appropriate reasons for decisions.

Given the wide range of decisions that occur within government and the broader public sector, the scope of a person's participation rights will vary. However, generally speaking, a person affected by a decision should have a fair opportunity to present their information and evidence to the decision maker before a decision is made.

The scope and extent of the participation rights required will depend on the nature of the decision, the importance of the decision to the person affected and the specific circumstances of the case. There may be legislated requirements and limits to a person's participation rights that must be followed.

Generally, a fair process is one where the following key participation rights are included:

Notice of the decision being considered

A fair process is one where reasonable notice of the decision being made is provided, along with sufficient time for the person to gather information and evidence and prepare a response. Decision makers should also consider whether there are any circumstances or factors that could affect a person's ability to make a submission or provide a response. In these circumstances, decision makers should make appropriate allowances – for example, provide an extension, where appropriate.

Information about the decision-making process

As a general rule, reasonable notice should also include disclosure of sufficient information about the decision-making process to the person affected by a decision, including:

- the specific rules and criteria (e.g. legislation and/or policy) being used to make the decision
- any information you require from the person in order to make the decision
- any information relevant to the decision that you already have received so the person affected can respond to this information. It is important that you provide the person sufficient access to the information you will rely on, particularly where that information is adverse to their interests.

Opportunity to be heard

The opportunity to be heard requires that decision makers provide the person affected by a decision with an opportunity to tell their story, present their case and share any information or evidence they have that is relevant to the decision-making process. They must have a fair opportunity to present their case, to challenge or correct the facts that the decision maker is relying on, and to provide alternative or contrary information in support of their position. A person affected by a decision should have an opportunity to be heard in a meaningful way before a final decision is made. Consider whether there are any barriers to meaningful participation such as education or language differences, and ensure that accommodations are made in those circumstances, including access to translators, advocates or other support as needed.

Reasons for a decision

Providing clear and meaningful reasons for decisions is a fundamental part of process fairness. Giving reasons for decisions helps a person see the facts and reasoning that were the basis for the decision and see that the decision was not made arbitrarily. It also ensures that the person affected by a decision is able to see to what extent any arguments they put forward were understood, accepted or formed a basis for the decision.

We find in our work that when decision makers provide clear and meaningful reasons that connect the dots for people, from the facts to the law to the conclusion, these reasons are more likely to be accepted by the person affected because they are able to see why that decision was made, even if they do not agree with it.

Decision makers who provide reasons and who record them in some manner, even if just in note form, are also better able to see if the relevant rules have been complied with based on the information before them. While providing written reasons is not a complete answer to the issue of addressing implicit bias discussed earlier, being more deliberate and intentional in decision making can help to counter the automatic and largely involuntary feelings and attitudes about others that can creep into and affect the decisions we make.

When decision makers provide reasons, external oversight bodies are also sometimes in a better position to assess whether or not a decision was reached based on relevant considerations. The Ombudsperson might decline to investigate a complaint where a public body provided adequate written reasons that clearly tie the existing evidence and relevant rules to the decision made. Without reasons, public bodies are often not able to demonstrate that a decision was made fairly or reasonably.

Decision makers should also be sure to make and communicate their decisions in a timely manner. Sometimes legislation or policy will provide a specific decision-making timeframe. Where legislation or policy is silent, decision makers should still be sure that they make and communicate their decisions with as little delay as possible.

Generally speaking, reasons should include:

- the issue to be decided
- the information and evidence relevant to the issue
- the applicable rules (legislation, policy etc.)
- any legislative, policy or procedural requirements the decision maker was required to follow
- how the information and evidence gathered was considered and assessed in the decision-making process
- what decision was made
- information about any appeal or review mechanism available to the person

DECISION FAIRNESS

Making good decisions

As a general rule, decision-making processes in the public sector should be transparent and understandable to the people who are accessing the program or service. We have identified some basic steps that can assist administrative decision makers in making fair decisions for the people they serve.

The five basic steps that help public bodies make good administrative decisions are as follows:

1. clarify the issue or question
2. determine the applicable rules
3. consider the relevant information
4. apply the rules to the information provided to reach a conclusion
5. document your decision

STEP 1

Clarify the issue or question

First, it is important that you are clear about the issue or question you have to decide. Sometimes the issue is obvious - for example, does the person meet the eligibility criteria, or did the person meet the filing deadline. However, sometimes the issues are more complex, and you will need to clarify what issues or questions you have been tasked with deciding.

STEP 2

Determine the applicable rules

Before making a decision, you need to determine the relevant rules in the situation. Knowing the rules that are relevant to the issue will help you determine what information you need to consider in order to make the decision. For administrative decisions, these rules are often found in legislation, regulation or policy. They can also be found in other documents, like procedures, guidelines, technical manuals, rules, codes, interpretative bulletins or practice directives.

STEP 3

Consider the relevant information

It is important that you request and consider all of the relevant information that you need to make an informed decision. Relevant considerations include information and evidence that speak to the decision-making criteria. For example, if you are determining eligibility for an energy-efficiency home renovation grant, relevant information would be information that shows a person does or does not meet the eligibility criteria for the grant.

Your decision should not be based on evidence or information that is irrelevant to making the decision. In the example above, an irrelevant consideration might include the frequency with which the homeowner called to check on the status of their grant application.

In order to ensure you have access to the necessary information, you may need to interview the person affected by the decision, speak with others with relevant knowledge, and/or review documents and records. Some public bodies have the power to conduct investigations and may engage in more fact-finding as a part of their process. It is important to follow a procedurally fair process when gathering this information – the goal here is to ensure you have all of the relevant information needed to make a decision.

This information may be provided to you in a variety of ways from a phone conversation with an applicant for a benefit, to a formal in-person hearing with legal counsel representing the different parties. The key is to ensure that the person affected by the decision is provided an opportunity to tell their story and make their case.

You will then need to evaluate the extent to which this information is reliable and relevant to the situation at hand. It is helpful to start with identifying the facts that everyone agrees on. Then analyze the contested facts, and determine if you need to ask for more information in order to weigh the evidence and make a decision. You may have to go back and request additional information in order to make an informed decision.

STEP 4

Apply the rules to the information provided to reach a conclusion

Once you have gathered all of the relevant information, apply the rules to make your decision.

The standard of proof for administrative decisions is typically a balance of probabilities. This means that when weighing all of the information in the context of the rules that apply, it should be more probable than not that the matter should be decided in a specific way. This requires decision makers to give adequate weight to a relevant fact, and not excessive weight to a matter of little importance to the decision at hand. If you ascribe less weight to a piece of evidence that the person believes is important to the decision, be prepared to explain how you considered their information in your analysis.

In conducting your analysis, ask yourself whether an objective and reasonably well-informed person would reach the same conclusion given the evidence available.

STEP 5

Document your decision

Lastly, it is important to document the decision you make and the reasons for it by making a record at the time the decision is made. Without a record of the decision, it can be difficult to later recall what the decision was or the reasons for it. Communicate your decision verbally or in writing depending on your established policy or rules.

The level of detail and the formality of your documentation will depend on the decision you are making. For some decisions, it is sufficient to make point form notes of your decision and the reasons for it. In other cases you will need to set out in detail the issue you considered, your analysis of the information you gathered, and how you applied the applicable rules to reach your conclusion. Where the decision is important and has a potentially significant impact on a person, your documentation should contain a greater level of detail.



Discretion

Discretion is the ability to make a choice among one or more different possible courses of action and it is a fundamental part of administrative decision making. Legislation and policy cannot cover every possible scenario with one set of rules. Effective decision making relies on public sector employees being able to apply their judgment and use discretion to consider the given circumstances of a case.

The exercise of discretion must comply with all applicable legislation and be consistent with its purpose. Discretionary decisions should demonstrate a reasonable interpretation of the applicable legislation or policy, and should be considerate of the individual needs and circumstances of the person affected.



Discretion can exist both in the choice of decision-making procedures and in the actual substantive decision. The use of the word “may” in law or policy indicates that a decision maker has discretion. Non-discretionary decision rules often include the words “must” or “shall”.

Where discretionary decision making is permitted by legislation, public bodies should develop clear policies to help guide staff and promote consistent and fair practice. A well-written policy should contain a clear explanation of the purpose of the policy and what factors should be considered in making discretionary decisions. This can help to avoid arbitrary or inconsistent decisions, and also provides the public with clarity and details on how and why discretionary decisions are made.

Fettering discretion

Fettering discretion can occur when a public body binds itself to policy, and does not allow staff to make exceptions or consider each case on its own facts. Although administrative decision makers can be guided by policy, they must not uncritically apply policy to the exclusion of the individual case they are deciding. It is common for public bodies to develop policies to guide staff in exercising their statutory authority. In our experience, when policies are written in a more restrictive way than the legislation intended, sometimes the interpretation and application of the policy becomes more restrictive over time. When making discretionary decisions, it is important not to apply policy or guideline documents in a “one-size fits all” approach, without making an independent judgment about how the policy should apply in the individual circumstances. Policies must be flexible enough to reflect the full discretion allowed by legislation.

As an example of how discretion works, a government policy may request that a person submit their income tax return on an annual basis to maintain eligibility for an ongoing benefit or subsidy. Let’s assume that the person receiving the benefit or subsidy failed to submit their income tax return by the deadline as a result of an extenuating circumstance, such as a temporary health or family crisis.

In this case, in the absence of a specific legislative provision that states otherwise, the decision maker could consider whether the rules provided some flexibility to extend the deadline to submit the required documents, or whether they could accept other income verification documents such as bank statements as proof of income for determining eligibility. If the intent of the policy is to determine whether a person continues to meet the financial eligibility criteria for a benefit or subsidy, in the circumstances it may be reasonable to either extend the deadline or accept another form of income verification.

Equitable treatment in decision making

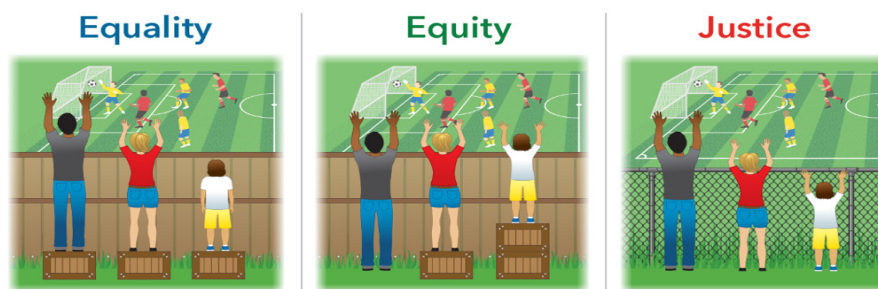
Equity and equality are two approaches we can use in an effort to promote fairness. Although people often use these terms interchangeably, there are important distinctions between them.

A focus on equity or substantive equality means recognizing that people differ in their abilities, resources and experiences and that these differences can become barriers to accessing opportunities and benefits. When we ignore these barriers, we can end up inadvertently reinforcing privilege. Not everyone starts at the same place or has the same needs. As a result, equity focuses on ensuring that people have what they need in order to access important resources.

Equality, in contrast, aims to ensure that everyone gets the same things, but it ignores that everyone has a different starting point socially, economically and environmentally.

You can see in this picture how the concepts of equality and equity differ and why it is important to consider people's individual circumstances.

Although treating everyone exactly the same without regard to their individual circumstances may be treating them equally, treating people according to their needs is treating them equitably and fairly. This is the difference between equality and equity. By removing the barriers entirely, in the third picture we achieve greater justice for everyone.



Adapted from concept by Craig Froehle

By using this particular image, we want to emphasize the point that fairness doesn't mean everyone gets the same treatment, but rather that everyone gets what they need, to the extent that can reasonably be expected in the circumstances.

There is a legal requirement for public bodies to consider an individual's unique circumstances and to ensure all members of the public have full access to the service being provided. This *duty to accommodate*, which is set out in human rights legislation and case law, requires public bodies to accommodate and respect the individual differences that exist in our diverse society, and prohibits discrimination based on personal characteristics that are protected by the BC *Human Rights Code*, RSBC 1996, c 210.

Decision-making checklist

This checklist outlines important aspects of decision making for you to consider before making a decision on behalf of your organization.

Before making a decision

- ☐ Can I make this decision?
 - ☐ Ensure you have the power/legal authority to make the decision.

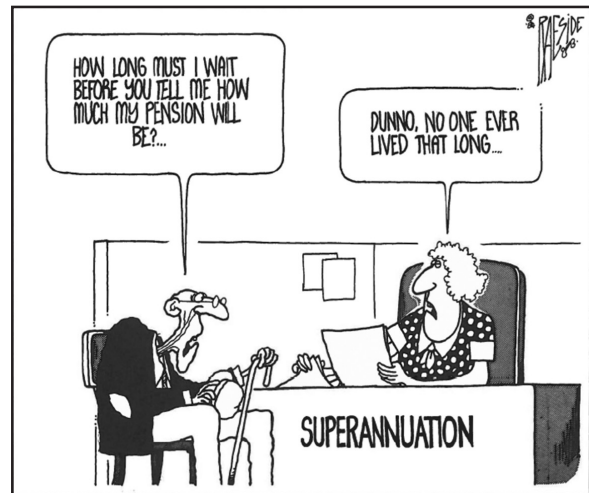
Decision-making process

- ☐ What rules apply to this decision?
 - ☐ Legislation? Regulations? Bylaws?
 - ☐ Policy? Procedures? Guidelines?
- ☐ Do I understand the rules relevant to the decision I am making?
- ☐ What information is required to make a decision? Who has to establish the facts of the case?
- ☐ Is the decision-making process fair?
 - ☐ Am I an impartial decision maker? Do I have an open mind, and am I unbiased in this matter? Could someone perceive bias on my part?
 - ☐ Have I provided the person affected by the decision:
 - ☐ Adequate notice of the impending decision with sufficient time to prepare a response.
 - ☐ Information about the decision-making criteria and process.
 - ☐ The information or evidence that I will use to make the decision so they can respond and present any contrary information.
 - ☐ An opportunity to present their case and have their information considered as part of the decision-making process.
- ☐ Do I have all the information I need to make a fully informed decision? Do I need to seek further information and evidence in order to make the decision? From whom?
- ☐ What evidence is the decision based on? Have I explained how I weighed competing evidence to reach my conclusion?
- ☐ Have I applied the rules correctly to the facts of the case?
 - ☐ Have I considered only relevant information? Do I have discretion? Have I exercised the discretion I have appropriately?
 - ☐ Have I understood and interpreted the rules correctly?
 - ☐ Have I explained to the person how the rules applied to their case and is my analysis of the facts reasonable considering the person's individual circumstances?
- ☐ Have I provided sufficient reasons for my decision? Do my reasons explain what I considered in reaching my decision and why I made the decision? Should I provide reasons verbally or in writing?
- ☐ Have I adequately documented my decision?

SERVICE FAIRNESS

Service is another important aspect of fairness in public service delivery. We think of it as the relational or human side of fairness. It includes taking time to listen to people accessing your services, showing courtesy and respect, demonstrating cultural humility, being trauma-informed in your approach, maintaining confidentiality, being honest and forthright, ensuring transparency in decision making and being willing to apologize if you make a mistake.

When a person believes that the service they received was disrespectful, difficult to access or unresponsive to their needs, their reaction may be immediate and emotional.



Adrian Raeside

In public service, despite our best efforts, mistakes happen. When they do, it is important to identify a complaint or concern early and then use an approach that will prevent the situation from escalating into a more serious conflict.

In this section, our focus is on what to do when someone has a concern or complaint about an aspect of their experience with a public body. Although complaints about a public body are not necessarily about a service issue (they could also be about a perceived flaw in the process, or the decision itself), the practice of complaint resolution highlights the type of skills that are integral to ensuring fair service – the final side of the Fairness Triangle.

Informal complaint resolution

A complaint is an expression of dissatisfaction with the quality of an action, a decision made or a service provided. People often raise complaints about public bodies in an effort to right a wrong, seek accountability from the service provider, prevent a similar occurrence from happening again, or to request compensation or access to a benefit previously denied. Many times, people simply want an acknowledgement from the public body and an apology for what transpired.

The most effective level of complaint handling, and the best time to resolve these concerns, is at the first point of contact. We find that depending on the response received at this first level, the person can be satisfied that their concerns were adequately heard and addressed. If their concerns were not addressed, there may be further escalation of the person's complaint. The following tips for informal complaint resolution can help public sector employees at any level to respond effectively, and fairly, to a person's complaint or concern.

Welcome the complaint

As a starting point, it is important to have an organizational culture that values complaints and to have a system in place to assist people who wish to make a complaint. Although it can be uncomfortable to get negative feedback about the work that we do, being receptive to complaints gives us a chance to resolve problems and promote the public service value of accountability. Complaints also give us important information that we can use to improve our services and maintain good relations with the public.

It is also important to have multiple channels available for people to make complaints. For instance, service fairness and accessibility may include accepting complaints in multiple languages, having flexible hours, allowing authorized representatives to make complaints, and accepting complaints in different formats (e.g., by telephone, in-person, online or in writing).



Mike Baldwin

Once a public body receives a complaint, it is important that there are staff trained in effective complaint handling to provide a response. Listening is the single most important skill required for effective complaint handling. Often, the person making the complaint will be unclear as to what they want to achieve. As a result, they may provide too much information because they are not sure what is relevant, or not enough information pertaining to the core of their complaint. It is important to use active listening techniques and be trained to ask the right questions in order to determine what the core issue of their complaint is.



The importance of active listening

Active listening is an important part of service fairness and is particularly important in complaint handling. For informal complaint resolution to be effective, it is important to listen to what the other person is saying and to demonstrate that you are listening to them. You can do this through active listening. Active listening involves providing the person with your full attention, maintaining appropriate eye contact, using positive body language and avoiding unnecessary interruptions. Active listening is critical in order to ensure that you understand the person's concern and what they hope to achieve by bringing their complaint to you.

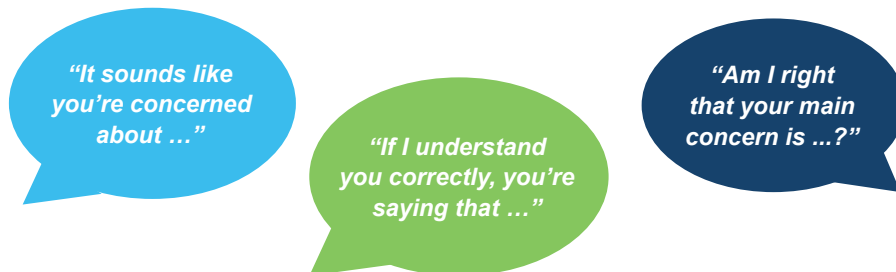
Tips for active listening

Attending

Provide your full attention and demonstrate awareness of the person through appropriate eye contact, open body language and the use of (some) silence to give the person time to think as well as to talk. Avoid interrupting or jumping in. Work on developing your comfort with silence.

Paraphrasing

Repeat what you think the other person has said to check if your understanding is correct. Paraphrasing should not be a verbatim repetition of the person's statement. Skilful paraphrasing can also involve restating negative words, phrases or ideas into neutral, non-judgmental or even positive terms, while retaining the basic points that were made.



Encouraging

Use brief, positive prompts to encourage the person to continue telling their story. Nodding, leaning slightly toward the speaker, and note taking, where appropriate, can also be effective encouragement.

Reflecting

Reflect the person's words in terms of feelings to demonstrate you have heard them. Reflecting is about acknowledging a person's feelings. It does not mean that you agree with them.



Asking questions

Open-ended questions

Questions serve a number of purposes. They can demonstrate that you are listening as well as assist you in gathering and organizing information. Generally, at the beginning of a conversation with a person who wants to share a concern, your questions should be open-ended, rather than closed-ended. Open-ended questions encourage the person to explain or clarify their concern in complete sentences.



In terms of specific open-ended questions to ask, it is a good idea to ask the person what they want to have happen as a result of bringing their concern to you. An effective way to do this is to ask an open-ended question using the word "we". These questions can help to not only clarify the person's objective in raising their concern, but also signal to them that you are open to working cooperatively with them.



Closed-ended questions

Although closed-ended questions invite a "yes" or "no," or specific one-word answer like "Wednesday" or "five," they too have an important function. Closed-ended questions are good for confirming important facts. In addition to confirming facts, you can also use closed-ended questions to resolve confusion or confirm that you have understood the person correctly.



Managing the flow of communication

Avoid the temptation to try to move the conversation on too quickly where you notice that a person is repeating themselves. Repetition often indicates that the subject is very important to the person, and that the person believes that you haven't really heard them yet. Repetition can therefore be a cue that you need to offer feedback on what the person is saying, in terms of paraphrasing or reflecting on the person's words in order to demonstrate that you have heard them.

"It's clear to me that your daughter's care is very important to you. Is there anything else that's also important for me to understand about this?"

Adding extra information

Sometimes you will be aware of additional information not known to the person that is relevant to their complaint. While ensuring compliance with privacy laws and as permitted by policy, it is important that you advise the person of this information and its relevance to their complaint, giving them an opportunity to question its relevance and/or reliability. This aspect of active listening is important in providing fair service to a person, as it ensures the person has access to all of the relevant information that you are considering and an opportunity to respond to any information that may be adverse to their interests. This ties back to the importance of process or procedural fairness discussed earlier.



Although active listening takes time, it has many benefits. These include:

- a better understanding of what the person's complaint is about
- a greater likelihood that the person will share important information with you
- it demonstrates that you are interested in their concerns and willing to look into the matter in order to help them

Using empathy to diffuse anger

Sometimes the person making a complaint about your organization may present with challenging behaviour. It is important to remember that the experience that prompted them to make a complaint could be a significant source of stress, confusion, worry or pain, and that they may also have previously had a bad experience with a public body that causes them to doubt whether their concern will be appropriately dealt with this time.

Even when a person's conduct appears unreasonable, they could have a valid complaint that your organization should be aware of, and it is important to demonstrate empathy in these situations.



Some people who present challenging behaviour may also have underlying conditions or past trauma that you may not be aware of, and responding without judgment is integral to maintaining a good relationship with them. Make it clear that any questions you have come from a desire to understand and help, as opposed to an interest in challenging their information or proving them wrong.

Monitoring your own reaction to the complaint

Responding to complaints from members of the public requires self-management skills and an ability to tolerate other people's strong emotional expressions. It is easy to react to a person making a complaint, especially one who is exhibiting confrontational behaviour. When we feel criticized, we tend to defend ourselves – it is a reflexive habit. However, in order to be effective in responding to complaints and in dealing with conflict, we have to be able to manage our reactions and act intentionally in a way that will ensure fair service to the person making the complaint.

Some self-management techniques include:

- notice your reaction silently (e.g. I am being triggered)
- take a pause and say nothing
- attend to your physical body. Take a deep breath, focus on how your feet feel on the ground, relax your jaw, etc.
- coach yourself with silent self-talk
- remember, it's not personal. It is about the person's experience interacting with your organization

Using some of these techniques can help stop the chain of reactivity that can escalate a complaint into a more prolonged or intractable conflict, and instead allow you to focus on identifying the person's key issues and immediate concerns.

Next steps in responding to a complaint

Explain to the person what will happen next, including how you will address their complaint and when the person can expect follow up from you. Know your limits, and tell the person you will attempt to resolve their concern but are willing to get help from someone else in your organization with more knowledge or authority as needed. It is helpful if you can try to meet any reasonable short-term requests that might immediately resolve the matter. Complaints are best resolved at the first instance, and if not then in as quick a time as the circumstances will allow.

It is important to explain your organization's procedures for dealing with complaints so the person making the complaint knows what to expect. This is about managing expectations in order to minimize the likelihood that the person will be frustrated or disappointed with the complaints process.

The person making the complaint should understand:

Who is handling their concern	What issues you are considering
Approximately how long it will take to investigate and/or respond to their concerns	
The level of involvement they can expect to have with their complaint	If known, what possible outcomes may result from their complaint
What you will do with their information	

When people have realistic expectations about what they can expect after making a complaint, they are more likely to perceive the outcome of the complaints process as fair.

It is also important to discuss any steps that the person needs to take or responsibilities they have in relation to their complaint. These include:

Cooperating with requests for information

Providing all relevant information

Being honest

Treating you and others in your organization with respect

Responding to challenging communication

There are a variety of reasons why people may present with challenging behaviour depending on their individual circumstances, life experience, or other pressures they may be facing. It's important to keep in mind that even when a person's behaviour appears unreasonable, they can have a valid complaint that your organization should be aware of, and being open and giving fair consideration to each complaint is important.

Although we need to ensure a fair process is offered in these more difficult situations, setting limits may be necessary when you find someone's behaviour to be unacceptable. The key to limit setting is to avoid language that is accusatory or passes judgment, and to give the person a choice to respect your limits.



LIMIT SETTING USING THE DESC SCRIPT

The DESC technique was developed by Sharon and Gordon Bower and is discussed more fully in their book, *Asserting Yourself*. DESC stands for **Describe**, **Express**, **Specify** and **Consequences**. The DESC technique suggests that after acknowledging the person's concern, you:

DESCRIBE

Describe the behaviour or problem situation as objectively as possible. Stick to the facts and use non-judgmental descriptions of behaviours.

“Your voice is getting loud.”

EXPRESS

Express your concerns or thoughts about the behaviour/situation. Try to phrase your statements using “I” statements” rather than “You” statements. Beginning sentences with “You” can put the person on the defensive.

“I find it difficult to hear your main concerns when you are speaking loudly” or “I appreciate that this is difficult for you. However it’s difficult for me to understand the issue you want me to look into when your voice is so loud.”

SPECIFY

Specify what the person can do that you would prefer, and then seek their agreement.

“I would appreciate if you could lower your voice so that I can hear you better.”

CONSEQUENCES

Specify the consequences (both positive and negative) relating to the person's behaviour, and then seek their consensus to move towards resolution of the matter. Generally, it is a good idea to start with the positive consequences, which lets the person know that you would prefer to continue to work with them.

Positive: “So that I can better understand your concerns and assist you.”

Negative: “If you are not able to lower your voice, I will need to end our call for now.”

Be prepared that the person may not alter their behaviour. If you have to disengage from the conversation, it's important that you indicate to the person how to reconnect. For example, suggest that they call back when they believe they can resume the conversation, or suggest a time when you will call them back.



Document the interaction

It is important to have a clear, consistent system for recording complaints. This may help to avoid the frustration that people can experience when they are asked to repeat their story to multiple people in the same organization. It also provides a clear record of your interaction, including what you told the person in response to their concerns, in the event that the matter escalates to a higher level.

When recording your interactions, record only the facts: the date, time, location and nature of the interaction and the issues discussed. Try to stay away from recording opinions surrounding the complaint, or any assumption or speculation about the person's intentions or mental status at the time unless they are statements of fact that he or she has provided to you directly. If the person complains to our office that they were not treated fairly in their interactions with a public body, it is extremely helpful to have a clear record of these interactions with the facts that demonstrate how the public body responded to the person's concerns.

Resolving substantiated complaints

Where there is evidence to support the merits of a person's complaint and you find their concerns are substantiated, the resolution of the complaint should be remedial and forward-looking, and not about apportioning blame. This means that the focus should be on how to best address the concern or problem raised by the person. The exact nature of the remedy will depend on the unique circumstances of the complaint, including such factors as the issues raised, the parties involved, as well as any legislative requirements.

Importance of an apology

In circumstances where you are able to identify a mistake or error that your organization made, it is a good idea to offer an apology as soon as possible. Offering an apology is important when things go wrong because we all have an obligation to take appropriate steps to fix problems that we are responsible for, and to restore people's trust in our organization.

In 2006, former BC Ombudsman Howard Kushner wrote a report on the role of apologies. In this report entitled *The Power of an Apology: Removing the Legal Barriers*, Kushner said:

“ *In more than six years as the Ombudsman for British Columbia, I have witnessed, again and again, how one action can make a difference in a small but meaningful way. I have observed that a sincerely offered apology will often satisfy a person who has a complaint.* **”**

Following this report and a discussion paper published by the Attorney General's office, BC became the first province in Canada to enact apology legislation in 2006. [The Apology Act](#), SBC 2006, c 19 was enacted in order to promote the early and effective resolution of disputes by removing concerns about the legal impact of an apology. The Act provides that an apology does not constitute an admission of fault or liability, and that an apology cannot be taken into account by any court in determining whether a person is at fault for an event.

It is inevitable that in the delivery of public services, errors or mistakes will happen. We all make mistakes, and so delivering a sincere apology in appropriate circumstances is critical to fair service delivery. An effective apology given at the right time is more likely to resolve a complaint than any other action you might take.

THE 5Rs OF APOLOGY

Effective apologies tend to share five common elements, which we call the 5Rs.¹ The chances that an apology will be effective are greatly increased if your apology addresses the 5Rs. These are:

RECOGNITION

Includes a description and recognition of the wrong and an acknowledgement of the harm caused.

“Our staff did not ensure that you understood the steps required to make an application.”

RESPONSIBILITY

An acceptance of responsibility for the problem.

“We should have explained the process to you adequately and we did not.”

REASONS

An explanation of the cause of the problem, or a promise to investigate the cause.

“Upon review, we learned that staff have not been consistent in explaining the procedures applicants need to follow in order to submit an application.”

REGRET

This is where your apology statement comes in and it must be an expression of sincere regret.

“We are sorry that we did not provide you with adequate information about our application process and that this delayed your ability to submit your application within the timeframe that you needed to.”

REMEDY

Effective apologies should also explain what you and your organization are going to do to remedy the problem. This is a statement of the action taken, or proposed to be taken, to address the problem.

“We have now fast-tracked your application. We have also used your experience to remind staff of the importance of ensuring that they provide applicants with the information necessary to submit an application.”

¹ Adapted from Kleefeld, J. C. (2007). Thinking Like a Human: British Columbia's Apology Act. *UBCL Rev.*, 40, 769 and New South Wales Ombudsman. (2009). *Apologies: A practical guide*.

Resolving unsubstantiated complaints

If you conduct a review in response to a person's complaint and find you are unable to substantiate their concerns, it is important that you take special care to demonstrate that you took the person's complaint seriously. This includes:

- outlining the steps you took to look into the issue they raised
- explaining that while you tried to address the issue they raised, you were unable to substantiate their specific concerns with the evidence available to you
- telling them that in the absence of further supporting evidence, you are unable to accept one person's word over another and must make your decision based on the information available
- being sensitive to the fact that when you tell the person that you were unable to substantiate their complaint, they are likely going to be unhappy with this response



PROVIDING A GOOD RESPONSE

Once you have considered the person's concerns, whether you were able to substantiate their complaint or not, it is important to communicate with the person who made the complaint about your decision, in addition to any steps you took to remedy the practice, policy, or system that may have contributed to the problem they experienced with your organization.

This follow-up is best done in writing and is an important way of closing the loop and checking to ensure that you have taken appropriate action to satisfy the person's concerns. Without this step, the person may believe you are still reviewing the matter or taking it further, and this can result in anger or disappointment when they learn that your organization is not taking any further action on their complaint.

If the matter can be resolved immediately in-person or over the phone, a written response should be sent as a follow-up to summarize and expand upon your prior discussion and confirm any agreed-upon actions.

Keep these tips in mind as you compose your response:

- detail your organization's understanding of the issues the person raised in their complaint
- address the issues raised by the person and indicate what was done to resolve each issue
- if appropriate, offer an apology early in the letter
- avoid taking the position that everything was handled correctly, as this was not the person's experience
- do not attempt to minimize the person's experience
- outline options for further review or appeal if the person is dissatisfied with the decision

Get feedback before finalizing your response. Written responses to complaints should be drafted with the assumption that they could appear on social media or on the front page of a newspaper. Before sending your response, ask a colleague to read it.

We find in our work that if a public body acknowledges a person's concerns, describes what steps they have taken in response to their complaint, and clearly explains how they considered the evidence obtained in the course of their review, a person is more likely to feel they had access to a fair service.

Tips for setting the right tone when providing your response:

- use the active voice
- address your reader directly
- use plain language
- avoid unnecessary jargon
- avoid including irrelevant personal details

SUMMARY THOUGHTS

Ensuring fairness in public service delivery can be challenging and complex. As we conclude, here are some key thoughts:

- Consider using the Fairness Triangle to help you identify the process, decision and service standards that apply when delivering public services.
- A fair process requires an impartial decision maker who is free from real or perceived bias. It also requires that those who are affected by decisions are provided with a full opportunity to be heard and participate in the process before a decision is made. Following a fair process, consistent with the relevant rules that apply, helps to ensure fairness in the delivery of an organization's programs and services.
- Fair decisions are made by decision makers who have the appropriate authority, are consistent with relevant rules, are based on relevant information, and are considerate of the individual needs and circumstances of the person affected. Providing clear and understandable reasons for decisions helps to demonstrate how the relevant information was considered and the rules were applied to the facts in reaching a decision on a matter.
- Fair service requires that public sector employees use active listening, demonstrate courtesy and respect, make information clear and easily accessible, make timely decisions, and apologize if they make a mistake.

We recognize the important contribution that all public sector employees make in the delivery of effective and efficient services to British Columbians. It is our sincere hope that the information included in this guide will assist you in meeting your organization's objectives for high quality service delivery.

For more information about the Ombudsperson's Public Authority Consultation and Training Team (PACT) or to request further training, consultation or support, please contact us at: consult@bcombudsperson.ca.

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OMBUDSPERSON
BRITISH COLUMBIA

From: Ashlee <

Date: Tuesday, July 29, 2025 at 3:10 PM

To: Council <council@lionsbay.ca>, Michael Broughton
<councillor.broughton@lionsbay.ca>

Subject: Urgent Request to Consider Temporary Trail Closure Due to Fire Risk

Dear Mayor/Council Members,

With the long weekend approaching and no rain in the forecast, I'm writing out of deep concern for the current fire risk in our community. The dry conditions, combined with an increase in visitors and outdoor activity, significantly heighten the chances of a wildfire starting.

A video recently posted to the Lions Bay Facebook page showed a man lighting a cigarette with his car starter — an alarming act of carelessness. While this may seem isolated, the reality is that we have no regular patrols or enforcement in place to prevent or respond to such behaviour on our trails and public lands.

Our family was recently on Vancouver Island, where the *Juan de Fuca Trail* has been closed due to similar dry conditions. Given the extreme risk to our forested hillsides, homes, and the safety of our residents, I strongly urge the Village to consider temporarily closing trails or at the very least, posting clear fire risk signage and enacting strict fire bans, including a zero-tolerance policy on smoking.

Lions Bay's location on a steep slope with limited evacuation routes makes us especially vulnerable. I believe proactive action now can prevent a potential tragedy later.

Thank you for your attention to this urgent matter.

Sincerely,

Ashlee Davidson

Fellow Lions Bay Resident

-----Original Message-----

From: Elaine Dehoney

Sent: Wednesday, August 6, 2025 7:52 PM

To: Lions Bay Reception <reception@lionsbay.ca>

Subject: Letter re non-compliance

Attention to by law officer :

Mr Bindra, you sending me non-compliance letters is getting to be a habit. I am assuming I am not being discriminated against and you are sending other letters. If this is the case, these letters are a waste of time and resources! I am home most days and I can't help but notice when I put my garbage on the street, at whatever time it may be, I am not the first to do so. When I recover the emptied cans, at whatever time that may be, I am not the last. Sometimes there are cans on the street several days after Friday. If your idea of bylaw enforcement is to show up a few minutes before or a few minutes after the prescribed time is somehow good enforcement policies, you may want to look at your priorities!

In the future, if you are going to continue with this ludicrous policy, would you enclose a photograph of the offending garbage can, time of offense with the house address clearly visible. I'm not sure you are connecting the right can with the right house!

While you are roaming around the street you may want to look for cars with no permits or trailers parked on boulevards. I'm sure with a small amount of effort you will be able to find infractions more serious than garbage cans on the street, one of which may be mine.

Thanks for your time

Jim Cannell, 

From: Glen Dennison [REDACTED]
Sent: August 15, 2025 4:06 PM
To: ePost <epost@lionsbay.ca>
Subject: Re: Village Update - August 15, 2025

Hi Lions Bay Management & Councillors,

One aspect of pollution at the Lions Bay Beach you might want to look at is banning overnight sleeping on boats at the marina. Boats may not have holding tanks and the marina has no pump out facilities.

Regards

Glen Dennison

From: [Michael Broughton](#)
To: [Agenda](#)
Subject: FW: Garbage and Recycling Collection - [REDACTED]
Date: August 27, 2025 11:34:18 PM

For agenda, Kristal.

From: MK Blusson [REDACTED]
Date: Wednesday, August 20, 2025 at 2:59 PM
To: Council <council@lionsbay.ca>
Subject: Garbage and Recycling Collection - [REDACTED]

Good Day,

I recently received a notification regarding “continued non-compliance” and that I have been flagged as a Repeat Offending Household in the matter of my garbage and recycling collection. The letter indicated that this was my second notice, however, I did not receive the first notice.

I have an issue with the time that my garbage is to be put out – the earliest time being 10 am. I have other commitments that take me away from the home before 10 am and am usually away until after 1:00. I see that in other areas of Lions Bay, the residents can put their garbage and recycling out beginning at 7:30. I believe it is unfair to have a time dictated that is unreasonable for people that work outside the home and often must leave Lions Bay prior to 10 am. I don’t believe I am the only person concerned about this and wonder if this is something that can be addressed at the next council meeting.

I look forward to hearing from you, hopefully with a resolution.

Yours truly,

Marilyn Blusson

From: [Michael Broughton](#)
To: [Agenda](#)
Subject: FW: Garbage and Recycling Collection - [REDACTED]
Date: August 27, 2025 11:33:35 PM

For agenda, Kristal.

From: Jocelyn Horb [REDACTED]
Date: Wednesday, August 20, 2025 at 7:32 PM
To: Council <council@lionsbay.ca>
Subject: Garbage and Recycling Collection - [REDACTED]

S [REDACTED] this message don't often get email from
[REDACTED] [Learn why this is important](#)

Hello,

I received a notification regarding “continued non-compliance” and that I have been flagged as a Repeat Offending Household in the matter of my garbage and recycling collection. The letter indicated that this was my second notice, however, I did not receive the first notice.

The notice says I must have my garbage out between 10 - 1, however, I work and leave my house by 8:30 and don't come back until late afternoon. Also, I hear from my neighbours that the garbage is generally picked up around 11 , so if I had a neighbour put out my garbage at 1, I would miss the collection. Also, other residents are able to put their garbage out at 7:30. This seems grossly unfair. If it is bears you are worried about, I don't believe they know the time. I have had a bear in my yard on Sunday morning and garbage had been collected Friday. I believe it is unfair to have a time dictated that is unreasonable for people that work outside the home and often must leave Lions Bay prior to 10 am. I would like this addressed at the next council meeting.

I look forward to hearing from you, hopefully with a resolution.

Jocelyn Horb
[REDACTED]

From: Dawn Hope <
Date: Wednesday, August 20, 2025 at 12:42 PM
To: Council <council@lionsbay.ca>
Cc: jay hope <
Subject: Re garbage collection times

Some people who received this message don't often get email from. [Learn why this is important](#)

Dear council,

My husband & I live at Seaview Place, in Lions Bay. I am writing to complain about the garbage pick up times, which are (10 - 1:00 on our street.)

We are retired & have adjusted to these late times, most of the time.

However, Jay & I really think all of these strict times are very unreasonable, & far too restrictive for most residents. We often have appointments, or go away for a weekend, or an activity when we leave the village very early.

I am happy we are educating residents about bear smart practices, but these restrictions are all too difficult for the average person.

We received a warning letter. Upon talking to the bylaw officer, it turns out it was our neighbour's garbage. Never the less, we disagree with the current enforcement of warning letters, etc.

Please put us on the list of residents who strongly oppose any bylaw to ticket residents, proposed by council.

Thanks, Dawn & Jay Hope

From: Jonathan Wreglesworth [REDACTED] >

Sent: August 27, 2025 1:50 PM

To: info@lionsbayarts.ca

Cc: Council <council@lionsbay.ca>; Chief Administrative Officer <CAO@lionsbay.ca>;
nick@nickbray.ca; aaron@nickbray.ca

Subject: Re: Lions Bay Beach Park Washroom Building - Potential Art Work

On Aug 27, 2025, at 1:43 PM, info@lionsbayarts.ca wrote:

With the upcoming commencement of the renovations to the Beach Park, Lions Bay Arts wanted to advise you of discussions we have had with Nick Bray, Architect regarding art work applied to the exterior of the washroom building.

In early July, Jonathan Wreglesworth, Team Lead for Public Art and Design and I had a zoom call with Nick Bray and his associate Aaron King. I had met Nick at the public meeting some months earlier and had expressed to him Lions Bay Art's interest in being involved with public art for the project.

During our meeting in July, we discussed various options for how art might be applied to the building. In the course of these discussions, we were told that there was currently no allowance within the budget for any art work to be contemplated and further that the artwork currently shown on the rendering of the project, had been randomly selected.

We have included our follow-up correspondence to this meeting with the architects, but have had no response from them as to the conditions that we proposed in order to facilitate our involvement with the project.

Lions Bay Arts remains interested in assisting the Village with this project. We are very concerned that if the current renderings are made public, there will obviously be an expectation that the building will look like the renderings. "You cannot unsee what you have seen." Unfortunately, the building without some appropriate artwork might prove to be underwhelming.

In conclusion, if requested, Lions Bay Arts can provide an estimate of costs to provide the appropriate artwork for the building, should Council believe it is required.

We await your response.

Regards,

Ute Philips, President

Lions Bay Arts

Ute Philips

President

Lions Bay Arts

www.lionsbayarts.ca

<Beach Park Washroom Building Art Work.pdf>