



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

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**REGULAR MEETING OF THE COUNCIL  
OF THE VILLAGE OF LIONS BAY  
HELD ON TUESDAY, APRIL 10, 2018 at 7:00 PM  
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

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**MINUTES**

In Attendance:

Council: Mayor Karl Buhr  
Councillor Fred Bain  
Councillor Norm Barmeier  
Councillor Jim Hughes  
Councillor Ron McLaughlin

Staff: Chief Administrative Officer Peter DeJong  
Chief Financial Officer Pamela Rooke  
Public Works Manager Nai Jaffer  
Office Coordinator Shawna Gilroy (Recorder)

Delegations: 0

Public: 7

**1. Call to Order**

Mayor Buhr called the meeting to order at 7:00 p.m.

**2. Adoption of Agenda**

Moved/Seconded

THAT item 90(1)(a) be added as an additional ground for closing the meeting; and

THAT item 10A be moved and discussed before item 8Ai; and

THAT an additional resolution, called Alternative Approach to DPAs, be added to Item 10A; and

THAT item 8B: Provide Direction for Lions Bay Beach Parking Lot be added; and

THAT item 8Ci: Spillage on Oceanview Road be added; and

THAT item 8Cii: Garbage Letter be added; and

THAT the agenda be adopted, as amended.

**CARRIED**

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

**A. Neville Abbott**

Mr. Abbott advised Council that he had just read the Mayor's on-table reports which were handed out to the Gallery and mentioned the communications lately from the Mayor regarding the idea of going back to the drawing board with the OCP Amendment Bylaw. He requested that Council carefully consider the title portion of this topic as it has been stated that it would not affect residents unless they are developing, however there could be many people who end up with covenants and may not be seen as equal.

Mr. Abbott also queried the Soil Deposit Bylaw on the agenda which was described as "clean-up" however one thing that jumped out at him was that if a tree is more than 8 inches and is on private property, it requires a permit to be cut. He informed Council that this is a big change for the Village rather than simply clean-up of the bylaw.

**B. Louis Peterson**

Mr. Peterson was concerned that the Mayor's on-table report regarding DPA's was voted to be taken off the agenda. He noted that his initial reaction regarding DPA's was that it seemed like a move in the right direction and that Council was showing their due diligence and had spent a lot on consultants to date. Mayor Buhr explained that the item was not removed from the agenda, but simply an alternate resolution which has been added to the table.

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

None

**5. Review & Approval of Minutes of Prior Meetings**

**A. Regular Council Meeting – March 20, 2018**

The following items were amended:

- Item 8Eii (discussed after item 4) – Change the title of the report to "LBFR Update Report On-Table from Fire Chief Oliver"
- Item 8Diii – in the second sentence, amend the apostrophe in *Veteran's* to read *Veterans'*.
- Item 13 – add in brackets next to the title "(given consent from the Chair to raise a matter not discussed in the meeting)".

Moved/Seconded

THAT the Regular Council Meeting Minutes of March 20, 2018 be approved as amended.

**CARRIED**

*Audio: 00:18*

**6. Business Arising from the Minutes**

**A. March 20, 2018 Regular Council Meeting**

- Beach Park Recommendations: That staff consult the neighbours for the potential of a late park close, from 10 to 11 p.m., be added to the Follow-Up Action Items.
- UBCM Asset Management Grant: the grant has been applied for and waiting to hear back.
- CWWF Verbal Update: Mayor Buhr queried whether PWM Jaffer has heard from the Queen’s Printer, he was advised that the signs are in.

**7. Unfinished Business**

**A. Follow-Up Action Items from Previous Meetings**

#	Meeting Date	Description of Action Item	Action
32	February 6, 2018	Mayor Buhr and CAO DeJong to work on a Terms of Reference for a trail maintenance committee	In progress
33	March 20, 2018	G4: It’s Time Project – Submit for consideration of the LMLGA a resolution seeking support for the use of average-speed-over-distance technology	Complete
34	March 20, 2018	G9: Maple Ridge Council to Minister Carole James Re. Employer Health Tax	In progress
35	March 20, 2018	R1: Susan Gardi – Mooring buoys at Kelvin Grove	Complete
36	March 20, 2018	R2: Iola Knight – Porta Potty’s at “clothing optional beach”	Complete
37	March 20, 2018	R3: Jerry Blackwell – Proposed Bylaw Amendment	In progress
38	March 20, 2018	R4: Letter of Apology – school field damage (follow up)	In progress
39	March 20, 2018	R5: Farrah Azordegan – parking lot issue	Complete
40	March 20, 2018	R6: Kambiz Azordegan – parking lot issue	Complete

*Audio: 00:26*

*Item 10A was moved to be discussed here:*

10A. Village of Lions Bay Official Community Plan Designation Bylaw No. 408, 2008, Amendment Bylaw No. 525, 2018 – Consideration of First Reading and Scheduling of a Public Information Meeting

The CAO and Council discussed Development Permit Areas (DPAs) at length, including the Municipality's common law and legislative obligations. It was discussed that if Council chose not to implement DPAs, then alternatively, a policy would have to be carefully drafted with the assistance of legal counsel, taking into account the legislative requirement for the OCP to include statements and map designations in respect of restrictions on the use of land that is subject to hazardous conditions. The CAO noted that the policy will also need to address the use of s.56 of the Community Charter and s.86 of the Land Title Act to guide the requirements for geotechnical and geohazard assessments on building permits and subdivision applications.

Moved/Seconded

THAT Council direct municipal staff to not implement Development Permit Areas in Lions Bay at all, and instead continue using the existing zoning and building permit process, although utilizing the geology, wildfire and other reports considered while contemplating DPAs, to guide issuing building permits.

AND THAT staff bring back a new OCP amendment bylaw and policy to meet municipal legal obligations.

**CARRIED**  
**MAYOR BUHR OPPOSED**

Moved/Seconded

THAT the Request for Decision report titled "Village of Lions Bay Official Community Plan Designation Bylaw No. 408, 2008, Amendment Bylaw No. 525, 2018 - Consideration of First Reading and Scheduling of a Public Information Meeting" dated April 6, 2018 be received.

**CARRIED**

*Mayor Buhr allowed Item 13: Public Participation ahead of item 8, as the agenda would be amended to close the meeting to the public early.*

*Audio: 02:15*

Item 13A: Public Participation – Doug Pollock

Mr. Pollock was concerned that Council ensure the public understand that Development Permit Areas (DPAs) are a big deal for the community and that it is very important they participate. The Public Information Meeting should be communicated to the public prior to that meeting outlining the basic goals, points and reasons for the changes. To get more than 50 people out, he requested that it be condensed down to one page instead

of the current 37 pages which the average individual would not understand, and the specific impact that it will have on current homes or future development. He also requested an overview on the process: what has happened to date, and what are the next steps.

Item 13B: Public Participation – Neville Abbott

Mr. Abbott pointed out that the CAO's last comment with respect to DPA's and covenants was "there will only be covenants on developments" but he queried whether the broader DPA Hazards Assessment is covenanted on a property. He described an example that if he extended his home and was required to get the hazard reports, does the entire Hazard Assessment get added on title? CAO DeJong explained that if there is no Development Permit required, but simply a report that has been required under the existing legislation and there are conditions that must be fulfilled in order for process to take place, then as per the requirements of the legislation, that covenant would have to contain the conditions stipulated in the report from the qualified professional, along with indemnification provisions required by the legislation.

Moved/Seconded

THAT the meeting be recessed.

**CARRIED**

*The meeting was recessed at 9:28 p.m. and resumed at 9:31 p.m.*

*Audio: 02:28*

Moved/Seconded

That the agenda be amended to close the meeting before item 8.

**CARRIED**

Item 14: Closed Council Meeting

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

- 90** (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
  - b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

- f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
  - i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
  - k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- 90** (2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:
- b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

**CARRIED**

*The meeting was closed to the public at 9:33 p.m.*

*The meeting was re-opened to the public at 10:27 p.m.*

13: Reporting Out from Closed Portion of the Meeting

Matters were discussed pertaining to the reasons for closing the meeting.

*Audio: 02:29*

**8. Reports**

A. Staff

i. CFO: Lions Bay Parking Passes

Council discussed the two options for Parking Pass decals as outlined in the report. Staff reiterated to Council that a non-transferable sticker may cause damage to vehicles and warned that there may be an influx of complaints from residents regarding this change since the new decals are required to be stuck to the back window or back bumper, and if placed on the dash, the vehicle would be ticketed. A Council vote determined that staff must proceed with ordering the non-transferable decals and all that this entails.

Moved/Seconded

THAT Council direct staff to proceed with ordering non-transferable 2018-2019 parking passes in substantial accordance with the Mayor's On Table quote from Stickershop.com

**CARRIED**  
**COUNCILLOR BAIN & COUNCILLOR BARMEIER OPPOSED**

*Audio: 02:47*

ii. CFO: Council Remuneration

CFO Rooke advised Council that per the bylaw, Council's honoraria increase with inflation, 2017 inflation was 2.12% therefore an increase on the next pay in this amount will be retro-active to January 1, 2018. CFO Rooke will report to a future meeting regarding the loss of the Municipal Officers allowance.

Moved/Seconded

THAT the report "Council Remuneration" be received for information purposes.

**CARRIED**

iii. PWM: 2017 Annual Drinking Water Quality Report

PWM Jaffer advised Council that the Drinking Water Quality results were positive, the only downside was that consumption went up since last year.

Moved/Seconded

THAT the 2017 Annual Drinking Water Quality Report be received; and

THAT the 2017 Annual Drinking Water Quality Report be made available on the Municipal website.

**CARRIED**

*Audio: 02:57*

iv. CAO: Information Report – RFP for Community signage Project

Council reviewed the proposed Community Signage Project report and discussed a Request for Proposal. Council to send their ideas and feedback to both the Mayor and CAO.

Moved/Seconded

THAT the Information Report, "Request for Proposals (RFP) for Community Signage Project" be received.

**CARRIED**

B. Mayor

i. Provide Direction for Lions Bay Beach Parking Lot

CAO DeJong informed Council that he was able to contact CN regarding the Lions Bay Beach Parking lot and was advised that the lease is up for review in May 2019 and that they would get back to him with regards to whether we can continue with paving and fencing the lot.

**TABLED MOTION:**

THAT Council endorse the \$25,000+ budgeted direction to municipal staff to pave, fence and line the Lions Bay Beach Parking Lot (aka “CN Lot”) once its plan and layout have been approved by Council, and to implement pay parking there (on a second annual trial basis if necessary), regardless of whether a contractual arrangement has yet been reached with CN, all by May 31, 2018;

AND FURTHER THAT Council direct the Mayor to request CN to aid the CAO in making contractual arrangements, if necessary, that suits Lions Bay’s continued use of CN property for “parking and fire training” as allowed by the current lease.

**TABLED**

*At 11:08 p.m. the meeting was extended.*

Moved/Seconded

THAT the meeting be extended until midnight.

**CARRIED**

*Audio: 03:09*

C. Council

i. Councillor McLaughlin: Spillage on Oceanview Road

PWM Jaffer advised Council that the substance that has spilled onto Oceanview Road is diesel and that the culprit is unknown.

ii. Councillor McLaughlin: Garbage Letter

Councillor McLaughlin was concerned with a letter a resident received who was in contravention of the garbage bylaw. PWM Jaffer advised Council that the letter is a standard form letter, and that he would alter it per their recommendations.

D. Committees

i. Infrastructure Committee Meeting Minutes – February 26, 2018

Moved/Seconded



THAT the Infrastructure Committee Meeting Minutes of February 26, 2018 be received for information.

**CARRIED**

ii. Board of Variance Meeting Minutes – December 4, 2017

Moved/Seconded

THAT the Board of Variance Meeting minutes of December 4, 2017 be received for information.

**CARRIED**

*Audio: 03:18*

iii. Trees, Views and Landscapes Committee – Tree Application #84: 50 Lions Bay Avenue

Moved/Seconded

THAT as requested, the applicant is permitted to cut and clean the specified tree. All wood and debris must be removed.

**CARRIED**

E. Emergency Services

None

**9. Resolutions**

None

**10. Bylaws**

*Item 10A was moved and discussed before item 8.*

B. Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018

CAO DeJong explained the reasons for altering the bylaw, as noted in the report.

Moved/Seconded

THAT Soil Deposit, Soil Removal and Land Alteration Bylaw No. 510, 2018 be introduced and read a first and second time.

**CARRIED**

*Audio: 03:30*

**11. Correspondence**

Moved/Seconded

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

- G1: Cannabis Sales Tax – no response
- G2: Land Use Designation Amendment – no response
- G4: BCMC Thank You – no response
- G5: CivX 2018: Smart Communities, Smart Region – no response
- G6: Letter from Pamela Goldsmith-Jones – no response
- R1: Penny Nelson – Communication of Proposed OCP Amendment to Residents – no further response
- R2: Fellow Lions Bayer – OCP Amendment Timelines – no further response
- R3: Neville Abbott – DPAs – no further response
- R4: Penny Nelson – OCP Amendment Questions and Concerns – no further response
- R5: Paula Cayley – Risk Hazards – no further response
- R6: Pieter Dorsman – DPA Explanations – no further response
- R7: Iola Knight – Port-a-Pottie’s Response – no further response

**CARRIED**

**12. New Business**

**A. Volunteer Week: April 15-21**

Staff previously arranged Volunteer Week for Wednesday, April 18<sup>th</sup> from 3-5 pm and have sent out invitations.

Moved/Seconded

THAT the Volunteer Week Celebration be held on Wednesday, April 18, 2018 from 3-5 pm at Broughton Hall.

**CARRIED**

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

This item was discussed previously before item 8.

**14. Closed Council Meeting**

The meeting was closed before item 8 on the agenda.

**15. Reporting Out From Closed Portion of Meeting**

The meeting was closed before item 8 on the agenda and this item was discussed at that time.

**16. Adjournment**

Moved/Seconded

THAT the meeting be adjourned.

**CARRIED**

*The meeting was adjourned at 11:32 p.m.*

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Mayor

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Corporate Officer

Date Approved by Council:	April 24, 2018
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