

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF
THE VILLAGE OF LIONS BAY
HELD ON MONDAY, JULY 6, 2009 at 7:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

Present: Mayor Brenda Broughton,
Councillor Peach Akerhielm
Councillor Joanne Ronsley
Councillor Ruth Simons
Councillor Gordon Taylor
Treasurer Anne-Marie Koiner
Office Manager Anne Page

1. Call to Order

Mayor Broughton called the meeting to order at 7:00 pm.

2. Approval of Agenda

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Akerhielm

Resolved that: Council approve the Agenda of the Regular Meeting of July 6, 2009 with the following additions:

- Item 8Bii) Update of Financials from Treasurer
- Item 9A. Towing Policy
- Item 9D. Objection to Crown Land Tenure Staking Claim
- Item 9F. Filming Policy

Carried...

3. Public Participation

A. Penny Nelson regarding Climate Action Task Force sub-committee on Green Energy and advised Council that:

- The primary goal of the subcommittee is to make Lions Bay carbon neutral,
- The second goal is to investigate Green Energy for the Village and the sub-committee is looking at updating the BC Hydro report of 2003,
- A third goal is to encourage residents to reduce greenhouse gas emissions at low cost to the Village, and

- The Climate Action Task Force participants have lots of energy in 4 sub-committees which will be coming together this fall and participants will be doing on site visits to micro hydro projects in the Sea to Sky Corridor.

Mayor Broughton thanked Councillor Simons and Penny Nelson for all their work on the Climate Action Task Force and on the sub-committees.

B. Neville Abbott regarding cement barriers on Sunset Drive and advised Council that:

- He thinks the cement barriers give the area an aesthetically unpleasing look, and
- That there should have been wider area of consultation to residents and should have considered boulders and landscaping as a preferred solution.

Mayor Broughton advised there has been a tremendous amount of time spent on this project, there has been community consultation and there will be a landscaping plan brought forward.

Councillor Simons reiterated that Council wanted to move forward with this initiative.

Councillor Akerhielm reiterated that a petition of area residents had been presented, boulders were preferred but area residents thought that a cement barriers was preferred, that technical objections to boulders and therefore cement barriers were chosen.

Councillor Ronsley advised that no-posts were given to the Village by MoT, that Council decided to move forward, there will be landscaping where the gate is going to be placed and parking will be adjusted in proximity to the gate. She apologized on behalf of Council if more residents were not consulted and this Council is working hard to include everyone on issues.

Mayor Broughton advised it was a tough decision but that Council is open.

4. Delegations

A. Ray Kisser regarding Emergency Communication Technology and advised Council that:

- He referenced the last major slide on the Sea to Sky Highway and issues about communication with residents that don't have email,
- Notification technology presents multiple avenues of communication in emergency situations,
- Lions Bay has the ability to accommodate some advanced technology regarding communications with communities up and down the Sea to Sky Corridor,
- This system is not an inexpensive option but there are many residual benefits to the system, and
- If the Village requires more information for Emergency Services then he would be willing to bring in experts in to address questions about communication options.

Councillor Ronsley asked if this would be something to replace or rebuild current systems.

Ray Kisser advised that it wouldn't be necessary to replace the current system but could augment the current system to make it more usable for the Village of Lions Bay.

Councillor Simons asked if integrated services would be utilizing a system such as this.

Ray Kiser advised that it would be similar to 9-1-1 and that Olympic communications platforms are all Nortel,

Councillor Akerhielm inquired if the system utilized GPS locators and transponders. Ray Kisser advised that the system would be able to track within 100 metres or so and triangulate to the 9-1-1 system.

Mayor Broughton thanked Ray Kisser for his presentation and suggested communicating with Jan Schneider, Emergency Social Services communications expert.

B. Michael Broughton regarding structures bordering property line

Mayor Broughton left the Council Chambers at 7:22 pm and Councillor Simons chaired the meeting.

Michael presented a written report and pictures of the construction project at 200 Lions Bay Avenue and advised Council that:

- Construction has occurred over the past 2 years and accessory structures have been built,
- There have been challenges regarding construction materials placed on municipal land, pergola height and siting concerns,
- Concerns were forwarded to the Building Inspector for clarification of interpretation of building and zoning bylaws (the Building Inspector has jurisdiction on private land and the Public Works Manager has jurisdiction on municipal land concerns),
- Construction was to be completed according to the owner by the middle of June, 2009,
- He is coming before Council over concerns that there is no building permit for the accessory structures and they are built within the side yard setbacks,
- He had requested that BBQ accessory structure be removed but it is still there,
- Construction is still going on, the Building Inspector is actively supervising the site, the Building Inspector advised him that landscaping was occurring and a final inspector had not been requested and that he had not visited the site since December 2008,
- He would like clarification of the pertinent bylaws, advised that the accessory structure was built without a permit and no plan for it was submitted to the Village,
- He requests that the Village uphold the bylaws and that the BBQ accessory structure be removed, and
- He has not heard back from the Building Inspector.

Councillor Taylor advised that there is disagreement between the Building Inspector and Michael Broughton over the definition of the accessory structure.

Councillor Simons advised that she would like to hear from the Building Inspector prior to making a decision.

Councillor Akerhielm suggested that a number of offences with associated fines are not addressed in our current building bylaw and that this item will be addressed in the fees bylaw and suggested that the Village's zoning bylaw needs to be reworked.

Councillor Simons advised that the Village will respond back to Michael Broughton by July 20, 2009.

Mayor Broughton returned to the Council Chambers at 7:47 pm.

5. Adoption of Minutes

A. Regular Council Meeting of June 15, 2009

Resolution

Moved by Councillor Taylor
Seconded by Councillor Ronsley

Resolved that: Council approve the Minutes of the Regular Council Meeting of June 15, 2009 with the following change:

Item 8c: Paragraph should read "Village staff have the Lions Bay Fire Rescue Operating Guidelines and will complete the required formatting. Councillor Simons is working on the new Fire Bylaw with the Fire Chief and will be reporting back."

Carried...

B. Special Council Meeting of June 22, 2009

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council approve the Minutes of the Special Council Meeting of June 22, 2009 as presented.

Carried...

C. Special Council Meeting of June 29, 2009

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council approve the Minutes of the Special Council Meeting of June 29, 2009 as presented.

Carried...

6. Business Arising from the Minutes

A. Lions Bay Community Garden

Tina Schneider provided preliminary recommendations regarding possible sites for a Lions Bay Community Garden. Kelvin Grove parking lot will not be considered at this time, a lot on Cloudview Place (owned by MoT) and one other site are being considered.

Mayor Broughton advised that use of MoT land cannot be considered until the fall and that Mayor Broughton and Councillor Ronsley will meet to discuss this issue.

It was agreed that Council will advise Tina Schneider after the next meeting as to which site is chosen.

B. Review of Building Bylaw regarding accessory structures

It was agreed that Council will have a meeting with the Building Inspector regarding this issue.

7. Unfinished Business

A. Proposed Boundary Redefinition of 89 Tidewater Way

Staff to confirm that Rick Beauchamp has sent a letter to the GVRD with a copy to the Ministry, advertised in the BC Gazette as per letter from Jeff Nielson, and provided an update to Kathy Chan.

B. Sunset Fence & Gate Completion Update

Councillor Ronsley advised that the new gate is not yet complete and she will meet with Andrew Oliver tomorrow to look at the parking area to ensure adequate space is allocated for emergency vehicle access.

Councillor Simons advised that this project was a priority for 2009, is still not complete, there should be an end-piece to finish off the cement barrier portion of the project, there are some no posts placed further up the trail and signage still needs to be installed.

Mayor Broughton thanked Chris Page and Hans Brandvold for putting out the fire on the Lions Bay Trail system and thanked Anne Page for timely notification and putting up the fire ban posters first thing next day.

The kiosk at the Sunset Drive cul-de-sac is an important project to be completed so that important notices can be posted for information of trail users.

The gate was to be moved back 10 feet but is now to be moved back 40 feet which will reduce the number of parking spaces available.

Mayor Broughton will meet with Joe Canning regarding placement of the gate.

8. Reports

A. Administration

i) Recommendations from Committee of the Whole Meeting of July 6, 2009

(refer to Resolutions under Item 9E)

ii) **Customer Service Requests to July 3, 2009**

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council receive Administration reports.

Carried...

iii) **Council Action Items from previous Council meetings**

Report not presented at this time.

B. Treasurer

i) **Review of towing procedures (on table)**

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: The Village discontinue discussions with Impark and its proposal for patrol services.

Carried...

ii) **Update on Financials**

Treasurer Anne-Marie Koiner will present the financial variances from January to June 2009 at the July 20, 2009 meeting and will provide monthly variances to the end of the year.

C. Mayor & Council

i) **Mayor Broughton – Portfolio Report**

Mayor Broughton advised Council that:

- She met with a representative from the lamp company,
- We need to determine if Crosscreek Road is a municipal road,
- A hydro arm could be installed on the street light at Centre Road and Crosscreek Road,
- Requested staff to email Community Service Requests referred to the Highway Advisory Group to the Mayor.

ii) **Councillor Akerhielm – Portfolio Report**

Councillor Akerhielm advised Council that the Village received news that we will receive the Age-Friendly Grant

iii) **Councillor Ronsley – Portfolio Report**

Councillor Ronsley advised Council that:

- Rick Beauchamp, Tony Cox (Chair of Tree Committee), Jesse Morwood (MoT) and Mayor Broughton met on June 24, 2009. Jesse Morwood would find out if wood at Kelvin Grove was saleable wood.
- Welcome Package – will come to Council this fall, just about finished
- Regarding the Berm – the Landscaping Committee plans to combine native and non-native species using funds from the Trees for Tomorrow grant and is looking after the berm.

iv) **Councillor Simons - Portfolio Report**

- Public Art & Design Task Force is working on a number of projects including the underpass project however we will be limited as to what we can do in the underpass area, however temporary installations are allowed for other public art opportunities to do with the Torch Relay,
- Signage – lettering quotes are being sought for signs,
- A Children’s Tile Mural is planned for along the pathway to the Library
- Communications Strategy – transition to call it the Seagull for a September issue, publish a Village Update in September, Councillor Akerhielm will write an article regarding bylaws for lionsbay.net
- Climate Action Task Force Terms of Reference were presented

Resolution

Moved by Councillor Simons
Seconded by Councillor Akerhielm

Resolved that: Council approve the Climate Action Task Force Terms of Reference as presented.

Carried...

- Final Filming Policy (refer to Resolutions 9F)

Mayor Broughton thanked Councillors Simons and Ronsley for all their work on formulating this filming policy.

9. Resolutions

A. Towing Policy

Councillor Akerhielm moved that this item be tabled to the Regular Council Meeting of July 20, 2009.

B. Screening Officer Bylaw Notice Policy

Councillor Akerhielm moved that this item be tabled to the Regular Council Meeting of July 20, 2009.

C. UBCM Resolution Amendment – Strategic Plan for Highway Rescue

An amended resolution crafted by UBCM was presented.

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council approve the amended resolution regarding a Strategic Plan for Highway Rescue

Carried...

D. Objection to Crown Land Tenure Staking Claim

Resolution

Moved by Councillor Simons
Seconded by Councillor Ronsley

Resolved that:

Whereas, the Village of Lions Bay has the water license rights on three watersheds in this area, on Magnesia, Alberta and Harvey Creeks that provide the community of 1,400 residents with drinking water;

And Whereas, as recently as Friday, July 3, 2009 there was a campfire above Lions Bay in DL 6748, that the hikers could not put out and two Lions Bay residents with the assistance of Lions Bay Fire Rescue attended to retard the fire;

And Whereas, previous Village of Lions Bay Council passed a resolution to not encourage hiking in our watershed;

Therefore Be It Resolved that: the Village of Lions Bay Council register its unanimous strong objection/opposition to the Crown Land Staking Notice application with the Integrated Land Management Bureau, Ministry of Agriculture and Lands for file number: 2410194, dated May 13th, 2009 and posted July 5th, 2009 for Guided Commercial Recreation.

Carried...

E. Climate Action Task Force Terms of Reference

(see Item 8Civ)

F. Filming Policy

Resolution

Moved by Councillor Simons
Seconded by Councillor Akerhielm

Resolved that: Council approves the revised filming policy and fee schedule dated July 6, 2009 and that the moratorium on Filming remain in effect until September 1, 2009 until such time as the Village Manager and Filming Liaison have been trained and prepared on the new procedures and the Village website has been revised to include the new policy and application forms.

Carried...

Opposed Councillors Ronsley and Taylor

Councillors Ronsley and Taylor presented their written objections to the filming policy.

10. Bylaws

A. Bylaw No. 412 – Good Neighbour Bylaw (second reading)

Resolution

Moved by Councillor Taylor
Seconded by Councillor Ronsley

Resolved that: Council give second reading to Bylaw 412 Good Neighbour Bylaw with one change. Item 4.1 changed to “designated members of Lions Bay Fire Rescue”.

Carried...

B. Bylaw No. 385 – Bylaw Notice Enforcement Amendments, with Schedule A (first & second reading)

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council give first reading to Bylaw 385 Bylaw Notice Enforcement Amendment with Schedule A.

Carried...

Resolution

Moved by Councillor Taylor
Seconded by Councillor Akerhielm

Resolved that: Council give second reading to Bylaw 385 Bylaw Notice Enforcement Amendment with Schedule A.

Carried...

C. Bylaw No. 413 – Traffic and Parking Bylaw (first & second reading)

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council give first reading to Bylaw 413 Traffic and Parking Bylaw.
Carried...

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council give second reading to Bylaw 413 Traffic and Parking Bylaw.
Carried...

D. Bylaw No. 414 – Parks Bylaw (first & second reading)

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council give first reading to Bylaw 414 Parks Bylaw.
Carried...

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council give second reading to Bylaw 414 Parks Bylaw with suggested changes to be incorporated prior to third reading.
Carried...

11. Correspondence

A. List of Correspondence to July 2, 2009

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Simons

Resolved that: the List of Correspondence to July 2, 2009 be received.
Carried...

12. New Business

A. Courtesy 'Resident Parking Passes'

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Simons

Resolved that: the Village give the Wade Family a 2009/2010 'Resident Parking Permit' pass.

Carried...

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: the Village carry on with last year's practice to give 6 'Residential Parking Permit' passes for staff at Daybreak Bible Damp and that the policy may be reviewed next year.

Carried...

B. Travel Expense Policy

Lions Bay also has a policy which should have been included in the package.

The Lions Bay Expense form may need to be updated to use something more like West Vancouver.

Councillor Simons to bring this forward to the next Council meeting with recommendations for update to our expense travel policy.

C. Records Management Information

For information of Council.

The Local Government Management Association (LGMA) Records Management Guidelines would be the system to adhere to.

D. Public Garbage Cans & Garbage Cans at Parks

The Village has not ordered new garbage cans and Rick Beauchamp has provided some alternative types for consideration and Councillor Simons will research the different types of bear proof public garbage cans.

The Works Crew could place regular blue boxes next to the public garbage cans in the parks.

E. Recycling Interim Plan

Works to obtain blue boxes for use in the Village's parks.

F. Bear Smart Procedures Review – Kelvin Grove

The Village should have posted a sign up when the bear trap was put in place.

G. Campfire Ban in Lions Bay

There was a suggestion to remove the briquette BBQ from the beach which Works will act on.

Staff to email Andrew Oliver to see if we should remove the propane BBQ from the park.

H. Signage for Hiker Overflow Parking at School Gravel Lot

The Village has received approval from the West Vancouver School District to use the school gravel parking lot. A sign needs to be ordered to direct overflow hiker parking to the school gravel lot.

It was agreed that we need to install additional 'No Parking' signs on Mountain Drive so that vehicles are not parked on both sides of the road.

13. In Camera

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council extend the Council meeting for 20 minutes to 10:20 pm.

Carried...

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Taylor

Resolved that: Council move In Camera to discuss matters pursuant to Section 90 of the *Community Charter*.

Carried...

Resolution

Moved by Councillor Taylor
Seconded by Councillor Simons

Resolved that: Council revert back to the Regular Council Meeting of July 6, 2009.
Carried...

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Akerhielm

Resolved that: Council appoint Treasurer Anne-Marie Koiner and the following four firefighters as Bylaw Enforcement Officers: Matt Gildersleeve, Matt Saely, Simon Pitches and Fire Chief Andrew Oliver and that Bylaw Enforcement Officers Martin Ernst and Tony Discon, Public Works Manager Joe Canning, Office Manager Anne Page and Treasurer Anne-Marie Koiner be appointed as Bylaw Enforcement Screening Officers.

Carried...

Council directed that Rick Beauchamp be directed to proceed with a request to Metro Vancouver Regional District to see if funding is available for a study to have Strachan Point Estates and Ocean Point to amalgamate with Lions Bay.

14. Adjournment

Resolution

Moved by Councillor Taylor
Seconded by Councillor Simons

Resolved that: Council adjourn the Regular Council Meeting of July 6, 2009 at 11:00 pm.
Carried...

Mayor

Chief Administrative Officer