

**COMMITTEE OF THE WHOLE MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON MONDAY, JULY 12, 2010 at 1:00 PM
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

MINUTES

Present: Mayor Brenda Broughton
Councillor Peach Akerhielm
Councillor Joanne Ronsley
Councillor Ruth Simons
Village Manager Rory Mandryk
Office Manager Jeff Dann
Accounting Clerk Hayley Cook (recording)
Building Inspector Butler (arrived at 2:00pm)

Regrets: Councillor Taylor
Treasurer Koiner
Public Works Manager Partridge

1. Call to Order

Mayor Broughton called the Committee of the Whole Meeting of July 12, 2010, to order at 1:01pm.

2. Approval of Agenda of the Committee of the Whole Meeting of July 12, 2010

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Akerhielm

Resolved that: Council approve the Agenda of the Committee of the Whole Meeting of July 5, 2010 with the following additions:

5E UBCM Registration
5F Botanical Committee Grant Applications
5G Communications re: Housing

Carried...

3. Adoption of Minutes of the Committee of the Whole Meeting of July 5, 2010

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Simons

Resolved that: Council adopt the Minutes of the Committee of the Whole Meeting of July 5, 2010, with the following changes:

Page 2, bullet Number 1, should say: "The Financial Statements and presentation should have been completed by June 30, 2010"

Page 2, paragraph 6: "Mr. Cox advised thatwhen he left on April 30, 2009, he had advised it was 95% complete and he would complete the project."

Page 2, final paragraph: "He has heard that at least 30% of municipalities will be filing their Tangible Asset Report late..."

Carried...

Business arising from the minutes:

Mayor Broughton suggested that the Village Manager request a timeline from Mr. Robin Hicks showing a schedule of the steps left to be done on the Tangible Capital Assets Project.

Village Manager Mandryk confirmed that there will be no more costs incurred from the project.

Council decided that a letter should be sent by Mr. Hicks to the Village confirming that the project will be completed by him with a timeline.

4. Unfinished Business

A. Communications Report

Councillor Simons presented her Communications report on the impact Canada Post is having on the Village's communications.

- Canada Post advised that approximately half of the residents of Lions Bay have opted out of receiving ad-mail in their mailboxes
- E-Post reach approximately 400 residents
- There is no way of matching the ad-mail to those receiving e-posts
- Idea to send out an e-post informing residents that if they opt out of receiving ad-mail, they will not receive Village Office notices
- Idea to send out an addressed mail piece explaining the limitations of ad-mail and also ask residents to be added to the e-post list

Michael Broughton gave an update to clarify Canada Post's position.

Mr. Broughton advised that the rules pertaining to ad-mail were changed in 1997 but they created confusion and some rules were not followed as closely as they should have been. Mr. Broughton advised that the Village Update meets the criteria of what is not considered ad-mail as do community newspapers with a maximum ratio of 70% advertising such as Lionsbay.net.

Mr. Broughton suggested working on the format of a Village newspaper and running it past him to make sure the format works. Council discussed making the community calendar that comes out monthly into a smaller version of the Village Update. Council will need to plan ahead to come up with information for the following months. Information would need to be sent to the Village Office by the middle of the month.

Village Manger Mandryk asked if the newspaper would require an editorial and he was informed it would not.

B. Update on Sustainability Planning

Councillor Simons advised that the Climate Action Task Force had met. They will come back by September with a recommendation on how to move forward with the Sustainability Plan. The plan is a pre-requisite for many grant applications.

Councillor Akerhielm asked if we require the plan for grants pertaining to the new Community Centre. Mayor Broughton suggested that a Sector Energy Plan could be used if the Sustainability Plan is not ready for that time and advised that there is currently a grant available for completing a Sector Plan. Council discussed whether or not the grant was one they could apply for or if it was the same grant that they had used for the first phase of the Community Centre Planning; Village Manager Mandryk to review the previous grant application and Council will decide if the new grant can be applied to the second phase of the Community Centre Planning.

C. Secondary Suites Draft Policy

Councillor Akerhielm advised that the Zoning Amendment Bylaw is proposed to be adopted at the next Council meeting, and that a number of changes have been made to the Policy. Council were asked for any questions:

- Clarification that the Village would not enforce compliance to the British Columbia Building Code of “grandfathered” Secondary Suites and that grandfathered Secondary Suites will be those built after September 7, 2010
- Communication and education will be employed to help residents understand the best practice

Discussion regarding this to be continued In Camera.

- Village Manager Mandryk advised that the administration costs involving Office Staff as they stand right now are unrealistic. He suggested that the discussion regarding the first step will help give a clearer understanding of how much time will be needed
- Councillor Simons asked if the surcharge will still go forward regardless of projected revenues and expenses. Councillor Akerhielm informed her that it would.
- Difficulty in explaining the surcharge to the community was brought up. The response was the surcharge has to start somewhere
- Discussion of a fair contribution took place
- How the surcharge is to be billed needs to be worked out over the next six months
- Concern over the use of the term “registered owner” being used in the Bylaw and how this will be enforced. This issue will be worked out with the Village Office Staff. Councillor Simons had suggested withdrawing one regulation and dealing with the issue it covers through a definition, in the bylaw. Councillor Akerhielm responded that the Village’s lawyer suggested dealing with this as a regulation in the Actual Bylaw.”

Councillor Simons expressed her concerns regarding the date of proposed implementation being September 7, 2010. She suggested that the date is the first day back after summer break and that residents would be concerned if they found out the policy is to be in effect on September 7, 2010. Councillor Simons advised that there had been no resolution regarding September 7, 2010 as the date of implementation.

Mayor Broughton suggested that the changes made to the Zoning Amendment, including the date of September 7 were made as a friendly amendment.

Minutes to the previous meeting will be checked to see how the date was mentioned. If it is deemed material, the 3rd reading can be rescinded before the proposed adoption at the July 19 Council Meeting. Mayor Broughton was to advise on this, if so.

Enforcement:

The amount of the fines applicable to the Zoning Amendment Bylaw, and whether they are large enough were discussed. The fine amount is per day of non-compliance and can be given out each day, if required. The amount of the fines can be changed at any time, should Council deem it necessary. The need to make it clear which fines are not applicable to existing Secondary Suites was discussed.

Council discussed the importance of involving Village staff, the Bylaw Enforcement Officer and Building Inspector with the enforcement procedures to make sure everyone is on the same page, and the process is realistic. The first enforcement workshop is already scheduled. Council are to exchange thoughts on enforcement procedures prior to the next Council Meeting on July 19, 2010.

5. New Business

A. Building Inspector Report, Dave Butler

Building Inspector Butler advised Council that when Brunswick Beach became part of Lions Bay in 1999, there was much discussion around Brunswick Beach adopting Lions Bay's Bylaws. The main point of contention was that many of the lots in Brunswick Beach are very small, and as such, if they were to abide to Lions Bay Zoning Bylaw, they would be unbuildable. Brunswick Beach, therefore, kept their existing Zoning Bylaw.

In Brunswick Beach there is an RS1 Zone, but also a Rural Zone, accessible only by 4x4 vehicles, which has fewer restrictions.

Building Inspector Butler advised Council that the Zoning Bylaws in Brunswick Beach could be subsumed by the Lions Bay Zoning Bylaw and include Brunswick Beach as a special area. A public hearing would be required for this process. Building Inspector Butler suggested that there are some lots that would be suitable for future development. Mayor Broughton advised that land is currently out of the Lions Bay Boundary but she is meeting with the Ministry soon to discuss some land inside the boundaries, North of Magnesia Creek.

Discussion moved on to the Esplanade in Brunswick Beach which is land owned by the Village.

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council to move In Camera.

Carried...

Resolution

Moved by Councillor Ronsley
Seconded by Councillor Akerhielm

Resolved that: Council revert to open meeting.

Carried...

Building Inspector Butler exited Council Chambers.

B. Community Centre Grant Applications – Next Steps

Already discussed

C. Divers at Kelvin Grove - take off agenda – move to next week

D. Minutes/Agenda Review – Village Manager

Will bring forward to Council in September, a booklet that we can go through. Council and Staff will pick what we would like to use for our minutes and agenda.

E. UBCM Registration

- Mayor Broughton advised that the UBCM conference is in Whistler this year so suggested Council and the Village Manager should attend.

F. Botanical Committee Grant Applications

- Council agreed to assist in filling out the grant applications

G. Communication Re Housing

Councillor Akerhielm advised that feedback has not been given back to residents after the Age-Friendly Housing Survey. A statement is needed about how Council is going to proceed and provide reassurance that Council is not looking at large multi-unit dwellings.

Council will work on the statement regarding their direction before the next meeting.

6. In Camera

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Ronsley

Resolved that: Council move In Camera to discuss matters.

Carried...

7. **Adjournment of Committee of the Whole Meeting of July 12, 2010**

Resolution

Moved by Councillor Akerhielm
Seconded by Councillor Simons

Resolved that: Council adjourn the Committee of the Whole Meeting of July 12, 2010 at 4:30pm.

Carried...

Mayor

Village Manager