

**MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF
LIONS BAY HELD ON MONDAY MARCH 5, 2007 at 7:00 P.M.
IN THE COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY**

Present: Mayor Max Wyman
Councillor Linda Heneault
Councillor Lisa Turpin
Councillor Ken Wolder
Admin. Assistant Anne Page
Finance Assistant Sharon Dalrymple
Recording Secretary Sheila Blake

1. Call to Order

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

2. Approval of Agenda

Resolution Number: C- 225

Moved by Councillor Heneault
Seconded by Councillor Wolder

Resolved that: the Agenda for the Regular Council Meeting of March 5, 2007 be approved as amended.

Carried

Mayor Wyman explained that staff were unable to access the Village website until 5:30 pm this evening and so were unable to put the Agenda on the Village site this week.

Add under New business as Item 12D Louis Peterson's report.

3. Public Participation

A. Louis Peterson congratulated Council on their work on a number of community issues and matters relating to the highway. He provided a copy of his preliminary report regarding the road work at Brunswick Beach emphasizing the report is incomplete but this is the last opportunity to present at a council meeting before work commences. Mayor Wyman advised that the preliminary report will be taken under advisement and that a meeting will be held with Louis Peterson prior to the next Council meeting.

B. Jim Stephenson - Brunswick Beach Residents Group – said the recent meeting with Kiewit and the Village has resulted in constructive, creative and positive suggestions through cooperation, compromise and good will, though he is saddened that the issue of the road access remains unresolved. His report is attached. Louis Peterson suggested that Resolution C155 be rescinded in order that the land titles issue can be resolved, the matter can go to public consultation and then be re-voted.

C. Oliver Ganske, Keep Lions Bay Unique Group, said the Group had presented Council with a copy of the geological report and would appreciate Council's comments. He submitted for

the record letters that were not available at the meeting on the development proposal. The Group wished to donate the CHMC *Planning Guide to Seniors Housing and Support Services* upon which the needs assessment study was based, and a report entitled *Better Not Bigger*, outlining a number of issues around the senior' housing proposal to the Village Library.

Mayor Wyman advised that Council has yet to discuss the geological report which was received for information. He thanked Oliver for his presentation and drew his attention to the GVRD report on Regional Affordable Housing Strategy.

Staff to make GVRD report available to Oliver Ganske.

4. Delegations

A. Tina Taylor submitted an ESS request for additional storage space in the Community Hall. She requested Council's approval for a two foot wide closet to be built in the kitchen area of the Community Hall to house ESS Reception Centre supplies and also requested help getting the closet built. She suggested also that a storage area also be set up to house the new PA system recently purchased by contributions from the Firemen (\$1,000), the Pub Night (\$1,700) and \$200 from the musicians.

Staff were directed to obtain cost estimates.

Email dated February 26, 2007 from Tina Taylor to Darlene Reigh to be discussed further under Item 12 New Business.

B. RCMP Inspector Norm McPhail regarding "2010 Planning with 2020 Vision" introduced Sergeant Kevin Bracewell, Zone commander for Squamish to Bowen Island and reported that 33 complaints were received from Lions Bay during December relating mainly to traffic issues and 35 during January include a significant number of thefts from automobiles. Sergeant Bracewell advised that strategies were in place to deal with the latter.

Inspector McPhail said the RCMP plans to have auxiliary constables on foot patrols in Lions Bay during afternoons and evenings coupled by pro active enforcement patrols with Sergeant Bracewell, particularly during the summer months. Members will be responsible for checking Lions Bay and reviewing files for every block to check for trends. Inspector McPhail advised he is always available and he speaks on a regular basis to the Village Administrator.

Discussion followed regarding: Speed enforcement through Village (there is a strategy to enforce); tire damage (Corp. Jennifer Fallon has been tasked to work with block watch captains); the pilot project regarding community constables (we are competing with Langley for this).

Mayor Wyman thanked the RCMP for their very helpful support during the storm crisis and for the excellent information this evening.

C. Brenda Broughton provided some history regarding Brunswick Beach restructure and roadways, pointing out gaps and anomalies in restructure information and the order in which things were done regarding road and water infrastructure which is pertinent to the planned Brunswick Beach road work. In her view the unfolding of events has not allowed enough community consultation. She voiced concern about access to the public beach and stressed that it was vital the beach area remain public.

Mayor Wyman advised that the process is not out of order; Council acted on the clear advice of its lawyers. Mayor Wyman thanked Brenda Broughton for presenting her case and pointed out that permission for paving postponed for 2 weeks to allow for a full report of all sides of the issue from Louis Peterson, who has volunteered as an “intervenor.”

Lengthy discussion ensued regarding the provisions of the Community Charter, the history of the lots in question, and the process of communications within the Village. Mayor Wyman advised that there are plans to bring the *Seagull* back in April, which will greatly assist communication with and among residents.

5. Adoption of Minutes

Amendments requested as follows:

- i) Item 8B Finance – second paragraph should read \$1,690.00 per household.
- ii) Following sentence to be amended as "The true cost of what we in Lions Bay have been paying seems to go unnoticed",

Resolution Number: C- 226

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: the Minutes for the Regular Council Meeting of February 19, 2007 be approved as amended.

Carried

Resolution Number C - 227

Moved by Councillor Heneault
Seconded by Councillor Wolder

Resolved that: the Minutes of the Special Meeting of February 26, 2007 be approved as presented.

Carried

6. Business arising from Minutes

None

7. Unfinished Business

Ray Kisser was promised a response to his request that Council follow through on a commitment to trim trees in front of his house within 6 weeks. The redrafting of the tree bylaw is in its final stages prior to new public input, after which we will be able to provide a response.

Staff were asked to formalise details of the Brunswick Beach amalgamation detail and bring back for discussion. Follow-up was requested on our approach to BC Hydro regarding buried lines. Acting on advice from Ryan Tones that WCB might be more

receptive to requests regarding back-up beepers on Kiewit vehicles, Council asked staff to follow up. It was agreed that the OCP schedule needs further discussion; all Councillors were asked to bring lists forward. It was noted that options regarding the enforcement of the stop sign at Crosscreek Road had been presented by Works Manager, Joe Canning but have not been acted upon; follow up was requested. Note was also made regarding the lack of Public Works reports over the past several meetings.

Councillor Turpin suggested there should be a diarised system of action items through the Minutes so that Council can confirm action items have been completed. Mayor Wyman directed staff to set up Action items from the Minutes together with progress, to be added to the Agenda under Unfinished Business.

8. Reports

A. Administrator

- i) Community Service Requests for February 2007 were presented. The Administrative assistant advised that most issues have been followed through. There is a binder in the office with all outgoing letters.

Resolution Number C - 228

Moved by: Councillor Heneault
Seconded by: Councillor Turpin

Resolved that: the report from the Administrator regarding Community Service Requests for February be received.

Carried

B. Finance

To be discussed under Item 10 Bylaws

C. Public Works

No report.

Councillor Turpin suggested Fire Chief, Andrew Oliver be asked to report to Council once a month with a Fire Department report. *Councillor Wolder to speak to Fire Chief Oliver.*

D. Building Inspector

Reports will be given quarterly starting at the end of March

E. Mayor and Council

- i) Mayor

Resolution Number C- 229

Moved by Councillor Heneault
Seconded by Councillor Wolder

Resolved that: The report of Mayor Wyman dated March 5, 2007 be received

Carried

Mayor Wyman reported that the Winter Light Lantern Festival was an outstanding success, demonstrating great community spirit and showing that Lions Bay really is one of Canada's top 10 artistic communities. The Public Meeting on the retirement housing proposal was attended by a large gathering of concerned residents who heard a variety of positions. *See full report attached to these Minutes.* No decision or commitment will be made on the retirement housing development proposal until the OCP review process is complete. The Sea to Sky Highway Improvement Advisory Committee emergency meeting February 19, 2007 resulted in significant modifications to the proposed schedule of work. *See notes attached to these Minutes.* Details of the OCP process and schedule of consultations will be announced shortly. A meeting with Bob Elton, CEO of BC Hydro is to be held March 9, 2007 at the Hydro offices to discuss this past winter's power outages.

The Mayor also reported on The Spirit of BC: North Shore, an initiative of the *2010 Legacies Now*, which will focus on the *Spirit Trail* to run from Deep Cove to Horseshoe Bay, the *Spirit Festival*, an Annual Winter Arts and Culture event and *Spirit Hospitality* to coordinate volunteerism, billeting and community activities during the Games period. It is important to remain part of this group and be associated with the three large North Shore Municipalities. Councillor Heneault volunteered to represent Council on this initiative.

As a development from discussions at a recent GVRD meeting, Mayor Wyman suggested that delegations wishing to present to Council should be required to specify the content of the presentation and present a pre-delegation report to provide Council the opportunity to research and answer questions. Without that information delegations should not be accepted. Due process must be clarified. Council directed staff to ask the administrator to resume this process and change the application form to suit Council's time line.

Resolution Number C - 230

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: a formal letter of thanks be sent to Brigitta Shore and her team congratulating them on the success of the Lantern Festival

Carried

ii) **Councillor Heneault's report dated March 5, 2007.**

Resolution Number C - 231

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the report of Councillor Heneault dated March 5, 2007 be received.

Carried

Councillor Heneault reported that over one third of the Village turned out for the Lions Bay Winter Lights Festival despite the rain. It was magical and there was excellent feedback. The intent was to bring the Village together. Funded by Arts NOW; BC Hydro donated \$ 1,500 and Kiewit \$1,000. Funds allocated from Village were used to purchase re-usable items. An informal thank you was held Friday night.

The Retirement Housing Public Meeting afforded the developer, the Keep Lions Bay Unique Group and residents an opportunity to voice their opinions. Councillor Heneault felt too much time was spent on process, thus not providing a true representation of village feelings. She proposed that a professional survey be carried out around Seniors Housing, 55 plus housing etc., to provide OCP Committee Chairs with factual, up-to-date information.

Resolution Number - 232

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: Council instruct staff to investigate the cost of organising a survey.

Defeated

Resident Penny Nelson suggested Council consider the Smart Growth BC program used by Squamish and Gibsons. Tom Lancaster will be able to provide a ball park figure for a survey. Mayor Wyman concurred it would be a good idea to involve that group and directed Staff to verify what Smart Growth could offer and to invite a representative to the next Council Meeting with the possibility of a following public consultation.

The Village has been creating a newsletter to maintain the communication flow until a new *Seagull* Editor is found. It was suggested that changes to the format include community pictures and stories on the front page, more in keeping with the earlier format. *Council directed the Administrative assistant to invite Joe Wozny to the next Council meeting.*

iii) Councillor Turpin's report dated March 1, 2007.

Resolution Number C - 233

Moved by Councillor Wolder
Seconded by Councillor Heneault

Resolved that: the report of Councillor Turpin dated March 1, 2007 be received.

Carried

Councillor Turpin reported that the Events Committee has planned an Art Show on March 10, a Garage Sale March 31, Easter at the Beach April 8, Arts Recital April 12, and the third annual Gardening Extravaganza on May 5. Peach Ackerhielm has been organizing and gathering information for a meeting with the RCMP, on March 7 at 7:30 in the Village Hall, to address the recent increase in vandalism and a variety of other issues.

Staff to ask Mrs. Ackerhielm to post the information on the public board and circulate to block captains.

Ready Set Learn was hosted by the Lions Bay School, an event to engage 3 – 5 year olds so that school districts can estimate kindergarten enrolment numbers for the upcoming years. Lions Bay is enjoying a baby boom. Twenty six new children will be going to kindergarten. She applauded David Shore's remarks at the Seniors' Housing Public Meeting which in part stated that it is the Lions Bay's residents who are unique rather than the homes or scenery. The next LMTAC Meeting will concern the implications of the First Nations Treaty on Local Governments.

Promised Porteau Cove development discussion notes were not received by John Turner. *Staff directed to follow up and forward notes to John Turner.*

iv) **Councillor Wolder's report dated March 5, 2007.
Resolution Number C - 234**

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: the report of Councillor Wolder dated March 5, 2007 be received.

Carried

Councillor Wolder reported that:

CAG & MoT meeting could not have gone better. Approximately 250 to 300 people attended the Winter Lights Festival. The creativity was wonderful. Many thanks to the organisers. Hopefully it will become a regular offering in the Village for years to come. The Seniors Housing Development Meeting was well attended by people who feel passionate about the proposal, both for and against. The idea of a survey is excellent.

F. Committees

No reports

G. Meeting Notes of Public Meetings

- i) Sea to Sky Highways Advisory Committee Meeting of February 19, 2007. *See Minutes attached.*

Amend to add: "There was a feeling that an assurance of this time line should be maintained through the entire project not just one phase of it".

Amend to add complete list of those at the table.

Resolution Number C - 235

Moved by Councillor Wolder
Seconded by Councillor Turpin

Resolved that: Minutes of the Meeting of the Lions Bay Sea to Sky Highway Improvements Advisory Committee held on Monday, February 19, 2007 be received.

Carried

- ii) **Public Development Meeting of February 26, 2007.**
See Minutes attached.

Action Item to staff that all letters not attached to the Minutes be added as follows:

Sheila Bromiley, Tina Schneider, Mary Miles, Rafe Mair, Alice Tickner, Don Pollock, Hardy Goesch, David Shore (name has been deleted from head of letter – please add), Patrick Leslie, Jeff Carroll, together with letters received from Oliver Ganske.

Resolution Number C – 236

Moved by Councillor Heneault
Seconded by Councillor Wolder

Resolved that: the Notes of the Public Meeting regarding Proposed Development held on Monday February 26, 2007 be received as amended.

Carried

9. Resolutions

Canada Day Application for funding

Resolution Number C – 237

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Robin Hicks of the Village of Lions Bay be authorized to submit a financial request to the Department of Canadian Heritage in relation to the “Celebrate Canada!” Program for organizing activities to celebrate Canada Day.

Carried

10. Bylaws

A. Water Rates and Regulations Bylaw Amendment 387, 2007 (First, Second and Third reading)

Resolution Number C – 238

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: Council rescind the first three readings of “Water Rates and Regulations Bylaw No. 2, 1971, Amendment Bylaw No. 387, 2007” enacted on February 5, 2007 and give three readings again to this bylaw with Schedule “A” as amended.

Carried

Birgitta von Krosigk understood decisions were deferred at the previous Council meeting to provide time to clarify confusion over Brunswick Beach restructure and that staff were instructed to provide further reports. Birgitta was handed the publicly-available report contained in the Council binder, a Summary put together by the Finance Manager and the Administrator with a commitment to discuss in further detail later this Spring.

Council agreed to a Special meeting of Council, to be publicised, on Thursday March 8 at 6:30 pm, prior to the Lions Bay Sea to Sky Highway Improvements Advisory Committee Meeting

B. Water Parcel Tax Bylaw No. 388, 2007 (First, Second and Third reading)

Resolution Number C – 239

Moved by Councillor Heneault
Seconded by Councillor Turpin

Resolved that: Council rescind the first three readings of “Water Parcel Tax Bylaw No. 130, 1985, Amendment Bylaw No. 388, 2007” enacted on February 5, 2007 and give three readings to this bylaw as presented.

Carried

C. Waste Collection Rates Bylaw No. 390, 2007 (Adoption)

Resolution Number C – 240

Moved by Councillor Wolder
Moved by Councillor Heneault

Staff to clarify with the school and Carneys the parameters of garbage collection and report back to the Special Council Meeting on Thursday March 8.

Resolved that: “Waste Collection Rates Bylaw No. 390, 2007” be adopted.

Carried

- D. Financial Plan 2007 – 2011 Bylaw No. 391, 2007 (First, second and third reading)**

Resolution Number C – 241

**Moved by Councillor Heneault
Seconded by Councillor Turpin**

Resolved that: Council give the Five Year Financial Plan Bylaw No: 391, 2007 first, second and third readings as presented.

Carried

Councillor Wolder expressed concern about the cost of the Fire truck stating that research of requirements and equipment should be done.

Resolution Number C 242

**Moved by Councillor Turpin
Seconded by Councillor Wolder**

Resolved that: The meeting be extended past 10:00 pm.

11. Correspondence

- A.** A list of correspondence and Action Items to March 1, 2007 was presented.

Resolution Number C - 243

Moved by Councillor Turpin
Seconded by Councillor Wolder

Resolved that: the List of correspondence and Action items for the period ending March 1, 2007 be received.

Carried

Letter # 2. Copy of Letter dated January 18, 2007 to Honourable Rich Coleman, Minister responsible for Housing from Tracey Arthur, City Clerk of Langley, re: Building Code.

Letter # 3. Letter dated February 2, 2007 from Bob Elton, President and CEO BC Hydro re Offer of Assistance in Sourcing a Generator for the Village

Councillor Turpin asked that the above two letters be followed up and also that there is a need for a generator at the school. Suggest talking to the School Board. Need minimum power to maintain the septic tank and heat.

Letter #15 Fax dated February 15, 2007 from Harmony Folz, Policy Analyst and Richard Taylor, Executive Director, UBCM re Seniors Housing and

Support Initiative: Environmental Scan of Community Readiness for an Aging Population.

To be put into Seniors Development file

Letter #27 Copy of letter dated February 21, 2007 from Sheryl Haynes, President Certified Dental Assistants of BC re: recently received letter from Michele Rosko, President of the Canadian Dental Assistants' Association

To be flagged for attention re Child Care

Action Items

1. (14) Letter dated February 15, 2007 from Darrel Loppe, Strata Corporation Vr. 18 Councillor and Sheila Blake Strata Corporation Vr. 11 President re Repair of Fence alongside Cross Creek Road, Lions Bay, BC.

The administrative assistant advised that a copy of the BC Survey indicates the presence of an easement, however, it is not clear where the fence sits in relation to the map. Easement was gifted to Village but there is no documentary proof. Highways Act may be implicated in this regard.

Councillor Turpin has been advised by West Vancouver Engineer, Brent Dozzi that the MoT via Miller Capilano requested funding to replace all the 20 year old boards along the Upper Levels Highway. Councillor Turpin Contacted our area MoT representative and enquired, since MoT erected the fence, whether similar funding would be available. Advised no funding right now but recommended submitting a letter requesting funding for replacement of the fence.

Council directed staff to research and report back to the next Council meeting.

2. (21) Letter dated February 19, 2007 from John and Eileen Tsang, Mark and Angela Hirst, Kambiz and Farrah Azorgedan, David and Marlies Torrance, Ilddiko and Laszlo George, Noel Hodnett, Heidi Li and Nick Powell, residents re: Filming at Lions Bay.

Letter to be placed in film policy file.

3. (23) Letter dated February 20, 2007 from Phil Taudin-Chabot, Manager Coastal Fire Centre re: Fuel Management and Hazard Abatement.

Staff to advise that Mr. Douglas Miller is no longer Mayor.

4. (38) Letter received March 1, 2007 from Elisabeth and Marc Fox, residents re Change of House Number.

The Administrative assistant advised there is precedent in the Village where a house number change in Tidewater Way was approved by Council. Council agreed that based on that precedent it has no objection

if the residents bear the costs of staff time, changing records and Land Titles amendments.

Staff directed to assess cost implications such as LTO and BC Assessment and advise Mr. and Mrs. Fox that Council will approve based on costs being absorbed by the resident.

5. (40) Letter dated March 1, 2007 from Bob Bennett, BC Yukon Command Office the Royal Canadian Legion re: War Service Recognition Book Vol. 2 Annual Veterans Remembrance Project.

No action

12. **New Business**

A. **ESS Request for additional storage space in Community Hall**

Council agreed that an overhaul of all storage is overdue. Locks requested months ago have still not been installed and equipment is being lost.

Resolution Number C - 244

**Moved by Councillor Turpin
Seconded by Councillor Wolder**

Resolved that: Staff be directed to obtain cost estimates for installing storage closets as requested and assess storage capacity and requirements and bring back to the next Council meeting for action.

Carried

B. **Riparian Areas Regulations Notification System Register**

An information report dated March 5, 2007 was presented regarding Riparian Areas Regulations. This document should be considered when changes to Bylaws occur and during the OCP review.

Received for information

C. **Highways Advisory Committee membership**

An email dated February 27, 2007 from Louis Peterson to the Highway Improvement Advisory Committee was submitted for information wherein it was suggested that Brunswick Beach resident and engineer Eammon Deegan should be added to the Highways Advisory Committee membership.

Resolution Number C – 245

**Moved by Councillor Wolder
Seconded by Councillor Heneault**

Resolved that: Eammon Deegan be asked to become a full member of the Highways Advisory Committee.

Carried

D. Louis Peterson report

The decision to allow paving of the roadway in question has been made, and Council is prepared to live by its decision based on very clear assessment from our lawyers. However, It is necessary to hear input and be seen to have followed proper procedures, and Council awaits Mr. Peterson's report.

Resolution Number C – 246

**Moved by Councillor Wolder
Seconded by Councillor Heneault**

Resolved that: The meeting be further extended beyond 10:30 pm.

Carried

13. In Camera

A. In Camera Meeting of February 26, 2007

Resolution Number C – 247

**Moved by Councillor Heneault
Seconded by Councillor Turpin**

Resolved that: Council does move into closed session regarding matters legal.

Carried

Resolution Number C – 248

**Moved by Councillor Turpin
Seconded by Councillor Wolder**

Resolved that: Council received the In Camera Minutes of Meeting held February 26, 2007

Carried

Resolution Number C – 249

**Moved by Councillor Turpin
Seconded by Councillor Wolder**

Resolved that: Council does rise and report.

Carried

14. **Adjournment**

Resolution Number C – 250

Moved by: Councillor Turpin

Seconded by: Councillor Heneault

Resolved that: the Regular Council meeting of March 5, 2007 does adjourn at 10:41 pm, the date of the next regular Council meeting being March 19, 2007 at 7:00 pm.

Carried




