

Adopted on April 12, 2021

BOWEN ISLAND Municipality

Watch the March 22, 2021 Regular Council Meeting [Video](#)

Minutes of the **Regular Meeting of Bowen Island Municipal Council** held Monday, March 22, 2021 at 6:15 PM at Via Zoom

COUNCIL IN ATTENDANCE

Mayor Gary Ander
Councillor Sue Ellen Fast
Councillor David Hocking
Councillor Michael Kaile
Councillor Alison Morse
Councillor Maureen Nicholson
Councillor Rob Wynen

STAFF IN ATTENDANCE

Liam Edwards, Chief Administrative Officer
Hope Dallas, Corporate Officer
Raj Hayre, Chief Financial Officer
Daniel Martin, Manager Planning & Development
Patrick Graham, Director of Engineering

OPENING OF COUNCIL MEETING

The Mayor called the meeting to order at 6:18 PM.

APPROVAL OF AGENDA

RES#21-92

It was Moved and Seconded

That Council approve the agenda and Late Items agenda for the March 22, 2021 Regular Council meeting, as amended:

- Item 6.1:
 - Chris Corrigan re: Support for TUP-2021-0017
 - Cindy Fairbank re: Support for TUP 620 Laura Rd
 - Dennis Vetter re: TUP Application 620 Laura Rd
 - Richard Wiefelspuett re: TUP Application 620 Laura Rd
 - Deanna Brummitt & Kieran Bloomfield re: TUP-2021-0017 Cidery 620 Laura Rd
 - Graham Reed and Alison Luke re: TUP for Laura Road Cidery
 - Lesley Gaunt re: TUP 620 Laura Rd
 - Rob Purdy re: Cidery TUP – Hours
 - Richard Helm re: TUP-2021-0017 620 Laura Rd
 - Judi Gedye re: Cidery
- Item 8.1 Bill Granger re: Development Cost Charges, Utility Cost Recovery

CARRIED UNANIMOUSLY

PUBLIC COMMENTS

- Mike Lightbody re: DVP 1195 Fairweather Mr. Lightbody spoke in relation to an application for Development Variance Permit for a property located at 1195 Fairweather Road. Specifically, Mr. Lightbody clarified that the requested relaxation of lot coverage is needed to enable to construction of a new dwelling, within existing site constraints, in the similar size and location of the previous house, not to construct a larger house.
- Andre Chollat re: TUP-2021-0017 -620 Laura Road Mr. Chollat spoke in opposition to the Temporary Use Permit application for a cidery at 620 Laura Road.
- Anne Franc de Ferriere re: TUP-2021-0017 -620 Laura Road Ms. Franc de Ferriere spoke in opposition to the Temporary Use Permit application for a cidery at 620 Laura Road.
- Margaret Underhill re: TUP-2021-0017 -620 Laura Road Ms. Underhill spoke in opposition to the Temporary Use Permit application for a cidery at 620 Laura Road.
- Bob Turner re: TUP-2021-0017 -620 Laura Road Mr. Turner spoke in relation to the Temporary Use Permit application for a cidery at 620 Laura Road. Mr. Turner suggested that Council amend the TUP to clearly define what the cidery business requires in terms of space allocation, hours, etc. to help reduce concerns from the neighbourhood.
- Rosemary Knight re: TUP-2021-0017 -620 Laura Road Ms. Knight spoke in opposition to the Temporary Use Permit (TUP) application for a cidery at 620 Laura Road, specifically expressing concern for the proposed three-year term of the TUP.
- Susan Alexander re: TUP-2021-0017 -620 Laura Road Ms. Alexander spoke in opposition to the Temporary Use Permit application for a cidery at 620 Laura Road, specifically in relation to flaws in the process and lack of neighbourhood engagement.
- Richard Helm re: TUP-2021-0017 -620 Laura Road Mr. Helm spoke in opposition to the Temporary Use Permit application for a cidery at 620 Laura Road. Mr. Helm suggested that Council implement a Good Neighbour Policy that outlines processes and standards for requests of commercial activity in residential neighbourhoods.
- Rob Purdy and Christine Hardie re: TUP-2021-0017 -620 Laura Road Mr. Purdy and Ms. Hardie spoke in relation to their Temporary Use Permit application and thanked everyone who participated in the process.
- Mr. Purdy clarified that the hours of operation for the business are proposed to be Thursday – Sunday 12 pm – 4 pm.

CONSENT AGENDA

RES#21-93

It was Moved and Seconded

That Council approve the items as outlined in the March 22, 2021 Consent Agenda as amended:

- Item 3.2 - Land Opportunity Reserve Fund Bylaw
- Item 3.4 - Tourism Bowen Island 2021 Fee for Service

CARRIED UNANIMOUSLY

START OF CONSENT AGENDA**ADOPTION OF MINUTES**

[Minutes](#) of the Regular Council meeting held March 8, 2021.

RES#21-94

That the minutes of the Regular Council meeting held March 8, 2021 be adopted.

BYLAWS

Bowen Island Municipality
2021 Water System User
Rate Bylaws - Raj Hayre, Chief
Financial Officer, dated
March 9, 2021

RES#21-95

Council received a [staff report](#) from the Chief Financial Officer establishing 2021 water rates for the municipal water systems.

That Bylaws No.539, 540, 541, 542, 543, and 544, 2021 cited as “Bowen Island Municipality Blue Water Park Water System User Rates Bylaw No. 539, 2021”; “Bowen Island Municipality Bowen Bay Water System User Rates Bylaw No. 540, 2021”; “Bowen Island Municipality Eagle Cliff Water System User Rates Bylaw No. 541, 2021”; “Bowen Island Municipality Hood Point Water System User Rates Bylaw No. 542, 2021”; “Bowen Island Municipality King Edward Bay Water System User Rates Bylaw No. 543, 2021”; and “Bowen Island Municipality Tunstall Bay Water System User Rates Bylaw No. 544, 2021” be read a first, second and third time.

CORRESPONDENCE

Tourism Bowen Island re:
Request for letter of support
for grant application to Island
Coastal Economic Trust

RES#21-96

Council received a request from Tourism Bowen Island for a [letter of support](#) for its application to the Island Coastal Economic Trust’s Rural Business and Community Recovery grant program.

That Council authorize the letter, included in the March 22, 2021 Regular Council meeting agenda, to be sent under the Mayor's signature to the Island Coastal Economic Trust in support of Tourism Bowen Island's grant application.

**REPORTS OF COMMITTEES,
COW, COMMISSIONS**

[Minutes](#) of the Tunstall Bay Water System Local Advisory Committee meeting held February 22, 2021

Recommendations contained in Director of Engineering's staff report included as Item 8.5.

[Minutes](#) of the Joint Eagle Cliff and Cove Bay Waster System Local Advisory Committee meeting held February 22, 2021

Recommendation contained in Director of Engineering's staff report included as Item 8.5.

[Minutes](#) of the Joint West Side Water System Local Advisory Committees held March 3, 2021

No recommendations for Council's consideration.

[Minutes](#) of the Public Art Advisory Committee meeting held February 9, 2021
RES#21-97

That Council direct staff to amend Public Art Program and Policy #18-004 Appendix A: Acquisition Procedure to include stipulation regarding informing the artist of maintenance.

INFORMATION ITEMS
RES#21-98

That Council receive the information as outlined in section 12 of the March 22, 2021 Regular Council meeting agenda.

END OF CONSENT AGENDA**ITEMS REMOVED FROM THE
CONSENT AGENDA**

Land Opportunity Reserve Fund Bylaw - Raj Hayre, Chief Financial Officer

Councillor Wynen requested that [Bylaw No.522, 2020](#) be removed from the Consent Agenda. The Chief Financial Officer confirm that the bylaw is unchanged from previous readings and that staff are seeking consideration of adoption.

RES#21-99

It was Moved and Seconded

That Bylaw No. 522, 2020 cited as "Bowen Island Municipality Land Opportunity Reserve Fund Bylaw No.522, 2020" be reconsidered and finally adopted.

CARRIED UNANIMOUSLY

Liz Nankin, Chair and Jody Lorenz, Administrative Manager re: Tourism Bowen Island 2021 Fee for Service, dated February 3, 2021

Councillor Fast requested that the [Request for Fee for Service](#) from Tourism Bowen Island be removed from the Consent Agenda. Council requested clarification from Tourism Bowen Island regarding the amount being requested for 2021/2022. Discussion ensued.

The Chief Financial Officer clarified that the current budget provision for Tourism Bowen Island's Fee for Service is \$20,000.

RES#21-100

It was Moved and Seconded

That Council receive the letter from Tourism Bowen Island, dated February 3, 2021, regarding a request for an increased Fee for Service for 2021 and future years; and

That Council direct staff to include the increased Fee for Service amount for consideration in the 2022 budget process.

CARRIED UNANIMOUSLY

DELEGATIONS

Ann Silberman, Andrea Bastin and David McCullum, Bowen Children's Centre re: Bowen Children's Centre After School Club Purpose Built Mod on SD45 School Property

Representatives from the Bowen Children's Centre presented a progress update, via [PowerPoint Presentation](#), on a proposed purpose-built space for the After School Club to be located on School District property.

Council expressed its support for the work of the Bowen Children's Centre and welcomes further updates as work progresses.

BUSINESS ARISING FROM MINUTES

Temporary Use Permit Application (TUP-2021-0017): 620 Laura Road (Rob Purdy & Christine Hardie) - Daniel Martin, Manager of Planning and Development, dated March 10, 2021

The Manager of Planning and Development presented a [staff report](#) and [PowerPoint Presentation](#) regarding a Temporary Use Permit application for a cidery to be located at 620 Laura Road. Discussion ensued in relation to the following:

- Reconsideration for the maximum areas for retail and picnic to align with the small-scale needs of the business.
- Consideration for further process and neighbourhood consultation for future TUP applications.

RES#21-101

It was Moved and Seconded

That Council issue Temporary Use Permit TUP-2021-0017 for cidery use for 620 Laura Road, legally described as LOT 1 BLOCK D DISTRICT LOT 492 PLAN 2250, PID: 015-026-701, as amended:

- Section 6 - Decrease the maximum size of retail space to 30 sq.m;
- Section 7 - Decrease the maximum size of picnic area to 120 sq.m.; and
- Section 9 - Include maximum hours of operation as Monday-Sunday 11:00am-7:00pm.

CARRIED UNANIMOUSLY

BYLAWS

Use of Public Places Bylaw and Bylaw Notice Enforcement Amending Bylaw No. 537 and 538, 2021 - Daniel Martin, Manager of Planning and Development and Bonny Brokenshire, Manager of Environment, Parks Planning and Interim Manager of Bylaw Services, dated February 22, 2021

The Manager of Planning and Development and Manager of Bylaw Services presented a [staff report](#) and [PowerPoint Presentation](#) regarding a proposed bylaw to regulate the use of public places. Discussion ensued.

Council members expressed concern with some provisions in the bylaw that may not be suitable for Bowen Island. The CAO clarified that the bylaw is more comprehensive than the original Council direction to include regulations and authority that many other municipalities have and may be required in the future.

RES#21-102

It was Moved and Seconded

That Bylaw No.537, 2021 cited as" Bowen Island Municipality Use of Public Places Bylaw No.537, 2021" be read a first time; and
That Bylaw No.538, 2021 cited as" Bowen Island Municipality Bylaw Notice Enforcement Bylaw No. 196, 2008, Amendment Bylaw No. 538, 2021" be read a first time; and
That Bylaws No.537 & 538 be referred for Public Comment.

CARRIED UNANIMOUSLY

STAFF REPORTS

Development Variance Permit Application (DVP-2020-0016): 1291 Fairweather Road (Mike Lightbody) - Daniel Martin, Manager of Planning and Development, dated February 22, 2021

The Manager of Planning and Development presented a [staff report](#) and [PowerPoint Presentation](#) regarding a Development Variance Permit application to increase the maximum allowable lot coverage for a proposed carport addition.

RES#21-103

It was Moved and Seconded

That notice be given that Council will be considering the issuance of Development Variance Permit DVP-2021-0016 for the variance of Maximum Lot Coverage for 1291 Fairweather Road, legally described as STRATA LOT 2 DISTRICT LOT 1550 STRATA PLAN VR. 704, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID 005-680-116 at the April 26, 2021 meeting of Council.

That Council authorize staff to give notice for the consideration of issuance of Development Variance Permit DVP-2021-0016 in accordance with Section 499 of the Local Government Act to all properties within 100 metres of the legal boundary of 1291 Fairweather Road, legally described as STRATA LOT 2 DISTRICT LOT

1550 STRATA PLAN VR. 704, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1, PID 005-680-116.

CARRIED
(Councillor Fast opposed.)

Development Variance Permit Application (DVP-2021-0009): 1195 Fairweather Road (Mike Lightbody) - Daniel Martin, Manager of Planning and Development, dated March 8, 2021

RES#21-104

The Manager of Planning and Development presented a [staff report](#) and [PowerPoint Presentation](#) regarding a Development Variance Permit application to increase the maximum allowable lot coverage and to reduce the side yard setback to allow for the construction of a new house at 1195 Fairweather Road. Discussion ensued.

It was Moved and Seconded

That notice be given that Council will be considering the issuance of Development Variance Permit DVP-2021-0009 for the variance of lot coverage and side yard setback for 1195 Fairweather Road, legally described as Strata Lot 14 District Lot 1550 Strata Plan VR704, PID 005-681-103 at the April 26, 2021 meeting of Council.

That Council authorize staff to give notice for the consideration of issuance of Development Variance Permit DVP-2021-0009 in accordance with Section 499 of the Local Government Act to all properties within 100 metres of the legal boundary of 1195 Fairweather Road, legally described as Strata Lot 14 District Lot 1550 Strata Plan VR704, PID 005-681-103.

CARRIED
(Councillor Fast opposed.)

Alternative to the Development Variance Permit for 1291 and 1195 Fairweather Road – Daniel Martin, Manager of Planning & Development

Councillor Morse declared a conflict of interest stating that the proposed amendments to Land Use Bylaw would affect her property. Councillor Morse left the meeting at 8:57 PM.

The Manager of Planning and Development presented Council with an alternative to granting Development Variance Permits to increase the allowable lot coverage within the Fairweather strata by amending the Land Use Bylaw to create a new formula for lot coverage amounts within the strata. This would eliminate the need for a DVP and would discourage requests beyond the new maximum lot coverage. Discussion ensued.

Council was not in favour of considering an amendment to the Land Use Bylaw to amend the lot coverage. Council agreed to further discuss this option at a later date, if needed.

Utility Cost Recovery - Daniel Martin, Manager of Planning and Development & Patrick Graham, Director of Engineering, dated March 8, 2021

Councillor Morse rejoined the meeting at 9:11 PM.

The Director of Engineering and Manager of Planning and Development presented a [staff report](#) regarding proposed revisions to the Local Service Area Expansion Policy and seeking direction to develop a Development Cost Charge Bylaw for the Snug Cove Sewer System. Discussion ensued.

Council requested that staff schedule a Committee of the Whole on April 12th to discuss the draft Utility Cost Recovery report and policy.

RES#21-105

It was Moved and Seconded

That Council defer discussion and consideration of the following motion to its April 12th Regular Council meeting:

That Council adopt the revised Local Service Area Expansion Policy Update, dated March 8, 2021; and

That Council direct staff to develop a Development Cost Charges Bylaw for the Snug Cove Sewer System.

CARRIED UNANIMOUSLY

Budget Allocation for Site Alteration Bylaw and Hazardous Areas DP Area Work Plan - Jennifer Rae Pierce, Planner 1, dated March 9, 2021

Council received [staff report](#) from the Planner 1 regarding an expenditure authorization to proceed with implementation of the Hazardous Areas Work Plan.

RES#21-106

It was Moved and Seconded

That Council approve the expenditure of \$8,800 for the hazardous areas work plan to be funded from the Council Strategic Initiatives Reserve balance.

CARRIED UNANIMOUSLY

Water System Improvements Projects: Update and Next Steps - Patrick Graham, Director of Engineering, dated March 12, 2021

The Director of Engineering presented a [staff report](#) regarding an update on water system improvements and to obtain approval for further water system improvement works, and to apply for grant funding to assist with evaluation and future planning for the west side water systems.

RES#21-107

It was Moved and Seconded

That Council approve the following recommendations from the Water System Local Advisory Committees (LACs):

a. Eagle Cliff/Cove Bay:

To defer proceeding with detailed design of improvements work for the Eagle Cliff/Cove Bay Water Systems until Fall 2021, subsequent to the announcement of the Investing in Canada Infrastructure Program – Rural and Northern Communities (ICIP – RNC) grant result;

- b. Tunstall Bay:
- i. To proceed with the detailed design of a new reservoir, likely a 595 cubic metre glass fused bolted steel tank, as recommended in the Urban Systems Report dated February 12, 2021, at the current reservoir site and keep the existing tank in service; and
 - ii. To conduct a water quality risk screening assessment as recommended by Vancouver Coastal Health; and
 - iii. To evaluate long term sustainable yield of the Tunstall Bay aquifer and optimize the operation of the Tunstall Bay water system wells.
 - iv. To request a fee proposal from Urban Systems to move forward with this work, in accordance with Phase 2 of BIM-RFP-2020-020.
- c. Bluewater Park, Bowen Bay and King Edward Bay (West Side Water Systems):
To develop a memorandum of understanding between the three LACs and Bowen Island Municipality that defines high level objectives and establishes guiding principles around resource sharing and cost allocations.

CARRIED UNANIMOUSLY

RES#21-108

It was Moved and Seconded

That Council direct staff to apply for two Infrastructure Planning grants through the Ministry of Municipal Affairs and Housing's Infrastructure Planning Grant Program (IPGP), to support the following projects:

- a. the evaluation of the long-term sustainable yield of the Tunstall Bay aquifer and optimize the operation of the Tunstall Bay Water System wells; and
- b. further planning and analysis of options to improve water resource management, infrastructure and operations of the West Side Water Systems.

CARRIED UNANIMOUSLY

CORRESPONDENCE

Dealt with under the Consent Agenda.

**REPORTS OF COMMITTEES,
COW, COMMISSIONS**

Dealt with under the Consent Agenda.

NEW BUSINESS

Minister Meetings - Liam Edwards, Chief Administrative Officer
RES#21-109

It was Moved and Seconded

That Council direct staff to engage with Provincial staff to establish meetings with the following Ministries:

- Honourable Josie Osborne, Minister of Municipal Affairs;
- Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development and Honourable Nathan Cullen, Minister of State for Lands and Natural Resource Operations; and
- Honourable Ravi Kahlon, Minister Jobs, Economic Recovery and Innovation.

CARRIED UNANIMOUSLY

Update to Council on Metro Vancouver business - Metro Vancouver Director, David Hocking

Director Hocking reported the next meeting of the Board is Friday, March 26th. View the [Agenda](#).

Update to Council on Islands Trust business - Islands Trust Municipal Trustees Fast and Kaile

Trustee Kaile advised he would defer his report on Islands Trust business to the next Regular Council meeting in the interest of time.

Trustee Fast referred to the [letter](#) from Chair Luckham in Agenda Item 12.2 regarding the Trans Mountain Pipeline Expansion Reconsideration, and reported on a recent meeting with Minister Osborne to discuss tools for forest protection.

Update to Council on Metro Vancouver Regional Parks Committee meetings - Councillor Nicholson

The next meeting of the Metro Vancouver Regional Parks Committee is scheduled for Wednesday, April 7th.

Update to Council on TransLink's Mayor's Council meetings - Councillor Alison Morse

The next meeting of the TransLink Mayor's Council is scheduled for April 1st.

Move to a Closed Council meeting
RES#21-110

It was Moved and Seconded

That Council move to a closed meeting immediately following the regular Council meeting to discuss items pursuant to Section 90(1)(a)&(j) of the Community Charter:

(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; and

(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](#).

CARRIED UNANIMOUSLY

INFORMATION ITEMS Information Items contained in Section 12 of the [Agenda](#).

QUESTION PERIOD None.

ADJOURNMENT **By unanimous consent**, the meeting adjourned at 9:38 PM.

Certified Correct:

(ORIGINAL SIGNED)

Gary Ander, Mayor

(ORIGINAL SIGNED)

Hope Dallas, Corporate Officer