District of Lantzville

Agenda for the Regular Meeting of Council of the District of Lantzville to be held on Wednesday, September 8, 2021, at 6:00 pm via Video-Conference

Pursuant to the June 17, 2020 Ministerial Order No. M192 [Local Government Meetings and Bylaw Process (COVID-19) Order No. 3] members of Council may participate in this meeting, utilizing electronic or other communication facilities, and public access to Council Chambers is not permitted at this open meeting in accordance with the applicable requirements or recommendations under the Public Health Act. ***This meeting may be viewed starting at 6:00 pm* on the District's live-stream webcast at www.lantzville.ca.***

Members of the public who wish to provide input regarding agenda items **MUST** submit written comments by email to district@lantzville.ca, mail or drop off at Municipal Hall, and **MUST be received before 12:00 noon on Wednesday, September 8, 2021**, providing your **name, address, agenda item number / name, and comment**, will become part of the public record, be shared with Council and posted to www.lantzville.ca. ***The District does not accept anonymous submissions (this includes emails with an email address only) so please include your name and address.***

You may also provide verbal input remotely using the Zoom Webinar platform (via telephone or using your computer, tablet, or smartphone) for agenda item 8. Public Input Period by registering in advance. To join the meeting online, register in advance by following the Zoom Webinar **"link"** provided on the District's website for this Council meeting event.

Meetings are live-streamed and recorded by the District of Lantzville and may be viewed at www.lantzville.ca. The public is prohibited from recording Council meetings unless authorized by Council.

Page No.

1. CALL TO ORDER

1-6 **2. ADOPTION OF THE AGENDA**

THAT the September 8, 2021 regular Council meeting agenda be adopted, as presented.

3. MOTION TO CLOSE THE MEETING TO THE PUBLIC

THAT the regular Council meeting be closed to the public, pursuant to section 90(1) (a), (e), (f), (g), (i), (k), and 90(2)(b) of the *Community Charter*, for the purpose of considering:

- **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;**
- **the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;**
- **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;**
- **litigation or potential litigation affecting the municipality;**
- **the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;**

- **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; and**
- **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.**

Following adoption of the above motion, the meeting will be closed to the public.
MEETING REOPENS – CLOSED TO PUBLIC as noted above.

4. RECONVENE – (7:00 pm - live-stream starts*)

5. PUBLIC AND STATUTORY HEARINGS – Nil

6. GENERAL MATTERS (Delegations/recognitions) – Nil

START OF CONSENT AGENDA

7. CONSENT AGENDA

THAT the recommendation listed for item 7a) in the Consent Agenda be approved.

7-11 a) THAT the July 21, 2021, regular Council meeting minutes be approved, as presented.

END OF CONSENT AGENDA

8. PUBLIC INPUT PERIOD (Currently suspended in person due to COVID-19) – See above on how to provide written or verbal input regarding agenda items.

9. LEGISLATIVE MATTERS (Bylaws, development variance permits, agreements, contracts, grants, budgets)

12-21 a) **Bylaw No. 167**

THAT "District of Lantzville Business Licence Bylaw No. 167, 2021" be adopted.

22-40 b) **Bylaw No. 200**

Councillor Wilson's Recommendations:

THAT Good Neighbour Bylaw No. 200, 2021, be amended in clause 23 by striking "quiet hours in the District are between 10:00 pm and 7:00 am, including on beaches" and inserting "quiet hours in the District are between 11:00 pm and 7:00 am, including on beaches".

THAT Good Neighbour Bylaw No. 200, 2021, be amended in clause 24(d) by striking "operation of any motorized lawn-grooming or garden equipment in the District between the hours of 8:00 pm and 7:00 am" and inserting "operation of any motorized lawn-grooming or garden equipment in the District between the hours of 8:00 pm and 8:00 am".

THAT Good Neighbour Bylaw No. 200, 2021, be amended in:

- **definitions "Special event permit" by striking "approved by Council" and inserting "approved by the Director of Corporate Administration"**
- **definitions by adding ""Director of Corporate Administration" means the person appointed by Council and any person delegated to assist in carrying out their duties under this Bylaw;".**

Next reading for consideration:

THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be given third reading. [*insert "as amended" if the preceding motion(s) pass*]

41-54 c) **Bylaw No. 262**

THAT District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021 be given first and second reading; AND FURTHER THAT District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021 is consistent with the District of Lantzville Financial Plan and the relevant waste management plans.

55-56 d) **Bylaw No. 273**

THAT "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 - 2004, Amendment (Business Licence) Bylaw No. 273, 2021" be adopted.

57-61 e) **Bylaw No. 278**

THAT "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021" be given first, second and third readings.

THAT Council amends the 2021 Council meeting schedule to add a Special Council meeting to be held at 6:00 pm on Monday, September 27, 2021 electronically and in the Council Chamber for those members who wish to attend in person, for consideration of adoption of "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021".

THAT the 2021-2024 Financial Plan be amended to include a $90,000 Capital Budget provision for Electronic Meetings Equipment Upgrade to be funded from the COVID-19 Restart Grant.

62-75 f) **Bylaw No. 281**

THAT "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (6935 Dickinson Road) Bylaw No. 281, 2021" be given first and second reading.

76-105 g) **Development Permit Application for 7908 Lantzville Road**
THAT Development Permit No. DP21-30 be issued to the property owner for 7908 Lantzville Road.

106-108 h) **Clark Crescent Water Main Replacement Budget Amendment**
THAT the 2021-2025 Financial Plan Bylaw be amended to reflect additional funding of $150,000 for the Clark Crescent Water Main Replacement Project, with funding from uncommitted COVID-19 Restart Grant funds.

109-114 i) **Fire Hall and Public Works Facility Design**
THAT the 2021-2025 Financial Plan be amended to include $475,000 in 2021 for the design of a fire hall and public works facility, funded from facilities life cycle reserves.

10. UNFINISHED BUSINESS

115-128 a) **Proposed Revisions to District Social Media Policy**
THAT Social Media Policy No. 3000-10 be approved, as amended.

THAT staff be directed to bring forward an amendment removing sections 31. (9), (10), and (11) of Council Procedure Bylaw No. 141, 2020 and adding language that Council will abide by the guidelines for elected official social media use contained in the Social Media Policy No. 3000-10.

129-130 b) **Crosswalk Installation at Clark Drive and Aulds Road Intersection**
THAT a pedestrian-activated signalized crosswalk be installed at the Clark Drive and Aulds Road intersection, at a cost of approximately $25,000.

131-133 c) **Sebastion Road Beach Access**
THAT staff be directed to move the no-post barriers and the bollard to the North at the Sebastion Road beach access to provide room for one accessible parking stall.

11. COMMITTEE/COMMISSION RECOMMENDATIONS – Nil

12. NEW BUSINESS (Reports and correspondence)

a) **Mayor & Councillors** – Verbal Updates

134-135 b) **Seaside Community Society (12 Aug 2021) re Minetown Day Parade Road Closure**
THAT the closure to traffic be authorized from 10:00 am to 11:00 am on Saturday, September 18, 2021 on that portion of Lantzville Road from the intersection of Lantzville and Ware Roads, with the parade proceeding northwest through the village core along Lantzville Road from Caillet Road to Huddlestone Road, and then down Huddlestone Road to the entrance of Huddlestone Park, to permit the Seaside Community Society to conduct the Minetown Day children's bike parade, subject to emergency services and transit notification, adequately addressing emergency access issues, and the Society retaining a traffic control company to provide the necessary traffic control.

136 c) **'State of the Island' Economic Summit 2021**

THAT Councillor Geselbracht be approved to attend the 'State of the Island' Economic Summit 2021 being held virtually October 27 - 28, 2021 using the Three Pack (Virtual) Non-Member registration fee of $119.

137-139 d) **2022 Council Meeting Schedule**

THAT the 2022 Council Meeting Schedule be approved as attached to the September 8, 2021 staff report; AND FURTHER THAT staff be authorized to publish notice of availability of the schedule.

140-169 e) **Council Meeting Options For After COVID-19 Emergency Authorities Expire September 28, 2021 -** For Information

f) **Representation on the Regional District of Nanaimo Board 2021-2022 Schedule**

Mayor Swain's Recommendation:

THAT pursuant to the *Local Government Act*, Council appoints the following, per the schedule below, as the District of Lantzville Municipal Director and alternate Municipal Director on the Regional District of Nanaimo Board:

Term	Municipal Director	Alternate Municipal Director
Jul 21, 2021 to Dec 31, 2021	Councillor Will Geselbracht	Councillor Karen Proctor
Jan 1, 2022 to May 15, 2022	Councillor Karen Proctor	Councillor Ian Savage
May 16, 2022 to Nov 2, 2022	Councillor Ian Savage	Councillor Jamie Wilson

170-171 g) **Clark Drive Area (AW) Local Area of Service for Municipal Water Service**

Mayor Swain's Recommendation:

THAT Staff prepare a high level report for Council's consideration outlining the required steps for initiating a Local Area of Service for Municipal Water Service for the Clark Drive Area (AW) as identified in the District of Lantzville Water Master Plan.

13. INTRODUCTION OF LATE ITEMS (In accordance with Council Procedure Bylaw No. 141, 2020, subsection 18(8) for regular agenda)

14. INTRODUCTION OF "NOTICE OF MOTION"

15. PUBLIC CLARIFICATION – (Currently suspended due to COVID-19. Email any questions to district@lantzville.ca following the meeting.)

16. ADJOURNMENT BY MAYOR

NEXT SCHEDULED COUNCIL MEETINGS:

Regular Council Meeting: **September 22, 2021 @ 6:00 pm**

Minutes of the Regular Meeting of Council of the District of Lantzville held on Wednesday, July 21, 2021, at 6:00 pm via Video-Conference

PRESENT:

Council: Mayor Mark Swain*
Councillor Will Geselbracht*
Councillor Karen Proctor*
Councillor Ian Savage*
Councillor Jamie Wilson*

Staff: Ronald Campbell, Chief Administrative Officer (CAO)*
Trudy Coates, Director of Corporate Administration*
Nelda Richardson, Deputy Director of Corporate Administration*
Kyle Young, Director of Planning and Community Services*
Raj Hayre, Director of Financial Services*

**Participated electronically*

CALL TO ORDER
The Mayor called the meeting to order at 6:00 pm and acknowledged that the meeting was being held on the traditional territory of the Snaw-naw-as, the Nanoose First Nation.

ADOPTION OF THE AGENDA
MOVED and SECONDED, THAT the July 21, 2021 regular Council meeting agenda be adopted, as amended with additional information circulated for agenda item 8. Public Input Period and agenda item 10. d) Access to Beaches, and by moving item 12. b) Appointment of Director of Financial Services, to immediately after item 8. Public Input Period.
CARRIED UNANIMOUSLY

MOTION TO CLOSE THE MEETING TO THE PUBLIC – Nil

PUBLIC AND STATUTORY HEARINGS - Nil

GENERAL MATTERS (Delegations/recognitions) - Nil

CONSENT AGENDA

C21-114 MOVED and SECONDED, THAT the recommendations listed for items 7a) to 7c) in the Consent Agenda, be approved.
CARRIED UNANIMOUSLY

a) THAT the July 7, 2021, special Council meeting minutes be approved, as presented.
CARRIED by Consent

b) THAT the July 7, 2021, regular Council meeting minutes be approved, as presented.
CARRIED by Consent

c) **Bylaw No. 274**
THAT "District of Lantzville Phase III Sanitary Sewer Collection System Debt Reserve Fund Bylaw No. 274, 2021" be adopted.
CARRIED by Consent

END OF CONSENT AGENDA

 DRAFT

PUBLIC INPUT PERIOD – (Suspended in person due to COVID-19)
Four written comments were received, and no members of the public registered via Zoom to provide public input.

NEW BUSINESS

1. **Appointment of Director of Financial Services**

C21-115 MOVED and SECONDED, THAT Raj Hayre be appointed as Director of Financial Services for the District of Lantzville.
CARRIED UNANIMOUSLY

LEGISLATIVE MATTERS (Bylaws, development variance permits, agreements, contracts, grants, budgets)

1. **Bylaw No. 167**

C21-116 MOVED and SECONDED, THAT "District of Lantzville Business Licence Bylaw No. 167, 2021" be given third reading.
CARRIED

2. **Bylaw No. 200**

MOVED and SECONDED, THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be adopted.

MOVED and SECONDED, THAT the motion on the floor be postponed to the September 22, 2021 regular Council meeting.
DEFEATED

MAIN MOTION
THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be adopted.

The Mayor called for unanimous consent to withdraw the motion on the floor; however, there was an objection.

MOVED and SECONDED, THAT the motion on the floor be withdrawn.
CARRIED

C21-117 MOVED and SECONDED, THAT third reading of "District of Lantzville Good Neighbour Bylaw No. 200, 2021", given June 14, 2021, be rescinded.
CARRIED

C21-118 MOVED and SECONDED, THAT "District of Lantzville Good Neighbour Bylaw No. 200, 2021" be added to the September 8, 2021 regular Council meeting agenda for consideration of potential amendments and third reading.
CARRIED UNANIMOUSLY

3. **Union of BC Municipalities Community to Community Forum Program Funding Grant Application for Events September 27, 2021 -March 31, 2022**

C21-119 MOVED and SECONDED, THAT the District of Lantzville and the Snaw-naw-as First Nation submit to the Union of BC Municipalities a joint application by September 10, 2021 for Community to Community Forum Program Funding for events between September 27, 2021 and March 31, 2022.
CARRIED UNANIMOUSLY

DRAFT

UNFINISHED BUSINESS

1. **Representation on the Regional District of Nanaimo Board**

MOTION ON THE FLOOR (Postponed January 27, 2021 regular Council meeting)
AND AMENDED

C21-120 THAT WHEREAS Council is half-way through its term and wishes to consider its representation on the Regional District of Nanaimo Board, BE IT RESOLVED, THAT pursuant to the *Local Government Act*, Council appoints Councillor Will Geselbracht as the District of Lantzville Municipal Director on the Regional District of Nanaimo Board; AND FURTHER, THAT pursuant to the *Local Government Act*, Council appoints Councillor Karen Proctor as the District of Lantzville alternate Municipal Director on the Regional District of Nanaimo Board.
CARRIED

Mayor Swain required reconsideration of the previous motion per s.131, *Community Charter*.

C21-121 THAT WHEREAS Council is half-way through its term and wishes to consider its representation on the Regional District of Nanaimo Board, BE IT RESOLVED, THAT pursuant to the *Local Government Act*, Council appoints Councillor Will Geselbracht as the District of Lantzville Municipal Director on the Regional District of Nanaimo Board; AND FURTHER, THAT pursuant to the *Local Government Act*, Council appoints Councillor Karen Proctor as the District of Lantzville alternate Municipal Director on the Regional District of Nanaimo Board.
CARRIED

2. **Harper Road Beach Access**

MOTION ON THE FLOOR (Postponed June 2, 2021 regular Council meeting)
THAT the Vancouver Island University's Mount Arrowsmith Biosphere Region Research Institute (MABRRI) concept design for the Harper beach road end be revised into the Harper Schedule A design and works as attached to the June 2, 2021 regular Council meeting agenda.

C21-122 MOVED and SECONDED, THAT Council postpones the motion on the floor to 2023.
CARRIED UNANIMOUSLY

3. **Lavender Road Beach Access**

MOTION ON THE FLOOR (Postponed June 2, 2021 regular Council meeting)
THAT phase one of the Lavender beach road end improvements be limited to making the District land west of Lavender Road, safe and pedestrian accessible to the public, and this commences forthwith; AND FURTHER, THAT phase two of Lavender beach road end improvements includes revising the Vancouver Island University's Mount Arrowsmith Biosphere Region Research Institute (MABBRI) concept plan, developing/implementing both a parking plan and a road end plan, and making further improvements to the area west of Lavender Road, and these commence over time.

C21-123 MOVED and SECONDED, THAT Council postpones the motion on the floor to 2023.
CARRIED UNANIMOUSLY

4. **Access to Beaches**

MOTION ON THE FLOOR (Postponed July 7, 2021 regular Council meeting)
THAT staff:

1. remove all nonconforming encroachments, including rocks on both Oar and Strait Roads, allowing full parking access on District road rights-of-way;
2. increase available parking spaces on Sebastion Road, identify available parking on District road rights-of-way on Venture Road, and remove all nonconforming brush, hedge and rock encroachments on the northerly end of Peterson Road to allow parking on District road rights-of-way; and
3. remove all encroaching hedges, bushes and tree branches impeding the line of sight for vehicles exiting Oar, Myron, Lavender, and Jacks Roads onto Dickinson Road;

AND FURTHER, THAT the preceding work (includes surveys, contractor and arborist work) be funded from the remaining funding in the COVID Restart Grant reserve.

Council, by unanimous consent, resolved to divide the motion on the floor into three parts so as to consider each part separately, starting with clause 3, as amended.

C21-124 THAT staff remove all encroaching hedges, bushes and tree branches impeding the line of sight for vehicles exiting Oar, Myron, Lavender, and Jacks Roads onto Dickinson Road; AND FURTHER, THAT the preceding work (includes surveys, contractor and arborist work) be funded from the remaining funding in the COVID Restart Grant reserve.
CARRIED UNANIMOUSLY

C21-125 THAT staff remove all nonconforming encroachments at beach road ends, including rocks, allowing full parking access on District road rights-of-way; AND FURTHER, THAT the preceding work (includes surveys, contractor and arborist work) be funded from the remaining funding in the COVID Restart Grant reserve.
CARRIED UNANIMOUSLY

C21-126 THAT staff increase available parking spaces on Sebastion Road, identify available parking on District road rights-of-way on Venture Road, and remove all nonconforming brush, hedge and rock encroachments on the northerly end of Peterson Road to allow parking on District road rights-of-way; AND FURTHER, THAT the preceding work (includes surveys, contractor and arborist work) be funded from the remaining funding in the COVID Restart Grant reserve.
CARRIED UNANIMOUSLY

5. **Council Strategic Priorities 2021-2023, Parks and Recreation – Item 5.3, Foothills Park – for Council Direction**

MOVED and SECONDED, THAT Council refers Foothills Park to the next District of Lantzville and Snaw-naw-as First Nation Joint Councils meeting.

MOVED and SECONDED, THAT the motion on the floor be postponed to the November 17, 2021 regular Council meeting.
DEFEATED

MAIN MOTION

C21-127 THAT Council refers Foothills Park to the next District of Lantzville and Snaw-naw-as First Nation Joint Councils meeting.
CARRIED

DRAFT

6. **Potential Public Art Installment to be Located in Road Right-of-Way at 7221 Lantzville Road**

C21-128 MOVED and SECONDED, THAT staff be instructed to move ahead with an art installment to be located in the road right-of-way at 7221 Lantzville Road and the amendment to the 2021-2025 Financial Plan from $2,500 to $5,000; AND FURTHER THAT staff issue a proposal call to artisans, with submissions to be considered by Council at the September 22, 2021 regular Council meeting.
CARRIED

COMMITTEE/COMMISSION RECOMMENDATIONS – Nil

NEW BUSINESS

2. **Mayor & Councillors** – Verbal Updates
   - Councillor Savage commented on the recent loss of long-time Lantzville business owner, Beverly de Lure.
   - Councillor Geselbracht commented on the Lantzville Commercial Core Revitalization project.
   - Mayor Swain commented on Minetown Day.

INTRODUCTION OF LATE ITEMS - Nil

INTRODUCTION OF "NOTICE OF MOTION" - Nil

ADJOURNMENT
Mayor Swain declared the meeting adjourned.

MEETING ADJOURNED: 8:56 pm

Certified Correct:

_____
Trudy Coates, Director of Corporate Administration

Confirmed this day of , 2021.

_____
Mark Swain, Mayor

DISTRICT OF LANTZVILLE
BYLAW NO. 167, 2021

A Bylaw for the Licensing and Regulation of Businesses
within the District of Lantzville

WHEREAS in accordance with the *Community Charter* a municipality may, by bylaw, regulate in relation to business, provide for a system of licences and has additional powers in respect of business regulation;

NOW THEREFORE the Council of the District of Lantzville in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as the "District of Lantzville Business Licence Bylaw No. 167, 2021".

2. DEFINITIONS

In this Bylaw:

"Babysitting" means the occasional unlicensed care of children.

"**Bed and Breakfast**" means a temporary accommodation in sleeping units up to five consecutive nights, where guests are provided only one daily meal in the morning.

"**Business**" means the carrying on of a commercial or industrial activity of any kind or nature or the providing of professional, personal or other service for the purpose of gain or profit but does not include any activity carried on by the government, its agencies or government owned corporations.

"**Cannabis**" means **cannabis** as defined in the Federal *Controlled Drugs and Substances Act* or *Cannabis Act* and includes any products containing **cannabis**.

"**Cannabis Production**" means the Federally-licensed and Provincially-approved production, manufacturing, processing, testing, packaging and shipping of **cannabis** and **cannabis** products, but excludes retail of **cannabis** or **cannabis** products.

"Childcare" means the provincially-licensed care of children who require supervision during the day.

"**Council**" means the elected **Council** of the District of Lantzville.

"**Farmers Market**" means a temporary or seasonal market for the display and sale of farm produce and associated products in an open air or indoor venue.

"**Flea Market**" means an occasional or periodic sales activity held within a building, structure or open area where groups or individual sellers offer goods, new and used, for sale to the public, but does not include a **garage or yard sale**.

"**Food and Beverage Service**" means mixing, combining, cooking or otherwise preparing and serving food or drinks, including restaurants, cafés, pubs, brew pubs, commercial kitchens, and catering services.

"**Garage or Yard Sale**" means a sale on residential property by the resident of that property of personal and household items used by the resident.

"**Home Business(es)**" means a home occupation, **business** or professional practice and is limited to an artisan studio, **bed and breakfast**, craft kitchen, child care, fine woodworking, **market gardening**, personal service, office or short-term rental.

"Lantzville-Based Business" means a **business** carried on, in or from premises within the **Municipality**.

"**Licence Inspector**" means a person appointed by the Chief Administrative Officer to administer and enforce this bylaw.

"**Licence(s)**" means a **Licence** issued under this Bylaw.

"**Market Gardening**" means the growing, harvesting and selling of fruits, vegetables and flowers grown on the parcel on which the **market gardening** is taking place, but excludes processing crops, intensive agriculture and **cannabis** production.

"Mobile Food Vendor(s)" means a **business** using a vehicle, trailer or cart equipped with facilities for cooking, selling food, or beverages.

"**Municipality**" means the District of Lantzville.

"Non-Lantzville-Based Business" means a **business** that is carried on in or from premises located outside the **Municipality** with respect to which any work or service is performed or offered in the **Municipality**.

"**Operator(s)**" means a person who carries on a **business**.

"**Public Market**" means an occasional or temporary market for the purpose of offering goods for sale to the public, including local artisan crafts, fruits, vegetables and plants, secondary agricultural products including cheese, preserves, honey, home baking, fresh/frozen/preserved fish and seafood and locally prepared and ready-to-eat foods or light refreshments as approved by the Medical Health Officer.

"**Secondhand Dealer(s)**" means an **operator** whose **business** involves purchasing, selling, procuring or offering for sale used or second-hand items whether on a wholesale or retail basis.

"Senior Care" means the unlicensed or provincially-licensed care of seniors.

"**Special Event**" means a **business** involving temporary, periodic or short-term activity such as a parade, procession, circus or carnival, fair, exhibition, sporting or cultural event, a musical, theatrical or other performance, with or without Mobile Vendors, whether outdoors or within a building or other structure.

3. INTERPRETATION

3.1 In this bylaw, words and phrases defined in the *Community Charter*, *Local Government Act*, *Interpretation Act* and "District of Lantzville Zoning Bylaw No. 180, 2020", or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw. Unless otherwise indicated, a reference to a statute refers to a statute in British Columbia, and a reference to any statute, regulation, bylaw or other enactments refers to that enactment as it may be amended or replaced from time to time. In the event of a conflict between this Bylaw and an enactment of British Columbia, the stricter law prevails. Headings are for convenience only and must not be construed as defining or limiting scope or intent. If any part of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

3.2 The **Municipality** is not a Participating Municipality under any Inter-Community Business Licence Bylaw; and

(a) any **licence** issued under an Inter-Community Business Licence Bylaw will not be deemed valid in the **Municipality**.

3.3 Nothing in this bylaw relieves a person from complying with any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

4. LICENCE REQUIREMENTS

4.1 As of January 1, 2022, except as exempted under this Bylaw:

(a) a person must not engage in or carry on a **business** within the **Municipality** unless that person holds a valid **licence** issued by the **Licence Inspector**;

(b) without limiting the requirement for **operators** to obtain a **licence**, any person who:

i) advertises by newspaper, publicity, or otherwise, as open for **business** of any kind within the **Municipality**;
ii) deals in or buys, sells, barters or displays, or offers by advertisement or otherwise to buy, sell or barter things of any kind, either on behalf of themself or any other person within the **Municipality**;
iii) advertises as open to render professional or other services within the **Municipality**;

to residents, visitors, or other **operators** in the **Municipality**, is deemed to be carrying on a **business**;

(c) Every **non-Lantzville-based business operator** must, in addition to holding a **licence** issued by the **Licence Inspector**, also hold a current and valid **licence** required by the jurisdiction where the **business** has an office, **business** address or is normally based, must:

i) provide the address and contact information of the **business** in the other jurisdiction;
ii) carry that **licence** with them when engaging in the business within the Municipality;
iii) produce the **licence** at the request of the **Licence Inspector**; and
iv) notify the **Licence Inspector** of any change in **business** address, contact information, or licensing status in that jurisdiction.

(d) every **operator** required to hold a **licence** must renew the **licence** applicable to the **business** prior to the beginning of each licensing period;

(e) subject to a decision under this Bylaw to suspend, revoke or cancel a **licence**, a **licence** is effective from January 1st to December 31st in any year (the licensing period);

(f) a person must not carry on a **business** in or from any premises in the **Municipality** other than those specified on a valid **licence**;

(g) where a **business** is carried on in or from more than one premise in the **Municipality**, the **operator** must obtain a **licence** for each premises and the **business** carried on at each premises is deemed to be a separate **business**;

(h) a person to whom a **licence** has been issued under this bylaw must promptly notify the **Licence Inspector** in writing of any change or correction to the information provided on the **business licence** application. In particular, without limiting the foregoing, before changing the location, **operator**, or any condition related to size, volume, number or other limit or restriction noted in the **licence**, the **licence** holder must apply to have the **licence** modified accordingly;

(i) in the event of a change of **operator** of the **business** for which such **licence** was issued, the new **operator** must, within 30 calendar days, notify the **Municipality** in writing of the change; and

(j) the person to whom a **licence** has been issued must ensure that the **licence** is posted in a conspicuous place and manner in a part of the **business** premises to which the public has access, or in a central location that is readily visible, or as directed by the **Licence Inspector.**

4.2 Every **operator** must endeavour to meet trade, occupational, professional, or other standards established by Provincial and Federal statute or in the absence of law by customary practice for that **business**.

5. LICENCE APPLICATION and CONSIDERATIONS

5.1 A person required to obtain a **licence** must complete and submit, an application in a form approved by the **Licence Inspector**, together with the fee established in "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26-2004".

5.2 An application for a **licence** must include the following information:

(a) nature of the **business**;
(b) full name of the owner and the **operator**, if different, and where they may be contacted for **business** purposes, including email address;
(c) civic address and legal description of the land of the location of the business, current registered property owner name and the owner's authorization;
(d) number of persons employed;
(e) a parking plan;
(f) total indoor and outdoor floor area of the **business** premises;
(g) if an accommodation service, the number of sleeping units to be provided;
(h) if a **food and beverage service**, number of seats to be provided; and,
(i) if required by the **Licence Inspector**, documentation showing:

i) certification or approvals by Federal, Provincial, local government, or by a trade or professional association, applicable to the **business**;
ii) criminal record checks for the **business operator**, employees, volunteers or other personnel as required under the *Criminal Records Review Act* or other enactment;
iii) a satisfactory fire safety inspection by a qualified inspector acceptable to the **Licence Inspector**;
iv) a list of hazardous, toxic, volatile or flammable materials stored or used on-site;
v) written requirements of a registered building official or a registered professional under the *Building Act*; and
vi) other information that the **Licence Inspector** considers relevant and material to the reasonable and safe operation of the **business** and to meeting the requirements of this Bylaw and other applicable enactments.

5.3 An application will not be considered complete until information has been provided and the fee established in "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26-2004" has been paid.

5.4 No refund of the **licence** fee will be made on account of any person ceasing to do **business** in the **Municipality** at any time.

6. LICENCE RENEWAL

6.1 The **Municipality** will make available to all licencees a renewal form prior to the end of November of each year.

6.2 A licencee who intends to renew a **licence** must obtain, complete and submit to the **Municipality** a renewal form no later than December 31st each year.

6.3 If a **licence** is not renewed by December 31st each year, a licencee who wishes to continue to carry on the **business** must submit the renewal form and the late renewal fee established in "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26-2004".

6.4 If the **licence** is not renewed by January 31st each year, the **licence** shall be deemed expired and for the **business** to continue the **operator** must reapply for a Business Licence in accordance with Section 5, meeting all information requirements and paying all applicable fees.

7. EFFECT OF LICENCE

7.1 A Business Licence is not a representation or warranty that the **licenced operator, business** or the premises on which it is located complies with the bylaws of the **Municipality** or with any other applicable statutes, regulations, requirements or standards.

7.2 A **licence** authorizes the person named in the **licence** to operate only the **business** described, at the premises described, for the period specified, and upon such terms and conditions as set out in the **licence** and is not transferable to another person.

8. INFORMATION AND INSPECTION

8.1 The **Licence Inspector** may, from time to time, require any information from an **operator** that the **Licence Inspector** considers to be relevant to the safe and reasonable operation of the **business**.

8.2 The **Licence Inspector** may enter at all reasonable times upon any property to inspect and determine whether the requirements of this Bylaw and other applicable enactments are being met.

8.3 In determining whether a **licence** should be issued or upon entering a premise, conducting an inspection, or enforcing this Bylaw, the **Licence Inspector** may consult with or be accompanied by:

(a) a peace officer, health officer, fire or building safety inspector, government agency; or
(b) any person who is qualified under a statute or by an occupational, trade, or professional standards body who, in the opinion of the **Licence Inspector**, would have relevant expertise in relation to the **business** being inspected.

9. REFUSAL, SUSPENSION AND REVOCATION

9.1 The **Licence Inspector** may refuse to issue a **licence** and may suspend, revoke or cancel a **licence** for reasonable cause. Without limiting the **Licence Inspector's** reasons, any of the following circumstances may constitute reasonable cause:

(a) the **licence** applicant or holder appears to be non-compliant with a bylaw of the **Municipality** or with a Federal or Provincial statute;
(b) a **licence** holder appears to be non-compliant with a term, limit, restriction, requirement, or condition of a **licence** or of a permit, approval or **licence** issued by another regulatory authority;
(c) the applicant or holder has been formally convicted of, or deemed to have pleaded guilty to, an offence under a Federal or Provincial law and the offence is relevant to the **business** operation.

9.2 The **Licence Inspector** must state in writing the reasons for refusal, suspension, revocation, or cancellation of a **licence**.

9.3 Before suspending or cancelling a **licence**, the **Licence Inspector** must give the **licence** holder an opportunity for reconsideration.

9.4 The **Licence Inspector** may impose conditions, restrictions, and requirements on a **licence**, so that the **operator** may avoid suspension or revocation of a **licence**, and to ensure compliance with this and other bylaws of the **Municipality**.

10. RECONSIDERATION (APPEAL TO COUNCIL)

10.1 Any person who has received a notice of **licence** suspension or cancellation, or who has been refused a **licence**, may request reconsideration by **Council** within 14 days after the date on which the decision is communicated to the applicant in writing.

10.2 A request for reconsideration must be delivered in writing to the Director of Corporate Administration for the **Municipality**, must include a copy of the reasons given by the **Licence Inspector**, and must state the grounds on which the applicant considers the **Licence Inspector's** decision is inappropriate.

10.3 The Director of Corporate Administration will place a request for reconsideration on the agenda of a **Council** meeting to be held within one month from the date on which the request for reconsideration was received.

10.4 **Council** may consider the request in written form or through an in-person hearing, or both, and may require any, and all information and further information that it considers may be relevant. After considering the appeal, **Council** may either confirm the decision of the **Licence Inspector** or substitute its own decision, and may impose additional conditions, restrictions, or requirements that it considers to be warranted in the circumstances.

10.5 An **operator** must comply with any, and all restrictions, conditions, and requirements of a **licence** and any notice or direction by the **Licence Inspector** or in accordance with a decision by **Council** pursuant to reconsideration.

11. SPECIFIC BUSINESSES

11.1 A **licence** for a **farmers market, flea market, public market** or **special event** may be issued to a single incorporated organization and cover all vendors within the market that the organization identifies as a member.

11.2 A **farmers market, flea market** or **public market** may operate no more than two (2) days per week and only at times and locations specified in the **licence**.

11.3 **Mobile food vendors** must, in addition to other requirements of this Bylaw:

(a) if food is being prepared and sold, provide the **Licence Inspector** with evidence of approval by a health officer as may be required under the *Public Health Act*; and

(b) ensure the area around the vending location is kept in reasonable condition as determined by the **Licence Inspector**, including but not limited to being free of waste and provided suitable garbage, recycling, and composting containers.

11.4 **Secondhand dealers** must maintain a log of persons providing materials or goods for sale, including the quantity and price of goods sold and amount reimbursed to the original owner.

11.5 An **operator** of a **cannabis** production **business** must ensure that:

(a) the **business** does not produce odours, noise or ground vibrations that cause substantial and unreasonable interference with the comfort of neighbouring properties and occupants;
(b) all waste is disposed of in a responsible manner, including but not limited to solid waste biomass and wastewater discharges, and in accordance with relevant local and Provincial regulations; and
(c) adhere to all pertinent regulations and best practices with respect to **cannabis** production and flammable solvent storage, handling, recycling.

11.6 **Home businesses** must adhere to specific regulations set out in "District of Lantzville Zoning Bylaw No. 180, 2020".

12. GENERAL EXEMPTIONS

12.1 A **licence** is not required:

(a) for an activity or **business** carried on by or on behalf of the Provincial or Federal government or a corporation or agency of the government;
(b) for a society registered in British Columbia or Canada or a registered charitable organization who does not operate a retail or other commercial **business** on a regular basis;

(c) for occasional fundraising activities held by educational organizations, churches, sports teams, societies, or other non-profit organizations;
(d) for a farm **business**, as defined by the *Farm Practices Protection Act*;
(e) with respect to a performance, concert, exhibition, entertainment, or concession that is held in an establishment for which a **licence** has been issued;
(f) for **operators** who only discharge passengers or provide delivery services within the **Municipality**;
(g) for rental of a single-family dwelling or duplex where the rental agreement is subject to the *Residential Tenancy Act*;
(h) for the letting or rental of not more than two (2) rooms within a dwelling unit for a residency period of 30 consecutive days or longer, where the dwelling unit is the primary residence of the **operator**;
(i) for the **business** of childcare or senior care if not more than two (2) persons are being supervised or cared for at any given time;
(j) for babysitting;
(k) for garage/yard sales when held on residential premises, for no more than:

i) ten (10) sale days per year per residence; or
ii) ten (10) sale days per year per building where the building contains more than three (3) dwelling units in multiple family areas.

(l) for **market gardening** when held on residential premises.

13. ADMINISTRATION AND ENFORCEMENT

13.1 The **Licence Inspector** is authorized to administer and enforce this Bylaw.

14. OFFENCE AND PENALTY

14.1 Every person who:

(a) contravenes this Bylaw;
(b) permits, suffers or allows any act or thing to be done in contravention of this Bylaw;
(c) fails or neglects to do anything required to be done under this Bylaw;

commits an offence and each day any contravention continues constitutes a separate offence.

14.2 A person found guilty of contravening this Bylaw is liable to pay:

(a) a fine of not less than $100 and not more than $50,000, together with the costs of prosecution if proceedings are brought under the *Offence Act*;
(b) a fine of up to $1,000 if a ticket is issued under the "District of Lantzville Municipal Ticket Information Bylaw No. 100, 2012"; or
(c) a penalty in the amount established in a bylaw made under the *Local Government Bylaw Notice Enforcement Act*.

READ A FIRST TIME this 29th day of March, 2021.

READ A SECOND TIME this 16th day of June, 2021.

READ A THIRD TIME this 21st day of July, 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

As at July 21, 2021

DISTRICT of LANTZVILLE
GOOD NEIGHBOUR BYLAW
NO. 200, 2021

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DISTRICT OF LANTZVILLE
GOOD NEIGHBOUR BYLAW NO. 200, 2021

A Bylaw to enhance the quality of life for the residents of the District of Lantzville

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The Council of the District of Lantzville in open meeting assembled enacts as follows:

CITATION

1. This Bylaw may be cited as "District of Lantzville Good Neighbour Bylaw No. 200, 2021".

INTERPRETATION

2. In this Bylaw, words or phrases defined in the British Columbia *Interpretation Act, Motor Vehicle Act, Local Government Act, Community Charter*, or any successor legislation, shall have the same meaning when used in this Bylaw unless otherwise defined in this Bylaw. Unless otherwise indicated, a reference to a statute refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw or other enactments refers to that enactment as it may be amended or replaced from time to time. In the event of a conflict between this Bylaw and a Provincial enactment, the stricter law prevails.

3. Schedule "A" contains definitions of terms used in this Bylaw and forms part of this Bylaw.

4. In this Bylaw, unless the context otherwise requires, the singular shall include the plural and the masculine shall include the feminine gender.

5. The headings contained in this Bylaw are for convenience only and are not to be construed as defining, or in any way limiting, the scope of the intent of the provisions of this Bylaw.

6. Scales of fees and charges referred to in this Bylaw are listed in Schedule "F" of the Miscellaneous Fees and Charges Bylaw No. 26, 2004.

SEVERABILITY

7. If any section, paragraph, clause or word of this Bylaw is held to be invalid or unenforceable by a court of competent jurisdiction, that portion is severed from the Bylaw and the remaining portions continue to be valid and enforceable.

GENERAL REGULATIONS

8. No **person** shall place or occupy any building, structure, works, tent, **vehicle**, **secondary temporary accommodation**, recreational facility or recreational **vehicle** whatsoever on any part of **District**-owned land, including statutory rights of ways or road allowances except as authorized under the Traffic and Parking Regulations Bylaw No. 28, 2004, with the written approval of the **District** or as provided in this Bylaw.

9. No **person** shall discharge a **firearm** within the boundaries of the **District**, with the exception of:

(a) a Conservation Officer or **Peace Officer** carrying out their official duties;
(b) in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act";*
(c) persons exercising an Aboriginal Right.

10. No **person** shall feed any animal, including geese and seagulls, other than a domestic animal or pet, unless otherwise permitted under the applicable zoning or land designation bylaw, except that bird feeders are permitted on residential property subject to the owner or occupier keeping the land area below the bird feeder free of **accumulation** of seed and debris from the bird feeder at all times.

Public Areas

11. No **person** shall climb, peel, cut, deface, remove, top, injure, or in any way damage any tree planted or growing on **District**-owned land or deface, remove, damage, or destroy any structure, fence, or facility on **District**-owned land without first obtaining written permission of the **Director of Public Works**.

12. No **person** shall place or erect any structure, sign, bulletin board, post, pole or any other advertising device, paint or affix any advertising in **public areas** or on **District**-owned land, except on a community board designated for that purpose or with prior approval of the District.

13. No **person** shall consume or possess any open liquor, alcoholic beverage or cannabis on **District**-owned land within the **District** boundaries except with the written approval of the **District**.

LITTERING

14. No **person** shall affix to or place **advertisements** on, or within any lot, building, pole, or **vehicle**, unless such **advertisements** are deposited within a **container** provided by the property owner or occupiers of the land or building.

15. No **person** shall deposit, leave, bury or throw **rubbish, advertisements** or other litter anywhere within the **District,** including without limitation wooded areas and beaches, except in a **container** designated for that purpose.

16. No **person** shall carry into the **District** any **rubbish** or litter for disposal or placement except as permitted by the **District's** Zoning Bylaw No. 180, 2020.

STREET NUISANCES

17. Restrictions on Panhandling

No **person** shall **panhandle** within 10 metres of:

(a) an **automated teller machine**;
(b) a bus stop or bus shelter;
(c) a public beach;
(d) a park;
(e) the entrance to any property that a liquor store occupies; or
(f) other public facility.

18. No **person** shall **panhandle** from an occupant of a motor **vehicle** which is:

(a) parked;
(b) stopped at a traffic control signal; or
(c) standing temporarily for the purpose of loading or unloading.

19. No **person** shall **panhandle** after sunset.

20. No **person** shall sit, stand, or lie on the travelled portion of a **highway** for the purpose of panhandling.

21. No **person** shall on a commercial basis solicit for orders, busk or peddle merchandise of any kind in a **public area** or on **District**-owned land, without prior written permission issued by the **District**.

NOISE REGULATION

22. General Noise Prohibitions

Unless exempted under this Bylaw, no **person** shall make, cause or permit to be made or caused, any noise in or on any private property or place or on a **highway** or other **public area** in the **District** which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of that place.

23. Without limiting section 22, quiet hours in the **District** are between 10:00 pm and 7:00 am, including on beaches. No **person** shall make, cause or allow unnecessary or continuous noise during these quiet hours, except as provided in section 27.

Specific Noise Prohibitions

24. Without limiting the generality of sections 22 and 23 herein:

(a) No **person** shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound, either in or on private property or on any **highway** or other **public area** in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of those premises or place;

(b) No **person** being the **landowner** or occupier of land shall allow or permit such land to be used by a **person** for playing or operating any radio or stereophonic equipment or other instrument or other apparatus for the production or amplification of sound that can be easily heard from beyond the property and which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any **person** in the neighbourhood or vicinity of said land;

(c) No **person** shall keep or harbour any dog, cat, or other animal or bird in such a manner that its barking, howling, cries or other sounds can be easily heard, continually, sporadically or erratically, for any period longer than 30 minutes by a **person** who is not on the property or premises;

(d) No **person** may operate, or cause, suffer or permit the operation of any motorized lawn-grooming or garden equipment in the **District** between the hours of 8:00 pm and 7:00 am;

(e) Subject to section 27 (h), no **person**, **landowner** or occupant of land shall, on any day before 7:00 am or after 8:00 pm, cause, permit or allow a **person** to construct, erect, reconstruct, alter, repair or demolish any building, structure or thing, or excavate or fill in land in any manner which causes noise or sounds in or on any property, a **highway** or elsewhere in the **District** which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any **person** or **persons** in the neighbourhood or vicinity;

(f) No **person** shall cause or continue a disturbance upon any portion of a **highway** or other **public area** by participating in a fight or other similar physical confrontation between consenting or non-consenting **persons**.

Motor Vehicle Noise

25. The following motor **vehicle** noises are considered unnecessary, objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public and are prohibited, whether or not they amount to a violation of any other provision of this Bylaw:

(a) the squeal of a tire on a road surface made by a motor **vehicle** which is accelerating, stopping, or changing direction;

(b) a loud, roaring or explosive sound emitted by a motor **vehicle** within the **District**;

(c) the amplified sound or bass of a radio, player, or other sound playback device or amplification equipment, or the sound of a musical instrument, that emanates from a motor **vehicle** and can be easily heard by someone outside the motor **vehicle**;

(d) the sound of an automobile security system which is made, either continuously or intermittently, for a period exceeding three (3) minutes, or made more than three (3) times in a 24-hour period;

(e) the sound of a horn or other warning device on a motor **vehicle** used for any purpose other than as an audible warning incidental to the safe operation of the motor **vehicle**;

(f) the sound of a brake or other type of engine brake on a motor **vehicle** used or operated for any purpose other than as an emergency braking device incidental to the safe operation of the motor **vehicle**.

Motor Vehicle Idling Noise

26. No **person** shall idle or otherwise run a motor **vehicle** continuously for more than three (3) minutes at the same location, except:

(a) a motor **vehicle** containing equipment that must be operated inside or in association with a motor **vehicle**;

(b) a motor **vehicle** while providing assistance in an emergency activity or serving as a facility for taking measurements or making observations by or on behalf of the **District**, public utility, police, fire or ambulance; or

(c) a motor **vehicle**, where idling is required as part of an inspection, servicing or repair process.

Noise Exemptions

27. The noise restrictions of this Bylaw do not apply in the following circumstances:

(a) operating or in charge of Fire Department, police or ambulance **vehicles** while in the execution of their duties;

(b) operating any motor **vehicle**, machinery or other apparatus or thing during an emergency or for a public purpose or in furtherance of the public interest including, without limiting the generality of the foregoing, water main and sewer main break repairs, snow removal, or civil defense exercises;

(c) performing works of an emergency nature for the preservation or protection of life, health or property, provided that, the onus shall be on the **person** performing the work to show cause that the work was of an emergency nature;

(d) performing farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*;

(e) lawfully carrying on a trade or industry on property zoned commercial or light industrial to allow for such use, provided that the sound or noise there from does not exceed the sound or noise common to such trade or industry where carried out in accordance with generally accepted industry standards using equipment and facilities in good operating order;

(f) operating residential household equipment including, but not limited to, pool pump motors, air conditioning units, exhaust fans, hot tub pumps, heat pumps provided that the sound or noise there from does not exceed the sound or noise common to such household equipment when in good operating order and being used in accordance with generally accepted industry standards;

(g) hosting events held under the authority of a **special event permit** approved by the **District**;

(h) carrying out construction work under written authorization of the **Director of Planning** where the **Director of Planning** considers that it is impossible or impractical for a **person** to comply with section 24 (e), and has, upon receipt of an application in writing, authorized construction to carry out work that is found to be necessary, at designated hours on designated days and on such other terms and conditions as the **Director of Planning** considers reasonable in the circumstances. An application for an exemption must be in writing and must include all of the following:
   (i) the name, address, telephone number and email of the applicant;
   (ii) the civic address of the location of the works;
   (iii) the building permit number, if applicable;
   (iv) the reasons for the requested exemption;
   (v) a description of the source of noise in respect of which the exemption is sought;
   (vi) the exact period of time for which the exemption is requested; and
   (vii) a statement of the measures planned or presently being taken to minimize the sound or noise created;

(i) Operating a **mobile public address system** approved through a **special event permit** approved by the **District**.

PROPERTY MAINTENANCE

Regulations

28. A **landowner** or occupier of any real or personal property must not cause, permit or allow the property to become or remain **unsightly**.

29. Without limiting the generality of the foregoing, except as permitted under sections 36 and 37 of this Bylaw, no **landowner** or occupier of land shall cause or allow:

(a) **rubbish**, or any noxious, offensive, or **unwholesome matter** to collect or accumulate on the land;

(b) **rubbish** to overflow from or accumulate around any **container** situated on the land;

(c) the land to become or remain **unsightly**;

(d) the **accumulation** of unmanaged vegetation, dead landscaping, weeds, or **noxious weeds** to occur or to remain on the land;

(e) the infestation of caterpillars, termites, mice, rats, or other pests, or destructive animals to remain on the land;

(f) more than two (2) unregistered or unlicensed **vehicles** stored outdoors within the **landowner**'s property boundaries except as permitted by the **District's** Zoning Bylaw No. 180, 2020;

(g) an **accumulation** outdoors of motor **vehicle** parts or any **vehicle** which is in a state of disrepair or disassembly or is a **derelict vehicle** except as permitted by the **District's** Zoning Bylaw No. 180, 2020;

(h) **noxious weeds** to grow on the land and shall remove or have removed, any **noxious weeds** on the land in a manner which eliminates the regrowth of the **noxious weeds**.

Vacant Premises

30. A **landowner** must ensure that vacant land, buildings or structures are secured from unauthorized entry, and must not cause or allow a vacant building or structure to fall into such a state of dilapidation or disrepair that it becomes **unsightly** or creates a hazard, danger or inconvenience to the general public.

Graffiti

31. No **person** shall place **graffiti**, or cause or allow **graffiti** to be placed, on any wall, fence, building or structure that is in the **District**.

32. Every **landowner** or occupier shall keep any wall, fence, building, structure or surface located on such property and adjacent to a **highway** or **public area**, free of **graffiti**.

Boulevard, Highway and Sidewalk Maintenance

33. Every **landowner** or occupier of land adjacent to a **boulevard** or **highway** shall:

(a) ensure that the portion of the **boulevard** adjacent to the land, is maintained and kept free and clear, at all times, of **weeds**, **accumulations** of **filth**, **rubbish**, litter, and hazardous objects;

(b) ensure that the land is kept free and clear, at all times, of **weeds** that are within one meter from the boundary between the land and the adjacent **boulevard**, so as to prevent and control the spreading of **weeds** to adjacent **boulevards**;

(c) ensure that the land is kept free and clear, at all times, of **accumulations** of **filth**, **rubbish**, litter, and hazardous objects that are within one meter from the boundary between the land and the adjacent **boulevard**;

(d) prevent any encroachment or obstruction by vegetation, landscaping features, fences, gates or other private property features or **weeds** on sidewalks, **boulevards**, road shoulders, roadways, or public rights of way; and

(e) keep hedges, trees and other vegetation trimmed so that driveway and intersection **sight distances** are unobstructed.

34. Every owner or occupier of land shall remove, or cause the removal of snow, ice or **rubbish** from every sidewalk that borders on that land within 24 hours of the time the snow, ice or **rubbish** is deposited there on.

35. No **person** shall deposit or cause or permit the deposit of **rubbish**, litter, on any **public area** of the **District**, including without limitation beaches.

Property Maintenance Exemptions

36. Section 29 of this Bylaw does not apply to the orderly outdoor storage of goods and chattels as permitted by the **District's** Zoning Bylaw No. 180, 2020.

37. Section 29 of this Bylaw does not apply to farm operations conducted in accordance with normal farm practices under the *Farm Practices Protection (Right to Farm) Act.*

MANAGEMENT OF PUBLIC AREAS

38. A **person** must not use fertilizers, pesticides, and herbicides in **public areas**.

39. With the exception of **boulevards** where maintenance is required to be done by adjacent property owners, a **person** must not alter or change any **public area** without first obtaining written approval of the **Director of Public Works**.

40. A **person** must not mow **grass** in **public areas** without first obtaining written permission of the **Director of Public Works**.

41. A **person** must not place **rubbish** in a municipal garbage or recycling bin.

42. Beaches and parks in the **District** are closed from:
a) November 1st to April 30th from 10:00 pm to 7:00 am; and
b) May 1st to October 31st from 11:00 pm to 6:00 am,
for all camping, loitering, or congregating in groups of more than four persons.

43. A **person** must not enter or use closed **public areas** including beaches and parks, except as provided in sections 42 and 45.

44. Overnight camping, erection and occupancy of a **temporary shelter** or open burning for any purpose is prohibited in the following key sensitive areas in the **District** of Lantzville:

LOCATION	**CIVIC ADDRESS**
Copley Park	7471 Andrea Crescent
Huddlestone Park	7080 Huddlestone Road
Rotary Park	6945 Peterson Road
Sebastion Park	7342 Lantzville Road
Fire Hall	7580 Superior Road
Municipal Hall	7192 Lantzville Road
Community Use Building A (Costin Hall)	7232 Lantzville Road
Community Use Building B (former church)	7244 Lantzville Road
School Road Parking Lot and Tennis Courts	7005 Lantzville School Road
District-owned Lands	7329 Harby Road East
All Public Beach Areas	
District Trails	
Environmental Sensitive Areas (as designated in the Official Community Plan)	
Registered Road Rights of Way	

45. A **homeless person** may take up overnight accommodation and erect and occupy a **temporary shelter** in a park, except those listed in section 44, between the hours of 7:00 pm on one day and 7:00 am the following day, provided the **homeless person**:

(a) vacates and dismantles any shelter erected by 7:00 am each morning;

(b) removes any shelter material, personal possessions, and disposes of any debris, **rubbish,** litter or any other articles in a **container** designated for that purpose, by 7:00 am each morning;

(c) does not erect a shelter within 10 metres of any playground, sports field, picnic shelter, gazebo, public washroom, bike park, private property, pathway, established trail or sidewalk;

(d) does not damage or alter any **District**-owned land, including fencing, trees, shrubs, plantings, benches or other municipal equipment or infrastructure;

(e) does not obstruct a **District** employee in the performance of their duties.

46. A **person** must not operate a drone in **public areas** including beaches and parks, in such a manner as to damage or interfere with municipal structures and equipment, or impede the use and enjoyment of **public areas**, including beaches and parks.

***[BURNING CONDITIONS, RESTRICTIONS AND FIRE BANS** Reference the District of Lantzville Fire Protection Services Bylaw No. 185, 2019]*

***[FOR FIREWORKS REGULATIONS** Reference District of Lantzville Fireworks Regulation Bylaw No. 39, 2005]*

INSPECTIONS

47. No **person** shall obstruct or interfere with a **Bylaw Enforcement Officer** or **Inspector** in the exercise of their duties.

48. A **Bylaw Enforcement Officer** or **Inspector** may enter upon the property of any property owner or occupant at all reasonable times and in a reasonable manner for the purposes of carrying out their duties and determining whether the property is **unsightly** or otherwise not in compliance with the provisions of this Bylaw.

ENFORCEMENT, PENALTY AND COMPLIANCE ORDERS

49. A **person** who:

(a) contravenes this Bylaw;

(b) permits, suffers, or allows any act or thing to be done in contravention of this Bylaw; or

(c) fails or neglects to do anything required to be done under this Bylaw,

commits an offence. Each day that a violation occurs or continues shall constitute a separate offence.

50. A **person** found guilty of contravening this Bylaw is liable to pay:

(a) a fine of not less than $1,000 and not more than $50,000, together with the cost of prosecution, if proceedings are brought under the *Offence Act*;

(b) a fine of up to $1,000 if a ticket is issued under "*District of Lantzville Municipal Ticket Information Bylaw No. 100, 2012*"; or

(c) a penalty in the amount established in a bylaw under the *Local Government Bylaw Notice Enforcement Act*.

51. In addition to the payment of a penalty or fine in relation to an offence, a **person** violating any of the provisions of this Bylaw may be liable to civil proceedings by the **District** to recover expenses, loss or damage incurred by the **District** resulting from such violation.

Compliance Order

52. If in the opinion of a **Bylaw Enforcement Officer** or an **Inspector**, the **landowner** or occupier fails to comply with a requirement of this Bylaw, the **Bylaw Enforcement Officer** or an **Inspector** may issue a **Compliance Order** requiring that the owner or the occupier, or both, bring the property into compliance with this Bylaw within such time as the **Bylaw Enforcement Officer** or **Inspector** considers appropriate in the circumstances.

53. A **Compliance Order** may address any conditions or circumstances particular to the property, specify actions and measures that must be taken, and establish a time frame for completion.

54. Delivery of a **Compliance Order** is deemed sufficient:

(a) in the case of the **landowner**, on the day on which it is personally delivered, or on the fifth business day after being mailed by regular post to the address shown on the current year's property assessment roll; and

(b) in the case of the occupant, on the day on which it is personally delivered, or the day on which it is posted on the property, or on the fifth business day after being mailed by regular post to the address of the property.

55. If the obligations imposed by the terms of a **Compliance Order** are not performed within the time period set out therein, the **District**, by its employees, agents, or contractors, may at all reasonable times and in a reasonable manner enter the property and bring about such compliance at the cost of one or more of the following:

(a) the occupant of the property from which the non-compliance of this Bylaw arises;

(b) the owner of the property from which the non-compliance of this Bylaw arises;

all of which said costs shall be calculated and invoiced to include all costs and expenses incurred by the **District** to meet the requirements of the **Compliance Order**, including without limitation, administrative costs; the costs to attend the property the **District** employees and its contractors; the costs of equipment, removal, cleanup, and disposal; and the cost of repairs to damaged **District** equipment, **vehicles** or property.

56. If a **landowner** or occupier defaults in paying the costs referred to in section 55 to the **District** within 30 days after receipt of a demand for payment, the amount becomes a debt due and owing to the **District**, and if not fully paid by December 31st, any amount outstanding may be recovered from the **landowner** in the same manner as for property taxes.

Excessive Nuisance Service Calls

57. Where a member of the R.C.M.P., a **Bylaw Enforcement Officer** or other **District** employee is required to respond to a property for:

(a) more than one **nuisance** service call within a twenty-four (24) hour period; or

(b) more than three **nuisance** service calls within a twelve (12) month period;

the **landowner** may be liable to pay an **Excessive Nuisance Abatement Fee** for each additional **nuisance** service call responded to at the same property within the twelve (12) month period following the date of the notice referred to in section 58.

58. Before imposing an **Excessive Nuisance Abatement Fee**, written notice shall first be provided to the **landowner**:

(a) describing in reasonable detail the nature of the **nuisance** conduct, activity or condition that occurred, or was maintained or permitted in, on or near the land; and

(b) advising the **landowner** that **Excessive Nuisance Abatement Fees** will be imposed for each additional **nuisance** service call to the same land and that the imposition of such fees is in addition to the **District's** right to seek other legal remedies or actions for abatement of the **nuisance.**

59. Service of the notice referred to in section 58 will be sufficient if the notice:

(a) In the case of service on an individual, is served personally or mailed by prepaid registered mail to the address of the **landowner** shown on the current year's tax roll for the land for which the notice is issued;

(b) In the case of service on a corporation, is served personally on a director, officer or manager of the corporation or by leaving it at or mailing it by prepaid registered mail to the registered office of the corporation.

60. **Excessive Nuisance Abatement Fees** shall be paid by the **landowner** on being delivered of an invoice from the **District** and if not paid within 30 days, becomes a debt owing by the **landowner** to the **District.**

61. This bylaw shall come into effect on August 1, 2021.

READ A FIRST TIME this 29th day of March, 2021.

READ A SECOND TIME this 29th day of March, 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates,
Director of Corporate Administration

SCHEDULE "A"

Attached to and forming part of Bylaw No. 200

The following definitions apply in this Bylaw:

"**Accumulation**" means a build up, growth or collection, either scattered, amassed or piled, existing at the time of inspection;

"**Advertisements**" means circulars, pamphlets, handbills, and papers, and does not include newspapers or notices issued by the **District**;

"**Automated teller machine**" means a device linked to a financial institution's account records which is able to carry out transactions, including, but not limited to, account transfers, deposits, withdrawals, balance inquiries, and mortgage and loan payments;

"**Boulevard**" means that portion of **highway** between the curb lines or the lateral boundary lines of a road way and the adjoining property or between the curbs on median strips or islands, but does not include curbs, sidewalks, ditches or driveways;

"**Building official**" means **person**s duly appointed by **Council** as such;

"**Bylaw Enforcement Officer**" means a **Bylaw Enforcement Officer** appointed by **Council** as such, and shall include any **Peace Officer** or **building official**;

"**CAO**" means the Chief Administrative Officer appointed by **Council** and any **person** delegated to assist in carrying out their duties under this bylaw;

"**Compliance order**" means an order issued pursuant to section 52 of this Bylaw;

"**Container**" includes a dumpster, garbage can, garbage bin or other receptacle designed, intended or used to hold **litter**, discarded materials and debris;

"**Council**" means the elected **Council** for the **District** of Lantzville;

"**Derelict vehicle**" means all or part of any wrecked **vehicle** or motor **vehicle** which is not capable of operating under its own power and not validly registered and licensed in accordance with provincial legislation;

"**Director of Planning**" means the **person** appointed by the Chief Administrative Officer as the **Director of Planning** and Community Services for the **District** and any **person** delegated to assist in carrying out their duties under this Bylaw;

"**Director of Public Works**" means the **person** duly appointed by the Chief Administrative Officer as the **Director of Public Works** for the **District** and any **person** delegated to assist in carrying out their duties under this Bylaw;

"**District**" means the **District** of Lantzville;

"**Drone**" means a remotely operated aerial device that is designed to carry a camera or other recording mechanism;

"**Excessive Nuisance Abatement Fees**" include, but are not limited to the following costs and expenses incurred while responding to a **nuisance** service call for the purpose of abating **nuisance** conduct, activity or condition:

(a) The cost of police and **District** employee salaries, including 25% overhead;
(b) The cost of using Fire Department and **District** equipment and **vehicles;**

(c) The administration costs incurred by the **District** in responding to a **nuisance** service call and abating a **nuisance**;
(d) The cost of the **District** Fire Department call-out including employee and equipment; and
(e) The cost of repairs to damaged **District** equipment, **vehicles** or property, and the use of supplies which occurred as a result of responding to a **nuisance** service call;

"**Filth**" means foul or putrid matter;

"**Firearm**" means a rifle, pistol, shotgun, or crossbow and includes air guns, air rifles, air pistols, and spring guns;

"**Graffiti**" includes one or more letters, symbols, writing, pictures or marks, however made, posted, scratched, painted or drawn on any structure, place or thing but does not include marks made accidentally or any of the following:

(a) Sign, public notice or traffic control mark authorized by the **District**, or Provincial or Federal legislation; or
(b) In the case of private property, letter, symbol or mark for which the owner of the property on which the letter or symbol or mark appears, has given prior, written authorization;

"**Grass**" shall include plants that are commonly known or referred to as **grass**;

"**Highway**" means a public road and any other public way, including the full extent of the **highway** dedication, but excludes the area seaward of the present natural boundary of the sea;

"**Homeless person**" means a **person** with no fixed address and no predictable residence to return to on a daily basis;

"Inspector" means anyone who is authorized by the **CAO** to enter and inspect property for the purposes of this Bylaw;

"**Landowner**" means the **person** who is the registered owner on title under the *Land Title Act,* and in relation to the common property of a strata corporation, includes the strata corporation;

"**Mobile public address system**" means a **public address system** that can be used or is used while mounted on a motor **vehicle**, trailer or such other device transported or moved by human power;

"**Noxious weeds**" means any plant designated as a **noxious weed** pursuant to the *Weed Control Regulation;*

"Nuisance" means an action or condition that is prohibited under this Bylaw;

"**Panhandle**" means to solicit, or without consideration, ask for money, donations, goods or other things of value whether by spoken, written or printed word or bodily gesture for one's self or for any other **person** but does not include soliciting for a charitable organization;

"**Peace Officer**" has the same meaning as in the *British Columbia Interpretation Act*;

"**Person**" includes a natural **person**, a company, corporation, partnership, firm, association, society, or party and the heirs, executors, administrators, occupier or tenant of land, personal or other legal representatives or a **person** to whom the context can apply according to law; however, does not include a **District** employee fulfilling or carrying out the duties and responsibilities of their position;

"**Public address system**" means a sound amplification system, either by megaphone or electronically, used outdoors to disseminate the spoken word or music to the public in general, and includes outdoor sound amplification systems used for purposes of a performance, concert, exhibition or entertainment, but does not include systems used for internal communications in schools and businesses.

"**Public Area**" means any park, **highway**, **boulevard**, sidewalk, driveway on **District**-owned land, foreshore, beaches or such premises as the **Council** may from time to time designate.

"**Rubbish**" means any discarded substances, materials, or items, and without limitation includes household waste, decaying or non-decaying solid and semi-solid wastes, combustible and non-combustible wastes, paper, trash, refuse, cardboard, waste material, cans, glass, bedding, mattresses, crates, rags, barrels, boxes, lumber not neatly piled, scrap iron, tin and other metal, scrap paving material, tool sheds, construction, trade and demolition waste, **derelict vehicles** and vessels, tires, batteries, machinery, mechanical or metal parts, abandoned or dilapidated appliances or furniture, ashes from fireplaces and on-site incinerators, yard clippings, brush, wood, dry vegetation, **weeds**, dead trees and branches, stumps, and piles of earth, or any combination of the above;

"**Secondary Temporary Accommodation**" means a trailer or recreational **vehicle**, on skids or wheels.

"**Sight distances**" means a clear line of vision between motorists, cyclists and pedestrians that allows sufficient time for safe manoeuvres to be made without significantly affecting the conflicting traffic;

"**Special event permit**" means any public show, exhibition, carnival or performance or gathering of any particular kind, or any public show, exhibition, carnival or performance approved by **Council**.

"**Temporary shelter**" means a tent or other shelter constructed from a tarp, plastic, cardboard or other similar materials;

"**Unsightly**" in addition to its common dictionary meaning and regardless of the condition of other properties in the neighbourhood, shall include property having any one or more of the following characteristics:

(a) The storage, location or **accumulation** visible to a **person** standing on a public **highway** or on nearby property, of **filth**, litter, **rubbish** or **graffiti**;
(b) The untidy storage, location or placement of building materials on a site where construction is not taking place, except where they cannot be seen from a public **highway** or from nearby property, or from a building or structure situated on a public **highway** or nearby property;
(c) Landscaping or vegetation that is dead or characterized by uncontrolled growth or lack of maintenance, or is damaged;
(d) Fences characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or any other evidence of physical decay or neglect or excessive use or lack of maintenance;
(e) Any other similar conditions of disrepair, dilapidation, or deterioration;
(f) Any unlicensed or unregistered **vehicles** in a state of disrepair or disassembly.

"**Unwholesome matter**" means physical objects which are detrimental to physical or mental wellbeing of **persons**.

"**Vehicle**" means a device in, on or by which a **person** or thing is or may be transported or drawn on a **highway**, but does not include a device designed to be moved by human power, a device used exclusively on stationary rails or tracks or a motor assisted cycle, and for the purpose of this Bylaw shall include boat or other trailers;

"**Vehicle Owner**" means a **person** in possession or operation of a motor **vehicle** or ancillary or related equipment;

"**Weed**" means and shall include brush, trees, and other growth that tends to seed and spread readily without human intention or care, and any vegetation that may by its root system, limbs, shoots or leaves intrude into a **highway** in a manner that may impact travel, construction, maintenance levels, longevity or aesthetics of the said **highway**, including:

(a) English ivy (*Hedera helix*),
(b) Himalayan blackberries (*Rubus Armeniacus*), and
(c) Scotch Broom (*Cytisus Scoparius*).

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: **Official Community Plan Amendments for Regional Context Statement, Growth Containment Boundary, and Service Areas**

PURPOSE

To consider a proposed Official Community Plan (OCP) amendment bylaw to amend the Regional Context Statement (RCS), amend the Growth Containment Boundary (GCB), and the remove the water and sewer service area maps.

RECOMMENDATIONS

THAT District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021 be given first and second reading.

AND FURTHER THAT District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021 is consistent with the District of Lantzville Financial Plan and the relevant waste management plans.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

As directed by Council.

BACKGROUND/RELEVANT HISTORY

Regional Context Statement & Growth Containment Boundary

The OCP (Bylaw 150) was adopted by Council in June 2019. When the draft OCP was referred to the Regional District of Nanaimo (RDN) in January 2018, RDN staff advised that an amendment to the RGS was required because the GCB in the draft OCP was different than the GCB in the RGS and that the RDN Board would need to approve the updated RCS. Following adoption of the OCP, the RGS amendment and RCS approval request was submitted to the RDN. The RDN advised that there were issues with the RCS approval request, as follows:

1. RGS Goal No. 9 Celebrate Pride of Place is a duplication of Goal No. 10 Provide Services Efficiently (**ATTACHMENT 2**).

2. RGS Goal No. 4 Concentrate Housing and Jobs in Rural Village and Urban Growth Centres states that the GCB excludes the majority of lands designated Resource – Agricultural, but Map 3 of the OCP (**ATTACHMENT 3**) includes lands designated Resource – Agricultural in the GCB (i.e. the text and map are inconsistent).

Prior to advancing the RCS approval request to the RDN, amendments are required to rectify the duplicated RGS goal and align the text of the RCS with the OCP map (or vice versa).

Service Areas

The OCP designates water and sewer service areas on Maps 6 and 7, respectively (see **ATTACHMENTS 2** and **3**). Map 7 also includes anticipated phasing of the District sewer system. Service area designations identify areas that are (and will be) serviced with District services (e.g. water and sewer). The objective of this type of designation is to manage expectations for extension of District sewer and water infrastructure and the corresponding expectations for development that may arise as a result of those extensions. For example, extending sewer infrastructure into a rural area with few properties could result in costly infrastructure that cannot be supported by the local tax base that is benefitting from the new extended infrastructure, which in turn means that all users of the system end up paying a higher proportional cost. Furthermore, once District water and sewer services are extended into a rural area, this also puts pressure on the District to approve new developments in those areas that are now serviced.

The current policy framework permits the District to make exceptions and extend services beyond service area boundaries for public health, environmental, and efficiency reasons. For example, a neighbourhood may have a number of failing septic systems that are posing a threat to nearby sensitive ecosystems and groundwater. In that scenario, the District may wish to extend sewer services to protect those ecosystems and groundwater resources. In a different scenario, along Aulds Road, properties on one side of the road are designated Residential and are within the water service area and on the other side of the road properties are designated Rural and are outside of the water service area. If a water main is extended along Aulds Road, it makes sense that properties on both sides of the road could connect to the system and contribute financially (via user fees) to the operation, maintenance, and asset management of the infrastructure.

ATTACHMENTS

Attachment 1 – OCP Amendment Bylaw
Attachment 2 – Regional Context Statement
Attachment 3 – OCP Map 3 Land Use Designations
Attachment 4 – OCP Map 6 Water Service Area
Attachment 5 – OCP Map 7 Proposed Sanitary Sewer System Phasing

ANALYSIS/RATIONALE

Regional Context Statement Amendments

Correcting the duplicated RGS goal is a housekeeping amendment. The correct RGS goal – listed in the amendment bylaw – was taken from an earlier version of the OCP.

There are two options to address the inconsistency between the text of the RCS and the GCB shown on Map 3 of the OCP. The text can be amended to state that the Resource – Agricultural designated lands (i.e. lands within the Agricultural Land Reserve (ALR)) are included in the GCB and leave Map 3 as is. Alternatively, Map 3 can be amended by removing all Resource – Agricultural designated lands from the GCB and leaving the text as is (RECOMMENDED BY STAFF).

The purpose of the GCB is to identify areas where growth is anticipated and directed and areas where it is not. The GCB contains growth in order to avoid sprawl. There is no reason or benefit for the inclusion of ALR lands in the GCB. The ALR is governed by the *ALC Act* and associated regulations and there are virtually no opportunities for subdivision or development within the ALR. Owners of properties within the ALR will not be disadvantaged in any way by exclusion from the GCB.

If Council wishes to maintain the GCB as is with the ALR included in the GCB, this will require a formal amendment to the RGS which is subject to public input, input from RDN member municipalities, and approval from the RDN Board. RDN staff have already indicated they may not be in a position to support this RGS amendment request because it is inconsistent with broader objectives for protection of agricultural land.

Service Area Amendments

Staff are recommending removal of the service area maps and references to service areas from the OCP. This amendment would make it clearer that any area of Lantzville could be considered for extension of water and sewer servicing if those neighbourhoods want to petition for inclusion. Each proposed extension into rural or agricultural areas would be considered on a case-by-case basis on its own merits. Since there are land use designations with limits on development in the rural, estate and agricultural areas, the District would still be in a good position to respond to development pressures, despite those areas being serviced.

OCP Amendment Process

If Council gives first and second reading to the bylaw, the bylaw would be referred to the School Districts (statutory requirement) and Snaw-naw-as Nation. The broader public would also have an opportunity to comment on the amendments in advance of and during a statutory public hearing.

1. **Strategic Plan Objectives**

   N/A

2. **Policy**

   N/A

3. **Resource Implications**

   N/A

4. Financial/Budget Implications

N/A

5. Sustainability Implications

N/A

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: July 23, 2021

Approved for Submission to Council:

Ronald Campbell, Chief Administrative Officer

Date:

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9. c)
Closed (In-Camera)		
Special		

File: 3900-20-262
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 8 OCP Amendments for Regional Context Statement and Service Areas.docx

DISTRICT OF LANTZVILLE
BYLAW NO. 262, 2021

A BYLAW TO AMEND DISTRICT OF LANTZVILLE OFFICIAL COMMUNITY PLAN BYLAW NO. 150, 2019

The Municipal Council of the District of Lantzville in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "District of Lantzville Official Community Plan Bylaw No. 150, 2019, Amendment (Regional Context Statement and Service Areas) Bylaw No. 262, 2021".

2. Schedule 'A' of District of Lantzville Official Community Plan Bylaw No. 150, 2019 is hereby amended as follows:

   (a) in Part 1, Section 2.1.6, Water Service, by

      (i) deleting "'s Water Service Area (Map 6)", and
      (ii) deleting ", as well as those outside the Water Service Area,".

   (b) in Part 2, Section 3.2.3, by replacing "The OCP supports the future road network as shown on Map No. 6 of the OCP" with the following:

      "The OCP supports the future road network as shown on Map No. 5 of the OCP".

   (c) in Part 2, Section 3.2.4, by replacing "The OCP establishes a Growth Containment Boundary which includes the Village Core, surrounding residential lands, an industrial area, all of the estate and rural residential areas including the Foothills, as well as the Commercial / Industrial and Resource - Open Space areas, and excludes the majority of Resource - Agricultural and Resource - Forestry lands in the District." with the following:

      "The OCP establishes a Growth Containment Boundary which includes the Village Core, surrounding residential lands, an industrial area, all of the estate and rural residential areas including the Foothills, the majority of Resource – Agricultural, as well as the Commercial / Industrial and Resource - Open Space areas, and excludes the majority of Resource - Forestry lands in the District."

   (d) in Part 2, Section 3.2.9, by replacing "The OCP supports the efficient delivery of services for those lands designated within the Growth Containment Boundary (GCB). The delivery of community sewer to residential areas is currently underway in an orderly and planned manner as shown on Map No. 8. Community water continues to be challenging; however, a Water Master Plan has been completed and the OCP supports the continued development of additional water supply options. The OCP encourages developments that incorporate energy efficiency and water conservation, as well as minimal waste generation." with the following:

"The OCP supports the celebration of Lantzville through its support of community events, preservation of the community character, and recognition of local history. The OCP also supports the development of community parks and non-motorized trails which are considered an important component of community livability. The OCP incorporates the recommendations of a Village Commercial Core Improvement Plan. A Village Form and Character Development Permit Area, which includes design guidelines, has been designated for commercial, mixed use, multifamily and intensive residential development throughout the District. The Plan also encourages the use of architecture, design, and construction materials based on LEED principles and standards."

(e) in Part 2, Section 3.2.10, by

(i) deleting "for those lands designated within the Growth Containment Boundary (GCB)", and
(ii) deleting "as shown on Map No. 8".

(f) in Part 2, Section 9.2.1, by deleting "The Water Service Area is shown on Map 6".

(g) in Part 2, Section 9.2.4.3, by deleting "A preliminary servicing plan is as shown on Map 7, entitled Proposed Sanitary Sewer System Phasing."

(h) in Part 2, Section 10.2.1.1, by replacing "Map No. 6" with "Map No. 7".

(i) on Map 3, by amending the Growth Containment Boundary to be consistent with the Growth Containment Boundary shown on Schedule 1 of this amendment bylaw.

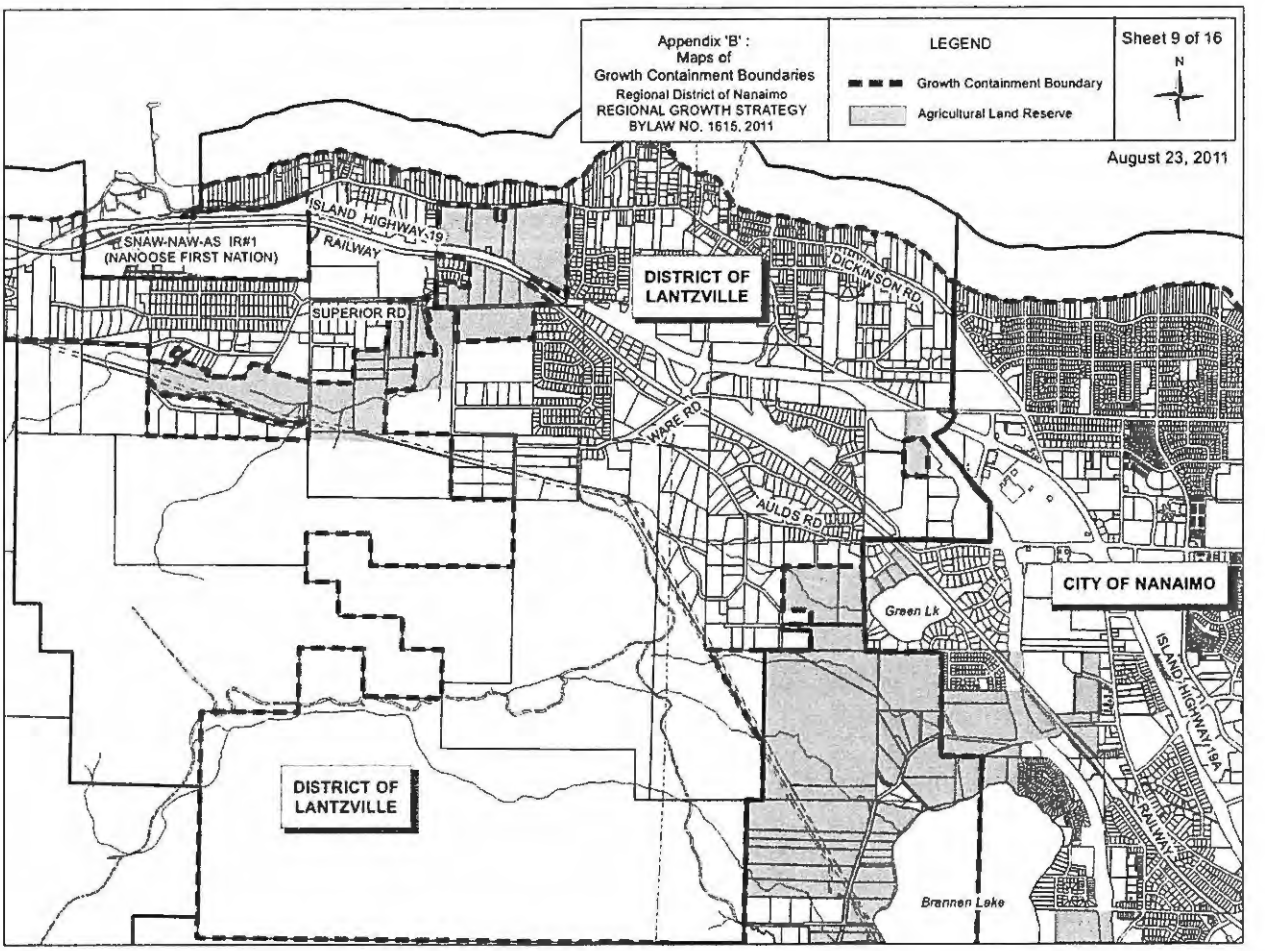
(j) by deleting Maps 6 and 7, renumbering the remaining maps accordingly, and updating all map number references to be consistent with the new map numbering.

READ A FIRST TIME this ___ day of ___, 2021.
READ A SECOND TIME this ___ day of ___, 2021.
PUBLIC HEARING HELD this ___ day of ___, 2021.
READ A THIRD TIME this ___ day of ___, 2021.
ADOPTED this ___ day of ___, 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

Schedule 1 to Bylaw 262, 2021



3.2 | Regional Context Statement

No community lives or grows in isolation from its neighbours. Residents of Lantzville know that their actions and lifestyles have an effect upon – and are affected by – the actions and lifestyles of neighbouring communities and various levels of government. A Regional Context Statement identifies how the aspirations of Lantzville fit with the plans and aspirations of the larger region.

In accordance with Section 446 of the *Local Government Act*, an Official Community Plan (OCP) must be consistent with the Regional Growth Strategy (RGS). The District of Lantzville OCP works to achieve consistency with the goals of the Regional Growth Strategy (adopted by the Regional District of Nanaimo Board in 2011) by addressing the RGS goals in the goals, policies, and actions of Lantzville's OCP.

The District of Lantzville OCP supports the goals of the RGS in the following ways:

3.2.1 | RGS Goal No. 1 – Prepare for Climate Change and Reduce Energy Consumption

The OCP supports the reduction of greenhouse gas (GHG) emissions through objectives including targets to reduce GHG emissions. The Plan also recommends specific policies and actions, including encouragement of passive homes and alternative energy sources in new development and provisions for electric vehicles. Inclusion of walking and cycling provisions, as well as encouragement of transit-oriented neighbourhoods is guided by policies. Water conservation measures continue, as well as provisions for aquifer monitoring and storm water infiltration to support aquifer recharge. Gradual adaptation to sea level rise is also anticipated.

3.2.2 | RGS Goal No. 2 – Protect the Environment

The OCP supports and recognizes the importance of protecting the natural environment through a number of goals, objectives, and policies relating to natural ecosystems and sensitive areas, ecological storm water management, protecting the waterfront, and using green infrastructure. In addition, Development Permit Areas for the protection of the natural environment, its ecosystems and biological diversity, have been designated to protect watercourses and their riparian areas, coastlines, sensitive ecosystems, and the ecological integrity of forest resource lands. The OCP also includes measures to protect land uses from natural hazards through the designation of lands in the Steep Slope Protection Development

Permit Area. While the Plan includes the protection of older forest through the development permit process, retention of the Coastal Douglas Fir zone will also be considered.

3.2.3 | RGS Goal No. 3 – Coordinate Land Use and Mobility

The District of Lantzville's OCP supports a Village Core served by a variety of transportation means including automobile, public transit, and human powered forms such as walking and cycling. The Plan also supports many innovative mobility policies including the creation of a pedestrian trail network. The OCP supports the future road network as shown on Map No. 6 of the OCP.

3.2.4 | RGS Goal No. 4 – Concentrate Housing and Jobs in Rural Village and Urban Growth Centres

The OCP establishes a Growth Containment Boundary which includes the Village Core, surrounding residential lands, an industrial area, all of the estate and rural residential areas including the Foothills, as well as the Commercial / Industrial and Resource - Open Space areas, and excludes the majority of Resource - Agricultural and Resource - Forestry lands in the District.

The OCP includes density bonus provisions for the residential areas and in key infill Special Plan Areas and supports the development of assisted living facilities. The form of residential development supported in the OCP for the Village Core includes patio homes, town homes, limited apartments and mixed-use residential near commercial development, as well as assisted living facilities. A limited amount of one- to two-storey multi-unit housing or intensive (small lot single-unit) residential is anticipated in select Special Plan Areas that are near transit lines. It is intended that these higher density forms of development will provide new, more easily maintained housing options for young singles, starter families, persons with limited mobility, or aging residents who wish to remain in Lantzville, or for new residents attracted to the amenities and lifestyle available in Lantzville. The OCP also supports directing future commercial and institutional development to the Village Core area whenever possible, to promote a variety of mixed land uses in this central area.

3.2.5 | RGS Goal No. 5 – Enhance Rural Integrity

The OCP supports the enhancement of rural integrity by supporting land uses such as agriculture, forestry, and resource-based uses. Policies include the support of the mandate of the Provincial Agricultural Land Commission (PALC) to preserve and enhance Agricultural Land Reserve (ALR) designated lands, including the retention of such lands.

The OCP also supports directing future development to lands within the Growth Containment Boundary (GCB) to minimize possible impact on those lands outside of the GCB. The OCP does not support the extension of community services (e.g., water and sewer) to lands within the Resource Forestry, Resource Agricultural, and the Rural Residential Land Use Designations for the purposes of development; only for environmental, health hardship, or financial efficiency reasons and with limtations to indoor domestic use.

3.2.6 | RGS Goal No. 6 – Facilitate the Provision of Affordable Housing

The Plan supports the broadening of housing options to include housing for aging residents, young people, and people with limited mobility, such as patio homes, townhomes, apartments, as well as the development of assisted living facilities.

3.2.7 | RGS Goal No. 7 – Enhance Economic Resiliency

The OCP supports the development of the Village Core area for retail and service needs for the local community, with provision for limited tourism-oriented facilities. Home-based businesses are also permitted in some areas, allowing residents to work from home. In addition to the Village Core area, the Plan supports the continued use of the Lantzville Industrial Lands for industrial-related activities which enhance the local and regional economy.

3.2.8 | RGS Goal No. 8 – Enhance Food Security

The OCP supports the enhancement of food security through its support of the retention and protection of the ALR lands. The OCP further supports the strengthening of the role of agriculture in the local economy through numerous policies including support of the Provincial Agricultural Land Commission's mandate to preserve and enhance the development of agricultural land for food production, the principle of expanding the range of on-farm activities, and the retention of larger agricultural parcels. Village Core policies encourage the

revitalization of food market and grocery outlet(s), which are encouraged to market local produce.

3.2.9 | RGS Goal No. 9 – Celebrate Pride of Place

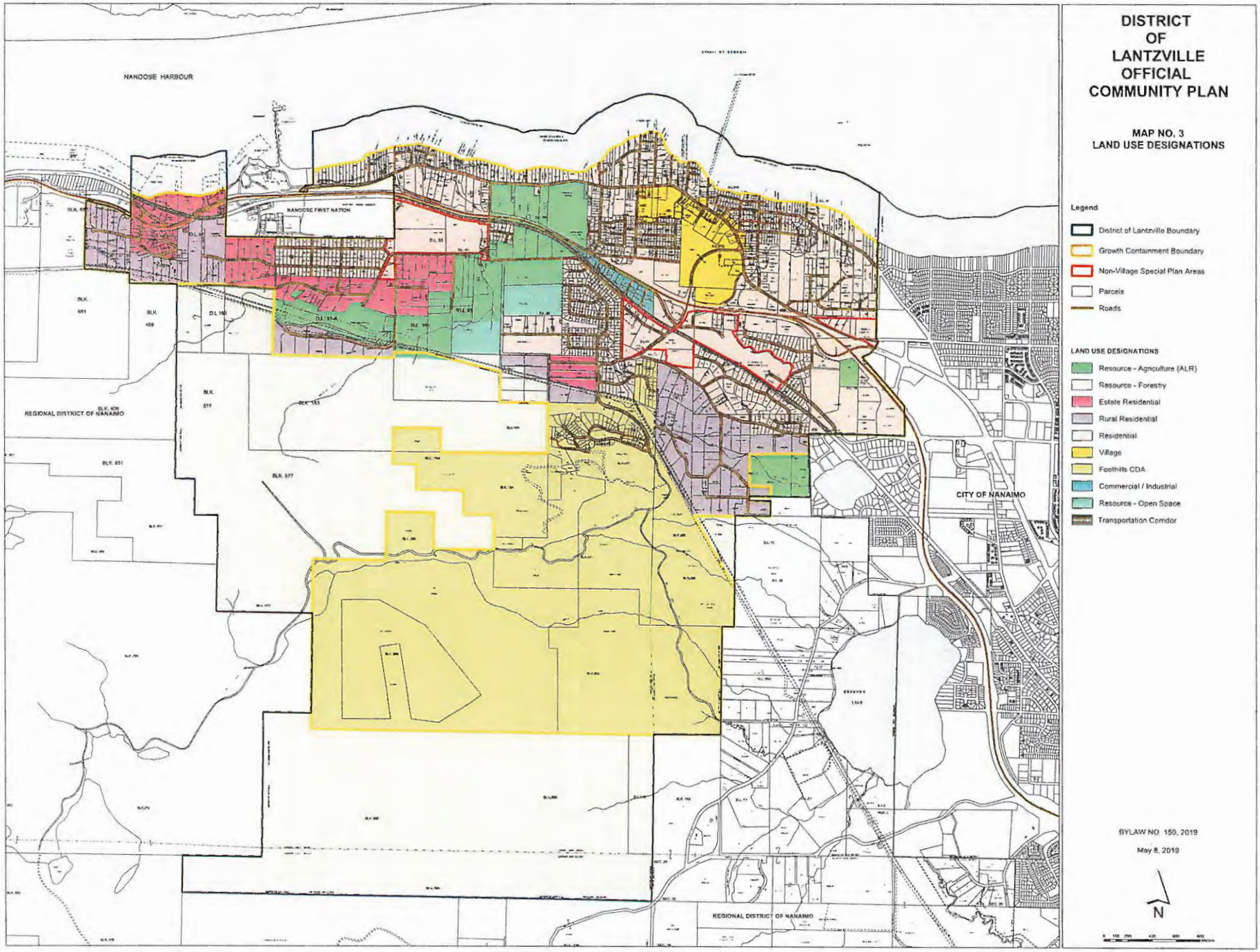
The OCP supports the efficient delivery of services for those lands designated within the Growth Containment Boundary (GCB). The delivery of community sewer to residential areas is currently underway in an orderly and planned manner as shown on Map No. 8. Community water continues to be challenging; however, a Water Master Plan has been completed and the OCP supports the continued development of additional water supply options. The OCP encourages developments that incorporate energy efficiency and water conservation, as well as minimal waste generation.

3.2.10 | RGS Goal No. 10 – Provide Services Efficiently

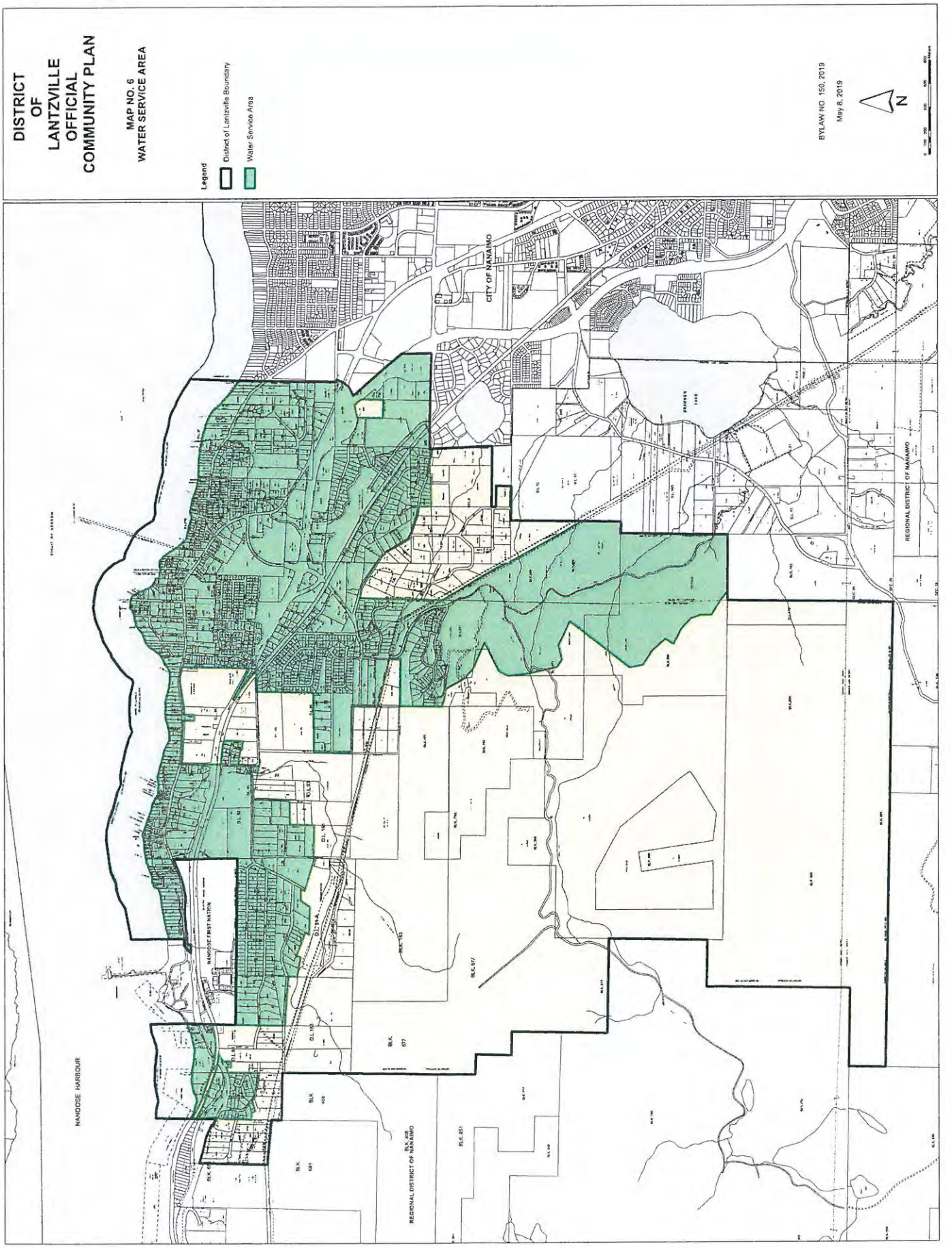
The OCP supports the efficient delivery of services for those lands designated within the Growth Containment Boundary (GCB). The delivery of community sewer to residential areas is currently underway in an orderly and planned manner as shown on Map No. 8. Community water continues to be challenging; however, a Water Master Plan has been completed and the OCP supports the continued development of additional water supply options. The OCP encourages developments that incorporate energy efficiency and water conservation, as well as minimal waste generation.

3.2.11 | RGS Goal No. 11 – Enhance Cooperation Among Jurisdictions

The OCP supports cooperation among jurisdictions through various policies such as working with senior governments for the protection of groundwater, to mitigate negative impacts on the natural environment, by supporting the Regional Liquid Waste Management Planning process, and to ensure the integrity of pedestrian and bicycle connections between jurisdictions. The OCP also provides policy for working with the Nanoose First Nation and other adjacent jurisdictions to explore possible economies of combined or shared services.



ATTACHMENT #3


DISTRICT OF LANTZVILLE OFFICIAL COMMUNITY PLAN
MAP NO. 6
WATER SERVICE AREA
Legend
District of Lantzville Boundary
Water Service Area
BYLAW NO. 150, 2019
May 8, 2019
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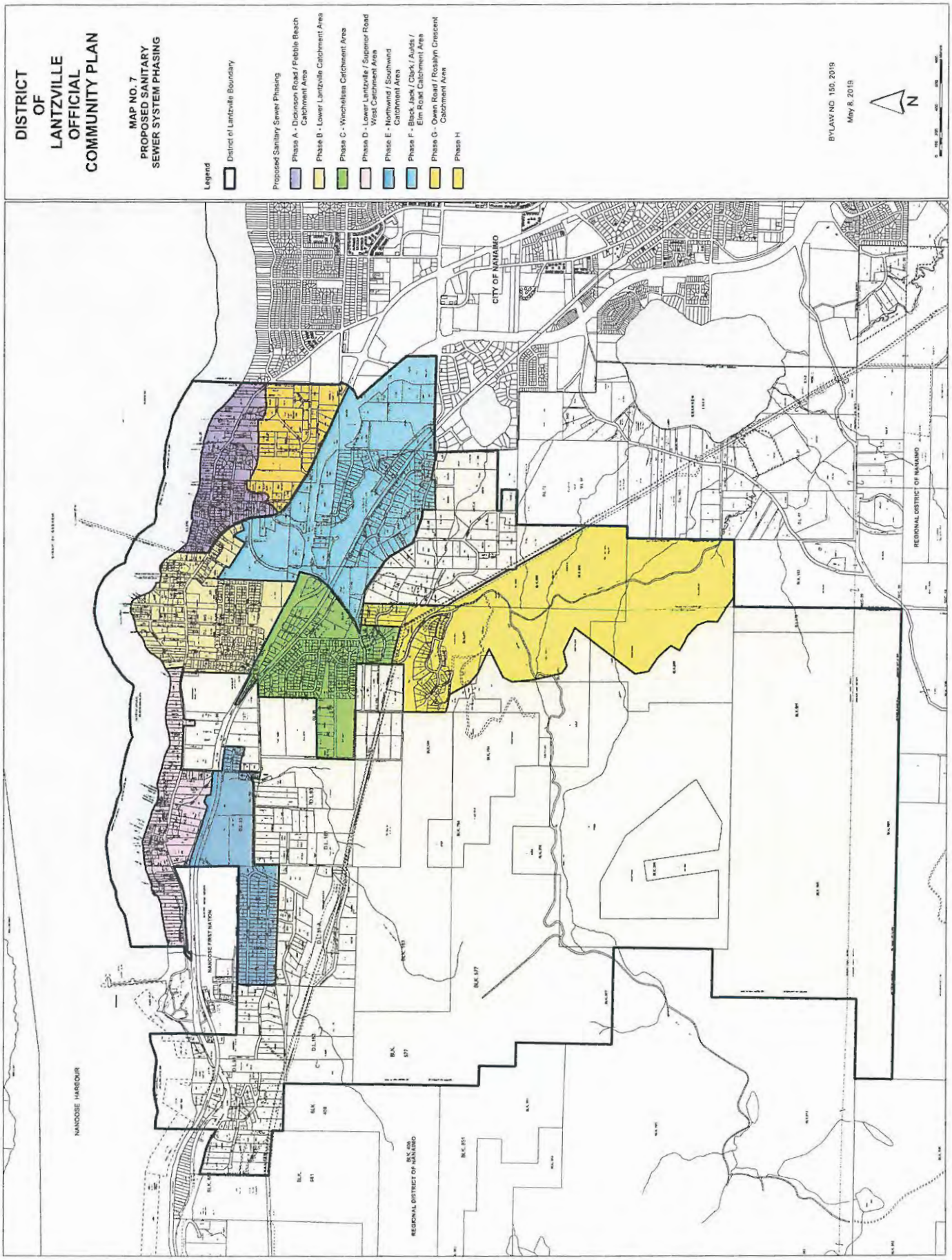
REGIONAL DISTRICT OF NANAIMO
NANOOSE FIRST NATION
NANOOSE HARBOUR


DISTRICT OF LANTZVILLE OFFICIAL COMMUNITY PLAN
MAP NO. 7
PROPOSED SANITARY SEWER SYSTEM PHASING
Legend
District of Lantzville Boundary
Proposed Sanitary Sewer Phasing
Phase A - Dickinson Road / Pebble Beach Catchment Area
Phase B - Lower Lantzville Catchment Area
Phase C - Winchelsea Catchment Area
Phase D - Lower Lantzville / Superior Road West Catchment Area
Phase E - Northwind / Southwind Catchment Area
Phase F - Black Jack / Clark / Aulds / Elm Road Catchment Area
Phase G - Owen Road / Rosalyn Crescent Catchment Area
Phase H
BYLAW NO. 150, 2019
May 8, 2019
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DISTRICT OF LANTZVILLE
BYLAW NO. 273, 2021

A BYLAW TO AMEND
DISTRICT OF LANTZVILLE
MISCELLANEOUS FEES AND CHARGES BYLAW NO. 26 - 2004

The Council of the District of Lantzville in open meeting assembled, enacts as follows:

1. District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 - 2004, is hereby amended as follows:

   a) By adding Schedule 'F' as attached to and forming part of this Amendment Bylaw as Schedule 'A'.

2. This Bylaw may be cited for all purposes as "District of Lantzville Miscellaneous Fees and Charges Bylaw No. 26 - 2004, Amendment (Business Licence) Bylaw No. 273, 2021".

READ A FIRST TIME this 16th day of June, 2021.

READ A SECOND TIME this 16th day of June, 2021.

READ A THIRD TIME this 16th day of June, 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

Schedule 'A' to Bylaw No. 273

SCHEDULE 'F'
DISTRICT OF LANTZVILLE BYLAW NO. 26
BUSINESS LICENCE FEES

District of Lantzville Business Licence Bylaw No. 167, 2021

1. **Business Licence Fee**

Business (non-Lantzville-based)	**$100.00/each premises**
Business (Lantzville-based) (except Home Business)	**$100.00/each premises**
Home Business	**$50.00**

2. **Annual Business Licence Renewal Fee**
(subject to annual submission of renewal form for next licensing period by December 31st each year)

Business (non-Lantzville-based)	**$50.00/each premises**
Business (Lantzville-based) (except Home Business)	**$0.00/each premises**
Home Business	**$0.00**

3. **Late Renewal Fee**
(subject to submission of renewal form by January 31st each renewal year if not submitted by the preceding December 31st)

Business (non-Lantzville-based)	**$100.00/each premises**
Business (Lantzville-based) (except Home Business)	**$50.00/each premises**
Home Business	**$25.00**

NOTE: Fees in clause 1 apply, if renewal form and fee not submitted by deadlines.

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Council Procedure Bylaw Amendment (Electronic Meetings)

PURPOSE

To provide a Council Procedure Bylaw Amendment for Council consideration to permit increased member participation in meetings electronically after the COVID 19 emergency authorities expire September 28, 2021 until Council considers other potential Council Procedure Bylaw amendments possible after Bill 10 comes into effect September 29, 2021. Also, to authorize a Financial Plan amendment for equipment to improve the District's electronic meetings capability.

RECOMMENDATIONS

THAT "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021" be given first, second and third readings.

THAT Council amends the 2021 Council meeting schedule to add a Special Council meeting to be held at 6:00 pm on Monday, September 27, 2021 electronically and in the Council Chamber, for consideration of adoption of "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021".

THAT the 2021-2024 Financial Plan be amended to include a $90,000 Capital Budget provision for Electronic Meetings Equipment Upgrade to be funded from the COVID-19 Restart Grant.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. Take no action. Implications: Effective September 29, 2021 Council members will be limited to participating electronically in Council meetings in accordance with the existing Council Procedure Bylaw No. 141 (e.g., only one member could participate electronically at each meeting, and there would be a limit of two consecutive meetings of electronic participation for each member).
2. Postpone considering amendments to the Council Procedure Bylaw until after Bill 10 comes into effect September 29, 2021. Implications: Hold Council meetings in accordance with the existing Council Procedure Bylaw No. 142, for at least October, as it may take 4-6 weeks for the process to consider Bill 10 amendments to the Council Procedure Bylaw.
3. Other action, as instructed by Council.

BACKGROUND/RELEVANT HISTORY

The *Community Charter (CC)* provides the authority to conduct special council meetings electronically, and to allow council and committee members to participate electronically in council and council committee meetings, as the case may be, if specific rules of procedure are established in the procedure bylaw.

The current procedure bylaw, District of Lantzville Council Procedure Bylaw No. 141, was adopted in March 2020 and amended in April and November 2020.

The Ministry reports in "Guidance for Adapting to the New Electronic Meetings" that since June 17, 2020 local governments have been operating under Ministerial Order M192 which allows all meetings and public hearings to be conducted electronically during the COVID-19 pandemic. M192 became part of the *COVID=19 Related Measures Act (CRMA)* on July 8, 2020. The authority to hold electronic meetings under the *CRMA* and M192 expires on September 28, 2021 (90 days after the provincial state of emergency in response to the COVID-19 pandemic declared in March 2020 under the *Emergency Program Act*, ended at 11:59 pm on June 30, 2021).

Bill 10 – *Municipal Affairs Statutes Amendments Act* passed June 21, 2021, including amendments to the *CC* for new authorities for electronic regular and committee meetings will be brought into force by regulation on September 29, 2021.

The District has held hybrid Council meetings previously during COVID, where one or some members were in the Council Chamber and others were participating electronically (via Zoom or by phone) with mixed results using our current equipment which was not installed with capacity for the new advent of live streaming and electronic participation or hybrid meetings.

Staff have been researching other equipment and process systems to:

- enhance the participation of elected officials and the public in electronic meetings
- rectify audio feedback during hybrid meetings
- engage citizens and improve efficiency
- streamline the operational requirements to be able to continue offering the electronic meeting option without the addition of on site IT support and video or phone conference moderator staff as utilized by other local governments
- comply with new requirements under Bill 10
- be compatible with the new i-Compass agenda and meeting management software.

Staff have authority to expend COVID-19 funds; however, as it is for a capital expenditure over $10,000, authorization for the Financial Plan amendment is required.

ATTACHMENT

1. District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021
2. Excerpt – District of Lantzville Council Procedure Bylaw No. 141, 2020, Electronic Meetings with proposed amendments shown in red.

ANALYSIS/RATIONALE

On the September 8, 2021 Council agenda, Council is also considering a report regarding Council meeting options for consideration and information for the transition after the COVID 19 emergency authorities expire September 28, 2021.

Staff have confirmed with the Province that:

- Council cannot give readings to a Council Procedure Bylaw amendment to include any of the options described in the Province's Guidance for Adapting to the New Electronic Meetings Framework (provided through Bill 10) until after it comes into effect September 29, 2021
- Council can proceed to consider amendments to the Council Procedure Bylaw for electronic meetings as currently available under Section 128 of the *Community Charter,* before September 29, 2021.

The attached bylaw provides amendments to the extent possible currently available under the *CC* to expand the option for electronic meetings until Council can consider options provided through Bill 10. It also removes clause 7 which will need to be considered after Bill 10.

The *CC* requires the municipality to publish notice of intended changes before Council amends, repeals or replaces its procedure bylaw. Note: this is not a public hearing notice. If Council gives Bylaw No. 278 first three readings, the notice will publish twice (September 15th and 22nd) before Council could consider adoption of the bylaw at a Special Council meeting to be held at 6:00 pm on Monday, September 27, 2021, electronically from the Council Chamber.

1. **Strategic Plan Objectives**
   N/A

2. **Policy (Existing/Relevance/None)**
   N/A

3. **Resources**
   Staff time to process the Bylaw and update the website, and advertising costs to publish notice prior to considering adoption.

4. **Financial/Budget Implications**
   Expenses funded through existing Financial Plan operating accounts.

5. **Sustainability Implications**
   There are no sustainability implications of the recommendation.

Prepared by:

Trudy Coates

Trudy Coates, Director of Corporate Administration

Date: August 11, 2021

Approved for submission to Council:

R. Campbell

Ronald Campbell, Chief Administrative Officer

Date: August 31, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9.e)
Closed (In-Camera)		
Special		

File: 3900.20.278
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DISTRICT OF LANTZVILLE **Attachment #1**
BYLAW NO. 278, 2021

A BYLAW TO AMEND
DISTRICT OF LANTZVILLE COUNCIL PROCEDURE BYLAW NO. 141, 2020

The Council of the District of Lantzville in open meeting assembled, enacts as follows:

1. District of Lantzville Council Procedure Bylaw No. 141, 2020, is hereby amended as follows:

   a) In section 9. **ELECTRONIC ATTENDANCE AT MEETINGS**:

      i. subsection (3) by striking "No more than 1 (one) member of the Council at one time may participate at a Council meeting electronically." and inserting "No more than 4 (four) members of the Council at one time may participate at a Council meeting electronically.".

      ii. subsection (4) by striking "A member may not participate by electronic means for more than two consecutive Council meetings." and inserting "A member may not participate by electronic means for more than eight consecutive Council meetings.".

      iii. by striking subsection (7) in its entirety "Despite sub-sections 9.(2), (3) and (4) above, in the event of a health, environmental or safety emergency, where it is not possible to have a quorum or the Mayor or Acting Mayor physically present for a meeting, all or any portion of the members may participate in a Council meeting by means of electronic or other communication facilities, so long as they comply with the remaining requirements of this Section."

2. This Bylaw may be cited for all purposes as "District of Lantzville Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021".

READ A FIRST TIME this day of , 2021.

READ A SECOND TIME this day of , 2021.

READ A THIRD TIME this day of , 2021.

ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

EXCERPT District of Lantzville Council Procedure Bylaw No. 141, 2020 – with Proposed Amendments in Bylaw No. 278 shown in Red

9. ELECTRONIC ATTENDANCE AT MEETINGS

(1) A member of the Council who is unable to attend a Council meeting may participate in the meeting by means of audio, audiovisual, electronic or other communication facilities, if the conditions in subsection 128 (2) of the *Community Charter* are met, and if:

(a) the member is able to provide their own necessary devices (e.g. landline phone, cell phone, electronic or another communications facility/device);

(b) the meeting is a regular or special meeting and not an inaugural meeting of Council or the Closed portion of a regular or special Council meeting except as approved by the Corporate Officer;

(c) the member has indicated his/her interest to the Corporate Officer to participate electronically at least one business day before the meeting;

(d) the member attending a meeting electronically participates during the full meeting.

(2) The member presiding at the Council meeting must not participate electronically.

(3) No more than ~~1 (one)~~ 4 (four) members of the Council at one time may participate at a Council meeting electronically.

(4) A member may not participate by electronic means for more than ~~two~~ eight consecutive Council meetings.

(5) During a meeting where a member is in attendance via electronic or other communication facilities, if there is a technical failure resulting in the member being disconnected from the meeting, there will be only two efforts made to reconnect to the member. If reconnection to the member is not achieved, the member will be deemed to have left the meeting and the Corporate Officer will record this in the minutes.

(6) Any member attending a meeting electronically must have a full agenda package available at the time of the meeting.

~~(7) Despite sub-sections 9.(2), (3) and (4) above, in the event of a health, environmental or safety emergency, where it is not possible to have a quorum or the Mayor or Acting Mayor physically present for a meeting, all or any portion of the members may participate in a Council meeting by means of electronic or other communication facilities, so long as they comply with the remaining requirements of this Section.~~

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Zoning Bylaw Amendment Application for 6935 Dickinson Road

PURPOSE

To consider a zoning bylaw amendment application to rezone a portion of 6935 Dickinson Road from Future Study Area Zone (F-SA) to the Residential 5 Zone (R5) to facilitate subdivision of a portion the subject property.

RECOMMENDATION

THAT District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (6935 Dickinson Road) Bylaw No. 281, 2020 be given first and second reading.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **THAT** District of Lantzville Zoning Bylaw No. 180, 2020, Amendment Bylaw (6935 Dickinson Road) No. 281, 2020 be defeated.

   The property could not be subdivided because the Future Study Area Zone does not allow for subdivision.

2. As directed by Council.

BACKGROUND/RELEVANT HISTORY

The subject property is approximately 1.85 ha (4.57 ac) in area (**ATTACHMENTS 1 & 2**) and is zoned F-SA (**ATTACHMENT 3**). The property is designated Residential in the Official Community Plan (OCP). The property fronts Dickinson Road and Owen Road. There is an existing house on the property accessed from Dickinson Road. Site photos are included as **ATTACHMENT 4**.

Proposal

The owner has applied to rezone a portion of the property from F-SA to R5 to facilitate a residential subdivision. The proposed zoning amendment bylaw is included as **ATTACHMENT 5**.

ATTACHMENTS

1. Location Map
2. Air Photo
3. Zoning Map
4. Site Photos
5. Zoning Amendment Bylaw
6. Covenant

ANALYSIS/RATIONALE

Official Community Plan

The land use designation of the property is Residential. The target average parcel area in the Residential designation is 960 m^2. The proposal is consistent with OCP.

Community Amenity Contributions

The owner has agreed to provide a financial community amenity contribution in the amount of $3,000 per each new additional parcel up to $18,000. The rezoning would result in an overall likely increase in subdivision potential by permitting 6 more parcels than could be achieved under the former zoning of the property prior to adoption of the current zoning bylaw (6 x $3,000 = $18,000). This will be secured by a covenant registered on title prior to adoption of the zoning amendment bylaw (**ATTACHMENT 6**).

Ministry of Transportation and Infrastructure

The Ministry will need to approve the zoning amendment bylaw because the subject property is within 800 m of a controlled access highway (Island Highway).

Servicing

The subdivision would be serviced with Municipal water and sewer.

Public Hearing

If Council gives first and second readings to the zoning amendment bylaw, a public hearing would be scheduled to provide the public with an opportunity to comment on the proposed bylaw.

1. Strategic Plan Objectives

N/A

2. Policy

There are no policy implications of the recommendation.

3. Resource Implications

There are no resource implications of the recommendation.

4. Financial/Budget Implications

Aside from the additional tax revenues that would result from subdivision of the land, the District would also acquire $18,000 in community amenity contributions.

5. Sustainability Implications

There are no sustainability implications of the recommendation.

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: August 26, 2021

Approved for Submission to Council:

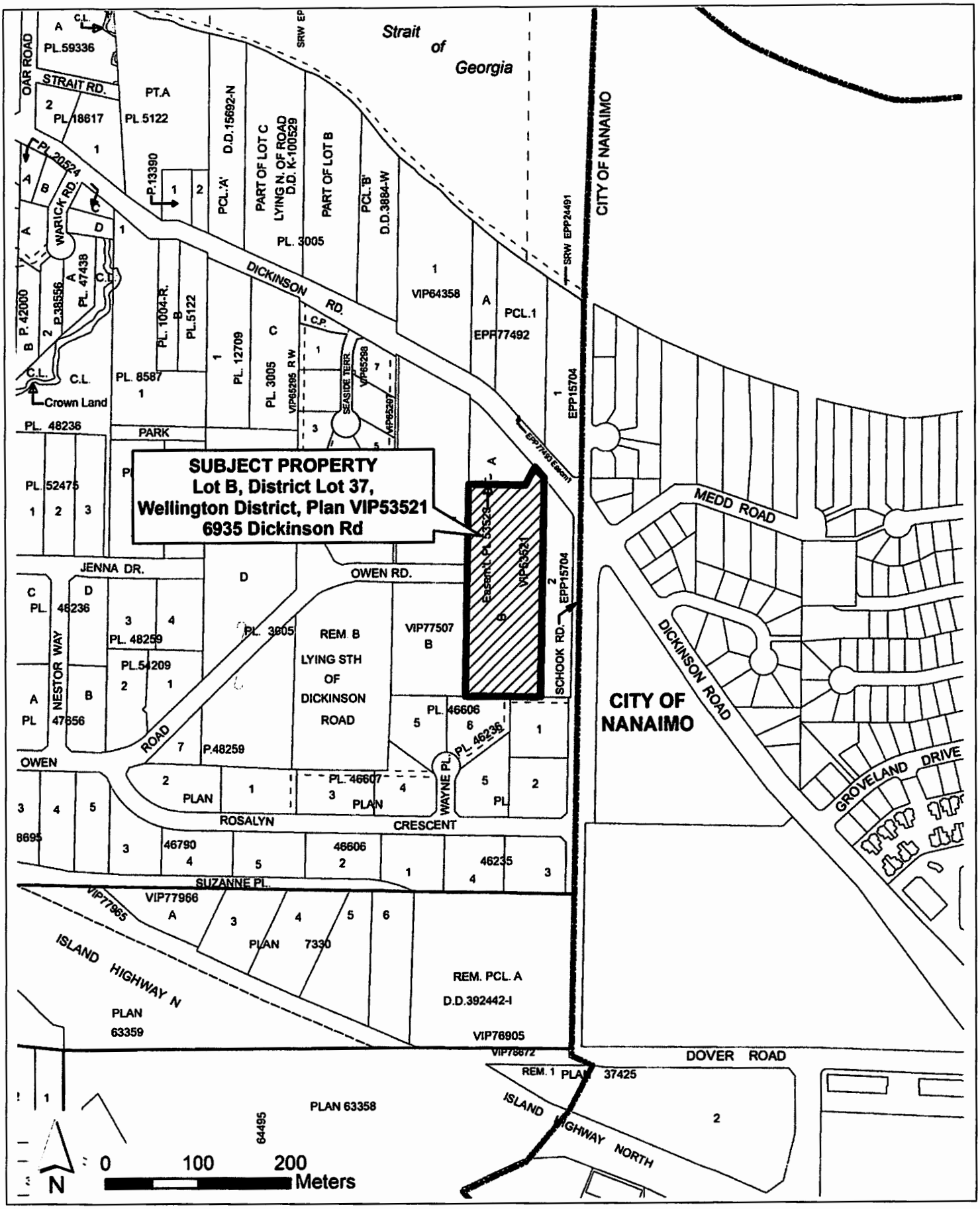
Ronald Campbell, Chief Administrative Officer

Date: August 26, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9.f)
Closed (In-Camera)		

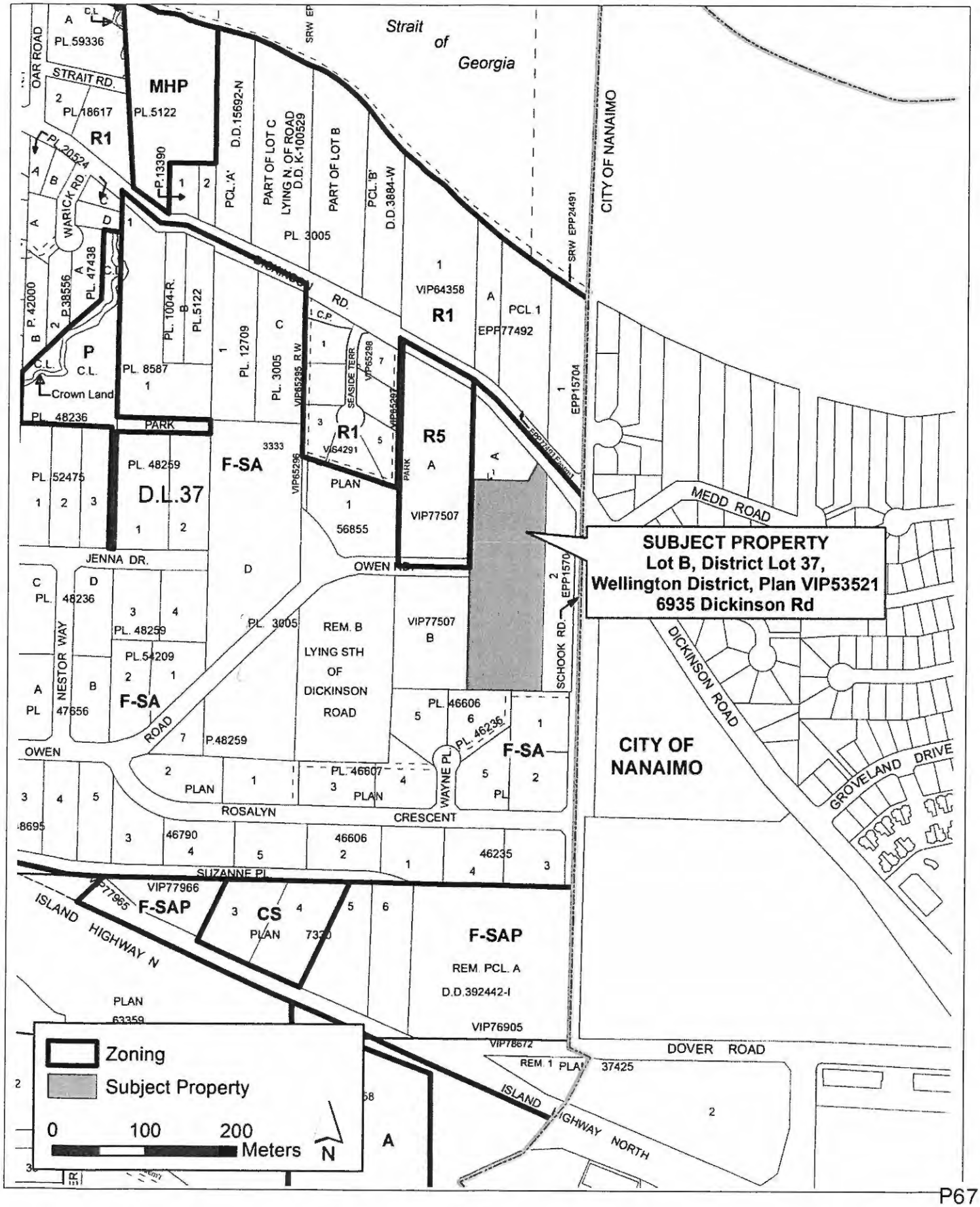
File: 3360-20-2
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Zoning Bylaw Amendment Application for 6935 Dickinson Road.docx


SUBJECT PROPERTY
Lot B, District Lot 37,
Wellington District, Plan VIP53521
6935 Dickinson Rd
Strait of Georgia
CITY OF NANAIMO
DICKINSON RD.
MEDD ROAD
SCHOOK RD.
DICKINSON ROAD
GROVELAND DRIVE
OWEN RD.
JENNA DR.
NESTOR WAY
ROSALYN CRESCENT
SUZANNE PL.
WAYNE PL.
DOVER ROAD
ISLAND HIGHWAY N
ISLAND HIGHWAY NORTH
PARK
Crown Land
REM. B LYING STH OF DICKINSON ROAD
REM. PCL. A D.D.392442-I
PCL.1 EPP77492
VIP64358
VIP53521
VIP77507 B
VIP77966 A
VIP76905
PLAN 63358
PLAN 63359
PLAN 7330
REM. 1 PLAN 37425
0 100 200 Meters
N

ATTACHMENT #2



ATTACHMENT #3







DISTRICT OF LANTZVILLE
BYLAW NO. 281, 2021

A BYLAW TO AMEND DISTRICT OF LANTZVILLE ZONING BYLAW NO. 180, 2020

NOW THEREFORE the Municipal Council of the District of Lantzville in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the "District of Lantzville Zoning Bylaw No. 180, 2020, Amendment (6935 Dickinson Road) Bylaw No. 281, 2021".

2. Schedule 'A' of District of Lantzville Zoning Bylaw No. 180, 2020 is hereby amended as follows:

   (a) by re-classifying a portion of the land legally described as

   "LOT B DISTRICT LOT 37 WELLINGTON DISTRICT PLAN VIP53521"

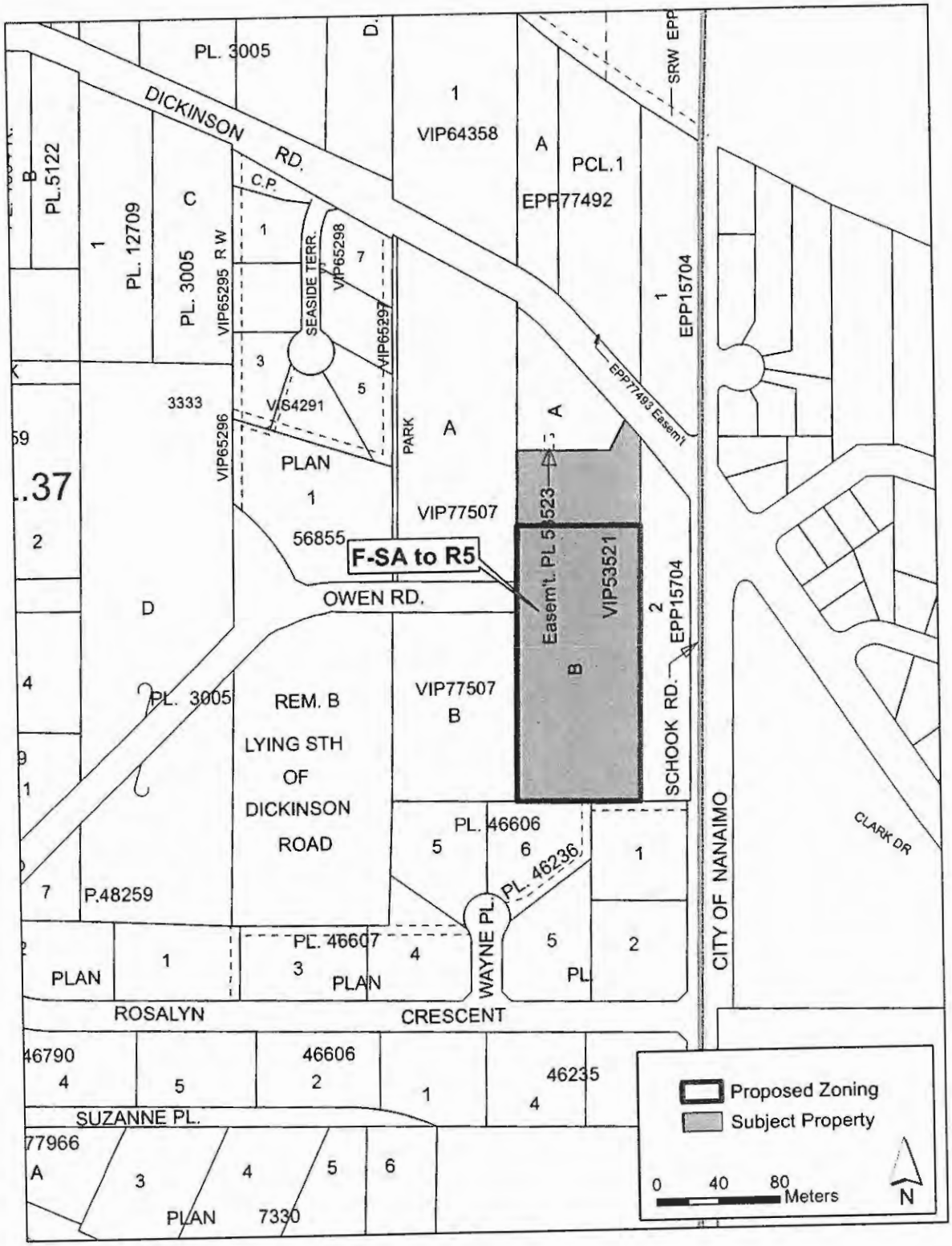
   from "Future Study Area Zone (F-SA)" to "Residential 5 Zone (R5)", as shown on the map attached hereto as Schedule 1.

READ A FIRST TIME this day of , 2021.
READ A SECOND TIME this day of , 2021.
PUBLIC HEARING HELD this day of , 2021.
READ A THIRD TIME this day of , 2021.
APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE this day of , 2021.
ADOPTED this day of , 2021.

Mark Swain, Mayor

Trudy Coates, Director of Corporate Administration

"Schedule 1 to Bylaw 281, 2021"



TERMS OF INSTRUMENT - PART 2

THIS COVENANT is made pursuant to Section 219 of the *Land Title Act*, R.S.B.C. 1996, c.250

BETWEEN:

JACOBUS ALBERT DE JONG
JACQUELINE ALINE DE JONG
6935 Dickinson Road
Lantzville, BC V0R 2H0

(the "Owner")

AND:

DISTRICT OF LANTZVILLE
7192 Lantzville Road, PO Box 100
Lantzville, B.C. V0R 2H0

(the "Municipality")

WHEREAS:

A. The Owner is the registered owner of land located in the territorial area of the Municipality and legally known and described as:

017-610-664
LOT B, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN VIP53521

(the "Land")

B. The District of Lantzville is a municipality incorporated and operating pursuant to the provisions of the *Community Charter*, S.B.C. 2003, c.26 and the *Local Government Act*, R.S.B.C. 1996, c.323 and preceding legislation thereto;

C. Section 219 of the *Land Title Act*, R.S.B.C. 1996, c.250, provides that a covenant of a negative or positive nature in respect of the use of the lands, to restrict building on the land, and to preserve amenities, may be registered as a charge against title to land in favour of a municipality.

D. The Owner has applied to the Municipality to rezone the Land to facilitate subdivision and development of the Land and, prior to the Municipality rezoning the Land, the Owner has agreed to grant this Covenant to ensure that subdivision and development of the Land is carried out in a manner set out herein.

NOW THEREFORE, in consideration of the sum of $1.00 paid by the District to the Owner, the receipt and sufficiency of which is hereby acknowledged by the parties, the Owner covenants and agrees with the Municipality pursuant to Section 219 of the *Land Title Act*, R.S.B.C. 1996, c.250, as follows:

Definitions

1. In this Covenant, "subdivided" means registration of a subdivision plan with the Land Title and Survey Authority of BC and for clarity does not mean application for or issuance of a Preliminary Subdivision Review (PSR) by the Municipal Approving Officer.

Restrictions on Use, Development and Subdivision

2. The Land must not be subdivided or used, nor any building or structure constructed, sited or placed on the Land, except in accordance with this Covenant.

Community Amenity Contribution

3. The Land must not be subdivided until the Owner provides to the Municipality a financial community amenity contribution in the amount of $3,000 per each new additional parcel created through subdivision, up to a maximum of $18,000.

Withholding of Approval

4. The Owner agrees that the Municipality or Municipal Approving Officer may, acting reasonably, withhold the approval of a subdivision, development permit, or building permit which does not comply with any provision of this Covenant.

Inspection

5. The Municipality, including its officers, employees and agents may inspect the Land or any building or structure on the Land, to determine whether the provisions of this Covenant are being or have been complied with.

Enforcement Remedy of the Municipality

6. If the Municipality believes that the Owner is in breach of any term or terms of this Covenant:

   (a) the Municipality may serve the Owner with written notice setting out particulars of the breach; and following service of the said notice;

   (b) the Owner must immediately or within any time period specified by the said notice, remedy the breach or make arrangements deemed satisfactory by the Municipality to remedy the breach.

7. If the Owner does not remedy a breach as specified in this Covenant, the Municipality is entitled to enter the Land and remedy the breach at the sole cost of the Owner.

Notice

8. Whenever provision is made for notice to be given to the Owner pursuant to this agreement, notice is deemed to have been given when delivered personally to the Owner, or to an officer or director of the Owner, or when mailed by prepaid registered mail to the registered and records office of the Owner, on the fourth day following the date of mailing. Notice to the Municipality is deemed to have been given when delivered personally to the business office of the Municipality, or when mailed by prepaid registered mail to the postal address of the Municipality, on the fourth day following the date of mailing.

Non-Enforcement

9. Notwithstanding any provision of this Covenant, the Municipality is under no obligation to enforce any provision of this Covenant.

Indemnity

10. The Owner must indemnify and save harmless at all times the Municipality, its officers, employees, contractors and agents from and against any proceeding, claim or demand which may be made in relation to restrictions imposed by this agreement or in relation to any obligation required to be performed under this agreement.

11. This indemnity applies to any act or omission occurring while the Owner is an owner of the Land, notwithstanding that the Owner may have ceased to be an owner of the Land, and must survive the release of this Covenant from title to the Land in relation to acts or omissions occurring before such discharge.

Performance at Cost of Owner

12. Unless otherwise expressly provided for herein, whenever the Owner requests something to be done, or is obliged or required to do or cause to be done any act, matter or thing, such act, matter or thing must be done by the Owner at its sole expense.

Interest in Land and Enurement

13. This Covenant must charge the Land pursuant to Section 219 of the *Land Title Act* and the burden of all covenants herein must run with the Land and charge the Land and every parcel into which the Land may be subdivided.

14. This Covenant enures to the benefit of and is binding upon the parties hereto and their respective successors, heirs, administrators and assigns.

15. No liability for any breach of this Covenant occurring after a person has ceased to be an owner of the Land, or any parcel into which the land may be subdivided, must attach to that person.

Amendment and Waiver

16. No amendment or waiver of any provision in this Covenant is valid unless it is made in writing and executed by the Owner and the Municipality.

Release of Covenant

17. This Covenant must be of no force and effect if the Municipality declares in writing that the Covenant is to be release from title to the Land.

18. In the event that the rezoning application is not approved by the Municipality, this Covenant must be released from title. The Owner must deliver a release document to the Municipality for signature and file the release document with the Land Title and Survey Authority of BC.

Severability

19. All provisions of this Covenant are to be construed as independent covenants and should any provision thereof be held invalid by a Court of competent jurisdiction, that portion must be severed, and the invalidity or unenforceability of such provision must not affect the validity of the remainder, which is to remain binding upon the parties and remain a charge upon the Land.

Time of the Essence

20. Time is of the essence of this agreement.

Further Acts

21. The Owner covenants and agrees to do and cause to be done all things, and to execute and cause to be executed all plans, documents and other instruments which may be necessary to give proper effect to this Covenant.

No Exemption from Jurisdiction

22. Nothing in this Covenant exempts the Owner or the Land from any statutory requirement or from the ordinary jurisdiction of the municipal council of the Municipality, including its bylaws, permits, regulations and orders.

23. The construction of any works or services required to be provided by this Covenant must not confer any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or any other fee or charge of whatever nature, except as statutorily required.

Interpretation

24. Wherever the singular or masculine is used herein, the same must be construed as meaning the plural or the feminine or the body corporate or politic where the context so requires.

Entire Agreement

25. This Covenant constitutes the entire agreement between the parties, and the Municipality has made no representations, warranties, guaranties, promises, covenants or agreements to or with the Owner in relation to the subject matter of this Covenant other than those expressed in writing herein.

Priority Agreement

26. The Owner must, at the expense of the Owner, do or cause to be done all actions reasonably necessary to grant priority to this agreement over all financial charges and encumbrances which may have been registered against the title to the Land save and except those specifically approved in writing by the Municipality or that are in favour of the Municipality.

Execution

27. As evidence of its agreement to be bound by the above terms, the Owner has executed and delivered this Covenant by executing the *Land Title Act* Form C to which this Covenant is attached and which forms part of this agreement.

28. The Owner agrees to do everything necessary at its own expense to ensure that this Covenant, and the interests it creates, is registered against title to the Land, with priority over all financial charges, liens and encumbrances registered or pending registration in the Land Title Office at the time of application for registration of this Covenant at the appropriate Land Title Office.

29. By executing and delivering this agreement, each of the parties intends to create both a contract, and a deed and covenant executed and delivered under seal.

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: **Development Permit Application for 7908 Lantzville Road**

PURPOSE

To consider a Development Permit application for development within Development Permit Area (DPA) 1 – Watercourse Protection and DPA 3 – Coastal Protection, including a variance to the streamside protection setback in the Zoning Bylaw.

RECOMMENDATION

THAT Development Permit No. DP21-30 be issued to the property owner for 7908 Lantzville Road.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **REFUSAL**

   THAT issuance of Development Permit No. DP21-30 be refused.

   Council can only refuse issuance of the Development Permit because the proposal is inconsistent with the Development Permit Guidelines in the OCP or a regulation in another District bylaw. Council cannot refuse the Development Permit for any other reason. If the Development Permit is refused, Council should clearly identify which guidelines the application does not comply with.

2. **AMEND THE DEVELOPMENT PERMIT**

   THAT Development Permit No. DP21-30 be amended by _____.

   AND FURTHER THAT Development Permit No. DP21-30, as amended, be issued to the property owner for 7908 Lantzville Road

   The implications are unknown until the amendments are known. Council can only approve, refuse or amend the Development Permit on the basis of consistency with the Development Permit Guidelines in the OCP or a regulation in another District bylaw. Council cannot refuse or amend the Development Permit for any other reason.

BACKGROUND/RELEVANT HISTORY

The subject property is 0.45 ha (1.11 ac) in area (**ATTACHMENTS 1 & 2**) and is zoned Residential 1 Zone (R1) (**ATTACHMENT 3**). The property contains an existing house that is accessed via a shared driveway. Knarston Creek flows through the property and a bridge is the only way to access the existing house. Site photos are included as **ATTACHMENT 4**.

Proposal

The owner is proposing to construct a new house on the property in approximately the same location as the existing house, as well as a replacement bridge, and new detached garage. The owner is also requesting a variance to reduce the streamside protection setback in the Zoning Bylaw from 15 m to 11 m for the house site and from 15 m to 0 m for the replacement bridge.

Development Permit Areas

The property is designated DPA 1 – Watercourse Protection and DPA 3 – Coastal Protection in the OCP, which means that a Development Permit is required prior to development.

ATTACHMENTS

1. Location Map
2. Air Photo
3. Zoning Map
4. Site Photos
5. Development Permit No. DP21-30

ANALYSIS/RATIONALE

Development Permit

The proposed Development Permit is included as **ATTACHMENT 5**. Provided that development takes place in accordance with the Riparian Areas Protection Regulation (RAPR) Assessment Report prepared by the Qualified Environmental Professional, staff do not have any concerns with the proposal. The proposal is consistent with the Development Permit Guidelines.

Variance

The purpose of the streamside protection regulation in the Zoning Bylaw is to protect riparian areas (i.e. ecologically sensitive areas). The width of the streamside protection area is determined by a QEP through the RAPR assessment process. In this case, the QEP determined a SPEA of 11 m.

When the 15 m coastal setback and 15 m streamside setback are applied to the property, the area for a potential house site is limited. The owner is requesting a relaxation in the setback from 15 m to 11 m for the house site to be consistent with the SPEA determined by the QEP. The owner is also proposing to replace the existing bridge with a new bridge in order to access the new house. A bridge is a structure, which means that the minimum 15 m setback applies. Reducing the setback to accommodate a bridge is a reasonable request, as owners should have access to different parts of their

property that are bisected by a stream. The owner has already received provincial approval for the bridge under Section 11 of the *Water Sustainability Act*.

1. Strategic Plan Objectives

N/A

2. Policy

There are no policy implications of the recommendation.

3. Resource Implications

There are no resource implications of the recommendation.

4. Financial/Budget Implications

There are no financial/budget implications of the recommendation.

5. Sustainability Implications

There are no sustainability implications of the recommendation.

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: August 27, 2021

Approved for Submission to Council:

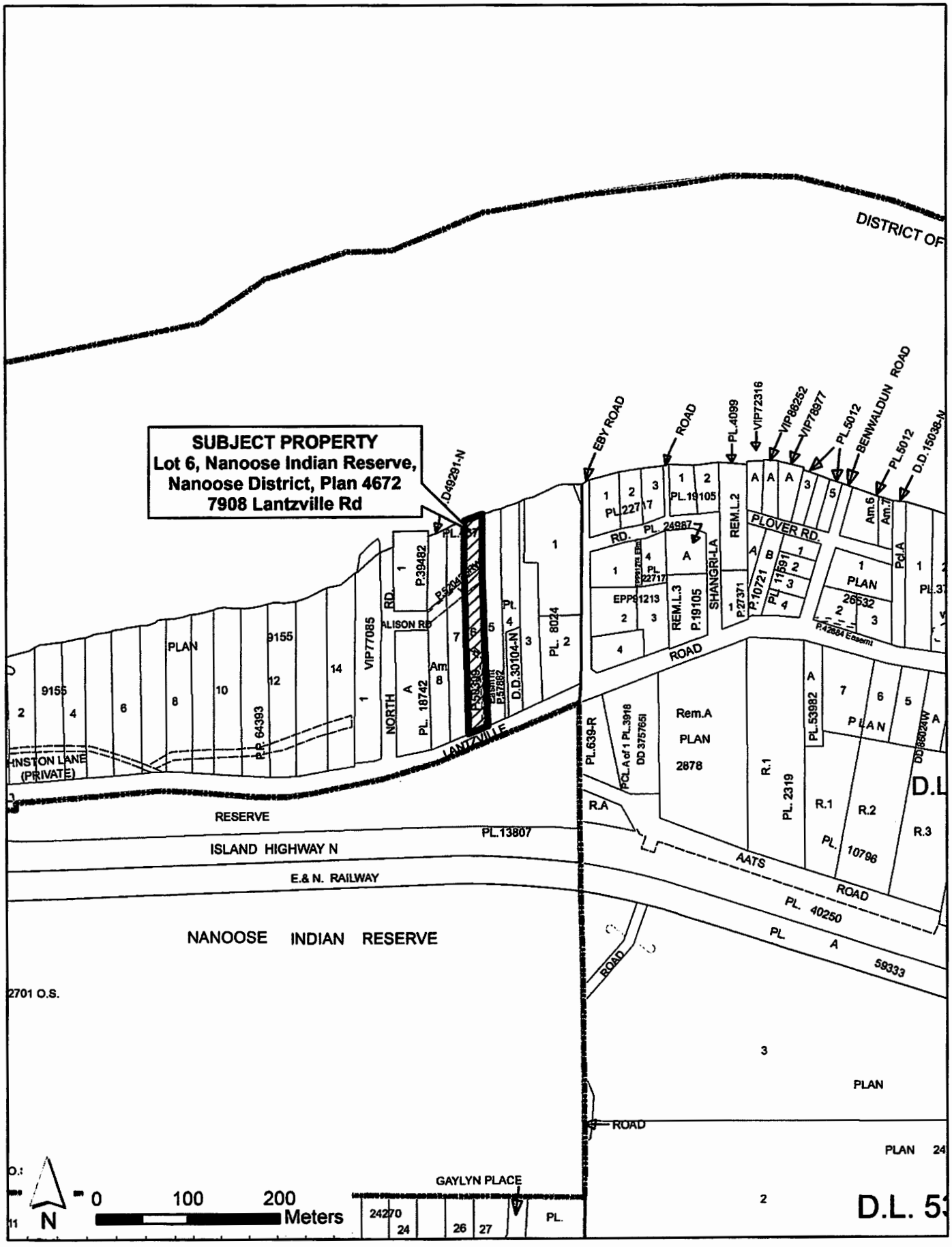
Ronald Campbell, Chief Administrative Officer

Date: August, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9.9)
Closed (In-Camera)		
Special		

File: 3060-20-21-30
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Development Permit Application for 7908 Lantzville Road.docx


SUBJECT PROPERTY
Lot 6, Nanoose Indian Reserve,
Nanoose District, Plan 4672
7908 Lantzville Rd
DISTRICT OF
EBY ROAD
ROAD
PL.4099
VIP72316
VIP88252
VIP78977
PL.5012
BENWALDUN ROAD
PL.5012
D.D.15038-N
D49291-N
PLOVER RD.
PL. 24987
PL.19105
REM.L.2
SHANGRI-LA
REM.L.3
P.19105
P.27371
P.10721
PL.11691
PLAN 26532
EPP51213
PL. 22717
PL. 22717
P.42884 Easem
ROAD
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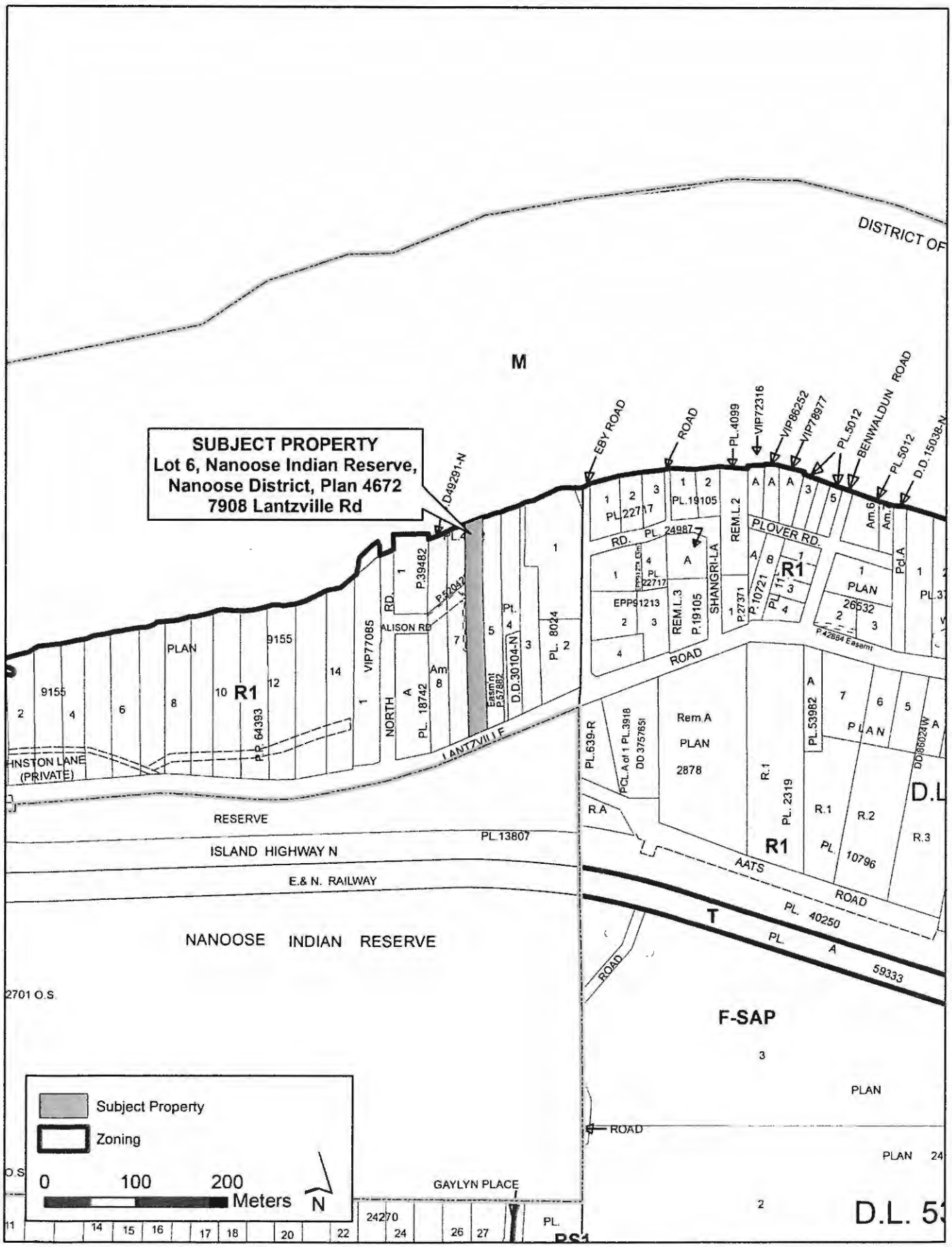
ALISON RD
NORTH
PL. 18742
P.57882
D.D.30104-N
PL. 8024
LANTZVILLE
VIP77085
PLAN 9155
P.R. 64393
JOHNSTON LANE (PRIVATE)
RESERVE
PL.13807
ISLAND HIGHWAY N
E.& N. RAILWAY
NANOOSE INDIAN RESERVE
2701 O.S.
PL.639-R
PCL A of 1 PL.3918 DD 375765I
Rem.A
PLAN 2878
R.A
R.1
PL. 2319
PL.53982
PLAN
R.1
R.2
R.3
PL. 10796
AATS
ROAD
PL. 40250
PL A 58333
ROAD
PLAN
ROAD
PLAN
GAYLYN PLACE
PL.
D.L. 5
0 100 200 Meters
N

ATTACHMENT #2




SUBJECT PROPERTY
Lot 6, Nanoose Indian Reserve,
Nanoose District, Plan 4672
7908 Lantzville Rd
DISTRICT OF
M
EBY ROAD
ROAD
PL.4099
VIP72316
VIP86252
VIP78977
PL.5012
BENWALDUN ROAD
PL.5012
D.D.15038-N
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PLOVER RD.
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PL.19105
PL.22717
PL. 24987
R1
PLAN 26532
P42884 Easemt
REM.L.3
P.19105
P.27371
P.10721
PL. 11
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ALISON RD.
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NORTH
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D.D.30104-N
PL. 8024
PLAN 9155
R1
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LANTZVILLE
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RESERVE
PL.13807
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PCL.A of 1 PL.3918 DD 375765I
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R.A
R.1
PL. 2319
R1
PL.53982
PLAN
DD86024W
R.1
R.2
R.3
PL. 10796
AATS
ROAD
PL. 40250
T
PL. A 59333
ROAD
F-SAP
PLAN
ROAD
PLAN 24
GAYLYN PLACE
D.L. 5
Subject Property
Zoning
0 100 200 Meters
N









DEVELOPMENT PERMIT NO. DP21-30

Permit:	3060-20-DP21-30
Registered Owner:	Dr. T. Leanne Campbell Inc.
Applicant:	Westmark Construction (Jacquie Kinnersley)
Subject Property:	7908 Lantzville Road
Legal Description:	LOT 6 NANOOSE INDIAN RESERVE NANOOSE DISTRICT PLAN 4672
PID:	006-122-884
Folio:	350-10563.000
DPA:	DPA 1 – Watercourse Protection & DPA 3 – Coastal Protection
Proposal:	House & Bridge

CONDITIONS OF PERMIT:

1. This permit applies to the Land described above and any buildings, structures or other development on the Land.

2. This permit is issued subject to compliance with all relevant Municipal bylaws, except as otherwise varied or supplemented by this permit.

3. This permit varies Section 2.11.1 of Zoning Bylaw No. 180, 2020, as follows:

   a) by reducing the minimum streamside setback from 15.0 m to 11.0 for house construction and associated development, and
   b) by reducing the minimum streamside setback from 15.0 m to 0 m for a bridge.

4. This permit does not exempt the owner from obtaining all other federal, provincial and Municipal approvals required to develop the Land. This permit does not constitute subdivision approval or a building permit.

5. The Land must be developed strictly in accordance with this permit and the following Schedules:

   Schedule 1: Site Plan
   Schedule 2: Riparian Areas Protection Regulation Assessment Report

6. Authorized development is limited to the construction of a house, bridge and all other associated development on the Land (secondary structures, yard maintenance, landscaping, driveways).

7. Development is not authorized to proceed under this permit until the District receives notification of the Riparian Areas Protection Regulation (RAPR) Assessment Report in

Schedule 2 of this permit from the Ministry of Forests, Lands, Natural Resource Operations & Rural Development.

Streamside Protection

8. All development must be carried out in accordance with the RAPR Assessment Report.

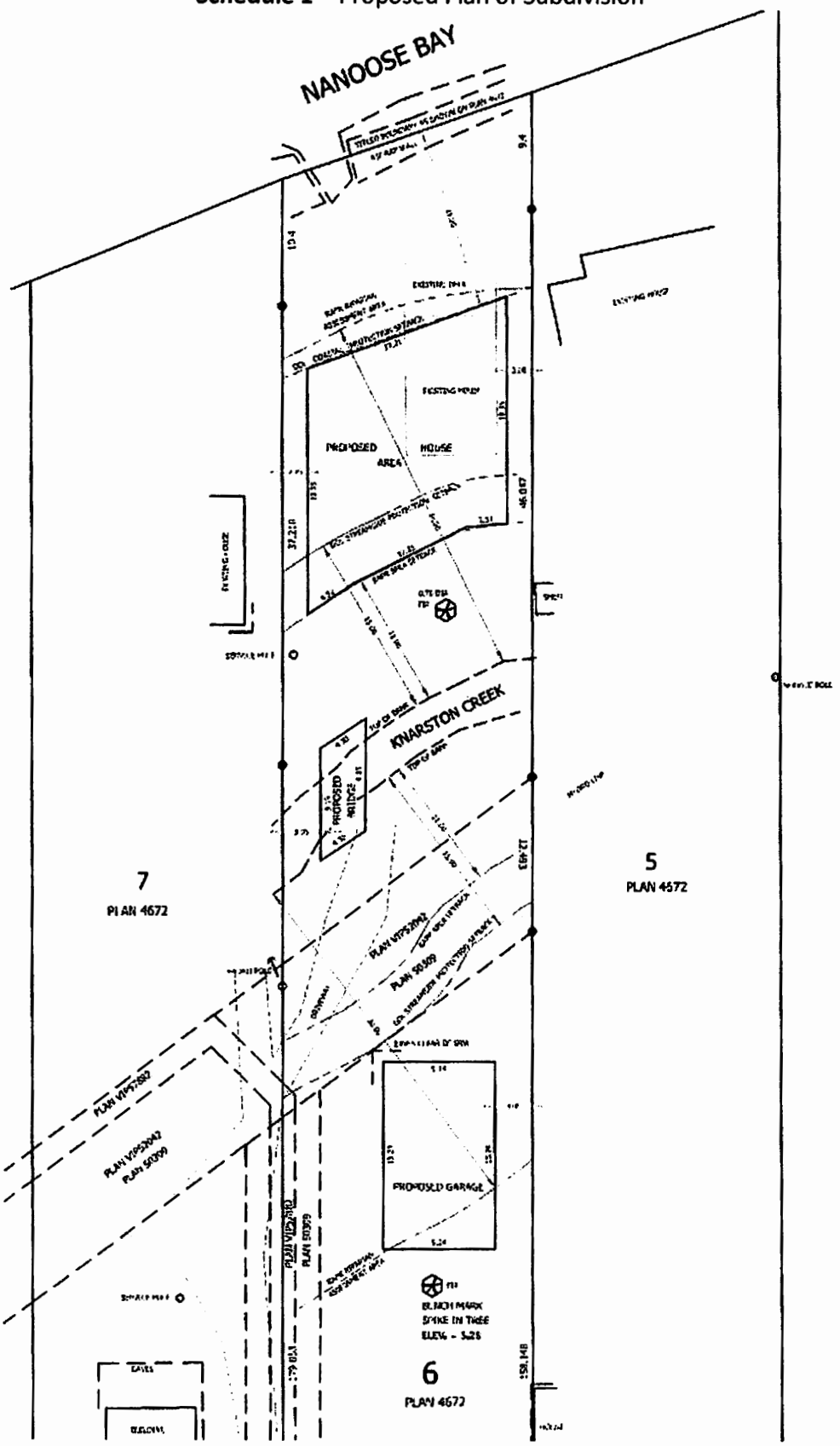
9. A Streamside Protection and Enhancement Area (SPEA) must be established on the Land prior to any work commencing, extending 11.0 m from the boundary of the stream, as shown on the Site Plan in Schedule 1 and in accordance with the RAPR Assessment Report. The SPEA must be delineated by temporary construction fencing, flagging and silt fencing.

10. A Qualified Environmental Professional is required to act as an Environmental Monitor for the duration of the development to ensure that the development is carried in accordance with this Development Permit and the RAPR Assessment Report. The Environmental Monitor must submit a post-construction report to the District.

11. A Section 219 *Land Title Act* covenant consistent with the Municipality's template covenant must be registered on the title of the Land prior to issued of a Building Permit for construction of the proposed house.

12. This permit was issued on **September 8, 2021** and expires on **September 8, 2023**.

Schedule 1 – Proposed Plan of Subdivision



SCHEDULE 2

Riparian Areas Protection Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Protection Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

					Date	May 8, 2021	
I. Primary QEP Information							
First Name	Steve			Middle Name			
Last Name	Toth						
Designation	R.P.Bio		Company	Toth and Associates Environmental Services			
Registration #	1788			Email	stoth@shaw.ca		
Address	6821 Harwood Drive						
City	Lantzville		Postal/Zip	V0R-2H0	Phone #	250-390-7602	
Prov/state	BC			Country	Canada		
II. Secondary QEP Information (use Form 2 for other QEPs)							
First Name				Middle Name			
Last Name							
Designation			Company				
Registration #				Email			
Address							
City			Postal/Zip		Phone #		
Prov/state				Country			
III. Developer Information							
First Name	Darren			Middle Name			
Last Name	Kiedyk						
Company							
Phone #	250-478-7882			Email	Dkiedyk1@shaw.ca		
Address	7908 Lantzville Road						
City	Lantzville		Postal/Zip	V0R-2H0			
Prov/state	BC		Country	Canada			
IV. Development Information							
Development Type	Construction: Single Family Residential						
Area of Development (ha)	0.1		Riparian Length (m)	25			
Lot Area (ha)	0.4532		Nature of Development	Redevelopment			
Proposed Start Date	2021-08-01		Proposed End Date	2023-08-01			
V. Location of Proposed Development							
Street Address (or nearest town)	7908 Lantzville Road						
Local Government	District of Lantzville			City	Lantzville		
Stream Name	Knarston Creek						
Legal Description (PID)	006-122-884			Region	Vancouver Island		
Stream/River Type	Stream			DFO Area	South Coast		
Watershed Code	920-419700						
Latitude	49	15	17	Longitude	124	06	52

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

1.1 Introduction

Steve Toth, AScT, R.P.Bio. (Toth and Associates Environmental Services) conducted a detailed *Riparian Areas Protection Regulation* (RAPR) assessment of Knarston Creek on 7908 Lantzville Road, Lantzville on April 2, 2021. The subject property is within the District of Lantzville's (DOL) Watercourse Protection Development Permit Area (WPDPA) and Coastal Protection DPA. Knarston Creek runs 25 m east to west through the northern end of the 0.45 ha subject property (Figure 1).

Existing development on the subject property includes a driveway, footbridge and older residence located at the north end of the oceanfront property. Access to the house is via a footbridge over Knarston Creek (Photographs 3 & 4).

1.2 Fisheries Resource Values

The Fisheries Inventory Data Queries (FIDQ) website indicated that Knarston Creek supports populations of coho salmon, chum salmon, and cutthroat trout (sea-run and resident). Relatively high densities of juvenile salmon were observed during the field survey.

Our prior experience with Knarston Creek includes environmental assessments of 7139 Eby Road, 7704 Superior Road, 7655 Harby Road, 8030 Sywash Ridge Road and Ecological Inventories of the Lanztville Woodlots. We have previously documented (presumably) resident trout on Knarston Creek to south of the BCTC transmission corridor near Sywash Ridge Road. The BC HabitatWizard website indicates a falls on Knarston Creek at the Highway 19 crossing. We are not certain whether this indicates that the culvert under the highway is a barrier, or refers to the waterfall upstream of the highway on 7704 Superior Road, which appears to be a barrier to anadromous fish passage (Photograph 1). The Knarston Creek stream network is shown on Figure 3.

Knarston Creek is subject to drying during the summer months. The annual build-up of beach gravels at the mouth of Knarston Creek impedes fish access to and from the ocean.

Riparian conditions on Knarston Creek through the subject property (Photographs 2 – 8) includes dense shrub dominated vegetation comprised of primarily Himalayan blackberry, common snowberry and Nootka rose. Larger shrub species include sumac, common hawthorn and plum.

On the north side of the creek the riparian area is limited to a 1 – 3 m wide strip of vegetation, with the remainder of the riparian assessment area comprised of lawn, a young arbutus and mature Douglas-fir tree. Two non-permanent garden sheds are located within the SPEA setback.

On the south side of Knarston Creek the 30 m riparian assessment area is vegetated with the exception of the existing gravel driveway access. Vegetation includes dense Himalayan blackberry, Nootka rose, red-osier dogwood and Pacific ninebark, with red alder, willow and black cottonwood trees.

1.3 Proposed Development

The proposed development includes demolition of the existing house on the north side of Knarston Creek, construction of a new house in approximately the same location, and construction of a garage on the south side of Knarston Creek. Installation of a prefabricated clear-span bridge crossing on Knarston Creek will be required to provide driveway access to the building envelope on the north side of the creek. Bridge installation will be conducted under a provincial *Water Sustainability Act* Section 11 Notification. The Notification application has been submitted to Frountcounter BC (tracking # 100353977).

The garage will be located approximately 16.3 m south of the stream boundary of Knarston Creek. The house plans have not been finalized yet, but the house will be located outside the 11.0 m SPEA setback.

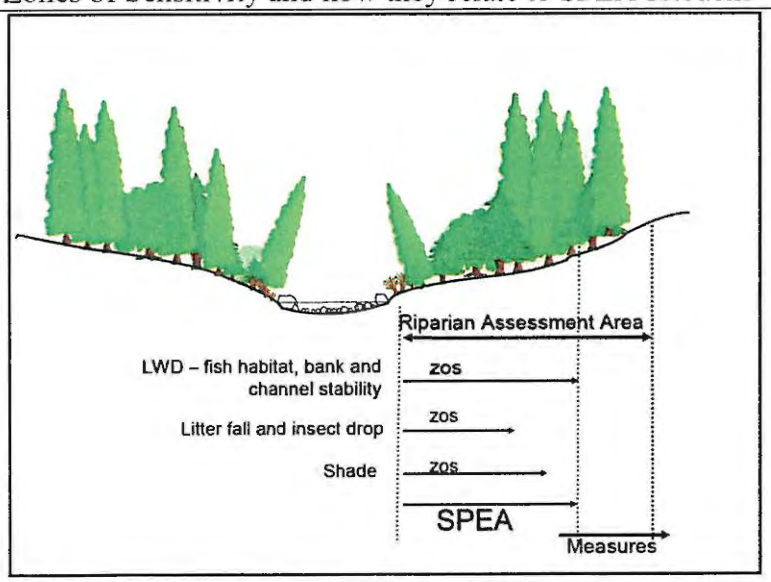
1.4 Watercourse Setbacks

Under the RAPR, the Detailed Assessment Methods rely upon determination of the "Zones of Sensitivity" by a Qualified Environmental Professional (QEP) for the features, functions and conditions that support fish life within the 30m Riparian Assessment Area. The SPEA width is then the largest "Zone of Sensitivity" (ZOS) resulting from the assessment as shown on the figure below. The five main features, functions and conditions that the assessment evaluates include:

1. Large Woody Debris (LWD) for fish habitat and the maintenance of channel morphology
2. Area for localized bank stability
3. Area for channel movement
4. Shade
5. Litter fall and insect drop

The QEP then provides "Measures" (Section 4.0 of this report) to protect the integrity of the SPEA setbacks.

Zones of Sensitivity and how they relate to SPEA setbacks



The resulting SPEA setbacks vary from a minimum of 10 m to a maximum of 30 m depending on average channel width, channel gradient and potential vegetation type.

Knarston Creek through the subject property would receive an 11.0 m SPEA setback. Features of the subject property, SPEA setback boundaries and configuration are shown on Figures 4 & 5.

The watercourse setbacks required under the Section 2.11 of the District of Lantzville Zoning Bylaw No. 180, 2020 are 15 m from stream boundary.

Section 2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Date: May 8, 2021

Description of Water bodies involved (number, type): Knarston Creek

Stream: X

Number of reaches: 1

Reach #: 1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
starting point	4.5	1.0
upstream	3.7	
	3.3	
	3.1	
	3.5	
downstream	3.5	
	3.4	
	3.5	
	3.8	
	4.0	1.0
	4.3	
Total: minus high /low	33.0	2.0
mean	3.7	1.0

	R/P	C/P	S/P
Channel Type	X		

I, Steve Toth (*name of qualified environmental professional*), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk (*name of developer*);

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Polygon No: 1

	LC	SH	TR
SPVT Type			X

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No: 1 — If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel Stability ZOS (m): 11.0

Litter fall and insect drop ZOS (m): 11.0

Shade ZOS (m) max: 11.0 — South bank: Yes X / No

Ditch — Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow):

Ditch Fish Bearing: Yes / No — If non-fish bearing insert no fish bearing status report:

SPEA maximum: 11.0 (For ditch use table3-7)

Segment No: 2 — If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel: 11.0

Stability ZOS (m)							
Litter fall and insect drop ZOS (m)	11.0						
Shade ZOS (m) max	NA	South bank	Yes		No	X	
SPEA maximum	**11.0**	(For ditch use table3-7)					

I, Steve Toth , hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

Figure 1. Survey Plan of 7908 Lantzville Road

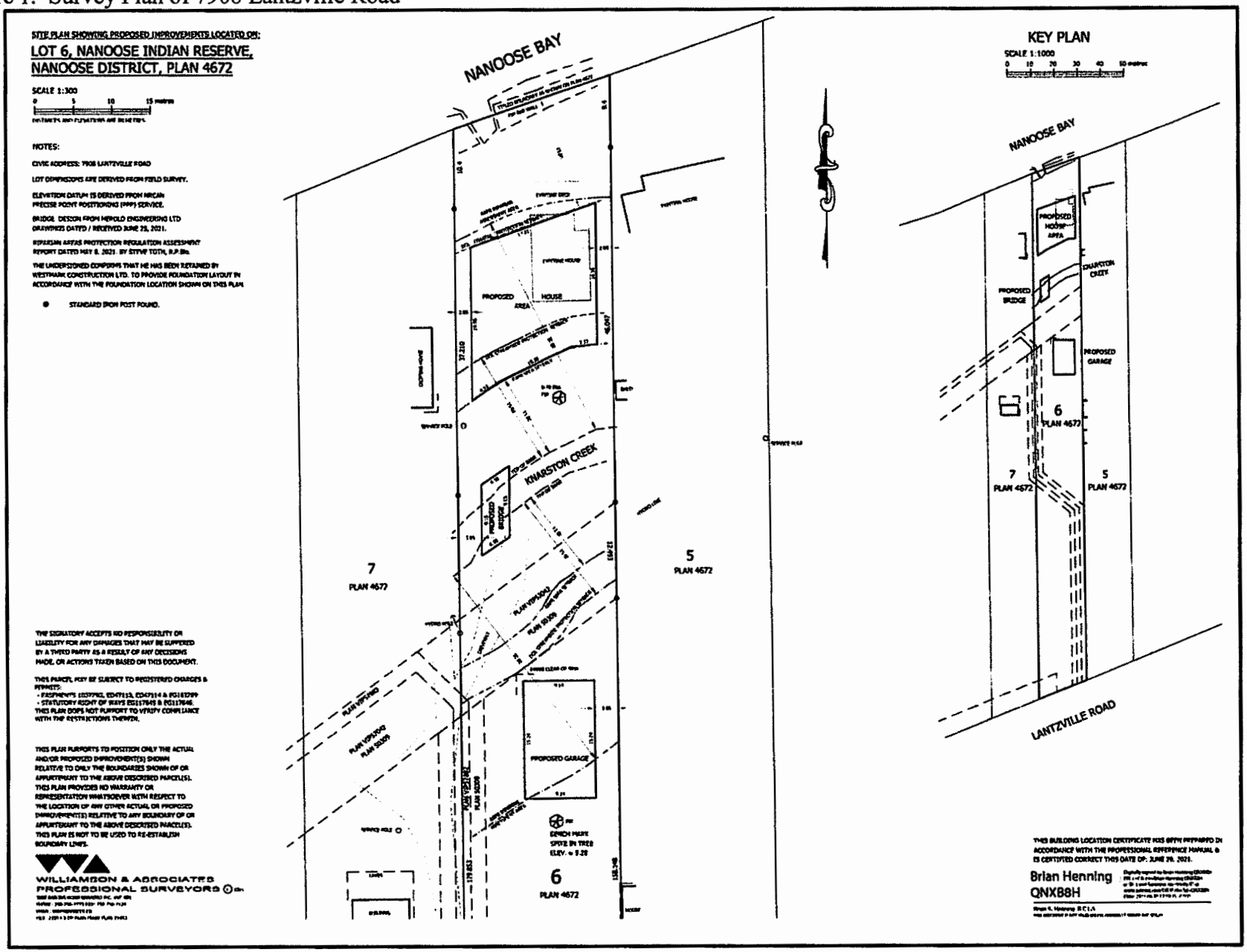


Figure 2. Excerpt from survey plan showing the north end of the property

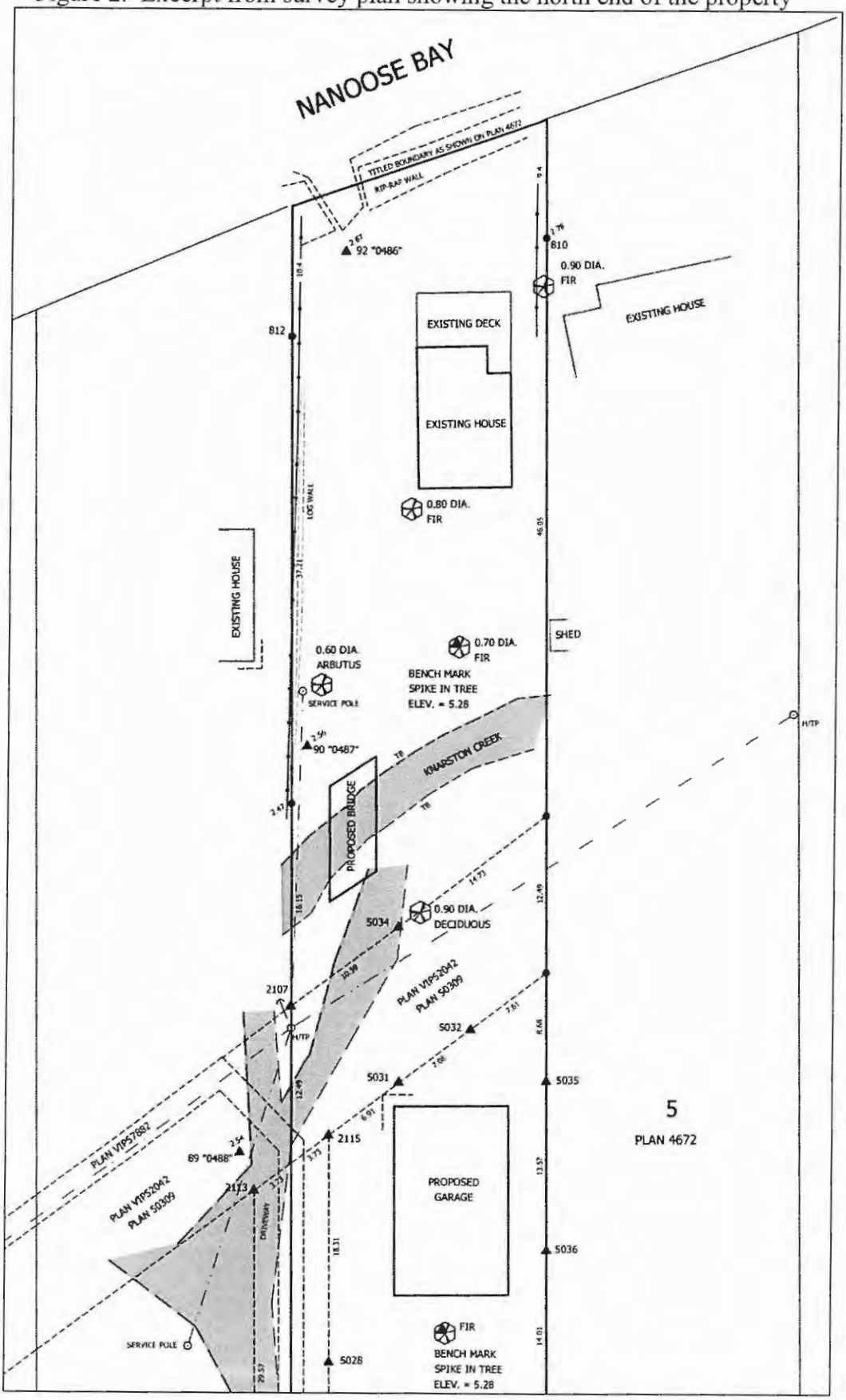


Figure 3. August 2016 air photo showing subject property location and stream network

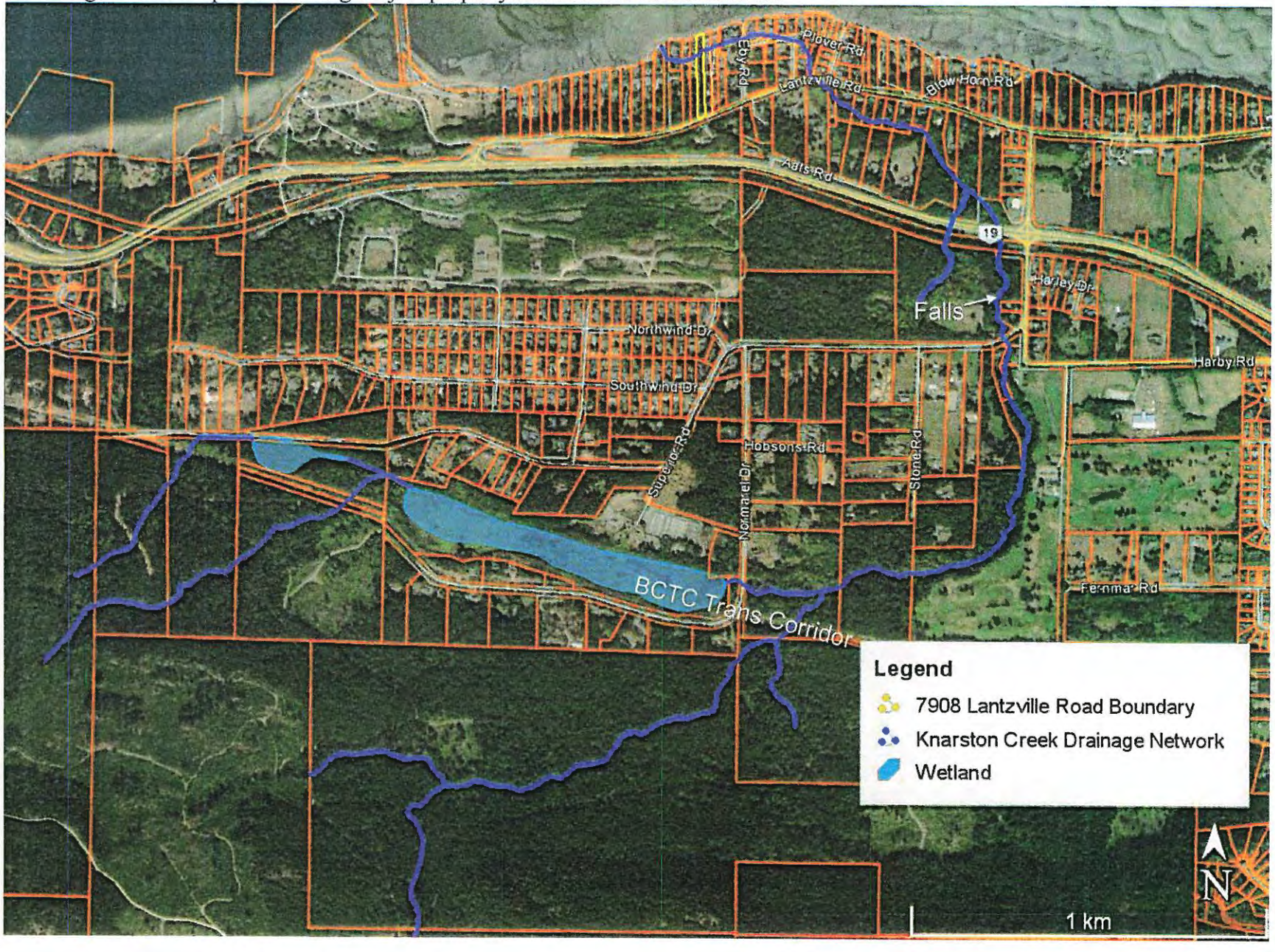


Figure 4. August 2016 air photo with SPEA setbacks

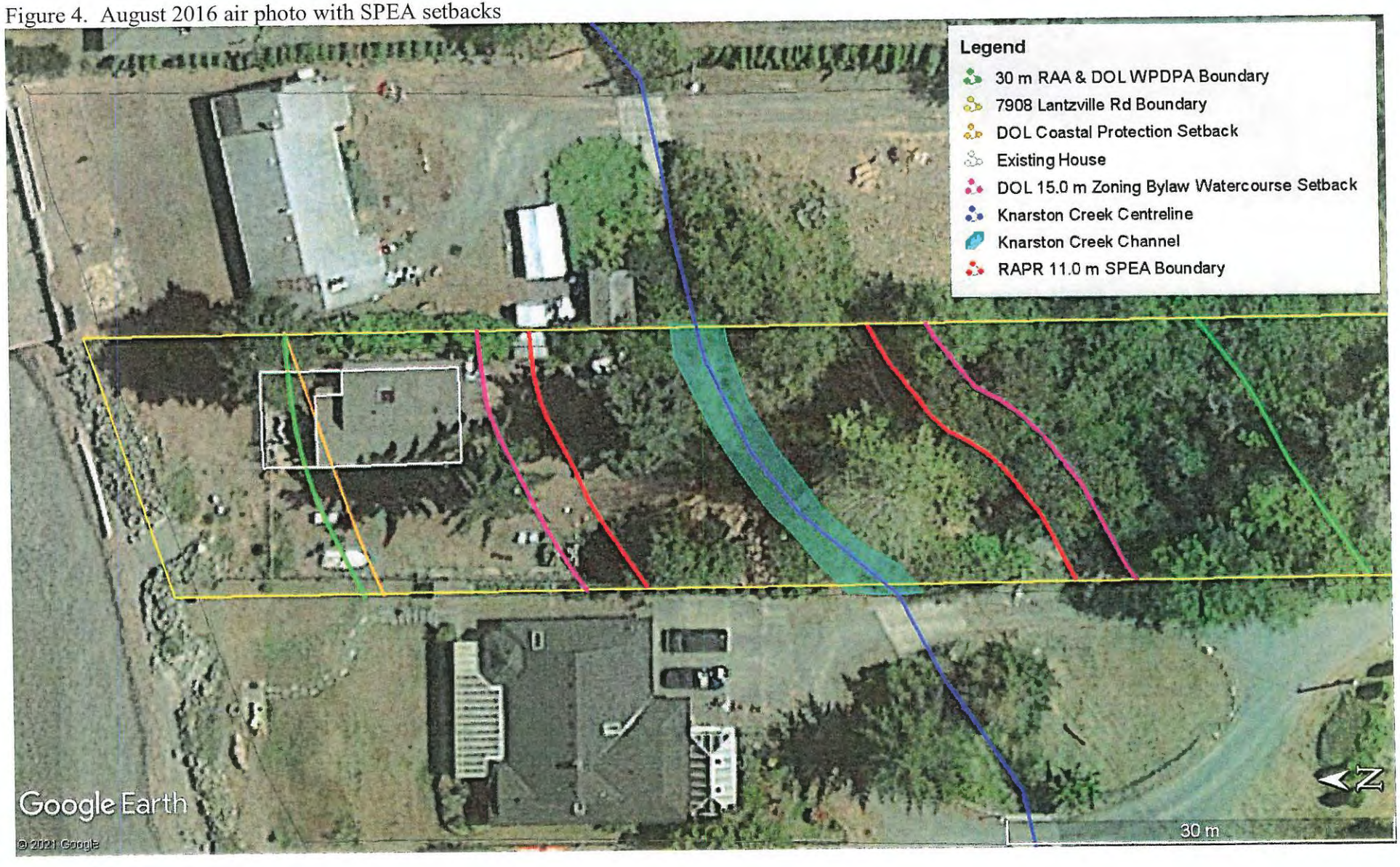
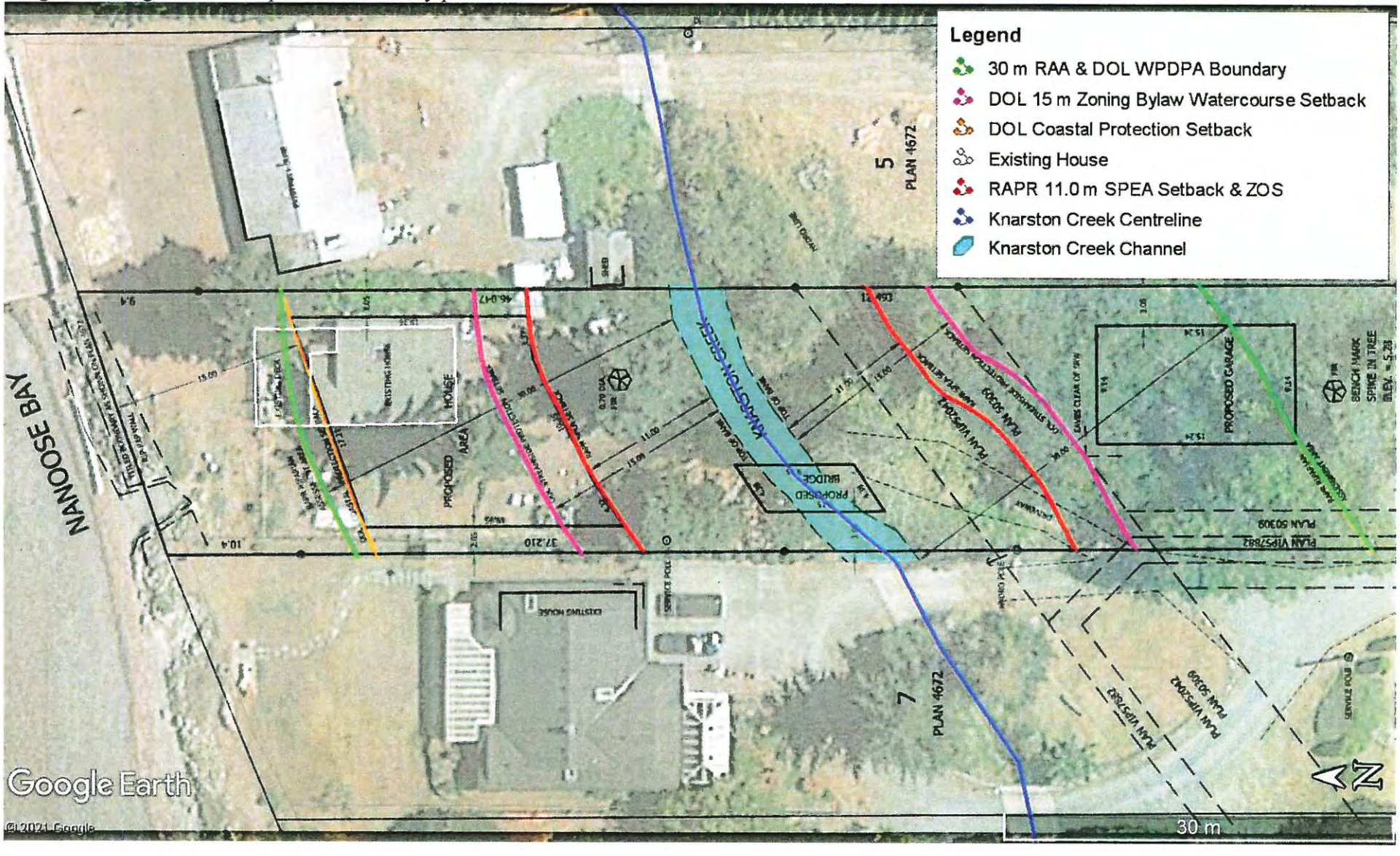


Figure 5. August 2016 air photo with survey plan overlaid



Section 3. Measures to Protect and Maintain the SPEA

1. Danger Trees	There were no danger trees noted within the riparian assessment area during the field survey.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the Riparian Areas Protection Act;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

2. Windthrow	There was no windthrow noted within the riparian assessment area during the survey.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

3. Slope Stability	There are no steep slopes within the riparian assessment area.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

4. Protection of Trees	There are only 2 trees (1 arbutus and 1 Douglas-fir) located within the SPEA setback on the north side of the creek and 1 mature black cottonwood within the SPEA on the south side of the creek. The 0.9 m diameter black cottonwood adjacent to the driveway on the south side of the creek will require removal to allow driveway upgrades and installation of the bridge crossing.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

5. Encroachment	The only encroachment will be for installation of a clear-span bridge crossing on Knarston Creek to provide driveway access to the building envelope on the north side of the creek. Bridge installation will be conducted under a provincial *Water Sustainability Act* Section 11 Notification authorization.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

6. Sediment and Erosion Control	We recommend that the SPEA boundary on both sides of Knarston Creek be fenced with orange construction fencing and silt fencing for the duration of construction.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

7. Stormwater Management	It is likely that the new house and proposed garage will utilize traditional rock pits / infiltration chambers for the collection and dispersal of stormwater. These features are not permitted within SPEA boundaries. The SPEA cannot be used for the treatment of stormwaters.

I, Steve Toth, hereby certify that:
a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	
8. Floodplain Concerns (highly mobile channel)	Knarston Creek has a history of flooding in the lower reach of the watercourse. A flood water diversion channel was constructed upstream of the subject property approximately 10 years ago to bypass flood waters directly to the ocean. We could not find a report for the diversion project or a drawing of the diversion's alignment.

I, Steve Toth, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Darren Kiedyk;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

Section 5. Environmental Monitoring

Monitoring of proposed clear-span bridge installation will be a requirement of the WSA Section 11 Notification.

Section 6. Photos



Photograph 1. March 11, 2014. View of waterfall on Knarston Creek on 7704 Superior Road.



Photograph 2. April 2, 2021. View of existing driveway access.



Photograph 3. View north from driveway to footbridge and existing house, with black cottonwood on right.



Photograph 4. View of footbridge over Knarston Creek with sumac on left and arbutus behind.



Photograph 5. View of the north side of Knarston Creek with Nanoose Bay in background.



Photograph 6. View of non-permanent structures on the north side of Knarston Creek.



Photograph 7. View upstream along the north bank of Knarston Creek.



Photograph 8. View downstream on Knarston Creek from footbridge to neighbour's driveway bridge crossing.

Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date April 15, 2021

1. I/We **Steve Toth**
(Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)
hereby certify that:
   a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
   b) I am/We are qualified to carry out the assessment of the proposal made by the developer **Darren Kiedyk**, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
   c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
   d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:
   a) [N/A] the site of the proposed development is subject to undue hardship, (**if applicable, indicate N/A otherwise**) and
   b) [X] the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]

Appendix A: Riparian Assessment Assurance Statement – Qualified Environmental Professional

Note: This Statement is to be read and completed in conjunction with the *Professional Practice Guidelines – Legislated Riparian Assessments* and the Riparian Areas Regulation 2004 OIC 837 and is to be provided for *riparian assessments* (not landslides, floods or flood controls) for the purposes of the Riparian Areas Protection Regulation. Italicized words are defined in the guidelines.

To: The *Approving Authority*: District of Lantzville Jurisdiction: District of Lantzville Address: 7192 Lantzville Road, P.O.Box 100 Lantzville, BC V0R 2H0	Date: April 15, 2021

With reference to the Riparian Areas Protection Regulation Assessment for the subject property:

Legal description or PID: 006-122-884	Civic address: 7908 Lantzville Road

The undersigned hereby gives assurance that he/she is a *Qualified Environmental Professional:*

Name of *Qualified Environmental Professional:* Steve Toth Professional designation: R.P.Bio, AScT	Professional association: College of Applied Biology of British Columbia Association of Professional Biology Applied Science Technologists & Technicians of British Columbia

I have signed, sealed and dated, and thereby certified, the attached riparian assessment report on the property in accordance with the *Professional Practice Guidelines – Legislated Riparian Assessments* and with the *assessment methods*. That report must be read in conjunction with this statement. In preparing that report I have:

1. ☒ Collected and reviewed appropriate background information
2. ☒ Reviewed the *development proposal* on the property
3. ☒ Conducted field work on and, if required, beyond the property
4. ☒ Reported on the results of the field work on and, if required, beyond the property
5. ☒ Incorporated recommendations or assessment results from other *specialists*
6. ☒ Prescribed *measures* to protect and maintain the integrity of the streamside protection and enhancement area
7. ☒ Prescribed *measures* to avoid the occurrence of a *HADD**
8. ☒ Reported on the requirements for *field reviews* or *environmental monitoring* of the property during or following site works for the proposed *development* and recommended who should conduct those *field reviews* or *environmental monitoring*
9. ☒ Reviewed the *riparian assessment* report with the *client* and explained the content and the *measures* required to be implemented.

**HADD – harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes*

Steve Toth, AScT. R.P.Bio.

Toth and Associates Environmental Services

COLLEGE OF APPLIED BIOLOGY
Steven P. Toth
May 8, 2021
R.P. Bio #1788
CAB

Appendix B: Qualified Environmental Professional (QEP) - Statement of Qualifications

Name of *primary QEP:*
Steve Toth
Professional designation:
R.P.Bio, AScT
Registration Number:
1788 / 20057

Professional association:
College of Applied Biology of British Columbia
Association of Professional Biology
Applied Science Technologists & Technicians of British Columbia

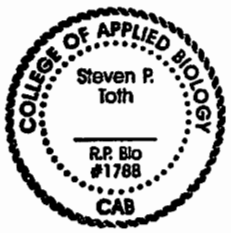
Training in Riparian Areas Regulation assessment methods	
Organization or agency delivering training:	Ministry of Environment
Name of trainer:	Margaret Henigman / Marlene Caskey, Peter Law
Date of training session:	March 2010
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Margaret Henigman / Marlene Caskey, Michele Jones
Date of training session:	February 2012
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Margaret Henigman, Andrew Appleton, Stacey Wilkerson
Date of training session:	November 2015
Certificate number:	NA
Organization or agency delivering training:	Ministry of Forests, Lands and Natural Resource Operations
Name of trainer:	Andrew Appleton
Date of training session:	October 2019
Certificate number:	NA

Other relevant education, training or experience:
Mr. Steven Toth, AScT, R.P.Bio is the owner and operator of Toth and Associates Environmental Services. Mr. Toth has 27 years of experience in the environmental consulting industry as a Registered Professional Biologist and Applied Science Technologist. Work experience consists of a diverse range of projects including environmental impact assessments, wildlife and ecological inventories, riparian area assessments, urban / sub-urban biophysical inventories, detailed fish habitat assessments, fisheries inventories, stream, lake and wetland classifications, fisheries research and population assessments, forestry audits, tree inventories, water quality and environmental monitoring. Project experience includes:

- ~250 provincial *Riparian Areas Protection Regulation* Assessments as primary QEP;
- ~350 biophysical inventories for various land development projects;
- ~20 Wildlife EIAs for run-of-river hydropower developments;
- >100 Raptor and heron nest tree assessments;
- 4 Watershed Restoration Program Overview and Level 1 Fish Habitat Assessments, along with numerous other fisheries related projects;
- >50 environmental and water quality monitoring projects;
- >40 Tree surveys for tree removal permit applications
- 5 large scale 1:20,000 Forest Renewal B.C. Fish and Fish Habitat Inventories; and,
- >180 lake surveys conducted according to RISC standards and DFO's juvenile sockeye assessment methodologies.

Steve Toth, AScT. R.P.Bio.

Toth and Associates Environmental Services



District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Clark Crescent Water Main Replacement Project Budget Amendment

PURPOSE

To provide Council with an update on the budget required to carry out the 2021 Clark Crescent Water Main Replacement Project.

RECOMMENDATION

THAT the 2021-2025 Financial Plan Bylaw be amended to reflect additional funding of $150,000 for the Clark Crescent Water Main Replacement Project, with funding from uncommitted Covid Restart Grant funds.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **THAT** the 2021-2025 Financial Plan Bylaw be amended to reflect additional funding of $150,000 for the Clark Crescent Water Main Replacement Project, with funding from the Water Infrastructure Reserve. Implication: Project can proceed; however, the funding source would be changed.

2. **THAT** the budget for the Clark Crescent Water Main Replacement is not amended at this time. Implication: The Clark Crescent Water Main Replacement Project would be moved to 2022 and retendered.

BACKGROUND/RELEVANT HISTORY

During the 2021-2025 Financial Plan process, Council approved $375, 000 for the replacement of the old AC (asbestos concrete) water main on Clark Crescent with PVC (polyvinyl chloride). Tenders received in August 2021 were significantly higher than the budget provision for this project.

Staff, during financial planning in 2020, acquired costs estimates for the works identified for the replacement of the water main on Clark Crescent. At that time, the costs estimates were considered conservative.

Since 2020, cost for PVC piping has increase by 35%. The cost increases are a result of the shortage of raw materials to build the pipe because of the shutdowns related to Covid. Since the cost increase can be attributed to the Covid pandemic, the Covid Restart grant received from the Provincial government would be an appropriate funding source to address the budget shortfall for this project.

ATTACHMENT(S)

N/A

ANALYSIS/RATIONALE

Tenders for the 2021 Clark Crescent Water Main Replacement Project were received and reviewed on Thursday August 26, 2021. The lowest bid is $458,133.64. Unfortunately, the lowest bid exceeds the amount allocated for this project by $83,133.64 without engineering. Combined with engineering costs for the project which are are expected to be between $40,000 to $60,000, an additional $150,000 funding is required.

1. Strategic Plan Objectives

N\A

2. Policy (Existing/Relevance/None)

N/A

3. Resources

Approval would result in the use of a contractor, with contract management by the Director of Public Works.

4. Financial/Budget Implications

Both the unused balance of Covid Restart grant funds and the Water Infrastructure Reserve fund are eligible funding sources to address the budget shortfall for this project. The remaining balance of unused funds Covid Restart Funds is approximately $599,200, and the available balance in the Water Infrastructure Reserve is $1,147,600. An amendment to the 2021-2025 financial plan will be made in the Fall to reflect the change in the budget provision for capital expenditures.

5. Sustainability Implications

N/A

Prepared by:

Fred Spears, Director of Public Works

Date: August 30, 2021

Approved for submission to Council:

Ronald Campbell, Chief Administrative Officer

Date: August 30 2021

REVIEWED WITH:			
☑ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☑ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9. h)
Closed (In-Camera)		

File Number: 12120.20.CCWMR
DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Clark Crescent Water Main Replacement.docx

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: **Fire Hall and Public Works Facility Design**

PURPOSE

To consider an amendment to the 2021-2025 Financial Plan for the design of a fire hall and public works facility.

RECOMMENDATION

THAT the 2021-2025 Financial Plan be amended to include $475,000 in 2021 for the design of a fire hall and public works facility, funded from facilities life cycle reserves.

COMMITTEE RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

1. **THAT** the 2021-2025 Financial Plan not be amended to include $475,000 in 2021 for the design of a fire hall and public works facility, funded from facilities life cycle reserves.

2. As directed by Council.

BACKGROUND/RELEVANT HISTORY

The current fire hall is located at 7850 Superior Road on land leased from the provincial government. The fire hall was constructed in 1986 and houses Lantzville Fire Rescue which consists of approximately 30 members.

In 2021, the Ministry of Transportation and Infrastructure completed a highway corridor study that assessed all major intersections along Highway 19 from Nanoose Bay to South Nanaimo, including Superior Road. Like many of the major intersections, the planned improvements include an interchange at Superior Road. Development of the interchange would require use of 7850 Superior Road and removal of the current fire hall, which means that the District will need to find an alternative location for the fire hall.

With the exception of fire rescue equipment, the District's public works department is responsible for the operation, maintenance and construction of all public infrastructure and assets in Lantzville, including water reservoirs, treatment facilities, wells, and mains, sewer pump stations and mains, roads, parks and trails, drainage infrastructure, and administration and community use buildings.

Most communities in BC provide a suitable, municipally owned site for public works, which provides critical and essential services to the community. In Lantzville, the 5-member public works department operates out of a leased portion of a building in the industrial park, at a cost of approximately $35,000 per year. The current leased space, which does not include a works yard, is inadequate and unsuitable for the provision of public works services.

The District will need to develop a fire hall and public works facility. The first step is completion of a detailed design and cost estimate for construction of a facility. At its June 2, 2021 meeting, Council directed staff to proceed with issuance of a request for expressions of interest for the design of a fire hall and public works facility. Design costs are expected to be in the range of $400-475,000.

The District does not currently have municipally owned land on which to site a new facility. However, as part of a recent rezoning application, the District negotiated for the acquisition of a 2 ha (5 ac) property on Clark Drive to be transferred to the District with the first phase of subdivision of the development lands. The location map in **ATTACHMENT 1** shows the location of this future District site. It is anticipated that the District will acquire this site in the next 6 months as phase 1 of the development proceeds.

The Clark Drive site is ideally situated for a fire hall and public works facility. The site has convenient and quick access to major arterial roads and Highway 19 and is centrally located within the area of the community that already contains most of Lantzville's buildings and population and that is expected to see the most development and population growth in the coming decades. The site is large enough to accommodate a fire hall and public works facility. However, given the configuration of the site and the future wellhead facilities, there would be insufficient space to physically or safely accommodate any other uses on the site. The fire hall would also serve as the District's emergency operations centre in the event of an emergency.

In 2014, the District signed a memorandum of understanding (MOU) with Lone Tree for the Foothills development. The MOU identified that one of the amenities would be the provision of 2 ha (5 ac) of land in the Foothills development for a fire hall and public works facility. However, the Fire Chief and Director of Public Works have both determined that the Foothills is not a suitable location for a fire hall or public works facility. If the District's only fire hall and public works facility were located in the Foothills, the community would be disadvantaged and receive a lower level of service with respect to both fire protection and the provision of public works services. Fire rescue and public works operations require a centrally located place within the community to quickly respond to emergencies and day-to-day public works requirements.

ATTACHMENTS

1. Location Map

ANALYSIS/RATIONALE

The District will need to construct a fire hall and public works facility. The proposed location on Clark Drive is a suitable location. Staff are recommending that the Financial Plan be amended to include $475,000 for the design of a fire hall and public works facility, to be funded from facilities life cycle reserves. If Council approves the amendment, the design work would begin in the Fall 2021 and is expected to take approximately 4-6 months to complete.

Once the detailed design and cost estimate are complete, the District will have an accurate depiction of the facility and the overall cost to construct the facility. Council would then need to decide on how development of the facility would be funded (e.g. borrowing). While grants are not usually available for fire halls or public works facilities, a detailed design and cost estimate would put the District in a position to apply for funding opportunities as they arise.

1. Strategic Plan Objectives

Council's Strategic Plan:

1. Infrastructure

1.3 Secure a District-owned Public Works facility
1.4 Secure the District Firehall site.

Since the current fire hall site will be needed in the future for highway improvements, securing the existing site is no longer a reasonable long-term option.

The recommendation is consistent with Council's Strategic Plan.

2. Policy

There are no policy implications of the recommendation.

3. Resource Implications

There are no resource implications of the recommendation.

4. Financial/Budget Implications

The design would be funded from facilities life cycle reserves.

5. Sustainability Implications

There are no sustainability implications of the recommendation.

Prepared By:

Kyle Young, Director of Planning & Community Services

Date: September 2, 2021

Approved for Submission to Council:

Ronald Campbell, Chief Administrative Officer

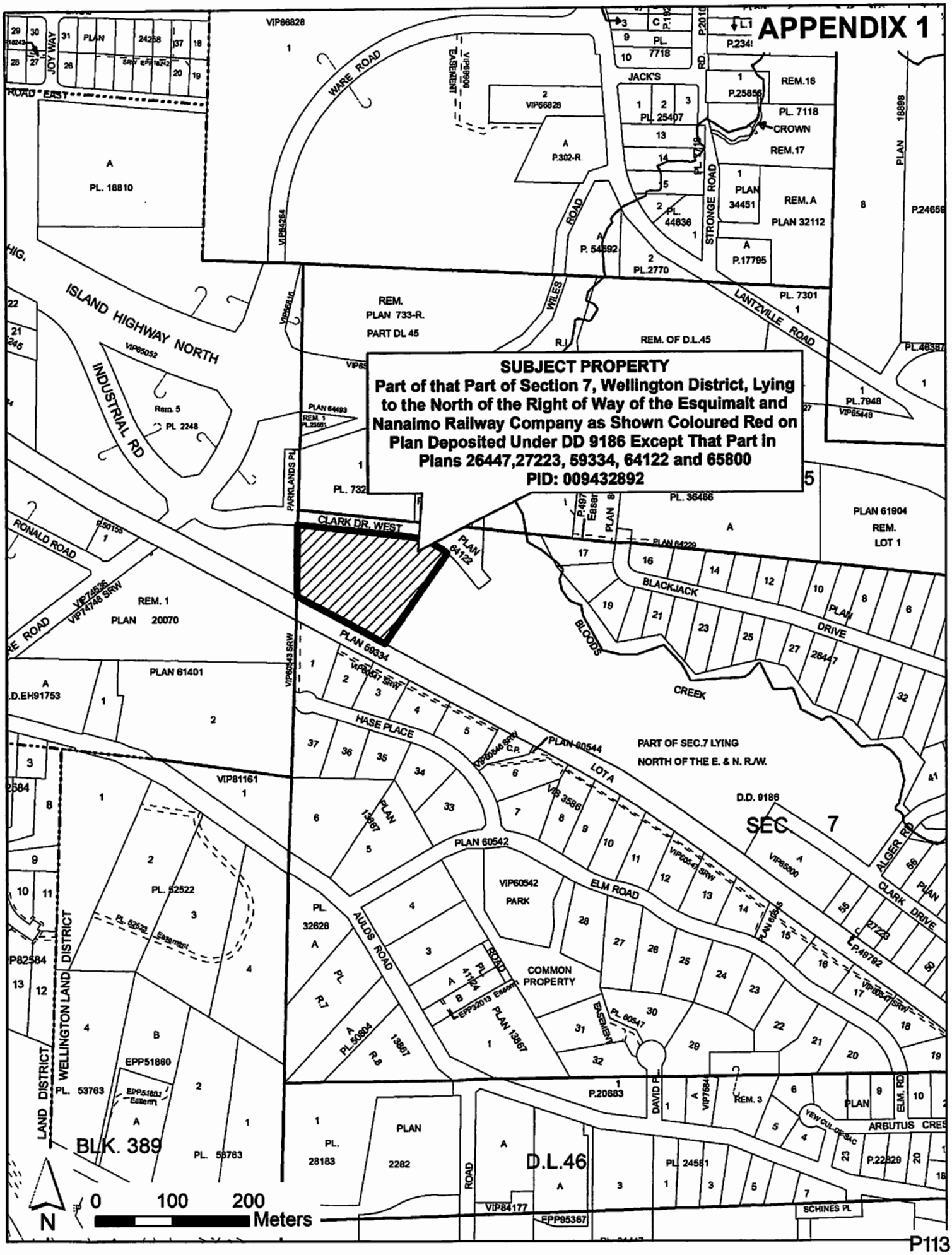
Date: September 2, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	9.i)
Closed (In-Camera)		

File: 1220-20-PWFRFD
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Fire Hall and Public Works Facility Design.docx

APPENDIX 1


SUBJECT PROPERTY
Part of that Part of Section 7, Wellington District, Lying to the North of the Right of Way of the Esquimalt and Nanaimo Railway Company as Shown Coloured Red on Plan Deposited Under DD 9186 Except That Part in Plans 26447,27223, 59334, 64122 and 65800
PID: 009432892
ISLAND HIGHWAY NORTH
INDUSTRIAL RD
WARE ROAD
JOY WAY
ROAD EAST
JACK'S
STRONGE ROAD
WILES ROAD
LANTZVILLE ROAD
CROWN
REM. PLAN 733-R. PART DL 45
REM. OF D.L.45
PARKLANDS PL
CLARK DR. WEST
RONALD ROAD
BLACKJACK DRIVE
BLOODS CREEK
HASE PLACE
LOT A
PART OF SEC.7 LYING NORTH OF THE E. & N. R/W.
D.D. 9186
SEC 7
ALGER RD
CLARK DRIVE
ELM ROAD
AULDS ROAD
COMMON PROPERTY
WELLINGTON LAND DISTRICT
LAND DISTRICT
BLK. 389
D.L.46
ARBUTUS CRES
SCHINES PL
0 100 200 Meters
N


ISLAND HIGHWAY NORTH
WARE ROAD
PARKLANDS PL
CLARK DRIVE WEST
HASE PLACE
0 20 40
Meters
N

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Proposed Revisions to District Social Media Policy

PURPOSE

This report summarizes a jurisdictional scan of social media policies across a number of local governments, recommends updates to the District's 2016 Social Media Policy and 2020 Council Procedure Bylaw, and provides an amended Social Media Policy No. 3000-10 (Attachment #1) for Council consideration.

RECOMMENDATION

1. THAT Social Media Policy No. 3000-10 be approved, as amended.
2. THAT staff be directed to bring forward an amendment removing sections 31 (9), (10), and (11) of Council Procedure Bylaw No. 141, 2020 and adding language that Council will abide by the guidelines for elected official social media use contained in the Social Media Policy No. 3000-10.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

Alternative	Implication
No Action. (The District retains its 2016 Social Media Policy and 2020 Council Procedure Bylaw references without any amendments.)	• No specific language around appropriate content and moderation • No administrative procedure • Limited guidelines for elected official use, other than current language in Council Procedure Bylaw

BACKGROUND/RELEVANT HISTORY

The District has had a Social Media Policy in place since 2016 (Attachment #2).

In addition, Council Procedure Bylaw No. 141, 2020 includes limited guidance for elected official use of social media (excerpt Attachment #3).

On March 3, 2021, Lantzville Council passed the following motion:

> *THAT the Jack de Jong correspondence (12 Feb 2021) regarding Lantzville Municipal Social Media Guidelines be referred to staff to review Council social media best practices and bring forward recommendations for Council consideration of amendments to Council's Social Media Policy No. 3000-10 (adopted May 25, 2016) for best practices and to extend the policy to Council members, and, if required for consistency, to amend Council Procedure Bylaw No. 141, 2020 (adopted March 9, 2020) references to social media.*

In March 2021, Horsman Strategies was retained to conduct a jurisdictional scan of a minimum of 5-10 municipal social media policies that were published or updated in the last few years, as well as to gather any guidelines or best practices for local governments from independent bodies. The jurisdictional scan focused on BC, but also included examples from Ontario and Australia. Table 1 below summarizes the jurisdictions that were reviewed as part of this analysis:

Jurisdiction	Year	Policy Scope
Campbell River	2014	Employees
Central Saanich	2016	Employees & elected officials
Comox Valley Regional District	2016	Employees
Courtenay	2016	Employees
Dawson Creek	2017	Employees
Elliot Lake, Ontario	2019	Employees & elected officials
Fort St John	2020	Employees
Inner West New South Wales Social Media Policy for Councillors (Australia)	2018	Two separate policies – one for elected officials and one for employees
Islands Trust	n/a	Employees & elected officials
Lake Country	2011	Employees & elected officials
Maple Ridge	2016	Employees
Nanaimo	2019	Public
Parksville	2012	Employees
Penticton	~2011	Employees
Pitt Meadows	2016	Elected officials
Prince George	2017	Employees
Squamish Lillooet Regional District	2016	Employees & elected officials
Trail	Unclear	Employees
Victoria	Updated 2021	Employees
Waterloo, Ontario	Updated 2015	Employees & elected officials
West Kelowna	2014	Employees
Your Social Media and You: A Guide for Elected Council Members in Queensland (Australia)	2019	Elected officials

Table 1. Jurisdictions reviewed for this report.

The following best practice guidelines were also reviewed:

- Local Government Management Association's (LGMA) Records Management Manual for Local Governments, Social Media guidelines (2017)
- LGMA Social Media Policy Checklist (2017)
- Toronto Integrity Commissioner Report Regarding Use of Social Media (2016)
- City of Guelph Social Media Guidelines for Elected Officials

ATTACHMENT(S)

1. Proposed Amended Social Media Policy No. 3000-10
2. Existing Social Media Policy No. 3000-10 (2016)
3. Excerpt from Council Procedure Bylaw No. 141, 2020, Sections 31 (9)-(11)

ANALYSIS/RATIONALE

Local governments have been using social media as an increasingly important communication tool for at least a decade. Table 1 illustrates that many local governments in BC adopted social media policies between 2010 and 2016, and many of them have not been substantially updated since then.

Social media policies set the framework for how an organization conducts itself on social media. Why is it important for a local government to have a social media policy? While social media is a common part of daily life, there are risks that come along with its use. A policy can help protect an organization against risks, including:

- Violation of intellectual property rights;
- Disclosure of private or confidential information;
- Harassment; and
- Defamation.

A review of other organizations' social media policies and best practices suggest that the District's 2016 Social Media Policy could be strengthened by adding:

1. A disclaimer for District social media pages, stating what content is not allowed on its pages and will be removed;
2. Guidelines for employee and volunteer board and committee member use of social media;
3. Guidelines for elected official use of social media; and
4. A brief procedure for administration of District social media sites.

Social media policies are not one-size-fits-all. Of the over twenty policies reviewed, none of them are exactly the same. This is because each local government is managing and approaching social media slightly differently. Some policies are quite lengthy and include extensive detail; other policies, such as the City of Victoria's recently updated policy, is one page and very high-level.

Some social media policies contain guidelines for elected official use of social media; other organizations address elected official social media guidelines through Council Codes of Conduct. Either way, it is typical for local governments to hold some form of policy that governs elected official use of social media.

The updated Social Media Policy aims to reflect the way that the District uses social media, the resources available to manage it, and bring together the most common elements contained in other local government social media policies.

Some of the questions discussed at the March 3, 2021 Council meeting - for example, whether elected officials should moderate public group social media pages - are not addressed by the updated Policy. Nor were many of these questions addressed by *any* of the policies reviewed in this jurisdictional scan, nor in the best practices review. Not all issues regarding social media use can be addressed through a policy because social media is a complex and dynamic medium that is always changing and evolving. At the same time, it is widely accepted that social media use can present the risk of (real or perceived) conflict of interest, privacy breaches, and other challenges.

The updated Policy intends to strike a balance between limiting risks to the District via social media usage and retaining flexibility in its use by District elected officials, employees and volunteer board and committee members.

Given the updated Policy will apply to the personal use of social media by employees, the Union has been advised and will be given an opportunity to make comments to Council. Staff would also ensure notification to affected employees prior to the updated Policy taking effect.

If the attached draft does not adequately address any issues, Council may also wish to discuss at a future meeting developing an amendment to the policy or Code of Conduct. Staff need to schedule a special Council meeting, per the November 23, 2020 Council motion:

> *THAT the special Council meeting scheduled for 6:00 pm, Monday, December 14, 2020 for consideration of the Code of Conduct and Draft Council Confidentiality and Conflict Policy postponed November 2, 2020, be rescheduled to a later date that is to be determined.*

At the September 8th Council meeting, Council will also be considering amending the 2021 meeting schedule to add a special Council meeting (electronic) at 6:00 pm, September 27th to consider adoption of a new amendment to the Council Procedure Bylaw. Staff seek Council direction if they would like to add this Policy and/or the Code of Conduct to that agenda.

1. Strategic Plan Objectives

N/A

2. Policy (Existing/Relevance/None)

Council Procedure Bylaw No. 141, 2020, Sections 31. (9)-(11)
Social Media Policy No. 3000-10 (2016)

3. Resources

The updated policy does not have any immediately quantifiable staffing or budget implications. Depending on how the District's social media use evolves as this Policy is implemented, staffing or budget implications may develop and require future consideration.

4. Financial/Budget Implications

N/A

5. Sustainability Implications

N/A

Prepared by:

Trudy Coates

Trudy Coates
Director of Corporate Administration

Date: August 30, 2021

Approved for submission to Council:

R.W. Campbell

Ronald Campbell,
Chief Administrative Officer

Date: August 30, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	10.9)
Closed (In-Camera)		

File Number: 1470.01
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Attachment #1

DRAFT
September 8, 2021

District of Lantzville

Policy No.: 3000-10
Date of Implementation: May 25, 2016
Council Resolution: C16-100

Amended: *TBD*
Council Resolution: *TBD*

Social Media Policy

PURPOSE

This Policy provides guidelines for the District of Lantzville's participation in social media sites and networks and for the use of personal social media accounts by District elected officials, employees and volunteer board and committee members.

SCOPE

This Policy applies to all District of Lantzville elected officials, volunteer board and committee members, and employees, including permanent, part-time, temporary, casual, paid on-call, and co-op employees.

This Policy applies to any social media platforms that officially represent the District of Lantzville as well as the personal social media platforms and accounts of District elected officials, volunteer board and committee members and employees.

PRIMARY GOALS

This Policy aims to:

- Enhance communication with the community and stakeholders on District issues, operations, and services;
- Safeguard the District's reputation;
- Provide Council members, volunteer board and committee members, and employees with clear guidelines for appropriate use of social media; and
- Provide protocol around monitoring, administration, acceptable use and privacy on social media.

POLICY
GENERAL

1. The District uses social media as one way of sharing information.

2. The Corporate Administration Department authorizes specific employees to post on the District's social media sites. Only authorized employees may make posts on behalf of the District.

3. The Corporate Administration Department is responsible for the general oversight of the District's social media platforms.

4. All District social media sites will clearly indicate that they are owned by the District of Lantzville and will display the District's logo and contact information.

5. The District's social media accounts are not monitored 24/7. Residents can report operational or service issues to district@lantzville.ca, call 1.888.826.8271 for after-hours Public Works emergencies, or call 911 for all other emergencies.

6. All District social media sites are required to contain the following disclaimer:

   "Welcome to the District of Lantzville's [*insert name of page*]! Please note that this account is not monitored 24/7. Please report operational or service issues to district@lantzville.ca, call 1.888.826.8271 for after-hours Public Works emergencies, or call 911 for all other emergencies.

   While this is an open forum, please keep your comments clean and respectful. The District will remove unacceptable content, including anything that does not meet these guidelines:
   - We do not allow graphic, obscene, or racial comments.
   - We will not tolerate comments that have a harassing tone.
   - We do not allow any comments that are abusive, hateful, or intended to defame anyone or any organization.
   - We do not allow solicitation or advertisement of any non-government organization, product or service.
   - We do not allow promotion of political candidates or any political campaign material.
   - We do not allow photos or videos of people who have not given permission to the District to post their image."

7. The District will only post photos or videos of identifiable individuals where permission has been granted and with a signed consent form.

EMPLOYEE AND VOLUNTEER BOARD AND COMMITTEE MEMBER USE

8. Employees and volunteer board and committee members must adhere to the following guidelines in their personal social media use:
   a) Use social media in a manner that conforms to other District policies, including the Respectful Workplace (Bullying & Harassment) Policy No. 5005-2.

   b) Not discuss the District's confidential or proprietary information including intellectual property, lawsuits, legal proceedings and other legal information, financial information, operational information, business plans, management changes, labour relations, or any other District information they have come into by virtue of their employment or volunteer appointment and that has not yet been made officially public by the District.

   c) Do not speak on behalf of the District or represent that you do, unless you have been given explicit written authorization to do so. If you are offering personal opinions in relation to District business or services, you must make it clear that your opinions do not represent the District's position. Use phrases such as "in my personal opinion" or "personally" to communicate personal views about District business or services.

   d) Ensure that they do not reveal or disclose personal information within the custody or control of the District unless expressly authorized by the District. This includes personal information of elected officials, other employees and members of the public.

   e) Never identify or comment about other District employees without their consent. Even positive comments may be inappropriate or unwanted.

   f) Not use social media in a manner that would harm the District's reputation. Remember that the internet is a public space. Consider that co-workers, residents and the general public may read what you post, regardless of how obscure or secure the site you are posting to may seem. You are expected to conduct yourself respectfully, truthfully and to demonstrate professionalism.

g) Take responsibility not only for their own social media posts but also any comments made on their posts that were reasonably encouraged or welcomed by their post.

9. Employees administering the District's social media sites must adhere to the Procedures set out in this Policy.

10. Employees who violate the terms of this Policy, including via personal social media use, may be subject to discipline.

11. Volunteer board and committee members who violate the terms of this Policy may be subject to removal from their volunteer appointment.

ELECTED OFFICIAL USE

12. Elected officials must include the following disclaimer on their personal social media pages:

"The views, posts, positions or opinions expressed on this page are my own and do not represent those of the District of Lantzville.

Please note that any post that does not follow these guidelines will be removed from my page:

- I do not allow profanity.
- I do not allow graphic, obscene, or racial comments.
- I do not allow comments that have a harassing tone.
- I do not allow any comments that are abusive, hateful, or intended to defame anyone or any organization.
- I do not allow promotion of illegal activity."

13. Elected officials will regularly monitor their social media accounts and immediately take measures to deal with any messages or posts by others that violate section 12 above.

14. If elected officials publish online content relevant to the District in a personal capacity, they will use "in my opinion" or a similar disclaimer to ensure it is expressly clear that they are speaking for themselves and not the District or Council as a whole.

15. Elected officials will ensure that their social media content does not indicate that they have come to a conclusive view on a matter coming before Council.

16. Elected officials will not engage in back-and-forth communications amongst themselves on social media to avoid the possibility of this being construed as a meeting of Council.

17. Elected officials have a duty of confidentiality to the District and a duty to uphold the District's reputation. Elected officials will not post any of the following on social media:
    a) Any information discussed in closed session, unless the information has been released from closed session by a resolution of Council
    b) Any information that they would not present in a public forum.
    c) Any personal or confidential information regarding any District employees, elected officials and/or advisory committee members.
    d) Any negative statements disparaging staff or calling into question the professional capabilities of staff.
    e) Any confidential business information belonging to the District, including non-public financial or operational information.

18. Elected officials will not report on any Council business on their social media profiles and websites until the District has released formal communication, e.g., Council agenda, adopted minutes, announcements, media releases, Council Updates or Community Updates, which elected officials are then encouraged to share.

19. In emergency situations, elected officials:
    a) are not involved in Emergency Operations Centre (EOC) communications, except for occasionally the Mayor when working with the EOC Director and the EOC Public Information Officer
    b) will only share official emergency updates published by the District of Lantzville EOC
    c) will direct public inquiries regarding the emergency to the District of Lantzville official website and social media platforms to encourage one official source of information
    d) will encourage the public to register for Voyent Alert! through rdn.bc.ca/voyent-alert to receive messages from the District of Lantzville through an app, text message, voice call or email for critical events such as floods or wildfires.

20. Elected officials will not use the District's logo or photos of Municipal Hall on their social media pages.

21. Elected officials should refer any questions received through their social media pages regarding District policies or operational services to district@lantzville.ca for District employees to respond.

22. Elected officials who re-post something written by someone else should first ensure that they have permission to do so and should clearly state that the material was authored by someone else. They should ensure that what they are re-posting otherwise meets the requirements of this Policy and is not profane, harassing, abusive or defamatory.

23. Elected officials may promote the District's social media posts by liking and sharing content from the District's social media platforms.

24. Elected officials are not to post or use District social media sites from the beginning of the nomination period until the election results are made official by the Chief Election Officer. The District may delete posts by sitting elected officials on District social media sites during municipal election campaigns.

25. Elected officials shall not use social media for campaigning on District technology or devices.

26. The District may request that an elected official edit, retract, or delete certain posts or content on their social media sites if it is necessary to ensure compliance with applicable laws, or to avoid damage to the District's reputation, or the District's relationships with suppliers, contractors or customers.

27. If an elected official violates this Policy, the matter will be brought forward to Council at the Closed portion of a Council meeting for review.

DISTRICT SOCIAL MEDIA PROCEDURE

1. The Corporate Administration Department maintains a list of all District social media pages in use and the names of all employee administrators of these accounts, as well as the associated user identifications and passwords.

2. The Corporate Administration Department handles the day-to-day management of the District's social media sites. This includes:
   a) Ensuring content is up-to-date and correcting misinformation;
   b) Ensuring that posts, in-box messages and discussion comments are reviewed and responded to;
   c) Removing any post that does not meet the guidelines; and
   d) Denying access to or blocking users that do not adhere to the District's posting guidelines.

3. Whenever an employee is designated as an administrator for a District social media site, the Corporate Administration Department will provide training on the District's approach to social media and expectations for administrators.

4. When an employee with access to District social media sites leaves the District's employment, the Corporate Administration Department will change all passwords for social media sites to which they had access. It is the responsibility of the departing employee's Department Head to ensure the Corporate Administration Department is notified about the departure of an employee with access to District social media sites.

5. The *Freedom of Information and Protection of Privacy Act* (FOIPPA) applies to social media content on District social media pages. Therefore, social media content on District social media pages is an official record of the District. Employees using District social media accounts are responsible for ensuring compliance with FOIPPA.

RESPONSIBILITY

The Corporate Administration Department office is the lead authority for the District's online communication strategies. Any new social media account for corporate use may only be established by the Corporate Administration Department.

DISTRIBUTION

All Council members, employees and volunteer committee and board members.

Attachment #2

District of Lantzville

Incorporated June 2003

Policy No.: 3000 - 10
Date of Implementation: May 25, 2016
Council Resolution: C16-100

Social Media Policy

PURPOSE

The District of Lantzville social media policy establishes and outlines the principles of use for the District when engaging and posting on the District's social media accounts.

POLICY

The District uses online social media accounts (Twitter,YouTube) and website to communicate District initiatives, goals and objectives with the community and various stakeholder groups.

The goal of the District's social media accounts is to inform the community about District happenings and events and provide additional platforms for direct engagement. The District's social media accounts are not intended to be used for political forums or information outside the District's intent.

PRIMARY GOALS

- Increase awareness of municipal services and events such as public notices, upcoming Capital Projects, District sponsored events, and other municipally involved events.
- Link the reader to further information on the District's website through simple, engaging messages.
- Disseminate time-sensitive information quickly.
- Provide additional means to gather community comments and perceptions regarding the District and its initiatives.
- Develop trust and opportunities to build stronger relationships with community members.
- Correct misinformation, remedy mistakes, or alter services.
- Utilize social media as an additional way to collaborate with the public and other municipalities on mutually beneficial programs and initiatives.
- Provide support to Council's Strategic Priorities Item: *Communication, Engagement, and Transparency.*

SCOPE

- This policy applies to social media use for official and authorized District purposes.
- This policy shall apply to all District employees and others who have been authorized by the District's Chief Administrative Officer to post information on corporate social media sites in an official capacity on behalf of the District. It does not apply to personal use of social media conducted on personal equipment.
- Social media profiles and websites representing the Mayor and Members of District Council are exempt from this policy, as are sites representing individuals and Committees of Council that do not fall under District employee mandate or this policy.
- Social media profiles and websites representing Members of Council will not act as official information media platforms on behalf of the District of Lantzville. Any information to be communicated to the District's followers via social media will be provided by the District's Chief Administrative Officer or designate(s).
- Council should include an "in my opinion" disclaimer either within the banner of their individual social media site(s) or separately when making follow up posts to District social media postings and when creating original posts pertaining to District-related business.

RESPONSIBILITY

The Chief Administrative Officer (CAO) will be responsible for maintaining a list of all social networking application domain names in use, the names of all employee administrators of these accounts, as well as the associated user identifications and passwords.

The posting of content and engagement on behalf of the District will be the responsibility of the District's CAO or designate(s). All other employees must have permission by the CAO prior to posting.

The District will authorize specific individuals to utilize social media in an official capacity to ensure that, as with all communications activities, communications through social media channels are accurate, consistent and professional.

When representing the District on social media, employees are expected to communicate in a respectful and professional manner and in accordance with all District policies. Employees are not permitted to discuss personal or confidential information on social media sites, whether through public posts or private messages. Non-compliance by District employees may result in discipline.

GUIDING PRINCIPLES OF APPROPRIATE USE

The District's social media followers and engagers must abide by the following principles of appropriate use or may be subject to removal. The District of Lantzville reserves the right to remove posted online content, comments or links which contain any of the following from the District's social networking sites:

- Comments not relevant to the particular posting by the Chief Administrative Officer or designate(s);
- Slanderous or derogatory remarks, obscenities, profane language or sexual content;
- Content that endorses, promotes, or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Promotion of commercial services or products other than sponsors, affiliations, or business partnerships;
- Promotion of political candidates;
- Promotion of illegal activity;
- Spam or irrelevant external links;
- Information that may compromise the safety or security of the public or public systems;
- Content that violates a legal ownership interest of any other party.

AVAILABILITY

The District updates and monitors social media accounts during regular office hours. As customer service is a priority, every attempt will be made to respond to all inquiries via social media in a timely manner during office hours; however, the usual ways of contacting the District for official correspondence is encouraged. The District assumes no responsibility for delay in responding to comments and concerns, or lack of service due to site related downtime or issues.

RECORDS

All District of Lantzville social networking sites shall adhere to applicable Provincial, Federal and local laws, regulations and policies including all Information Technology and Records Management policies and other applicable District of Lantzville policies.

The Freedom of Information & Protection of Privacy Act applies to social media content and therefore content must be able to be managed, stored and retrieved to comply with the Act.

Attachment #3

31. COMMUNICATING ON BEHALF OF COUNCIL

(1) A member must not claim to speak on behalf of Council unless authorized to do so.

(2) Unless Council directs otherwise, the Mayor is Council's official spokesperson and, in the absence of the Mayor, it is the Acting Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

(3) A member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the member personally disagrees with Council's position.

(4) No member shall make a statement

(a) when they know that statement is false, or

(b) with the intent to mislead Council or members of the public.

(5) Member communication includes all forms of communication including written, verbal and social media.

(6) Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

(Bylaw No. 252, 2020)

(7) Council members have the right to speak publicly and explain their position and agreement or disagreement with the overall Council decision, but must not demean, criticize, dispute or disrespect the decision of Council.

(8) Members must not purport to speak on behalf of the District or Council unless expressly authorized to do so.

(9) Members will use caution in reporting Council's decision-making by way of the social media profiles and websites before the District has released any formal communication.

(10) When speaking for themselves as individual members on social media or to the media, a member will include "in my opinion" or use a similar disclaimer to ensure it is expressly clear that they are speaking for themselves and not the District or Council as a whole.

(11) Members will refrain from using or permitting the use of their social media accounts for the purposes that include:

(a) defamatory remarks, obscenities, profane language or sexual content;

(b) negative statements disparaging staff or calling into question the professional capabilities of staff;

(c) content that endorses, promotes or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;

(d) statements that indicate a closed mind in relation to a matter that is to be the subject of a statutory or other public hearing; or

(e) promotion of illegal activity.

32. CLOSING DEBATE

(1) Debate shall be closed by the presiding member when in the presiding member's opinion there has been a reasonable amount of debate.

33. MOTIONS GENERALLY

(1) The Council may debate and vote on a motion only if it is first moved by one Council member and then seconded by another.

(2) A motion that deals with a matter that is not on the agenda shall be considered out of order.

(3) After a motion is moved and seconded, it shall be deemed to be in possession of the Council but may be withdrawn at any time, before decision or amendment, with unanimous consent of Council.

(4) When the presiding member is of the opinion that there has been sufficient debate on a specific question or matter, the presiding member may call the question and no member of Council shall speak to the question nor shall any other motion be entertained except those of subsection (6) until the results of the vote have been declared.

(5) No member shall speak on any question for longer than five (5) minutes or may speak in reply for longer than three (3) minutes, and for a maximum speaking time of 10 minutes.

(6) A member may make only the following motions which take precedence when the Council is considering a question:

(a) to refer;

(b) to amend;

(c) to postpone (indefinitely or to a specific time);

(d) to adjourn.

(7) A motion made under subsections (6)(c) and (6)(d) is not amendable or debatable, with the exception that a motion to postpone to a certain time is debatable only as to the time and reasons for postponement, and is amendable only to change the time to which the main motion is to be postponed.

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Crosswalk Installation at Clark Drive and Aulds Road Intersection

PURPOSE

To provide Council with information and a recommendation as a result of the Clark Drive and Aulds Road crosswalk motion passed by Council at its June 16th regular Council meeting.

RECOMMENDATION

THAT a pedestrian-activated signalized crosswalk be installed at the Clark Drive and Aulds Road intersection, at a cost of approximately $25,000.

COMMITTEE/COMMISSION RECOMMENDATION

On June 8, 2021, the Community Safety Standing Committee considered complaints that the District had received regarding pedestrian safety at the Aulds Road and Clark Drive intersection, and passed the following motion:

> *"THAT the Committee recommends to Council THAT staff provide recommendations for crosswalk options at Clark Drive and Aulds Road, including cost estimates and funding options, for Council's consideration."*

ALTERNATIVES AND IMPLICATIONS

THAT the installation of a pedestrian-activated signalized crosswalk at the Clark Drive and Aulds Road intersection project be referred to the 2022-2026 Financial Plan process. Implication: availability of the ICBC grant at a later date to be determined.

BACKGROUND/RELEVANT HISTORY

After receiving complaints from the public, the issue of pedestrian safety at the Aulds Road and Clark Drive intersection was placed on the agenda for the Community Safety Standing Committee meeting held June 8, 2021.

Council, at its regular meeting held June 16, 2021, passed the following motion:

> *THAT staff provide recommendations for crosswalk options at Clark Drive and Aulds Road, including cost estimates and funding options, for Council's consideration.*

ATTACHMENT(S)

N/A

ANALYSIS/RATIONALE

Staff and Council have received numerous complaints regarding pedestrian and vehicular near misses in the Clark Drive and Aulds Road intersection. Staff have investigated the issue and have, in conjunction with ICBC, identified a resolution for the problem.

Staff contacted ICBC with regards to the pedestrian safety issue; it was concluded that a pedestrian-activated signalized crosswalk be installed at the intersection.

Staff inquired with ICBC about potential funding of the crosswalk and was granted $11,300 towards the purchase and installation of the crosswalk materials. Total cost of the works is expected to be approximately $25,000. Actual cost to the District will be approximately $13,700.

1. Strategic Plan Objectives

N/A

2. Policy (Existing/Relevance/None)

N/A

3. Resources

Resources (staff, budget, contractors, equipment, etc.) available in 2021.

4. Financial/Budget Implications

The capital expenditure amount falls within the approved 2021 Financial Plan authority for general capital expenditures. The project will be funded as follows:

- $11,300 to be funded through approved grant funds from ICBC
- $13,700 to be funded from reallocation of the budget provision for 2021 capital expenditures funded from the Roads Infrastructure Reserve.

5. Sustainability Implications

Crosswalk lighting will be solar powered.

Prepared by:

Fred Speärs, Director of Public Works

Date: August 25, 2021

Approved for submission to Council:

Ronald Campbell, Chief Administrative Officer

Date: August 25, 2021

REVIEWED WITH:			
☑ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☑ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	10.b)
Closed (In-Camera)		

File Number: 5400.12
T:\DISTRICT OF LANTZVILLE\Reports to Council\2021\2021 09 08 Croswalk Installation Clark Drive-Aulds Road Intersection.docx

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Sebastion Road Beach Access

PURPOSE

To provide Council with information/recommendation regarding parking on Sebastion Road.

RECOMMENDATION

THAT staff be directed to move the no-post barriers and the bollard to the North at the Sebastion Road beach access to provide room for one accessible parking stall.

COMMITTEE/COMMISSION RECOMMENDATION – N/A

ALTERNATIVES AND IMPLICATIONS

That staff be directed to keep the Sebastion Road end as is. Implication: No increased accessible parking.

BACKGROUND/RELEVANT HISTORY

After two public meetings, Council in 2019 approved a plan to upgrade Sebastion Road. The plan included a turn-around/drop off zone at the North end of Sebastion Road with on-street parking to the south.

Prior to upgrading Sebastion Road, staff received numerous complaints from resident and visitors to the area regarding the parking. In addition, staff had received numerous concerns from emergency services due to the inability to access the area in time of emergency.

In the design presented to the residents of Lantzville, a turn-around/drop off only zone was part of the design. Council received and reviewed comments from the public and directed staff to move forward with the plan as presented.

On March 31, 2021, Council passed the following motion:

THAT staff prepare a report on moving the cement barriers at the end of Sebastion Road as close as possible to the beach to allow for additional parking.

ATTACHMENT

1. Drawing

ANALYSIS/RATIONALE

Since the works have been carried out on Sebastion Road (completed in May 2021), staff have received very few complaints. Most of the complaints are due to the lack of access for elderly and handicapped parking, which staff are recommending be installed as per the above recommendation.

Since Council passed the resolution above, another resolution was passed July 21, 2021 to increase available parking spaces on Sebastion Road, identify available parking on the road rights-of-way (ROW) on Venture and remove encroachments on Peterson Road, to allow parking on District road ROWs. As these ROWs are defined and encroachments removed, more parking will become available.

Currently motorists are obeying the signage, and the flow of traffic has become more organized in the area. Providing a handicapped parking stall will give the ability for those in need of a parking stall, to park closer to the beach. Also, by providing one accessible parking stall, emergency services will still have the ability to access the beach.

1. **Strategic Plan Objectives**
   N/A

2. **Policy (Existing/Relevance/None)**
   N/A

3. **Resources**
   14 hours of staff time.

4. **Financial/Budget Implications**
   The work required can be carried out within the current operating budget.

Prepared by:

Fred Spears, Director of Public Works

Date: August 10, 2021

Approved for submission to Council:

Ronald Campbell, Chief Administrative Officer

Date: August 16, 2021

REVIEWED WITH:			
☑ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	10.c)
Closed (In-Camera)		

File Number: 6340.20 BCHAC/5330.20SEBRD
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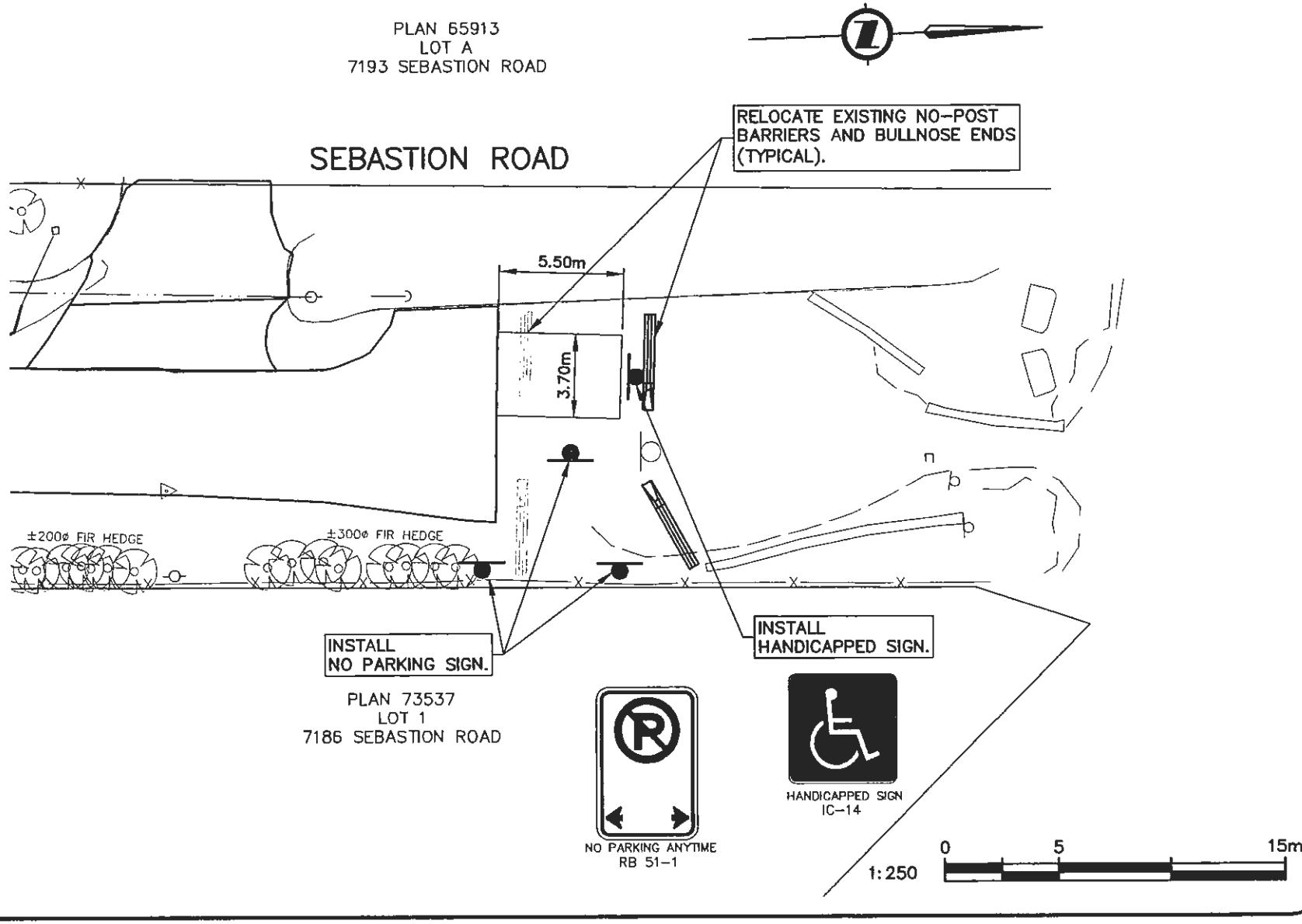


KOERS & ASSOCIATES ENGINEERING LTD.
Consulting Engineers
P.O. Box 790, 194 Memorial Ave
Parksville, BC V9P 2G8
Ph: 250-248-3151
Fax: 250-248-5362
www.koers-eng.com

CLIENT	DISTRICT OF LANTZVILLE
PROJECT	SEBASTION ROAD UPGRADES

TITLE	HANDICAPPED PARKING – PLAN		
APPROVED		SCALE	AS NOTED
DATE	19APRIL21	DWG No.	1974-CC0#_
PROJECT No.	1974		

4254 Lantzville District\1974 Sebastion Road Improvement\03 Drawings\1974 Base.dwg Plot Time: Aug 18, 2021 - 9:01am User: dkennedy

SEASIDE COMMUNITY SOCIETY
7232 LANTZVILLE ROAD
LANTZVILLE, BC, V0R 2H0

RECEIVED
AUG 19 2021

District of Lantzville
7192 Lantzville Road
Lantzville, BC
V0R 2H0

To: Mayor and Council

RE: Minetown Day Parade Road Closure

The Seaside Community Society has taken on the responsibility of organizing and managing Minetown Day as of this year. The date has been set for September 18th.

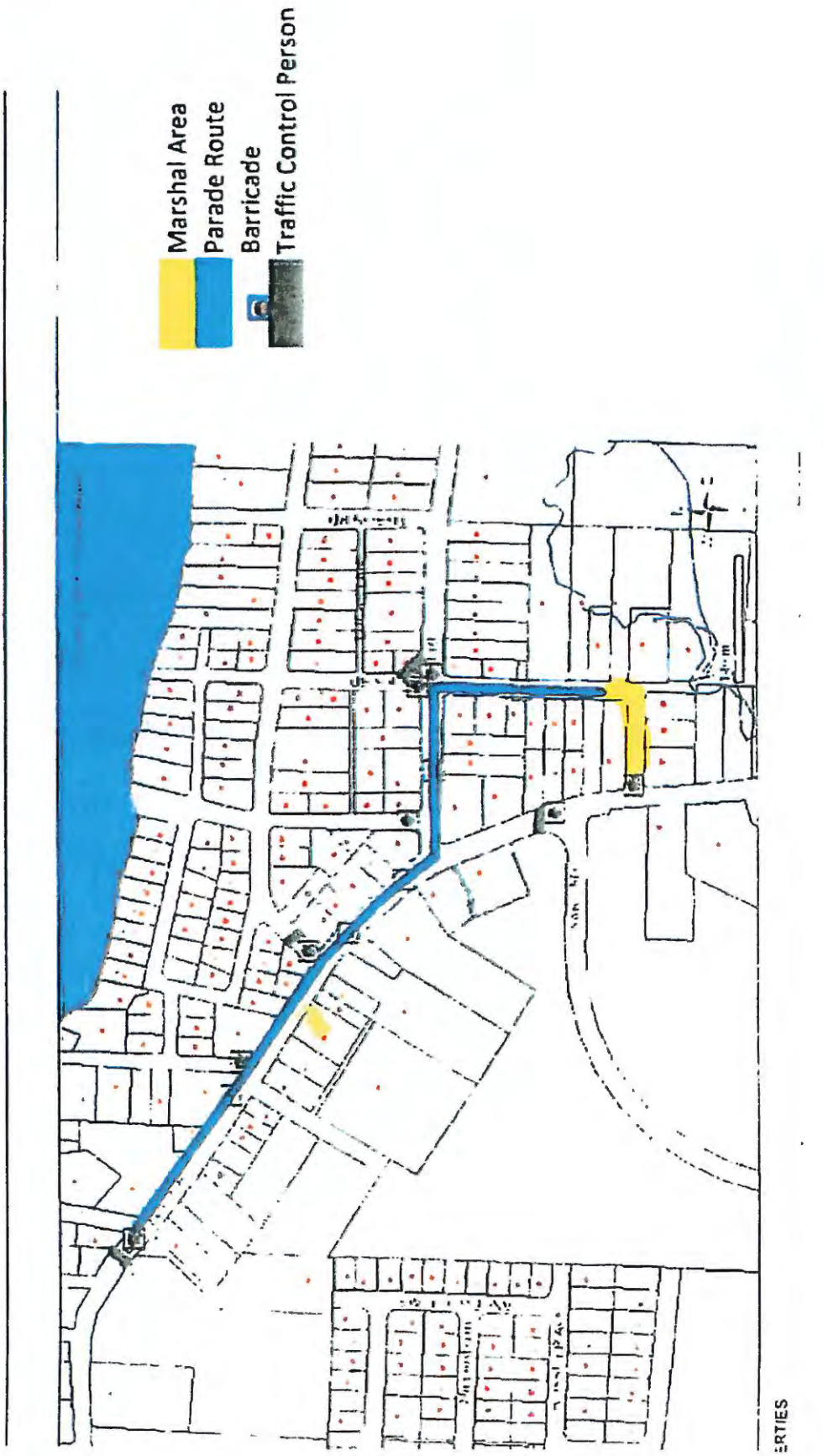
One of the key components of Minetown Day is the parade. The parade runs from Caillet Road north along Lantzville Road to Huddlestone Road, then down Huddlestone Road to the entrance to the entrance of Huddlestone park.

Professional traffic control personnel will be hired to direct traffic prior to and during the closure.

Please accept this as our formal request for a road closure for Lantzville Road between Ware Road and Huddlestone Road between 10:00AM and 11:00AM on September 18th, 2021.

Sincerely,

Bob Colclough, President


Marshal Area
Parade Route
Barricade
Traffic Control Person

VANCOUVER ISLAND ECONOMIC ALLIANCE



The 'State of the Island' Economic Summit 2021

October 27, 2021—October 28, 2021

Registration Options: Please choose the one that applies when filling in your registration details below.

Full Access - Access to all in-person and virtual sessions
Fees: Member
Now-Sept 4: $449
Sept 5-Oct 18: $469
Oct 19-21: $599

Full Access - Access to all in-person and virtual sessions
Fees: Non-Member
Now-Sept 4: $479
Sept 5-Oct 18: $499
Oct 19-21: $599

Full Access - Access to all in-person and virtual sessions
Fees: Student
Now-Sept 4: $269
Sept 5-Oct 18: $299
Oct 19-21: $329

Full Access (Virtual) - Access to all virtual sessions
Fees: Student
Now-Sept 4: $79
Sept 5-Oct 18: $89
Oct 19-28: $99

Three Pack (Virtual) - Choose any 3 sessions
Fees: Member
Now-Sept 4: $89
Sept 5-Oct 18: $109
Oct 19-28: $139

Three Pack (Virtual) - Choose any 3 sessions
Fees: Non-Member
Now-Sept 4: $99
Sept 5-Oct 18: $119
Oct 23-28: $149

Full Access (Virtual) - Access to all virtual sessions
Fees: Member
Now-Sept 4: $189
Sept 5-Oct 18: $219
Oct 19-28: $269

Full Access (Virtual) - Access to all virtual sessions
Fees: Non-Member
Now-Sept 4: $219
Sept 5-Oct 18: $249
Oct 19-28: $269

District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: 2022 Council Meeting Schedule

PURPOSE

To establish Council's meeting schedule for the 2022 calendar year.

RECOMMENDATION

THAT the 2022 Council Meeting Schedule be approved as attached to the September 8, 2021 staff report; AND FURTHER THAT staff be authorized to publish notice of availability of the schedule.

COMMITTEE RECOMMENDATION N/A

ALTERNATIVES AND IMPLICATIONS

1. Propose alternate meeting dates, amend the schedule and approve the amended schedule; implication is potential conflicts with other events.
2. Postpone consideration to another meeting; implication is the meeting schedule will not be available as early as usual for meeting planning, posting and public information.

BACKGROUND/RELEVANT HISTORY

Section 125 of the *Community Charter* (*CC*) requires that a Council must meet regularly in accordance with their procedure bylaw. Section 127 of the *CC* requires that a schedule of the date, time and place of all regular Council meetings to be held during the year, be prepared and made available to the public. The *CC* also requires publishing a statutory notice (newspaper and on the District's bulletin board) at least once per year of the availability of the schedule. We also publish on the District's website.

Council Procedure Bylaw No. 141, 2020, provides that:

- meetings must be held in the Municipal Hall unless Council passes a motion to hold a meeting elsewhere within or outside the boundaries of the District.
- Council must by resolution establish annually a schedule whereby regular Council meetings,
  - are held on two Wednesdays of each month except where Council has established a different day and except in December when one meeting will be held and in August when no meetings will be held;
  - are called to order at 6:00 pm and adjourn by 9:30 pm unless there is unanimous consent to proceed beyond that time.
- regular Council meetings may be cancelled by Council resolution, or postponed to a different day, time and place by the Mayor, provided that the Corporate Officer is given at least two working days' written notice.
- when revisions are necessary to the annual schedule of regular Council meetings, the Corporate Officer will, as soon as possible, post a notice on the bulletin board of any revisions to the date, time and place or cancellation of a regular meeting. The amended schedule is also posted on the District's website.
- following a general local election, the inaugural meeting of Council will be held the first Wednesday in November in the year of the election. The next general local election will be held Saturday, October 15, 2022 and the inaugural Council meeting will be held Wednesday, November 2, 2022.

The Council Procedure Bylaw also refers to Council holding special Council meetings and posting notice at least 24 hours before a special meeting unless notice is waived by unanimous vote. The 2022 draft schedule shows any known planned Special meetings, e.g. for Financial Plan process.

ATTACHMENT

1. Draft 2022 Council Meeting Schedule.

ANALYSIS/RATIONALE

The attached draft 2022 Council Meeting Schedule:

- follows the two regular meetings per month, no meetings in August, and one meeting in December per the Council Procedure Bylaw
- provides a one-day Special meeting (Closed) in January for Strategic Plan Update
- proposes a regular Council meeting on a Monday in October as there are Advance Voting Days on the first two Wednesdays in October for the October 15th General Local Election)
- provides a tentative schedule for Special meetings for consideration of the Financial Plan on Mondays and Wednesdays in November, after the new Council takes office November 2nd
- does not conflict with other scheduled events that Council may consider attending, e.g. Association of Vancouver Island and Coastal Communities Conference (April 1-3, 2022 in Victoria) or Union of BC Municipalities Convention (September 12-16, 2022 in Whistler). However, it does include a meeting during school break (March 23rd).

Regardless of the schedule approved by Council at this time, it is always within Council's authority to, at a later date, propose additional special Council meeting dates or to cancel regular Council meetings, or for the Mayor to postpone regular Council meetings to a different day, time or place. For this reason, Council members are requested to keep all Wednesday evenings available in case there are additional meetings scheduled.

Establishing an annual schedule of Council meetings and publishing the schedule is a statutory requirement. It would be timely for planning purposes and public information to approve the 2022 schedule at this time. Staff recommend approval of the attached schedule. If approved, the attached schedule will be advertised and posted.

1. **Strategic Plan Objectives**
   N/A
2. **Policy (Existing/Relevance/None)**
   Consistent with the District's Public Participation Policy and Council Procedure Bylaw.
3. **Resources**
   Staff time will be required to publish, in addition to the statutory notice in a newspaper, the availability of the schedule on the District's bulletin board and website, and to update office calendars and the meeting calendar on the District's website.
4. **Financial/Budget Implications**
   If Council approves the 2022 schedule, staff will publish the availability of the schedule twice in the newspaper (cost of advertising is funded within the current operating budget).

Prepared by:

Trudy Coates

Trudy Coates, Director of Corporate Administration

Date: August 10, 2021

Approved for submission to Council:

Ronald Campbell, Chief Administrative Officer

Date: August 10, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	12.c)
Closed (In-Camera)		
Committee of the Whole		

DRAFT

District of Lantzville
2022 Council Meeting Schedule

Attachment #1

Date		Time	Subject	Location
January	12	6:00 pm	Regular Meeting (Wednesdays, *unless indicated otherwise)*	Council Chamber, 7192 Lantzville Road, Lantzville *(unless indicated otherwise)*
	19	9:00 am	Special Meeting (Closed)	
	26	6:00 pm	Regular Meeting	
February	9	6:00 pm	Regular Meeting	
	23	6:00 pm	Regular Meeting	
March	9	6:00 pm	Regular Meeting	
	23	6:00 pm	Regular Meeting	
April	6	6:00 pm	Regular Meeting	
	20	6:00 pm	Regular Meeting	
May	4	6:00 pm	Regular Meeting	
	18	6:00 pm	Regular Meeting	
June	8	6:00 pm	Regular Meeting	
	22	6:00 pm	Regular Meeting	
July	6	6:00 pm	Regular Meeting	
	20	6:00 pm	Regular Meeting	
August			SUMMER RECESS	
September	7	6:00 pm	Regular Meeting	
	21	6:00 pm	Regular Meeting	
October	3	6:00 pm	Regular Meeting (Monday)	
	26	6:00 pm	Regular Meeting	
November	2	6:00 pm	Inaugural Meeting	Costin Hall, 7232 Lantzville Road, Lantzville
	9	6:00 pm	Special (Financial Plan), if required	
	14	6:00 pm	Special (Financial Plan), if required (Monday)	
	16	6:00 pm	Regular Meeting	
	23	6:00 pm	Special (Financial Plan), if required	
	28	6:00 pm	Special (Financial Plan), if required (Monday)	
	30	6:00 pm	Regular Meeting	
December	7	6:00 pm	Regular Meeting	

By the Friday before each Wednesday Council meeting, a copy of the agenda cover is posted on the Public Notice Board outside of the Municipal Hall at 7192 Lantzville Road and the complete agenda package is posted at www.lantzville.ca (access by selecting the meeting date on the calendar) and is also available for viewing in a binder at the Municipal Hall front counter. Questions regarding Council or committee meetings? Contact the Director of Corporate Administration at tcoates@lantzville.ca or 250.933.8082.

District of Lantzville, Municipal Hall, 7192 Lantzville Road, PO Box 100, Lantzville, BC V0R 2H0

W www.lantzville.ca P 250.390.4006 F 250.390.5188 E district@lantzville.ca Twitter: @DOLantzville

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District of Lantzville

REPORT TO CHIEF ADMINISTRATIVE OFFICER

Meeting Date: September 8, 2021

SUBJECT: Council Meeting Options For After COVID Emergency Authorities Expire September 28, 2021

PURPOSE

To provide information about Council meeting options for the transition after the COVID 19 emergency authorities expire September 28, 2021 and new authorities (Bill 10) come into effect September 29th, for consideration at a future meeting.

RECOMMENDATION

For Information.

COMMITTEE RECOMMENDATION N/A

ALTERNATIVES AND IMPLICATIONS

1. THAT consideration of Council meeting options for after COVID emergency authorities expire September 28th and Bill 10 comes into effect September 29th, be considered at the September 22, 2021 6:00 pm regular Council meeting. Implications: It facilitates further consideration of options; however, subject to the number of items on the agenda it could hamper full discussion of the options.
2. THAT consideration of Council meeting options for after COVID emergency authorities expire September 28th and Bill 10 comes into effect September 29th, be considered at the proposed September 27, 2021 6:00 pm special Council meeting. Implications: It facilitates further consideration of options at a meeting with a lighter agenda; however, would not allow sufficient time for staff to prepare a draft Council Procedure Bylaw amendment for introduction at the October 6, 2021 Council meeting.
3. THAT a special Council meeting be scheduled for 6:00 pm in the evening Monday to Thursday, during the week of September 13th or 20th for consideration of Council meeting options for after COVID emergency authorities expire September 28th and Bill 10 comes into effect September 29th. Implications: It facilitates further consideration of options in time for direction to staff to prepare a draft Council Procedure Bylaw amendment for introduction at the October 6, 2021 Council meeting.
4. Other action as directed by Council.

BACKGROUND/RELEVANT HISTORY

Council has been holding electronic meetings in accordance with Ministerial Order No. M192 and previous orders during the COVID emergency. Reference, September 8, 2021 Council agenda item 9.e) report Council Procedure Bylaw No. 141, 2020, Amendment (Electronic Meetings) Bylaw No. 278, 2021, which provides a background regarding upcoming changes to electronic meeting legislation, expiry of the emergency measures authority for broader use of electronic meetings, a copy of the current electronic meeting provisions in the Council Procedure Bylaw and proposes new wording for the Council Procedure Bylaw under the current provisions in the *Community Charter (CC)* for the interim. If adopted, Bylaw No. 278 will provide for Council to continue to meet electronically in a limited fashion (up to four Council members).

Bill 10 – *Municipal Affairs Statutes Amendment Act* that comes into effect September 29, 2021 provides permanent authority for municipalities to choose, by bylaw, whether to include more comprehensive amendments to the Council Procedure Bylaw for meeting electronically. In addition to the *CC* amendments, it also has amendments to other legislation, e.g. the *Local Government Act* (*LGA*) in relation to elections and public hearings.

ATTACHMENT

1. Guidance for Adapting to the New Electronic Meetings Framework (Municipal Affairs 2021)
2. Bill 10 - *Municipal Affairs Statutes Amendment Act, 2021*

ANALYSIS/RATIONALE

The province's "Guidance for Adapting to the New Electronic Meetings Framework" provides information about the new electronic meetings rules and best practices to consider when amending a Council Procedure Bylaw to allow for electronic meetings after Bill 10, including common questions about:

- electronic meetings vs electronic participation (provides definitions)
- when can local governments amend their procedure bylaw to allow for electronic regular and committee meetings (confirms no readings until September 29th)
- electronic public hearings and the procedure bylaw (the new procedures in the LGA that enables the District to hold electronic public hearings at their discretion does not require amendment of the Council Procedure Bylaw; however, public hearing references in the Bylaw will be reviewed for consistency with the new wording in the LGA)
- what to consider before authorizing electronic meetings (lists many questions to consider when drafting a Council Procedure Bylaw amendment for electronic meetings)

The Guidance document provides best practices and also notes that the choice of when to use the electronic meetings authority (e.g., how often and in what circumstances) and other rules for electronic meetings is up to each local government.

It would be helpful to know when Council would like to discuss the options in detail and the format (e.g., PowerPoint, series of questions, survey, or an ad hoc review). As it takes some time to prepare and process a Council Procedure Bylaw (public notice for 2 weeks prior to consideration of adoption), it is recommended that Council start the process asap.

1. Strategic Plan Objectives

N/A

2. Policy (Existing/Relevance/None)

N/A

3. Resources

Staff time to review the options with Council and draft a bylaw amendment. The updating of equipment to improve audio/visual equipment and effective electronic meetings is ongoing; however, new expenditures are not anticipated as a result of this report.

4. Financial/Budget Implications

The cost of a statutory notice of Bylaw amendment is within the current operating budget.

Prepared by:

Trudy Coates

Trudy Coates, Director of Corporate Administration

Date: August 30, 2021

Approved for submission to Council:

R. Campbell

Ronald Campbell, Chief Administrative Officer

Date: August 31, 2021

REVIEWED WITH:			
☐ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☐ Financial Services	☐ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Regular	September 8, 2021	
Closed (In-Camera)		

Attachment #1

Guidance for Adapting to the New Electronic Meetings Framework

Introduction

This document provides municipal councils, regional district boards, Islands Trust local trust committees and local government staff with information about the new electronic meetings rules and best practices to consider when amending a procedure bylaw to allow for electronic meetings.

Since June 17, 2020, local governments have been operating under Ministerial Order M192, which allows all meetings and public hearings to be conducted electronically during the COVID-19 pandemic. M192 became part of the COVID Related Measures Act (CRMA) on July 8, 2020.

COMMON QUESTIONS: Electronic meetings vs electronic participation

Electronic meetings, if authorized by bylaw, are meetings where all members of a council or board may participate electronically (e.g., videoconference, audioconference or telephone).

Electronic participation, if authorized by bylaw, allows for a hybrid meeting where some members of a council or a board attend in person, and other members attend by electronic means.

On June 1, 2021, Bill 10 *Municipal Affairs Statutes Amendments Act* was passed. Bill 10 includes change to the Community Charter to provide permanent authority for municipalities to choose, by bylaw, whether to conduct regular and committee meetings electronically (in addition to special meetings already authorized under the Charter). These new rules will come into force by regulation on September 29, 2021 after the authority to hold electronic meetings under the CRMA and M192 expires on September 28, 2021.

Amended Sections of the Community Charter

- Section 128, 128.1, 128.2, 128.3

Ministry of Municipal Affairs

Governance and Structure Branch
Local Government Division

Mailing Address:
Po Box 9839, STN PROV GOVT
Victoria, BC V8W 9T1

Phone: 250 387-4020
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Location:
4th Floor, 800 Johnson Street

www.gov.bc.ca/muni

Further work will be done to update regulations and align meeting rules to ensure that the new, broader electronic meeting authorities apply to all local governments, including the City of Vancouver, regional districts and the Islands Trust. The intention is that the updated regulations will be brought into force at the same time as the amendments to the Charter and coincide with the expiration of M192 under CMRA. This will allow time for local governments to consider the new authorities and whether to amend their procedure bylaw.

Under the permanent new rules, local governments are not required to adopt electronic meeting provisions in their procedure bylaw if there is no intention to hold electronic meetings. However, local governments are encouraged to proactively consider whether there are circumstances where electronic meetings may be beneficial for the community. The Ministry has heard many local governments express the advantages and enhanced transparency and accessibility that electronic meetings offer their residents. The decision whether to authorize electronic meetings in a procedure bylaw will depend on local circumstances such as:

- Population size;
- Available technology; and
- The needs of the council or board, staff and the public, for example improved accessibility or flexibility.

COMMON QUESTIONS: When can local governments amend their procedure bylaw to allow for electronic regular and committee meetings?

- The new authorities for electronic regular and committee meetings in the Community Charter will be brought into force by regulation on September 29, 2021 once Ministerial Order M192 and the COVID Related Measures Act (CRMA) have expired, 90 days after the end of the provincial state of emergency (September 28, 2021).
- Local governments are encouraged to initiate a review of their current procedure bylaw and consider whether any amendments are required to prepare for when the authority to hold electronic meetings under M192 ends.
    - ***Local governments must not amend their procedure bylaws until the provincial amendments are brought into force on September 29, 2021.***
    - Local governments can continue to hold electronic meetings and electronic public hearings under the authority of M192.
- Once the amendments are brought into force, local governments can then provide public notice, communicate changes to the public, and begin to do readings of an amended procedure bylaw.

Electronic Meetings

All local government meetings must be open to the public unless the subject matter falls under the closed meetings provisions in the legislation. The requirement for open meetings is intended to ensure openness, transparency and accountability.

Electronic meetings may be a useful tool for councils and boards in certain circumstances; however, as a best practice, they should not be a substitute for all in-person meetings. Local government electronic meetings should attempt to resemble in-person meetings as much as possible, adhering to rules of procedural fairness and the local government's procedure bylaw.

When brought into force, the new electronic meeting rules will give authority to councils and boards to conduct regular and committee meetings electronically, if authorized in their procedure bylaw. Councils and boards may want to consider under what circumstances to allow electronic meetings in their community, for example, emergency circumstances only or to increase accessibility and create more flexibility.

Regular council and board meetings are regularly scheduled meetings of a council or board as required by the local government legislation

A *special meeting* is a council or board meeting other than a regular or statutory meeting.

A *council or board committee* may be:

- a select or standing committee that includes council or board members and members of the public appointed to the committee
- any other body established by a council or a board that is composed solely of council or board members.

The legislation continues to provide councils and boards the option to hold special meetings electronically, by bylaw, and to allow some electronic participation of members at meetings (regular, special or committee). Best practices for electronic special meetings and electronic participation can be found in the Procedure Bylaw Guide: For B.C.'s Local Governments.

If a council or board authorizes electronic meetings in the procedure bylaw they should consider additional rules or policies for the conduct of electronic meetings. Some of these rules may be included in the procedure bylaw and others may
be more appropriately placed in an electronic meetings policy, technology policy, code of conduct, or public participation policy.

It is at the discretion of local governments to determine procedural rules for other kinds of advisory committees and bodies barring any legislated rules. Although there is no requirement to put procedures

for electronic meetings for other advisory bodies in the procedure bylaw, as a best practice, local governments are encouraged to align meeting rules to ensure accessibility, openness and transparency for the public also exists for these other types of meetings (e.g., community commissions).

If a council or board wants to allow for electronic regular and committee meetings in emergency situations only, ensure that consideration is given to defining what constitutes an emergency, such as a provincial or local state of emergency. Depending on how the council or board chooses to word the bylaw, the local government may wish to seek legal advice to be certain that there is a common understanding of when the bylaw would allow for electronic regular and committee meetings to be held.

COMMON QUESTIONS: Electronic public hearings and the procedure bylaw

Amendments to the *Local Government Act* will also enable local governments – at their discretion - to hold electronic public hearings. These amendments will also be brought into force at the same time as the amendments for electronic meetings, once M192 is no longer in force.

Procedures for public hearings are not required in a local government procedure bylaw; however, those local governments that have included public hearing procedures in their procedure bylaw are encouraged to review their public hearing procedures and update as necessary to accommodate the new authorities.

Amending the Procedure Bylaw to Enable Electronic Meetings

For detailed information about amending a local government procedure bylaw please see Procedure Bylaw Guide: For B.C.'s Local Governments (PDF). **The procedure bylaw must not be amended until the new electronic meeting rules are in force.**

Local governments will want to proactively consider whether electronic regular and committee meetings are appropriate for their community before making changes to the procedure bylaw. If amendments are planned, local governments are encouraged to consider an opportunity for the public to provide comment and questions on electronic meetings.

Councils and boards may want to use the existing authorities for special electronic meetings and electronic participation (if permitted in the local government procedure bylaw) to assist with the process of amending the procedure bylaw. This may include holding a special electronic meeting to do the readings of the amended procedure bylaw (with some council or board members participating electronically).

COMMON QUESTIONS: What to consider before authorizing electronic meetings

- Do electronic meetings increase accessibility for elected officials and the public?
- Does the council or board want to authorize electronic regular and committee meetings? If yes, under what circumstances?
- Can the legislative requirements for electronic meetings be met (e.g. meeting participants are able to hear, or watch and hear, each other; members of the public may attend a specified place to hear, or watch and hear, the proceedings)?
- Does the procedure bylaw currently authorize electronic special meetings and electronic participation? Are there limits on the number of times or consecutive number of meetings a council or board member can participate electronically? Do these limits apply in emergency scenarios?
- Are there electronic meetings procedures (e.g. procedure bylaw, electronic meetings policy or technology policy) for the chair and staff to follow for electronic meetings?
- Can council or board members participate in both open and closed meetings electronically? If closed meetings are authorized, how is confidentiality being maintained by the participating council or board members?
- Is the technology available reliable? How secure is the wifi used for remote access? Are there plans for new or additional technology to support electronic meetings?
- Does the technology support elected officials and the public to participate in electronic meetings (and allow everyone to hear, or watch and hear the meeting)?
- Does the code of conduct (if applicable) support electronic meetings?
- Is there a public facing document for the public to understand how to participate in electronic meetings?
- Are electronic meetings accessible to persons with disabilities (e.g. closed captioning)?
- Is there staff capacity to support electronic meetings?

New Legislative Requirements for Electronic Meetings - Municipalities

Electronic Regular Council Meetings
Under the Charter, electronic regular council meetings must:

- Be authorized in the procedure bylaw;
- Be conducted in accordance with the procedure bylaw;
- Establish procedures for giving advance notice of regular meetings to be held electronically;
- Provide notice of the way in which the regular meeting is to be conducted and the place where the public can attend to hear, or watch and hear, the regular meeting;
- Provide a location for the public to attend to hear, or watch and hear the meeting;
- Use technology that enables the meeting participants and the public to hear, or watch and hear, each other (members participating in electronic regular council meetings are deemed to be present at the meeting); and,
- Have a designated municipal officer at the place where the public can attend.

Municipalities
Community Charter
- Section 128 Electronic regular council meetings

The term "facilities" in the legislation is used to refer to the technology used for conducting electronic meetings.

The term "municipal officer" refers to those officer positions established by bylaw. The term "municipal officer" also applies to the officer's deputy and any person designated by the council to act in the officer's place.

Electronic Council Committee Meetings
Electronic council committee meetings must:

- Be authorized in the procedure bylaw;
- Be conducted in accordance with the procedure bylaw;
- Provide advance public notice and establish procedures for giving notice including the way in which the committee meeting is to be conducted;
- Use technology that enables the meeting participants and the public to hear, or watch and hear, the meeting (members participating in electronic council committee meetings are deemed to be present at the meeting).

Municipalities
Community Charter
- Section 128.2 Electronic council committee meetings

Adapting to the New Requirements for Electronic Meeting

Procedure Bylaw Best Practices for Electronic Meetings

The choice of when to use the electronic meetings authority (e.g., how often and in what circumstances) and other rules for electronic meetings is up to each local government.

In addition to the legislative requirements, there are some best practices local governments may wish to consider including in their procedure bylaw to support elected officials, staff and the public navigate electronic meetings.

- Describe the circumstances when electronic meetings are permitted (e.g., regular, special, committee, open/closed);
- Provide as much notice as possible if a meeting will be held electronically;
- Provide adequate instructions in the notice so the public knows how to access or participate in the meeting electronically (e.g. provide a teleconference number or a link to the local government website for information on how to watch an audio or video conference);
- Include procedures for shifting from an open to a closed meeting during electronic meetings;
- Outline procedures to determine quorum (and procedures to follow if quorum is lost due to technical difficulties);
- Avoid referring to a specific technology to use for electronic meetings in case it changes;
- Outline the methods for members to make a motion or point of order during the meeting (either in the procedure bylaw or an electronic meeting policy);
- Select and outline the method of taking and verifying votes in the electronic context (e.g. amending bylaws; secret ballot for election of board chair);
- Determine how conflict of interest is dealt with for electronic meetings;
- Provide the process for delegations and the public to participate in electronic meetings and how to deal with members of the public that have not been invited to speak;
- Outline how council or board members may add items to the agenda in an electronic meeting; and,
- Publish the agenda well in advance of meeting date (if possible).

Electronic Meeting Policies

Local governments may decide to include further electronic meeting rules and procedures to guide council and board members, staff and the public in an electronic meetings policy. Local government staff may also want to provide additional training to council or boards on how to chair electronic meetings and the associated electronic meeting policies. Ideas to consider could include:

- Initiate a roll call in alphabetical order at beginning of each meeting to ensure those attending/ watching know who is present;

- Develop and provide scripts for Chairs to ensure that the rules of voting procedures are stated at the beginning of each meeting so all attendees aware of procedure;
- Determine whether the Chair or Acting Chair must be physically present with the staff in council chambers to determine next steps in the event of a technology failure;
- Outline how to deal with connectivity issues or interruptions to video/audio (e.g. loss of quorum or during voting);
- Discuss where members may attend electronic meetings from (e.g. must be in B.C. or Canada due to FOI concerns);
- Provide clear expectations to members to remain connected throughout the entire meeting and set parameters around when members must be on or off camera or muted;
- Provide information to members on etiquette (e.g. lighting, privacy, use of virtual backgrounds).
- Develop a process the Corporate Officer will use to temporarily remove someone from a meeting due to a declared conflict of interest (e.g. person must disconnect or be placed in waiting room);
- Determine how quorum will be monitored and how it will be determined and recorded that a member is present, has left or returned to the meeting;
- Detail information on how voting will be handled in electronic meetings and how concerns about accuracy of the vote will be dealt with;
    - how to handle connectivity issues and potential legalities (e.g. when quorum might have been lost or when votes are recorded inaccurately)
    - how to ensure the public has clear info and managed expectations
- Provide a contact person for the public to contact with technical difficulties (e.g. email or telephone number on local government website and/or in the public notice);
- How staff will assist the chair to recognize council or board members or the public who may want to speak;
- If livestreaming ensure a staff member outside of the meeting checks and confirms that the livestream is working; and,
- Describe what will be used for backup technology if it fails during a meeting (e.g. regular phone conference line)

Aligning Corporate Policies and Procedures

Local governments may have supporting policies and procedures to review and amend to align with procedure bylaw amendments for electronic meetings. Electronic meeting policies can contain more details about electronic meeting processes and the technology used than the procedure bylaw itself. Having these details set out in policy may in turn help increase transparency, openness, accountability and consistency around electronic meetings.

Such policies may include:

- Electronic meetings policy (e.g. procedures for public question period; etiquette guidelines or tip sheet for electronic meetings; how personal privacy will be protected under Freedom of Information and Protection of Privacy Act)
- Records retention policy (e.g. recording and retention of electronic meetings);
- Technology policy (e.g. technology used to access meetings and closed meetings);
- Code of Conduct (e.g. include conduct for electronic meetings);
- Respectful workplace policy (e.g. inclusion of electronic meetings);
- Procedures for public participation in meetings (including delegations and public question period); and,
- Remuneration policy (e.g. for electronic attendance at meetings).

RESOURCES

Note: Once the legislation is in force, the procedure bylaw guidance about electronic regular and committee meetings will be incorporated into the Procedure Bylaw Guide: For B.C.'s Local Governments.

Procedure Bylaw Guide: For B.C.'s Local Governments
Open Meetings: Best Practices Guide for Local Governments
Electronic Meetings & Public Hearings Considerations for Local Governments
Bill 10 – Municipal Affairs Statutes Amendments Act
Ministerial Order 192 Local Government Meetings and Bylaw Process Order No. 3

Certified correct as passed Third Reading on the 1st day of June, 2021

Kate Ryan-Lloyd, Clerk of the Legislative Assembly

MINISTER OF MUNICIPAL AFFAIRS

BILL 10 – 2021

MUNICIPAL AFFAIRS STATUTES AMENDMENT ACT, 2021

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

Community Charter

1 Section 124 (2) of the Community Charter, S.B.C. 2003, c. 26, is amended by repealing paragraph (d) and substituting the following:

(d) provide for advance public notice respecting the time and date and, if applicable, the place of council committee meetings and establish the procedures for giving that notice; .

2 Section 128 is repealed and the following substituted:

Electronic regular council meetings

128 (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, regular council meetings may be conducted by means of electronic or other communication facilities.

(2) The following rules apply in relation to a regular council meeting referred to in subsection (1):

(a) the meeting must be conducted in accordance with the applicable procedure bylaw;

(b) in the procedure bylaw, a council must

(i) provide for advance public notice of the following:

(A) the way in which the meeting is to be conducted by means of electronic or other communication facilities;

(B) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and

(ii) establish the procedures for giving that notice;

(c) the facilities must

(i) enable the meeting's participants to hear, or watch and hear, the meeting,

(ii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting, and

(iii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.

(3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

*3 **The following sections are added:***

Electronic special council meetings

128.1 (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, special council meetings may be conducted by means of electronic or other communication facilities.

(2) The following rules apply in relation to a special council meeting referred to in subsection (1):

(a) the meeting must be conducted in accordance with the applicable procedure bylaw;

(b) the notice under section 127 (2) must include notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public;

(c) the facilities must

(i) enable the meeting's participants to hear, or watch and hear, the meeting, and

(ii) except for any part of the meeting that is closed to the public, enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.

(3) Members of council who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

Electronic council committee meetings

128.2 (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, council committee meetings may be conducted by means of electronic or other communication facilities.

(2) The following rules apply in relation to a council committee meeting referred to in subsection (1):

(a) the meeting must be conducted in accordance with the applicable procedure bylaw;

(b) in the procedure bylaw, a council must provide for advance public notice of the way in which the meeting is to be conducted by means of electronic or other communication facilities and establish the procedures for giving that notice;

(c) the facilities must enable the meeting's participants to hear, or watch and hear, the meeting;

(d) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting.

(3) Members of a council committee who are participating in a meeting conducted in accordance with this section are deemed to be present at the meeting.

Electronic participation by members in council and council committee meetings

128.3 (1) If authorized by a procedure bylaw and the requirements of subsection (2) are met, a member of council or a council committee who is unable to attend in person at a regular council meeting, a special council meeting or a council committee meeting may participate in the meeting by means of electronic or other communication facilities.

(2) The following rules apply in relation to a meeting referred to in subsection (1):

(a) the meeting must be conducted in accordance with the applicable procedure bylaw;

(b) the facilities must enable the meeting's participants to hear, or watch and hear, the participation of the member;

(c) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.

(3) Members of council or a council committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.

4 The following Division is added to Part 6:

Division 6 – Ministerial Regulations

Regulations respecting revenue anticipation borrowing in special circumstances

191.1 (1) The minister may make regulations in accordance with this section if the minister considers that special circumstances exist that result in, or are anticipated to result in, a loss of revenue by or an expense for

(a) a municipality, including the City of Vancouver,

(b) a regional district, or

(c) a greater board.

(2) The minister may make regulations respecting delaying the payment of debt incurred as revenue anticipation borrowing, until the earlier of

(a) the date when the anticipated revenue with respect to which the borrowing was authorized is received, or

(b) December 31 of the year following the year in which the debt was incurred.

(3) The minister may make a regulation under subsection (1) only if satisfied that

(a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and

(b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.

(4) A regulation under subsection (1)

(a) must specify the following:

(i) the municipality, regional district or greater board or class of municipalities, regional districts or greater boards, including, without limitation, a class that is all municipalities, all regional districts or all greater boards, for which the payment date is postponed;

(ii) the calendar year in relation to which the debt is incurred as revenue anticipation borrowing;

(iii) whether the amount of any outstanding debt that remains unpaid after the applicable date referred to in subsection (2) will or will not limit the maximum allowable amount of revenue anticipation borrowing that may be incurred in the subsequent year, and

(b) may specify additional terms and conditions respecting the payment of the debt.

(5) A regulation under subsection (1) may provide that it applies despite any of the following:

(a) section 177 *[revenue anticipation borrowing]*;

(b) section 35 *[borrowing in anticipation of revenue]* of the *Greater Vancouver Sewerage and Drainage District Act*;

(c) section 58 *[borrowing in anticipation of revenue]* of the *Greater Vancouver Water District Act*;

(d) section 404 *[revenue anticipation borrowing]* of the *Local Government Act*;

(e) section 263 *[borrowing pending collection of real-property taxes]* of the *Vancouver Charter*.

Regulations respecting borrowing from reserve funds in special circumstances

191.2 (1) The minister may make regulations respecting borrowing from reserve funds to cover an operational shortfall in the year of borrowing if the minister considers that special circumstances exist that result in, or are anticipated to result in, an operational shortfall for

(a) a municipality, including the City of Vancouver,

(b) a regional district,

(c) a greater board, or

(d) an improvement district.

(2) The minister may make a regulation under subsection (1) only if satisfied that

(a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and

(b) the regulation is necessary to prevent, respond to or alleviate the effects of the special circumstances.

(3) A regulation under subsection (1)

(a) must specify the following:

(i) the municipality, regional district, greater board or improvement district or class of municipalities, regional districts, greater boards or improvement districts, including, without limitation, a class that is all municipalities, all regional districts, all greater boards or all improvement districts, that may borrow from reserve funds;

(ii) the calendar year in relation to which borrowing is authorized;

(iii) the date by which the borrowed amount must be repaid to the reserve fund from which it was borrowed;

(iv) whether interest applies to the borrowed amount and, if so, the amount of the applicable interest;

(v) whether a penalty of no more than 5% of the amount outstanding after the date specified under subparagraph (iii) applies to any amount outstanding after that specified date such that it must be paid to the reserve fund from which the amount was borrowed;

(vi) whether any amount outstanding after the date specified under subparagraph (iii) must be included as a cash transfer to reserves in the year following that date in the financial plan, annual estimates or budget, as applicable, and

(b) may specify additional terms and conditions respecting the borrowing from reserve funds.

(4) A regulation under subsection (1) may provide that it applies despite any of the following:

(a) section 165 *[financial plan]*;

(b) section 189 *[use of money in reserve funds]*;

(c) section 34.1 *[reserve and special reserve funds]* of the *Greater Vancouver Sewerage and Drainage District Act*;

(d) section 53 *[annual estimate]* of the *Greater Vancouver Sewerage and Drainage District Act*;

(e) section 46 *[annual estimates and fixing of rates]* of the *Greater Vancouver Water District Act*;

(f) section 57.1 *[reserve funds]* of the *Greater Vancouver Water District Act*;

(g) section 374 *[annual financial plan]* of the *Local Government Act*;

(h) section 377 *[financial management: application of Community Charter]* of the *Local Government Act*;

(i) section 697 (2) (d) *[general powers of improvement district]* of the *Local Government Act*;

(j) section 706 *[renewal of works and related reserve funds]* of the *Local Government Act*;

(k) section 193D (5) (d) and (8) *[reserve fund for accommodation to replace converted or demolished single room accommodation]* of the *Vancouver Charter*;

(l) section 201A *[property acquisition fund]* of the *Vancouver Charter*;

(m) section 219 *[Director of Finance to report on revenue and expenditure]* of the *Vancouver Charter*;

(n) section 306 (7) to (9) *[reserve fund for off-street parking and transportation infrastructure]* of the *Vancouver Charter*;

(o) section 372 *[annual estimates]* of the *Vancouver Charter*;

(p) section 523D (16) to (17.1) *[development cost levy reserve funds]* of the *Vancouver Charter*.

Local Government Act

5 Section 110 (2) and (3) of the Local Government Act, R.S.B.C. 2015, c. 1, is repealed.

6 The following section is added:

Regulations respecting elections in special circumstances

167.1 (1) If the minister considers that special circumstances exist that affect, or are anticipated to affect, the administration or conduct of election proceedings or proceedings for assent voting, the minister may make regulations providing an exception to or modification of

(a) one or more provisions of this Part or Part 4,

(b) a regulation under this Part or Part 4, or

(c) a bylaw under this Act.

(2) The minister may make a regulation under subsection (1) only if satisfied that

(a) the benefit of making the regulation is proportionate to the benefit of the continued application of the enactment as it is before the making of the regulation, and

(b) the regulation is necessary to prevent, respond to, or alleviate the effects of the special circumstances.

(3) A regulation under subsection (1) must specify a date of repeal of the regulation that is no later than one year after the date the regulation is made.

7 Section 175 (4) is amended

(a) in paragraph (a) by striking out "section 110 (3) (b)" *and substituting* "section 110", *and*

(b) by repealing paragraph (b).

8 Section 221 (1) is amended by striking out "conducted by means of electronic or other communications facilities." *and substituting* "conducted by means of electronic or other communication facilities."

9 Section 465 is amended

(a) by adding the following subsections:

(1.1) Subject to subsection (1.2), a public hearing under section 464 (1) may be conducted by means of electronic or other communication facilities.

(1.2) The facilities referred to in subsection (1.1) must enable the public hearing's participants to hear, or watch and hear, each other. , *and*

(b) by repealing subsection (7) and substituting the following:

(7) A public hearing may be adjourned and no further notice of the hearing is necessary if the following are stated to those in attendance at the time the hearing is adjourned:

(a) the time and date of the resumption of the hearing;

(b) the place of the resumed hearing, if applicable;

(c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable.

10 Section 466 (2) is amended

(a) in paragraph (b) by adding "**,** if applicable" ***after*** "the place of the hearing"***, and***

(b) by adding the following paragraph:

(b.1) if the hearing is conducted by means of electronic or other communication facilities, the way in which the hearing is to be conducted by those means; .

11 Section 494 (2) is amended

(a) by striking out "and" ***at the end of paragraph (c),***

(b) by repealing paragraph (d) and substituting the following:

(d) the time and date when and, if applicable, the place where the resolution will be considered, and **,** ***and***

(c) by adding the following paragraph:

(e) if the meeting at which the resolution will be considered is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

12 Section 541 (2) is repealed and the following substituted:

(2) A notice under subsection (1) must state the following:

(a) the subject matter of the application;

(b) the time and date when and, if applicable, the place where the application will be heard;

(c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

13 Section 543 (3) is repealed and the following substituted:

(3) A notice under subsection (2) must state the following:

(a) the subject matter of the application;

(b) the time and date when and, if applicable, the place where the application will be heard;

(c) if the meeting at which the application is heard is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.

14 Section 683 (3) is amended by striking out "is 3 years" *and substituting* "continues until the date of the improvement district election that is held in the third calendar year following the calendar year in which the trustee was elected or appointed".

15 Section 690 (1) is repealed and the following substituted:

(1) At least once in every calendar year, an improvement district board must call an annual general meeting of the owners of land in the improvement district at which it presents the audited financial statements for the preceding calendar year.

16 Section 699 (1) is repealed and the following substituted:

(1) A bylaw of an improvement district must be signed by the corporate officer and the person presiding at the meeting at which the bylaw is passed.

Municipalities Enabling and Validating Act (No. 4)

17 The following Part is added to the Municipalities Enabling and Validating Act (No. 4), S.B.C. 2011, c. 14:

PART 5 – 2021

Division 1 – Definitions

Definitions

31 In this Part:

"City of Vancouver" means the city as defined in section 2 of the *Vancouver Charter*;

"council" means a council as defined in section 1 of the Schedule to the *Community Charter*;

"Greater Vancouver Sewerage and Drainage District" means the Corporation as defined in section 2 of the *Greater Vancouver Sewerage and Drainage District Act*;

"Greater Vancouver Water District" means the Corporation as defined in section 2 of the *Greater Vancouver Water District Act*;

"improvement district" means an improvement district as defined in section 1 of the Schedule to the *Local Government Act*;

"item 16" means item 16 of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal;

"local authority" means a local authority as defined in section 1 of the Schedule to the *Community Charter*;

"municipality" means a municipality as defined in section 1 of the Schedule to the *Community Charter*;

"regional district" means a regional district as defined in section 1 of the Schedule to the *Local Government Act*;

"Vancouver council" means the Council as defined in section 2 of the *Vancouver Charter*.

Division 2 – Reserve Fund Borrowing (COVID-19)

Reserve fund borrowing – municipalities

32 (1) This section applies to a municipality that, during the 2020 calendar year, borrowed from a reserve fund established under section 188 *[establishment of reserve funds]* of the *Community Charter* in accordance with section 3 (1) of item 16.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the municipality as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite section 189 *[use of money in reserve funds]* of the *Community Charter*.

Reserve fund borrowing – regional districts

33 (1) This section applies to a regional district that, during the 2020 calendar year, borrowed from a reserve fund established under section 377 *[financial management: application of Community Charter]* of the *Local Government Act* in accordance with section 4 (1) of item 16.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the regional district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite section 377 of the *Local Government Act*.

Reserve fund borrowing – improvement districts

34 (1) This section applies to an improvement district that, during the 2020 calendar year, borrowed from a reserve fund established under section 706 *[renewal of works and related reserve funds]* of the *Local Government Act* in accordance with section 5 (1) of item 16.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the improvement district as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite section 706 of the *Local Government Act*.

Reserve fund borrowing – City of Vancouver

35 (1) This section applies to the City of Vancouver in respect of money that the city, during the 2020 calendar year, borrowed from a reserve fund established under the following sections of the *Vancouver Charter* in accordance with section 6 (1) of item 16:

(a) section 193D (5) (d) and (8) *[single room accommodation permits]*;

(b) section 201A *[property acquisition fund]*;

(c) section 306 (7) to (9) *[reserve fund for off-street parking and other transportation infrastructure]*;

(d) section 523D (16) to (17.1) *[development cost levies]*.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the City of Vancouver as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite the following provisions of the *Vancouver Charter*:

(a) section 193D (5) (d) and (8);

(b) section 201A;

(c) section 306 (7) to (9);

(d) section 523D (16) to (17.1).

Reserve fund borrowing – Greater Vancouver Sewerage and Drainage District

36 (1) This section applies to the Greater Vancouver Sewerage and Drainage District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 34.1 *[reserve and special reserve funds]* of the *Greater Vancouver Sewerage and Drainage District Act* in accordance with section 7 (1) of item 16.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Sewerage and Drainage District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite section 34.1 of the *Greater Vancouver Sewerage and Drainage District Act*.

Reserve fund borrowing – Greater Vancouver Water District

37 (1) This section applies to the Greater Vancouver Water District in respect of money that the district, during the 2020 calendar year, borrowed from a reserve fund established under section 57.1 *[reserve funds]* of the *Greater Vancouver Water District Act* in accordance with section 8 (1) of item 16.

(2) The money borrowed in accordance with subsection (1)

(a) must be repaid to the fund from which it was borrowed on or before December 31, 2025, and

(b) need not be repaid with interest.

(3) Any outstanding money that remains unpaid on December 31, 2025 must be added to the 2026 financial plan, budget or estimates, as applicable, of the Greater Vancouver Water District as a cash transfer to reserves, plus a penalty equal to 5% of the debt outstanding as at December 31, 2025.

(4) This section applies despite section 57.1 of the *Greater Vancouver Water District Act.*

Power to make regulations

38 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act.*

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations as follows:

(a) modifying the date specified in section 32 (2) (a), 33 (2) (a), 34 (2) (a), 35 (2) (a), 36 (2) (a) or 37 (2) (a) *[repayment deadline]*;

(b) waiving the 5% penalty incurred under section 32 (3), 33 (3), 34 (3), 35 (3), 36 (3) or 37 (3) *[penalty for outstanding debt].*

(3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

Division 3 – Revenue Anticipation Borrowing (COVID-19)

Extension of borrowing – municipalities

39 (1) Debt incurred by a municipality borrowing money in anticipation of revenue in 2020 in accordance with section 177 *[revenue anticipation borrowing]* of the *Community Charter* must be repaid on or before the earlier of the following dates:

(a) the date when the anticipated revenue for which the borrowing was authorized is received;

(b) December 31, 2021.

(2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the municipality.

(3) This section applies despite section 177 of the *Community Charter*.

Extension of borrowing – regional districts

40 (1) Debt incurred by a regional district borrowing money in anticipation of revenue in 2020 in accordance with section 404 *[revenue anticipation borrowing]* of the *Local Government Act* must be repaid on or before the earlier of the following dates:

(a) the date when the anticipated revenue for which the borrowing was authorized is received;

(b) December 31, 2021.

(2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021 in respect of the regional district.

(3) This section applies despite section 404 of the *Local Government Act*.

Extension of borrowing – City of Vancouver

41 (1) Debt incurred by the City of Vancouver borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 263 *[borrowing pending collection of real-property taxes]* of the *Vancouver Charter* must be repaid on or before the earlier of the following dates:

(a) the date when the anticipated revenue for which the borrowing was authorized is received;

(b) December 31, 2021.

(2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit, and need not be included in the calculation of, the maximum allowable amount of borrowing in anticipation of revenue in 2021.

(3) This section applies despite section 263 of the *Vancouver Charter*.

Extension of borrowing – Greater Vancouver Sewerage and Drainage District

42 (1) Debt incurred by the Greater Vancouver Sewerage and Drainage District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 35 *[borrowing in anticipation of revenue]* of the *Greater Vancouver Sewerage and Drainage District Act* must be repaid on or before the earlier of the following dates:

(a) the date when the anticipated revenue for which the borrowing was authorized is received;

(b) December 31, 2021.

(2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.

(3) This section applies despite section 35 of the *Greater Vancouver Sewerage and Drainage District Act.*

Extension of borrowing – Greater Vancouver Water District

43 (1) Debt incurred by the Greater Vancouver Water District borrowing a sum of money in anticipation of revenue in 2020 in accordance with section 58 *[borrowing in anticipation of revenue]* of the *Greater Vancouver Water District Act* must be repaid on or before the earlier of the following dates:

(a) the date when the anticipated revenue for which the borrowing was authorized is received;

(b) December 31, 2021.

(2) The amount of any outstanding debt from 2020 that remains unpaid in 2021 under subsection (1) does not limit the maximum allowable amount of borrowing in anticipation of revenue in 2021.

(3) This section applies despite section 58 of the *Greater Vancouver Water District Act.*

Power to make regulations

44 (1) For the purposes of this Division, the Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act.*

(2) Without limiting subsection (1), the Lieutenant Governor in Council may make regulations modifying the date specified in section 39 (1) (b), 40 (1) (b), 41 (1) (b), 42 (1) (b) or 43 (1) (b) *[repayment deadline].*

(3) Regulations under subsection (2) may be different for different local authorities or classes of local authorities.

Division 4 – Annual Tax Sales (COVID-19)

Deferral of tax sale – municipalities

45 (1) If a council of a municipality adopted a bylaw in accordance with section 15 (1) of item 16 deferring the annual tax sale, provided for under Division 7 *[Annual Municipal Tax Sale]* of Part 16 *[Municipal Provisions]* of the *Local Government Act*, for 2020,

(a) the annual tax sale for the municipality for 2020 is deferred to September 27, 2021, and

(b) for certainty, any taxes that are delinquent, as described in section 246 (1) of the *Community Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.

(2) This section applies despite Division 7 of Part 16 of the *Local Government Act*.

Deferral of tax sale – City of Vancouver

46 (1) The annual tax sale for the City of Vancouver for 2020 is deferred to November 10, 2021, in accordance with By-Law No. 12730, adopted by Vancouver council on July 7, 2020.

(2) For certainty, any taxes that are delinquent, as described in section 407 *[further warning of tax sale]* of the *Vancouver Charter*, remain delinquent for 2021, with interest charges that are carried under that Act.

(3) This section applies despite Part XX *[Real-Property Taxation]* of the *Vancouver Charter*.

Deferral of tax sale – improvement districts

47 (1) In this section, **"deferral date"** means, as applicable,

(a) a date specified for the annual tax sale by a bylaw made under section 17 (2) of item 16, or

(b) September 27, 2021, if no date is specified in a bylaw referred to in paragraph (a).

(2) If an improvement district board adopted a bylaw in accordance with section 17 (2) of item 16 deferring the annual tax sale for 2020 until the deferral date,

(a) the annual tax sale for the improvement district for 2020 is deferred to the deferral date, and

(b) for certainty, any taxes that remain owing, as described in section 718 (1) (a) *[tax sale for recovery of taxes]* of the *Local Government Act*, continue to remain owing for 2021, with interest charges that are carried under that Act.

(3) This section applies despite Division 6 *[Tax Sales]* of Part 17 *[Improvement Districts]* of the *Local Government Act*.

Division 5 – Tax Sale Redemption Periods (COVID-19)

Extension of redemption period – municipalities

48 (1) If a council of a municipality adopted a bylaw in accordance with section 18 (1) of item 16 extending the expiration of the redemption period for all properties that have a redemption period ending in 2020, the expiration of the redemption period for the municipality is extended to September 27, 2021.

(2) This section applies despite Division 7 *[Annual Municipal Tax Sale]* of Part 16 *[Municipal Provisions]* of the *Local Government Act*.

Vancouver Charter

18 ***Section 2.1 of the Vancouver Charter, S.B.C. 1953, c. 55, is amended***

(a) by repealing subsection (2) and substituting the following:

(2) The following provisions of the *Community Charter* apply to the city:

(a) Division 6 *[Ministerial Regulations]* of Part 6 *[Financial Management]*;

(b) section 193.1 *[interest calculation]*;

(c) section 223 *[exemptions under regulations]*;

(d) Division 3 *[Dispute Resolution]* of Part 9 *[Governmental Relations]*., ***and***

(b) in subsection (4) by adding the following:

(d) the *Municipalities Enabling and Validating Act (No. 4)*, S.B.C. 2011, c. 14.

19 ***Section 72 (2) is repealed.***

20 ***Section 164.1 (3) is amended by striking out*** "conducted by means of electronic or other communications facilities." ***and substituting*** "conducted by means of electronic or other communication facilities."

21 ***The following section is added:***

Electronic meetings of the Board

495A. (1) If permitted under subsection (2), a meeting or special meeting of the Board may be conducted by means of electronic or other communication facilities.

(2) The Lieutenant Governor in Council may make regulations permitting meetings under subsection (1) and prescribing conditions, limits and requirements respecting such meetings.

22 ***Section 562 (4) is amended by striking out*** "Section 566 (3) to (5.1)" ***and substituting*** "Section 566 (1.1), (1.2) and (3) to (5.1)".

23 ***Section 566 is amended***

(a) by adding the following subsections:

(1.1) Subject to subsection (1.2), a public hearing under subsection (1) may be conducted by means of electronic or other communication facilities.

(1.2) The facilities referred to in subsection (1.1) must enable the public hearing's participants to hear, or watch and hear, each other. ***, and***

(b) by repealing subsection (3) and substituting the following:

(3) Notice of the hearing that states the following must be published in accordance with section 3, with the last publication appearing at least 7 days and not more than 14 days before the date of the hearing:

(a) the time and date of the hearing;

(b) the place of the hearing, if applicable;

(c) the way in which the hearing is to be conducted by means of electronic or other communication facilities, if applicable;

(d) the place where and the times when a copy of the proposed by-law may be inspected.

24 ***Section 594 (2) is amended by striking out*** "Section 566 (3), (5) and (5.1)" ***and substituting*** "Section 566 (1.1), (1.2), (3), (5) and (5.1)".

Transitional Provisions

Transition – notice

25 If, before this section comes into force, a local authority, as defined in section 1 of the Schedule to the *Community Charter*, provides notice of a meeting or a hearing to be held on or after the date this section comes into force and provides the notice in accordance with item 21 *[Local Government Meetings and Bylaw Process (COVID-19) Order No. 3]* of Schedule 2 to the *COVID-19 Related Measures Act* as the item read immediately before its repeal, that notice is deemed to be provided in accordance with the *Community Charter*, the *Local Government Act* or the *Vancouver Charter*, as applicable and as amended by this Act.

Consequential Amendments

Hospital District Act

26 Section 17.1 (5) of the Hospital District Act, R.S.B.C. 1996, c. 202, is amended by repealing paragraph (f) and substituting the following:

(f) sections 128 to 128.3 *[electronic meetings and electronic participation]*; .

Commencement

27 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 **Provisions of Act**	Column 2 **Commencement**
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 3	By regulation of the Lieutenant Governor in Council
3	Section 4	July 11, 2021
4	Sections 9 to 13	By regulation of the Lieutenant Governor in Council
5	Sections 14 to 18	July 11, 2021
6	Sections 21 to 26	By regulation of the Lieutenant Governor in Council

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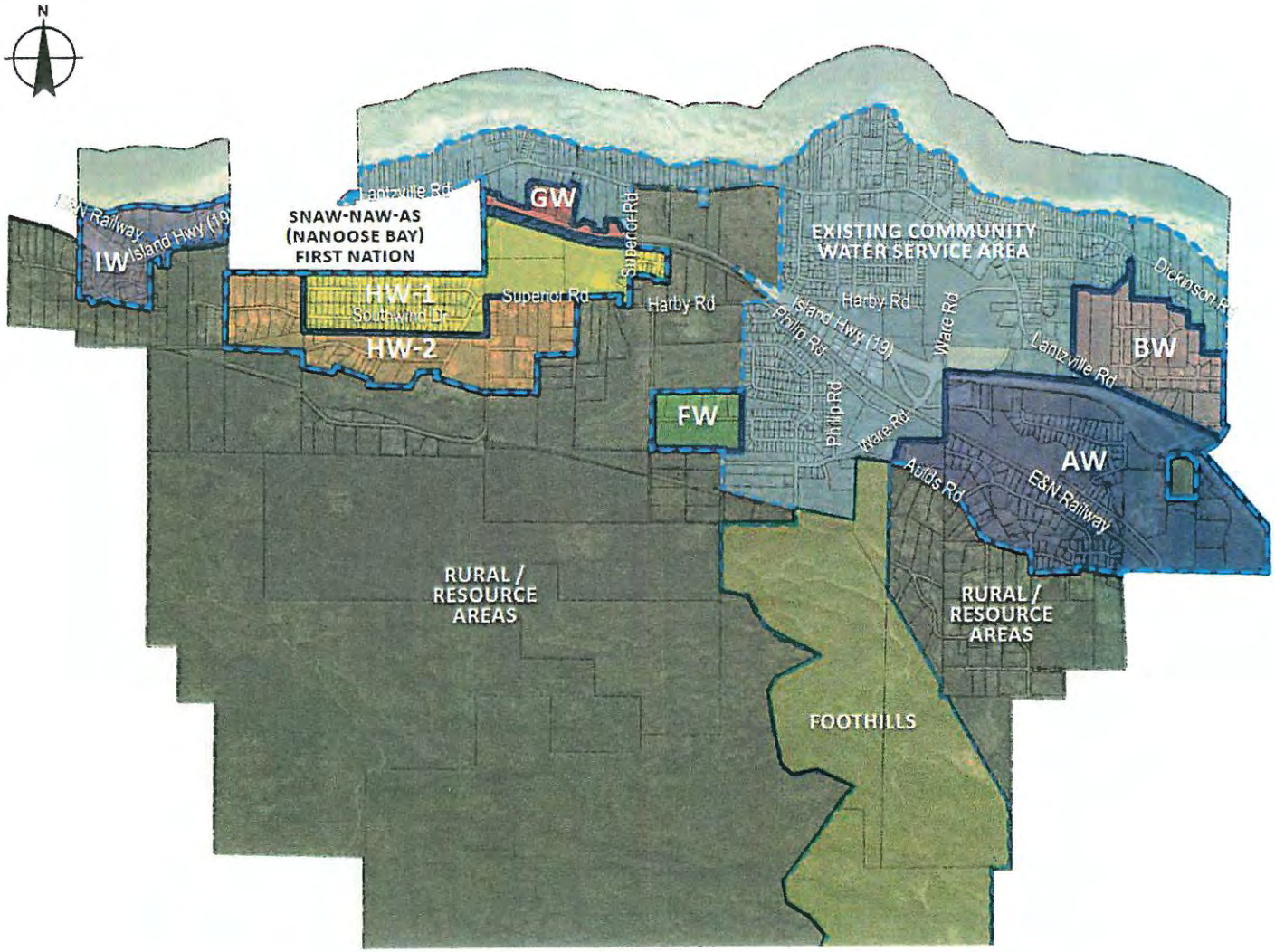
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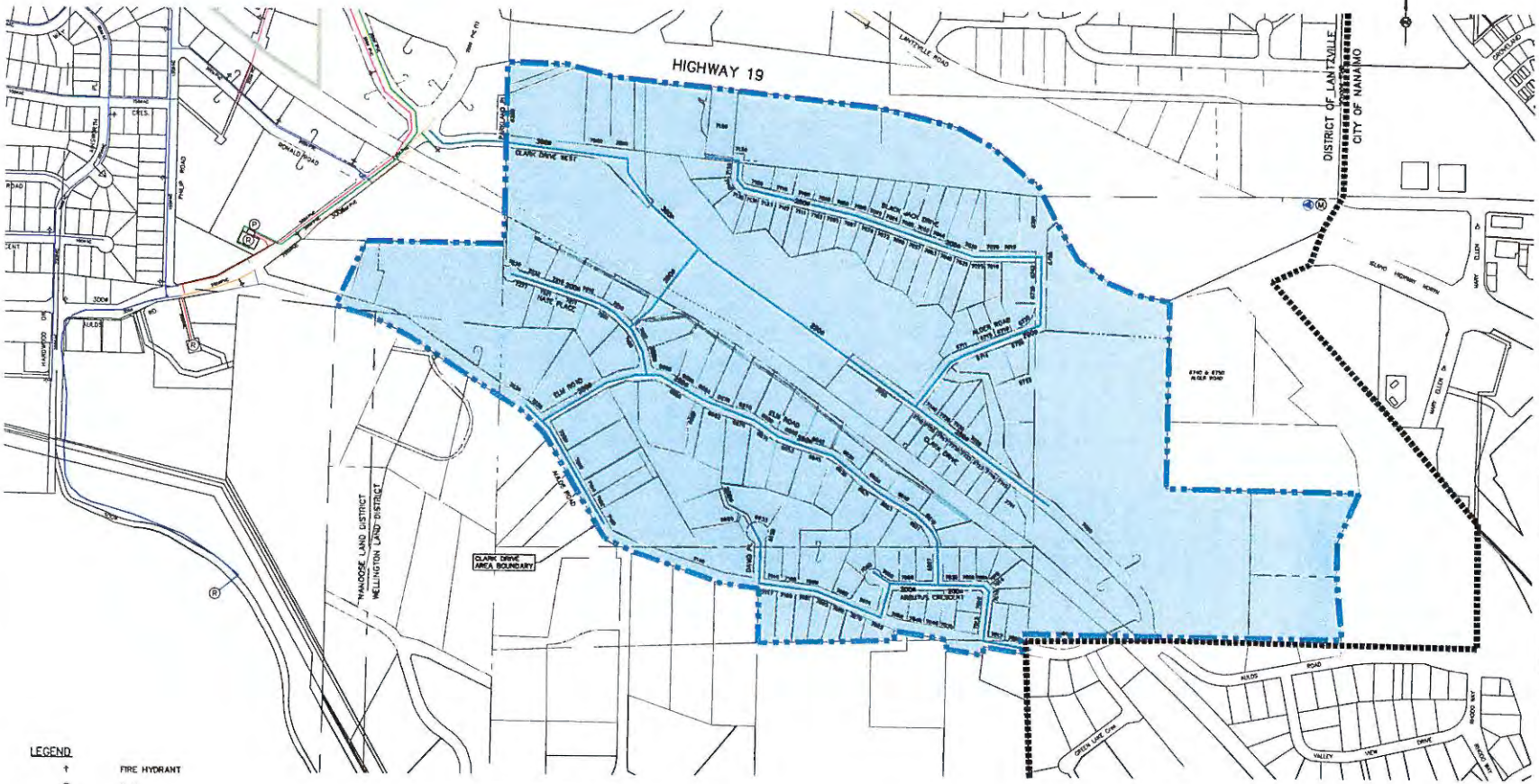
SNAW-NAW-AS
(NANOOSE BAY)
FIRST NATION
EXISTING COMMUNITY
WATER SERVICE AREA
IW
GW
HW-1
HW-2
FW
BW
AW
Lantzville Rd
Superior Rd
Harby Rd
Southwind Dr
Island Hwy (19)
Ware Rd
Philip Rd
Dickinson Rd
Aulds Rd
E&N Railway
RURAL /
RESOURCE
AREAS
FOOTHILLS



LEGEND

- FIRE HYDRANT
- WELL
- RESERVOIR
- PRV — PRESSURE REDUCING VALVE
- MUNICIPAL BOUNDARY
- WATER SERVICE AREA BOUNDARY
- PRESSURE ZONE BOUNDARY
- PRIMARY FLOW DIRECTION
- WELL FIELD SUPPLY
- 144m PRESSURE ZONE
- 160m PRESSURE ZONE
- 97m PRESSURE ZONE
- CITY OF NANAIMO SUPPLY
- AULDS ROAD SUPPLY
- PROPOSED WATERMAINS

* THE TOTAL NUMBER OF CONNECTIONS TO THIS SYSTEM IS APPROXIMATELY 180 SERVICES.

KOERS & ASSOCIATES ENGINEERING LTD.
Consulting Engineers

RECORD OF REVISIONS

REV	DATE	BY	ENG	DESCRIPTION

ISS	DATE	BY	ENG	DESCRIPTION
A	03OCT18	MB	CD	ISSUED FOR REVIEW

RECORD OF ISSUE

SEAL

PROJECT NO.
DRAWN
DESIGNED
CHECKED
APPROVED
DATE APRIL 2020
SCALE 1:4000

CLIENT
District of Lantzville

PROJECT
CLARK DRIVE WATERMAINS

TITLE
PROPOSED SUPPLY AND DISTRIBUTION WORKS

DRAWING No. 2027-SK1 | REV. | SHEET 1/1

File: 2027-01_JUSTIN.dwg Plot Time: Apr 21, 2020 - 2:14pm User: jamith